



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

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DÁIL ÉIREANN

Dé Céadaoin, 11 Meitheamh 2025

Wednesday, 11 June 2025

Chuaigh an Cathaoirleach Gníomhach (Deputy Aidan Farrelly) i gceannas ar 9 a.m.

***Paidir agus Machnamh.
Prayer and Reflection.***

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Cathaoirleach Gníomhach (Deputy Aidan Farrelly): I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 39 and the name of the Member in each case:

Deputy Joanna Byrne - To discuss the inclusion of a school (details supplied) in Drogheda in the pathfinder programme for retrofit upgrades.

Deputy Michael Cahill - To discuss provisions for footpath and road improvement works in Cahersiveen town on the N70 Ring of Kerry route.

Deputy James Geoghegan - To discuss expanding the access and inclusion model, AIM, to support children below the current age of eligibility of two years and eight months.

Deputy John Brady - To discuss secondary school provision in Greystones and Newtownmountkennedy, County Wicklow.

Deputy Naoise Ó Cearúil - To discuss ongoing issues relating to water pressure and supply in Kildare North.

Deputy Ruairí Ó Murchú - To discuss the lack of provision of isotope-dependent PET-CT scans.

Deputy Conor D. McGuinness - To discuss Local Link bus services in rural County Waterford.

Deputy Erin McGreehan - To discuss making Louth County Hospital in Dundalk a surgical hub for the north east.

Deputy Louis O'Hara - To discuss the need for redress for the former patients of an orthodontist.

Deputy Pádraig O'Sullivan - To discuss the establishment of a new secondary school in Cork for students with complex needs.

Deputy Mattie McGrath - To discuss funding for Cluain Training and Enterprise Centre in Clonmel, County Tipperary.

Deputy Louise O'Reilly - To discuss the need for disability services in Lusk.

Deputy Claire Kerrane - To discuss the response to recent wildfires in Gortaganny, County Roscommon.

Deputy Roderic O'Gorman - To discuss the provision of an emergency works grant to Coolmine Community School, Dublin 15.

Deputy Pat Buckley - To discuss the lack of podiatry services in Cork.

Deputy Malcolm Byrne - To discuss the extension of Coláiste Bhríde secondary school, Carnew, County Wicklow.

Deputies Pat the Cope Gallagher, Pearse Doherty and Pádraig Mac Lochlainn - To discuss the future of Letterkenny University Hospital and the necessity to provide a surgical hub.

Deputy Donnchadh Ó Laoghaire - To discuss the shortage of school places, particularly for children with additional needs.

Deputies Gary Gannon and Ruth Coppinger - To discuss the regulation of commercial drone delivery services in residential areas in west Dublin.

The matters raised by Deputies Joanna Byrne, Ruairí Ó Murchú, Naoise Ó Cearúil, Gary Gannon and Ruth Coppinger and James Geoghegan have been selected for discussion

Saincheisteanna Tráthúla - Topical Issue Debate

School Accommodation

Deputy Joanna Byrne: I read the press release issued on Monday by the Minister, Deputy McEntee, which detailed the 28 schools that will undergo major energy and decarbonisation retrofit works this summer under the pathfinder programme. It is welcome news for those schools and I have no doubt they are delighted to be selected. I understand the pilot inventory covered schools in counties Kildare, Meath, Offaly, Wicklow and Wexford, with 40 schools participating in the planning and design stages of the programme. However, there are other schools in every county that would also love to be included in the programme. I hope the Minister of State will review it and consider adding another school. It is a primary school in Drogheda, St. Joseph's CBS. It has two buildings: the green building, which was built in the 1950s, and the red building, which was built in the 1980s. I was contacted by the school's climate action officer, a young teacher who has taken on the additional workload of detailing and attempting to deal with a long list of problems caused by the age of the school and the lack of funding to deal with the problems over many years. The pathfinder programme would deal with many of the issues the school faces and be a real lifeline in bringing it up the standard expected of 21st

century learning and working facilities.

The school had an energy audit completed under the Sustainable Energy Authority of Ireland, SEAI support scheme for energy audits, SSEA and an energy analysis report was done by another company. Although from reading the reports I see that the findings are concerning, they are also fixable and the possibilities if funding is given are positive. Another report was done by a specialist mould removal company. The list is so long that the school had to engage another company to prioritise the recommendations that they should look at putting into action. The school is doing everything it can and desperately needs financial assistance to implement those recommendations.

I went on a tour of the school, which is populated by happy and engaged children who are a credit to the teachers and principal, but I have to admit I was shocked at the conditions. Water is settling on the flat roof and leading to leaks. Calcium deposits from water ingress can be seen in the fire escape. There is mould and moss caused by the water ingress in addition to the lack of ventilation and heat in the fire escape. There are mould, leaks and dampness in the fourth- and fifth-class classrooms and when I was walking the corridors, there were buckets and basins at various points collecting water that was leaking in. A recent energy audit conducted by Codex Energy on behalf of Dunleer Energy Team found that, at best, the two oil boilers were only working at 65% efficiency. When I saw the boilers I gasped. I could not believe anything that old was still in operation. The school is burning through money trying to keep the entire school warm.

Work is needed on the building fabric, heating, ventilation and air-conditioning systems and the school needs help to move to renewables as there are no renewable energy systems currently in the school. It is estimated that €1 million would be required to get the school to a building energy rating, BER, of B. It is not a lot of funding for a Government that will have a budget surplus. If there is no prospect of this primary school being included in the pathfinder programme, I would greatly appreciate if the Minister of State, Deputy Michael Moynihan, and the Minister, Deputy McEntee, could offer assistance and funding to resolve the problems I have listed here this morning. I am happy to forward the energy audits and reports the school has had carried out and pictures of the state of disrepair the school is in. It is up-to-date on its SEAI monitoring and reporting and has an energy team that is actively looking at ways to reduce energy usage. It is participating in the energy in education programme and doing its best to solve these problems. Considering it meets all the benchmarks set out by the Department to be considered for the pathfinder programme, I hope we can collectively assist the school in having the recommendations in the energy audits put into action as soon as possible.

Minister of State at the Department of Education and Youth (Deputy Michael Moynihan): I thank the Deputy for raising the issue.

First, I will discuss the Department of Education and Youth school energy retrofit pathfinder programme. The Department is leading an ambitious sustainable agenda and has progressed a number of measures to improve the overall sustainability of our school buildings as part of our work towards the 2030 and 2050 climate targets. Its performance has been recognised at national and international levels with sustainable energy awards for excellence in design, specification and delivery. The Department's policy is supported by a strong research programme, with 56 research programmes at various stages.

It is a priority for the Government to deliver on Ireland's ambitious climate agenda and

reduce greenhouse gas emissions in line with the Department's school sector technical climate action roadmap which was published in 2023 and updated again last year, 2024. In that regard, the Department of Education and Youth and the Department of Climate, Energy and the Environment have developed a joint-funded school sector decarbonisation pathfinder programme. It is administered by the planning and building unit in the Department of Education and Youth and the SEAI in partnership with devolved delivery support from the Cork, Limerick and Clare, and Longford Westmeath education and training boards, ETBs.

The pathfinder programme facilitates research into a range of typical retrofit options for schools which will be tried and tested. It is providing valuable development information for a solution-driven strategy which will be founded on a solid evidence base that has proved the robustness and scalability of renewable solutions in the school sector. In this context, the pathfinder programme operates on a selection basis, rather than through an application process. The pathfinder programmes for 2025 have already been committed to. The general principles of the approach to school selection include that schools comply with their annual reporting obligations to the SEAI in respect of energy usage and energy monitoring and reporting scheme and that secondary schools demonstrate a strong holistic commitment to energy management practices through participation in the energy in education website portal and advice programme operated by the SEAI in collaboration with the Department of Education and Youth. The programme selection also seeks to include various cross-sections of school types and sizes, energy consumption profiles and different elements of construction type and heritage conservation requirements where specific learning is being targeted.

I should explain that applications for the provision of funding for issues related to an existing school can fall under a number of delivery mechanisms, which most frequently include the summer works and emergency works schemes. The purpose of the emergency works scheme is specifically to provide funding for unforeseen emergencies, thereby ensuring availability of funding for urgent works for schools in need of resources as a result of emergency issues.

Regarding the specific school in question, the emergency works team in the Department of Education and Youth is currently engaging with the school on a number of issues and the option remains open to the school to apply for funding for a number of areas of immediate concern through this mechanism. I urge the school and the Deputy to continue to liaise with the Department on the emergency works so we will be able to help the school with the issues the Deputy outlined.

Deputy Joanna Byrne: Gabhaim buíochas leis an Aire Stáit. The school has applied for emergency works funding. It is also in the process of applying for the climate action summer works scheme this year. However, getting multiple grants at various times and doing the required works piecemeal is time consuming for primary school teachers who are already overloaded. It is almost unfair to ask them to take that route, but they are actively doing so. Work that fixes one thing in one part of the school risks being undone by not having an all-encompassing plan of works carried out to resolve the issues in these very old school buildings. That is why the school is looking at the bigger picture of the pathfinder programme. My contribution today probably only touched the surface of the issues in this school and what the dedicated team of staff is trying to keep at bay. On top of everything I outlined regarding the issues with mould, damp, leaks, insulation, heat and so on, I have not even scratched the surface on flooring replacement, painting and decorating, security access upgrades, toilet upgrades, tree maintenance, general maintenance and all the day-to-day issues that need to be addressed but that minor works grant do not come anywhere near covering, to be frank.

We have a very passionate and dedicated team of staff in this school trying to enhance the facilities there to provide a basic fit-for-purpose education setting for the children served. I already outlined that the school meets the criteria the Minister of State outlined in his response for the pathfinder programme, but the school is in desperate need of major assistance from the Minister of State's Department. Given everything I have detailed - and I understand the Minister of State gave a preprepared response - I ask for some positive interest from the Minister of State and the Minister, Deputy McEntee, in considering this school or, at the very least, a commitment to engage with the school directly to find a pathway forward for all concerned. Funding for minor works and emergency works is just not touching the surface of what is required in this school.

Deputy Michael Moynihan: I again thank the Deputy for raising these issues. I note the concerns she has regarding the building in respect of damp, leaks, the toilet facilities and the other issues raised. I take them on board and I will be liaising with the Department in relation to what she outlined. It is greatly important. I understand and accept that St. Joseph's CBS in Drogheda is liaising with the emergency section of the Department. I emphasise it is important this communication channel is kept open so the best possible applications are made in relation to the immediate work we need to do with the challenges in the school. The Deputy mentioned issues with the boilers and their efficiency. She also mentioned the BER rating, and sometimes an awful lot of work must be done in this regard in schools. I do take on board, however, what she has said and I will liaise with the Department on the points she has raised with me. I encourage St. Joseph's CBS to continue to liaise with the Department on emergency funding to ensure we at least tackle the emergency issues in the school in the first instance and then continue to work with the school to try to find solutions to all the issues it has at the school gate.

Health Services

Deputy Ruairí Ó Murchú: Before I turn to my main issue, but on the basis that this is health-related, I commend the staff in Our Lady of Lourdes hospital where I had to undergo a testing procedure. All is very well but I must say the staff there were incredibly professional and made something that should not be enjoyable in any way as enjoyable as it could be and definitely as painless as it could be. I just want to state that on the record.

I turn now to an incredibly serious issue for a little child - a baby girl - and for other people and their families. In this case, we are talking about a child born last July. I will go right to the end in the sense that the child was diagnosed with hyperinsulinism. It impacts a number of people but is not that prevalent. The problem here is there was an issue with even being diagnosed in the first place. It was raised by a constituent who came to me. Luckily enough, the issue has been dealt with, but I wish to go through the problem that exists here and then the specific difficulties this family had to go through.

The parents were told the treatment their child needed was in either England or Germany. They ended up being set up for six medevac planes. Hyperinsulinism is a genetic mutation. The child had lesions on her pancreas and this releases insulin willy-nilly. It is an incredibly serious condition and affects about one in 200,000 people. The parents in this case realised their child needed a PET-CT scan. They were told this could only be done in Manchester and required a specialised isotope dye. They made arrangements to travel to Manchester in January and in February, but these were cancelled at the last minute for several reasons, including the

isotope not being available and, on another occasion, contamination of the dye. These problems in Manchester meant the family had to travel to Berlin. The issues they encountered there were incredible. This family was put through a great deal of stress and many issues. At one stage, the clinic in Berlin even told them Manchester had not been paid for the scans so on that basis it could not go ahead. The mother of this child had to pay €4,500 at the last minute. This is an issue that will need to be addressed, but there are many others beyond it.

The family has been advised that the machine to carry out the isotope testing is available in Ireland but there is no one here able to operate it. The isotopes have to be specifically made and brought in, and in some cases this is from outside the EU. The family asked why the specialist from Manchester could not travel to Ireland to perform the scan here and were advised this relates to medical licensing issues for the medic. We need to know why this machine is not up and running if we have one here. In my follow-up contribution, I will go through some of the desperate circumstances this family was put through. In fairness to the mother, I think the family members did an awful lot of the heavy lifting themselves and got this scan done. I was only too delighted when the child was diagnosed. She is in a far better place now and thriving. Obviously, she has great parents, but we need to be able to help them in these sorts of circumstances.

Minister of State at the Department of Health (Deputy Jennifer Murnane O'Connor): I thank the Deputy for highlighting such a serious case for the child and her family. I am taking this question on behalf of the Minister, Deputy Jennifer Carroll MacNeill.

Scientifically advanced machines such as PET-CT scanners play a significant role in the diagnosing of cancers and other conditions. A PET scan shows how tissues and organs are functioning by detecting radioactive tracers that can show up parts of the body where cells are more active than normal. A CT scan provides detailed images of the body's internal structure. These scans can give medical professionals more information about where the cancer is and if the cancer has spread to other tissues and organs. Together, they help doctors diagnose, stage and monitor diseases like cancer with greater accuracy.

Children's Health Ireland, CHI, has advised that PET-CT scans are very accessible for children and young people with cancer in Ireland. CHI has advised it has a service level agreement with the Blackrock Clinic to provide paediatric PET-CT scans. CHI notes the service provided by the Blackrock Clinic is fast, efficient, and comprehensive. These scans are then read by CHI radiologists. CHI and the national cancer control programme confirmed all children and adolescents who need a PET-CT scan receive the service in Ireland, with the majority receiving scans in Dublin at the Blackrock Clinic and some receiving scans in Cork.

This Government is committed to improving cancer care, ensuring better prevention and maintaining improvements in cancer survival rates and timely access to treatments. Survival rates for patients have improved greatly and OECD data shows cancer mortality rates in Ireland are falling faster than the EU 27 average and faster than our economic peers. Since 2017, significant funding of €105 million has been invested in the national cancer strategy, including €23 million in 2025. Since the beginning of the strategy in 2017, over 670 staff have been recruited to our national cancer services, including 200 nursing staff, 100 consultants, and 180 health and social care professionals in designated cancer centres. Funding in 2025 will support the recruitment of 179 additional staff in the national cancer screening and treatment services.

The national cancer control programme launched A Framework for the Care and Support of Adolescent and Young Adults (AYA) with Cancer in Ireland 2021-2026 in May 2022. The

aim is to achieve accessible and equitable cancer care for all adolescents and young adults in Ireland. A dedicated adolescent and young adult cancer service network, made up of four designated cancer centres, has been designed. These hospitals are CHI at Crumlin, St. James's University Hospital, Cork University Hospital and University Hospital Galway. The national cancer control programme has also developed and launched the national model of care for psycho-oncology services for children, adolescents and young adults with cancer. This model of care focuses on supporting children, young adults and their families with the psychological impact of a cancer diagnosis. I thank the Deputy again. If he wants to give me more information and details on this, I will definitely bring it back to the Department of Health.

Deputy Ruairí Ó Murchú: I welcome what the Minister of State said at the end. I will provide the information explicitly because it is absolutely necessary. While all this is commendable with regard to cancer care, it does not deal with the issue at hand, which is this child who was diagnosed with hyperinsulinism, and the fact that we have the machine here to carry out this PET-CT scan. There is an issue with regard to the isotopes and then ensuring we have a medical practitioner who is sufficiently licensed. That is something I expect an answer on because it needs to be done.

I will also be providing information the mother told me with regard to the issue they had. Following the child having seizures, she went to the GP first of all. Eventually, the GP referred them to Temple Street neurology department, and it diagnosed the child with epilepsy very quickly and spoke about the necessity to have Keppra medication, which is incredibly dangerous if a child does not have epilepsy. The parents were slow; they did not want to do this. They were actually sent from the service because they said they wanted to wait until a set of tests had been carried out. At that point, an ambulance had been called within a couple of days. I will not have time to deal with the absolute specifics of that, but it was an absolute nightmare. In fairness to the paramedics, they did a blood sugar test and it gave a reading of 0.6. It was a nightmare in the hospital but eventually, the child was diagnosed with hyperinsulinism. However, the waiting, the journeys over and back to Britain and Germany and the number of cancellations show this is an abject and absolute disaster. There is a lot more detail beyond that. I would not like to be put in that circumstance.

An Cathaoirleach Gníomhach (Deputy Aidan Farrelly): I thank the Deputy.

Deputy Ruairí Ó Murchú: There is also the issue with regard to the payment. Our own health service, the HSE, should have played a better role in ensuring those bits could be dealt with.

An Cathaoirleach Gníomhach (Deputy Aidan Farrelly): Time is up.

Deputy Ruairí Ó Murchú: I appreciate the flexibility the Chair has offered me, but I will need an answer. We need a solution with regard to this. I do not think this is good enough for this family or any other family that finds themselves in these circumstances. The only good news is that the child was seen and dealt with and is thriving at the moment.

Deputy Jennifer Murnane O'Connor: As I said, the Deputy might give me the particular case and the details of what he has said today. If he could send it to the Department of Health, I will make sure we get back to him. I thank everyone here today for the attention they have given to this really important matter. I reiterate that the PET-CT scanners are an invaluable tool in the diagnosis of a variety of conditions, but they are typically used for cancer. I will find out

about this situation for the Deputy. I will find out about this machine we need to look at. I can assure him that once he comes back to us with the details, we will get back to him from the Department of Health.

Deputy Ruairí Ó Murchú: And deliver the service.

Deputy Jennifer Murnane O'Connor: And the services. I thank the Deputy for highlighting this very serious issue today.

Water Services

Deputy Naoise Ó Cearúil: I wish to raise a matter of urgent importance affecting communities across Kildare North, that is, the sustained and worsening failure in water infrastructure, particularly in Celbridge, Leixlip and Maynooth. For far too long, families in estates such as Primrose Hill, Temple Manor and The Grove in Celbridge have been forced to endure weekend after weekend of drastically reduced water pressure. Constituents have told me they cannot wash their clothes, boil a kettle, flush their toilets or even shower on Saturdays and Sundays. One resident described it plainly: “We don’t have enough water to live with dignity.” Let us be clear; this is not an isolated incident or a one-off technical glitch. It is the direct result of an ageing and inadequate water network that is simply no longer fit for purpose in one of the fastest-growing parts of the country. We are asking people to conserve water when, in reality, many of them do not even have enough water to meet their basic household needs.

Uisce Éireann announced in April that it would begin vital works between Newcastle and Celbridge under its national leakage reduction programme. It committed to starting site investigations within two weeks, but those works did not commence. Our office had to chase it repeatedly without reply. It was only in mid-May that we learned it had not even secured a road-opening licence to carry out the works. That kind of delay is simply unacceptable, and that service to the public is shocking. In Celbridge, some households were left without water for up to ten days in 2024. In Leixlip, planned mains rehabilitation was announced but never commenced. In March 2025, Uisce Éireann itself admitted that Kildare’s water supply was on a knife edge.

More houses are being built in Kildare. Communities are growing, families are moving in, but the essential infrastructure is not keeping pace. The people of Kildare North deserve the same level of basic service as anyone else in this country. Last night, I spoke in this Chamber about the need for sustainable communities as we build more houses, apartments and duplexes, and there is a drastic need to build as much housing as possible. However, we need to ensure that we have sustainable communities when it comes to public services such as water. It is the bare minimum. I request that the Minister of State urgently speak with Uisce Éireann directly to ensure there is transparency, clear timelines and accelerated delivery of infrastructure in Kildare North. We need proper investment in water infrastructure now; not in two years, not when the pipes burst, but today.

I also wish to raise the issue of when a public representative or member of the public at large contacts Irish Water for an answer. We had to follow up about six or seven times without reply, and the reply we did receive at one stage was the token holding message that it would come back to us in due course. That is not good enough when people’s water has gone. At the end of the day, no child should have to go to school on a Monday morning unwashed because the taps

were dry at the weekend.

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Kieran O'Donnell): I thank Deputy Ó Cearúil for raising this important matter, which I am taking on behalf of the Minister for Housing, Local Government and Heritage, Deputy Browne. At the outset, I should advise that the Water Services Act 2017 sets out the arrangements in place for the delivery of water and wastewater services by Uisce Éireann. The scope, prioritisation and progression of individual projects are a matter for Uisce Éireann and approved through its own board and internal governance structure. The Minister has no role in these matters. I will bring the points the Deputy raised to the Minister's attention, however, and I will arrange for a follow-up with Uisce Éireann. It is not acceptable that he would be waiting for four or five return calls. We will follow up on that.

I have made inquiries, and I am informed that there are operational challenges in the water network in Celbridge, including Hazelhatch. However, under the national leakage reduction programme, Uisce Éireann is progressing with a replacement of 5.2 km of Irish Water mains between Newcastle, County Dublin and Celbridge, County Kildare, which the Deputy has already referenced. Uisce Éireann's contractor is mobilising crews to commence site investigations that are necessary for design stage of the project, which the Deputy also referenced. The construction phase is estimated to commence in quarter 3 of 2025. These essential works are part of a significant investment programme by Uisce Éireann to improve the water network between Newcastle and Celbridge. This project will provide a more reliable water supply to customers and local businesses in the area with less disruption due to bursts and leakages. Uisce Éireann is also carrying out leakage reduction works in Allenwood to provide a more reliable water supply and reduce the high level of leakage. Uisce Éireann is also carrying out leakage reduction works in Allenwood to provide a more reliable water supply and reduce the high level of leakage. The work involves the replacement of more than 3.7 km of problematic water mains with new modern pipes. The works commenced in November 2024 and 2 km are now complete. The works also provide laying new water service connections from the public water main on the road to customers' property boundaries and connecting it to the customers' water supply, with an estimated construction completion in quarter 3 of 2025.

In Leixlip, phase 2 of upgrade works costing €20 million is almost complete at the Leixlip water treatment plant. This plant has now commenced a third investment phase worth €30 million, aimed at increasing the resilience and capacity of Ireland's second largest water treatment facility, which is anticipated to take three years to complete.

I will turn now to other investment in Kildare, Uisce Éireann completed essential works to upgrade the wastewater network in Newbridge north. In another project, Uisce Éireann upgraded wastewater infrastructure in Newbridge as part of the wider Upper Liffey Valley sewerage scheme to reduce overflows into the River Liffey. A total of 11 towns across Kildare benefited from the completion of a €75 million investment by Uisce Éireann to upgrade and improve the local wastewater infrastructure. The completion of these vital projects will improve the water quality in the Liffey by reducing the risk of sewer overflows during severe weather events.

Deputy Naoise Ó Cearúil: I want to outline how the communications on burst water mains happens in Kildare. I will pick Maynooth as an example. I was a councillor there for close to 11 years before being elected to this House. I could get a call at 2 o'clock in the morning from a resident in a housing estate or from the local fire service telling me there is a burst water main. I then had to get on to Irish Water and the county council. After that, I got on to the lo-

cal schools to let the principals know there was a burst water main. The principals then had to make a decision based on the communications from me not, might I add, from Irish Water on whether or not to open the school that day. We had multiple instances of that in Maynooth last year and in recent years. That should not be my role as a councillor nor as a TD. I am stepping into a void that Uisce Éireann is not filling, particularly when it comes to schools. We need to have a little bit of cop-on here.

Something that really irks me as well is when Irish Water comes back to us and to the public at large, referring to the public as “customers”. The public are not customers of Irish Water. They are service users of a service that is being provided to them by the State.

In the half a minute I have left, while I speak about Maynooth, the Celbridge Road, where the burst water mains occur time and time again, as they still have not been repaired, has been extremely dangerous. There was an incident there last week when a student was hit by car. Thankfully, she has made a full recovery. This road has given rise to multiple incidents relating to water mains, traffic, and road safety issues for children. It is the bane of the lives of principals, parents and students in the town of Maynooth. Could urgent attention be given to that road, first by Irish Water, to ensure that works are completed and, more importantly, from a safety perspective for the students and staff in the school on the road?

Deputy Kieran O'Donnell: I thank Deputy Ó Cearúil very much. I accept the points he makes and how genuine he is in raising them and outlining the impact. The Minister, Deputy Browne, has made inquiries and was informed that there are operational challenges in the wastewater network in Celbridge, including Hazelhatch. However, under the national leakage reduction programme, Uisce Éireann is progressing with the replacement of 5.2 km of old water mains between Newcastle, County Dublin, and Celbridge, County Kildare. The main contractor is mobilising crews to commence site investigations that are necessary for the design stage of the project. The construction phase is estimated to commence in quarter 3 of 2025.

The Deputy raised a couple of other points. There is clearly a need for a structured protocol in Irish Water. We spoke about the impact on the schools. There are two issues in that regard. The first is the water mains works that need to be carried out by Uisce Éireann and then the follow-on work involving the reconstruction of the road itself. The local authority and the Department of Transport would probably be involved, along with Uisce Éireann.

I will go back to the Minister, Deputy Browne, to follow up on Uisce Éireann's communication on disruptions and the need to perhaps have a protocol for schools, which is vital. For completeness, I ask the Deputy to follow up by providing those details in correspondence directly to the Minister. I will bring the matter raised to the Minister's attention and to the attention of his officials but, for completeness, I urge the Deputy to set out all the points.

As the Deputy is probably aware, Uisce Éireann has established a dedicated team to deal with queries from public representatives. It can be contacted via email at oireachtasmembers@water.ie or via the dedicated telephone number 0818 578 578. The Deputy makes a valid point that comes up repeatedly about the interaction and response times. It came up in a previous debate here about Uisce Éireann as well. It is a matter that we will continue to bring up directly with Uisce Éireann itself, but I ask the Deputy to email the Minister as well.

Aviation Industry

Deputy Gary Gannon: I thank the Minister of State, Deputy Buttimer, for coming to respond to this matter today. We are at a tipping point in the roll-out of commercial drone delivery in Ireland, but regulation has clearly not kept pace. In areas like Drumcondra and Glasnevin in my constituency, residents are raising serious concerns about noise, planning, the environmental impact and safety. Drumcondra was recently named Ireland's first autism-friendly village, a designation that carries responsibility to protect the sensory and environmental stability the community relies upon. Unregulated drone activity threatens that stability.

This area is also home to protected bats and nesting birds within an urban wildlife corridor. Drones, especially those using LiDAR, pose a threat to these species. Operating them without any environmental assessment is short-sighted. The Irish Aviation Authority recently met with residents to confirm its remit is limited to licensing and mechanical safety. It acknowledges major regulatory gaps, including, noise, health, planning and wildlife, and said a temporary restricted zone for drones is possible with a direction from the Minister. This community is not opposed to innovation, but it asks for basic safeguards. Interim protections are needed while national and EU regulations catch up with the pace of the commercial roll-out.

I wrote to the Minister this week to request a meeting with the Griffith Avenue and District Residents' Association, simply to discuss solutions, hear the concerns and to come back with something reasonable. In the meantime, I ask the Minister to direct the IAA to establish a temporary restriction zone for drones over the area. That should be something we can clearly agree is necessary. Residents in Drumcondra and Glasnevin, and in other communities, have engaged in good faith with the IAA and the drone operator. Now it is time for the Government to respond with the same seriousness to ensure technology does not outpace regulation and that communities have a voice in how it is introduced. This is something that we can solve. I do not see it as being insurmountable.

Deputy Ruth Coppinger: Unfortunately, in Blanchardstown we have been suffering with this for more than a year and a half and nobody is listening. Manna Drone Delivery began operating in Blanchardstown and it, apparently, has 170,000 drone flights done. The plan is for 2 million. The company has now linked up with the massive multinational, Deliveroo. Let us be clear: the company is not delivering blood or medicine; it is delivering burgers and lattes for profit.

So many residents have been raising this with public representatives in the area for more than a year and a half. We raised it on the council and now it must come to the Dáil. There must be regulation. As one resident said: "This is one company: what if the skies are opened up to all companies?" At the moment, it may be only bothering a limited number of people who are losing their right to enjoy their back gardens and their right to privacy. The noise is unbelievable. As one resident said, they have absolutely no issue with drone innovation technology, but beyond the serious privacy and safety issues, the persistent drone noise is disruptive and undermines the quiet residential character of the neighbourhood. They said it adds yet another layer of stress to daily life and reflects a broader problem, namely, the growing incursion of tech companies into our communities without democratic oversight or meaningful accountability. Drone delivery of fast food and consumer goods is not a public necessity. There are other ways to get food delivered.

The environment is constantly cited as an issue, but people have a right to enjoy their envi-

ronment in peace and quiet, as do wildlife. No impact has been done on this. A WhatsApp survey was done on a group of residents in Castleknock. Some 50 people answered straightaway. I have the replies. The things they talked about include the fact that there is “no consent”. One person said “my elderly mother finds them very distressing”; another said there is “zero transparency or accountability”; while others referred to “the frequency of flights has noticeably increased”; “the environmental impact” and a “close encounter with a bird”. I could go on. Nobody seems to care. This Dáil has to regulate for this.

Minister of State at the Department of Transport (Deputy Jerry Buttimer): I thank Deputies Gannon and Coppinger for raising this important issue. It is one that will become more prevalent. For many of us who live in areas adjacent to airports, it is an ongoing issue. I apologise on behalf of the Minister, Deputy O’Brien. I am taking this question for him this morning.

From an aviation safety perspective, the regulation of both the recreational and commercial use of drones, or unmanned aircraft systems as they are technically called, is provided for under European Union regulations that are directly applicable in Ireland. I have listened to the concerns outlined by both Deputies and will bring them back to the Department.

The IAA is working with the European Union Aviation Safety Agency and other member states in developing guidelines and regulations on drone noises. Two drone-specific EU regulations ensure drone operations across Europe are safe and secure, namely, EU Regulation 2019/945 and Commission Implementing Regulation 2019/947. Both set out common rules for the regulation of drone operators including training, licensing and registration. The points by Deputies Gannon and Coppinger about the persistent noise and privacy are ones that we should listen to carefully because they are being articulated by many people. We are all in favour of innovation. I hope a solution will be found. I will relay Deputy Gannon’s comments about the residents he has met.

Regulation 2019/947 sets out operational rules that apply to both professional drone operators and those flying drones for leisure. Regulation 2019/945 sets the common EU-wide technical requirements for drones, including the features and capabilities that drones must have in order to be flown safely. This regulation also seeks to foster investment and innovation in this sector through a harmonised framework across the European Union.

The aim of the EU drone regulations is to achieve the same level of safety for drone operations as in manned aviation. The Irish Aviation Authority, the civil aviation regulator, oversees the implementation of the EU drone regulations and standards. The drone regulations are operation-centric and focus on the risk of drone operations, such that regulation is lighter on low-risk operations and more demanding on higher risk operations. Under the EU regulatory regime, drone operations are classified into three broad categories - open, specific and certified - with different regulatory considerations applied in each category. Commercial drone operations may fall into any one of the categories depending on the risk associated with the operation. Low-risk commercial drone operations, such as aerial photography, may fall into the open category where the regulation and oversight of operations are lighter. Other commercial drone operations, such as the drone delivery operations mentioned by Deputy Coppinger, are more closely regulated. These type of commercial drone operations may fall into the medium-risk “specific” category, which may require specific authorisation by the IAA. I agree with Deputy Coppinger; there must be other ways of carrying out home delivery. I completely concur with her on that matter.

This type of authorisation is recognised in all EU member states. To obtain an operational authorisation, an operator must provide a comprehensive safety portfolio, which includes assessing and addressing both ground and air risks with appropriate mitigations. These might include, for example, co-ordination with air traffic control or fitting the drone with a parachute and flight termination system.

At a national level, SI 24/2023, Irish Aviation Authority (Unmanned Aircraft Systems (Drones)) Order 2023, came into force on 2 February 2023, replacing an earlier drones order. It states the investigative and enforcement powers of the IAA and provides for arrangements between An Garda Síochána and the IAA in respect of enforcement of EU drone regulations. It also includes a section on privacy rights, which draws the attention of drone operators to preparing a data protection impact assessment where required in accordance with the EU general data protection regulation. That is about ensuring the points made by Deputy Coppinger are fulfilled and complied with.

I will bring the Deputies' comments back to the Department. It is important we have privacy, protect wildlife and ensure the regulations are upheld.

Deputy Gary Gannon: I thank the Minister of State for his response. I appreciate that the regulations speak to how drones may be flown safely, but they do not in the slightest capture how drones may be experienced safely. That is particularly pronounced in a village like Drumcondra, Ireland's first autism-friendly village. Significant sensory issues will not be captured in the regulations for how drones may be flown safely. It is a bit of a dystopian future when even one operator at the moment causes a hum of annoyance. What happens when a second or third one starts? I do not think any of us wants to see that. I accept there will be parts of the country, such as in more remote areas, where this could probably be beneficial but this is not required in Drumcondra, Glasnevin, Dublin's inner city or Castleknock. We are asking for the solution that was offered, namely, the establishment of a temporary drone- or UAS-restricted geographical zone over the areas that are most impacted at the moment in the absence of regulation. That seems like a solution until we bring in some commonsense regulation to this issue, which I imagine will become increasingly prevalent across the Chamber.

Deputy Ruth Coppinger: I did not have time to read the Minister of State's substantial prepared answer but the Department of Transport has known about this because residents have been in contact. The Minister, Deputy Chambers, is also based in the area and replied to residents last August. I warn people in Dublin city that this is what they are in for. Fianna Fáil and Fine Gael, it seems, will let these companies unleash this on people.

One of the problems is that the drones are restricted from flying too high because of planes and, obviously, the lower they are, the more noise they generate. The operator is supposed to restrict their hours of operation but that is not being followed, according to residents. They are also supposed to alter their flightpaths so that they are not constantly going over the same houses. That does not happen either. For so many people, the only thing they have in life is sitting outside in their back garden or enjoying their own home, given that they cannot afford to go out, yet this is what they are constantly subjected to.

I have to hand an example of the noise of a drone, which was recorded as it flew over my housing estate in Mulhuddart. This is what people are listening to on a Saturday morning, in the evening or whenever. This really needs to be brought home because as one resident asked, will our skies become as busy as our roads? No private company should have the right to do

this. If this is necessary, as Deputy Gannon said, for isolated areas, I can see that but it should be run by the State.

Deputy Jerry Buttimer: I thank Deputies Gannon and Coppinger. Aviation, as we know, is a highly regulated industry. There is a comprehensive legislative framework both at European and national levels to generate and regulate safe drone operations. The rapid pace of drone innovation and commercialisation is creating challenges, which the Government will meet. There has been engagement with the IAA. The Government is completely aware that the impact of a growing drone sector, with an increase in the volume of drone operations, requires further consideration. I will bring the concerns back and particularly the piece around autism because Deputy Gannon makes a very good point. I will also take back the points Deputy Coppinger made. It is about the noise being consistent. As she said, the drones may not be flying as high, because of the regulations, but they are flying lower and that is causing a challenge.

The programme for Government, as the Deputies well know, includes a commitment to finalise and publish a policy framework for drones and guide high-level strategic planning and development of the drone sector in Ireland through supporting growth and innovation while ensuring safe and secure operations and managing environmental and other concerns. The policy framework recognises the importance of collaboration and the engagement of a wide range of stakeholders. The foundation of the policy framework is a cross-governmental Department engagement and is informed by both public and industry consultation.

Last year, a public consultation was held. It sought feedback from the public on several key areas including how to respond to public concerns about the increased use of drones, how to position Ireland as a potential front-runner in the emerging sector and how to future-proof responsible development of the drone industry. I will convey to the Department the points made by both Deputies because they fit into that public consultation feedback. The policy framework must, and does, seek to balance between realising the benefits of the development and managing public concerns about the increasing use of drones, as articulated by both Members this morning.

I thank Deputies Coppinger and Gannon for bringing the matter before us. I am sure this will form just one of many Topical Issue debates we will have on this because it is becoming an issue in many parts of the country, not just in the two areas outlined this morning.

Deputy Ruth Coppinger: Will the Minister of State put the matter on the transport committee's agenda?

Deputy Jerry Buttimer: Sorry, I cannot put it on the transport committee's agenda. That is a matter for the Chair of the committee, Deputy Michael Murphy. The Deputy might write to him.

Disability Services

Deputy James Geoghegan: The access and inclusion model, AIM, has proven to be a successful model of supporting children of every need to be present in a mainstream setting, which is its primary aim. How it works is straightforward. Where either a parent or somebody working in a preschool setting has identified a child with a need, and following consultation with that parent, an application can be made to the Department to increase the ratio of staff that might

exist in that preschool setting so that there is an appropriate ratio of staff to ensure that child, with whatever need he or she has, can be supported in that setting. In addition to that, the Department of education has established early intervention classes. Clearly, there are not enough of those early intervention classes but they do exist. They are intended for children who are supported by AIM in the setting of a mainstream school where that is not an appropriate setting for the child. It is clear we need more of those preschool settings as well.

The challenge that was brought to my attention earlier this week by a mother who called me is the age of eligibility for the AIM programme in a mainstream setting. This mother has a young son who has a medical need. The medical practitioners are encouraging her to go back to work and maintaining that the child, with appropriate supports, could function and flourish in a preschool setting. However, the child is below two years and 11 months, which is the age of eligibility for the AIM programme. She is left with very few options. Either she can discuss with her medical practitioners whether her child meets the criteria for the incapacitated child tax credit, which is a significant burden and a difficult form for parents to seek their practitioner to sign for them. Perhaps either through that tax credit, which could support additional care in the home, or alternatively, if that family were in a position to do so, they could hire somebody in the home to provide that support. However, if they did either of those things, they would not get the benefit of the national childcare scheme or the ECCE scheme, so the cost is extremely burdensome.

As matters stand, although the Minister of State might put me right, the mother of this child is left with zero choices because the preschool setting cannot accept him, having told the mother that he cannot be accepted, while the preschool setting does not get any support from the State in terms of additional AIM supports because the child is below the age of eligibility. It seems problematic and discriminatory that the parent of a child with an additional need, simply because he is below the age of eligibility, cannot secure him a place in a mainstream preschool setting. I can perhaps understand why, for bureaucratic reasons, the AIM programme was set up to match the ECCE scheme but from a discriminatory or equality standpoint, it is difficult for me to understand how the State has set up a system whereby a mother or a father would be left in a situation where their child, just because of that need, has no supports to be in any kind of setting to be cared for.

Deputy Michael Moynihan: I thank the Deputy for the question. I will outline the AIM programme although I understand the Deputy is well aware of it. The AIM programme is the model of support designated to ensure children with disabilities can access the early childhood care and education, ECCE, programme. The main supports are grouped into universal or targeted supports. The universal supports are designed to create a more inclusive culture in early education and care settings through training courses and qualifications for staff. Where universal supports are not enough to meet the needs of an individual child to ensure that the child can meaningfully participate in ECCE programmes, targeted supports are available, such as specialised equipment, appliances or capital grants toward minor building alterations. Additional funding is available for ECCE settings where a child requires extra support either to reduce the child-to-adult ratio in the room or to fund an additional staff member as a shared resource with other children in the setting.

Crucially, access to AIM is based on the need of an individual child and does not require a diagnosis. In line with the commitment in First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019-2028, an independent evaluation of AIM was undertaken. The purpose of this evaluation was to inform an extension of AIM beyond the ECCE

programme as well as any potential enhancements to the model. The findings of the evaluation were published in January 2024 and informed the phased extension of the AIM programme. Additional funding was allocated in budgets 2024 and 2025 to support this development. From September 2024, children with a disability who are enrolled in the ECCE programme are now fully supported to access and participation in the ECCE settings beyond the time they spend in that programme, both in term and out of term. This allows children to access the AIM programme for an additional three hours a day during the ECCE term and six hours outside of the term. The programme for Government commits to examining and expanding the AIM programme to make it available to younger children. This comes back to the question the Deputy asked. We are committed to working to ensure the programme expands.

The AIM programme has been hugely beneficial in addressing the need of children within the early education setting but as with everything, there are challenges. The case outlined by the Deputy is one of the types of cases that I frequently meet throughout the country in the context of the challenges young families face. They have stark choices in what support they can reach out for. We are looking at bringing down the eligible age for the AIM programme. That would be a positive step.

As for practical supports, the Deputy mentioned the incapacitated child tax credit. While that is a generous benefit and it has increased incrementally over the previous two or three budgets, which is to be welcomed, it should be kept under review. It still is not adequate for the challenges faced by many families, particularly those with young children. Families face enormous challenges during that very stressful period of dealing with the difficulties a child may have. We also need to be very careful of the emotional trauma around this and make sure we are addressing the needs of both the child and the family.

Deputy James Geoghegan: I thank the Minister of State, in particular for the remarks he made off script, which are welcome. I acknowledge that a commitment to examine and expand the AIM programme to make it available to younger children is contained in the programme for Government. I have concerns, however, with some of the language the Department used in the reply that was prepared for the Minister of State, whereby it needs to examine the evidence. Ultimately, why is a child aged two years and ten months, two years and nine months or two years and six months, with whatever additional need that child has, different from a child of three years and one month? There is not a lot of evidence to examine. Rather, a technocratic structure needs to be deployed to support parents who have children under the age of eligibility. I fully acknowledge that at every juncture where a new system is introduced, it cannot be done overnight. There has to be a structure in which it can be done. I ask the Minister of State to go back to the senior line Minister in this respect and ask for her commitment that this matter will be brought to the Cabinet committee on disability and given significant priority.

10 o'clock

At the end of the day, just like the mother who phoned me during the week whose child has effectively been iced out of having a preschool setting, no doubt there are countless examples around the country where unfortunately because of the medical or additional need of a child, there is no childcare setting that can support him or her. That is not something we should be able to support as a State.

Deputy Michael Moynihan: I thank the Deputy again for outlining the facts. The challenge we have, particularly in respect of the AIMS programme, which has been very success-

ful for a good number of families, is that when there is a closing-off date, there is always a challenge therein. As we go forward looking at how we can expand the AIMS programme, in the evaluation of it that was announced last year, because of its success, it is important we are mindful that we are making meaningful change. It is not a case of just making the change for change's sake. We have to make sure it is evidence-based and that we have the facts to make decisions into the future on the AIMS programme, to try to meet the needs of every child. The Deputy has outlined a group of parents, particularly the constituent he referred to and her family. There is a cohort of people who are outside of it and are finding it very difficult to get support from the State. We will reflect on that and will certainly ensure it is brought to discussion in respect of expanding the AIMS programme into the future.

Ending the Central Bank's Facilitation of the Sale of Israel Bonds: Motion [Private Members]

Deputy Cian O'Callaghan: I move:

That Dáil Éireann:

notes that:

— Israel Sovereign Bonds, known as Israel Bonds, have, since 1951, raised funds for the Israeli Treasury for use across the Israeli economy including the Israeli military and the illegal settlements;

— Israel Bonds have since October 2023, been advertised as war bonds with the slogan “Stand with Israel – Israel is at War”, and the website marketing the bonds contains a video by Israeli President, Isaac Herzog who lauds “the crucial role of Israel Bonds during this time of conflict and war”;

— Israel Bonds are intended to fund what Israel calls “the war in Gaza”, the State of Israel Bond Issuance prospectus explicitly refers to the decision of Israel's Ministerial Committee for National Security Affairs “to undertake military action, which resulted in drafting more than 300,000 reservists launching the war in Gaza”;

— in January 2024, the International Court of Justice (ICJ) found that the Palestinian people in Gaza had “plausible rights” to be protected from the “imminent risk” of genocide;

— in June 2024, the United Nations International Commission of Inquiry on Palestine found that Israel's actions in Gaza “constitute the war crimes of wilful killing and mistreatment, and the crime against humanity of extermination”;

— in July 2024, an ICJ advisory opinion declared that Israel's entire regime of military occupation of Palestinian territories is illegal and must end immediately;

— the same ICJ advisory opinion declared that Israel is in “breach of Article 3” of the International Convention on the Elimination of All Forms of Racial Discrimination which “condemns racial segregation and apartheid” and compels states to “undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction”;

— Article 1 of the Genocide Convention requires states to undertake “to prevent and punish genocide”, and under the Convention, states have a negative obligation not to commit or be complicit in genocide and positive obligations to prevent and to punish genocide;

— the obligation to prevent genocide and the corresponding duty to act starts, as the ICJ clarified in the *Bosnia and Herzegovina v. Serbia and Montenegro* case, “at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed”;

— the ICJ’s finding of “plausible rights” and “imminent risk” constitutes that knowledge of the risk of genocide triggers third states’ legal obligations under the Genocide Convention;

— further reasonable grounds exist to believe crimes against humanity and war crimes are being committed by Israel in Gaza, given that arrest warrants have been requested by the International Criminal Court Prosecutor for key Israeli officials, the Prime Minister and Minister of Defence, including, *inter alia* for the crimes against humanity of extermination and persecution, and the war crimes of starvation, wilful killing, and the causing of great suffering or serious injury to body or health;

— on 5th December, 2024, Amnesty International concluded that Israel was committing genocide in Gaza;

— on 19th December, 2024, Human Rights Watch accused Israel of acts of extermination and genocide;

— on 19th December, 2024, Médecins Sans Frontières described the Israeli military actions in Gaza as ethnic cleansing and genocide;

— at least 54,500 people have been killed in Gaza since October 2023, and another 900 in the West Bank, 65 per cent of them are women and children;

— 2,180 families have been obliterated in their entirety, and 5,000 more have but a single family member surviving;

— 1,400 medics, 200 journalists, and 750 aid workers have been killed;

— on 2nd March, 2025, Israel imposed a total food and aid blockade flagrantly using starvation and denial of medical aid as a method of warfare, and on 18th March, Israel unilaterally broke the ceasefire killing more than 400 people in Gaza in one night;

— on 3rd May, 2025, Doctor Mike Ryan, executive director of the World Health Organization said “We are breaking the bodies and the minds of the children of Gaza. We are starving the children of Gaza because if we don’t do something about it, we are complicit”;

— on 5th May, 2025, Israel announced its intention to permanently seize territory in Gaza and forcibly displace the population;

— on 28th May, 2025, the Government voted against the Restrictive Financial Measures (State of Israel) Bill 2025, which was drafted by the Office of Parliamentary Legal

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Advisors and underpinned by a full legal opinion that would have given the Minister for Finance the explicit power to end Ireland's involvement with Israeli war bonds;

- all institutions are obliged under international law to prevent genocide and the abuse of human rights;

- the Central Bank of Ireland (CBI) in their response to the Oireachtas Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach on 4th December, 2024, stated that in their assessment the prospectus makes extensive reference to the war in Gaza and there is a clear and prominent discussion of the war in Gaza and the proposed use of the funds;

- the CBI also stated in their response to the Oireachtas Joint Committee on 4th December, 2024, that the advertisement material is not inconsistent with the information in the prospectus;

- the CBI Governor, has said that the Central Bank can only refuse the approval of a prospectus where it has a legal basis to do so;

- a compelling legal basis exists in the Genocide Convention and under International Humanitarian Law to refuse the State of Israel Bonds Issuance prospectus; and

- furthermore, the State of Israel Bonds Issuance prospectus is not complete, neither the January 2024 ruling of the ICJ in relation to the Genocide Convention, nor the July 2024 ICJ Advisory Opinion are not mentioned in the prospectus and this omission amounts to the deliberate with-holding of risk-related information; and

calls on the Government to:

- honour Ireland's obligations under the Genocide Convention and to fulfil the duty of the State to use all means likely to have a deterrent effect on those suspected of preparing genocide, or reasonably suspected of harbouring specific intent, *dolus specialis*, to prevent the genocide;

- honour Ireland's obligations under international humanitarian law;

- make a clear and unequivocal declaration of commitment to honour Ireland's obligations under the Genocide Convention, international human rights law conventions and customary international humanitarian law;

- advise the CBI that it is acting in violation of the Genocide Convention, by facilitating the sale of Israel Bonds in the European Union (EU);

- advise the CBI that by acting as the enabling cog in Israel's fund-raising machine in the EU it is putting the State at risk of a charge of complicity in genocide;

- insist that the CBI immediately end its facilitation of the sale of Israel Bonds; and

- enact emergency legislation to explicitly force the CBI to stop facilitating the sale of Israel Bonds.

I thank all the parties that have worked together on this cross-party motion. I especially thank the Ireland Palestine Solidarity Campaign and the activists in it who have been working

for months to highlight and draw attention to the issue that Israeli bonds are being sold in Europe, facilitated by the Central Bank of Ireland. They have done excellent work on this.

Dr. Ali al-Najjar works in Sligo. A few weeks ago, nine of his nieces and nephews were killed by Israel. An airstrike on the home of his sister, a doctor in Gaza, killed her children while she was working in the emergency ward. Yahya, Rakan, Eve, Jubran, Ruslan, Revan, Sayden, Luqman and Sidra were all killed in the attack. The children were aged between six months and 12 years. Several were still in their pyjamas at the time of the attack. The children's father, who was with them at the time, has since died from injuries he sustained in the attack. He was also a doctor. We do not know if the munitions used in this brutal attack passed through Irish airspace on their way. What we do know is that these munitions were part financed by the sale of Israeli bonds. In Europe, those bonds are being sold with the facilitation of the Irish Central Bank. We also know the Irish Government is not willing to do anything about this. We have been asking it to do something.

Let us be clear about this: genocide is taking place and is being part-funded by the sale of Israeli bonds including in Europe, which is being facilitated by the Irish Central Bank. This motion seeks to end this and in order for it to succeed we need the support of TDs across the Dáil. What is happening in Gaza is absolutely and utterly horrific. I know that every TD in the Dáil has that view. Men, women and children are being starved to death. Food and aid has been blocked at the border by Israel. When tiny amounts of aid have been distributed and made available, people have been killed trying to access it. This is absolutely and utterly brutal. Mothers have been forced to boil grass to feed their children. Starvation is being used as a weapon of war against innocent people.

The governor of the Central Bank says it cannot act on this as it is beyond the bank's competency to decide whether genocide is taking place. However, in January 2024 the International Court of Justice confirmed the plausibility of the charges of genocide taken against Israel by South Africa. In recent weeks, the Irish Government has recognised that what is happening in Gaza is genocide. It has been clear about that. It is not simply enough for the Government to say that what is happening is genocide; it must act under the terms of the genocide convention. It must do everything it can to stop and prevent genocide in Gaza. Let us be very clear about this: the Israeli Government is selling these bonds to help to finance the genocide. It is the Irish Central Bank that is facilitating the sale of those bonds in Europe. There is a direct link between these bonds and the genocide that is taking place. This has to stop.

As a signatory of the genocide convention, the Irish Government and our public institutions including the Central Bank have a legal obligation to do everything they can to stop genocide. Not only have Ireland and other countries failed to put meaningful sanctions in place against Israel, but Ireland in fact is Israel's second largest trading partner in the world. By not backing this motion, the Government is missing an opportunity to take meaningful action against Israel. These bonds are explicitly marketed as being crucial to the war effort by Israel. Israel has run a marketing campaign imploring people to buy these bonds so they can stand with Israel. Over €3.34 billion has been raised through the sale of Israeli bonds since October 2023. One of the websites used to promote the sale of these bonds includes phrases such as "Israel is at war" and a quote from the Israeli President, Isaac Herzog, emphasising the crucial role of Israeli bonds during this time of conflict. Israel Bonds president and CEO, Danny Naveh, has told potential investors that purchasing the bonds is the best way to help Israel and support its war campaign. This is unequivocally clear.

Recently, the Tánaiste, Deputy Simon Harris, said that children are being left starving and even dying as we speak. He went on to say that we cannot and will not stand idly by and let this happen. I know that the Tánaiste and other Ministers and Government TDs mean these words when they say them. I know that. However, allowing the continued sale of Israeli bonds in Europe and allowing the continued facilitation of this by the Irish Central Bank is standing idly by. Allowing munitions destined for Israel through Irish airspace that are literally being dropped on children, men and women in Gaza - that is standing idly by. Voting against legislation to stop the facilitation of the sale of these bonds - that is standing idly by. If the Government does not like the legislation that was presented two weeks ago, it should pass this motion and enact its own emergency legislation, as the motion asks it to do.

There are no excuses not to act. Legal advice from the Office of the Parliamentary Legal Advisor concludes that we can provide restricted access to financial services based on public policy grounds, rooted in Ireland's pursuit of its international obligations. It is clear that this can be done in accordance with the Irish Constitution, European law and international law. There is legal advice from the Attorney General that states that the State can invoke justification grounded on public policy, based on the need to respect international law and the rights of those adversely affected, the Palestinian people. The Government has told us that legal advice was given by the Attorney General. I implore every TD in this Dáil. There should be a free vote this evening on this. Every TD should be allowed to vote with their conscience. We should send a very clear signal as a Dáil that not only are we united in standing against this genocide, but we are also united as a Dáil in wanting the Central Bank to stop facilitating these bonds and stop the financing of this genocide, which is happening in part through the facilitation of the sale of these bonds.

Deputy Gary Gannon: I was sitting in this chair a couple of weeks ago when the Taoiseach said the word. I had to do a double-take to see if I heard correctly. The Taoiseach said, "Let us call a spade a spade", what is happening in Gaza is "genocide". That was an important moment. After 19 months of evasion and legal gymnastics, the Taoiseach finally said it. He stood in the Chamber and admitted what the world has seen in real time since October 2023: that the Government of Israel, under Benjamin Netanyahu, is committing genocide in Gaza. What did he do with that truth? He used it as a soundbite while voting down a Bill that would have stopped Ireland facilitating that very genocide through the sale of Israeli war bonds. That is not just moral cowardice; it is complicity with eyes wide open.

The Taoiseach said yesterday in this Chamber to my colleague, Deputy Gibney, that she was using the word "complicity" cheaply. Let us go into that a bit. The bonds are advertised openly and shamelessly as a way to support Israel's war effort. They are not ambiguous instruments. The prospectus spells it out. The advertisement says the quiet part very loudly: "Stand with Israel"; "Israel is at war". These bonds bankroll the bombs, starvation and extermination, and Ireland is signing off on them through our Central Bank.

The Taoiseach's position, now backed by the Tánaiste and presumably by the Minister, is that genocide is happening but Ireland must do nothing that might affect our GDP or affect our relationship with the US. This comes down to Palestinian lives being weighed against bond markets and bilateral trade flows – genocide reduced to a line item on a spreadsheet.

However, genocide is not a technical issue. To use the word "genocide" in our Parliament is not just a throwaway word; it has meaning. It has to. We are told that the Central Bank is independent, and that it just signs off on paperwork. However, the Central Bank does not

operate in a moral vacuum. This is not a technical question. This is a test of whether Ireland honours its legal obligations under the Genocide Convention, obligations we took on not as a favour to anyone but because we believe there must be no lines that States can cross without consequence. We believe that “never again” should mean exactly that.

So let us call it what it is: a calculated dereliction of duty cloaked in humanitarian rhetoric. This Government condemns the killing in Gaza while actively enabling the financing of it. It mounts concerns about the enforced famine but will do nothing about the cargo planes flying out of Shannon Airport. It recognises the State of Palestine while killing off every piece of legislation that might make a difference. The occupied territories Bill was delayed, delayed and delayed, and then watered down. The restrictive measures Bill – gone. With this motion today, the motion two weeks ago and any motion that parties across the Chamber have brought forward, we are always told we are being naïve.

The Taoiseach said he wanted to “call a spade a spade” when he used the phrase “genocide”, so let us do that. What is happening in Gaza is genocide. What is happening in this Chamber is, by virtue of the fact we are refusing to meet our obligations under the prevention of genocide, collusion. What the Taoiseach has done is speak the truth only in order to bury it. When did he come to believe that this is genocide? Was it before or after the ICJ’s ruling? Was it before or after arrest warrants were sought by the ICC? Did he have to see the piles of bodies of starving children for himself? Was it when every journalist in Gaza was targeted and every educational institution was obliterated? Was it when we debated whether they would actually bomb a hospital, and then realised that they were bombing every hospital?

Genocide does not happen in the shadows. It thrives when others look away. It spreads through delay, distraction and diplomacy that always stops just short of doing the one thing that might actually matter, and that is to refuse to play a part in it.

This is not about any attempt at virtue signalling. Nobody believes that anybody has a monopoly on compassion, but we do believe that we can do more. This is about whether we stand by international law when it is hard; whether we believe genocide is wrong, even when it is being carried out by an ally of our ally; and whether we are willing to accept the political or financial costs to stop being part of the machine.

The Government talks a lot about being on the right side of history, but history is being written right now by the people this country, Europe and the US are failing; by the children starving under blockade; and by the silence of those who knew and did nothing. It is not being written by any journalist because journalists are not allowed into Gaza precisely because they do not want us to see the truth of the horrors being inflicted there.

We have said the word, and now we need to act like it means something. The countermotion brought forward by the Minister does not speak to a Government that is willing to live up to every obligation that we have. It is just another form of phraseology as a way of avoiding our responsibility. In his countermotion, which is very well worded, he said that “the Genocide Convention requires states to undertake ‘to prevent and punish genocide’”. Am I to believe that the Taoiseach, the leader of our country, has stood there and said the word “genocide” and then we just equivocate, saying, “Actually, you know what, this is a technical issue. We are not obliged. The Central Bank is independent”? No. We have moral authority in this. There has been no diktat given to the Central Bank to challenge and question whether we are sure these bonds and terms of prospectuses are in keeping with our obligations under the prevention of

genocide Act. If we are not, why are we not speaking out?

The countermotion talks about all the things the Government has done. I accept – I think we all do as it is regularly referred to across the Chamber – that the Irish State has gone further than most although that is precisely because the bar has been so low. The countermotion emphasises the importance of “the review by the EU of Israel’s compliance with its obligations under Article 2 of the EU-Israel Association Agreement”. Brilliant. I was in the Chamber 17 months ago when my party leader, Holly Cairns, first brought that to the Chamber. We know that the Government has gone further than most, but we also know that, at times, it is being done kicking, fighting and scrapping. The Minister’s former party leader, Leo Varadkar, wrote to Ursula von der Leyen asking whether Israel was in breach of the EU trade agreement. And what happened? Nothing. There was no response by the EPP, which the Minister’s party is a member of and proudly speaks to being a member of. He went out and advocated after the European elections for her to resume the position she is now in, despite the fact they did not even acknowledge a letter from his own Taoiseach and party leader asking whether Israel was in breach of that very covenant. This is extraordinary. We can do more.

Deputy Jennifer Whitmore: Week after week, for 20 months, we come into this Chamber and talk about the most recent act of depravity that we have seen rained down on the people of Gaza by Israel. We talk in this Chamber about children who have been shot in the head, children who have been shot in the chest by snipers, children who have had to battle their way out of fires while their siblings and parents burned behind them, and children whose parents write their names on their bodies because they are conscious that if the family is wiped out, they want their child to know their family name so it will live on with that child. It is absolutely horrific.

Every time we talk about it in this Chamber, we think it cannot get much worse and Israel cannot go any lower, yet it does. I know everyone in this Chamber feels this and is horrified by what is happening in Gaza. Everyone in this Chamber knows we have a major responsibility here to deal with it and to try to stop it. We all know what our constituents, family and friends feel about it. However misguided the feeling is, everyone in this Chamber thinks we are doing everything we can, but we are simply not.

Today’s motion is a relatively small action to stop the Central Bank approving bonds that are being awarded in the face of a genocide that has been recognised by the Tánaiste and the Taoiseach in this Chamber. We hope that this small action - that sense of bravery - from the Irish people will lead to other countries doing similar. We hope that, at some stage, we will get the momentum that there is a level of accountability for Israel that we have not seen to date, and that Israel recognises that people and countries will stand up and say, “We see you; we see exactly who you are; we see what you are doing; we will not stand by and allow it to continue; and we will do everything in our power to uphold international law.” If we do not have international law, what do we have? Where is the safety for anyone? I ask one thing of the Minister today. I ask him to ensure that all Government TDs have a free vote on this issue and that all those backbenchers who support the Minister in the decisions he and his Cabinet colleagues make every week be given the opportunity to reflect their conscience in this vote and to reflect what their constituents, their family and their friends want them to do. I ask that they be given the same opportunity the Independent members of the Minister’s Government have been given. It is not fair that any backbencher would have to vote against this motion, which is a relatively simple motion that gives the Government control over how it manages the measures within, when other Independent Members who swore they were going to support the Minister’s Government through the good and the bad can listen to and represent their constituents and know

that they did what they could in the face of this genocide.

The Irish public deeply wants us to take action. They have seen this go on for far too long. They are starting to take things into their own hands. A number of Irish citizens will be marching to Gaza in the coming weeks. People feel very strongly about this and they want us and the Minister to do more. The Palestinian people need us to take action. They cannot withstand this any longer. The future demands that we take action. When we look back and see what our role was and where we stood on this, we should be able to stand proud and know that we reflected the views of the Irish people, did what was right and stood by international law and the people of Gaza in the face of these horrors.

Minister for Finance (Deputy Paschal Donohoe): I move amendment No. 1:

To delete all words after “Dail Éireann” and substitute the following:

“notes that, the Government:

— condemns the renewed Israeli military offensive and plans to establish full control of the Gaza Strip;

— urges all parties to return to talks aimed at securing an immediate ceasefire and hostage release deal;

— recalls that Ireland repeatedly condemned the terrorist attack perpetrated by Hamas and other terrorist groups on Israel on 7th October, 2023, and has consistently called for the unconditional release of all hostages held in Gaza and reiterates calls for their immediate release; and

— condemns Israel’s blockade of humanitarian and commercial supplies for Gaza, imposed on 2nd March, which has rapidly deepened the hunger crisis in Gaza;

and in this context, further notes:

— that the Government will continue to work intensively with partners to exert pressure, to allow a full resumption of aid in accordance with international law and humanitarian principles, and to enable the United Nations (UN) and humanitarian organisations to work independently and do their job;

— that the Government will progress legislation prohibiting the import of goods from Israeli settlements;

— that the Government will continue to demonstrate leadership at European Union (EU) level, including through pressing for meaningful follow-up to the review of Israel’s compliance with Article 2 of the Association Agreement;

— that Ireland is among a core group of states that has tabled a draft Resolution for adoption at the Resumed 10th Emergency Special Session of the General Assembly on 12th June;

— that the Government will continue its intensive engagement at the UN, including through co-chairing, with Türkiye, one of eight working groups at the forthcoming UN High Level Conference in June; and

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— Ireland filed a Declaration of Intervention at the International Court of Justice in South Africa's case against Israel under the Genocide Convention on 6th January, the Court's ruling on the admissibility of the intervention is awaited, following which it is intended to make substantive submissions;

deplores that as of 4th June, the UN has reported that at least 54,600 people have been killed in Gaza since October 2023, over 23,000 of whom are women and children;

is gravely concerned that the latest assessment by the Infection Prevention and Control global hunger monitor, that the entire population of Gaza is facing high levels of food insecurity, with half a million people facing starvation;

recalls that:

— in January 2024, the International Court of Justice (ICJ) found that the Palestinian people in Gaza had 'plausible right' to be protected from acts of genocide and related prohibited acts identified in Article III of the Genocide Convention and that there was a 'real and imminent risk that irreparable prejudice will be caused' to that right, before the ICJ gives its final decision in the case;

— in June 2024, the UN Human Rights Council's International Commission of Inquiry on Palestine found that, in its investigation into the attack of 7th October, 2023, the Commission found that members of Hamas, other Palestinian armed groups and Palestinian civilians, had committed war crimes, as well as violations and abuses of international humanitarian law and international human rights law, it also found that, in its operations in Gaza and the Occupied Palestinian Territory since 7th October, 2023, Israeli authorities and members of the Israeli security forces had committed war crimes, crimes against humanity and violations of international humanitarian law and international human rights law, and these included, the war crime of wilful killing and mistreatment, and the crime against humanity of extermination;

— the Genocide Convention requires States to undertake 'to prevent and to punish genocide';

— in July 2024, an ICJ advisory opinion declared that Israel's continued presence in the Occupied Palestinian Territory is unlawful, and must be brought to an end as rapidly as possible;

— the same ICJ advisory opinion declared that Israel is in 'breach of Article 3' of the International Convention on the Elimination of All Forms of Racial Discrimination, which it is obliged to prevent and prohibit all practices of racial segregation and apartheid in territories under its jurisdiction; and

— arrest warrants have been requested by the International Criminal Court (ICC) Prosecutor for key Israeli officials, the Prime Minister and former Minister of Defence, in respect of alleged war crimes and crimes against humanity;

deeply regrets the UN Security Council's failure to pass a resolution to demand the immediate and unconditional lifting of all restrictions on the entry of humanitarian aid into Gaza;

emphasise the importance of:

— the review by the EU of Israel’s compliance with its obligations under Article 2 of the EU-Israel Association Agreement;

— the forthcoming UN High-level International Conference for the Peaceful Settlement of the Question of Palestine and the Implementation of the Two-State Solution; and

— commits to working to deliver these;

further states that:

— Ireland has provided over €88 million in support of the people of Palestine since January 2023, of which more than €76 million has been provided since October 2023; and

— this includes €58 million for UN Relief and Works Agency for Palestine Refugees since 2023, to support its programmes in Gaza and the West Bank, including East Jerusalem, as well as in Jordan, Syria and Lebanon; and

acknowledges that:

— the Central Bank of Ireland (CBI) is independent in its function;

— the CBI does not issue, sell, trade, list or oversee Israel bonds;

— the CBI’s role, under EU legislation, is to assess the bond prospectus to ensure that it includes all the disclosure requirements of the EU Prospectus Regulation, however in the act of approving a bond prospectus, the CBI does not endorse the issuer or the securities;

— in regard to the Prospectus Regulation, it is up to the third-party sovereign to choose one EU Member State to apply to for approval of its prospectus, and the National Competent Authority in the chosen Member State is then legally obliged to discharge the relevant duties within the Prospectus Regulation;

— the CBI has clearly stated that an Advisory Opinion of the ICJ, or indeed the processes of the ICC does not constitute grounds for the CBI to refuse the prospectus of the Israel Bond Programme; and

— the Government has received advice from the Attorney General that recently proposed legislation to introduce ‘restrictive measures’ was not compatible with our obligations as Members of the EU and in conflict with Article 215 and Article 63 Treaty on the Functioning of the EU.”.

I will begin by recognising the genuine intent behind this motion and by again pointing out that there are far more issues that we agree on than we disagree on when it comes to our response to the horror of what is happening in Gaza. I am not going to make charges of naivety at anybody in the Social Democrats who is proposing this motion. Like them, I am moved by the appalling scenes we see every day on our phones and on television. However, if I refrain from making a charge of naivety against the Members and they accept my compassion and reaction to the awful scenes we see every day as being genuine, I ask that they refrain from making charges regarding complicity or collaboration in what I acknowledge to be an appalling

tragedy unfolding on the people of Gaza. There have been many references to international law in the opening statements, all of which I agree with. Despite the human feelings I have and the determination of the Government of Ireland to respond to this, I have to recognise the law with regard to the European Union and the law that recognises the independent operation of the Central Bank of Ireland. I have to be cognisant of that in decisions that I make and in my reaction to the motion being proposed by our colleagues in the Social Democrats and the legislation put forward by Sinn Féin.

In opening my response to the motion this morning, I will again outline my utter condemnation for what is befalling the people of Gaza. I will make reference to what is contained within the countermotion, which is not just the words of the Government, which I accept are recognised here today, but, more importantly, the actions of the Government in responding to the appalling suffering. The amendment lays out the financial support that has been made available to the people of Palestine and our support for organisations such as UNRWA and the work of the United Nations. It also lays out very clearly the work Ireland is involved in at a diplomatic level between countries and within international organisations to call for and make efforts to ensure Israel's compliance with international law. We stress the importance of international law when it comes to the suffering of the most vulnerable. To date, Israel has ignored these calls. This has to strengthen the commitment and work of the Government to ensure that more is done within international law. The Government is working relentlessly with partners and others to effect the type of change Israel may not be able to ignore. It is vital work and our efforts are making a difference but I accept they need to deliver more. We are approaching the tragedy that is unfolding in Gaza with principled conviction but also a recognition of the realities we face. We have to build up a diplomatic coalition to achieve more and we also have to be conscious of laws that are already in place, which is why we are moving this countermotion today.

With regard to laws that are in place and the work the Government is doing, we used our diplomatic role and our voice when we filed a declaration of intervention in the case taken by South Africa against Israel at the International Court of Justice last January. Our declaration was based on careful and detailed legal analysis aimed at supporting the strictest interpretation of the Genocide Convention, and promoting the maximum level of protection possible for citizens. We have also been unequivocal in calling for the full implementation of the binding preliminary measures issued by the ICJ in South Africa's case against Israel under the convention. The reason I emphasise this to the House today is that this is the work we are doing. This is the diplomatic action we are taking. This is the use of a voice to make a difference accompanied by the other measures we have put in place, particularly our efforts with regard to a two-state solution and the work we will be doing in the forthcoming UN high-level conference on implementing the two-state solution in New York this June. We are very hopeful and will be using this meeting to make the case for what could be a very important moment for the international community.

This work is yielding results. We welcome the announcement by the Foreign Affairs Council of the European Union that the association agreement with Israel is to be reviewed. This is a crucial step that Ireland and Spain first called for in February of last year. A clear majority of member states have now sent a strong signal as to the need for Israel to change, to halt military operations and to lift the blockade on lifesaving aid. It is essential that we continue our diplomatic efforts to deliver this.

That leads us on to the detail of the motion before us today. The Central Bank is an independent and apolitical financial regulator. It is a cornerstone of our financial policy. During some

discussions in this House, the role of the Central Bank in respect of Israeli bonds has been mischaracterised. I will again set the record straight to ensure the bank's role is clearly understood. The Central Bank does not issue, sell, trade, list or oversee Israeli bonds. Its role under EU legislation is to assess a prospectus to ensure it meets all requirements of the law in that area. It does not endorse the issuer or the securities by way of approval. Neither the issuer, which is the State of Israel in this case, nor the product becomes regulated or endorsed as a result of this assessment. Specifically, the motion calls on the Government to undermine the independence of the Central Bank and does not make clear, and gives a wrong interpretation of, the role of the Central Bank in carrying out its function as required under EU law.

The motion calls on the Government to implement immediately legislation that I believe would be unworkable. As I have outlined previously in the House, the Government has been advised that previous calls to permit the Central Bank to disregard EU financial services legislation would not be consistent with EU law, would undermine our obligations as an EU member state and would be open to legal challenge. In addition, an action such as this is not consistent with the efforts we have made to build up consensus by working with other countries together. It is by continuing to build up a group of countries in the EU and globally that Ireland, an island of our size and scale, has the opportunity to make such a difference to a tragedy we are all united in condemning. The advice I have referred to was received from the Attorney General. Let me be clear that what I am called upon to do in the motion, similar to the proposal tabled recently by Sinn Féin, would be unworkable, would contravene EU law and would not achieve its intended objective.

It is important to distinguish between what I accept to be an absolutely well-intentioned and thoughtful proposal of an action which I believe we would not be able to implement in the way the Opposition calls for, and the concrete actions the Government is taking. This is why the Government will move a motion today which calls out the appalling situation the Palestinian people are facing and highlights the work we are doing, and will continue to do, to make a difference and effect real change. The recognition by others of Ireland's position as an independent State eventually led to the establishment of a peaceful nation over a century ago. We believe that our recognition of Palestinian statehood will contribute to peace and to reconciliation ultimately but obviously there is a long journey ahead. The people of Gaza deserve peace, a peace that honours their legitimate aspirations to live with respect, justice, security and dignity, free from violence and the threat of violence. These are expectations that have been grievously harmed and not delivered to date. This is why we will work tirelessly with them to help achieve peace but I respectfully contend that the motion proposed today would not play a role in making this happen.

Deputy Sinéad Gibney: As did my colleague Deputy Gannon, I want to address the reaction to my use yesterday in the Chamber of the word "complicit". The Taoiseach had a very strong reaction to it. I want to be clear about why I use this word. Maybe a better word to describe the Central Bank and its role is "involvement". Perhaps this would make it easier for people to understand it. The Central Bank is involved in the sale of Israeli bonds in Europe by approving the prospectus. This is a fact and it is indisputable. The reason the word "complicit" applies is because complicity is not just through action, it is also through inaction. By facilitating the sale of these Israeli bonds, and by Government inaction to stop the Central Bank from facilitating the sale of Israeli bonds, all Irish people are made complicit in the actions of Israel. This is what we are saying when we say "complicity". This is why we are inundated with emails and the Minister is inundated with emails, and why all of our constituents are reaching

out to us, absolutely heartbroken, begging for something to be done. It is why people are turning out on the streets again and again. We are not asking the Minister to fix this all on his own. We just want him to try.

I want to speak on some of the countermotion and rebuttal the Minister has put forward. I will start by quoting the Central Bank's own code of conduct, as I have done previously in the Chamber. It states that, "Acting with integrity requires a higher standard of behaviour than simply achieving a basic level of compliance with applicable laws and/or regulations". When the Minister says he does not believe this would be workable and that it would be undermining independence, I am not at any point taking for granted that there is not a complex set of laws and financial regulations that dominate the activities of the Central Bank, none of us are; we understand the complexity of the picture but the Genocide Convention is clear. In January 2024 the International Court of Justice found that the Palestinian people in Gaza had plausible rights to be protected from the imminent risk of genocide and that there was an immediate legal obligation to take maximum action to prevent genocide. Believing that something is not workable is not reason enough to fail to act. We have to try. If this means testing it in the courts, then we have to try. If we as a State have to muddle through the complexity of this first step, that is what we have to do because it will set off a domino effect for country after country. The Government must go further to end the Israeli prospectus and, if necessary, fight it in the courts. The same ruling of the International Court of Justice states all UN member states are also under an obligation not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the occupied Palestinian territories. Again, it gives legal force to allow us to do it.

I want to draw the attention of the Minister to the Central Bank's own FAQ on bonds.

The Central Bank [as we have heard] can only refuse the approval of a prospectus where the Central Bank has a legal basis to do so. Other than insufficient prospectus disclosures, an example of a legal basis for refusal would be:

1. The existence of EU financial sanctions prohibiting the provision of services or assistance in connection with the issuance of securities by the Israeli government, or
2. National restrictive measures to the same effect.

What the Sinn Féin Bill tried to introduce a couple of weeks ago, and what we are trying to introduce now, is national restrictive measures. The Government's countermotion states the Central Bank "has clearly stated that an Advisory Opinion of the ICJ, or indeed the processes of the ICC does not constitute grounds for the [Central Bank] to refuse the prospectus". What it fails to state is that the Central Bank has said an example of a legal basis for refusal would be national restrictive measures to prohibit the selling of securities with Israel. These are some of the ways in which I believe the countermotion is incredibly weak. As colleagues have done, I urge the Government to facilitate a free vote on this.

We in Ireland feel powerless. I feel powerless and heartbroken. The people of Ireland tell me they feel powerless. We have seen incredible leadership from the 12 individuals on the *Madleen*, from Trinity College divesting itself, as the first third level institution to do so, from Israeli institutions, from the people who are joining right now a caravan to march on Gaza, and from the Hague Group which has just now called for an international conference to end this genocide. We need to see the same leadership from the Government to push through and make sure the sale of Israeli bonds is stopped in Europe and facilitate the end of this genocide.

Deputy Aidan Farrelly: As a spokesperson on children for the Social Democrats I will begin by bearing in mind the 50,000 children and young people who have been killed or injured in this genocide since 2023. To quote UNICEF, “The children of Gaza need protection. They need food, water, and medicine. They need a ceasefire. But more than anything, they need immediate, collective action to stop this once and for all.” A total of 1.7 million children are in need of humanitarian assistance. Rates of malnutrition continue to rise among the children of Gaza. This week on RTÉ James Elder, speaking from Gaza, said, “There’s no exaggeration, every single child in this place needs mental health support. It’s night after night of bombardment. There’s not a child here who doesn’t know someone who’s been killed, who hasn’t seen the most ghastly ghastly wounds.”

In Gaza, 95% of school buildings have been damaged. Yesterday, the Tánaiste, Deputy Simon Harris, said that anything that can be done to make sure the eyes of the world are fixed on Gaza at a time when the international community is failing to do enough for Gaza and for the children of Gaza is a good and appropriate thing. He said anything that can be done. Here you go. However, on the same day that the Tánaiste said this, the Government tabled an amendment to this motion that completely contradicts the “anything that can be done” call to action. The Social Democrats’ motion asks the Government to advise the Central Bank that it is acting in violation of the Genocide Convention by facilitating the sale of bonds. The Government amendment condemns the renewed Israeli offensive. The Social Democrats’ motion tells the Central Bank that by acting as the enabling cog in the fundraising machine, it is putting the State at risk of a charge of complicity in genocide. The Government’s amendment urges all parties to return to talks. The Social Democrat’s motion insists that the Central Bank immediately ends its facilitation of the sale of Israeli bonds. The Government’s amendment tells us that it would progress legislation prohibiting goods from settlements, but not services. It is a much-weakened occupied territories Bill that is not what the Government told the electorate it would do.

The Social Democrats’ motion asks the Government to enact emergency legislation to explicitly force the Central Bank to stop facilitating the sale of these bonds. The amendment says that the Government has received advice from the Attorney General that such legislation would not be compatible with our EU obligations. In the interests of transparency, I appeal to the Minister to publish this advice to show us what the legal impediment to progressing this is.

Like my colleagues, I appeal to the Minister to allow a vote of conscience on this. We all know what would happen tonight. TDs from across the House would support it. Why? It is the right thing to do. It supports the Tánaiste’s “anything that can be done” call to action. The Social Democrats’ motion calls for action, while the Government simply offers more words.

I want to be clear that I am very proud to be associated with the words the Minister and his colleagues in Cabinet have said in recent months and the leadership that has been shown. However, I want to be associated with a national Parliament that can say it has done everything in its power to do right by the children and people of Gaza and Palestine.

Deputy Pearse Doherty: I support the motion and commend the Social Democrats on bringing it forward. This motion is in line with the debate we had last week on Sinn Féin legislation that would stop the Central Bank facilitating the sale of Israeli war bonds in Ireland. It would have an immediate effect on their sale in Europe also. During the last debate I said that the response of the Minister was shameful and I believe his response is shameful again today. History will show that the Minister is on the wrong side of this issue. He has danced around

the issue. He has told us what the Central Bank is not doing. He has used carefully constructed words to tell us what we cannot do. However, the reality is that if Government wants to initiate national measures that will ensure the Central Bank does not sign off on a prospective and, therefore, not facilitate the sale of these war bonds in Ireland, then it can do so. That is the reality of it and the start and finish of this issue. If there is a political will then this can be stopped. The Minister talked about the Central Bank not selling these bonds, or doing this or that. What the Central Bank is doing is facilitating the sale of Israeli war bonds in the face of a genocide.

We have heard from colleagues what is happening in Palestine and I do not need to repeat it. We are all appalled about it. It is not a question of how appalled we are; it is a question of how we have a position of authority and power to enable us to do something about it. The facilitation is what is written in the legislation. That is what the Central Bank is doing. Can it be stopped? Of course, it can be stopped. The Cabinet just approved the heads of Bill of the occupied territories Bill. It will use a public-policy exemption to be able to enact that into law here in Ireland. This public-policy exemption on the free movement of goods is important. We have argued for the same public-policy exemption on the free movement of capital. Why is the free movement of capital an easier one to get? It is because the free movement of goods is an exclusive EU competence, whereas the free movement of capital is only a shared competence. Article 63 allows for an exemption under it. That is why it has happened in other EU member states in relation to capital restrictions but it has to be measured against four principles that have been carried out and tested in the European Court of Justice. That is what the legislation would do.

It is fine if the Government has an issue with the way we have framed the legislation. It can draft its own and stop the sale of Israeli war bonds in Ireland and stop the Central Bank from facilitating their sale. The Minister is the person, above anybody else in this House or in the country, who can, as Minister for Finance, bring this legislation through. That is why I say, unfortunately, the Minister is on the wrong side of history. Genocide is staring us in the face. It is happening in real time and the Minister is complicit, because the Central Bank is facilitating it. Above anyone else, the Minister is the person who can stop this by supporting this motion and enacting the necessary legislation.

Deputy Donnchadh Ó Laoghaire: What is happening in Gaza now is undoubtedly genocide and I welcome the fact the Government is now using that language. This is the position of the Government as articulated by the Minister for Foreign Affairs and Trade and it is important to remember that. In my lifetime, I cannot remember such scenes as we are witnessing in Gaza. Children are being left without families and children are being killed in their tens of thousands. People are starving while the Gaza Strip is surrounded by aid convoys that want to get in but are prevented from doing so. These are the most appalling war crimes. This is language the Minister has used. I do not doubt the Minister finds these things appalling. I do not suggest that for one second, but the point of realising that is to ask whether we are using all the levers we can and taking all the actions we can.

What is not in dispute, or at least as I understand it, is that these bonds are being facilitated by the Central Bank. What is not in dispute is that Israel is openly advertising the sale of these bonds to fund what it calls a war effort. In our view, it is funding the arms and munitions and everything else that goes towards the genocide that is happening. This is not in dispute.

The Minister has used technical arguments and, to be honest, I am sceptical on the basis of the OPLA and what Deputy Doherty and the Attorney General have outlined. Very often, when

politics dictate it, legal grounds can shift. We saw this recently with the rent pressure zones, RPZ. The Minister insists on technical arguments, but I have not heard him say whether or not it is desirable. I have not heard him say that if he could do it, he would do it. I want to hear that from the Minister, because if he can do it technically, then he should do it. Unfortunately, I suspect that the Minister has concluded that politically, he cannot or will not do so. On that, he is absolutely wrong.

Deputy Seán Crowe: The Irish Government must move to stop the flow of blood money from Ireland to Israel. The Minister tells us why it cannot be done but he directly contradicts the legal advice the Opposition received from the Oireachtas's own legal advisers. When Sinn Féin brought forward a Bill to end Ireland's complicity with genocide, it was backed by sound legal advice which clearly stated that the Bill was compliant with Irish, European and international law. Under EU law, Ireland is fully entitled to unilaterally restrict access to its financial services. When it comes to the sale of war bonds that go towards bombs and bullets that are taking Palestinian lives in a genocide, we have no choice in the matter.

The Central Bank has given permission for these bonds to be sold through Ireland. The Government is authorised to advise it that this should not be permitted, but it took the decision not to give that advice. Stopping the sale of these bonds is a concrete, tangible action that Ireland can take in the stand against genocide.

In his speech, the Minister said Ireland's persistent advocacy on behalf of the people in Gaza at EU level is yielding tangible results. Is he for real? Does he not see what is happening? Gaza has been flattened to the ground. People are starving and the Minister is saying in his speech that his approach is yielding tangible results. Israel is conducting a campaign that began as collective punishment and has now moved to ethnic cleansing. Ireland cannot be a conduit for blood money. We know what the bonds are going towards. We have the legal authority to do something. It is time for us to act. It is time for us to stand up and say "No".

Deputy Mairéad Farrell: I commend the Social Democrats on introducing this important motion. Representatives of the Central Bank will appear before the finance committee today to explain its position on why there has been no action on these bonds. Therefore, this motion is timely. Thus far the Central Bank has refused to reject the prospectuses submitted for these Israeli war bonds. Its reasons not to act have been somewhat of a movable feast. Previously, the Governor of the Central Bank told us that these were not war bonds and were instead being used for general financing purposes. Thanks to reporting by *The Ditch*, we learned that potential investors were being informed that the best way to serve Israel and support Israel's war effort was to buy these bonds.

The Central Bank's contention is that it has only two grounds to refuse a prospectus: the imposition of EU sanctions; and what it refers to as national restrictive measures. If a state is a signatory to the Genocide Convention, which is codified in Irish law through the 1973 Act and which makes complicity in genocide an offence, does that not constitute a national restrictive measure? If it does not, I do not know what actually does. The Central Bank and the Government are using these arguments. My colleague Seán Crowe put it correctly there: if we do not act now, when will we ever act?

It is the exact same tactic as we have seen with the occupied territories Bill. Leaked correspondence has shown that this is not a legal drafting issue with the legislation, but a political choice. We cannot have political choices that do not enable us to do everything we can to sup-

port the people of Gaza and to stop this genocide from happening. We need to do everything. If these bonds which are being facilitated are financing the war, as has been said by the Israelis themselves, we should not be dealing with them in any shape or form. This is the second time this matter has come before the House. It will also be discussed at the finance committee today. We need to see action on it because we cannot continue the way it has been going.

Deputy Natasha Newsome Drennan: Genocide is taking place in Gaza. There is widespread ethnic cleansing happening across Palestine. Israel is an apartheid state. Almost every week, weapons are being transported through Ireland to Israel and these weapons are being used to continue that genocide and ethnic cleansing and to uphold the brutal system of apartheid. There is absolutely no denying this. While there is no absence of talk and spin from the Minister and his Government supporters, there is a complete absence of action. Indeed, the Government is actively blocking measures brought before the Dáil that would put pressure on the apartheid State of Israel, such as enacting the occupied territories Bill and the Illegal Israeli Settlements Divestment Bill. Only last week it voted to support the continued sale of Israel bonds by the Irish Central Bank. It is only when Israeli pockets are hit that we see any change because all the words of condemnation clearly do not matter a damn.

Let us be frank and straight about this. The overwhelming majority of people here in Ireland want to see a stand taken against Israel and its war crimes in Palestine. However, the Irish Government and the EU have taken a decision to provide quiet and subtle support to Israel. This is clear from the Government's actions here in the Dáil. Outside the offices of TDs in Carlow and Kilkenny there are protests calling the Government out on voting for bonds over babies. All TDs should have a free vote. If not, they will have to live with the screams they ignore and it will haunt them every day.

Deputy Cathy Bennett: I acknowledge and commend the Irish Government on joining the case before the International Court of Justice against Israel taken under the Genocide Convention. I also commend the Government on the funding provided to UNRWA for humanitarian aid and for the recognition of the State of Palestine. However, that is where the commendation ceases. This Government has failed to implement a single solidarity economic sanction against the genocidal Israeli regime.

Despite the Tánaiste having committed to pass the occupied territories Bill in advance of the general election, he now differentiates between goods and services to water down its impact. The International Court of Justice did not differentiate between trade in goods and services in its ruling on the consequences of Israel's action. Nor did the Government do so when it co-sponsored a resolution on the outcome of that judgment at the United Nations General Assembly. However, he differentiates today. He claims it is a necessity despite the Attorney General having advised that it is a political decision.

Now Israel maintains that Sinn Féin's Bill to ban the sale of Israeli bonds is also illegal under EU law - claims absolutely rubbished by the legal opinion of the Oireachtas Office of Parliamentary Legal Advisers. Fianna Fáil and Fine Gael have shielded Israel's economy from legally correct sanction for its genocide for far too long. The sale of Israeli bonds in Ireland must be banned now. It is to the Government's shame that it is willing to provide economic cover for Israel's genocide for fear of a morally bankrupt European Commission President whom it put in office.

Deputy Aengus Ó Snodaigh: Gabhaim buíochas leis na Daonlathaithe Sóisialta as an rún

seo a chur os ár gcomhair. Tacaím go huile agus go hiomlán leis. Two weeks ago, Fianna Fáil and Fine Gael clubbed together to vote down Sinn Féin's Bill to stop our Central Bank from facilitating the sale of Israeli war bonds. What have those war bonds funded since that decision? The Israeli state killed 17 Palestinians on 29 May; 72 on 30 May; 54 on 1 June; 27 on 3 June; nearly 100 on 4 June; 52 on 5 June; 42 on Eid, 6 June; 70 on 7 June; 47 on 8 June; 27 on 9 June; and 36 on 10 June. In fact, in under two years those war bonds have funded the killing of 65,000 Palestinians. This is the exact toll that is being wrought upon the Palestinian people in a genocide and yet the Government is facilitating that.

Crucially, one day after the vote two weeks ago, Israeli forces also shot at brave Irish peacekeepers. That could not be more serious or more grave. The Irish Government voted to facilitate the funding of attacks on Irish soldiers because it voted to fund Israel's war efforts. Article 39 of the Constitution quite clearly states that assisting another state to levy war against this State is nothing less than treason. Is the Minister happy to assist the funding of a state that shoots at Irish soldiers? That is what Government Members will be doing if they vote against this motion.

An bhfuil sibh sásta leanúint le ligean do bhannaí cogaidh Iosrael a bheith díolta sa tír seo, ag ligean don tír seo tuilleadh buamaí, piléar agus diúracán a cheannach agus a úsáid i gcoinne páistí agus pobal neamhurchóideach Palaistíneach i nGaza? Sa deireadh thiar thall, is sibhse a fhreagróidh an cheist sin níos déanaí anocht. Impím oraibh vótáil leis an rún.

Deputy Shónagh Ní Raghallaigh: It is only a fortnight since Sinn Féin introduced the Israeli genocide bonds Bill. In voting against that Bill, the Government squandered an opportunity to stand on the right side of what will, no doubt, be remembered as a decisive moment in history. I thank the Social Democrats for returning to this issue and giving the Government a second chance to make good on its supposed commitment to the Palestinian people.

11 o'clock

For all the Government's back-patting and boasts about being the best in class on Palestine, the truth is that we are now trailing behind Australia, Canada, New Zealand and Norway, which have moved to sanction Israeli leaders for their abominable human rights abuses.

Let us be honest. The motion before us today is modest. It is not a big ask. We are not trying to ban the sale of Israeli genocide bonds across Europe. We do not have the power to do that, but we have the power to say the Irish people want no hand, act or part in that ugly deed. We know for a fact that we have the power to do this and a suggestion to the contrary is nothing more than foot-dragging and cowardice.

Má thacaíonn an Rialtas leis an rún seo beidh deis ag muintir na hÉireann teachtaireacht a thabhairt ar an stáitse idirnáisiúnta go bhfuil muid aontaithe in aghaidh an chinedhíothaithe i nGaza, gur féidir seasamh suas i gcoinne bulaithe, agus nach ndéantar neamhaird ar dhaonnacht mhuintir na Palaistíne.

The genocide bonds Bill is about sending a powerful message to our people and the international community that we will not stand idly by, that we can and will stand up to bullies and that basic human decency and dignity still count for something. I implore the Government to lead with its conscience and to wipe our hands clean of these bloody bonds once and for all.

Deputy Ruairí Ó Murchú: It is hard to believe that we are having this debate. There is

absolute acceptance that Israel is an apartheid state that is engaged in genocidal action in Gaza. Another 25 people were killed at a so-called Gaza Humanitarian Foundation aid station. I do not know what defence there can be for what Israel is doing on a day-by-day basis. At least 55,000 people have been slaughtered and there is no end in sight.

While the Central Bank may not be selling them, it is facilitating these Israeli war bonds. We can have an argument about the Office of Parliamentary Legal Advisers, the legal service available to us, which seems to have the best of legal minds. It is intent on ensuring that the Minister does not do anything that could be unconstitutional or unlawful, yet it was sufficiently happy to draft the Bill and work alongside Deputy Doherty. We all know the Central Bank needs to be provided with powers to have national restrictive measures, which are necessary to ensure that we are not complicit, as is required by the genocide convention. As some of my colleagues have said, the Minister did not say the Bill is unworkable or not legal, and this is not a State that is too worried about infringement actions or legal challenges being taken. In general, the State has faced up to legal challenges, sometimes when it should not have, when ordinary people tried to ensure that their rights were fulfilled.

The Palestinian people may not exist in the next while. At this point, we are facilitating the Israeli Government in selling these bonds. The Minister has not come out and said this is unworkable and outlined how the Government is going to deliver. That is the answer we need from the Minister. We have to do absolutely everything.

We all know the issues we have with the occupied territories Bill without services. We all know there has been failure across Europe on delivering on the EU-Israel association agreement. I do not know how the humanitarian conditions that were put in place legally are not being infringed. We can do very few things at this point to ensure we show absolute solidarity to those who are under genocide and to make sure Israel is pointed out as the pariah state that it is. This is a small, but necessary, act and the Irish people demand that it happen.

Deputy Ged Nash: I will be sharing time with my colleague Deputy Lawlor. We are in an incredible situation in this country and in the Middle East at present. For the first time, two weeks ago, in response to a Labour Party motion and a Sinn Féin Bill two weeks ago on Israeli bonds, a significant statement was made by senior Government representatives in this House. Finally, a senior Government figure in the State said unequivocally that Israel is carrying out a genocide against the people of Gaza.

The genocide convention, dare I explain again, makes it crystal clear that where genocide is suspected or claimed, there is a moral and legal obligation for a state to make good on its utterances, to bring that to its logical and practical conclusion and to take that claim further. It is uncomfortable for the Government, the leadership of the Central Bank, the citizens of Ireland and all of us in this House to comprehend that our financial services regulator, the Central Bank, is, whatever way we interpret it, a critical cog in the wheel funding the Israeli state, which is carrying out a deliberate starvation policy of children and mass murder of citizens in the open prison that is Gaza.

The far-right Israeli regime makes no bones about it. Dani Naveh, the CEO of Israel Bonds, the organisation that sells these bonds, has admitted publicly that the resources generated from the sale of these bonds are funding what he called the military operations in Gaza. The fact that Ireland was saddled with operating the Israeli bonds prospectus is another perverse outworking of Brexit. It is not a responsibility the Central Bank asked for, I assume, but it is one it and,

by extension, we, as Irish citizens and Members of the House, have. Ireland is now the home country for Israeli bonds in terms of the prospectus. The explanations as to why we cannot introduce legislation to change that reality seem, to the many of us who are desperate to see accountability and an end to the ethnic cleansing, like a mere detail in the face of a bonfire of international laws and norms.

It is ironic in the extreme, although this is no time for irony, that Israel sees Ireland as a country that is not fit to host its ambassador, yet it conveniently uses our Central Bank, our financial regulator, to approve its bond packages for investors who want to invest in the State of Israel. That is, frankly, perverse. The Central Bank is independent in the carrying-out of its functions. However, when a senior member of the Government recognises that the state whose prospectus is approved here is engaged in genocide, we have a greater responsibility. I and others would argue that all State agencies have a role beyond a narrow technical and Jesuitical interpretation of laws and an obligation to tick a box.

The preamble to the EU prospectus governing this space states:

This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Therefore, this Regulation should be interpreted and applied in accordance with those rights and principles.

The charter states the Union is founded on the indivisible and universal values of human dignity, freedom, equality and solidarity and is based on the principles of democracy and the rule of law. This all speaks for itself.

That we have not yet imposed any form of sanction on Israel is unconscionable. I accept, and we all understand, that Ireland is doing all it can to build coalitions in that regard. Yet, as the House knows, we have the power to restrict access to financial services. These arguments have been well rehearsed in recent weeks. In other words, there are opportunities to develop and enact legislation to restrict and stop the Central Bank's role in this.

The Governor of the Central Bank will appear before the finance committee today. He will say that the term for the current prospectus will come to an end in September of this year. Regardless of what happens today, the Central Bank has a decision to take in the next three to four months. We can decide to enact emergency legislation to stop this now and challenge the State of Israel to see us in the international courts, courts which, by the way, Israel now routinely decides not to recognise at all. Let us challenge Israel to do that. As we move beyond this motion, in the next three to four months, will the Government indicate its view to the Central Bank and remind it of its legal and moral obligations? What thresholds will the Government expect it to use? What criteria will it apply to a decision it may have to make to renew the Israeli prospectus as it comes to an end?

As a State, we have, at least by the unconscionably low international standards that obtain at the moment, shown leadership in response to the devastation in Gaza and the genocide being carried out against the Palestinian people. We have been pioneers. Let us continue to be. Let us accept this motion and, as colleagues in the Social Democrats said earlier, provide all TDs in this House with the opportunity to vote with their conscience. Let us do the right thing this evening.

Deputy George Lawlor: We can all recite the litany of the dead. We watch nightly the systematic destruction of an entire people. By design, the current Government of Israel is

ethnically cleansing the Gaza Strip, making life impossible to endure there. There can be no doubt that the Government of Benjamin Netanyahu is well advanced in implementing a plan to remove the Palestinian people from their historic homeland through bombardment, terror and famine to ultimately replace them with Israeli settlers.

We have witnessed nothing like this in recent world history. A member of the United Nations is in defiance of the basic principles of the UN Charter, which recognises the principle of self-determination of peoples, a core concept in international law and an obligation on member states. Israel acts with impunity. It is deaf to any voice of humanity urging it to halt its unconscionable assault on the innocent. Many millions of people around the world look on in horror. I have stood in Wexford town with ordinary people of every political persuasion simply to bear witness and to stand in solidarity with the suffering people of Palestine. We stand with a sense of importance. The discussion is that there must be more we can do. We, the Irish people, have known oppression and endured famine. We know well the abuse of power by the dominant over the weak. History places an obligation on us to do all we can.

As the Minister knows well, our recent economic history has also educated our people in the power of the bond market. When Ireland was shut out of the international bond markets after the financial crash, we saw the catastrophic impact on our country. More recently, we witnessed the power of the bond markets to impact on the most powerful of political actors. When the markets rejected the budget proposals of the former British Prime Minister Liz Truss, her Government fell. Even Donald Trump was required to change course when the cost of US borrowing shot up after his liberation day declarations. While I have no illusions that any action by this State will have such dramatic impact, we must do all we can. In this case, standing against barbarism will no doubt come at a cost. Waiting for others to give leadership in order that we can more safely follow is morally unacceptable.

When the Dunnes Stores workers refused to handle fruit from apartheid South Africa in July 1984, they knew their actions would not by themselves bring down apartheid. Their actions did, however, bring about the banning of all South African goods by the Irish Government in 1987, making it the first western government to do so. We need to show the same courage and solidarity with the desperate people of Palestine today. The people of Ireland demand we take real action and do all in our power. While this may be a small, symbolic signal, it is a symbolic signal to the world that Ireland will not stand idly by in the face of genocide.

Deputy Ruth Coppinger: The Taoiseach gets annoyed when we use the word “complicit”. I believe the Minister does too. What does the word “complicit” mean? I looked it up again before I came to the Chamber. It means “involved in, or knowing something is wrong or unlawful”. The Minister knows something is wrong and unlawful and he has a big chance to do something about it. This is a really clear example. The Irish Central Bank is processing Israeli bonds that the Israeli state itself boasts are crucial to the conflict and the war in which it is involved. That is from Isaac Herzog. The Governor of the Central Bank says the bonds cannot be stopped without a legal basis. There are multiple legal bases, including the genocide convention, the International Court of Justice’s ruling and EU laws that have been cited in the Chamber today.

The Minister said it was an appalling tragedy. It is not an appalling tragedy. This is man-made and designed. I would love to be as calm as the Minister when he spoke. He talked about partners the Government is working with. We heard the Taoiseach yesterday talking about some of them as well. A lot of them are tyrants, by the way. Saudi Arabia and Jordan never give a toss about Palestinians. The Minister also spoke about a two-state solution. Does he think

there will be two states left? The way things are going, Palestine will not exist unless there is action. The Minister is parsing and analysing words in the face of a genocide. The Central Bank took over this role after Brexit. An EU state was needed to approve these bonds. Ireland is a lynchpin State for the sale of these bonds. It cannot happen without Ireland's approval. Petty legalities are being used in the face of a genocide. The Government is putting compliance with finance laws above the lives of millions of Palestinians. It is business as usual. That is complicity.

My heart breaks for the people of Palestine. They are victims of an absolutely brutal phase of capitalism right now where colonialism and imperialism are unleashed. Greta Thunberg summed it up absolutely brilliantly yesterday when she was asked why this is happening and why governments are ignoring it. She explained that it was because of racism and a system that is so destructive that it puts short-term profit and geopolitical interests above the needs of humanity. I salute the march to Gaza and other initiatives by ordinary people. We cannot rely on governments like this Government. That is clear.

Deputy Catherine Connolly: I have no doubt the Minister has feelings of horror like we have and like he expressed. My difficulty is that he is demonstrating a classic case of cognitive dissonance because he holds beliefs in his head that are clashing with each other. While his feelings are the same as ours, his actions are different. In doing those actions, he seeks to rationalise them, which is the classic way of resolving cognitive dissonance. The Minister does that in the way he talks about the independence of the bank, which I will come back to.

I wish to say something that Deputy Coppinger referred to. The Minister talked about the absolute abhorrence of the death and destruction being visited on the civilians of Gaza. That sentence, which was contained in a carefully crafted speech of 1,279 words, is like something out of the Bible. Nothing is being visited on them. Israel, and the Israeli army, are committing genocide. Absolutely nowhere in his speech did the Minister say that. There is nothing being visited on them. Genocide is being perpetuated. The Taoiseach and the Tánaiste have finally said that.

With regard to the Central Bank, of course it is independent. It is not independent of the law, however. It is not independent of the Central Bank law that obliges it to comply with EU law. The Minister referred to one article but he did not balance that. Who is advising the Governor of the Central Bank? Is it the Minister himself or some Department? What advice is being given? How are the competing articles in the EU being balanced? Can we see how they are being balanced? What about the staff in the Central Bank? What is the morale like in the Central Bank at the moment? I gather it is at an all-time low and that the Governor of the Central Bank is nowhere to be seen.

In respect of the bonds not being renewed in September, that is the least we could do. More importantly, the word "complicit" absolutely applies because we are not only allowing the Central Bank to function independently when this should not be lawful, but we are also buying the bonds. We are actually buying the war bonds. The Minister knows that. I have the answer. I received a reply. Over €2 million has been directly invested by the NTMA and the ISIF in war bonds. If that does not equal complicity, I do not know what that word means. The Minister's carefully crafted speech is absolutely a working-out of cognitive dissonance. It does not match the feelings of horror he has expressed today.

Deputy Paul Murphy: First, I thank the Social Democrats for using its time to allow this

joint motion to be debated. There is a lot of obfuscation from the Government and an attempt to mislead people in the counter motion and in the Minister's speech.

It is true that the Central Bank does not sell, endorse or oversee these bonds, but the key point is that it is facilitating the sale of Israeli bonds across the European Union that pay for the genocide in Gaza. There is no question that Israel is carrying out a genocide; the Taoiseach and the Tánaiste have said it on the Dáil record. However, they seem to think they will say it and get some credit for saying it, and that it will not have any consequences. It must have legal and moral consequences. We have to do everything in our power to stop a genocide taking place, which means no more hiding behind the technicalities of the EU prospectus regulation, which, by the way, is supposed to be interpreted and applied in accordance with the Charter of Fundamental Rights. Is the Minister's argument seriously that a regulation on financial prospectuses should override the UN Convention on the Prevention and Punishment of the Crime of Genocide? He is offended when it is said he is complicit, but what else can it possibly be?

Just yesterday, the Tánaiste stated:

Anything that can be done to make sure the eyes of the world are fixed on Gaza, at a time when the international community is failing to do enough for Gaza and for the children of Gaza, is a good and appropriate thing. It shouldn't require flotillas, it shouldn't require civilians getting on boats and trying to highlight this, it should require the international community growing a backbone here and saying stop. Stop the genocide.

The Government should take its own advice, grow a backbone, do everything it can to stop the genocide and stop the Central Bank facilitating the sale of these bonds. However, I have no confidence in the so-called international community of western governments that are complicit in, fund and support the genocide. I have confidence in the international community of ordinary people, such as those on the streets, trade unions, mothers, the people on the boats and the people on the march to Gaza, which I am proud to be participating in.

Deputy Roderic O'Gorman: I thank the Chair, and the Social Democrats for bringing forward this motion today. The Green Party is pleased to co-sign this motion, which seeks to end the Central Bank's facilitation of the sale of Israeli bonds. We are deeply concerned that these bonds have, since October 2023, been marketed explicitly in the context of the ongoing war in Gaza, with statements from the Israeli Government describing them as supporting its military efforts. This situation is taking place in the shadow of dire findings from international legal bodies regarding Israel's actions in Gaza. In January 2024, the International Court of Justice found there was a plausible risk of genocide in Gaza, a determination that, under the genocide convention, creates legal obligations for all states to act to prevent genocide and ensure they do not support or enable it in any way. In July 2024, the ICJ issued an advisory opinion declaring Israel's occupation of Palestinian territories unlawful and found its discriminatory policies violated international law, including the International Convention on the Elimination of All Forms of Racial Discrimination's ban on segregation and apartheid. The Central Bank has acknowledged that the bond prospectus refers clearly to the war in Gaza and to the intended use of these funds but stated it must operate within existing legal constraints. However, I believe this situation requires careful consideration of Ireland's obligations under international humanitarian law, and particularly under the genocide convention. This motion calls for the Government to urgently assert Ireland's obligations under the genocide convention and international humanitarian law, to direct the Central Bank accordingly and, if necessary, to introduce legislation to ensure full compliance with these obligations. The Green Party has consistently advocated for

humanitarian access, a sustained ceasefire, the release of hostages and an end to the genocidal actions of the Israeli Government. This motion is not about politics. It is about upholding the standards we set for ourselves as a state and the values of peace, justice and the rule of law.

Deputy Peadar Tóibín: Cuirim fáilte roimh an rún tábhachtach seo agus gabhaim buíochas leis na Social Democrats as an rún a chur os comhair na Dála inniu. I want to focus on one particular issue. It has been reported in the media in the Middle East that the United States and Israel have agreed the United Nations interim force in Lebanon will cease its operations in southern Lebanon. It has also been reported that the US Government has decided not to renew UNIFIL's mandate and Israel reportedly did not disagree with it. A vote on the mandate in the United Nations Security Council is expected to occur in the coming months. That is a very serious issue. Irish troops have been part of the UNIFIL mission for many years. Since 1978, 30,000 Irish troops have served within that mission and 47 have lost their lives. At the moment, about 340 members of the 125th infantry battalion are deployed in Lebanon. What does this mean and what kind of engagement has the Irish Government had with the US Government? Recently, the Tánaiste, Simon Harris, said that "by recommitting to the UNIFIL mission Ireland is sending a clear message that we support peace, we value stability and we care about the people and communities of southern Lebanon." Where is our commitment now if, in fact, it looks like the US is going to bring that particular mission to an end in southern Lebanon? Will the Minister reply to that very serious development within the Middle East?

Israel is dropping bombs on hospitals, schools and tents. The IDF is atomising the bodies of small children with armaments that are funded by Israeli bonds. The Israeli regime is starving people and using famine as a weapon of war. It is also trying to humiliate the people of Gaza by providing very restricted food programmes and then killing people who seek to feed their families from those programmes. I have never seen such gruesome violations of human rights unfold in real time in my life. Some 54,000 people have been killed, 70% of them women and children. I never thought I would witness the international community in cahoots with such large-scale human rights violations. Many are in cahoots, but many others are silent on this issue. Ireland is not silent, I admit. The Government has sent out strong messages, but there is an equivocation here. It sends out messages but supports Ursula von der Leyen. It recognises Palestine but allows for bonds to be sold for the Israeli war machine. The destruction of the people of Gaza is happening because it is being facilitated by many people in the international community. The Government facilitates the sale of Israeli war bonds and is therefore facilitating the funding of the gruesome horror that is unfolding every day. I ask the Government to stop that facilitation, take a decision, show leadership on this issue and save people's lives.

Deputy Paul Nicholas Gogarty: I wish to focus on one aspect of this motion I support, namely, the reference "to honour Ireland's obligations under the Genocide Convention and to fulfill the duty of the State to use all means likely to have a deterrent effect on those suspected of preparing genocide or reasonably suspected of harbouring specific intent, and work to prevent the genocide." We have had a two-faced approach. I will acknowledge, as I said to the Tánaiste before in discussions, that Ireland has played a role in holding Israel to account. We supported the South African case in the ICJ, for example, and the Israeli state withdrew its ambassador, accusing Ireland of being an antisemitic country, all because we signalled our intent. However, when it comes to the crunch, what have we done? We have not facilitated the arms embargo Bill. We keep trying to dilute and water down the occupied territories Bill. Hopefully, it is coming in the autumn, but we seem to be dragging it out, saying it is not technically possible or that this or that is not legal. The same thing applies to this legislation. We had a debate on it

last week, when I spoke for 11 minutes. The Minister is saying it is not possible to do what we should be doing in respect of the Central Bank because of EU legislation. Why do we not - I ask this question again - bring it as far as we legally can and leave it up to the EU to then follow suit? We should be doing everything in our power to send out the message about the genocide taking place in Gaza and the atrocities in the West Bank. Let us bring it to the nth degree, as far as we can, without any excuses. I cannot see a reason for excuses here. If the European Union says it is not legitimate or does not wash, that is up to the European Union, but let us do as much as we can as a country.

Deputy Ken O’Flynn: There is a moment in public life that demands more than ideology. It demands conscience, clarity and, above all, courage. The motion before us, brought by the Social Democrats, seeks to express opposition to Israel’s war efforts by way of economic instrument, by targeting war bonds and financial ties. As a centrist, I approach this and other motions like this with deliberation of mind and a steady hand. I do not believe foreign policy should be conducted by slogan or that Ireland’s voice would be made stronger by shouting the loudest. However, silence too is a decision and as we face what we have seen in the past year, silence could be taken as complicity. We have witnessed a catastrophe unfold in Gaza. More than 50,000 lives have been lost. Many of them were children. We have seen cities flattened, hospitals destroyed and families buried beneath rubble. They are not just numbers. They are names, have stories and they are loved ones.

Let us speak plainly in this House. The atrocities committed on 7 October were barbaric. Hamas carried out a brutal assault on innocent civilians and any nation has the right to defend itself from terror, but that right is not unlimited. We cannot justify collective punishment. It cannot justify the erasure of a people. Israel has a right to security, but the people of Palestine have a right to dignity, to self-determination and to life. Where does that leave us in this House? If we are to be a republic built on human rights and the principle of neutrality rooted in peace and not passivity, we cannot avert our gaze from alleged war crimes, starvation being used as a weapon or international law being disregarded. That is why, although I may not endorse every element of this motion’s framing, I support it in spirit. I support the idea that Ireland should not support financial instruments that fund any destruction - destruction in Gaza or anywhere else in the world. This is not about choosing a side in an internal conflict; it is about choosing humanity over cruelty, law over chaos and peace over permanent war. If Ireland, small as it may be, can stand up in this Chamber and in the chambers of the world to say we will not fund bombs but we will fund peace, surely that is the leadership we need today.

Deputy Michael Collins: We will be supporting this motion to end the Central Bank of Ireland’s facilitation of Israeli bonds. As a representative of the people of west Cork, which was profoundly impacted by the Great Famine, I have a personal connection to the suffering of the Gazans today. I repeat myself when I say we are here to protect life and dignity without taking sides. Ireland is trusted because we do not serve geopolitical interests. Starvation as a weapon is a breach of international law. The deliberate denial of food and aid is collective punishment. It is a war crime.

We know from our history during the Great Famine and from the oppression visited on us, the Irish, by others that there is a devastating impact from such actions. The Irish Government has a legal and moral duty to act to avoid complicity in Israel’s genocide. If we do not end the Central Bank’s facilitation of Israeli bonds, we are no better than those who profited from shipping produce out of Ireland while people starved. If our history means anything, we must act to alleviate famine wherever we find it. We see every day the images from this war and the

starvation of the very young and the very old. It is time this stops. Food is a basic human need and if we can help, we must. The Government must end the Central Bank's role in the facilitation of these bonds. There is clear and independent Oireachtas legal advice that the State has authority to do this.

It is quite ironic that the Social Democrats are presenting this motion given the recent controversy involving one of their TDs and his sale of shares in Palantir technologies, a company that supplies technology to the Israeli military. This raises serious ethical concerns. They are talking out of both sides of their mouths. I call into question their maturity and ability, before advocating for the high ethical standards in their motion.

Deputy Barry Heneghan: What everyone has said today is completely true. We are witnessing one of the darkest moments in modern history. In Gaza, the population is being bombed, starved, displaced and deprived of the most basic human rights.

When I met a young man who lives in my constituency whose parents are still in Gaza, I could not look him in the eye and say I am not doing everything I can to help him and his family. Ireland cannot be one of the silent countries.

Let us speak clearly. Israel is committing genocide in Gaza. This is not a political slogan. It is the conclusion of respected international legal bodies and the position of the Government, human rights organisations and aid workers on the ground. More than 54,000 people have been killed and thousands of others injured, most of whom are men and children. Thousands of families have been completely wiped out. It includes medical staff, journalists and UN workers. In absolutely horrific scenes that we see on our phones, hundreds of Palestinians are being shot at while trying to get aid. They were not armed. They did not pose any threat. They were just trying to survive like our ancestors tried to do. In two separate incidents, Israeli forces opened fire on civilians gathered at aid trucks. Many of the victims were shot in the back. This is not war. It is absolutely horrific. We need to do everything we can to be on the right side of history.

The horror continues at every level. Just days ago, a flotilla carrying food, medicine and baby formula was intercepted by Israeli forces in international waters - another breach of law. The Israeli State has been continually breaching laws and nothing is being done. This is ridiculous. We have all seen the images of children dying of hunger and infants skeletal from starvation being brought into crumbling hospitals by mothers who can do no more. Gazan children are being starved to death in full view. We have said it is genocide, but why are we not doing everything we can to stop it?

I commend the Irish Government on doing what it has done so far. It has been leading the push to review the EU-Israel trade agreement but we need to do more. We are blatantly ignoring it. Our voice matters. Our voice has always been a voice for peace. We did it before with apartheid South Africa. Let us lead the charge again. We must push the EU to follow the UK's example. In recent days, the UK Government sanctioned two Israeli ministers. We need to do that now. It also sanctioned a leading figure of a settlement movement. There are senior members of the Israeli Government we need to sanction.

The main point is that our Central Bank is facilitating the sale of bonds that are war bonds. This is not about diplomatic language. It is about technicalities. It is about the decency of us doing the right thing.

Deputy Paul McAuliffe: First, I will respond to the thousands of emails I have received and

make it clear that I, my party and the Government do not support the genocide taking place in Gaza. We do not support the genocide, the starvation of Gazan citizens or the current actions of Hamas or Israel. We believe those actions are undermining the stability of peace in the region and of the ultimate solution, a two-state solution.

Ireland has taken strong action on this. In fact, we have been one of the loudest voices in the global community on the issue of Palestine. It is difficult sometimes to balance the idea that two of the loudest voices criticising the Government are on the one hand the Israeli Government, and on the other hand the Irish Opposition. It is hard to reconcile those two things.

I will take the example of the measures we took in relation to the UN Relief Works Agency, UNRWA. When Israel and many other countries were seeking to de-fund and discredit UNRWA, the Irish Government was one of the first to step in. Not only did we discredit those attempts to undermine UNRWA, but we were also there with money to support its core services and Palestinian aid in general. I also commend our decision to support the International Court of Justice, ICJ, process of evaluating Israel's actions in the occupied territories.

The latest issue is the sale of Israeli bonds through the Central Bank. It is certainly of concern. As the previous speaker said, we should try to do everything we can legally do to prevent any support. The important word is "legally". The Central Bank does not issue, sell, trade, list or oversee Israeli bonds. Its role is under EU regulation and it is to assess a bond's prospectus and ensure it includes all the disclosures required under the EU prospectus regulation. This is what the Central Bank currently does. What is important to note and what this motion fails to understand - I take on board the bona fides of those supporting it - is that the Central Bank is independent of the Government in its functions. I think everybody in the House accepts this point. If the Central Bank were not to be independent in its functions, the Minister for Finance would be setting the interest rates for every mortgage in the country. We cannot have a situation where the Government can direct the Central Bank. It is independent and a cornerstone of the way our system works.

The Central Bank does not issue, sell or oversee the bonds. There is strong EU regulation and the Central Bank's own press release is very clear in setting out what it can and cannot do. The Central Bank, however, does have a contract to issue this prospectus and it is an institution that regards its own reputation as important. While the Central Bank has limited grounds on which it could decline a prospectus, it should use every element in the context of its own independence to ensure that prospectus is only approved because of the basic financial regulations it can operate within. If there are any grounds on which the Central Bank as an independent body can decline the prospectus, then it is my belief that it should do so. That is not the same thing, though, as this House or this Government instructing an independent body to do it.

Additionally, all of us in this House have called for an immediate ceasefire and the release of hostages. We must, however, make a broader call to our European partners. While there is a great strength of feeling in this House regarding the issue of Palestine, I think many of us cannot understand why many of our European partners are not taking the same position when we see the pictures every night. I know this is, in part, because of the historical relationship and historical facts on the Continent over the last 100 years. We cannot, though, allow what has happened in the past to restrict our ability to prevent a genocide taking place. It is my view that other European Union countries need to come on board with Ireland, Spain and our other partners and that we need to undertake the far bigger and greater sanction of reviewing the EU-Israel trade agreement. We voted for this, although it took too long. We must also introduce

European sanctions against Israel, as we did with Russia. The impact of European sanctions against Israel would be far more effective than the passing of the occupied territories Bill, which we are committed to doing, and anything we do here in relation to bonds. Reviewing, ceasing or ending the EU-Israel trade deal would be one of the biggest sanctions we could take against Israel.

Many people, including this week when I was on national television, said the Government was afraid to take these actions because the capitalist system, our relationship with America, business and so on was somehow acting as a chilling effect on us taking these steps. I cannot reconcile that argument with the steps Ireland has taken. This is because I know from people I have spoken to in the United States that they do not understand why Ireland is making these decisions. I refer to the impression that Ireland is already a strong supporter of the Palestinian people and of preventing what is happening there. This is already known around the world, so the argument does not stack up that we are afraid to take certain decisions because they might impact business. Business will never impact the morals of this Government or I would hope any other Government in this State. It is not the reason we are taking actions. Shame on any Opposition Member who says that by not supporting this motion we are supporting genocide. Shame on any Member who says I am supporting genocide because I cannot vote for a motion that is not legally sound.

Minister of State at the Department of Finance (Deputy Robert Troy): I thank all the Deputies who have spoken so passionately during this debate about the horrific and inhumane situation in Gaza. Being in government is about doing everything in our power to address issues facing society, but doing it within the confines of international law so real progress can be made. There may be differences of opinion regarding our approach, but I do not for a moment doubt the sincerity of this motion. What is being asked, however, is for the Government to bring in measures where there is a material risk these may be in conflict with an EU treaty. This is what our legal advice states and the practical reality is that this motion would be counterproductive to achieving tangible impacts.

I address the Dáil today, like all previous speakers, fully aware of and deeply affected by the hardship and suffering of the Palestinian people. I fiercely denounce the ongoing military operation by the Israel Defense Forces in Gaza. It has inflicted more misery and hunger on the people of Gaza. Israel's continued expansion of its military operation in Gaza and its announced establishment of a sustained presence are extremely worrying and will further deepen an already terrible situation. The Government has consistently condemned any arrangement for humanitarian assistance that does not ensure access for the entire population of Gaza. Israel's decision to take control of the distribution of humanitarian aid through private contractors has been described by the UN as unacceptable and "designed to further control and restrict supplies". The term "unacceptable" is an understatement. Recent weeks have seen a meagre amount of aid being permitted to enter Gaza and this is completely out of proportion with the scale of the need for humanitarian aid that continues to grow day by day. As previous speakers said, starvation is being used as a weapon of war and the actions of Israel are genocide.

I hold a deep respect for the principles at the heart of the Opposition's motion and the Government shares in much of them, such as the collective commitment to human rights and international law. I believe these are principles shared by all Members of the House. As the Minister, Deputy Donohoe, outlined previously, the Government and Social Democrats motions share more common ground than differences when it comes to the issues in Gaza. It is our belief, however, that our counter-motion is the correct motion for the House to endorse. It

sets out the work the Government has done to date but, more importantly, the work we will continue to do to try to help and assist to bring about a peaceful settlement in Palestine. I feel it is important that when this House speaks we do so with a unified voice on this issue. I think our voice is stronger when unified on the international stage. Ireland has been one of the loudest voices internationally bilaterally and multilaterally, repeatedly calling on Israel to comply with international law and stressing the universal applicability of international law, including international humanitarian law. Ireland will continue to uphold these principles as we double down on our commitment to defending and strengthening a stable and secure international environment based on respect for international law.

Since the onset of this conflict, Ireland has sought to support humanitarian responses wherever we can. We have provided more than €88 million in support to the people of Palestine, including €58 million for UNRWA since 2023 to support programmes in Gaza. The Government is also pushing ahead with legislation to prohibit imports from illegal settlements in the Occupied Territories in accordance with the commitment in the programme for Government. What is needed now more than ever is urgency on the international stage and a unified approach with a single goal of ending disproportionate suffering. While we hold Israel to account in this House, we must also voice our unreserved condemnation of the role of Hamas in forcing this suffering on the people of Gaza, despite the excessive and disproportionate means of the retaliation the Israeli State has embarked on. We have also condemned the taking of hostages, which is totally unacceptable. I again repeat Ireland's call for the immediate and unconditional release of all remaining hostages. It is clear that Hamas has brought only death, destruction and suffering to its own people and to Israel. The Government acknowledges, through our countermotion, that we are united in our disgust at the report by the United Nations of 54,600 people having been killed in Gaza since October 2023, more than 23,000 of whom are women and children. Additionally, we are gravely concerned at the latest assessment by the IPC global hunger monitor that the entire population of Gaza is facing insecurity, with 500,000 people facing starvation.

As this House is aware, Ireland is a committed advocate of multilateral action. Ireland implements EU and UN sanctions. When we address complex international issues, it is stressed that measures to be introduced must be negotiated, agreed and introduced at EU and UN level for them to have real credibility and real impact. The collective power of the UN is best placed to promote the objectives of the bloc's foreign and security policy and to bring about a change of the policy of behaviour of the subject of the measure. Any attempt to act unilaterally could undermine the unified approach that we are beginning to see form at EU level. We cannot seek to uphold international law by breaking EU law. Ireland is a strong voice in Europe on this matter and we have galvanised support among several member states thanks to our leadership and our action, and we need the support of more member states. A unified approach towards the situation in Gaza is the most viable approach. Just as we have a unified approach towards Russia's aggression and destruction in Ukraine, Europe must have the same view and response when it comes to Israeli action in Gaza. Ireland and indeed the world have been found wanting in this area when it comes to the unified approach. This is largely due to the historical reasons of what has been afflicted on the Jewish people in the past, but I feel that is totally wrong and no justification for the lack of action on behalf of some member states.

Not one Deputy or Minister in this House is more horrified than another about the situation in Gaza. Motions like this from the Opposition, while well-meaning, can help sow division when solidarity is needed more than ever in this House. The work of our diplomats in Europe

and the United Nations is valued and delicate. We must ensure that their work is allowed to progress unobstructed, and that Ireland continues to build a consensus that can have a lasting impact. Some in the Opposition will measure the success of this motion in media clippings and social media posts tomorrow. Let me be very clear that the Government measures success in this regard very differently, and our work will continue with the utmost resolve to work towards what needs to be done.

We have been building support with international leaders consistently, adding signatures and condemning Israeli action, building alignments towards a unified approach. I fully accept that is not happening near fast enough in comparison to what is happening on the ground in Gaza, but our commitment and our belief in moving the dial is steadfast. Ireland must prioritise co-ordinated action through mechanisms of the EU and the UN to ensure that any measures taken are robust and internationally respected. Sanctions are stronger and more effective when done at unilateral level. Ireland continues to support the review of the EU-Israel association agreement and welcomed the EU decision last month. We were one of the first of two countries to call for that back in February 2024. We intervened in South Africa's International Court of Justice case against Israel on the Genocide Convention, and we recognise Palestine as a sovereign and independent state.

The Minister, Deputy Donohoe, already outlined, but I feel it must be reiterated, that the role of the Central Bank has been misrepresented by some in opposition who are sowing division. Some are using this appalling human suffering, unfortunately, for political gain domestically. We should be clear on what the role of the Central Bank is: it is an independent, non-political financial regulator that works under the auspices of law and, in this particular case, with regard to the approval of the Israeli prospectus documentation under EU law. To be clear to the House, the Central Bank does not issue, sell, trade, list or oversee Israeli bonds. Under the EU prospectus regulation, a prospectus must be created, approved and published when securities are to be offered to the public or admitted to trading on a regulated market in the EU. In the case of Israel, a non-EU trade country, it chose the Irish Central Bank to approve its prospectus post-Brexit, and the bank is obliged under EU law to approve it once it is satisfied that it meets the conditions laid out by the regulations. These conditions concern completeness, consistency, comprehensibility and legality. The Central Bank is not endorsing these bonds.

The proposed motion would seek to initiate legislation to stop the Central Bank from fulfilling its obligation under EU law, which the Government has previously been advised would breach our obligation as a member of European Union and leave the State open to legal proceedings. I reiterate that this would ultimately be a case of breaking one law to enforce another law and we do not believe it would work.

I firmly believe that when the House speaks, we should do so as a unified voice. Ireland has led in this issue, and we have brought others along. As I said, in February 2024 we were one of only two countries that signed the formal letter seeking a review of the EU-Israeli association. Now, the majority of Europe is singing from the same hymn sheet, and we need to make sure that we have a fully unified approach. Ireland is using all the tools it has at its disposal - political, legal, diplomatic and humanitarian - in response to this dreadful conflict. It is not in the interest of the innocent people of Gaza to take unilateral action by disregarding EU laws to change a domestic law that would ultimately not achieve its goals of stopping the approval of a Israeli bonds in the EU. It is for these reasons the Government moved the countermotion.

Deputy Rory Hearne: This motion gives the Irish Government the opportunity to fulfil

its moral, ethical, legal and democratic obligations to act to prevent the genocide that is being committed against the Palestinian people in Gaza. Israel is pursuing a campaign of collective punishment against the Palestinian people, destroying entire cities and forced displacement camps where people have nowhere else to go. It is a war crime, and that war crime is being committed and undertaken, funded through the Irish Central Bank. The most upsetting, abhorrent war crime that is being committed is the collective punishment of children. According to UNICEF, more than 15,000 children in Gaza have been killed, more than 34,000 have been injured and nearly 1 million have been displaced. Gaza has become the graveyard of our collective humanity, but what is being done in terms of the mass murder of children, their families, their communities and the entire Palestinian people?

The Government is claiming that Ireland is a leader internationally on Palestine and, indeed, it is true that in calling out Israel for its war crimes and genocide, it has done more than other countries. However, it is very clear there is more it could be doing, and, in fact, it is in one of the most powerful places in the world to do more because the Irish people have shown they want the Government to do more. The Irish people themselves are leaders on a global scale. They organise protests every other day in towns, villages and cities. We see them on bridges and we join them. Day after day, thousands of Irish people stand in solidarity and plead with the Government to do more. Opinion polls show that, overwhelmingly, the Irish people want the Irish Government to lead internationally in sanctioning Israel. Therefore, the Government should take the mandate it has been given from the Irish people. It should be courageous and do everything, and I mean everything, it can do to sanction Israel. It should stop the Central Bank facilitating the sale of Israeli war bonds. The Government must do it immediately. As I said, there is a moral, ethical, legal and democratic obligation on the Government to intervene and stop the Irish State facilitating these war bonds.

It should step up and take the consequences from the EU. I will repeat it again: take the consequences. It can take a lead. Yes, it will upset some European partners and yes, it requires taking action that goes beyond the normal course of business, but this is genocide. It is being committed by the State and Government of Israel. They are acting unilaterally to wipe out the Palestinian people, and our Central Bank is facilitating that. Condemning the crimes means nothing if we are funding them. This Government needs to act. It should support this motion as it is the right thing to do.

Deputy Jen Cummins: I am here today with a very heavy heart, and I have an unwavering sense of duty, not only to this House but to the generations who will read about what is happening right now in the future. Someday, maybe in 20 years or 30 years, school children across Ireland will open their history books and they will come upon a chapter entitled “Palestine”. They will read about the tens of thousands of people killed, the children pulled from the rubble and the people starved under blockade.

An Ceann Comhairle: Deputy Cummins, I am very sorry, but we have to conclude the debate at 12 o’clock. I have to put the question, so I ask the Deputy to conclude.

Deputy Rory Hearne: That is not right.

Deputy Jen Cummins: That is not right.

Deputy Cian O’Callaghan: I have a right to come in as well. The Ceann Comhairle cannot cut our speaking time like that just because the Minister went over his speaking time.

(Interruptions).

Deputy Jen Cummins: Several times other people went over their speaking time.

An Ceann Comhairle: We have a 12 o'clock-----

Deputy Jen Cummins: Several times.

An Ceann Comhairle: I appreciate that-----

Deputy Cian O'Callaghan: It is not right.

An Ceann Comhairle: Deputy, we have a 12 o'clock deadline. I am afraid I do not make the rules. The rule is 12 o'clock for Leaders' Questions.

(Interruptions).

12 o'clock

Deputy Mary Lou McDonald: That is very unfair.

Deputy Cian O'Callaghan: It is completely unfair that the Ministers went over their speaking time and we have been cut off.

Deputy Sinéad Gibney: We still have six minutes left.

Deputy Cian O'Callaghan: We have six minutes of our speaking time left.

Deputy Mary Lou McDonald: That never happens.

Deputy Cian O'Callaghan: That has never happened before.

An Ceann Comhairle: Well, I appreciate that. We will continue but this is what happens when people go over their time.

Deputy Mary Lou McDonald: Tell the Minister that.

An Ceann Comhairle: Deputy Cummins may continue, with the consent of all Members.

Deputy Jen Cummins: Thank you. As I was saying, hospitals, homes and humanity itself have been reduced to dust and they will read about a world that watched. They will ask every one of us, "What did you do? What did Ireland do?" I ask every Deputy here what they will say in response. As a mother of four, I really struggle to watch the television. I struggle to see those dead children and babies wrapped in cloths. I saw a photograph of a mother in a newspaper today. I thought I might break down crying here today but I will not. The look on her face not only reflected the death of her child but the death of humanity.

We should be under no illusion - what is happening in Gaza can happen here. It can happen in this country and we will be pleading with the international community, saying, "Please God, do something for us. Do anything." They will be despairing. We will be despairing. We will be desperate and the deaths will continue, just as they are continuing in Gaza. This motion is not symbolic. It is very clear that we do not want our money to be used for this. We do not want the silence to continue. To facilitate Israeli bonds is to invest, quite literally, in the machinery of occupation, apartheid and annihilation. We have a choice; the people of Gaza do not. I ask

that every Deputy vote with their conscience this evening and support this motion.

Deputy Cian O’Callaghan: I thank everybody who contributed to this cross-party motion and spoke on it today. Let us be very clear about this. The Minister and the Government are hiding behind technicalities and standard arguments that are wheeled out to justify inaction. The Government could act on this if it wanted to do so. The Central Bank is independent; that is correct. However, as Deputy Connolly pointed out, it is not independent of the law. We, as Members elected to Dáil Éireann by the people, have a role and mandate to enact legislation and to enact emergency legislation in this regard. We have a responsibility to do so. As my colleague, Deputy Gibney, pointed out, the Central Bank itself has stated that a legal basis for refusal of approval of the prospectus for these bonds would be national restrictive measures. As the Dáil, we could do that. The Government has stated it will not bring forward emergency legislation because it would be open to legal challenge. That is meaningless language. Every piece of legislation brought through this Dáil is, of course, open to legal challenge. If that was the threshold, this Government would never enact any legislation whatsoever. We have clear, independent advice from the Office of Parliamentary Legal Advisers that measures on this issue would be in compliance with Irish, EU and international law.

It is utterly wrong for the Whip to be used this evening on backbench Government TDs in respect of this motion. They should be given a free vote so they can vote with their conscience. Every TD has a responsibility to do so this evening. At least 54,000 people have been killed, probably many more, in Gaza and we need action on this now. How much longer will it take for us to have action on this? What would have to happen for the Government to take action on this? These bonds are being used to help fund genocide and bombs landing on the heads of people in Gaza. We need every TD in this Dáil to vote this evening for this motion to enact emergency legislation to stop the facilitation of the sale of these bonds.

Deputies: Hear, hear.

Amendment put.

An Ceann Comhairle: In accordance with Standing Order 85(2), the division is postponed until the weekly division time this evening.

I was glad to hear everyone say how unfair it was that they may have had to conclude on time. I would like all Members on both sides of the House to understand the consequences of going over their time and how unfair that is.

Ceisteanna ó Cheannairí - Leaders’ Questions

Deputy Mary Lou McDonald: The so-called rent reform plan the Government announced yesterday is a shambles. The Taoiseach is literally all over the place, confused by his own back-of-the-envelope proposal and unclear as to what he is saying. There is one thing that is clear - the Government’s plan will push up rents even further. It is only a question of when renters will be hit. The Government will allow landlords themselves to set a market rate for rent. After 1 March and throughout the course of next year tens of thousands of renters will face higher rents. Some will pay full market rent at the start of their tenancy and all will face big hikes at the end of their tenancies. Tenants entering new build properties will be hit with market-level rents on day one and, with rent increases tied to inflation thereafter, they are set to see their rents

rise sharply. Fianna Fáil rolls the dice on housing once again.

The Government does all of this with no guarantee that it will lead to any significant increase in supply. The Housing Agency is very clear on that score. Even in the most optimistic of scenarios, the Government's plan will see landlords of high-end apartments in exclusive pockets of Dublin charging eye-watering rents but in the rest of Dublin and in every other county there will be no extra supply but there will be much higher rents. In fact, there is a very real danger the Government's plan will actually tighten supply as landlords will now delay putting properties back on the market in order to charge a higher rent from next March. The Government says it will extend the rent protection to the 20% of renters it has left behind over a number of years. These are renters in rural areas, who have been hit by double digit rent increases already. If the Government does not act to extend that protection immediately, these renters will be put at immediate risk of big rent hikes as landlords move to get ahead of the Government's changes.

Then we come to the confusion the Taoiseach sowed in this Chamber yesterday. It was clear from the statement issued by the Minister, Deputy Browne, at lunchtime that the Government's plan is to allow all landlords to apply full market rent at the end of six-year tenancies. This clearly meant people staying in an existing property and signing a new tenancy agreement, along with people moving into a property for the first time. Then the Taoiseach was caught out, so throughout the afternoon he scrambled around, denying this was the case and then, sometime in the evening, somebody slipped off and, bizarrely, changed the press release on the Department website to have a new wording - a wording that changes nothing.

This is not about protecting renters at all. This is about making renters carry the can for the Government's failure in housing. The Government will allow record rents to be hiked up in the pitiful hope that big investors will save the day. It is the same casino behaviour that created this mess in the first place. Tá plean an Rialtais maidir le cíós imithe in abar idir neamhréiteach agus neamhinniúlacht. Is é an t-aon rud atá cinnte ná go rachaidh cíós in airde gan aon chinnteacht go dtiocfaidh feabhas ar an soláthar.

Why is the Government delaying extending the rental protection until March? Why is it allowing landlords to set the market rate rents themselves? What analysis has the Government done? Can the Taoiseach tell us how many renters will be hit by massive rent increases from 1 March under the Government's plan?

Deputies: Hear, hear.

The Taoiseach: I dtús báire, ní aontaím leis an Teachta. Níl aon bhaint ag an méid atá ráite aici leis an bhfírinne. Níl suim ag an Teachta leis an bhfírinne, áfach. Is é atá i gceist ag an Teachta, agus Páirtí Shinn Féin, ná a bheith i gcoinne gach aon chinneadh a dhéanann an Rialtas, gan aon pholasaí soiléir dá chuid féin a chur os comhar an phobail. Is é sin bun agus barr an méid atá ráite ag an Teachta McDonald. Ní aontaím léi.

Just because the Deputy keeps on saying untruths does not make them truth. The fundamental reality is that existing tenants will stay and their rents will be capped at 2%. That is clear. Any new tenancies after 1 March 2026, after this legislation, will be capped by the CPI. That is also very clear. The Deputy has sought to sow confusion. Of course, she condemned this over the weekend, before she even saw the detail of the plan. During the past couple of months, she declared RPZs would be eliminated. She did not expect this package of measures. There comes a stage when Deputy McDonald needs to start proposing solutions, because sup-

ply is the bottom line here. This is a balanced package of measures which protects existing tenants but gives policy certainty to them and to investment and investors, which is required to dramatically increase the supply of housing and apartments in the country, to get from 30,000 to 50,000 per annum for a sustained period of time. I see nothing in anything the Deputy has proposed that would go anywhere near trying to attempt to increase supply of apartments and supply of housing.

I listened to her this morning and it was all bluff and bluster on “Morning Ireland”.

Deputy Réada Cronin: The Taoiseach has some nerve to say that.

The Taoiseach: She is back to the vulture funds-----

Deputy Thomas Gould: What about tenants in situ, or the tenant in situ scheme? Where has that money gone?

The Taoiseach: She then said this morning that if the Government is intent on using institutional funds, it is on the wrong track. Well, go back a few weeks and just replay what Deputy Eoin Ó Broin said on Virgin TV where he acknowledged-----

Deputy Mary Lou McDonald: Try answering my questions.

The Taoiseach: -----and recognised a role for institutional funds in the Irish market.

An Ceann Comhairle: Please, Deputy.

The Taoiseach: Who do I believe here? Do I believe Deputy McDonald this morning? Do I believe Deputy Ó Broin? Do they believe there is a role for institutional funds? Or, when it is into politics, they just change the term and call them “vulture funds”, because it plays well, or they think it plays well.

Deputy Mary Lou McDonald: That is very ignorant.

The Taoiseach: It is just clichéd bingo announcements. That is all they are at. I heard the Deputy this morning.

(Interruptions).

An Ceann Comhairle: Please, Deputies.

The Taoiseach: It was just bluff and bluster. The bottom line here is-----

Deputy Eoin Ó Broin: You have not answered any of our questions.

The Taoiseach: I have answered the questions.

If we look at what Threshold said, for example, it said it is very clear that “the changes announced today will - with well-designed legislation and effective enforcement – this will be a huge jump forward in providing long-term stability to renters.” It welcomed the national extension of rent pressure zones. We will be bringing in legislation to deal with that specifically as quickly as we can. In the next week or two, I would like legislation before Government on the specific point of extending them, which is something Deputy McDonald should welcome and not just attack again and try to pick holes in something. It is a good measure and is something people called for.

Deputy Pádraig Mac Lochlainn: It is a dog's dinner-like.

An Ceann Comhairle: I am sorry Deputy Mac Lochlainn, but your leader is quite capable of asking questions and of answering. Please refrain-----

Deputy Pádraig Mac Lochlainn: I am just giving commentary.

The Taoiseach: Threshold is saying that for the first time, private renters could have secure occupancy of their home for a set period, something that does not currently exist, and Deputies opposite are attacking all of this. They are making absolutely false assertions, because all they are interested in is the politics of this and how they can exploit the housing situation to get electoral or political gain for the party.

An Ceann Comhairle: Thank you, Taoiseach. Your time is up. I call Deputy McDonald.

The Taoiseach: They have no solutions and no proposals, in terms of the supply side of this.

Deputy Eoin Ó Broin: Homelessness is increasing.

Deputy Louise O'Reilly: Housing crisis.

Deputy Mary Lou McDonald: The only person who has managed to sow confusion is the Taoiseach, ably assisted by the Minister, Deputy Browne. I am very glad he was listening so attentively to me this morning. I hope he heard my appeal again to him to stop screwing things up. It is almost as if the Taoiseach deliberately set out repeatedly to make a mess of things. Deputy Martin is the Taoiseach, accountable to the House. I have put questions to him. They are reasonable and fair questions that renters all across the State are asking. Here is his fair and balanced package. For the investors - yes, cuckoos and vultures - what do they get? They get the opportunity for a higher rent yield. That is the big attraction into the market to boost supply, as the Taoiseach would have it. Of course, they pay not one cent in tax on their rent roll. That is nice, is it not? That is for them. Then what for the renter?

An Ceann Comhairle: Thank you, Deputy.

Deputy Mary Lou McDonald: The only certainty is that rents will rise. When the Taoiseach takes to his feet he might answer the questions I asked originally in respect of rolling out protections and what analysis has been done in respect of rents going up.

An Ceann Comhairle: Thank you, Deputy. Your time is up. You are now way over time. I call the Taoiseach.

The Taoiseach: The Housing Agency provides the platform for the review that the Government has acted on. We have acted. We have taken decisions. I am not hanging around here. I am not interested in Deputy McDonald's bluff and bluster because it will contribute nothing to housing supply in this country. That is the bottom line. I did listen to Deputy McDonald this morning and she said to me it was back of the envelope stuff.

Deputy Eoin Ó Broin: It is back of the envelope stuff.

The Taoiseach: What does Deputy McDonald say? She says Government wants to take the shackles off the big funds, which is a great sound bite. She says she has asked the Government to stop screwing things up. When asked about Sinn Féin's alternative plan, it is to enable the builders to just get out and build. What a fantastic plan. What a really detailed plan that

is really going to get things going, is it not? Then, of course, she condemns the vultures and cuckoos but, meanwhile, Deputy Ó Broin will meet with them and will recognise the role of institutional investors in his attempts to be super-cerebral in discussing these issues. However, Deputy McDonald will come in and go on about cuckoos and vulture funds because it plays well to what she considers to be her base.

Deputy Eoin Ó Broin: How embarrassing.

Deputy Louise O'Reilly: Suí síos. An embarrassment.

The Taoiseach: She then finishes by saying, here is my solution. She says, “For the love of God, get the builders building. That is my plan.”

An Ceann Comhairle: Thank you, Taoiseach. I call Deputy Ivana Bacik.

Deputy Ivana Bacik: It is 20 years since we saw distressing footage of conditions at Leas Cross nursing home. Here we are again. The scenes on last Thursday’s “RTÉ Investigates” programme were deeply disturbing. Aoife Hegarty’s team exposed horrifying practices in nursing homes run by one of Ireland’s largest private care providers. I commend the RTÉ team and the whistleblower, Clare Doyle, on exposing those abuses. We saw awful footage of older people being pushed around, forgotten, abandoned and calling for help from their beds or after a fall. Often, residents were left to soil themselves and there were shortages of basic equipment like hoists, sanitary wipes and gloves. We saw staff making makeshift bedsheets out of incontinence pads.

Older people are being demeaned, degraded and dehumanised in some private nursing homes, and profiteering is at the root of this. Some 80% of Irish nursing homes are private or voluntary and shockingly, just ten investment funds own one third of all nursing home beds in the system. An influx of investment funds in recent years has left our country with the most privatised system of care in the EU. Big corporations are profiteering from, in some cases, negligent care of older people who are mistreated in private homes, so that companies can make a quick buck.

The residents of Leas Cross, of Beneavin Manor and of many so-called care facilities have, over the years, paid a high price for State tolerance of an unacceptable *status quo*. If we are honest, can we truly say we are shocked? I acknowledge some things have changed since Leas Cross. HIQA was set up to set the standards, to inspect and, indeed, to shut down non-compliant nursing homes, public and private. What we know now is that HIQA is clearly failing in this duty.

When families are reviewing a particular nursing home for their loved ones, the first thing they do is check the HIQA report. That is what the family of Audeon Guy did. Families, in relying on information from HIQA, may unwittingly be putting their relatives in harms way. Clearly HIQA practice is unfit for purpose and must be reviewed urgently. The Minister for Health needs to explain why it is HIQA that is now being called upon to conduct the so-called independent review of all nursing homes. That is particularly strange after it glaringly failed to identify abusive practices at Beneavin that some journalists and a carer with a camera found.

This was not an isolated incident. We are all hearing this. I am aware of one nursing home employee who has not received so much as an acknowledgment of her complaint to HIQA, five months after she submitted the complaint. Another person who contacted me was told by HIQA

that it would not investigate the care received by her now-deceased mother and the ombudsman would not investigate. It was a substantial complaint. Among other things, there was an unforgivable failure to provide her mother with necessity medications.

We need to urgently review the system. Has the Taoiseach confidence in HIQA's ability to review nursing home care in Ireland and how can families have any level of trust in HIQA reports having seen what we saw last week?

The Taoiseach: I thank the Deputy very much for raising this issue. It is a very serious and shocking situation. The revelations on "RTÉ Investigates", in particular, must have been deeply traumatic for families with loved ones in nursing homes generally but particularly in the two nursing homes that were covered by "RTÉ Investigates". It is particularly concerning that the regulatory authority did not capture or unearth this, particularly in one nursing home, in terms of its reviews. HIQA, when it was established, came out of Quality and Fairness, the health strategy in 2002. I was involved in it at the time, setting it up on an interim basis. Prior to that, we did not have a quality authority in health. It has done a lot of impactful and effective work over the years, but this is deeply concerning. There has to be a review by HIQA itself too, in terms of what went wrong here and in terms of not revealing what was subsequently revealed. I pay tribute to the "RTÉ Investigates" team on this. Methodologies may have to change in relation to inspection. Penalties also have to be reviewed in terms of either fines or, indeed, closure. Closure creates its own issues in respect of alternative locations but there have to be real consequences for horrific treatment of senior citizens in this manner. That is something I believe in. The family of Audeon Guy have spoken eloquently and very distressingly on their family situation and their acceptance of and belief in the impartiality of the HIQA reports as they checked the record of given homes following the inspection reports.

On our overall system, there is the public service sector side of it in which we invested significantly in the last number of years but a lot of that investment was in modernising and refurbishing district hospitals which had been on a list for quite a long time in terms of the necessity for refurbishment. The HSE works with certain homes in providing HSE beds, particularly for dementia cases where extra and additional supports are required. Home care has also expanded enormously. In the last four years alone we have doubled provision in home care from about €400 million to €800 million and consequently added additional hours and so on. I will come back on this later.

Deputy Ivana Bacik: I listened carefully to the answer but I did not hear anything substantive about what the Taoiseach and the Government propose to do following on from those shocking revelations. It is not just about HIQA failures. This is also about ensuring older persons have a voice. There is a blueprint there. We have a Law Reform Commission report from last year about setting up an adult safeguarding framework. Safeguarding Ireland last week again called on the Government to initiate a process which would lead to the enactment of this necessary legislation which would challenge that culture of systemic ageism. We have to call it out. It is that culture that has enabled the growth of this appalling for-profit system that has facilitated the carrying out of abuse on vulnerable older citizens. All of us are hearing from older persons who are so fearful now about their own futures and those of their relatives, given the lack of safeguards in the system. Will the Government adopt the process that Safeguarding Ireland and the Law Reform Commission have so clearly set out about adult safeguarding legislation and ensuring older persons are protected?

The Taoiseach: Yes, the Government has made that clear. We will be doing that. It is in the

programme for Government. There is a forthcoming national policy on adult safeguarding for the health and social care sector that will set out how existing protections will be strengthened. That will be brought to Government shortly-----

Deputy Ivana Bacik: When?

The Taoiseach: -----and that will commit to the development of adult safeguarding legislation for the sector. We have included the health (adult safeguarding) Bill in our current legislative programme to facilitate this. On a more broader sense, we are looking at a combination. I am trying to be realistic here and respond meaningfully to what the Deputy has articulated. I do not disagree with a lot of what she said. However, there will be a necessity for increased public sector provision, for continuing private sector provision and increasingly more home care provision, a significant amount of which will be private. Regulation of both public and private will always be key here but I believe there should be a rebalancing with more public service provision, particularly in the context of more acute situations around dementia and so forth. We might get an opportunity to discuss this in greater detail later.

Deputy Cian O’Callaghan: Renters are already in an incredibly stressful situation having seen their rents doubled over the last decade and the Government is now not helping the situation by sowing confusion. It did that yesterday. The launch, as regards the understanding of it and the contradictory messages coming out, was an absolute shambles. The Taoiseach is at it again today. He told the Dáil just a few minutes ago that new tenancies after March 2026 will be capped at CPI. There was no mention of a reset every six years. Is the reset every six years gone? The Minister of State, Deputy John Cummins, told “Drivetime” yesterday that in all new tenancies post March 2026, the landlord will be able to reset the rent to full market levels. Has the reset every six years been ditched or is it still in place? The Taoiseach did not mention it. He did not mention it yesterday either. He would not once mention his reset of six years.

Rents are already completely unaffordable. In Dublin 8, just down the road from here, studio apartments are being advertised at €2,495 per month. This is two and a half grand per month to live in one room, basically. This is the dystopian future for renters which this Government has envisaged. Instead of protecting renters, its big plan is to use them as sacrificial lambs and to bleed them dry. Incredibly, the Minister for housing, Deputy James Browne, claimed yesterday that rents would eventually come down but he could not tell us when this was going to happen. Before being put in charge of housing, the Minister was responsible for gambling. It now seems he is gambling with renters’ future and betting against them.

As a smoke screen for cutting rent pressure zones, they will be extended across the country. By giving landlords a heads-up about this, the Government has now incentivised them to jack up rents substantially. Furthermore, any accommodation that frees up between now and March is likely to remain vacant in order that landlords can charge sky high rents at that time and make maximum profits. Does the Government have any plan to deal with the hoarding of rental properties that it is now incentivising by announcing these measures? Another huge concern is the impact these measures will have on homelessness, which is already at record levels. Private rental has been a key route out of homelessness for people. That route will now be cut off because struggling families will be unable to afford the new norm of extortionate rents for new tenancies. That will mean more and more children growing up for longer in emergency accommodation, without a home. The Taoiseach was positively triumphant yesterday announcing these measures. Does he now accept they are going to lead to huge rent increases for most renters and that these measures will increase hardship, poverty, evictions and homelessness for

renters?

The Taoiseach: No, I do not. Just because you use what I would call exaggerated language does not make it true.

Deputy Mary Lou McDonald: You are telling untruths, is it?

The Taoiseach: I repeat that the bottom line is that all existing tenants will not have their rents increased beyond 2%. No attempts by the Deputy to sow confusion will change that reality. The more fundamental point in his presentation is that he and his party do not believe in a role for the market.

Deputy Cian O’Callaghan: That is not true.

The Taoiseach: I listened to Deputy Hearne, his party spokesperson, say this.

Deputy Gary Gannon: That is not true.

The Taoiseach: Deputy Hearne does not believe in a role for the market. He said this. That is his position.

Deputy Jennifer Whitmore: That is not true.

Deputy Rory Hearne: When did I say that?

The Taoiseach: He said it plenty of times.

The Taoiseach: That is the bottom line.

An Ceann Comhairle: Deputies.

Deputy Gary Gannon: The Taoiseach is running down the clock.

The Taoiseach: He has undermined-----

Deputy Pearse Doherty: The Taoiseach cannot just make stuff up.

The Taoiseach: Sorry, I did not interrupt once.

An Ceann Comhairle: Deputy Doherty, it is not your question.

(Interruptions).

The Taoiseach: What is intriguing is-----

Deputy Rory Hearne: I never said there was no role for the market. That is a lie.

The Taoiseach: You have attacked and condemned institutional funds-----

Deputy Rory Hearne: That is a different thing from-----

Deputy Mary Lou McDonald: This is distraction tactics.

An Ceann Comhairle: You have had your opportunity, Deputy, and now the Social Democrats-----

The Taoiseach: Ah come on. I know your-----

(Interruptions).

Deputy Pearse Doherty: You are the Taoiseach for God's sake. You cannot make things up.

The Taoiseach: Ah you can. Sure you make them up every day for God's sake.

An Ceann Comhairle: A Theachta, tá tú as ord.

(Interruptions).

Deputy Pearse Doherty: Give us some more theatrics.

The Taoiseach: Go on out of that. Are you the leader of the Social Democrats now?

Deputy Pearse Doherty: Give us another scene of your theatrics.

Deputy Jerry Buttimer: You are a good man for that yourself, in fairness.

An Ceann Comhairle: Excuse me, Deputies.

Deputy Jerry Buttimer: You are well able to shout yourself.

Deputy Pearse Doherty: You cannot make stuff up.

Deputy Jennifer Whitmore: Will the Taoiseach answer the Social Democrat's question?

Deputy Noel Grealish: He would if they stopped interrupting.

An Ceann Comhairle: The Taoiseach will answer if everybody stops interrupting. The Deputy has a rebuttal. He should use it. Will the Taoiseach please continue?

The Taoiseach: The Deputy opposite has made assertions in his Leaders' Question and I am quite entitled to respond to them. The bottom line here is supply. There is nothing coming from him on supply. The Housing Commission recommended reform of the RPZ scheme. The Social Democrats welcomed the Housing Commission report at the time and attacked Government for the failure to respond to it. I remember it well in the Dáil. All of the Members did. The Minister then got the Housing Agency to do a review of the RPZs, which are coming to expire at the end of the year anyway. When we announced that review and I referenced a few things in February, all of the Deputies opposite jumped up and said I was eliminating RPZs, the rent pressure framework and so on. All of this was untrue. It was just polemics. It was hysterical hyperbole. That is all it was. There was no substance to it at all-----

Deputy Mary Lou McDonald: Answer the question.

The Taoiseach: -----because of course we have not got rid of RPZs. If anything, as Threshold has stated, we have significantly increased protection for renters while at the same time, in a balanced measure, we have created policy certainty for investment because we desperately needed more supply in the rental market. We clearly do if we are to get to 50,000 per annum. That is the piece the Deputy does not address at all. He has never addressed it-----

Deputy Mary Lou McDonald: He is not the Taoiseach.

The Taoiseach: -----bar an SSIA-type investment scheme which would take a couple of years before you had the requisite funds to invest in capital in housing. The State is already investing capital in housing to the tune of €7 billion plus. I put the question yesterday.

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

The Taoiseach: We need about €20 billion in terms of investment, made up of private sector and public sector. Tell me how the Deputy proposes to get private sector investment into the apartment market.

An Ceann Comhairle: Thank you Taoiseach.

Deputy Cian O’Callaghan: The Taoiseach knows that we put forward proposals to bring extra financing into housing. His criticism is that it is going to take a couple of years but his party has had decades at this and it cannot get the situation right. If it takes a couple of years to get more financing into the system, it is absolutely worth it. The fact is that most renters are going to face huge rent increases. The Taoiseach will not even mention the six years. Most renters are going to be facing huge rent increases at the end of six years of a tenancy.

The Taoiseach: No. That is not true

An Ceann Comhairle: Please, Deputies.

Deputy Cian O’Callaghan: They are going to enter new tenancies and the Taoiseach will not even acknowledge that. He will not acknowledge that in what he is saying.

The Taoiseach: It is not true.

Deputy Mary Lou McDonald: It is true.

Deputy Pádraig Mac Lochlainn: The Taoiseach should stop interrupting-----

An Ceann Comhairle: Taoiseach, you can come back in when he finishes.

Deputy Cian O’Callaghan: Tell us how many renters-----

(Interruptions).

An Ceann Comhairle: I just said-----

Deputy Cian O’Callaghan: What proportion of renters over the coming years will not face this reset to full market rents? Tell us that. Most are going to face that. When they end a tenancy, they are going to be in this new system where, effectively, the RPZ rent regulation is ripped up on them and they are going to face full market rents.

The Taoiseach: Sorry, all existing tenants will be capped at 2%.

Deputy Cian O’Callaghan: Until-----

The Taoiseach: No-----

Deputy Mary Lou McDonald: Yes, until-----

The Taoiseach: All existing tenants, when they stay in the tenancy, will be capped at 2%.

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Deputy Mary Lou McDonald: Until the tenancy ends.

An Ceann Comhairle: Please, Deputies.

The Taoiseach: In terms of any new builds or new apartment builds-----

Deputy Cian O'Callaghan: Or new tenancies-----

The Taoiseach: -----after March 2026, when the new legislation comes in, they will be capped-----

Deputy Cian O'Callaghan: Or new tenancies-----

The Taoiseach: Please listen. The Deputy asked a question. All new apartments after March 2026 will be subject to a cap of the CPI, inflation. Then, six years beyond that, the landlord will be able to reset to market-----

Deputy Mary Lou McDonald: Increase the rent-----

Deputy Cian O'Callaghan: Up to the gills-----

The Taoiseach: Let me finish because Deputy O'Callaghan has done nothing on supply. The combination of that facility for new builds, which we do not have yet, by the way, and there are no tenants in them-----

Deputy Cian O'Callaghan: And new tenants-----

The Taoiseach: -----and the CPI gives the basis upon which we can bring investment back into the market to get more apartments built because supply, ultimately, is the way to moderate rents.

An Ceann Comhairle: Thank you, Taoiseach.

The Taoiseach: We are not going to do it by rent freezes or by this, that or the other that the Deputy's party has been proposing for the past two to three years, which will only conspire-----

An Ceann Comhairle: Taoiseach, your time is up.

The Taoiseach: -----to reduce and suppress supply and allow rents to go up even higher.

An Ceann Comhairle: Deputy Gogarty.

Deputy Mary Lou McDonald: That is inaccurate information.

Deputy Paul Nicholas Gogarty: I want to talk about something that is ongoing. It is not specific to today but it has been happening every single day and every single year since this State began, and anecdotally, it appears to be getting worse. I am talking about antisocial behaviour and, in particular, antisocial behaviour by those aged under 18. Young people are invariably good. We had a discussion a while back about the fact that only 2% of young people ever come before An Garda Síochána. However, a lot of our young people are now under threat from random violent assaults by gangs of 12- and 13-year-olds going around. I had parents come to me after a lad got a punch and his eye socket was damaged. It was just a random attack. Equally, I know of parents walking around in a park with a buggy when a gang of four youths came over, threw bricks and sticks at them and verbally abused them. If they happen to

be from another country originally, racist tropes are thrown in as well, but it is abuse given to anyone. A gang of lads went into one of my local cafés, stole bottles, walked out brazenly and then came back in and threw the contents of the bottles at staff. This is happening every day. I am not talking about the stuff that requires four mountain bike gardaí from Operation Irene in an estate in my constituency, where fires are lit regularly, drug dealing takes place every day and somebody got attacked with a machete recently. That is high-level stuff that needs to be dealt with, true enough, but the lower level stuff is what puts people in peril walking around. Many times it is young people who are randomly attacked.

I want to talk about consequences. There were 15,813 referrals of 12- to 17-year-olds to the Garda youth diversion programme in 2023 and 15,790 in 2022, representing 10,000 and 8,400 offenders, respectively. They are the ones who reach the threshold to get an antisocial behaviour warning or an antisocial behaviour order, ASBO, and to be put onto a Garda programme.

The Taoiseach: Could the Deputy repeat those figures, please?

Deputy Paul Nicholas Gogarty: There were 15,813 referrals of 12- to 17-year-olds to the Garda youth diversion programme in 2023. They are the ones who end up getting into the system but I am more concerned about the ones, the hangers-on of the ring leaders, who should not get into the system in the first place. Are there any further plans for consequences? I raised the issue some months ago with the Tánaiste, Deputy Harris, of the need to put in place some sort of ban or restriction on social media for 11- to 13-year-olds because of the Andrew Tate-ification of young males in particular, who have no real role models in a more feminised primary school system. I have mentioned nitrous oxide canisters previously and the Taoiseach said he would look into action on that. What plans does the Government have to have consequences for actions? We know there are root causes and I have raised those root causes previously but if someone does something, where are the consequences?

The Taoiseach: I thank the Deputy for raising what is a very real issue for many people in society, in terms of increased antisocial behaviour. We need both approaches. We need consistently and constantly to deal with the source and the evolution of this, including in school programmes. A lot is being done in schools actually. I visit schools a lot. I was in one recently where there was tremendous inclusivity. The school and the children themselves were working on a cultural committee involving different nationalities and so on. It was very heartwarming to see. In many cases the schools are well ahead of the rest of society.

In the adolescent and teenage years, there is a heightened degree of antisocial behaviour, which sometimes manifests itself in significant violence and attacks on people and the creation of a sense of insecurity as people walk in public parks or on public streets. There are consequences in the use of antisocial behaviour orders. The deployment of body-worn cameras for gardaí will help to observe stuff. The community safety partnerships and their introduction is important, as are the community safety plans for every area. The expansion of youth justice and youth diversion measures is also important but we have to do more on that, including developing more youth programmes for young people for whom the mainstream school system is not responding or supporting them in order to keep them within the conventional system. We have Youthreach and many other programmes, but a renewed effort is required to deal with this. The fact that the youth portfolio is now in the Department of education will help in creating a proper continuum from education to youth services, which we had previously.

Area partnerships are very important to restore a community's sense of ownership of these

issues. Again, some of those area partnerships over the last decade or so went into decline. I have witnessed in the north-east inner-city initiative very significant progress being made. I do not think we can just deal with it with consequences alone, although there should be consequences. We need to consistently look at what kind of effective and impactful consequences would make a difference.

We brought in laws, as the Deputy knows, to tackle the antisocial use of scramblers and quad bikes and all of that. We have given additional powers to gardaí but the Deputy is talking about something that is below the level of knife crime and so on. He is talking about general antisocial and intimidatory behaviour, attacks and so on. The line between-----

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

The Taoiseach: The line between community engagement and moving into the youth juvenile space is a difficult enough one to crack.

Deputy Paul Nicholas Gogarty: As the Taoiseach said, the schools are doing a great job. It is mainly female teachers in primary schools, and they are the ones who are getting misogynistic abuse at sixth-class level. We have had different debates about that. The Taoiseach mentioned the community safety partnerships. I wish they would hurry up and get them set up because there is a deficit there, including in communities that are not designated as disadvantaged but have areas of disadvantage within them. They need to be widespread to cover that area.

I am a big believer in early years education because, as the HighScope Perry Preschool Project proves, every €1 invested gives a €17 return. We need to tackle the causes but, equally, the parents of a child who has been attacked or a pregnant lady, for example, who has been attacked will want to know what the consequences are. Sometimes these guys are parading themselves on social media and there could be 11 or 12 incidents before anything happens. There needs to be tougher, on-the-spot type of stuff, whether it is curfews, seizing scooters, seizing PlayStation or fining their parents. We need to add that into the mix so that they know there are first-hand repercussions rather than waiting a year to get through the system.

The Taoiseach: That is a fair presentation. I will talk to the Minister for justice, reflecting on what the Deputy said. There is an absence of consequences within that space before formally referring people to the juvenile justice system - which we are reluctant to do, to give young people a chance - and, on the other hand, ensuring people cannot just behave with abandon and no consequences. I take the Deputy's point but this needs to be thought through systemically. It is one thing to draw up a list of potential consequences but there is then implementation, follow-through and all of that. However, I take his point. I will talk to the Minister for justice in this regard and reflect on what the Deputy said. I will ask the Minister to talk to him about it.

Ceisteanna ó na Comhaltaí Eile - Other Members' Questions

Deputy Michael Cahill: The Taoiseach is very familiar with the Ring of Kerry road from his visits to south Kerry and Valentia Island. I emphasise the importance of the Ring of Kerry. It is Ireland's premier tourist route but it is 70% substandard. The roads and footpaths through Cahersiveen have been in a shocking condition for many years. Local businesses, residents and visitors are outraged. They feel, rightly so, that they and the people of Iveragh have been forgotten. There is an ongoing €19.5 million regeneration scheme in Cahersiveen. Transport

Infrastructure Ireland, TII, has been well aware of the issues for many years. My village of Glenbeigh is in urgent need of traffic-calming measures, including upgrading of roads and footpaths, pedestrian crossings and public lighting.

The south Kerry greenway will be Kerry's biggest and best ever tourism project, commencing in Glenbeigh and going on to Cahersiveen through the three tunnels, over the viaduct at Kells and down to Reenard Point. It is progressing well, with the first completed sections opening in the near future. However, Glenbeigh and Cahersiveen are not greenway-ready. The road in the vicinity of Filemore National School is extremely dangerous, as is the section between the viaduct and Caitins Pub and Accommodation at Kells. The condition of the road at Coad between Waterville and Caherdaniel near O'Carroll's Cove is not much better. The town of Killorglin also requires urgent attention, with both the streets and footpaths needing immediate upgrading. The daily traffic jams in Killorglin need to be addressed. A bypass is required but it is a long way down the road. In the meantime, short-term measures are required.

On the subject of bypasses, Killarney town must be put at the very top of TII's agenda. The town is absolutely choked with traffic. People are missing doctor and dentist appointments, trains and buses. It is impossible for delivery trucks, electricians, plumbers and all types of tradespeople to get from A to B. Taxi drivers tell me the town is a nightmare to get around. The Killarney to Farranfore project must be prioritised. I included in my submission on the programme for Government that the Ring of Kerry road and the Killarney bypass must be prioritised. I welcome that my colleague the Minister for Transport, Deputy Darragh O'Brien, has announced €3 million for that.

The Taoiseach: I thank the Deputy for raising this very important issue. The Government accepts there are genuine maintenance backlogs in terms of roads across the length and breadth of the country, particularly in south Kerry and Kerry more generally. We have allocated additional money to Kerry County Council for the regular maintenance of the network.

In respect of the Killarney bypass, I tend to call it the Cork-Kerry road.

Deputy Michael Healy-Rae: It is the Kerry-Cork economic corridor.

The Taoiseach: It is the Cork-Kerry economic corridor. The Macroom and Baile Bhuirne bypass has been extraordinarily transformational environmentally, on public health grounds in terms of the air, on a road safety basis and also in terms of access and opening up Kerry to the economy of the wider hinterland right across the south west. Cork people are always anxious to benefit Kerry people as much as we possibly can in terms of sharing the economic fruits and so on. However, Killarney is choked; of that there is no doubt.

The rural regeneration and development fund has been an important fund in recent years in allocating moneys to rural towns in particular. Cahersiveen was awarded €2 million from the fund in 2022 for a strategic approach to proposed regeneration projects in the town. It was awarded €6.4 million in category 2 funding in May last year, which is very significant, to regenerate the town centre and make it a tourist destination. Key elements of that will be the Carnegie community building and, of course, the Daniel O'Connell Quarter. Daniel O'Connell is synonymous with Cahersiveen and I am looking forward to going down there this year to speak in honour of the Great Liberator.

Regarding the various road projects the Deputy alluded to in Killorglin and throughout Kerry, we accept the bona fides of the position that is being presented. There is a need for more

funding. We are allocating a lot of funding but we acknowledge that more needs to be done. Sigerson Clifford put Cahersiveen on the map many years ago when he wrote of it:

The town that climbs the mountain and looks upon the sea,
And sleeping time or waking, sure it's there I long to be,
To walk again those kindly streets, where first my life began,
With the boys of Barr na Sráide, who hunted for the wren.

An Ceann Comhairle: Fair play, a Thaoiseach.

The Taoiseach: I am sure the Minister for public expenditure, who is sitting beside me, has heard the plea that the boys of Barr na Sráide once again be able to walk newly paved streets and a regenerated town for the benefit of the entire country and all who visit.

Deputy Michael Cahill: The boys of Barr na Sráide are waiting a long time. That is why I am raising the issue today. I emphasise that the Ring of Kerry is as important to us as the M50 is to Dublin. It is Ireland's premier tourist route. The town of Cahersiveen needs urgent attention, as I have outlined, as, indeed, do Killorglin and the Killarney to Farranfore bypass. I am pleading with TII, especially, to listen to our calls. I am not the first person to call for funding for the Ring of Kerry; many of my colleagues have done so over decades. It is about time the people of south Kerry are treated in the manner they should be treated. I note and welcome the regeneration scheme funding of €6.5 million for Killorglin.

The Taoiseach: It is very hard to keep up with the poetic qualities of Kerry Deputies. There are a lot of allocations going on at the moment, including €1.8 million to the N70 Creamery Cross to Kenneigh phase 2 paving scheme that is under way, the Blackwater Bridge to Sneem project, the Waterville to Ballybrack project and improvements to the N72 between Tralee and Dingle. A total of €13 million-odd has been allocated to Kerry County Council. We have met with TII and made it clear we want to deliver and implement stronger road improvements because they are important and tourism is important.

Kerry needed access to wider economic activity. Access matters to trade and connectivity. The whole south-west area has always been seen as an economic entity in itself. If the Cork-Kerry road is improved, it reduces peripherality, enables people to get goods to market quickly and enables people to visit places much more quickly, which is beneficial to the economy and to social life. It also facilitates health access and a whole load of things. We take the Deputy's point and will work on it.

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

An Ceann Comhairle: I remind Deputies that they each have one minute and the Taoiseach has one minute to respond to each.

Deputy Mary Lou McDonald: I am very heartened to see that at least one Member got actual answers to his question. I am sure the fact the question was put by a member of a Government party is not lost on anybody.

I have been in contact with Paul Guy, whose father, Audeon Guy, was referenced by the Tao-

iseach. As he knows, the family have gone public on the shocking abuse their father endured in Beneavin Manor nursing home. He is a lovely man. The sight of him left neglected, man-handled, disrespected and forced into a chair was shocking to watch. The family are utterly devastated. Paul has said that nobody should have to go through what his father endured, and he is quite correct. It is 20 years on from Leas Cross and the best the Taoiseach can tell the Dáil is that adult safeguarding legislation will come to the Government shortly. Twenty years on, there is no mandatory reporting and no legal right for social care teams to enter care homes to investigate complaints. Enough of the crocodile tears. We need action and a response and for it to be timetabled and delivered quickly.

The Taoiseach: The testimony of Paul Guy has been very impactful. As I said earlier to Deputy Bacik, who raised this question on Leaders' Questions, it is very traumatic for families generally with loved ones in nursing homes but particularly for the Guy family. Legislation is already in place to deal with what happened in these nursing homes. We do not need new adult safeguarding legislation to deal with what happened to Audeon Guy. It should not have happened. It was abuse.

Deputy Mary Lou McDonald: It did happen.

The Taoiseach: It was abuse. We have a regulatory authority and legislation there. A lot of work has been done in the past year on adult safeguarding, the policy is near completion and there will be legislation. What happened should not have happened and there are already laws there to deal with it. Implication and oversight are required.

Deputy Ivana Bacik: The Government's rent pressure zone changes have caused fear among renters and uncertainty for investors and the Taoiseach's response to questions earlier provided no clarity. We got poetry - at least, one of the Government Deputies did - but we got no direct response. The Taoiseach said the changes to rent pressure zones will increase supply. Has any modelling been done to show how that will happen? Why did the Government pick March 2026 for the changes to take effect? If they are going to increase supply, why did the Government not do them sooner? The reality is that as experts tell us, they are more likely to lead to a slowdown in supply as landlords hoard properties pending the introduction of the changes in March 2026. Why was March 2026 chosen? Has the Government done any modelling?

The Taoiseach: Quite a significant number of economists, along with the Housing Agency, are saying that measures taken by this House in 2021 restricted supply, so a lot of people are saying there is a clear need for reform of the rent pressure zones. The vast majority of commentators have said that. The key objective is to protect existing tenants and create certainty so that if someone invests in the future, at a minimum, there is a cap at the rate of inflation as determined by the consumer price index. If we did not have that, we would expect people to invest in the market with the expectation of making a loss. Without question, the whole objective is to create additional supply.

Deputy Ivana Bacik: But is there evidence?

The Taoiseach: There is a lot of evidence already. The Deputy can read the Housing Finance Agency's report and other reports. The Economic and Social Research Institute, ESRI, has said this as well.

Deputy Ivana Bacik: Why March?

The Taoiseach: Deputy Bacik wants to keep the existing system going forever. The legislation ends at the end of the year so, therefore, we have to give a period for the introduction of new legislation.

Deputy Aidan Farrelly: What is going on in the Department of public expenditure? More aptly, should we be calling it the Department of public mis-expenditure at this stage? That is what we all want to know, because the Department is in charge of tens of billions of euro and now we learn that its own HR agency cannot do its sums right. Senior civil servants and Ministers, current and former, were overpaid huge sums of money. We are told that one retired civil servant owes €280,000 because their pension was undertaxed. How can the Department have allowed this to happen? What does it say about the control and oversight systems in place? A total of 13,000 people are now being assessed. Will it end there or is this scandal expected to grow? Was the assessment that was brought before Cabinet yesterday conclusive? How much money are we talking about and how can the Taoiseach have confidence in the controls in the Department?

The Taoiseach: It is a very serious issue. The National Shared Services Office, NSSO, is responsible for payroll for civil servants and officeholders. The Minister has commissioned an external audit to go into the NSSO to examine in a much more comprehensive, forensic and detailed way the issues that have arisen. There needs to be further validation of what has emerged, particularly in terms of the 13,000 civil servants, and to see if there are other issues that need to be dealt with. That external audit needs to happen and we need to see the results of that.

Deputy Roderic O’Gorman: The question of the exclusion of services from the Government’s occupied territories Bill lite has been a central issue of debate in this House and in public since it was announced in the programme for Government. In response to questions from me and others, the Taoiseach regularly cited legal advice that he had received for the exclusion of services. In a recent response to questions in the House, the Tánaiste confirmed that he is only now seeking the advice of the Attorney General on the question of excluding services. The Government asks the Opposition to set aside Senator Frances Black’s Bill, a Bill that is so close to completion, and get behind its own draft, which would take months to pass. How can we take the Government’s commitment to this legislation seriously when it was only after pressure in the Dáil that the Tánaiste agreed to seek the Attorney General’s advice on the issue of services, which is the central legal and political issue about this legislation?

The Taoiseach: It is not the central issue about this legislation.

Deputy Roderic O’Gorman: It is.

An Ceann Comhairle: It is not a back and forth, Deputy.

The Taoiseach: Deputy O’Gorman asked a question so he should have the good manners to listen to the answer. It is not central.

Deputy Roderic O’Gorman: It is.

The Taoiseach: If it is included or extra, the Deputy should not make it central because, fundamentally, the impact of the Bill will be symbolic. About €600,000 worth of goods alone in the past six years-----

Deputy Roderic O’Gorman: That is why services should be in it.

The Taoiseach: The Deputy is not going to listen. I am saying that the figure for goods over the past six years was €600,000. The Minister is examining that aspect of it in terms of services. The Deputy knows as well that the legal ground here is extremely narrow anyway. I read the entirety of the Attorney General's opinion about this and it did not change fundamentally from the opinions of previous Attorneys General about trade competency being the exclusive competency of the EU. It was the arrival of the ICJ's advisory opinion that was key to revisiting this. Senator Black has been very co-operative. She and her advisers realised that the Bill as drafted by her would not have passed muster. Deputy O'Gorman must know that himself if he is honest.

Deputy Ken O'Flynn: Can the Taoiseach explain to the Members of this House how members of An Garda Síochána were deployed to recruit at IPAS centres, centres housing individuals many of whom have entered the State without passports or documentation and without verification of background checks? Some of these individuals may not be the vulnerable cases as the Government often portrays, yet gardaí were sent in and invited them to consider a career in Irish policing. The Tánaiste said this practice was not appropriate. Can the Taoiseach tell us who signed off on this and whose idea it was to draw a cohort that cannot be fully identified into the Irish policing force? Will he give a commitment to this House that this policy is reverted and stopped?

The Taoiseach: I do not know. I do not deal with the operational practices of An Garda Síochána. I do not intervene in those. I was very surprised to see this. This is not Government policy but I will revert to the Deputy and ask for communication to be sent to him. I will talk to the Minister for justice about this.

Deputy Séamus McGrath: I wish to raise the issue of Garda numbers in Cork city. I know it is a concern shared by the Taoiseach. There are 668 gardaí serving in Cork city. This is 9% down on the position three years ago. Despite the fact that many public representatives have raised the issue, including in the Dáil, the situation has got worse. After the recent attestation from Templemore, we received three gardaí. This follows on from an attestation in March when we also received three gardaí. On this occasion, Dublin received 70. Dublin's population is not 20 times that of Cork, so there is a disconnect there, a disproportionate allocation and an inequality in that. I ask the Taoiseach to take this matter up. I know he shares my concerns about this and we have both spoken to the Minister for justice about it but, unfortunately, the Garda Commissioner does not appear to be listening, so we have to do more to get a fair allocation.

1 o'clock

The Taoiseach: The sufficiency of the number of gardaí across the country, in Cork city and county in particular, is an ongoing issue. As of 31 April, there are 1,281 gardaí working in Cork city and Cork county. Of these, 664 are assigned to Cork city and 616 to Cork county. Since 2015, more than 300 probationer gardaí have been assigned to stations in County Cork, including seven from attestation in March and five from last week's attestation. That is what I am told, although some people have said three. We need increased numbers in Cork and indeed across the country. It is very clear that the Garda's prioritisation and the Commissioner's prioritisation has been the Dublin area. In fact, many Dublin Deputies have commented on the increased presence of gardaí on the streets of Dublin. We need to see that all over the country.

Deputy Micheál Carrigy: I want to highlight the excellent physio service we have at St. Joseph's care centre in Longford. Following a recent HIQA report, however, there were queries

about the location of it with regard to the older persons who were in the care centre and who have had to move location on site. There are now fears among staff and the 4,000 people who attend that service in the care centre that the service could be moved to Athlone or Mullingar. That would not be acceptable. I have met with the Minister of State, Kieran O'Donnell, and HSE officials in older persons' services with regard to this. They have put forward proposals to maintain that service on that site. I want a commitment to the people of Longford, the service users and the staff that this will happen. We have lost a number of services over the years in our county and we will not accept losing this service where there are alternatives. I want common sense to prevail and older persons services, primary care and HIQA to come to a common-sense agreement to keep that service on site.

The Taoiseach: I appreciate the Deputy raising this very serious issue for the community. As he says, the services were delivered in clinics located in the corridor that was part of the designated centre, I believe, and the residents' environment. This necessitated restrictive, controlled access to the community nursing unit and resulted in restricted movement for the residents. As part of the compliance plan for St. Joseph's, a commitment was given to HIQA supporting free access for residents to their home, which is the designated centre. To achieve this, alternative access to therapy services was required, apparently. Older persons' services worked with primary care services to provide short-term alternative accommodation to allow for time to source a longer term solution. Therapy services were relocated to another part of St. Joseph's campus in Longford within the same building where they are accessed by a new entrance. The HSE confirmed on 10 June that physiotherapy services are fully operational from St. Joseph's care centre, and the HSE confirmed that a feasibility study has been carried out. I think a decision will be made on 20 June. I will relay the Deputy's concerns to the Minister.

Deputy Pa Daly: Murhur National School in Moyvane, in north Kerry, is celebrating its 50th anniversary this week. I wish the principal, Finola Fogarty, and all the school community, staff and past pupils all the best. I am sure the Taoiseach would agree that children with additional needs in rural areas are just as entitled to a full education as those in urban areas. In Murhur there are five children in the local community who require and would benefit from an ASD unit there. They cannot access an appropriate class in Moyvane village. Some children are forced to commute outside of the county to access that, and this causes extra stress and upset to the child and to the family. There is a solution. They have an empty building, they have an empty classroom and I ask the Taoiseach to intervene to ensure that such a facility is made available to Murhur National School.

The Taoiseach: I thank the Deputy for raising this. I appreciate that the school is open to and wants to develop a special class. That is good because some schools are less proactive in respect of this, so I appreciate the efforts by the board. The school will be kept under consideration, I understand, for a special class for 2026-27. I will talk to the Minister of State, Michael Moynihan, who is with me here. According to the NCSE, the vast majority of children known to the NCSE seeking a special class in Kerry already have a placement. If there are local issues the Deputy is highlighting here, maybe the NCSE is not aware of certain cases. I ask him to speak to the Minister of State, Michael Moynihan, after this session and maybe we can progress that.

Deputy Emer Currie: The programme for Government commits to a policy framework for drones to guide high-level strategic planning and development, supporting innovation and addressing other concerns. While that is necessary, it omits a fundamental issue: the impact of commercial drone operations on local communities. Some say there are no regulations at all,

which is not true, but it is air and ground risk-based, with model specifications for safety, privacy and noise. We are severely lacking in common-sense rules and regulation for when a commercial entity, including fast food operators, is making 300 deliveries a day over a 3 km radius, relentlessly over a local community, and there will be more. On 21 May I asked the Oireachtas transport committee to meet with stakeholders before the summer recess. That will happen. I am asking that the framework is also published before the summer recess to look at drone traffic management with limits on flight paths and noise, known in the EU already as U-space, and to launch a public awareness campaign about people's rights in this area.

The Taoiseach: I think we will need a regulatory framework governing drones. We have to have a common-sense approach to the use of drones. Did the Deputy refer to 300 food deliveries?

Deputy Emer Currie: Yes, and more coming - up to a million in a year.

The Taoiseach: We have to examine all of that because that potentially clearly leads to significant congestion, security issues, safety issues, noise issues, amenity issues and the need for physical activity. There might be certain cases where people need such a service or it could be effective if you are infirm or elderly. I can understand that. The Deputy has raised a lot of issues. We need a policy framework governing this and ultimately there will have to be a regulatory framework. It cannot be the Wild West.

Deputy Tony McCormack: I am looking for the Taoiseach's support for a new school building at Ard Scoil Chiaráin Naofa in Clara, County Offaly. The existing school building is simply not fit for purpose. It is outdated, overcrowded and lacking in proper facilities. The school community, including teachers, parents and local residents, have been calling for a new building for years. There is a proposed site at Drayton Villa. This site was purchased by Offaly County Council years ago and is to be purchased by the Department of education, but nothing has happened. We need clarity on this. Has this project moved beyond the design stage? When can the people of Clara expect real progress on this urgently needed development? I sent in written PQs and the replies I got were only waffle. We need proper movement on this, and I am looking for the Taoiseach's support on it.

The Taoiseach: Again, I will work with the Minister to raise the issue the Deputy has raised. Obviously, there is a very extensive school building programme. There was a need for additional capital to be allocated to education. The Minister for public expenditure has agreed with the Minister, Deputy McEntee, and that capital has been allocated now. Hopefully that might result in further completions this year, but the school building programme is at a record level in terms of the number of buildings, extensions and so forth. I will do everything I can to support the needs of Ard Scoil Chiaráin Naofa in terms of its building project.

Deputy Paul Donnelly: EnergyCloud is a not-for-profit social enterprise. It works with partners including EirGrid, ESB, Wind Energy Ireland, local authorities and housing associations. Its aim is to reduce energy poverty. In the last seven years, €2.1 billion in surplus renewable energy was unused and wasted. Some €3 million worth of wind energy was wasted on 28 May this year. EnergyCloud has a simple ask:

If the Government were to announce a policy recommending that going forward all devices, heat pumps, batteries, [and] immersion controllers ... should be connected and support Demand Flexibility this would open the possibility of using the waste in a targeted

fashion and future proof all new and upgraded homes.

It does not need legislation; it just needs a direction and a policy from the Department. Will the Taoiseach ask the Department to issue that?

The Taoiseach: I thank the Deputy for raising this important issue. EnergyCloud is a significant community-based organisation providing a significant service to the community, to the public at large and to the national effort. If he can send that to me, I will forward it to the Minister for climate.

Deputy Paul Donnelly: It would cost just an extra €2.

The Taoiseach: We will look through the detail and get the Deputy a comprehensive response.

Deputy Catherine Connolly: I will stay with the theme of housing and, in particular, the emergency task force that was set up in Galway in 2019. At the end of last year, during the last meeting for which I have minutes, the new chair said the delivery to date is “not a happy picture”. This was referring to the failure to deliver housing in Galway city and county. Lots of issues and obstacles were raised. One is the lack of wastewater infrastructure in the county and on the east side of the city. I have used every opportunity to raise this issue on the floor of the Dáil. Five years after the task force was set up, it has told us that housing delivery is going the wrong way, and it is finally beginning to look at the obstacles. One is the failure to resource Irish Water and to ensure Galway is top of its list of targets as a city that has been picked as one of the five destined to grow. No housing development can take place in the Gaeltacht or in east Galway because there is no wastewater treatment.

The Taoiseach: I was in Galway recently. I met the county and city managers. I have agreed to meet both of them for a more detailed discussion around development issues-----

Deputy Catherine Connolly: What about the local TDs?

The Taoiseach: I just want to get on with it.

Deputy Catherine Connolly: That is great.

The Taoiseach: I am talking to TDs. I will meet you as well. I do not want to have 25 people arriving in again and we all chatting and everyone saying the same thing.

Deputy Catherine Connolly: There are not 25 TDs in Galway.

The Taoiseach: I have met TDs and I will meet TDs. I have just said that I met the county and city managers because there are a lot of objections in Galway to housing developments. On the water question, Irish Water will be resourced and has been resourced. Increased resources will be allocated to Irish Water under the national development plan. I am fully aware of the issues around wastewater treatment in Galway. We will work to address that.

Deputy Alan Kelly: How could the Department of Justice confirm in writing to a member of the media that the issue in relation to Evan Fitzgerald’s tragic case was referred to Fiosrú on 10 May and the Minister could not comment because of that, yet at the justice committee yesterday the Commissioner said he referred it on 18 to 19 May? How could the Department of Justice and the Minister say it was referred more than a week before it was referred? How

could they say it was referred a week before the Commissioner actually referred it? How, on 4 March, in the original court case which is now over for this gentleman, a Cheann Comhairle-----

An Ceann Comhairle: It is one question.

Deputy Alan Kelly: I am referring to this poor, tragic, vulnerable individual who passed away. How is it that reports from *The Irish Times* and other media-----

An Ceann Comhairle: Thank you.

Deputy Alan Kelly: -----stated that when Judge Zaidan-----

An Ceann Comhairle: Deputy.

Deputy Alan Kelly: -----asked what the providence of the guns was, the Garda said, “investigations are ongoing” into who sold the guns?

An Ceann Comhairle: Deputy, within the scope of the House.

Deputy Alan Kelly: Investigations are ongoing and we now know the guns were actually given to him by An Garda Síochána. How could An Garda Síochána say in court-----

An Ceann Comhairle: You are taking complete advantage, which is of no value because we are now talking over one another.

Deputy Alan Kelly: -----it did not know where the guns came from if we now know they came from An Garda Síochána itself?

An Ceann Comhairle: Deputy. Allow the Taoiseach to answer within the timeframe. That is completely unacceptable, Deputy.

The Taoiseach: The events in Carlow were very traumatic for everyone involved-----

Deputy Alan Kelly: Agreed.

The Taoiseach: -----including the wider community and the family of Evan Fitzgerald, a young man whose life is now no more. It was a very sad and traumatic event. I will check with the Minister for Justice for clarity around dates. The Minister or the Department of Justice may have been told this was going to Fiosrú. If that is the case, one does not comment on it. That is normal.

Deputy Alan Kelly: The week before-----

The Taoiseach: I would not comment on anything if it was heading for an investigation. That is why one leaves things go to investigation. I am not aware of the background to this at all.

An Ceann Comhairle: Ten seconds, Taoiseach.

The Taoiseach: I will ask the Minister to respond to some of these issues.

Deputy Edward Timmins: Baltinglass, a small town in west Wicklow, contains nine hill-forts in its vicinity. It is described by experts as the hillfort capital of Ireland. Research work and archaeological digs have been conducted by Dr. Alan Hawkes and Dr. James O’Driscoll

under the auspices of Professor William O'Brien, all from University College Cork. This has further revealed many other ancient sites. The lead researchers have described the area as the archaeological capital of Ireland. I bring this to the attention of the House and ask for the Taoiseach's support to develop this huge part of our history and heritage and bring it to a wider audience.

The Taoiseach: I thank the Deputy for raising this issue. When I met him in the corridor last evening, he highlighted the unique and important presence of prehistoric monuments known as the Baltinglass hillforts, up to 13 hillforts in south-west Wicklow and neighbouring parts of Kildare, the largest collection of such impressive prehistoric monuments in Ireland or Britain. I am delighted that the Deputy informed me that it involved archaeologists from UCC, where I studied archaeology for one year, as I told him. I have had a fondness for it ever since. The National Monuments Service is supporting work in this regard. It has supported research on the hillfort landscape through the Royal Irish Academy grant schemes. It funded the recent publication of the seminal *A Hillfort Through Time: Excavations at Rathgall, Co. Wicklow*, which was launched by my colleague, the Minister of State, Deputy Christopher O'Sullivan, in the RIA earlier this year. The Baltinglass hillforts are in private ownership so there is no public access. The National Monuments Service welcomes discussion and any substantive proposals it may receive on improving access to these monuments that may emerge in liaison with those land owners who are long-standing custodians of these important monuments. If local consensus can be developed, we will see what can emerge from that.

Deputy Malcolm Byrne: On 10 September 2024, the Cabinet in the previous Government agreed to a Bill that would provide for further regulation of nicotine inhaling products, particularly with regard to a ban on disposable vapes and restrictions on advertising, colours, flavours and imagery used on nicotine inhaling products. It is also in the programme for Government. This is a public health emergency. It has been an active campaign by Wexford Comhairle na nÓg since 2023. In 2022, two students from FCJ Secondary School in Bunclogh, Leanne Mahon and Aimée Farrell, came to Leinster House to present on this issue. The Public Health Agency in Northern Ireland recently did a survey of young people which found that 76% of those taking up vaping had never smoked a cigarette before they used vapes. This is a public health emergency. I really need to know when this legislation will be brought before the House. In addition, given that so many universities and schools have become tobacco-free campuses, perhaps the Taoiseach and the Ceann Comhairle might agree to make Leinster House a tobacco-free campus.

The Taoiseach: As I looked out a window yesterday, I spotted an errant Minister, who had assured me he had given up cigarettes, smoking. He was caught red-handed as I looked out the window.

An Ceann Comhairle: It is the pressure of the job.

The Taoiseach: It was a funny moment. The Minister of State, Deputy Butler, has informed me that a lot of progress has been made on that legislation. There is a European dimension but we are anxious to progress it as quickly as possible. There are laws of the land. If I am honest, people in every institution are entitled to be governed by the laws of the land. It is a matter for the commission to look at the campus itself. We banned indoor smoking to keep the workplace safe. If Deputies and Senators smoke, I urge them to give it up, but at the same time an overly restrictive approach is not----

Deputy Malcolm Byrne: Is there a timeline for the Bill?

The Taoiseach: I do not have an exact timeline for the Bill.

An Ceann Comhairle: The Deputy and the Taoiseach can engage further.

Deputy Réada Cronin: This week, the local community in Celbridge gathered again outside the gates of Castletown House to protest the brazen attempts by the OPW to open Lime Avenue without local consultation. The community has been clear and consistent in its demands - the domain has to be reunited, and safe and secure access must be granted to vulnerable pedestrians on Lime Avenue. To their disgust, protocols were broken this week and a vehicle went flying down Lime Avenue yesterday with no escort. I believe they are trying it again today. A car park in the Kildare Innovation Campus, KIC, is a solution. On what date will the application for planning permission be submitted? The CEO of KIC approved it on 22 May. Essential vehicles must also be allowed to use that car park because it was agricultural land and it already took heavy agricultural vehicles. They are too dangerous for Lime Avenue. When will the planning for this be submitted?

The Taoiseach: I am not aware of who is submitting the planning permission.

Deputy Réada Cronin: The Taoiseach is well aware.

The Taoiseach: I am aware of the issue. I cannot give an exact timeline as to when a planning application will be submitted.

Deputy Réada Cronin: What is the delay?

An Ceann Comhairle: Deputy, it is not a back and forth.

Deputy Réada Cronin: The Minister is pretending that the KIC is causing the delay but it is not----

The Taoiseach: I will raise this. There is no point in roaring at me about it.

Deputy Réada Cronin: I am not.

The Taoiseach: A Department of Government is doing everything it possibly can to give access to people. The big issue initially was that there was no access. I will relay that the Deputy has raised this with the Minister of State. He is very well aware of it, as is the Minister, Deputy Lawless. All the Deputies have been engaged in this matter, but it is a bit much to expect us to have the operational timelines of every planning application that is being made.

An Ceann Comhairle: I thank the Taoiseach. We are out of time as a consequence of those who went over time. I am going to go to Deputies Heneghan and Jen Cummins. I ask them to be brief, please.

Deputy Barry Heneghan: I have a question for the Taoiseach that is especially personal to me as my sister and her wife are expecting their child. Real fear and frustration is being felt by the LGBTQ+ parents who are still not legally recognised as their children's parents. As it stands, the Health (Assisted Human Reproduction) Act 2024 risks leaving families behind, especially those born through surrogacy or donor conception outside Ireland. Will the Taoiseach commit to commissioning an independent equality audit of legislation, will he meet the LGBTQ+ Parenting Alliance and will he ask the Department of Health to publish a clear timeline

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for commencement of both existing Acts? This is not a health issue, but one of equality, dignity and legal certainty for families.

The Taoiseach: I thank the Deputy for raising this very important issue. My understanding is that the Minister, Deputy Carroll MacNeill, has met the parents' alliance. I certainly have no issue meeting them either, subject obviously to scheduling in terms of the diary. I will speak to the Minister for equality and disability, Deputy Foley, on the question of an equality audit. It is an important issue. A lot of work has been done, but I understand fully the need to bring it to a conclusion.

Deputy Jen Cummins: My question is about flood risk and insurance. A number of people have contacted me because they are not able to get insurance in the first place, or when they want to switch to a different insurance provider they cannot because of the risk of flooding. With the rising possibility of floods in the future, what can the Government do to ensure homeowners and potential buyers are able to secure insurance? The reality is that if it is not covered by insurance, the State is going to have to pay out if there is a flood, as happened in my family's home in Germany.

The Taoiseach: I dealt with this question yesterday. Our view is fundamentally that the insurance industry has to step up to the plate in many instances. In particular, where the State has completed flood relief schemes and where the infrastructure is in place, I have heard there are still difficulties in getting flood insurance, notwithstanding the investment that has gone in. In that case there is a case for the insurance company to just insure people, because many of those flood schemes have proven to be very effective. I am thinking of Fermoy, Clonmel and areas like that. That is one aspect of it. The other aspect is the State providing some support when floods happen, but it is nowhere near what a comprehensive insurance scheme could provide.

Revised Estimates for Public Services 2025: Message from Select Committee

An Ceann Comhairle: The Select Committee on Social Protection, Rural and Community Development has completed its consideration of the following Revised Estimate for Public Services for the service of the year ending 31 December 2025: Vote 37 - Social Protection.

Cuireadh an Dáil ar fionraí ar 1.23 p.m. agus cuireadh tús leis arís ar 2.22 p.m.

Sitting suspended at 1.23 p.m. and resumed at 2.22 p.m.

Negotiations on an Agreement between the European Union and the Republic of Kazakhstan: Motion

Minister of State at the Department of Justice (Deputy Colm Brophy): 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:

Recommendation for a Council Decision authorising the opening of negotiations on an agreement between the European Union and the Republic of Kazakhstan on readmission,

a copy of which was circulated to each member of Dáil Éireann on 29th May, 2025.

This motion seeks Dáil Éireann's approval to opt into a European Council decision authorising the opening of negotiations for a readmission agreement between the European Union and Kazakhstan. Readmission agreements play a valuable role in the fight against irregular migration by facilitating the admission to their own country of persons residing without authorisation in a member state. They facilitate and expedite the enforcement of return decisions in respect of irregular migrants and may also function as an incentive for countries of origin or transit to enhance their migration control. Effective co-operation on return and readmission is a key component of the EU's comprehensive, tailor-made and mutually beneficial partnerships with third countries.

The annexe to the draft Council decision has been deemed restricted by the European Commission. The annexe contains information of a particularly sensitive nature given that it relates to a negotiating mandate with a third country. As a consequence, hard copies of the draft Council decision itself have been made physically available to the Members of the Houses for the purpose of debating the motion. The Attorney General's office has confirmed that this method of circulation meets the requirements of Article 29.4.7° of the Constitution. It should be noted that once a readmission agreement has been concluded with Kazakhstan, Ireland's participation in that agreement will be subject to a separate opt-in process under Protocol 21. At that point, the text of the full agreement will be made available to Members before seeking approval to participate. What we are seeking to do at this moment is simply to participate in the adoption of a negotiating mandate and ensure Ireland has a seat at the table during the negotiation of the agreement itself.

Ireland is currently party to 12 EU-level readmission agreements including with Hong Kong, the Macao Special Administrative Region of the People's Republic of China, the Republic of Albania, Sri Lanka, the Russian Federation, the Republic of Montenegro, the Republic of Serbia, Bosnia and Herzegovina, the Republic of North Macedonia, the Republic of Moldova, the Islamic Republic of Pakistan and Georgia. In order for any migration management system to function it must have an effective and credible policy on return, including readmission. A call by the European Council in late 2024 for determined action at all levels to facilitate, increase and speed up returns from the European Union ultimately led to the recent publication by the EU Commission of a proposal for a new regulation on returns. This proposal is part of the broader pact on migration and asylum agreed in 2024, which seeks to create an integrated, sustainable and comprehensive EU migration policy that balances fairness and firmness.

Readmission is identified as a key part of the returns process in the Commission's recent proposal for a new returns regulation. Readmission agreements are also an important part of an external dimension of migration policy and are closely linked to the objectives of the migration and asylum pact, particularly in strengthening co-operation with third countries. Opting into this Council decision to open negotiations on a readmission agreement with Kazakhstan would clearly demonstrate Ireland's commitment to a common EU-wide solution to migration, a commitment that is already evidenced by our opting into the EU asylum and migration pact. The bilateral relations between the EU and Kazakhstan are framed by an enhanced partnership and co-operation agreement, which lays the foundation for enhanced co-operation in key policy

areas such as promoting mutual trade and investment, co-operation in justice and home affairs, economic and financial co-operation, energy, transport, environment and climate change, employment and social affairs, culture, education and research. The EPCA provides for the possibility of negotiating an agreement on readmission in parallel with an agreement on visa facilitation. Approximately 1,000 Kazakhstan nationals per year received an order to leave the EU between 2019 and 2023 although this number decreased during the Covid-19 pandemic, and member states have not reported major issues when returning those persons to Kazakhstan. Kazakhstan is not currently a major country of transit for irregular migration to the EU. However, this might change in the future, in part due to instability in the region.

The readmission agreement is expected to reaffirm that it will be applied in such a way as to ensure respect for both human rights and for the obligations and responsibilities of the EU, its member states and Kazakhstan under international law. The agreement is also expected to contain language that ensures that the EU and Kazakhstan will devote particular attention to ensuring the protection of the rights of the person after their readmission in compliance with their obligations under international law.

This proposal has Title V legal status in the area of freedom, security and justice under the Treaty on the Functioning of the European Union, which means that unlike other EU member states, Ireland is not automatically bound by measures in this area. Instead, Ireland has the right to decide whether to opt into such measures under Protocol 21 to the treaty. Opting into this proposal would be consistent with our declared commitment to participating in Title V measures wherever possible, and a demonstration of our pledge to protect and promote EU values in the area of freedom, security and justice.

Opting in at this stage, before the decision has been adopted by the European Council, would enable Ireland to opt in under Article 3 of Protocol 21 and take a full part in the Council decision and vote on the negotiating mandate. The three-month period for an opt-in under Article 3 of the Protocol expires on 17 June. If we were to opt in after the decision has been adopted, under Article 4 of the Protocol we would not have a vote on this proposal. I reiterate that this mandate relates simply to the opening of negotiations and does not entail any commitment by Ireland to any agreement that may be reached. Any agreement resulting from these negotiations would need to be subject to a separate opt-in procedure at the time, once the details were known. I believe it is important for Ireland to opt into this initial Council decision, so as to ensure our full participation in any negotiating mandate. Opting in would also demonstrate our solidarity with our EU partners and our commitment to EU values, as well as Ireland's support for EU migration issues.

Deputy Matt Carthy: Cuirim fáilte roimh an Aire. At the outset I say that Sinn Féin recognises that return and readmission agreements are a crucial part of having a managed migration system. We have been clear that where any person is not entitled to be in Ireland, they should be returned safely, and deportation orders should be both enforced and tracked. Such return and readmission agreements can be done on a bilateral basis, so they are not required to be negotiated by the European Union on behalf of Ireland. In respect of Kazakhstan, it is notable that Germany, the Netherlands, Poland and Switzerland currently have such bilateral agreements. What we are debating today is a motion to opt into a European Council decision authorising the opening of negotiations for a readmission agreement between the EU and Kazakhstan.

Sinn Féin is concerned about this proposal, but more concerned about the approach being taken. What is essentially being asked, uniquely in my experience, is that the Oireachtas is

expected to rubber-stamp a motion without having sight of the actual proposal. This is unprecedented. I consider it an insult to a sovereign Parliament. While members of the committee were briefed on and provided with hard copies of the draft Council resolution, the resolution, as the Minister of State knows, contained virtually no information. We have no information on what funding or other benefits the EU is offering Kazakhstan as part of the negotiations. While Members of the Dáil have very little information, the public has even less. This is a sovereign Parliament and it is our job to stand up and defend Irish sovereignty. We should not do something simply because the EU wants us to do it or to ingratiate ourselves with the EU. We should only act if it is in Ireland's best interests to do so. To decide whether something is in Ireland's best interests, the Oireachtas has to have all the facts. It is also our job to ensure protocols put into EU treaties, including the Treaty on the Functioning of the European Union, better known as the Lisbon treaty, reflect the concerns of the Irish people and that those concerns are respected and not watered down over time. Protecting and maximising Irish sovereignty in the context of EU integration is important. We must be on guard against mission creep from the EU, which further undermines Irish sovereignty, and against attempts to undermine protections that were crucial to Ireland's signing up to treaties involving further and deeper integration.

We should recall Ireland voted against two EU treaties in referendums: the Treaty of Nice in 2001 and the Lisbon treaty in 2008. At the heart of both of these rejections was the fear of a loss of sovereignty on key issues of concern to the Irish people. Those concerns are just as important and valid today as when the treaties were being debated, if not more so. Protocol No. 21 of the Treaty on the Functioning of the European Union came into effect in its current form with the Lisbon treaty in December 2009. The protocol provides Ireland with an opt-out and a choice to opt in to legislation governing the areas of freedom, security and justice on a case-by-case basis. They are crucial protections for Ireland. Without these explicit protections and protocols, there is every reason to believe the people of this State would not have endorsed the Lisbon treaty when it was put to them a second time.

The Department of justice recently published a review of the operation of Protocol No. 21. I think the approach today is related to that review and its publication. The review suggests some moves away from the spirit of the protocol. In particular, the retrospective review of all Protocol No. 21 opt-outs, to see if Ireland can opt in to things it has previously stayed out of, suggests a subtle but important, and perhaps dangerous, change in approach. We have learned from our years of EU membership that once we cede sovereignty, we do not get it back. We have to be cognisant of the implications for sovereignty of proposals such as that before us today on the review of Protocol No. 21.

We must be aware of Ireland's situation, which is unique in Europe. We are a common law jurisdiction and part of a common travel area on an island that is partitioned and part of which is still under British rule. What the European Commission is seeking might be put in simple terms, as the Minister of State has put it, as a mandate to negotiate an agreement between the European Union and the Republic of Kazakhstan on readmission. The Government argues that opting in at this stage would further demonstrate Ireland's commitment to a common EU-wide solution to migration. That is a very weak argument in favour of something for which full information is denied to Members of the Oireachtas and to the Irish people, considering we can opt in to this at a later stage when we have further detail and the full facts can be divulged. We are expected to decide on this motion despite the restricted nature of it. We are being asked to endorse something we, as elected representatives in the Parliament of a sovereign State, are not being given details of. If somebody suggested this scenario at the time of the European treaty

debates we have mentioned, they would have been laughed at and described as far-fetched exaggerators.

I have a hard copy of what Members of the Oireachtas have been given: one page with virtually no detail. Crucially, it says the negotiating directives are set out in the annexe to the decision. Essentially, we have been given a cover note and are asked to endorse a negotiation based on an annexe which Members do not have sight of. That is dangerous in the extreme, regardless of the basis for the negotiation. I am shocked any Minister, never mind a Fianna Fáil Minister for justice, would bring such a proposal to this House. I was very surprised that we can get no clarity on what is on the table from a European perspective. We do not know what is being offered to Kazakhstan in terms of funding or other benefits in this negotiation. Is there going to be a cost? There has to be something in it for Kazakhstan. The notion Kazakhstan has an issue with EU citizens in its territory that it wants to return is far-fetched. I was surprised when the Minister for justice suggested in the committee that perhaps one of the reasons Kazakhstan would enter this was that it, a central Asian state, may want to become an accession state at some stage. There is a real need for discussion about what the EU is and what it is becoming. Any expansion into central Asia would be a little absurd. Sinn Féin has been clear the European Union should proceed with further expansion only where it does not undermine the position and influence of existing member states, particularly small, peripheral states such as Ireland. Certainly, such expansion should not be used as an excuse to further remove unanimity or representation within the European Commission.

In terms of the proposal before us today, I have said Members of the Oireachtas do not have the full information and the public has even less. The senior Minister himself appears unclear on the contents of the proposal. When he came before the justice committee and briefed members on 29 May, he stated categorically that this just related to citizens of Kazakhstan. In fact, he said that three times when I questioned him on it. However, the briefing note circulated by the Whip's office mentions third country nationals and stateless persons, as well as facilitating the transit of persons being returned to a third country. That is completely contradictory to what the Minister told the committee. This is a significant discrepancy and shows this is being rushed out of a desire to please the EU without even the Minister being clear as to what exactly we are being asked to endorse.

I accept a readmission agreement with Kazakhstan may not seem to be a huge issue, especially considering the small numbers of nationals of Kazakhstan who have come here in recent years. In committee the Minister indicated 12 in total since 2019 had sought international protection; only one person has been subject to a deportation order. However, it clearly impacts on larger numbers when it is related to third country nationals and stateless persons. Under Article 3 of Protocol No. 21, as the Minister of State set out, Ireland can opt in within three months of the proposal being presented to the Council or - and this is crucial - can opt in under Article 4 at any time after a proposal's adoption. Article 29.4.7° of the Constitution requires Oireachtas approval for an opt-in. Under Article 3, the argument goes, we get to participate in negotiations and vote on the measure, but under Article 3 we are also bound by the outcome which is decided by qualified majority voting. We could end up with an outcome we do not agree with. Ireland has no veto and could be bound by the resulting measures, even if they run contrary to our national interests.

We in Sinn Féin are concerned about the wider implications of opting in to Article 3 negotiations, especially when we do not have full information on what is being negotiated by the EU with Kazakhstan. The Minister argued it is beneficial to opt in under Article 3 but during

previous debates in which we discussed Article 4 opt-ins, Ministers have come before the Dáil and advocated opting in to measures under Article 4, when we know what we are voting for, and they have said we were not prevented or locked out of the process. The EU obviously knows an Article 4 opt-in might be likely so it has told the Dáil that Irish negotiators were part of the discussions throughout. It is, therefore, our view, based on what we know and, just as importantly, what we do not know due to the restricted nature of the proposal before us, that it would be much more appropriate for the Dáil to debate whether we should opt into any agreement with Kazakhstan under Article 4, which would then allow us to enter the process at a later stage when we know precisely what we are voting for. That is what this House is entitled to and what the Irish people would expect.

The difficulty I have in a wider sense is with the Government's moves to outsource migration policy to the EU. That undermines our sovereignty and means that decisions taken at an EU level could have serious implications for Ireland. We will not have the flexibility that future Ministers for justice might need because EU decisions on migration policy will not always consider Ireland's unique circumstances, as I have set out, and will not always be in our best interests.

To give an example, it has been reported today that the Irish Government intends, when the EU justice and home affairs ministers meet later this week, to support the proposal to extend for another year, to 2027, the European temporary protection directive for people fleeing the war in Ukraine. That has implications for Ireland and yet there has been no discussion on that point in the Oireachtas. We have been of the view that continually extending temporary measures is not a sustainable solution and is problematic for everyone. We have said that the Irish Government should not support moves to extend the temporary protection directive to 2027. That will be five years after the war started, which cannot be described as temporary. We need a planned end to the temporary directives. We need the Government to bring forward a roadmap for the end of the directive that gives Ukrainians certainty about their future in Ireland or what supports for returning home are available for those who want to do so. Several years after the outbreak of a war when an emergency approach was taken with the support of the Members of this House across the board, the temporary short-term approach must conclude. There should be a return to the application of ordinary permanent migration rules as they apply to refugees and asylum seekers from other states. If beneficiaries of temporary protection are from a part of Ukraine that is not suffering from the war and want to return home, we should be assisting them to do so. We must find a permanent mechanism to deal with people from all other parts of Ukraine who have come here and been welcomed by the Irish people either through our international protection system or our work permit system to ensure a resolution.

I am calling on the Minister to start acting in Ireland's interests and not to go along an EU trajectory for the sake of it or to be able to say we are doing something. Above all, I am asking the Government to stand up for Irish sovereignty. I am calling on the Government not to opt into this European Council decision authorising the opening of negotiations on an agreement between the EU and Kazakhstan under Article 3. Rather, we should wait until we have the full detail of what has been negotiated. I propose that Ireland should be a part of those conversations at all levels. Then we can make a decision with full knowledge. If it is in the best interests of the Irish people, the Members of the House will be able to discuss the issue with full knowledge, which we do not have currently.

Deputy Gary Gannon: What we are being asked to vote on here is the Government asking us to trust it. That is what the entire motion comes down to. We are making statements today

on the idea of trust. The Minister is asking us to sign off on a behind-closed-doors negotiation without access to the annexes, without public scrutiny and without a clear understanding of the implications. We are effectively being asked by the Government to trust it. I do not. From conversations I have had over the past week or week and a half, I can say that there are people the length and breadth of the country who do not trust the Government when it comes to immigration and international protection, and certainly not when it comes to how the Government is treating vulnerable people in that system.

Let me be absolutely clear. The proposal to enter negotiations with Kazakhstan is not about solving a problem but is about performance and optics. Since 2019, just 12 people from Kazakhstan have applied for international protection in Ireland and only one deportation order has issued in that time, yet we are being asked to green light a formal process to make deportations faster and easier. It is a process with real consequences for real people. It is a process we have not even been allowed to see in full at this point. We are told that this is about future-proofing. If this is the future we are preparing for, one where international protection is gutted, asylum seekers are scapegoated and vulnerable children in our school system are deported for public relations purposes, I do not want any part of it.

Last week, we all read reports of children being deported in the middle of the school year. They were pulled from the only homes they have known in hotels that are unsuited to that name. They had no proper warning or integration supports. From testimony I have heard from their school principals, friends and allies, the approach simply demonstrated no compassion. It was not just cruel but also seemed calculated. It was timed perfectly with ramped-up media spin about Ireland getting tough. This was not policy but theatre. It was a cost that was borne by children. What basis has a Minister to be sending out tweets announcing the deportation of 55 people? Who is the audience on Twitter for that? Let us just say that the dogs on the street could hear that particular whistle.

We have seen this kind of posturing previously. There have been press releases on deportation flights, as though they are something to celebrate. The Minister went on “Morning Ireland” to announce the measure as if he were a general coming back from war. There have been radio interviews with Ministers that link immigration with social problems in thinly veiled dog whistles. It is a strategy of division that shifts blame away from the Government’s failures and onto people who came here to seek refuge, as is their legal right. This Government has broken the very system it now claims to be future-proofing. It commissioned the Catherine Day report and ignored its findings. The report was crystal clear that the reception system in Ireland is unfit for purpose. People were left in limbo for years and children grew up in institutional settings. Basic needs went unmet and supports were sporadic and inconsistent. The report painted a damning picture of a system built on delay, denial and dysfunction. It was updated to recognise the fact that increased pressure has been placed on the system by the conflicts and famines and other events that lead people to seek sanctuary. The updated report was also ignored. Who exactly was it that built that system? It was Fianna Fáil and Fine Gael. There are those of us who for the past 20-odd years have been protesting the cruel conditions of direct provision. The same parties now claim they want to streamline international protection. They want us to believe they will honour human rights in negotiations with countries such as Kazakhstan, which, let us be clear, has a documented record of repression.

I say to the parties on the left and the Government parties that it should not be hard for us to say that children who are in the school system should not be deported three weeks before they are supposed to graduate primary school. It should not be hard for us to say that is wrong.

Other countries have different systems through which this is done. Some systems are better and fairer. Last week's events were a poor example of who we are as a republic and how we treat children. Let us be clear that the rights of children are recognised in legal texts. Those standards were not met. When we talk about a rules-based system, we must ensure that we mirror those rules when we are enforcing the standards that we, as a State, are not meeting.

In Kazakhstan, there is no legal protection against discrimination based on sexual orientation or gender identity. Domestic violence is not a stand-alone criminal offence. Independent journalism is muzzled. The Internet is censored. Critics are arrested under vague anti-extremism laws. Yet the Government wants us to believe that asylum seekers returning to Kazakhstan will be treated fairly, even when the very criteria used to assess asylum claims are being eroded across the EU.

The Minister says that if someone has a genuine case, he or she will be granted protection. However, we know better. We know that the definition of "genuine" is being narrowed all across Europe. Even people with legitimate fears are now being rejected because they do not fit neatly into bureaucratic boxes. More importantly, they do not fit neatly into the rhythm of the day and the audience to whom a centre-right Government is trying to appeal. It is when systems become hostile, political narratives turn sour and countries start competing over who can be toughest on migrants that the quiet tragedies happen. People get sent back and disappear. Over the past week and a half, I have heard many stories of people who are in the international protection accommodation services, IPAS, system being put into the prison system. That is outlandish. We are talking about the need to increase capacity in our prison system at the same time that IPAS residents are being put into prison without any information as to how long their stay will be. That is genuinely terrifying. Surely, we must be better than that. I can give the Minister of State the names of individuals, if he likes. I talked to one individual today who was taken into prison accommodation, deported and, at this moment in time, does not know where his children, who are still here, or their mother are. What is happening is designed to be terrifying. That is the purpose of the tweets, the press releases and the Minister, Deputy O'Callaghan, going on the radio to say we have to get the message out there. Who is the message going to exactly?

Let us not pretend that this is harmless, that it is just a procedural step and that we are only opening talks. When you vote to begin a negotiation, you are endorsing its purpose. You are validating its logic and, in this case, the logic is flawed. The rationale is empty. The consequences are real. This Government has shown time and again that it is willing to trade in human dignity for political headlines. Just take a look at how we now recategorise our homeless figures, to see an example of that. That is what the deportation of children showed. That is what the broken reception system shows and what this vote shows.

We should not be outsourcing decisions about people's safety to the European Commission without knowing what it plans to do in our name. We should not be engaging with repressive regimes in secret and we should not be treating people as if they are a problem to be managed rather than human beings deserving of rights, fairness and due process, above all else. This is not about migration management. It is not about future-proofing. It is very clearly about optics. It is about this endeavour to look tough and creating another stick to beat people with, even though only 12 people from Kazakhstan have come here since 2019. The purpose of this motion is to once again say, "Look at us. We are tough". What is actually tough is going into communities, having difficult conversations, hearing the fears and being able to explain that Ireland is not full. There are genuine communities that are running on empty. They have been

asked to step up in the absence of the Government, but that is not the tough talk we are having. The tough talk is about the optics.

The Social Democrats will not support the motion because we have seen what this Government does when no one is looking. I have watched it spin cruelty into policy and I refuse to play a part in something that I know will be used, ultimately, to hurt those who have the least. I hope this House and parties across the left will have the courage to say the same.

Deputy Sinéad Gibney: As Deputy Gannon outlined, the Social Democrats will not be supporting the motion. I will outline three clear reasons that is the case. First, it is demonstrative of virtue signalling and performative cruelty, which has not crept into our system but has been recently exposed as being in our system. Second, it is a solution without a problem. I will outline some of the problems we could be directing our energies at in the Dáil and elsewhere within the international protection system. Finally, very serious human rights concern exist within this suggested piece of work.

Last week, and in recent months, we have seen the Minister for Justice tweeting gleefully about deportation flights, which do not represent value for money for the State. They are simply a very expensive PR exercise for the Minister and this Government to seem tough on immigration. All of this is happening when our system for processing international protection, immigration, naturalisation and asylum claims is crumbling and always has been. The focus and priority of our system should be on a fair, kind and quick process of seeking asylum, applying for visas and dealing with immigration in this country. We have seen an overwhelming focus on how to echo the cries of “Get them out”. We have heard the far right in this country in our laws and policies, all while immigrants fear for their safety and face increasing racism and discrimination. These people are the backbone of our communities, public services and tax base. It is so frustrating to see public policy from this Government treat them as pests to be controlled and expelled.

As I mentioned, this is a solution without a problem. Twelve people from Kazakhstan have come to Ireland since 2019. There are no direct flights to or from Kazakhstan and Ireland. What is the sense in investing our time and energy, and the work of many people in the Department, on negotiations for a deal that has virtually no effect on our country? The only conclusion my colleagues and I can draw is that we are keen to sign on to anything that makes this Government look tough on immigration. That is performative, not practical. When we have significant priorities both here and at EU level that are falling by the wayside, I cannot see how we can justify spending time and energy on negotiations when other EU states can simply turn around and ask, “Why should we listen to you? You do not have immigration from Kazakhstan”.

I will outline some of the things we should be looking at within our international system. How about gender-specific accommodation for those who are here seeking international protection who are the victims of sexual violence? What about the vulnerability assessments and the opt-out system introduced a number of years ago, which has issues around accessibility and language capabilities and simply does not meet the requirements we have signed up to under international law? What about the interpreting services and legal services? Where is the analysis and assessment of how the increasing speed of the process is not impacting on efficiency - that is one question - but on the rights of people to claim asylum in this country? What about the thousands of people who we are not offering accommodation to, and the many people who are languishing in direct provision and staying in accommodation much longer than they should in conditions that provide no family privacy, and no ability or means to even cook their own food

or practise their culture or religion? What about those issues? Why are we focusing our energy on this?

I will speak to the human rights concerns I have in respect of this motion. I cannot see how any agreement with a country that imprisons political opposition, tortures prisoners and where freedom of speech and assembly are severely restricted can have the human rights guarantees we need. You do not have to be a bleeding heart liberal to think that deporting people to a country where their fundamental freedoms and rights are denied is wrong. We have heard from the Minister of State that human rights protections will be paramount for the European Commission in these negotiations, but this is the same Commission that is pushing back against eradicating slavery from our supply chains, that is trying to use cohesion funding for arms manufacturers and is failing to respond to the genocide in Gaza. While this Government may argue that the EU will be able to push for a better approach, its track record at EU level on taking the lead on human rights is poor. These are the reasons I will not be supporting this motion.

Minister of State at the Department of Justice (Deputy Colm Brophy): I reiterate what I said in my opening remarks that the essential priority for the Government in our immigration laws is that they are robust and enforced. People are entitled to have confidence in our immigration system and there obviously must be consequences for individuals who refuse to leave the State when they are ordered to do so.

Returns and readmission are fundamental pillars of the comprehensive and credible EU policy on migration. The European Council has consistently emphasised the need for a unified, comprehensive and effective policy. Readmission agreements play a very important role in that fight against irregular migration. The purpose of the Council's decision is to open negotiations on a readmission agreement with Kazakhstan that contains clear and unambiguous legally binding obligations that are necessary for two purposes. The first is to ensure rapid and effective procedures for the identification and return of persons, including nationals of EU member states and Kazakhstan, third-country nationals and stateless persons, illegally entering or remaining on the party's territory. The second is to facilitate the transit of persons to be returned to another third country in a spirit of co-operation.

By opting in at this stage, Ireland will be able to engage fully in the Council decision and negotiating mandate. That is a crucially important part of this. It is the bit that Deputies, in some of their contributions, are choosing to ignore or do not seem to take on board; opting in would clearly demonstrate support for our EU partners and their citizens' interests. Choosing to take part at this stage would also align with Ireland's commitment to opting in, wherever possible, to EU measures in the area of freedom, security and justice under Title V. That is a very important part.

Deputy Matt Carthy: Where possible.

Deputy Colm Brophy: We are actually engaging in an initial stage which, as the Deputy fully knows, will come back afterwards to the House for full discussion, if we choose to opt in at the end.

While the numbers coming to Ireland from Kazakhstan are low, and I accept the point made about applications for international protection in 2022 and the five applications in 2024, opting into the Council's decision to open negotiations on readmission with Kazakhstan would further demonstrate Ireland's commitment, which is important, to a common EU-wide solution to mi-

gration that is already evidenced by our opting in to the EU asylum and migration pact. I make that point in respect of Deputy Carthy's comment about outsourcing to the EU. I know his party does not really like the EU, regardless of what lines it throws out from time to time, but we are the EU. Ireland is part of the European Union.

3 o'clock

Deputy Matt Carthy: Not all of it. Not all of Ireland. That is the problem.

Deputy Colm Brophy: We are not outsourcing to the EU. We are part of the European Union. It is important that we acknowledge that and a common approach is the best, which is why we have opted in to the European asylum and migration pact.

It is also worth noting, in light what seems to be a presumption that we are automatically bound by any agreement resulting from negotiations, that the aim is simply to give the Commission a mandate to negotiate with Kazakhstan on a readmission agreement. At that point, once an agreement is finalised, Ireland will then seek to opt in to that agreement. It is important that Ireland opt in at this initial stage because, contrary to what the Social Democrats might like, it shows solidarity with our EU partners and at the same time ensures that Ireland's interests, including having an efficient and streamlined EU return process, are fully reflected in the negotiating mandate. A well-functioning return system fully and seamlessly integrated with the new common European asylum system is essential, and we have often heard that return is the missing link from achievement represented by the agreement on the overall European asylum pact reform.

With regard to the pact reform, some of the measures Deputies have outlined in their contributions looking to have a more streamlined approach and a faster system. Contrary to the remark made earlier, a faster system would actually be fairer to everybody, including people going through the process. We recognise the need for that change, which is why we are so determined to make sure that we transpose the migration pact into Irish legislation to enable that faster and more streamlined process to take place. The readmission agreement would reaffirm that it would be applied in such a way as to ensure the protection of human rights. There is a constant refrain that we seem to be ignoring this; that is not the case.

I cannot understand the position the Social Democrats seem to be taking on this and their opposition to it. At one point they said, though they do not seem to say it any more in their contributions, that they were in favour of deportations and that they accept it as part of a process. Deputy Gannon's colleague sitting behind him told me on radio that she accepted the fact that deportations were an essential part of the process.

Deputy Gary Gannon: We all do.

Deputy Colm Brophy: All the Government has done with regard to deportation flights is to see the process through, and it is important to recognise that.

Deputy Sinéad Gibney: It is the manner of communication around it.

Deputy Colm Brophy: There is no desire by the Government to initially move to things like deportation flights. They are an end part of a process where we actually believe people have been given an opportunity to voluntarily return at the start, and for people to engage in leaving in other ways.

Deputy Gary Gannon: Children cannot take that decision themselves.

Deputy Colm Brophy: It is a complete misrepresentation of the Government's position to say there is somehow any glee or joy in-----

Deputy Gary Gannon: We did not say that.

Deputy Colm Brophy: -----communicating on deportation flights, but they are part of it.

What we are doing here, as I said, is a process of engagement. I would ask, therefore, that the House would support this exercise for Ireland's opt-in in respect of this measure. I thank the Deputies for their consideration on this important matter.

Question put.

An Leas-Cheann Comhairle: In accordance with Standing Order 85(2), the division will be deferred until the voting block this evening.

We will suspend for a few minutes while we wait for the Minister, Deputy James Lawless.

Cuireadh an Dáil ar fionraí ar 3.04 p.m. agus cuireadh tús leis arís ar 3.14 p.m.

Sitting suspended at 3.04 p.m. and resumed at 3.14 p.m.

Proposed Approval of the Agreement Between the European Organization for Nuclear Research and Ireland: Motion

Minister for Further and Higher Education, Research, Innovation and Science (Deputy James Lawless): I move:

That Dáil Éireann approves the terms of:

(i) the Agreement between the European Organization for Nuclear Research (CERN) and Ireland concerning the Granting of the Status of Associate Member State of CERN, signed at Geneva on 8th May, 2025, and

(ii) the Protocol on the Privileges and Immunities of the European Organization for Nuclear Research,

copies of which were laid before Dáil Éireann on 27th May, 2025.

I am pleased to move this important motion. I know schedules are running a bit ahead of time. I was in attendance at the Oireachtas joint committee discussing this brief before I came to the Chamber. I think other Deputies may be making their ways across from that session as well because there is a lot of overlap between the two debates.

An Leas-Cheann Comhairle: They all know the timings of the Dáil.

Deputy James Lawless: The business is an hour ahead of schedule.

An Leas-Cheann Comhairle: It is the business of the Members to be present in the Dáil Chamber. Will the Minister continue with his statement?

11 June 2025

Deputy James Lawless: Established in 1954, the European Organization for Nuclear Research, known as CERN, is an intergovernmental organisation that operates the largest particle physics laboratory in the world. It is headquartered in Geneva and currently comprises 24 member states and ten associate member states.

Associate membership of CERN is a commitment in the programme for Government and a long-standing national ambition. It is also a personal ambition of mine, having advocated for

Ireland's membership of CERN since my time as Opposition spokesperson. I often called for this to happen from the other side of the House and I am particularly pleased to now be in a position to make it happen, as the relevant Minister on this side of the House.

Ireland applied for associate membership of CERN in late 2023. The CERN council approved Ireland's application earlier this year, so Ireland is now in a position to join as an associate member, pending Dáil approval of the agreements under discussion today. The signing ceremony took place on 8 May. It followed a visit I made in February of this year, and a previous visit made by the Tánaiste in the course of his Ministry. That signing ceremony is predicated on domestic ratification, which is the business before us today in terms of this motion.

The associate membership agreement and the CERN protocol on privileges and immunities are the two relevant instruments. The associate membership agreement sets out Ireland's rights and obligations as an associate member of CERN. This includes: the right to participate in CERN's scientific, training, and education programmes; the right to representation on CERN's governing bodies; the eligibility of Irish nationals for positions at CERN; and eligibility for Irish businesses to compete for contracts with the organisation. Ireland's obligations under the agreement include: an annual financial contribution to CERN, the granting of privileges and immunities to CERN staff, and engagement on periodic reviews of Ireland's status as an associate member state. Ireland's annual membership fee has been valued at €1.9 million in 2025 prices, subject to indexation.

The protocol on privileges and immunities is the second document included in today's vote. The privileges, immunities, inviolabilities, facilities, exemptions and rights in the protocol are in line with those provided for other comparable international bodies and agreements. Today's vote is a critical step in progressing the national ratification of associate membership. Should we vote to approve these documents today Ireland can expect to be an associate member state of CERN by autumn. I know that is critically important for the researchers, students and others who wish to avail of CERN's services to have this in place and complete by the end of this year. That will be enabled should this vote receive cross-House support.

While fundamental research is the focus of activity at CERN, the benefits of membership are far-reaching across research, innovation, enterprise and education, to name but a few. I will speak briefly on the many benefits that we can expect to flow from associate membership of CERN. Irish particle physicists, computer scientists and engineers will have the opportunity to work on world-class experiments. The cutting-edge skills that Irish students and researchers will develop at CERN span engineering, quantum technologies, data analytics, advanced materials and much more. Irish companies will be eligible to compete and bid for broader contracts with CERN, covering all business areas from services to the design and delivery of advanced equipment. These

contracts challenge and enable Irish firms to stay competitive and to compete at the very

forefront of innovation frontiers. Scientists at CERN investigate the chain of matter and go to questions fundamental to the history of our universe but also made many applied and practical discoveries along the way which have many real world and real time applications - many of which were not understood at the time of their discovery. For example, Tim Berners-Lee, working at CERN, invented the world wide web. He also pioneered the earliest touch screen technology. Both of these were incidental discoveries. In the case of the world wide web, it was a way to share information among scientists and fellow researchers working at CERN. It has gone on to become transformative across the world. There are many other such technologies and innovations that have emerged from CERN and that will emerge in the future. We need to consider what might be next, and how Ireland might support its scientific community in being at the leading edge and being discoverers and frontier makers ourselves. We are already seeing collaborations emerge between Ireland and CERN. Since Ireland applied for associate membership, Munster Technological University and Trinity College Dublin have each signed agreements with experiments at CERN to contribute to challenges in engineering. Those new partnerships show clear potential for engineers and other workers outside of particle physics to benefit from associate membership. International co-operation in research and innovation plays an important role in the development and sustainability of a world-class research and innovation system. International research organisations like CERN maximise the impact of international and national investment in research and innovation, as well as developing international collaborative relations.

I thank the community who have supported Ireland's application to CERN and who will continue to play a pivotal role in Ireland's engagement with CERN. On the occasion of my previous visit, I was joined by a significant travelling cohort from the Irish research and scientific communities. It is fair to say that there is universal acclaim and welcome for this development. It is something that was long awaited and anticipated among the science and research community. This day is something that many will be glad has come.

I commend this motion to the House. For the reasons outlined, I am requesting approval of the House today so that Ireland can join this world-leading international scientific collaboration. Tá súil agam go mbeimid go léir ar aon intinn gur deis iontach í seo. I hope all will agree with me that it is an excellent opportunity. I thank the House for their engagement and look forward to the debate.

Deputy Darren O'Rourke: I am sharing time with Deputy McGettigan. This a good day and a positive day. It has been a while coming and I know the Minister will agree with that, but it is welcome. There is significant opportunity with it for Irish scientists. There is an opportunity to collaborate, connect and lead of their own volition. That is there now and that is to be welcomed. I encourage the Minister to ensure that the environment is there to harness that opportunity. Thanks to their mother, my kids at the weekend were out at UCD Festival's Be Inspired event, which again is encouraging kids in Ireland from a young age to be scientifically aware and engage.

My next points are tangentially related but also relate specifically to scientific endeavour in Ireland. Yesterday, at the artificial intelligence, AI, committee, there was mention of a CERN for AI and the idea that this would not all be led by the private sector or big tech but would have collaborative public involvement. That is maybe something the Minister could take away and try to make some progress on.

The second point, which I have made previously to the Minister, relates to leaving certifi-

cate reform. What I am hearing clearly from the Irish Science Teachers Association, ISTA, is its concerns with the proposals as they are. I am a science graduate. I was in the small enough group that do three science subjects for the leaving certificate, although that was a long time ago. I am hearing from science teachers that they are concerned that the current approach to accelerated leaving certificate reform will undermine our scientific programmes and people completing the leaving certificate and moving on to third level education. I ask the Minister to please take an interest in that. It is all very much connected.

Generally speaking on this issue, this is a positive day and I hope we make significant progress.

Deputy Donna McGettigan: I welcome the recent signing of the associate membership agreement between Ireland and CERN. It is a long-overdue step and Sinn Féin will support it. We commend those who have worked to bring it to fruition. Let me be clear, however: this membership is more than symbolic. It is a game-changer. Sinn Féin believes firmly in the transformative power of science and education. This agreement with CERN will unlock real opportunities, not just for our universities and institutions but for our students, researchers, SMEs and communities across the island, North and South.

CERN is a global centre of excellence. Its contributions to science and technology are world-renowned. It is where the world wide web was born in 1989. This was a revolutionary idea created by Tim Berners-Lee to share files, and now it is one of the greatest tools for global communication and information exchange. This is the kind of innovation that CERN is known for, and now Ireland has a seat at that table. We believe in making the most of what CERN has to offer for our students, our scientists and our future workforce. This partnership opens doors to training, internships, fellowships and cutting-edge research. CERN provides world-class training in physics, engineering, computing and data science, fields that are critical to Ireland's future economy. The summer schools, the fellowships and the technical programs will help us retain our brightest minds and grow our STEM sector. These are not abstract ideas; they are real pathways for young people here to gain top-tier skills and experience. Importantly, this membership allows students to work in international teams, learn to solve global challenges and develop the collaboration and problem-solving skills that are so highly valued in today's economy. Indeed, this is not only about academia. CERN is also a major economic opportunity. Irish SMEs will now be eligible to bid for high-tech procurement contracts worth hundreds of millions of euro each year. This creates scope for jobs, innovation and investment in Irish industry.

For an annual contribution of €1.9 million over the next five years, Ireland gains access to CERN's scientific programmes. Our researchers will become eligible for fellowships and staff positions. Our businesses can enter competitive procurement processes. That is excellent value, but we still need clarity on key details. We need these clear answers. How exactly will Ireland's financial contribution be managed? Are there costs associated with future CERN projects, like the future circular collider, that we are expected to shoulder? Are these costs in line with other international research partnerships we have joined? Sinn Féin supports research and innovation, but the public deserves transparency and assurance that this investment delivers for the whole island. This is central to our vision because CERN must be for everyone, not just the few. The potential of this partnership cannot be limited to those already privileged to access science and tech careers. We must use this opportunity to break down barriers to bring working-class communities, rural communities and disadvantaged students into the fold. CERN's open, collaborative approach aligns with our vision for an Ireland that is fair, equal, and innovation led. Just as the world wide web brought the world closer together, CERN can be

a tool to bridge gaps within our own society. Students from disadvantaged areas deserve to see what is possible. Visits to CERN, hands-on experience with global science and the chance to work shoulder to shoulder with world-class researchers - these are powerful motivators. They can inspire the next generation to dream big and achieve more.

Sinn Féin believes that talent and potential exist in every part of Ireland, from Belfast to Cork, from Derry to Donegal, and in every rural parish in between. This partnership must deliver North and South, urban and rural, fairly and equally. We already have excellent cross-Border scientific collaboration, such as the partnership between the Dunsink Observatory and the Armagh Observatory and Planetarium. Together, they have launched the Astronomical Observatories of Ireland, highlighting our shared legacy in astronomy. This CERN partnership must now build on that legacy and expand it. Through associate membership, we can create even more opportunities for all-island education, research and innovation. Students, researchers and businesses, regardless of where they are from, will work together in world-class scientific programmes. That means more shared growth, better education outcomes and stronger links across our island. We must ensure this becomes a reality.

CERN's director for international relations, Charlotte Lindberg Warakaulle, recently told the Minister that Irish industry already has a strong footprint at CERN, even before we join as associate members. That is a powerful indication of the potential that lies ahead, but it also highlights the disadvantage our physicists have faced up to now. Many have had to emigrate to do leading research. That is not right and it is not sustainable. With this agreement, we must begin to change that, but we must follow through with action, support and a shared commitment to ensure that CERN benefits the many, not the few.

Deputy Eoghan Kenny: I welcome the fact Ireland will become an associate member of CERN, and my colleagues in the Labour Party will be happy to support this motion. Scientific and academic research are significant assets to Ireland. This membership has been pushed for a long time by many in the academic community in Ireland, so I congratulate the Minister on having got it over the line. It will serve scientific research in our third level institutions well. Ireland becoming an associate member of CERN will provide new pathways and resources in scientific and academic research for many in the academic community, as outlined in the Minister's statement. All of these pathways, including masters and PhD programmes, apprenticeships, internships and technical training experience, are very welcome additions to the sector.

Our third level sector and our academic and scientific research programmes in Ireland provide this sector with a positive reputation nationally and internationally. That is down to the hard work and thirst for knowledge and information from our PhD students and those working in our research facilities such as the Tyndall National Institute in my own county of Cork. The Tyndall National Institute has been operating in Cork for over 40 years, as the Minister will be well aware, and continues to grow its presence and increase its research income and income from industry. It is a staple of academic society in Cork and we are very proud of it. It has provided a home for excellent research and further studies for thousands of people across Ireland.

It is vitally important to highlight that while Ireland has a good reputation and our scientific research institutions are performing well, many PhD students are seriously struggling due to the wages they are paid. We have heard many calls from the Postgraduate Workers Organisation for a living wage for PhD students over the last number of years. When you read the stories about the reality for many PhD students, you cannot help but feel the injustice they experience. PhD students put in long hours and work hard to contribute to Ireland's scientific and academic

research but for many at the end of the month they are short money for their bills, their rent and their common everyday purchases. That is simply not right. Those people on the ground, carrying out the work we all commend, are struggling to get by. It is also worth pointing out as it is quite noteworthy that a student who is participating in PhD studies, and whose work has often been in further education for much of their academic time, may never have been working full time. They may have been working part time through their studies and now when they get to their PhD the remuneration can be overwhelmingly paltry. In addition, these students do not have the same protections as many others, including regarding sick leave and holiday pay. I accept that this is a very broad area and one that it is not solely in the Minister's gift to fix but I would sincerely ask him to take action on this issue, to engage proactively with Postgraduate Workers Organisation and to ensure these students, who provide such a vital function to higher education, science and research, are not skint at the end of each month.

As I have previously done on a number of occasions at this stage, I wish to highlight the issues affecting students who come to Ireland to undertake scientific research and studies. International students in further and higher education, science and research, make a significant contribution to our economy and society. Universities across Ireland are conducting vital research through the hard work and dedication of international students. I highlight the work of all PhD students in University College Cork in my own county. This fantastic work serves the betterment of our third level institutions. However, registration fees for international students must be looked at, given that these students must already pay considerable amounts to get a place in our universities and face the same housing and cost-of-living barriers as domestic students.

In this regard, as I have raised with the Minister previously, we must extend the duration of visas for international students so that they are valid for the length of their course or programme rather than having to be renewed annually. Annual renewal puts unnecessary pressure on students but also contributes to more administrative work in immigration and college admissions offices. It is common sense that if a student is here for a four-year course, they should have a four-year visa. It makes sense. I also welcome the fact that, as we heard during the committee earlier, there are significant costs that are covered by the Department with regard to postgraduate fees, PhD fees and postdoc fees but it needs to be highlighted even further that opportunities can be made available for those doing undergraduate degrees or masters degrees. Now that we have become part of CERN, we provide far more incentives for students to continue their studies and provide Ireland with the opportunity for scientific research, innovation and skills right across all our institutions. This is a very welcome development. I congratulate the Minister once again.

Deputy Jen Cummins: Today's motion is a very important milestone in Ireland's journey as a modern knowledge society where research, innovation and international co-operation are placed at the centre of national development. The decision to seek associate membership of CERN is not just a symbolic act; it is a declaration of intent and a clear statement that Ireland sees itself as a serious player in global scientific research. It aligns us with over 20 European countries that recognise that investment in science is not a luxury but a strategic necessity. It is a gateway to opportunity for our universities, our industries and, above all, our students and researchers. It opens the door to participation in groundbreaking projects, collaborations with some of the brightest minds in the world and access to world-class infrastructure.

Countries of a comparable size to us such as Norway and Portugal have reaped significant rewards for their involvement. They have not only seen the scientific benefits but also the commercial and reputational gains. Their universities attract more international talent and their

students gain exposure to frontier science. Their industries secure contracts and research and development partnerships that might otherwise be out of reach. However, if we are serious about competing on this stage, we must look at our own house because international partnerships are only going to get stronger as the domestic system supports them. To that end, we need to look at the fact that science is not just in laboratories; it starts in our classrooms here at home. When we look at, for example, our current school system, it really struggles to cultivate the scientists and engineers of tomorrow. An example of that would be the leaving certificate, in respect of which reform is overdue. It is still driven by rote learning and leaves little space for experimentation or cross-disciplinary thinking, skills that are really necessary in this modern scientific innovation.

The recent ASTI ballots highlighted frustrations around workload, school infrastructure and limited resources for STEM teaching. According to a 2023 survey of the Irish Science Teachers Association, over 40% of Irish secondary schools lack dedicated laboratory facilities. If we are going to compete and have the brilliant minds we have here going to places like CERN, they need to have those laboratories in the classroom when they are starting on their scientific journey. They also face a shortage of qualified STEM teachers. The Teaching Council's own data shows consistent recruitment difficulties, particularly in physics and computer science. If we cannot find staff for our schools with these specialist teachers, we are narrowing the pipeline of people going on to university and third level to study STEM. Our universities punch well above their weight in global rankings but the system is under increased strain. Core public funding remains below the EU average and has not kept pace with the rising number of students or the demands of high-impact research. Instead, many third level institutes rely heavily on external and private sources, sometimes at the expense of independent, long-term academic inquiry. It is not just about the infrastructure; it is also about the PhD students. We need to address how PhD students are furthering research here and how they are being paid for that. We need to review that model. These students are so important to research and we cannot treat them as an afterthought. We really must ensure their terms and conditions are put on a suitable standing. Then there are postdocs. The postdoc land is so important. You can get a doctorate but it is what you do with that afterwards. What are the possibilities for those postdocs? How are they resourced? What are the opportunities to further that sort of research? We need to do that further.

I am aware of an institute called the Helmholtz-Zentrum in Dresden in Germany. My son visited it as part of transition year for science. It was an amazing institute for a young person to visit to explore the things they are doing there. He described it as being life-changing for him. That is the path he wants to go on. I know this opportunity is not available for every single child in this country but would it not be fantastic if we had a *zentrum* or an institute like that here so that children do not have to travel? We would have it here so that transition year students who think they might be interested in getting to do STEM would have that opportunity to explore in a real institute and a real laboratory what is going on. When they are able to engage on a real rather than theoretical level, that is where the love will come from for them.

The Social Democrats are delighted that we are going to have associate membership of CERN, and while we are very proud of that, there are a number of things we need to bear in mind. If we are going to continue with CERN into the future, we need to get our own house in order. What we are looking for is modern science laboratories in every school. I would go so far as to say that we have to start at primary and pre-primary level because the exploration of STEM is so important from as early an age as possible. That is how people become passionate about it and when people have passion for learning, we will have great minds and great people

involved. We need to have fully qualified teachers for all STEM subjects and a sustainable funding model for third level education on a multi-annual basis. We also need to have a living wage for PhD students and a clear post-doctoral pathway. I would love to see a national centre of research excellence for all things STEM.

I congratulate the Minister and all of those involved in this. It is a great day and we can only improve on this. I am not criticising here. I really just want to say that it is a great day and let us try to make it even better.

Deputy Paul Nicholas Gogarty: Ireland's associate membership of CERN is a fantastic step forward in science, technology and innovation in this country. As a TD, I was happy to be able to offer a pairing to the Minister during his recent visit. Great thanks is due to the Minister and his team for facilitating this associate agreement. Well done to all. As an associate member we will have access to what is one of the world's most advanced research institutions in particle physics where, without over-exaggerating, the building blocks of the universe are explored and groundbreaking discoveries are made. Most of us will be familiar with the Large Hadron Collider which is the world's largest and most powerful particle accelerator, with 27 km of tunnel used to study fundamental particles and interactions. It was in the news back in 2012 when the Higgs boson, which was hypothesised back in the 1960s, was formally identified in its nature at the CERN facility. Ireland was already involved in various collaborations including universal research participation experiments and engagement in related fields like computer science and medical physics but this partnership opens the door further for Irish researchers, engineers and students. As others have said, there will be great opportunities for our students to collaborate on cutting-edge experiments and contribute to scientific achievements. Our universities can have more formal and widespread participation in CERN projects which will strengthen our STEM potential. However, it must be said in that context that we still have a bit of work to do in terms of our investment in STEM and encouraging girls in particular to get involved. Statistics show that in many cases girls outperform boys but there is a confidence issue and not enough women are taking STEM subjects. We need to maximise our own home-grown talent but CERN membership also provides us with the opportunity to bring talent into Ireland. Indeed, many US researchers might find Ireland a more attractive proposition now. Well done to all.

Deputy Michael Collins: I support the motion for Ireland to become an associate member of CERN, the European organisation for nuclear research. I do so on behalf of Independent Ireland with a clear sense of what this should mean for the Irish people. Let me be straight. My party is no cheerleader for big, wasteful public spending or for projects that line the pockets of consultants while ordinary people get no benefits. Neither are we in the business of signing up to European groupthink or handing away our neutrality, which we value dearly. What we are in favour of is common sense, value for money and supporting our own young people. We believe in giving our young people opportunities, giving Irish businesses a fair crack of the whip and backing innovation that can help Ireland to thrive. On that basis, this membership, if properly managed and tightly monitored, has the potential to deliver for Ireland.

Let us look at the facts. CERN is not a political project; it is a science organisation where some of the world's finest minds come together to work on fundamental science and practical innovation. From the Internet, to MRI machines and modern cancer treatments, CERN's work has had real benefits for ordinary people. Ireland is one of only a few European countries not formally linked with CERN, which leaves our young people, researchers and businesses locked out of world-class opportunities. As an associate member we can give Irish students and graduates access to training and internships at CERN and enable Irish firms, including small and

medium-sized businesses, to bid for contracts at CERN which are worth millions. This will support Ireland's leadership in fields like big data and medical technology, sectors in which we are already strong and where our SMEs can drive on.

I understand that membership comes at a cost and I hope that the money involved will be carefully accounted for. Let me be crystal clear: Independent Ireland would not sign up to this unless we believed it will deliver clear value for the Irish taxpayer. We ask that there be a full cost-benefit review after three years before any application for full membership is made. I hope there will be strict monitoring to ensure this does not evolve into another gold-plated club for a few academics while the country foots the bill. We will also insist that Ireland's sovereignty and neutrality remain untouched. CERN is a science body, not a military or EU army project. Any attempt to link this to a wider political alignment will be opposed.

Deputy Paul Lawless: I welcome the very positive news that Ireland will become an associate member of CERN. Ireland has a rich history in research and scientific innovation. Indeed, the Nobel science laureate, Ernest Walton, who was the first person to split the atom, should be recognised here today. Membership will open doors for Irish researchers to take part in CERN scientific programmes and make Irish citizens eligible for staff positions and fellowships. We have an enormous amount of home-grown talent but as a small country, we have limited opportunities for growth. CERN membership will help to address that particular deficit. As the Minister knows well, it is essential to support academics in their research and encourage more people to undertake PhDs and research and innovation in this country. We are a great country with very hard-working, bright and innovative people. I hope the Department will seek to support innovative PhD research projects in the years ahead.

I wish to raise the matter of PhD stipends today. I welcome the fact that the programme for Government seeks to increase the stipend by €2,000 but this does not keep up with inflation. This is something that the Minister should focus on and prioritise because it is a really important part of the academic sphere in the country. If we want to develop and build on Ireland's position as a centre of innovation, we have to make sure that these positions are attractive to graduates. We should also encourage the promotion of corporate partnerships. This has been a positive move in recent years but a lot more needs to happen in this space. I am aware of one doctoral researcher who has partnered with Fitbit due to her PhD work. The Department should look at supporting individual students as well as supporting private companies through tax breaks, incentives and so on.

I welcome this development and look forward to updates on it in the years ahead.

Deputy Malcolm Byrne: I warmly welcome Ireland's decision to apply for associate membership of CERN and want to see a strategy of us moving towards full membership. I commend the Minister personally. He has been a big supporter of this. Indeed, he and I laboured in the last Oireachtas to ensure that this got over the line. I also commend his departmental officials on the work done to join the world's largest and possibly most important scientific research centre. I also want to mention the fact that a lot of the campaigning here was led by research students, particularly Michael Mitchell, a PhD candidate in Trinity College. He led on this and sought to influence, correctly, Government policy in this regard. It is not enough for us to just look at joining CERN, however. We need a CERN strategy and I know the Minister believes in this. Such a strategy would look at supporting researchers, our universities and other research institutions partnering with others around the world. The UCD experimental particle physics group played a role in working with CERN on the Higgs boson discovery. It is important that

we partner with the universities and develop that strategy. Ireland has always been committed to multilateralism. I say to Deputy Collins that this is a peaceful institution. It is about global co-operation in the scientific community.

We should go further. There are other organisations I would support us joining, including the Antarctic Treaty Organisation. Given the opportunities that now present with new technologies, a CERN for artificial intelligence, in which Ireland could play a leading role, is something we should consider. I thank the Minister and his Department for their work.

Deputy Cathal Crowe: I welcome the opportunity to contribute to this discussion. As other speakers said, it is important that we move in the near future to full membership of CERN. It is an incredible organisation at the cutting edge of science. The health sciences showed us during the Covid years how important it is for countries to work beyond international borders. Scientific questions, health problems and crises no longer follow the linear boundaries of nation states but move far beyond them. If we are to advance scientific causes further, we need to work on a transnational basis with European partners and organisations like CERN.

In realm of cutting-edge science, we saw during the previous Dáil term Ireland's first satellite launch into space. Yet, the national aviation policy still speaks of things like commercial air traffic and cargo traffic. It does not refer to any of the new forms of aviation. I thank the Minister for recently visiting the University of Limerick, where he saw how aviation and undersea robotics are advancing. I hope that is an area on which he will give further leadership within his Department.

Deputy Naoise Ó Cearúil: I welcome Ireland's associate membership of CERN and, like others, I would encourage our moving towards full membership. I acknowledge the work done in this regard by the Minister, by Deputy Malcolm Byrne and by the previous Oireachtas. We really need to focus on the many positives coming out of this. The most important thing to bear in mind is that we get far more out of our associate membership than we put into it. There are opportunities for PhD students, researchers and staff and also in terms of the contracts that will be available to Irish companies in the future. Studying physics in secondary school, I was surprised to learn Ireland was not a member of CERN. It is great to see this step forward. I welcome our associate membership and look forward to seeing us progress to full membership in the future.

Deputy Paul McAuliffe: The Minister is one of those people who was certain about CERN a long time ago. While that organisation might operate at the speed of light, the implementation of our associate membership, unfortunately, did not. This is a small step in some ways but it also represents an important underlining of the investment by Governments over many decades in education and research, which has put Ireland and the Irish population in a place where we can benefit from international investment. All of that has helped to create jobs and generate the proceeds of taxation we can use to progress further. This development is another step forward in providing access for Irish researchers to a very important facility.

The Minister was in DCU a few months ago to open the new Polaris building. Students there will have access to its facilities and will be able to progress their research. I thank the Minister for the work he has done. As others have said, we need to go further and create the demand for a sufficient number to avail of the new opportunities in order that we can go to full membership. To do that, we must encourage those involved in research centres in our universities and elsewhere.

Deputy Barry Ward: This is a fantastic and really important opportunity for Ireland. I applaud those who have pushed it, particularly our academics. They are not gold-plated academics, as described by another Deputy in an absolutely glib and throwaway remark. That remark is part of the myopia that sometimes goes along with initiatives that involve spending money. An investment of €1.9 million in the context of what we spend on research in this country is insignificant but it gives us access to a very significant resource. It gives our academics, who are at the coalface of genuinely practical research, an opportunity to join with their international colleagues in making real progress on the questions that affect us, energy being the obvious one. The potential for solutions in the area of energy generation is enormous.

Why would certain commentators stop at making glib remarks like the one I mentioned? Why not also throw out the idea of being opposed to our membership of CERN in case its research is used for military purposes? This is despite the fact the founding documents of CERN specifically preclude any involvement in producing material for military use. CERN has been a very strong proponent of non-proliferation since its inception. Part of the myopia I mentioned is wanting to score a point and throwing an idea out there to try to confuse matters and give people a reason this might not be a good idea. In fact, there is nothing bad in this proposal. It is inexpensive in the scheme of things, even though it involves a huge amount of money, but the access it gives to our academics makes us part of an international community of which we always should always have been a part.

My understanding is that once we become associate members of CERN, 25 of the 27 European Union member states, with the exception of Slovenia and Malta, will be either full members or associate members. Why would we not want to be part of that club? Why would we not want our academics, our researchers in particle physics and nuclear physics and our engineers to have the opportunity to join with their international colleagues in CERN and be part of what are some of the biggest and most important research projects in the world? It is a wonderful initiative. I applaud the Government for bringing forward this proposal and the Minister for his work on it. I look forward to the fruits that will be gathered by our academics, our economy and our people from being part of this important endeavour.

Minister for Further and Higher Education, Research, Innovation and Science (Deputy James Lawless): Gabhaim buíochas leis na Teachtaí Dála a labhair sa díospóireacht seo. It has been a worthwhile debate. I welcome the support for the motion from across the House. What is rare is wonderful. We do not see such agreement often but, when we do, it is something to celebrate. I thank the Deputies on all sides of the Chamber who contributed.

I acknowledge the contribution of the scientific community to this achievement. I visited CERN for the first time in 2018 as an Opposition spokesperson. Professor Ronan McNulty of UCD really led the charge on this for many years. He invited me along on that trip, together with Dr. Kevin Byrne and his brother Dr. Joe Byrne. Professor Sinéad Ryan, now dean of research at Trinity College, who was also there, has been an advocate in this area for a long time. There are many others, some of whom were mentioned in the course of this debate, who laboured in the vineyard for some time to make this happen. It is a cause for great celebration and acclaim for them as they see their efforts rewarded and brought to fruition.

We are able now to take the next step and avail of the opportunities this creates for the Irish academic community. There are plans to leverage our membership. A national advisory council will be set up to grow the research community and the research capacity in particle physics and the related disciplines that concern CERN. We must take full advantage of the opportuni-

ties that present. Deputy Byrne talked about a CERN strategy; the national advisory council will be in a similar vein. There may well be an industrial liaison officer as part of that exercise.

As noted in the debate, this development is about a tremendous academic collaboration but it is also an industrial, enterprise and research endeavour. There are opportunities for Irish businesses and enterprises to be part of the wider journey and, in fact, that is already happening. At the institutional level, Munster Technological University and Trinity College are both engaged in collaborations. Tyndall National Institute in Cork has a collaboration.

The fulcrum of activity at CERN is high-end research and seeking to unmask the secrets of the universe through high-end collisions and the operation of the Large Hadron Collider. However, it also offers every sort of supporting technology. When I was there, I witnessed high-performance computing, stacks of Oracle mainframes and servers and a range of data analytics. There was great engineering prowess involved in the tunnelling to create the Large Hadron Collider. There are also electrical supports, scanners and detectors. A massive engineering effort, civil, electronic and computer science engineering, goes into that. There are many opportunities, including in the trades, for Irish businesses to co-operate and contribute. I expect we will see that right across every spectrum of activity, with a huge opportunity to contribute.

Several Deputies mentioned PhD students. I am working to increase the level of support provided to researchers across the board. I draw attention to a recent letter to *The Irish Times* from Professor John Doyle of DCU in which he compared the situation of a student on a PhD stipend of €25,000 with that of a worker earning the same rate.

4 o'clock

It is not like for like because PhD students have their fees paid, they do not pay any deductions, there is no PAYE or PRSI on that stipend and they may be in receipt of grant funding as well. It was well put in that letter.

Deputy Jen Cummins spoke about the importance at primary and pre-primary level. Recently I participated in the Curious Minds initiative by Research Ireland, which encourages awareness in primary schools. It was pivotal that I was able to travel to Geneva to sign the treaty. It was only possible because Deputy Gogarty allowed me to be paired for the election of the Leas-Cheann Comhairle, at a time when pairs were not forthcoming from other sides of the House. I thank him for that. Deputy Gogarty made a real practical contribution that day by agreeing to pair with me so I could attend without any fear that any votes might be lost along the way. That was very important.

We are signing today as associate members. It is important to understand that this is something that has very much been the mark set in conjunction with the research community. A question was asked about why we have not taken out full membership. This is a level to which we aspire and to which we intend to grow. The research community is of a size and scale that associate membership is appropriate. This view is shared by the research community and CERN but it is a journey. As we grow our engagement, involvement and capacity, the intention is that the bandwidth will grow also. We may well aspire to full membership in due course and I will support that journey, but this is the right approach and level to enter on and it is something we do with the full support and faith of the research community. It is very much a testament to it and I thank all those who have laboured in the vineyard to make this happen. I look forward to it bearing fruit.

Question put and agreed to.

Cuireadh an Dáil ar fionraí ar 4.02 p.m. agus cuireadh tús leis arís ar 4.59 p.m.

Sitting suspended at 4.02 p.m. and resumed at 4.59 p.m.

Gnó na Dála - Business of Dáil

Minister of State at the Department of the Taoiseach (Deputy Mary Butler): In relation to Thursday's business, it is proposed that:

1. notwithstanding anything in the Order of the Dáil of yesterday, the ordinary routine of business as contained in Schedule 3 to Standing Orders shall be modified to the extent that topical issues shall be taken on the conclusion of the Statements on Nursing Homes and the Care of Older Persons, with consequential effect on the commencement time for Second Stage of the Criminal Law (Prohibition of the Disclosure of Counselling Records) Bill 2025 and on the time for the adjournment of the Dáil; and

2. the Statements on Nursing Homes and Care of Older Persons shall be interrupted and stand adjourned after 2 hours and the order of speaking and allocation of time shall be as follows:

(i) the arrangements for the statements shall be the same as those agreed for the Statements on Housing yesterday;

(ii) any speaking slots which are not reached may be taken on Wednesday, 18th June 2025, in accordance with the agreed sequence; and

(iii) members may share time.

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

Mental Health Bill 2024: Committee Stage

Minister of State at the Department of Health (Deputy Mary Butler): I am delighted to be here to discuss the Mental Health Bill 2024 on Committee Stage. The Bill was published in July of last year and I brought it to Second Stage in September. Since that time, officials in my Department have been working on amendments to improve the Bill based on further readings and consultation with stakeholders and other Government Departments and agencies. The review of the Mental Health Act and the development of a new Mental Health Bill have been a long-standing priority of the Department of Health and of mine and feature in the current programme for Government, as well as in previous programmes for government.

The Mental Health Act 2001, which was fully commenced in 2006, is the key legislation in place regarding the rights of people involuntarily detained and treated in inpatient mental health settings, known as approved centres under the Act. It was generally regarded as forward-thinking and progressive legislation for its time. However, considering the developments in mental health policy and services over the past two decades, the 2001 Act does not fully reflect our approach to mental health services now, such as the shift towards community-based services,

the adoption of a recovery approach in service delivery and the involvement of service users as partners in their own care and in the development of the services.

A large-scale expert group review was carried out on the 2001 Act. The group drew on expertise from the field of psychiatry, the law and people with lived experience of mental health services. The group published its report in 2015. It included 165 recommendations, most of which related to legislative changes. These recommendations formed the basis of the Government's decision to amend the Act and are broadly reflected in the 2024 Bill.

Since the publication of the expert group's recommendations, there have been a number of key developments in Ireland regarding the rights of people with mental health difficulties in terms of both domestic legislation and our obligations under international human rights instruments.

Ireland ratified the United Nations Convention on the Rights of Persons with Disabilities in 2018, with a declaration that Ireland's understanding of the convention allows for the involuntary admission and treatment of people with mental disorders where it is a last resort and subject to appropriate legal safeguards. The convention provides for a rights-based approach to disability, and the rights accrued by people under the convention had to be carefully considered in the drafting of the Bill.

After taking office in 2020, I asked officials in the Department to undertake a further public consultation on the review of the 2001 Act, providing an opportunity for the voice of people who use our mental services and their families, those working under the Act every day and other key stakeholders to be heard and to directly impact the development of this legislation. This was an important initiative in ensuring that the voices of people affected by the Act were heard, particularly since a number of years had passed since the expert group and we were dealing with the unprecedented crisis posed by Covid. This report summarises the feedback from the 100 submissions received between March and April 2021. It highlights the paramount importance of this review, ensuring that the wide breadth of views and opinions on the Act is fully considered.

Furthermore, the Assisted Decision-Making (Capacity) Act was enacted in 2015 and commenced in 2023. This landmark Act provides for a sea change in how the rights of people with impaired or no capacity are properly vindicated and their known will and preferences respected. This Act currently applies to a limited cohort of people detained under the Mental Health Act 2001.

Considering the significant legal and ethical considerations involved in the Bill, it was important to ensure there was ongoing consultation with key stakeholders throughout the drafting of the Bill. In particular, there was and is extensive consultation with the Mental Health Commission, as the regulator of mental health services, and the HSE, as the main provider of mental health services in the State.

The Department also consulted widely with other stakeholders, such as Mental Health Reform and its various member organisations, professional representative groups such as the College of Psychiatrists and the Psychological Society of Ireland, the Ombudsman for Children, and other Government Departments and agencies. The expertise and input of these organisations have been very important to the development of the published Bill and the proposed Government amendments to the Bill, and I thank all these organisations for their continued support

in improving the Bill. The Department is satisfied that the wide-ranging, extensive consultation with stakeholders from all sectors and the comprehensive review of the existing Act have impacted positively the development of the Mental Health Bill.

The purpose of the Mental Health Bill 2024 is to move the Mental Health Act towards empowering people accessing mental health services to make decisions about their own healthcare as much as possible. While it may be necessary to provide for involuntary detention in the future, the Bill seeks to bring this practice in line with Ireland's obligations under the CRPD and with Sharing the Vision. I look forward to a positive, healthy debate in the Chamber this evening and working towards the enactment of this legislation as soon as possible.

SECTION 1

Question proposed: "That section 1 stand part of the Bill."

Deputy Mary Butler: Section 1 of the Bill provides for the Short Title of the Bill, which shall be known as the Mental Health Act 2025, and provides for the commencement of the enactment either as a whole or in part.

Question put and agreed to.

SECTION 2

An Leas-Cheann Comhairle: Amendments Nos. 1, 34, 44, 49, 51 and 54 are related and may be discussed together.

Deputy Mary Butler: I move amendment No. 1:

In page 12, between lines 22 and 23, to insert the following:

" "Act of 2018" means the Domestic Violence Act 2018;"

These amendments all relate to references to the Domestic Violence Act 2018. The 2018 Act amended section 9 of the Mental Health Act 2001 to ensure that the definition of "spouse" and "civil partner" in the 2001 Act did not include spouses and civil partners in respect of whom an application for an order or an order has been made under the Domestic Violence Act 2018. These references were omitted from the Mental Health Bill 2024 on publication last year. It was acknowledged at the time of publication that references to the Mental Health Act 2001 in other enactments would need to be amended on Committee Stage. This includes references to the Domestic Violence Act 2018.

Amendment No. 1 inserts a reference to the Domestic Violence Act 2018 in the interpretation section.

Amendment No. 34 inserts a reference to the interpretation section to state that "relevant person" has the meaning assigned to it in section 15.

Amendment No. 44 ensures that the reference to spouse in section 12 does not include a spouse in respect of whom an application for an order or an order has been made under the Domestic Violence Act 2018.

Amendments Nos. 49 and 51 insert the same amendment to the term "spouse" in sections 14 and 15.

11 June 2025

Amendment No. 54 ensures that a spouse cannot make an application for involuntary admission where an application for an order or an order has been made in respect of that spouse under the Domestic Violence Act 2018.

I ask Deputies to support the amendments in this grouping to ensure that the appropriate references to the Domestic Violence Act 2018 are included in the Bill.

Deputy Sorca Clarke: I welcome this amendment. It is incredibly positive. For far too long those who have lived and who have endured domestic abuse have seen that abuse in other areas outside of the family home. To think that it could be extended to somebody who is suffering with their mental health is absolutely deplorable. This amendment is a good one and we will certainly support it.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 2:

In page 12, line 29, after “ “capacity” ” to insert “, in relation to an adult or a child,”.

This is a technical amendment to ensure the definition of capacity relates to both adults and to children.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 3:

In page 13, line 12, to delete “is appointed as the” and substitute “holds the office of”.

This is a technical amendment to replace the term “appointed as the” inspector of mental health services with the term “holds the office of” inspector of mental health services.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 4:

In page 13, line 20, after “by” to insert “the governing body of”.

This is a technical amendment to reference that the governing body of the registered acute mental health centre and not the centre itself appoints the clinical director.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 5:

In page 14, line 1, after “centre” ” to insert “, other than in *section 146*,”.

This is a technical amendment to provide clarity that references to a designated centre in this enactment refer to a designated centre under the Criminal Law (Insanity) Act 2006 and not a designated centre within the meaning of the Health Act 2004 except in section 146.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 6 and 33 are related and may be taken together.

Deputy Sorca Clarke: I move amendment No. 6:

In page 14, between lines 2 and 3, to insert the following:

“ “dual diagnosis” means the term used when a person experiences both a substance abuse problem and a mental health issue such as depression or an anxiety disorder. Treatment options must address both;”.

This amendment deals with the unaddressed issue of dual diagnosis and its treatment in our mental health services. It seeks to ensure the treatment of both conditions is addressed. For far too long, individuals struggling with both addiction and their mental health have been bounced from pillar to post while trying to seek the support they desperately need. These amendments seek to prioritise the rights and needs of people with dual diagnosis, embed best practice values into law and push the system towards an integrated, compassionate and effective level of care. Addiction and mental health issues often go hand in hand. One may lead to the other or compound the other with use as a coping mechanism, particularly in substances abuse. Unfortunately, the existing inadequacies in our mental health system are pushing those individuals into further risk when both of those needs are not met. The mental health issue is still there and is often worse and the addiction becomes more profound as people try to self-medicate or calm their mental health challenges. Without a structured and resourced dual diagnosis service, people will continue to fall between the two stools. That is grossly unfair. Sinn Féin has loudly been in the past, and will continue to be, a strong advocate for a no wrong door policy regardless of the number of challenges a person may be facing. This amendment seeks to embed that in the legislation by establishing a separate section for guiding principles. The amendment highlights that people with both mental health issues and substance abuse disorders require special consideration in policy and in service design. This prevents their needs from being overlooked in general mental health legislation and would be a significant move toward the holistic, co-ordinated and ethical treatment of a vulnerable group.

Deputy Conor D. McGuinness: I speak in support of the amendment. Both the Minister of State and I have dealt with situations where people have sought the help of mental health services and have been effectively told they need to address the other issue, go elsewhere before they go to them or not to come to them at all. That is not good enough in the modern age. As Deputy Clarke said, there should be no wrong door. When somebody presents looking for help be it at mental health services or any other healthcare service, they need to be looked after. This is an important amendment. The principle of no wrong route to service needs to inform every activity in the mental health system, in dual diagnosis in the case of addiction and also in the case of people who have been or have yet to be diagnosed with ASD, for example. I think we are both aware of cases in which people were told go and address that diagnosis or issue before coming to mental health services.

Deputy Mary Butler: Amendments Nos. 6 and 33 have been grouped together. I will speak about both at this time. Both amendments relate to dual diagnosis. Amendment No. 6 provides for a definition of dual diagnosis and amendment No. 33 provides for a set of guiding principles in relation to dual diagnosis. I support increasing access to dual diagnosis services for people who need them and the thrust of what Deputy Clarke is trying to achieve. I will speak about ongoing efforts to improve dual diagnosis services. However, I am not supporting the amendments because it is not appropriate to reference them in the Bill. In relation to amendment No. 6, the Bill does not specify any mental health difficulty or mental disorder, including dual diagnosis. A person with a co-existing mental health difficulty and substance

use issue can access inpatient mental health services where the person meets the criteria for involuntary admission. As such, a person presenting with dual diagnosis is already accounted for in the current provisions of the Bill and should be able to access services based on need. Furthermore, “dual diagnosis” is a term that can be used to describe a person with a mental health difficulty and an intellectual disability. By defining dual diagnosis as a term that relates only to substance use problems and mental health difficulties, this would exclude other forms of dual diagnosis, which I know is not what the Deputy meant to do.

On amendment No. 33, the guiding principles of the Bill relate to supporting people to make decisions about their care and treatment, setting out a number of principles to be followed when making a decision on behalf of someone who is unable to do so. As such, the inclusion of a guiding principle that relates to the provision of dual diagnosis services would not align with the rest of the section. No further amendments have been proposed to include a reference to dual diagnosis anywhere else in the Bill except for in section 2 and section 10. A person with dual diagnosis may be treated under this enactment on the same basis as everyone else, provided they meet the criteria for involuntary admission. Regarding improving access to dual diagnosis services, it might be most appropriate for this to be led on at a service implementation and policy plan level rather than by way of legislation. If a legislative solution is required to the dual diagnosis issue, there may be scope to provide for this in the forthcoming regulations in relation to community mental health service regulation. That is the secondary legislation that will come next in relation to CAMHS and community residences. We can explore it there if the Deputy is open to it.

On improving access to dual diagnosis services, Government policies including Sharing the Vision and Reducing Harm, Supporting Recovery set out clear commitments to improving services for people with a dual diagnosis. Sharing the Vision, our national mental health policy, recognises that people with a dual diagnosis should have access to appropriate mental health services and supports. The Government is committed to a more integrated and holistic approach to the development of mental health, dual diagnosis and primary care services. Sharing the Vision is part of that approach and recommends several actions for dual diagnosis, with the implementation process led by the national implementation and monitoring committee and the HSE. The model of care for people with mental disorder and co-existing substance use disorder was endorsed by the College of Psychiatrists of Ireland and was launched jointly by the Minister of State, Deputy Naughton, and me in May 2023. It recommends the development of 12 adult specialist dual diagnosis teams nationally and four adolescent hub teams. One of the key components of the model of care is the establishment of specialist teams to support individuals with dual diagnosis. Funding of more than €3 million has been provided to support recruitment in this area to date. Since the launch of the model of care, the development of specialist dual diagnosis services has been progressing. It is planned to develop two adolescent and two adult dual diagnosis teams this year. The roll-out of the dual diagnosis teams is progressing, with adult teams starting in Cork and Limerick in 2024 and two other adolescent teams currently being developed for Dublin. Under budget 2025, two further teams and additional posts have been funded for 2025. In the meantime, individuals who require treatment for dual diagnosis are being supported by the relevant HSE social inclusion addiction services in their community. For hospital admissions, people with dual diagnosis are treated through emergency departments. To summarise, on dual diagnosis across the Bill, there are no specifics, for example, whether clinical depression, an eating disorder or suicidal ideation. That will come later on in the secondary legislation. I am happy to work with the Deputies on dual diagnosis going forward. I have set out what we have done since the Minister of State, Deputy Naughton, and

I launched the model of care in 2023. There is €3 million in funding there and it is recurring. We have made progress and we are, as I said, recruiting across the board. That is the reason I cannot accept it, although I fully accept the spirit in which the Deputies suggested it.

Deputy Paul McAuliffe: I welcome the amendment because it opens the discussion on dual diagnosis, which is incredibly important. I was lucky enough to be part of the DCU Finglas Addiction Support Team, FAST, peer-reviewed research on dual diagnosis. There were a whole range of recommendations included within it. One of those was an amendment to the Mental Health Act that would ensure a no wrong door approach.

Of course, the no wrong door approach applies not just to those with dual diagnosis but also to those with other complex needs in the mental health space. The Minister of State's answer is quite useful in the sense that report was drafted in 2019 and a number of the recommendations have already been implemented. There is a clinical lead in this space and a number of intervention teams are also in place. That has happened as a result of budgetary changes which I thanked the Minister of State for. She has engaged with me on it as well.

There is probably more we can do to incorporate the spirit of what she said here and what the Deputies opposite have put forward. I only say this to be helpful, but often on Committee Stage a Member is offered the opportunity to withdraw the amendment on the basis we might come back to it at a later Stage to examine the proposal. If that was to be the case, I wonder whether there is an opportunity for the Minister of State to be able to examine the inclusion of dual diagnosis. I appreciate the difficulty of getting into the business of having one specific condition referenced in the legislation, but the report spoke about the no wrong door approach being enshrined in legislation. Perhaps on Report Stage the Minister of State can come back with amendments of her own that take into account the spirit of what Deputy Clarke is proposing.

The no wrong door concept is an appropriate one. The Minister of State is familiar with it but I will outline it for the record. It is very common that people present at a mental health facility and are not treated because they are engaged in substance abuse, or they seek treatment in a recovery centre but will not be treated because of a mental health condition. This means they often fall between two stools. The DCU report is very extensive. Very senior HSE officials and so on were involved in it. Perhaps the Minister of State's Department will examine it for Report Stage, whether the amendment is withdrawn or not. The Minister of State might consider bringing forward an amendment to encapsulate some of that.

Deputy Ruairí Ó Murchú: I imagine everybody in here to speak on this has dealt with those who have not been able to avail of mental health supports on the basis of addiction to alcohol or drugs, or both. We are talking about incredibly complex cases. I would welcome the tenor of what the Minister of State is saying, but we are dealing with too many cases where there has been an inability to provide people with the service they require for ongoing addiction, as I mentioned, but especially psychosis. An awful lot of these cases get funnelled through accident and emergency and end up creating a huge number of issues there. That is no place to deal with them from a harm reduction or even a care point of view.

It is commendable and correct for Deputy Clarke to look to have dual diagnosis nailed into this legislation on the basis we are all constantly being given this as the reason those who need care are not getting care. It is something that needs to be addressed in a holistic way. I get that legislation is not going to sort this, but in legislation we try to ensure we have a framework that

will deliver the service and at this point in time people are not getting the service.

We have all known, and Deputy McAuliffe spoke about it, people who have been refused the care they need. In some cases, we have dealt with tragic circumstances and in others we have been very lucky. If you speak to those in mental health services or those dealing with cases in accident and emergency regularly, this is a real problem. There is even the means by which assessments are made. I could talk about Dundalk, and I am aware the Minister of State met recently the Maxi's law group. In that particular case, there is an issue with assessments not being done in accident and emergency and people being referred to Crosslanes. The problem with Crosslanes is that it is a fully operational mental health facility and, therefore, assessments are only done when a doctor is available.

I am digressing from the legislation but it is not the first time I have done that in here. I support Deputy Clarke's amendment on the basis we really need to deal with the issue that is out there at the minute. People are being failed and are unable to get the service they require and it is impacting on the health service across the board, so it is something we need to see movement on.

Deputy Mark Ward: The Minister of State and I have had many debates over the years on mental health and dual diagnosis. The very first legislation I introduced here in 2021 was the Health (Amendment) (Dual Diagnosis: No Wrong Door) Bill. I introduced it because working in mental health and addiction services I saw the real need for that. I understand 100% why Deputy Clarke is looking to have this enshrined in the Bill because I fear if that is not done and this is not given the parity of esteem it needs, it could fall between the cracks. Vulnerable people who have addiction and substance misuse issues along with mental health issues often fall through the cracks.

When I was working in front-line services, I was working in an addiction service. Right across the road there was a mental health service. People were trying to access both services and were being sent away from the addiction services because staff in those services did not have the training and understanding of how to deal with mental health issues. People were going across to the mental health services and being told to go look after their addiction issue and then come back, so they were falling between the cracks. What often happens then is a community response takes place because the community has to evolve and respond to what is going on in that community. That is what happened there. The community responded by setting up a cross-departmental working group between the two services. It just evolved over time and it really works.

I have one question and the Minister of State might be able to come back to me on it. I am a bit concerned about her mentioning how this could be put in via secondary legislation. How long has this legislation taken to get to the Stage it is at? Secondary legislation could be another way of kicking this down the road. Dual diagnosis could be put on the long finger and not dealt with. Does she have a timeframe for that secondary legislation and when we would see anything like that implemented?

Deputy Mary Butler: I thank the Deputies for the comments. The mental health strategy before Sharing the Vision was A Vision for Change. We discussed that many times, as Deputy Ward said. It did not include dual diagnosis, so when we had Sharing the Vision - I think was launched in May 2020 because when I was appointed in June 2020 it was the first book on my desk - it included dual diagnosis. After Covid, we moved very quickly to put in place a model

of care. On the model of care, I reiterate there was money put behind it from the last three budgets in 2023, 2024 and 2025 to start rolling out the teams incrementally. We have had a team in Cork and Limerick since 2024, two other adolescent teams are currently being developed in Dublin and under budget 2025 two further teams and additional posts have been funded for this year. I will try to build on it again in next year's budget.

When we are developing a model of care across the whole country - and we have several models of care - I have to build them incrementally. There are challenges at times with recruitment, especially when it comes to getting the consultant psychiatrists to lead out on it. I feel very passionate about dual diagnosis, like all the Deputies here do. For many years people fell between the cracks in that regard. I will speak to what Deputy McAuliffe said. We have had a lot of discussions about dual diagnosis. For a lot of people, for example, you would think of dual diagnosis as automatically relating to mental health and addiction. However, there are lots of other dual diagnoses. There is mental health and autism, for example, and mental health and intellectual disability. There are quite a few different dual diagnoses. I have no problem with the thrust of what everyone is trying to achieve. However, I have to go with the legal advice I was given by the Office of the Parliamentary Counsel that it is not appropriate to reference it specifically in this Bill because it does not specify any mental health difficulty or mental disorder. The other piece relates to section 33. A definition of dual diagnosis provides for a set of guiding principles relating to dual diagnosis and specifically in what we are trying to achieve. For that reason, I cannot accept the amendment.

Deputy Ward spoke about secondary legislation. I have already written to the Mental Health Commission about the regulation of CAMHS and for it come up with a plan on how we will have to do it. That will involve secondary legislation, but my commitment is clear. As the Deputies know, Second Stage was last September. I was delighted to get the support of everyone in the House with the caveat that we would bring forward amendments and debate them at that stage. There has been a huge amount of engagement for the past six, seven and eight months, including during election time. We are now back here with four hours allocated to-night, more hours next Wednesday night and more the following Wednesday night. I will stay in the Dáil until I get this done. My commitment is there, and I thank all the Deputies for being here, because everyone sitting here has always shown an interest in mental health, going back many years.

I would like to support the amendment, but I am not in a position to do so. I would not be able to support it on Report Stage either. There are other amendments that will come forward on Report Stage regarding the Departments of justice and children. As a specific mental health difficulty being listed in primary legislation is unusual, I am not in a position to put it in. However, I am happy to work with Deputy Clarke to do more work on it going forward.

Deputy Pádraig Rice: I add our support to the amendment and say it is clear that people are falling through the cracks, being pushed from pillar to post and not getting the services and supports they need. There are real concerns, in particular, around addiction and substance abuse supports for people. In my city of Cork, it is a massive issue and there is a lack of supports and services there. There are also people with mental health issues. We support those amendments, particularly the guiding principles they seek to insert in the legislation. It is an important issue, and it should be dealt with.

Deputy Paul McAuliffe: I see the specific issue with trying to include a particular condition because there are many others that could be. I have reminded myself of the specific request in

the DCU FAST report, which is to do with people being committed to psychiatric institutions when they are under the influence. There is a difficulty with doing that. The way we might deal with it on Report Stage is that rather than looking for dual diagnosis to be included and named specifically, perhaps I will try to address it by way of an amendment that seeks to make it easier for people to be admitted or committed to a psychiatric institution if they are under the influence, to ensure if that is the only option, and it is a difficult option, their being under the influence would not prevent that course of treatment. Perhaps that is an alternative way. I appreciate the Minister of State's advice on it. I appreciate the sentiment that she supports the concept. I understand the legal difficulty of inserting a term that is not specific enough, which is essentially what she is saying. I might revisit it on Report Stage.

Deputy Sorca Clarke: I do not doubt the offer made by the Minister of State is genuine and my door is always open to her and we will talk further. I cannot withdraw this amendment and I will push it to a vote for the very reason Deputy McAuliffe mentioned. The DCU report was in 2019. It is now 2025, we are still standing here, and this is still an issue. With a view to those who are struggling with addiction and mental health issues, to those who have lost their lives to addiction and mental health issues and to those who have lost years of their lives, I am pushing this to a vote.

Amendment put:

<i>The Dáil divided: Tá, 64; Níl, 85; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Ahern, Ciarán.</i>	<i>Aird, William.</i>	
<i>Bennett, Cathy.</i>	<i>Ardagh, Catherine.</i>	
<i>Brady, John.</i>	<i>Boland, Grace.</i>	
<i>Buckley, Pat.</i>	<i>Brabazon, Tom.</i>	
<i>Byrne, Joanna.</i>	<i>Brennan, Brian.</i>	
<i>Carthy, Matt.</i>	<i>Brennan, Shay.</i>	
<i>Clarke, Sorca.</i>	<i>Brophy, Colm.</i>	
<i>Collins, Michael.</i>	<i>Browne, James.</i>	
<i>Cronin, Réada.</i>	<i>Burke, Colm.</i>	
<i>Crowe, Seán.</i>	<i>Burke, Peter.</i>	
<i>Cullinane, David.</i>	<i>Butler, Mary.</i>	
<i>Cummins, Jen.</i>	<i>Butterly, Paula.</i>	
<i>Daly, Pa.</i>	<i>Buttimer, Jerry.</i>	
<i>Devine, Máire.</i>	<i>Byrne, Malcolm.</i>	
<i>Doherty, Pearse.</i>	<i>Byrne, Thomas.</i>	
<i>Donnelly, Paul.</i>	<i>Cahill, Michael.</i>	
<i>Ellis, Dessie.</i>	<i>Callaghan, Catherine.</i>	
<i>Farrelly, Aidan.</i>	<i>Calleary, Dara.</i>	
<i>Farrell, Mairéad.</i>	<i>Canney, Seán.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Carrigy, Micheál.</i>	
<i>Gannon, Gary.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Gibney, Sinéad.</i>	<i>Chambers, Jack.</i>	
<i>Gogarty, Paul Nicholas.</i>	<i>Cleere, Peter 'Chap'.</i>	

<i>Gould, Thomas.</i>	<i>Clendennen, John.</i>	
<i>Graves, Ann.</i>	<i>Collins, Niall.</i>	
<i>Guirke, Johnny.</i>	<i>Connolly, John.</i>	
<i>Hayes, Eoin.</i>	<i>Cooney, Joe.</i>	
<i>Hearne, Rory.</i>	<i>Crowe, Cathal.</i>	
<i>Kelly, Alan.</i>	<i>Cummins, John.</i>	
<i>Kenny, Eoghan.</i>	<i>Currie, Emer.</i>	
<i>Kerrane, Claire.</i>	<i>Daly, Martin.</i>	
<i>Lawless, Paul.</i>	<i>Dempsey, Aisling.</i>	
<i>Lawlor, George.</i>	<i>Devlin, Cormac.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Dillon, Alan.</i>	
<i>McGettigan, Donna.</i>	<i>Dolan, Albert.</i>	
<i>McGuinness, Conor D.</i>	<i>Donohoe, Paschal.</i>	
<i>Mitchell, Denise.</i>	<i>Dooley, Timmy.</i>	
<i>Mythen, Johnny.</i>	<i>Feighan, Frankie.</i>	
<i>Nash, Ged.</i>	<i>Fleming, Seán.</i>	
<i>Newsome Drennan, Nata-sha.</i>	<i>Foley, Norma.</i>	
<i>Ní Raghallaigh, Shónagh.</i>	<i>Gallagher, Pat the Cope.</i>	
<i>O'Callaghan, Cian.</i>	<i>Geoghegan, James.</i>	
<i>O'Donoghue, Robert.</i>	<i>Grealish, Noel.</i>	
<i>O'Flynn, Ken.</i>	<i>Harkin, Marian.</i>	
<i>O'Gorman, Roderic.</i>	<i>Harris, Simon.</i>	
<i>O'Hara, Louis.</i>	<i>Healy-Rae, Michael.</i>	
<i>O'Reilly, Louise.</i>	<i>Heneghan, Barry.</i>	
<i>O'Rourke, Darren.</i>	<i>Higgins, Emer.</i>	
<i>Ó Broin, Eoin.</i>	<i>Keogh, Keira.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Lahart, John.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>Lawless, James.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Lowry, Michael.</i>	
<i>Ó Súilleabháin, Fionntán.</i>	<i>Maxwell, David.</i>	
<i>Quinlivan, Maurice.</i>	<i>McAuliffe, Paul.</i>	
<i>Rice, Pádraig.</i>	<i>McCarthy, Noel.</i>	
<i>Sheehan, Conor.</i>	<i>McConalogue, Charlie.</i>	
<i>Sherlock, Marie.</i>	<i>McCormack, Tony.</i>	
<i>Smith, Duncan.</i>	<i>McEntee, Helen.</i>	
<i>Stanley, Brian.</i>	<i>McGrath, Séamus.</i>	
<i>Tóibín, Peadar.</i>	<i>McGreehan, Erin.</i>	
<i>Wall, Mark.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Ward, Charles.</i>	<i>Moynihan, Aindrias.</i>	
<i>Ward, Mark.</i>	<i>Moynihan, Michael.</i>	
<i>Whitmore, Jennifer.</i>	<i>Moynihan, Shane.</i>	

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	<i>Murnane O'Connor, Jennifer.</i>	
	<i>Murphy, Michael.</i>	
	<i>Neville, Joe.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Connell, Maeve.</i>	
	<i>O'Connor, James.</i>	
	<i>O'Dea, Willie.</i>	
	<i>O'Donnell, Kieran.</i>	
	<i>O'Donovan, Patrick.</i>	
	<i>O'Meara, Ryan.</i>	
	<i>O'Shea, John Paul.</i>	
	<i>O'Sullivan, Christopher.</i>	
	<i>O'Sullivan, Pádraig.</i>	
	<i>Ó Cearúil, Naoise.</i>	
	<i>Ó Muirí, Naoise.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Timmings, Edward.</i>	
	<i>Toole, Gillian.</i>	
	<i>Troy, Robert.</i>	
	<i>Ward, Barry.</i>	

Tellers: Tá, Deputies Sorca Clarke and Mark Ward; Níl, Deputies Mary Butler and Emer Currie.

Amendment declared lost.

An Leas-Cheann Comhairle: Amendments Nos. 7 to 9, inclusive, are related and will be discussed together.

Deputy Mary Butler: I move amendment No. 7:

In page 14, lines 3 and 4, to delete “order or a renewal order” and substitute “order, a renewal order or a proposed transfer under *section 35*,”.

Amendments Nos. 7 to 9, inclusive, have been grouped. Amendment No. 7 is an amendment to include examinations for the purpose of an application for transfer to the Central Mental Hospital within the definition of “examination”.

Amendment No. 8 is a technical amendment to delete the reference to “for any purpose” as the definition of “examination” explicitly sets out the purposes of an examination under the enactment.

Amendment No. 9 includes the words “judgement” and “emotion” as part of what is examined in an examination under this enactment to ensure that the definition of “examination” aligns with the definition of “mental disorder”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 8:

In page 14, line 4, to delete “for any purpose”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 9:

In page 14, line 6, to delete “the mood, perceptions and the behaviour” and substitute “the perceptions, emotion and mood, judgement and the behaviour”.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 10, 195, 201, 242, 243, 262 and 272 are related and will be discussed together.

Deputy Mary Butler: I move amendment No. 10:

In page 14, line 10, to delete “*sections*” and substitute “*section*”.

Amendments Nos. 10, 195, 201, 242, 243, 262 and 272 are grouped. These are technical amendments to correct a typographical error to amend reference to “sections” to “section”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 11:

In page 14, line 16, to delete “*section 22*” and substitute “*sections 22 and 37*”.

The amendment inserts an amendment to the definition of “involuntary admission order” to ensure that the definition includes orders made under section 22, where a person is admitted from the community, and orders made under section 37, where a person is admitted involuntarily through a change of status from voluntary to involuntary.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 12, 18, 94 and 95 are related and will be discussed together.

Deputy Mary Butler: I move amendment No. 12:

In page 14, lines 24 and 25, to delete “(both within the meaning of section 2 of the Legal Services Regulation Act 2015)”.

I will speak to amendments Nos. 12, 18, 94 and 95. These are technical amendments to delete the reference to the Legal Services (Regulation) Act 2015 in the definition of “legal representative” in amendment No. 12 to a new definition being introduced for “practising barristers” and “practising solicitors” in amendment 18. The amendments provide for a definition of “practising barristers” and “practising solicitors”, as defined in the Legal Services Regulation Act 2015, who will act as legal representatives on behalf of involuntarily admitted persons, in amendment No. 18.

The reference to the Legal Services Regulation Act 2015 in section 26 as initiated is to be deleted as it is now referenced in the definition of practising barristers and solicitors in amendment No. 18.

Registered nurses are to be removed from the exclusion list for members of the community review panel in subsection 26(2)(c)(iii), as initiated, for the review of a person's involuntary admission and to instead exclude previously practising barristers and solicitors from serving on the community member panel in amendment No. 95. Each review board must comprise one person who is a member of the consultant psychiatrist review panel, one person who is a member of the legal practitioners review panel, who will also be the chair of the board, and one person who is a member of a community member panel.

Amendment No. 95 will ensure that review board membership is balanced. Precluding former barristers and solicitors from applying to the community member panel will mean that only one legal representative will be on each review board. Furthermore, it will allow nurses to serve as community members on review boards.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 13 to 17, inclusive, 21, 26, 42, 47, 48, 50, 52, 55, 57 to 60, inclusive, 78, 80, 88, 89, 102, 117, 159 to 164, inclusive, 166, 169, 174, 181, 183, and 274 to 277, inclusive, are related. Amendments Nos. 14 to 16, inclusive, are physical alternatives to amendment No. 13.

Amendments Nos. 13 to 17, inclusive, 21, 26, 42, 47, 48, 50, 52, 55, 57 to 60, inclusive, 78, 80, 88, 89, 102, 117, 159 to 164, inclusive, 166, 169, 174, 181, 183, and 274 to 277, inclusive, are related and will be discussed together.

Deputy Mary Butler: I move amendment No. 13:

In page 14, to delete lines 32 to 34 and substitute the following:

““mental disorder” means, in relation to a person, any mental illness or mental health difficulty, whether of a continuous or intermittent nature, which seriously affects the person’s thinking, perception, emotion, mood or judgement leading to significant impairment of the mental function of the person;”.

This amendment amends the definition of “mental disorder” by inserting references to “serious” and “significant” in the definition. This amendment has been prepared following feedback from the Mental Health Commission and the College of Psychiatrists of Ireland that the definition of “mental disorder” in the Bill as initiated may be too broad and may encompass too many people.

6 o’clock

Following consultation with both organisations and several meetings, a revised definition was prepared that reads:

““mental disorder” means, in relation to a person, any mental illness or mental health difficulty, whether of a continuous or intermittent nature, which seriously affects the person’s thinking, perception, emotion, mood or judgement leading to significant impairment of the mental function of the person

The inclusion of the terms “seriously” and “significant impairment” to the definition increases the bar for “mental disorder” and ensures it only applies to people who have a mental disorder.

I do not intend to support amendments Nos. 14 to 17, inclusive, amendments Nos. 21, 42, 47, 48 and 55, amendments Nos. 57 to 60, inclusive, amendments Nos. 78, 80, 88, 89, 102 and 117, amendments Nos. 159 to 164, inclusive, amendments Nos. 166, 169, 174, 181 and 183 and amendments Nos. 274 to 277, inclusive. The reason is that although the 2015 expert group review of the Mental Health Act called for the replacement of the term “mental disorder” with the term “mental illness”, the term “mental illness” has fallen out of favour since then. There is no one standard accepted term used to describe a person’s issues with mental health, with the terms psychosocial disability, mental health difficulty, mental health condition, mental illness and mental disorder all used by different organisations and bodies. As such, there is no one universally accepted term. It should also be noted that the term “disorder” is used frequently elsewhere in healthcare, such as in relation to eating disorders and respiratory disorders.

It is important to ensure there is a legal distinction between the type of condition that is more severe and enduring, and may lead to involuntary admission, and other mental health difficulties, which may still require treatment but would not lead to involuntary admission. More than 90% of mental health service provision in Ireland is in the community and the term “mental health difficulty” is often used in relation to people accessing these services. It is important that there be a legal distinction between a mental health difficulty and a more serious mental disorder. I am not opposed to using a term other than “mental disorder” if a suitable alternative is proposed, but I do not believe that “psychosocial disability” or “mental health difficulty” are better options.

Deputy Pádraig Rice: Many of the amendments in this group were tabled by my colleague, Deputy Liam Quaide, who, unfortunately, cannot be here. He sends his apologies. The amendments seek to delete the term “mental disorder” and substitute it with “mental health difficulty”. Many key stakeholders have raised concerns about the continued use of “mental disorder” in the Bill. I note the Minister has brought forward an amendment to expand the definition of “mental disorder”, but the term itself remains problematic. The Psychological Society of Ireland has called it outdated and stigmatising, while Mental Health Reform has stated that the use of such medicalised language can be exclusionary for some people.

I accept there is no consensus on an appropriate replacement term and that everybody’s experience is different, but there is general agreement that the term “disorder” should no longer be used. It is not in line with the terminology adopted by the UN, the UNCPRD, the WHO or the European Commission. The Psychological Society of Ireland has put forward “mental illness” as a replacement, while Mental Health Reform has suggested either “mental health difficulties” or “psychosocial disability”. My colleague, Deputy Quaide, went with “mental health difficulty” for the purpose of these amendments. This term would also be in line with the language used in *Sharing the Vision*. I believe this would be a more appropriate term but remain open-minded about other suggestions. I am interested in hearing the Minister of State’s thinking on this and the rationale for the continued use of “mental disorder”, which most people see as archaic language.

Deputy Sorca Clarke: This is one of those unusual situations where we agreed the original wording that was in the proposed Bill simply was not strong enough and did not quite reflect modern society. It was very dated. It did not have that modern language that people who are

struggling with their mental health need to see. It also did not reflect or capture those struggling with mental health issues who do not have a formal diagnosis. It is a peculiar one because we all want to see the best possible determination, but there are half a dozen different possibilities as to what that might look like.

We put forward replacing “mental disorder” with “mental health difficulty” or “psychosocial disability”, but I understand where the Minister is coming from in saying what she did. Although the term “psychosocial disability” aligns with the UN convention, we need to get at something that is all-encompassing, which those who are struggling can relate to and those who are treating them recognise as being at a level of severity.

Deputy Mary Butler: The Bill as initiated separates the definition of “mental disorder” from the criteria for involuntary admission. Following consultation, as I said, with stakeholders after publication, the definition will be amended to read:

“mental disorder” means, in relation to a person, any mental [disorder] illness or mental health difficulty [or disability], whether of a continuous or intermittent nature, which seriously affects the person’s thinking, perception, emotion, mood or judgement leading to significant impairment of the mental function of the person

We have spent hours discussing this. I was not able to see it all, but I listened to this morning’s health committee meeting and was struck by what Deputy Martin Daly said. We talk about mental disorder, but this Bill will support the most vulnerable in society: those who are involuntarily detained and are extremely ill. Not everybody who receives mental health supports is classified as having a mental disorder. There might be a time when such people are clinically depressed. They might be self-harming or suicidal. They might have an eating disorder or a dual diagnosis, but that does not mean they will have it for the rest of their life. Where we are trying to come from with the term “mental disorder” is that a huge proportion of this Bill deals with involuntary detention of a very small cohort of people who might not have consented. At that stage, they certainly could have a mental disorder.

As I said, if a suitable alternative were proposed, I would be open to discussing it and looking at it. As regards “psychosocial disability”, the amended definition will remove the term “disability” from the definition. Intellectual disability is already excluded as grounds for involuntary detention where there is not a co-existing mental health disorder that meets the criteria for detention. The OPC thought that might be problematic for that reason. This amendment will provide absolute clarity. I was struck by the fact that the College of Psychiatrists of Ireland, whose members mostly deal with people with a mental disorder, were comfortable, although I do not think anybody would be entirely comfortable with the wording, with the wording currently being used. As I said, if there were another suggestion that would suit exactly what we are trying to do with the Bill, I would be quite happy to look at it, but we have spent hours and hours trying to come up with another word in relation to this.

Deputy Martin Daly: I support the Minister on this. Language is important. Trying to come up with language that pleases everyone is difficult, but the terms “mental health difficulties” and “psychosocial disability” are too broad for some of the conditions we are talking about. My understanding of the term “mental health disorder” is someone who has a clinically diagnosed condition that is persistent and causing ongoing disability for that person. We are talking about people with schizophrenia, bipolar affective disorder, or with persistent anxiety and depression. “Mental health difficulties” is just too broad a term. It encompasses things that

may well be transient that affect mental well-being or health. For example, if people have a bad day or are stressed, that is a mental health difficulty. They might feel better tomorrow because they had a good night's sleep. I do not want to trivialise this, but we need to give weight to psychotic conditions where people are seriously ill or to people who have neurotic conditions with severe persistent symptoms that are dysfunctional. We have to give way to that. At this time, "mental disorder" is probably the best term.

Deputy Pádraig Rice: On the definition before us, amendment No. 13 states, "'mental disorder' means, in relation to a person, any mental illness or mental health difficulty". If the Deputy has a problem with the term "mental health difficulty", he is actually speaking against the Government amendment. I seek some clarity on that. The new definition of mental disorder we are seeing in amendment No. 13 includes "illness or mental health difficulty". I would like some clarity on that.

Deputy Mary Butler: The definition of the term "mental disorder" means "in relation to a person, any mental illness or mental health difficulty, whether of a continuous or intermittent nature". It has to be taken in the round and not just one part of it. The definition continues, "which seriously affects the person's thinking, perception, emotion, mood or judgement leading to significant impairment of the mental function of the person". One cannot just decide to take part of the definition, which says that a mental disorder means "any mental illness". One has to take the full wording that goes with it, including, "whether of a continuous or intermittent nature, which seriously affects the person's thinking, perception, emotion, mood or judgement".

I do not see a mental disorder as defining somebody's personal well-being or their peace of mind on a particular day. I see a mental disorder as a clinical judgment in respect of someone who may have an enduring, continuous or intermittent mental health condition "which seriously affects the person's thinking, perception, emotion, mood or judgement leading to significant impairment of the mental function of the person". I am not trying to split hairs here but when the Deputy refers to the definition of what a mental disorder is, he needs to read the whole paragraph.

Amendment put and declared carried.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): As amendment No. 13 has been accepted, amendments Nos. 14 to 16, inclusive, cannot be moved.

Amendments Nos. 14 to 16, inclusive, not moved.

Deputy Pádraig Rice: I move amendment No. 17:

In page 14, line 36, to delete "a mental disorder" and substitute "mental health difficulties".

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 18:

In page 15, between lines 27 and 28, to insert the following:

“ “practising barrister” has the same meaning as it has in the Legal Services Regulation Act 2015;

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“practising solicitor” has the same meaning as it has in the Legal Services Regulation Act 2015;”.

Amendment agreed to.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Tá leasú Uimh. 19 cean-
gailte le leasuithe Uimh. 20 agus 228.

Deputy Mary Butler: I move amendment No. 19:

In page 15, to delete lines 34 to 37 and substitute the following:

“ “registered community mental health centre” means any community-based residential centre (other than a registered acute mental health centre) registered by the Commission in accordance with *Chapter 2 of Part 6* which—

(a) provides specialist mental health care and treatment for persons with an enduring mental disorder or other mental health difficulty, and

(b) is staffed on a 24 hour basis;”.

Amendment No. 19 replaces the definition of “registered community mental health centre” and defines community-based residences as residences that provide specialist mental health care and treatment and which are staffed 24 hours a day. This is to differentiate these services from acute mental health services and other community mental health services.

I do not intend to support amendment No. 20, in line with my reasoning on the grouping of amendments Nos. 13 to 17, inclusive, with regard to the term “mental disorder”.

I also do not intend to support amendment No. 228. A definition of community mental health service is provided for in section 2 of the Bill and the proposed amendment here does not seem to contribute anything more than the existing definition.

Amendment agreed to.

Amendment No. 20 not moved.

Deputy Pádraig Rice: I move amendment No. 21:

In page 16, line 1, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 22:

In page 16, to delete lines 12 and 13 and substitute the following:

“ “relative” means, in relation to a person, a parent, grandparent, son, daughter, grandchild, sibling, aunt or uncle of the person by blood, adoption, marriage or civil partnership;”.

This amendment changes the definition of “relative” by taking first cousins out of the definition. This definition aligns with the definition of “relative” in the Mental Health Act 2001.

Amendment put and declared carried.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Tá leasuithe Uimh. 23, 27, 32, 96, 104, 106, 109 go 112, go huile, agus 125 gaolta agus pléimid le chéile iad.

Deputy Mary Butler: I move amendment No. 23:

In page 16, line 26, to delete “the consultant” and substitute “a consultant”.

These are technical amendments to correct various typographical errors in the Bill as initiated.

Amendment put and declared carried.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Tá leasuithe Uimh. 24 agus 229 gaolta agus pléimid le chéile iad.

Deputy Mary Butler: I move amendment No. 24:

In page 16, between lines 27 and 28, to insert the following:

“ “responsible person” has the meaning assigned to it in *section 164*;”.

Amendment No. 24 inserts a definition of “responsible person” in section 2, stating that “responsible person” has the definition assigned to it in section 164.

Amendment No. 229 provides for the deletion of the “responsible person” definition in section 138.

Amendment put and declared carried.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Tá leasuithe Uimh. 25, 35 agus 36 gaolta agus pléimid le chéile iad.

Deputy Mary Butler: I move amendment No. 25:

In page 16, between lines 31 and 32, to insert the following:

“ “service provider” has the meaning assigned to it in *section 20*;”.

These amendments relate to the definition of a “service provider”. Amendment No. 25 inserts the definition in section 2. Amendment No. 35 corrects a typographical error. Amendment No. 36 provides for the definition of “service provider” to be deleted elsewhere.

Amendment put and declared carried.

Deputy Pádraig Rice: I move amendment No. 26:

In page 17, line 9, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 27:

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In page 17, line 17, to delete “, in the case of an adult, a person” and substitute “an adult”.

Amendment put and declared carried.

Section 2, as amended, agreed to.

Sections 3 and 4 agreed to.

SECTION 5

Deputy Mary Butler: I move amendment No. 28:

In page 18, to delete lines 19 to 23 and substitute the following:

“(2) A superannuation scheme made under section 40 of the Act of 2001 that was in force immediately before the commencement of *section 111* or *112*, as the case may be, shall—

(a) remain in force and have effect on or after the commencement of *section 111* or *112*, as the case may be, as if the scheme concerned had been made under *section 111* or *112*, as the case may be, and

(b) be construed as if references to a member of the staff of the Commission included references to a member of the staff of the Commission as established under the Act of 2001.”.

The amendment is a transitional provision that needs rewording to ensure that the superannuation scheme in place for all staff of the Mental Health Commission, currently provided for under the 2001 Act, continues when the new Act has commenced.

Amendment put and declared carried.

Section 5, as amended, agreed to.

Sections 6 and 7 agreed to.

SECTION 8

Deputy Mary Butler: I move amendment No. 29:

On page 18, line 34, to delete “10 years” and substitute “5 years”.

Section 75 of the Mental Health Act 2001 provided for a review of the operation of the Act to take place five years after the full commencement of that Act. The initial review began in 2011 and eventually led to the formation of an expert group review of the Act. The 165 recommendations of that review form the basis of this Bill.

Considering the comprehensive nature of this Bill and the extensive consultation, the Bill as initiated provided for a review of the operation of this enactment ten years after commencement. I have listened to feedback from stakeholders and have moved this amendment to reduce the period of the review to five years from commencement of the Act. I agree that five years is a more timely timeframe after the enactment of the Bill. I thank all the Deputies for their support on that.

Amendment put and declared carried.

Section 8, as amended, agreed to.

Section 9 agreed to.

SECTION 10

Deputy Mary Butler: I move amendment No. 30:

In page 20, to delete lines 34 to 38 and substitute the following:

“(i) is aged 16 years or older—

(I) it shall be presumed that the child has the necessary maturity and capacity to make decisions affecting himself or herself in relation to his or her admission, care and treatment under this Act, and

(II) the views and the will and preferences of the parents or guardian of the child be recorded and given due weight,

and”.

This is a technical amendment to separate out section (1)(c)(i) of the Bill as initiated to make it clear that the views of parents-guardians are recorded and given due weight but that a child aged 16 years or older will be presumed to have the maturity and capacity to make decisions about his or her own admission, care and treatment.

Deputy Sorca Clarke: The Minister of State said at the committee meeting this morning that she would follow up on the contribution from the IMO on this issue because she had not seen it all. I am unsure if she has had a chance to do so. It is an issue of real concern to parents, not just those of children who may be 16 to 18 years of age but parents of adults in their early 20s who suffer from eating disorders. It is of profound concern to those parents. The issue raised by the IMO this morning, and perhaps Deputy Rice could also speak to this, was that there is an issue here regarding policy - not legislation *per se* but policy. When a young person, perhaps after an incident of self-harm, presents to the accident and emergency department, if they are aged 17 they will be presenting to an adult accident and emergency department. Therefore, their physical injuries will be treated and, automatically, the adult mental health service will come in. We as a State need to ask ourselves whether the most appropriate place for a 17-year-old who is in profound need of mental health assistance is in a place where somebody in their 40s or 50s is being treated. The IMO raised a good point that it is also not appropriate for a child of that age to be in a facility with, for instance, a child of 12 years of age. It is a difficult issue and, as part of the five-year review, it will be worth coming back to. There is non-fatal offences legislation on the Statute Book but this is an issue on which we could and should spend considerably more time and put effort into treating this very small cohort. It is a very small age range, but any treatment a young person receives needs to be appropriate to what their needs are. The question is whether those needs are best served in a paediatric setting or an adult setting where other people receiving treatment are significantly older than they are.

Deputy Mary Butler: The Bill proposes to allow 16- and 17-year-olds to consent to or refuse admission to approved centres and to consent to or refuse treatment. The Bill presumes that all 16- and 17-year-olds have the capacity to make decisions about themselves. Where a

child has capacity, his or her consent is required for admission and treatment. That is really important. However, if the child lacks capacity, he or she can be admitted and treated with the consent of a parent or guardian. This means that if a child is acutely unwell with a mental health difficulty as defined in the Bill under “mental disorder”, he or she will still be able to be admitted with the consent of a parent or guardian, similar to what is provided for in the existing Act.

If a child has capacity and refuses admission and treatment, the involuntary admission route via a court will remain available to clinicians. It seems likely that, where a child is unwell enough to warrant admission to an approved centre, he or she will probably lack the capacity necessary to make decisions about care and treatment. The Bill as initiated provides a legal framework that balances the rights of 16- and 17-year-olds to make decisions about their care and treatment while also ensuring treatment can be administered either by receiving consent from a parent or guardian, where the child lacks capacity, or via the involuntary admission route, where the child has capacity and refuses admission.

We spent a long time working on this amendment. The general perception is that with regard to one’s physical health, consent is required at 16 years of age. A huge body of work that has been done on this issue over many years recommends that a person should have the requirement of consent with regard to decisions about his or her mental health. It is something I looked at very closely myself as a mother. I met representatives of the group that deals with eating disorders. Many families are very concerned and I can understand why. However, I made the decision after talking to clinicians and taking account of the supports that are provided. If a 16- or 17-year-old child does not have the capacity, the parents or guardians can give that consent or go down the route of the courts, which nobody wants to do.

Children are admitted to adult units only after efforts to place them in child and adolescent inpatient units are unsuccessful due to capacity or clinical needs. I know the Deputy’s amendment relating to this area was not allowed. Last year, five young people were admitted to adult psychiatric wards. Deputy Ward and I discussed this issue many times when the numbers were much higher. All five of those young people were aged over 17 and they were all admitted with the consent of their parents. I have spoken to many consultant psychiatrists, clinicians and GPs on this issue. It involves a clinician making a decision in real time. It could be 2 o’clock in the morning. There could be a very distressed 17-and-a-half-year-old who is psychotic and a CAMHS bed may not be available at that particular moment. These clinicians are making a decision in real time - I am delighted to say they have always had the consent of the parents - to admit that person for a very short period until the appropriate placement is found. It is a very short period.

I would be loath to accept the Deputy’s amendment, even if it had been allowed. I would not tie a consultant psychiatrist’s hands because I know of too many cases where, if that young person had not been admitted at that time on that particular night, the outcome could have been much worse for the family. I have spoken to people who were admitted at that age and who realise that, at that time, they were very ill - maybe psychotic, maybe suicidal - and if they had not been admitted at that moment, there could have been a different outcome for them. I know that two young people have been admitted to adult psychiatric wards so far this year, and I hope we get to a stage where there will be no young person admitted. However, to write this in legislation would mean that a consultant or a multidisciplinary team on any given night might have to make a decision that might mean a young person would not have a good outcome if he or she were not detained voluntarily. The trend is very clear that it appears to be always done with the consent of the parents. The young person is put into a room on his or her own and has one-to-

one support for the entire duration of the stay, whether it is for 24 hours or 36 hours. It is a very difficult situation and I personally do not want to see any young person in it. I agree with what Deputy Clarke said. It is not ideal to have a 13- or 14-year-old young girl who has an eating disorder receiving inpatient supports with a 17-and-a-half-year-old young man or woman who might be psychotic. That does not work either. It brings us back to the conversation. We will probably have many more hours of debate in the Dáil on the transition from CAMHS to general adult mental health supports and the right way to do that.

Deputy Pádraig Rice: I want to express my concerns about children being moved to adult psychiatric services. I say respectfully to the Minister of State that if she does not want to tie the hands of consultants, the best way to do that would be to ensure there are services and supports for people. I agree with the suggestion that this issue around 16- and 17-year-olds should be considered as part of the review of the Act. I welcome that the review will now happen within five years rather than ten. I would be interested to hear, with regard to legislation generally, what the general timeframe for review is. Is five years a more standard timeframe? It is welcome that this amendment has been passed as well.

Deputy Mark Ward: I appreciate the work that has been done by the Minister of State and the HSE in reducing the number of young people who have been admitted into adult psychiatric facilities under her tenure. It is acknowledged and it has worked but, as she knows, I always say that we should set the bar high. Let us aim for zero because that is what we should be aiming for. I am not questioning the Minister of State's bona fides in relation to the five people who were admitted last year. They had the consent of their parents and they were all 17 years of age, but that was not always the case. That is my concern. Because it was not always the case, it could happen again. We have had debates here previously on instances where young people were in adult facilities for weeks on end. That was very early in the Minister of State's tenure, but it was happening. I am not sure whether they all had the consent of their parents for being in there either. I am very disappointed that Deputy Clarke's amendment was ruled out of order for a money reason.

Acting Chairman (Deputy Aengus Ó Snodaigh): It was for a potential charge on the Revenue.

Deputy Mark Ward: It was ruled out of order for the money rule. I find that really disappointing. My concern is that because it has happened in the past, it could happen again. I appreciate that the Minister of State has done an awful lot of work on it over the last while. I wonder what safeguards we could have in place. If there is no appropriate facility where a child can access the appropriate mental health care, it is not a failure in legislation; it is a failure in service provision. That is where the failure comes in. This legislation is papering over the cracks of the service provision that is there when it comes to appropriate mental health care. I would like to know what safeguards will be in place to stop what was happening in the past when young people were in adult psychiatric facilities, sometimes for weeks on end.

Deputy Sorca Clarke: Amendment No. 32 has been ruled out of order on the basis that it could potentially impose a charge on the Revenue, which I find quite flippant seeing as it would actually redirect funding into a CAMHS bed. The Minister of State spoke of not wanting to tie the hands of a consultant who is in a very difficult situation behind his or her back. Nobody wants to do that. However, this is actually in breach of the UN Convention on the Rights of the Child. That is a fact. It is also a fact that the UN Committee on the Rights of the Child has been very critical of Ireland for placing children into adult psychiatric units. I fundamentally

believe that there is a pathway to solving this problem. However, if that means we take another ten years to get down to zero, I do not agree with that at all. I think that is absolutely deplorable. Is two better than five? Yes, of course it is. You know what is even better? Zero. Zero would be better.

Deputy Mary Butler: I agree.

Deputy Sorca Clarke: To have an appropriate level of inpatient CAMHS beds would absolutely be the pinnacle and that is where we need to get to. I recommend to the Minister of State that the young people who were placed in adult psychiatric units, voluntarily or involuntarily, should be brought back in as part of the five-year review. In five years, we will have the first opportunity to review the implementation and effectiveness of this legislation. They are a very unique cohort of people. We should listen to them. I am very annoyed that the amendment was ruled out of order because we could have had a very detailed and beneficial debate. I would have been less annoyed if it was not disallowed on the cost issue.

Deputy Mary Butler: So that the Deputy knows, I did not disallow the amendments. They do not come to me.

Deputy Sorca Clarke: I did not say the Minister of State did.

Deputy Mary Butler: I know she did not. I am saying it just so she knows. I said I would speak to it because it is an important facet. It is fully accepted that admission to an age-appropriate facility is in the best interests of the child. Section 10 of the Bill, as initiated, states:

in so far as is practicable, that care and treatment shall be provided—

- (i) in an age-appropriate environment [we all agree on that], and
- (ii) in close proximity to the child's home or family, as appropriate;

However, it will continue to be necessary in exceptional circumstances, where there is a clear clinical imperative, to admit a small number of children to adult units for the shortest time possible. There is a protocol between the Mental Health Commission and the HSE for child admissions. There is mandatory reporting. That is really important. When any child is admitted, there is mandatory reporting. All the statistics can be verified. Under GDPR we cannot speak to them, but they are verifiable. The Department will continue to work with the HSE to continue the decrease in admissions to adult units, including promoting new care options around mental health for young people via continued implementation of our national mental health policy, Sharing the Vision. I go back to the point that a consultant psychiatrist - a clinician - has to make a decision in real time. If you are a consultant psychiatrist in Donegal dealing with a young person who is psychotic, it may not be safe to move that young person. Many years ago there was a case in which it was not safe for the ambulance staff to move a child to Merlin Park in Galway. Sometimes a decision has to be made; a prediction of risk. That is the reason, even if the amendment had been allowed, I would have been having the same conversation.

With regard to the timeline for the review, the Deputy will not see many Bills into which it is written when the review should happen. I am quite happy for it to be written into this Bill that the review will happen five years after the Bill is fully enacted. There will be a significant lead-in time for enactment of this Bill, as with other complicated Bills that we have.

Amendment put and declared carried.

Deputy Mary Butler: I move amendment No. 31:

In page 21, line 1, to delete “the age of 16 years” and substitute “16 years of age”.

Amendment agreed to.

Acting Chairman (Deputy Aengus Ó Snodaigh): Amendment No. 32 has been ruled out of order because of a potential charge on the Exchequer.

Amendment No. 32 not moved.

Section 10, as amended, agreed to.

NEW SECTION

Deputy Sorca Clarke: I move amendment No. 33:

In page 21, between lines 23 and 24, to insert:

“Guiding principles to apply in respect of persons with dual diagnosis

11. Services shall provide integrated care pathways for individuals with a dual diagnosis and the range of services including home, community and inpatient care as appropriate.”.

Amendment put:

<i>The Dáil divided: Tá, 64; Níl, 85; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Ahern, Ciarán.</i>	<i>Aird, William.</i>	
<i>Bacik, Ivana.</i>	<i>Ardagh, Catherine.</i>	
<i>Bennett, Cathy.</i>	<i>Boland, Grace.</i>	
<i>Brady, John.</i>	<i>Brabazon, Tom.</i>	
<i>Buckley, Pat.</i>	<i>Brennan, Brian.</i>	
<i>Byrne, Joanna.</i>	<i>Brennan, Shay.</i>	
<i>Carthy, Matt.</i>	<i>Brophy, Colm.</i>	
<i>Clarke, Sorca.</i>	<i>Browne, James.</i>	
<i>Coppinger, Ruth.</i>	<i>Burke, Colm.</i>	
<i>Cronin, Réada.</i>	<i>Burke, Peter.</i>	
<i>Crowe, Seán.</i>	<i>Butler, Mary.</i>	
<i>Cullinane, David.</i>	<i>Butterly, Paula.</i>	
<i>Cummins, Jen.</i>	<i>Buttimer, Jerry.</i>	
<i>Daly, Pa.</i>	<i>Byrne, Malcolm.</i>	
<i>Devine, Máire.</i>	<i>Byrne, Thomas.</i>	
<i>Doherty, Pearse.</i>	<i>Cahill, Michael.</i>	
<i>Donnelly, Paul.</i>	<i>Callaghan, Catherine.</i>	
<i>Ellis, Dessie.</i>	<i>Calleary, Dara.</i>	
<i>Farrelly, Aidan.</i>	<i>Canney, Seán.</i>	
<i>Farrell, Mairéad.</i>	<i>Carrigy, Micheál.</i>	

<i>Gannon, Gary.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Gibney, Sinéad.</i>	<i>Chambers, Jack.</i>	
<i>Gogarty, Paul Nicholas.</i>	<i>Cleere, Peter ‘Chap’.</i>	
<i>Gould, Thomas.</i>	<i>Clendennen, John.</i>	
<i>Graves, Ann.</i>	<i>Collins, Niall.</i>	
<i>Guirke, Johnny.</i>	<i>Connolly, John.</i>	
<i>Hayes, Eoin.</i>	<i>Cooney, Joe.</i>	
<i>Hearne, Rory.</i>	<i>Crowe, Cathal.</i>	
<i>Kelly, Alan.</i>	<i>Cummins, John.</i>	
<i>Kenny, Eoghan.</i>	<i>Currie, Emer.</i>	
<i>Kerrane, Claire.</i>	<i>Daly, Martin.</i>	
<i>Lawless, Paul.</i>	<i>Dempsey, Aisling.</i>	
<i>Lawlor, George.</i>	<i>Devlin, Cormac.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Dillon, Alan.</i>	
<i>McDonald, Mary Lou.</i>	<i>Dolan, Albert.</i>	
<i>McGettigan, Donna.</i>	<i>Donohoe, Paschal.</i>	
<i>McGuinness, Conor D.</i>	<i>Dooley, Timmy.</i>	
<i>Mitchell, Denise.</i>	<i>Feighan, Frankie.</i>	
<i>Mythen, Johnny.</i>	<i>Fleming, Seán.</i>	
<i>Nash, Ged.</i>	<i>Foley, Norma.</i>	
<i>Newsome Drennan, Nata-sha.</i>	<i>Gallagher, Pat the Cope.</i>	
<i>Ní Raghallaigh, Shónagh.</i>	<i>Geoghegan, James.</i>	
<i>Nolan, Carol.</i>	<i>Grealish, Noel.</i>	
<i>O’Callaghan, Cian.</i>	<i>Harkin, Marian.</i>	
<i>O’Donoghue, Robert.</i>	<i>Healy-Rae, Michael.</i>	
<i>O’Hara, Louis.</i>	<i>Heneghan, Barry.</i>	
<i>O’Reilly, Louise.</i>	<i>Higgins, Emer.</i>	
<i>O’Rourke, Darren.</i>	<i>Keogh, Keira.</i>	
<i>Ó Broin, Eoin.</i>	<i>Lahart, John.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Lawless, James.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>Lowry, Michael.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>Maxwell, David.</i>	
<i>Ó Súilleabháin, Fionntán.</i>	<i>McAuliffe, Paul.</i>	
<i>Quinlivan, Maurice.</i>	<i>McCarthy, Noel.</i>	
<i>Rice, Pádraig.</i>	<i>McConalogue, Charlie.</i>	
<i>Sheehan, Conor.</i>	<i>McCormack, Tony.</i>	
<i>Sherlock, Marie.</i>	<i>McEntee, Helen.</i>	
<i>Smith, Duncan.</i>	<i>McGrath, Mattie.</i>	
<i>Stanley, Brian.</i>	<i>McGrath, Séamus.</i>	
<i>Tóibín, Peadar.</i>	<i>McGreehan, Erin.</i>	
<i>Wall, Mark.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Ward, Charles.</i>	<i>Moynihan, Aindrias.</i>	

<i>Ward, Mark.</i>	<i>Moynihan, Michael.</i>	
<i>Whitmore, Jennifer.</i>	<i>Moynihan, Shane.</i>	
	<i>Murnane O'Connor, Jennifer.</i>	
	<i>Murphy, Michael.</i>	
	<i>Neville, Joe.</i>	
	<i>O'Brien, Darragh.</i>	
	<i>O'Connell, Maeve.</i>	
	<i>O'Connor, James.</i>	
	<i>O'Dea, Willie.</i>	
	<i>O'Donnell, Kieran.</i>	
	<i>O'Donovan, Patrick.</i>	
	<i>O'Meara, Ryan.</i>	
	<i>O'Shea, John Paul.</i>	
	<i>O'Sullivan, Christopher.</i>	
	<i>O'Sullivan, Pádraig.</i>	
	<i>Ó Cearúil, Naoise.</i>	
	<i>Ó Muirí, Naoise.</i>	
	<i>Richmond, Neale.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Timmins, Edward.</i>	
	<i>Toole, Gillian.</i>	
	<i>Ward, Barry.</i>	

Tellers: Tá, Deputies Sorca Clarke and Mark Ward; Níl, Deputies Mary Butler and Emer Currie.

Amendment declared lost.

SECTION 11

Deputy Mary Butler: I move amendment No. 34:

In page 22, to delete lines 18 to 21 and substitute the following: “ “relevant person” has the meaning assigned to it in section 15;”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 35:

In page 22, line 24, to delete “section 13;” and substitute “section 13.”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 36:

In page 22, to delete line 25.

Amendment agreed to.

Section 11, as amended, agreed to.

NEW SECTION

Deputy Sorca Clarke: I move amendment No. 37:

In page 22, between lines 25 and 26, to insert the following:

“Criteria for involuntary admission to registered acute mental health centre

12. (1) A person may be involuntarily admitted to a registered acute mental health centre pursuant to an involuntary admission order and held there if he or she fulfils each of the criteria (in this Act referred to as the “criteria for involuntary admission”) specified in *paragraph (a)*:

(a) a person with psychosocial disabilities or as a condition that can be described as a mental illness, the nature and degree of which is such that—

(i) he or she requires care and treatment,

(ii) the care and treatment required to be given to the person cannot be given to that person other than in a registered acute mental health centre,

(iii) the reception, holding and care and treatment of the person concerned in a registered acute mental health centre would be likely to benefit the condition of that person,

(iv) the person lacks capacity to consent to admission,

(v) the person lacks capacity to consent to treatment, and

(vi) where there is concern that the life or health of the person, or of another person, may be seriously and imminently affected/impacted.

(2) Nothing in subsection (1) shall be construed as authorising the involuntary admission of a person to a registered acute mental health centre by reason only of the fact that the person—

(a) has a psychosocial disability or a mental illness that does not fulfil the criteria for involuntary admission,

(b) has an intellectual disability,

(c) has a personality disorder,

(d) substance use issue,

(e) may behave in such a manner or hold views that are contrary to, deviate from or transgress cultural, religious, social or traditional norms or customs of appropriate behaviour, or

(f) requires to reside in a safe environment provided by a registered acute mental

health centre.

(3) The Commission shall prepare and issue a code of practice for staff working in registered acute mental health centres, An Garda Síochána, HSE authorised personnel, GPs, in relation to the provisions of this section.”.

The Bill says that involuntary treatment can only commence if a person poses a risk to themselves or to others. However, many individuals who require treatment may not meet this risk criteria. Again, questions were raised at the committee this morning around medical professionals assessing risk being outside the scope of their expertise. This could lead to delays or denial of care for those unable to recognise their need for treatment and the word “risk” has been removed.

Our amendment makes an admission and treatment order rather than simply an admission order. The purpose is to protect individual autonomy and capacity and to ensure oversight and consistency in how the law is applied. It clarifies and narrows the criteria under which a person can be involuntarily admitted to a registered acute mental health centre and inserts multiple safeguards to limit misuse or overreach of involuntary powers. It strengthens protections against discrimination and detention and introduces a statutory code of practice to guide front-line staff. Care and treatment are a necessity. Admission is only justifiable if care is required and cannot be delivered elsewhere.

Essentially, the purpose of this amendment is to ensure that involuntary detention is only used when absolutely necessary and in the best interests of the person, as well as to limit the potential risk of overuse or misuse. The use of modern and inclusive language is also included by referencing persons with psychosocial disabilities. The amendment aligns with international human rights standards, especially the UN Convention on the Rights of Persons with Disabilities. It is important to say that when we are talking about involuntary admission to acute mental health facilities, we are talking about those who are in the most need at a particular point in time. Whatever their future may look like - it could be very different from that point - at that point in time, they are the person with the greatest need. We have a duty and responsibility to ensure that involuntary detention is used in a manner that recognises that need but also recognises the individual’s right to receive appropriate treatment. I ask the Minister of State to consider accepting this amendment.

7 o’clock

I am sure her Department has had a good look over it. It comes from a place of wanting to see the best possible legislation for those who need involuntary admission into acute mental healthcare centres.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): For Deputies’ information, amendments Nos. 37 to 41, inclusive, 43, 45 and 46 are related and are being taken together.

Deputy Ruairí Ó Murchú: Many of the circumstances we are discussing we encounter in our work as TDs. I have gone to the Minister of State previously to discuss such circumstances, in which families, the Garda and others who become involved have looked for someone to be involuntarily admitted, generally on the basis that the person has some form of psychosis. Unfortunately, sometimes when GPs are called out, even following arrests under the Mental Health Act, it ends up in a situation where they will only agree to a voluntary admission. Guidelines could be helpful in such circumstances, which is why this amendment is significant.

It seeks to ensure that GPs, appropriate HSE personnel and anyone else who is likely to be involved in these sorts of circumstances have access to guidance on what to do. From talking to people, my understanding is that, in a lot of cases, doctors are very slow to advise involuntary admission, which should be the case, but, in fact, they will only advise it if people are an imminent danger to themselves or others. I am talking about people whose lives have come apart, including everything from maintaining personal hygiene to how and where they are living. There is a pile of circumstances that shout out that there is a mental health issue or disorder. In some instances, they might already have had a diagnosis.

I am afraid that what is countenanced in the Bill will not improve such situations and may even make them more difficult. The vital part of this amendment is the provision to ensure that involuntary admissions happen on the basis that people require care and treatment and they do not have the capacity to make that decision for themselves. We have put gardaí and others in a really difficult circumstance in this regard. I hope the Minister of State will at least meet us halfway on this amendment. Our preference would be that she accept it. If not, I hope we can find some solution in regard to these sets of circumstances. We need a legal framework to be followed up with guidelines that are issued to all the necessary stakeholders. That is absolutely vital.

We are talking about people who require care but who do not believe they require it and are in the throes of psychosis, for example. Gardaí have told me that it would sometimes be preferable if such persons committed a crime and could be arrested and an assessment done while they are in custody. That is not what we want. We definitely do not want to see more people coming through the criminal justice system on that basis, but we have all seen it happening. I am asking whether there is a possibility, in any way, shape or form, that we could find a means of better dealing with circumstances where somebody is in this sort of mental health distress and needs help. We have even seen people outside these buildings where it is obvious they need require mental health treatment but because they are not smashing things up and creating an absolute nuisance at that moment, nothing happens in terms of their being assessed and brought to a situation where they get the treatment that is necessary. I have dealt with a huge number of people in such circumstances. The situation of one such constituent is finally, after many months, being dealt with. Many people, including staff in State services, were trying to get the issue resolved but could not do so.

This reflects a failure of the existing legislation and the Bill before us. The Minister of State needs either to take on this amendment or something similar. It is just not fair to people who are in a really bad set of circumstances, as I have outlined, and who are not getting treatment. I acknowledge that the intention in these proposals is to protect people's rights and that there must be safeguards. We all know about the sorry history of this State in terms of people being placed in institutions. However, sometimes the pendulum does not land in the middle where it should. That is the work we all need to do.

Deputy Mark Ward: For too long, members of An Garda Síochána have been the gatekeepers for mental health services. When I speak to gardaí in my constituency, which I do on a regular basis, one of the issues they raise is when people arrive at the station under mental duress and they try to help them. A psychiatrist will sometimes come out to a Garda station and may or may not make a decision as to whether the person needs to be involuntarily detained. More often than not, people are not detained and are sent back out into the community where the gardaí will encounter them at a later time. I welcome the pilot project in Limerick, which witnesses before the health committee spoke about earlier today. It is a good initiative that can

curb some of the problems we are discussing. I would like to see it rolled out across the State.

Our amendment makes provision for a code of practice for staff working in registered acute mental health centres, gardaí, HSE authorised personnel, GPs and anybody else involved in the provisions of this section. The development of such a code of practice would be really welcome as it would give guidelines to people - especially gardaí, who are sometimes at a loss - on how to work with persons who are under mental duress. I know some gardaí who have undertaken specific training to help them deal with these types of situations, but such training is not mandatory and is not always made available. I remember the first time I had gardaí taking part in the applied suicide intervention skills training, ASIST, programme I was delivering, which helps people to identify the signs of suicidal feelings. Gardaí do that training on a voluntary basis to get an insight into how people get to the stage where they are under mental health duress. Such engagement is always welcome. A code of practice that sets out guidelines for helping people in that situation should be in place.

Deputy Maurice Quinlivan: My colleague mentioned the pilot project, namely the community access support team, CAST, initiative that was launched in Limerick last October and commenced in January. The Minister of State was there at the launch. Like most things pertaining to mental health, the launch of the programme came two and a half years after we were advised it would commence. However, we got there in the end and in its short time in operation, the project has been successful. It involves a combined Garda and HSE support group that assists those facing a mental health challenge, particularly during out-of-hours periods.

The statement provided to the health committee today by Chief Superintendent Derek Smart from Limerick reads:

... it is important to note that since its introduction, CAST has created greater integration among statutory and voluntary agencies operating in the Limerick Garda division. It is grounded in international evidence and research showing co-response has delivered improved outcomes for adults requiring intervention at times of mental health crisis or situational trauma.

[...]

The early outcomes and available data are encouraging and have seen over 40 diversions from arrest and subsequent detentions under section 12 of the Mental Health Act 2001. A further consequence of this would have seen an admission to an emergency department and medical call-outs.

CAST has recorded over 1,700 operational hours of service in its first four months of operation and has seen more than 150 individuals interact with the project.

Our CAST forum clients are subject to levels of inter-agency work not witnessed in this jurisdiction previously.

[...]

[Another] significant finding under CAST has been a concerning gap in service for individuals who, following a detention under the Mental Health Act, receive a letter or advice to attend an approved centre such as a psychiatric hospital or emergency department.

He continued:

The person is not obliged to attend. And in practice, we have seen many individuals in acute psychological crisis simply walk away once released by gardaí, without ever engaging with services. To help bridge this gap, CAST has implemented a structured callback protocol, providing follow-up contact with individuals after their release, checking on well-being, assessing ongoing risk, and we attempt to re-engage them with services. While this offers some reassurance, and has yielded significant results - 142 recorded call backs completed - it is not, in our opinion, a substitute for legislative authority.

While CAST is in its infancy, it speaks to the commitments in the programme for Government and represents interagency collaboration in its purest form.

This was the opening statement from Chief Superintendent Derek Smart today. After his welcome contribution, of which I have only quoted a portion, I hope that as we advance this Bill, consideration will be given to additional funding to ensure the CAST project becomes permanent. Having spoken to senior staff in the HSE and Limerick gardaí, I can say that the project has already saved lives. While one senior garda told me it was a godsend, he remains concerned that CAST and the pilot project has not received its own funding but instead works out of existing budgets. In conjunction with the Minister for justice, will the Minister of State support this project and following the evaluation that will be carried out by UL, which all indications are will be positive, look at expanding CAST across the State?

Deputy Martin Daly: I oppose this amendment. Regarding the term “psychosocial disabilities”, involuntary admission is a very unusual instrument in the State. We have a very low rate of involuntary admission compared to other jurisdictions most especially the UK, which is our closest neighbour. It is a really serious step for any practitioner in the community to involuntarily admit someone. This is based on my 35-year experience as a GP. The situations where we have admitted people to hospital involuntarily are those where someone is psychotically ill - usually with schizophrenia, bipolar manic depressive disorder or acute psychotic episode. Thankfully, there are some acute psychotic episodes that are related to stress and people do very well once there is early intervention but to widen the terminology to psychosocial disability would do something we thought we had left behind us. I think of how 40 or 50 years ago, we put people into psychiatric units who should never have been there for a range of reasons. Psychosocial covers a myriad of things from social behaviour to personality disorder and addiction issues. We have moved on from that. There must be a high bar for involuntary admission. I believe practitioners in the community apply a high bar to it for the very reason that it is an enormous step to detain someone, take away their liberty and involuntarily admit them to a psychiatric institution.

Deputy Sorca Clarke: With the greatest of respect, the Deputy has clearly not read the amendment because it specifically states:

Nothing in *subsection (1)* shall be construed as authorising the involuntary admission of a person to a registered acute mental health centre by reason only of the fact that the person—

- (a) has a psychosocial disability or a mental illness that does not fulfil the criteria for involuntary admission,
- (b) has an intellectual disability,
- (c) has a personality disorder,

(d) substance use issue [and so on].

Deputy Mary Butler: I will touch on what Deputy Quinlivan said about CAST. I acknowledge the Deputy has been very supportive of this from the start. I went to Limerick last October to launch it during Mental Health Week. We often use the word “game-changer” in the Dáil but this is one of the ones that has really made a significant difference. I visited Limerick a couple of weeks ago to meet some of the CAMHS teams there. I acknowledge the really good work that is under way in Limerick. The waiting lists for those children waiting in advance of 12 months have reduced by 90% and the waiting list overall has reduced by 59%. They are doing it so well in Limerick so if we can copy that around the country, we will be doing very well. I met the regional executive officer, REO, and spoke at length about CAST and funding it. It is something I will certainly fund through the Estimates. It is a really important initiative. The co-operation between An Garda Síochána, mental health services, the HSE and the Judiciary is really important. I hope it is only the start of more things to come. I watched Chief Superintendent Derek Smart and Assistant Commissioner Paula Hilman today. They spoke about it glowingly, which is really important. I am digressing from the Bill but I wanted to acknowledge the really good work that is happening in Limerick.

Unfortunately, I am not in a position to support amendment No. 37. I do not believe that capacity or lack thereof should be grounds for involuntary admission under this enactment. A person may have a mental disorder that meets the criteria for involuntary admission but still retain some level of decision-making capacity. Under these proposed criteria, these people would not be able to be admitted. There are potentially vast unintended consequences to making capacity a part of the criteria for involuntary admission. Capacity is not a binary and it can fluctuate over time even within a day or half a day. If the person lacks capacity on the day of their admission but regains it a day or two later, under the proposed criteria, his or her order must be revoked. This means that even if the person meets all the other criteria that relate to his or her mental disorder, he or she cannot continue to be detained.

A significant amount of consultation and research went into drafting the criteria for involuntary admission that are set out in the Bill as initiated. I believe that the criteria for involuntary admission in the Bill as initiated reflect an appropriate compromise between the views of key stakeholders and ensure that involuntary admission remains available when necessary for people on the grounds of risk and of treatment.

I would like to mention the concept of “risk” as I understand it was discussed at length at the health committee briefing this morning. The existing Mental Health Act provides for detention on the grounds of risk where, “because of the illness, disability or dementia, there is a serious likelihood of the person concerned causing immediate and serious harm to himself or herself or to other persons”.

The term “serious likelihood” of causing “immediate and serious harm” is similar to the wording related to risk in the Bill, where there is a risk of immediate and serious harm to the life or health of the person or another person. Of course, the prediction of risk is never easy but it is a matter that must be considered under the existing Act and it will continue under the Bill. I do not believe we are in a position to remove risk as grounds for involuntary admission, as had been suggested at the hearing of the health committee this morning. We cannot have a situation where a person’s health or life is at serious risk because of his or her mental disorder and that person cannot be admitted. The Bill as published provides for involuntary admission only as a last resort. That is really important. We heard today that a very small cohort of people are

involuntarily detained, at half the rate of our neighbours in the UK. Later amendments I will move will amend the approach to consent to treatment. The Bill as published already provides for the commission to make a code of practice regarding admission. It is such a large Bill that is hard to debate one section without its effect on another.

I do not intend to support amendments Nos. 38 to 41, inclusive. I have spoken to this issue previously in my earlier reasons for opposing the grouping of amendments Nos. 13 to 17, inclusive, regarding the term “mental disorder”. I will move amendment No. 43, which removes the second use of the term “involuntary admission” on the making of an application, as the second reference is not required. Amendment No. 45 is a technical amendment to insert a full stop at the end of the sentence as the following sentence is being deleted in amendment No. 46. Amendment No. 46 deletes subsection (2)(e), as it is necessary to allow members of An Garda Síochána to request the HSE to assign an authorised officer to assess a person and decide whether to make an application for involuntary admission. If members of An Garda Síochána cannot request an application, gardaí will have the ability to take into custody a person who they believe is a risk of harm to self or others due to their mental disorder, but cannot refer the person on to a health setting. It is important to note that members of An Garda Síochána will in no way be responsible for making the application for involuntary admission and will not be involved in the assessment or have any decision-making power over whether to refer a person for involuntary admission.

Deputy Ruairí Ó Murchú: We are talking about a very small number of people. An involuntary admission should be the last thing we look for, but there are cases where it is absolutely necessary. I will not get into the details of another case I recall, but we were dealing with somebody who had become a danger to himself and others. He had been well beyond a nuisance for a considerable time and had caused a huge number of issues in the place where he lived. I went to a community meeting and the entire community was livid. Gardaí were there. They collected all the information. They then charged him with a number of things and brought him to court. I think there was a period of custody. There was a really good judge who then stated that the only chance there would be of bail in the circumstances would be if this person were to take treatment, and he took treatment. I do not even remember his name because that was the issue dealt with. The fact is that this was an issue that was not being dealt with. It involved someone who had a diagnosis and needed help and treatment and was not getting it, so the system was not working for him.

There are multiple other instances, some of which I have even been dealing with lately. It took multiple arrests by the Garda. We are not talking about “immediate and serious harm”, but these people were carrying out continual harm to themselves and to others. Some of it was very obvious from how their lives had gone, how they were living and other circumstances. I do not believe you could go around this Chamber and not find a great many people who would say that there is an issue out there. There have been circumstances where somebody who needed treatment was not in a position to receive it. In an awful lot of cases the Garda and everybody else are attempting to get the person the treatment. I understand that doctors have to look at safeguarding, but they were saying their hands were tied and that the only way they could consider signing for involuntary admission was if we were talking about “immediate and serious harm”, that is, if they were saying they were going to take action against themselves or others. We have had such instances that have gone on for months. It is usually down to good luck that nothing really brutal happens. Things get worse after a period of time. The person then does something sufficient to involve an intervention. Then, along the way, you are able to get someone who is

willing to sign at that point in time. Again, though, there is the danger that is created for that person and the brutal circumstances that that creates for the family and, I imagine, even for that person when they get the treatment and hopefully move into a better place. However, they will have a whole pile of backwash from the particular way they were living that I imagine they will not be particularly happy with. I just do not think it is good enough.

As Deputy Ward and others said, the important point is that we need to get the legislation right and we need the code of practice, making sure that everyone, whether it is the Garda, those who work for the HSE or GPs, is clearly instructed as to how the law works and about the fact that there are cases where the only thing to do as regards providing someone with care is to ensure that they are involuntarily admitted on the basis that they cannot see it but everyone else can. As Deputy Clarke said, we have put into this amendment a number of safeguards. None of us is wedded to this particular amendment. We will be happy enough if the Government and the Minister of State can come back with a solution to this problem because that is all we are looking to be addressed. However, if I do not see anything like that, if I cannot see anything else or any choice we have, we will have to press this amendment because we have to make the point. I am absolutely fed up - and I am not play-acting in this regard - of dealing with these issues. It is a disaster for the families, the Garda and everyone else involved in these cases.

Deputy Mark Ward: I would have been all over this Bill had it been brought before the House last year, when I was still the spokesperson on mental health. I will ask a question and I presume it is in this Bill because it is about involuntary admissions and the lacuna as regards the Assisted Decision-Making (Capacity) Act. If the Minister of State remembers correctly, there was a lacuna between that Act and this Bill whereby the only people who were excluded from making advance healthcare directives were people who were involuntarily detained under the Mental Health Act. I know I am reaching a little here, but does this overall Bill breach that lacuna? Does it answer any questions that that lacuna created?

I will use myself as an example. As the Minister of State knows, I have a neurological condition. I have spoken about it regularly enough. I have the ability to make an advance healthcare directive as to how I would like my future healthcare to be rolled out as I get older. It is something I keep saying I will do but I have not done, but I can do that. As regards somebody who has been involuntarily detained, I have met a number of people and have spoken about this in the media a number of times. For example, if they would have received ECT treatment when they were involuntarily detained in the past, that is something they would not like to see again if they had to go into a psychiatric facility. However, they do not have the ability to make that decision under the Assisted Decision-Making (Capacity) Act and this Bill. There was a lacuna between the two Bills. Has that lacuna been breached or have we managed to resolve it in this Bill? The reason I ask is that I just do not know, to be honest.

Deputy Pádraig Rice: As regards involuntary detention under section 12, the note I have from the Psychological Society of Ireland says that the threshold for involuntary detention appears to be lower than section 12 criteria for involuntary admission to registered acute mental health centres. The society expresses its deep concern and urges restoration of the higher safeguards before liberty is removed. I would be interested in the Minister of State's response to those concerns.

Deputy Mary Butler: I will make a couple of points about what was raised. To be clear, as regards the amendment that was proposed, sections 2 and 3 of this amendment are already in this section of the Bill. That part of it is already in place. My understanding is that sections

2 and 3 will be agreed. The Mental Health Bill extends the ability of anyone detained under the Assisted Decision-Making (Capacity) Act such that they can make advance healthcare directives and can access the courts. I will address the lacuna the Deputy talks about as regards the Assisted Decision-Making (Capacity) Act on Report Stage. When this Bill started out, the Assisted Decision-Making (Capacity) Act had not been enacted. As the Deputy knows since we have discussed this many times, there is crossover with the Department of justice and the Department of disability and children, so those Report Stage amendments will come. They are still being worked on. They are very technical. It is just a matter of trying to make sure that everyone can make an advance healthcare directive.

Again, this is about consent. We all have contact with people who might have an enduring mental health condition. That might be challenging as regards their mental health. We have all had cases, some of them involving family members, and there are days of the week when a family member or friend might give consent for a member of their family to be involved in their care and treatment. That can change overnight. That is the main reason I cannot support this amendment. A person may have a mental disorder that meets the criteria for involuntary admission but still retain some level of decision-making capacity. Under these proposed criteria, these people would not be able to be admitted. That is the worry. On what has been proposed by the Deputies, there is a small cohort for whom it would make it more restrictive to be involuntarily detained. That is why I cannot support it. I am not trying to object to amendments for the sake of it. That is not what I am about. It is all about engagement and trying to make this the best Bill it can possibly be. Capacity is not a binary; it can fluctuate over time and even within a day. If the person lacks capacity on the day of his or her admission but regains it a day or two later, under the proposed criteria, that person's order may be revoked. Somebody may be very ill and not have capacity when being involuntarily detained but if he or she regains capacity two days later, that person can leave of his or her own free will even where a consultant and multidisciplinary team feel treatment is still required. It is for that reason I cannot support that part of the amendment. As I said, two thirds of it are fine. A small cohort of people are involuntarily detained who may have capacity today and may not have it tomorrow but still need treatment. That is the reason.

Deputy Ruairí Ó Murchú: I am not wedded to the amendment but I am wedded to the idea that there is a problem. I assume the Minister of State accepts there is a problem. I am not sure that what is proposed in the Bill will deal with that problem. It is the small number of cases where somebody needs support and a mental health practitioner will not sign, as the practitioner is not allowed, and the Garda cannot get a GP to sign. I mentioned a code of practice, guidelines and all the rest. Sometimes, there is a need for that. Cases have been taken by the Mental Health Commission. GPs and others are working on the basis that it is only if there is an immediate threat, if the persons in question are a danger to themselves, for example, or there is a possibility they will take their own lives or are willing to injure or endanger somebody else. I cannot get over how some cases I have dealt with have gone on for months and then, in the end, the person is admitted involuntarily. In many circumstances, people are happy enough to go along and the GP will sign for a voluntary admission but will not sign otherwise. That also means GPs and others will need supports, structures, a framework, guidelines and a clear code of practice. Does the Minister of State accept there is a problem that needs to be dealt with? I have no problem if this circumstance is dealt with on Report Stage.

Deputy Mary Butler: A significant amount of consultation and research went into drafting the criteria for involuntary admission that are set out in the Bill as initiated. People can perhaps

give consent in the morning but then withdraw it in the afternoon. That does not mean they still do not need mental health supports from the multidisciplinary team in the department of psychiatry or the approved centre. It is a small cohort who are involuntarily detained. If someone has been involuntarily detained, he or she has already met a certain threshold.

Consent can change daily or weekly. Normally, if people have been involuntarily detained but they can then give consent, their detention is revoked and they can ask to leave. There is a very small minority of people who, when their detention is revoked, leave but still need help. That is the thrust of what I am trying to achieve in the Bill.

I took a huge amount of advice from people working in psychiatric hospitals who have many years of experience. Sometimes, people fall between the cracks. That is not what we are trying to address here. Subsections 2 and 3 of the amendment are already in the Bill. We are all in favour of that. In my opinion and that of those I have listened to, there would be vast unintended consequences to making capacity a part of the criteria for involuntary admission. The consent of people with enduring mental health conditions, who may be psychotic or very ill, can change hourly, daily or weekly.

Deputy Ruairí Ó Murchú: I accept a considerable amount of what the Minister of State said. There is a significant issue in terms of getting a certain cohort committed in the first place. What will be the solution? Others and I have been dealing with people who need care and, because they were not making a direct threat to themselves or others, even following an arrest by gardaí who thought they needed to be detained and put in a mental health facility, the GPs were not willing to sign. They believed they could not sign unless there was an imminent threat. These people are causing a huge amount of harm to themselves, which everyone can see.

Deputy Mary Butler: The amendment does not speak to what the Deputy just spoke about. He is talking about somebody who has not been involuntarily detained and someone else believes that person should be, such as a family member. That is not what this amendment is about. I am speaking about somebody who is involuntarily detained and may not have had consent when being involuntarily detained but whose status then changes. That is separate from what this amendment is about. The Deputy is talking about somebody who may be very ill and a family member or whoever-----

Deputy Ruairí Ó Murchú: The Garda.

Deputy Mary Butler: -----believes that person should be involuntarily detained. There is a whole section in the Bill with the criteria for involuntary detention. I know the Deputy is talking about people who are very ill and, with the best of intentions, may need to be involuntarily detained. That will always come down to the detention criteria.

Deputy Pádraig Rice: I asked the Minister of State questions about section 12 and I do not think I got a response. I raised the concerns of the Psychological Society of Ireland about the lowering of the threshold, whether the Minister of State agreed the threshold was lowered in section 12 for involuntary admission and what her response was to the deep concern expressed by the Psychological Society of Ireland in urging the restoration of a higher threshold and higher safeguards before the deprivation of liberty.

Deputy Mary Butler: The Deputy quoted from a document I have not had a chance to look at. The purpose of this Bill is to support people who are mentally unwell but also to make sure their human rights are respected. This Bill will speak to that. If the Deputy wants to send me a

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copy of what he quoted from, I can take a look and come back to him with a response.

Deputy Pádraig Rice: The question is whether the threshold has been lowered in this section for involuntary admission compared with the existing law. It is a straightforward question. It is not complicated.

Deputy Mary Butler: The threshold has not been lowered; it has been strengthened.

Deputy Ruairí Ó Murchú: I take on board what the Minister of State has said. We will put the amendment so we can amend our amendment. The big piece I want out of this is the code of practice, which would be provided to all the necessary stakeholders. Beyond that, I ask the Minister of State to look at the problem I am talking about and having something in the legislation. It could be just the need. That is sufficient at times in legislation, but I have heard too many times that the only way someone can sign this is if a person is threatening somebody else or threatening to do so something terrible to themselves. You can see what they are doing is impacting really badly on them over a continuous period but it is not an imminent threat.

Amendment put and declared lost.

SECTION 12

Deputy Pádraig Rice: I move amendment No. 38:

In page 22, line 31, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Pádraig Rice: I move amendment No. 39:

In page 22, lines 38 and 39, to delete “mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Pádraig Rice: I move amendment No. 40:

In page 23, line 7, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Pádraig Rice: I move amendment No. 41:

In page 23, line 17, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Section 12 agreed to.

SECTION 13

Deputy Pádraig Rice: I move amendment No. 42:

In page 23, line 31, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 43:

In page 23, lines 36 and 37, to delete “recommendation for in4 voluntary admission for the person, the subject of the request,” and substitute “recommendation for the person the subject of the request”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 44:

In page 24, between lines 7 and 8, to insert the following:

“(d) is a spouse of the person, the subject of the application, who is living separately and apart from the person concerned or a spouse in respect of whom—

(i) an application for an order has been made but not yet determined under the Act of 2018, or

(ii) an order has been made under the Act of 2018,
or”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 45:

In page 24, lines 8 and 9, to delete “(c). , or” and substitute “(c).”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 46:

In page 24, to delete line 10.

Amendment agreed to.

Section 13, as amended, agreed to.

SECTION 14

Deputy Pádraig Rice: I move amendment No. 47:

In page 24, lines 39 and 40, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Pádraig Rice: I move amendment No. 48:

In page 25, line 8, to delete “a mental disorder” and substitute “mental health difficulties”

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 49:

In page 26, between lines 7 and 8, to insert the following:

“(14) In *subsection (1)*, “spouse”, in relation to a person, does not include a spouse who is living separately and apart from the person, or a spouse in respect of whom—

(a) an application for an order has been made but not yet determined under the Act of 2018, or

(b) an order has been made under the Act of 2018.”.

Amendment agreed to.

Section 14, as amended, agreed to.

SECTION 15

Deputy Pádraig Rice: I move amendment No. 50:

In page 26, line 15, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 51:

In page 26, between lines 23 and 24, to insert the following:

“(d) is a spouse of the person, the subject of the application, who is living separately and apart from the person concerned or a spouse in respect of whom—

(i) an application for an order has been made but not yet determined under the Act of 2018, or

(ii) an order has been made under the Act of 2018.”.

Amendment agreed to.

Deputy Pádraig Rice: I move amendment No. 52:

In page 26, line 32, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 53:

In page 26, to delete lines 39 and 40 and substitute the following:

“(5) A direct application for a recommendation for involuntary admission shall be made in the form and manner specified by the Commission.”.

This amendment provides for a new subsection (5) to ensure that direct applications are

made in a form specified by the Mental Health Commission.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 54:

In page 26, to delete line 41, and in page 27, to delete lines 1 to 3 and substitute the following:

“(6) In this section and *section 18*, “relevant person” means a person who—

(a) is a spouse of the person, the subject of the application, but does not include a spouse who is living separately and apart from the person or in respect of whom—

(i) an application for an order has been made but not yet determined under the Act of 2018, or

(ii) an order has been made under the Act of 2018,

(b) is a relative of the person, the subject of the application,

(c) has a *bona fide* interest in the mental health, safety and welfare of the person concerned, or

(d) is a mental healthcare professional (other than a consultant psychiatrist).”.

Amendment agreed to.

Section 15, as amended, agreed to.

SECTION 16

Deputy Pádraig Rice: I move amendment No. 55:

In page 27, lines 9 and 10, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

An Ceann Comhairle: Amendments Nos. 56, 71, 151, 158, 175, 179, 182, 184, 192 and 198 are related and may be discussed together.

Deputy Mary Butler: I move amendment No. 56:

In page 27, line 13, to delete “view” and substitute “opinion”.

These are technical amendments to replace the word “view” with “opinion” at various points throughout the Bill.

Amendment agreed to.

Deputy Pádraig Rice: I move amendment No. 57:

In page 27, line 18, to delete “a mental disorder” and substitute “mental health difficulties”.

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Amendment put and declared lost.

Deputy Pádraig Rice: I move amendment No. 58:

In page 27, line 25, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Pádraig Rice: I move amendment No. 59:

In page 27, line 32, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Section 16, as amended, agreed to.

Section 17 agreed to.

SECTION 18

Deputy Pádraig Rice: I move amendment No. 60:

In page 29, line 6, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

An Ceann Comhairle: Amendments Nos. 61 to 70, inclusive, 126, 170 to 173, inclusive, and 176 to 178, inclusive, are related and may be discussed together.

Deputy Mary Butler: I move amendment No. 61:

In page 29, line 9, before “take” to insert “take all reasonable measures necessary to”.

Following publication of the Bill last July, officials in my Department continued to consult key stakeholders. Invaluable feedback was provided by An Garda Síochána and the Department of Justice regarding the provisions on Garda powers in the Bill.

An Garda Síochána examined the Bill in terms of operability and suggested amendments that would help improve how the new Bill could be operationalised. I will provide some detail on the proposed amendments and the rationale for moving them.

Amendments Nos. 61 and 170 provide for the term “take all reasonable measures to”, which is being inserted into sections 18(1)(a) and 71(1)(a). This has been included at the request of An Garda Síochána to ensure, for the avoidance of doubt, that there is an explicit power to use reasonable force to take a person into custody. Of course, members of An Garda Síochána are bound to act within the powers granted them under this and other enactments, but also are bound by Garda policies on use of reasonable force.

Amendments Nos. 62 and 171 replace the term “a Superintendent or Chief Superintendent” with “a member ... not below the rank of Inspector” as the grade that can extend the timeframe for holding a person in custody. This was requested by An Garda Síochána because it may be

difficult to get in contact with a superintendent outside of normal working hours.

Amendments Nos. 63 to 65, inclusive, are technical amendments.

Amendment No. 66 inserts the term “or a consultant psychiatrist acting on that clinical director’s behalf” in subsection 18(8). This will expand the staff members whom the Garda may contact to arrange for the person to be brought to the registered acute mental health centre. This amendment was requested to align this provision with section 19 and to reduce the possibility of delays in arranging transfers.

Amendment No. 67 is being moved in relation to section 18(9) to read, “when a member or members of An Garda Síochána exercise powers under this section or under sections 19, 39, 71, 77 or 131”. Members of An Garda Síochána must apply the regulations for the treatment of persons in custody in Garda stations to any person taken into custody, including under the Mental Health Act. The wording in the Bill as initiated may cause duplication or conflict if a separate set of regulations in relation to custody are prepared. Amending the reference here allows the Minister to make broader regulations in relation to Garda powers under this legislation.

Amendment No. 68 inserts a new subsection (10) into section 18 to allow An Garda to retain a copy of the recommendation for involuntary admission, as is currently the case under the existing Mental Health Act. It is retained with the custody record of the person and used in assisting with the transfer of the person to the approved centre.

Amendment No. 69 deletes “but not later than 12 hours” from section 19(1) as members of An Garda Síochána are already compelled to bring a person to a registered acute mental health centre as soon as is practicable.

Amendment No. 70 inserts a requirement into section 19, which states that authorised officers will comply with a Garda request to consider making an application for a recommendation for involuntary admission as soon as practicable. An Garda Síochána requests that some acknowledgement be included that the HSE be compelled to respond within a timely manner to a request for an authorised officer.

Amendment No. 126 introduces a requirement that An Garda Síochána shall respond as soon as practicable to a request for assistance in bringing back to a registered acute mental health centre a person who has absconded without leave.

Amendments Nos. 172 and 176, in relation to Garda powers to take children into custody, replace the wording “unless it is unsafe to do so” and “it is unsafe or not in the best interests of the child” with “there is an immediate and serious risk to the health or welfare of a child by releasing the child into the care of that person or persons”. An Garda Síochána asked for greater clarity on what constitutes unsafe. The revised wording aligns closely with the current wording of section 12 of the Child Care Act 1991.

Amendment No. 173 provides for the deletion of section 71(5) in relation to where any of a parent, guardian or the Child and Family Agency request the assistance of gardaí when transferring the child following their release. An Garda Síochána stated it would be inappropriate to assign this responsibility to gardaí as it is not part of the statutory responsibility for gardaí to provide transportation outside of defined arrangements such as custody.

Amendment No. 178 inserts a new subsection (7) into section 71 to allow the HSE to step

in and assist gardaí where the parent or guardian of a child cannot be located or if it is unsafe to release the child to them.

I believe the amendments I am moving today in relation to Garda powers for taking adults and children into custody make these provisions more operational and bring greater clarity to members of An Garda Síochána working under the enactment and, crucially, greater clarity to people being treated under this enactment. I thank An Garda Síochána for all its engagement on this section of the Bill.

Deputy Sorca Clarke: I will speak briefly to the general scheme of these amendments and the important and critical issue that Garda representatives raised with the health committee this morning about the availability of authorised officers. Their asks, which are incredibly reasonable, is that there be authorised officers for them to call upon. The Mental Health Commission said it planned to bring forward a proposal to increase the numbers. There are questions still remaining as to where those staff members will come from. However, it is vital that those authorised officers be available 24-7.

Deputy Mary Butler: Agreed.

Deputy Sorca Clarke: There is no way to plan outside of 24-7, 365 days a year. I do not think the Minister of State will find an objection from anybody in this House were a proposal brought forward to do that. We all recognise the importance of them and the role and incredible work gardaí do, so when they come looking for something, we should be the ones to say that if we can, we will.

Deputy Conor D. McGuinness: I support Deputy Clarke. This is an issue that mental health professionals and gardaí are bringing to us regularly. I know last year, in response to a parliamentary question, as the Minister of State knows, there was only one authorised officer between the city and county in Waterford. I have a number of questions submitted but I do not know if that situation has improved. I hope to God it has, but that will remain to be seen. It proves the point that the debate we have been having over the past 40 minutes or so is about looking after people when they are at their lowest ebb, when they are in crisis and when there is the greatest need and the greatest risk of harm. When we do not have the personnel in place to help that process, we all, unfortunately, see the outworkings of that in our respective constituencies. I add to what Deputy Clarke has said. Whatever the proposals will be, we need to see action on that and an uptake in authorised officers across the State.

Deputy Mary Butler: I thank the Deputies for their appropriate questions. In 2023, 16% of applications were made by authorised officers and 32% by gardaí. That is to put it into context. The Department and the HSE recognise that for the authorised officer system to work effectively, officers must be available nationwide on a 24-7 basis. I am in 100% and total agreement. The expectation is not that an authorised officer would be available in every village, but one should be available in at least every county and in every medium to large urban centre, but I believe we have to go further than that. The CAST project in Limerick is a useful example of how the authorised officer might work in the future, with a dual Garda-health service approach.

As of the last figures I had available, from September 2024, there were 174 authorised officers trained within the HSE. All officers are mental health professionals, with the majority being either mental health nurses or social workers. At present, people work as authorised officers as an add-on to their existing job in the evenings and on weekends. The HSE also provides spe-

cific training, so some are psychiatric nurses, occupational therapists, registered psychiatrists and social workers, but they are mostly clinical nurse specialists, psychiatric nurses and social workers. The HSE has been aware of the introduction of this system for a number of years and must be satisfied and ensure all of us, me as Minister of State and the Department of Health are satisfied that it has enough authorised officers and that the system as designed can work effectively. Initial costings estimate the system for authorised officers will cost €3.5 million per year.

Following Committee Stage, the HSE must begin to make preparations for the expansion of the authorised officer system, but I know it has already begun. I heard from the Orla Keane at the Mental Health Commission today that it had provided some of this additional training already. As I have said, for all facets of the Bill there will be lead-in time, but we have to be 100% sure there are enough authorised officers to respond wherever they are requested all over the country. It is one of the areas where we will not be able to make the changes from gardaí to authorised officers until we are satisfied that we have enough of them. We have a good start with 174.

8 o'clock

That is the most recent figure available to me. We have to at least double it, if not more. That is the most up-to-date information I have, but the figure will rise quickly. From listening to and engaging with gardaí at many levels, I am aware that nearly one third of all involuntary detentions, especially of very ill people, are made by gardaí. That is not their role. It is a role they want to move away from but that cannot happen until we have enough authorised officers. For authorised officers as we know them, it is an additional part of their work. I will not call it overtime but it is an add-on. We are going to need full-time authorised officers, especially in the larger cities.

When the legislation is amended by the Oireachtas and passed, there will be a major amount of work to be done in respect of authorised officers and the various plans to be put in place by the HSE, the Department of justice and others - the Assisted Decision-Making (Capacity) Act relates to the Department of children and disability - to make sure it is workable. There is no point in it being on paper if we do not have enough authorised officers to do exactly what we want them to do, as per the Bill.

Deputy Ruairí Ó Murchú: I do not think there will be disagreement about the Garda request for authorised officers. It is completely logical and makes sense. They will be best suited to delivering and will be utterly *au fait* with what is involved, which is not always the case. Some of the issues I spoke of earlier relate to the fact that not everyone is *au fait* with the law and with what is required. That is why I go back to the idea of a code of practice. We all heard about the CAST system or scheme - call it what you will - in Limerick. It is not to be associated with any other systems. We see this as something that works, and that is what we want to see everywhere.

The Minister of State answered a question I was going to ask about my fears in relation to authorised officers. There is a doubling up on the work they carry out as social workers, psychologists and psychiatrists. Particularly in large urban areas or where they have to deal with a wider rural area, there will be requirements. We are not anticipating dealing with a huge number of people, but there have been failings. We want legislation that works and, beyond that, resources. The logical resource would be authorised officers who have the skill set and know best practice.

We must ensure that whomever has to deal with them from other State services and the Garda is made aware of who has what role and how it will operate. Sometimes there is a problem with communications. Part of what I spoke about previously is that people could get away from the idea that they could only sign involuntary committals on the basis of someone being a threat to themselves or others at a particular moment, when there are still major mental health issues.

Deputy Pádraig Rice: I share the concerns expressed by others. The Mental Health Commission has recommended that a dedicated authorised officer unit be set up in the HSE. I would be interested in the Minister of State's thoughts on that.

I share the concern regarding full-time officers. What resources will be put in place to ensure that happens? It is all well and good saying we should have people available 24-7, but we need to resource that and have funding available. What resources does the Minister of State intend to put in place to ensure full-time officers are available across the country?

Deputy Sorca Clarke: The Minister of State spoke of authorised officers per county. There has to be a better model than that. In my constituency, an authorised officer may be needed in Coole. Granard is ten minutes up the road but Athlone is an hour's drive in the opposite direction. A more open approach, as opposed to one based on restrictive county boundaries, could work much better, particularly in rural areas.

Deputy Mary Butler: I agree wholeheartedly. As I said, 174 is the most recent figure I received. In order for this important aspect of the Bill to work, we need sufficient authorised officers. It is hard to judge how many will be needed. Authorised officers made 16% of applications in 2023, while gardaí made 32%. This means that one sixth of applications were made by authorised officers. I agree that we cannot take an *ad hoc* approach to authorised officers.

On Deputy Rice's question regarding what the Mental Health Commission said, all of this will have to be worked out before the Bill can be enacted. The quicker it is worked out, the quicker the Bill will be enacted. Geography will be a major factor. If you are in the far reaches of Donegal or down in west Cork and depend on someone coming from the closest large town or city, that will not work. We cannot adopt an *ad hoc* approach. Everybody agrees that the officers will play an important role. There will be a role, in my opinion, for some form of full-time office in relation to them. Then there will be a hub-and-spoke approach, perhaps. I definitely agree with Deputy Clarke that the use of county boundaries will not work in this case.

Deputy Ruairí Ó Murchú: It is probably too early to ask the Minister of State about the timeline, given that we are having a preliminary discussion on the structure. Can she give a general indication? I accept that this all depends on funding. What will the structure look like in comparison with the current structure, the difficulties with which I have spoken about previously? I imagine that other medical practitioners will have to be involved at some point, particularly in the context of involuntary admissions.

Deputy Mary Butler: The Assisted Decision-Making (Capacity) Act 2015 did not come into place until 2023. We are looking at 2028. We have to be realistic. There are certain facets of it we want to see being implemented very quickly. There will be a formal implementation plan for the Act. It will set out timelines, the resources needed, etc. I am keen that we would start straight away. I have already written to the Mental Health Commission and asked it to come back to me on how it proposes to regulate CAMHS, for example. We have approximately 1,200 people with enduring mental health conditions who living in households of maybe four or

five people and require 24-7 support. They are not regulated, and I am keen for that to happen quickly. That is important. That is the second stage of CAMHS.

Much work has gone into this Bill. It has taken a long time to get here. I appreciate the co-operation of Deputies with previous Ministers over many years. As soon as the Bill is passed, the HSE will be tasked with a formal implementation plan.

I did not answer Deputy Rice's question on resources. At this stage, we do not know what the demand for resources will be. The preliminary figure I was given in respect of authorised officers is approximately €3.5 million. If the Mental Health Commission is to be the regulator, it will need more staff to regulate the 82 CAMHS teams we currently have, including the specialist teams, and the households across the country where people live with enduring mental health conditions. I am very keen for them to be regulated.

The change in the age verification for mental health consent is one of the things that can happen organically. This should happen more quickly. I hope to have more detail on Deputy Ó Murchú's question later in the year.

Deputy Sorca Clarke: I have a straightforward question. If there are 174 authorised officers at present, how many does €3.5 million equate to?

Deputy Mary Butler: I cannot answer that question specifically. Authorised officers are paid a kind of overtime for work additional to their regular work. I anticipate that many authorised officers will do this in addition to their day jobs. Many of these requests are made out of hours and at weekends.

Deputy Sorca Clarke: It would be related to their existing rate of pay if it were considered overtime.

Deputy Mary Butler: I am not understanding the question. What I am saying is that the estimate for the cost to get to the number we need is an additional €3.5 million. I imagine that would relate to those who are working part time. I can get more details and reply to the Deputy next week or on Report Stage.

Deputy Sorca Clarke: I imagine the information is there somewhere. Somebody has said it is going to cost €3.5 million. What is that cost?

Deputy Mary Butler: That is the cost of the additional authorised officers.

Deputy Sorca Clarke: How many?

Deputy Mary Butler: I do not know. I will dig into that for the Deputy.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 62:

In page 29, line 15, to delete "a Superintendent or Chief Superintendent" and substitute "a member of An Garda Síochána not below the rank of Inspector".

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 63:

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In page 29, between lines 26 and 27, to insert the following:

“(4) Where an authorised officer or the Executive, as the case may be, receives a Garda request for an application for a recommendation for involuntary admission, the authorised officer or the Executive, as the case may be, shall comply with that request as soon as practicable.”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 64:

In page 30, line 26, to delete “the” and substitute “An”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 65:

In page 30, line 28, to delete “the” where it firstly occurs and substitute “An”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 66:

In page 30, line 29, after “centre” to insert “or a consultant psychiatrist acting on that clinical director’s behalf”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 67:

In page 30, lines 34 and 35, to delete “when a person is taken into custody under this section” and substitute the following:

“when a member or members of An Garda Síochána perform functions under this section or under *section 19, 39, 71, 77 or 131*”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 68:

In page 30, between lines 35 and 36, to insert the following:

“(10) Where a recommendation for involuntary admission is made by a registered medical practitioner under this section, a copy of the recommendation shall be provided by the registered medical practitioner to the member of An Garda Síochána who is responsible for the person who is taken into custody under *subsection (1)*, or another member on his or her direction, for inclusion in the custody record (within the meaning of Regulation 6 of the Criminal Justice Act 1984 (Treatment of Persons in Custody in Garda Síochána Stations) Regulations 1987 (S.I. No. 119 of 1987)) in respect of the person the subject of the recommendation for involuntary admission.”.

Amendment agreed to.

Section 18, as amended, agreed to.

Dáil Éireann
SECTION 19

Deputy Mary Butler: I move amendment No. 69:

In page 30, line 41, to delete “but not later than 12 hours”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 70:

In page 31, line 25, after “request” to insert “as soon as practicable”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 71:

In page 31, line 35, to delete “view” and substitute “opinion”.

Amendment agreed to.

Section 19, as amended, agreed to.

Section 20 agreed to.

SECTION 21

An Ceann Comhairle: Amendments Nos. 72 to 77, inclusive, 79, 81 to 87, inclusive, 90 to 93, inclusive, 114 to 116, inclusive, and 118 to 121, inclusive, are related. Amendments Nos. 75 and 76 are

physical alternatives to amendment No. 74. Amendment No. 115 is a physical alternative to amendment No. 114.

Amendments Nos. 72 to 77, inclusive, 79, 81 to 87, inclusive, 90 to 93, inclusive, 114 to 116, inclusive, and 118 to 121, inclusive, may be discussed together.

Deputy Mary Butler: I move amendment No. 72:

In page 32, to delete line 38 and substitute the following:

“(3) If, upon the proposed discharging from hospital of a person the subject of a recommendation for involuntary admission—”.

I will speak first to amendment No. 93. This amendment provides for a stand-alone section relating to psychosocial assessments to be carried out within two working days of the admission order being made rather than at the time of admission. Some stakeholders requested that clarity be given to the status of psychosocial assessments. The Bill, as initiated, clearly states that the psychosocial assessment is not part of the grounds for involuntary admission. This has been made clearer in the amendments to the Bill by providing for the assessments in a stand-alone section. Allowing for the psychosocial assessments to be carried out within two working days of the admission order being made will allow more allied health professions to participate in those assessments, particularly for professions that do not generally work outside normal working hours.

Amendment No. 72 is a technical amendment that rewords subsection 21(3) to include reference to the “person the subject of a recommendation for involuntary admission”.

Amendment No. 73 is a technical amendment moving the word “means” in the sentence to make it clearer.

Amendments Nos. 74, 83, 114, 118 and 120 take out the reference to “psychosocial assessments” in sections 22 and 37 as these are all now moved to new section 26, under amendment No. 93.

I do not propose to accept amendment No. 75 as I do not believe it is appropriate. Reflective of recommendation 43 of the report of the expert group on the review of the Mental Health Act 2001, I am focused on bringing the psychosocial assessment of other members of the multidisciplinary team to the involuntary admission process in tandem with the examination of the consultant psychiatrist. The detail of what is contained within a psychosocial assessment can be set out by way of secondary legislation in a regulation.

I do not propose to accept amendment No. 76. However, I agree with the spirit of this amendment. This level of detail of psychosocial assessment is not required in primary legislation. It would be more beneficial for such matters to be dealt with either in secondary legislation by way of regulation or by guidance by the Mental Health Commission. The matters to be assessed as set out in the amendment are all relevant and important to any psychosocial assessment but it does not need to be reflected in the text of the Bill. As I said, however, I agree with the spirit of the amendment, and it is important to say that.

Amendments Nos. 77, 82, 84, 85, 87, 91, 92, 116 and 119 correct typographical errors.

Amendment No. 79 takes out the first reference to “involuntary admission” in section 22(2)(a) as only one reference is needed in the sentence.

I do not propose to accept amendment No. 81. I would have very grave concerns if this amendment were to be carried. It would represent a serious regression in the rights of people in the involuntary admission process. The Mental Health Act 2001 only permits a person to be held for 24 hours in an approved centre before an admission order either can be made or the person must be released. This timeframe has been retained in this Bill. It would be a retrograde step to extend that period to 72 hours.

We must remember that until an admission order has been made in respect of a person, that person is not involuntarily admitted. To deprive a person of their liberty is a serious infringement on their rights and must be for as short a period as possible. Extending the period in which a person can be held with an admission order being made to 72 hours without the person being examined and determined to have a mental disorder that meets the criteria for involuntary admission would seriously diminish the rights of people. I seriously believe it would be a retrograde step.

Amendments Nos. 86 and 90 provide for new subsections 22(6) and 23(6) to ensure that an involuntary admission order and renewal order are made in a form specified by the Mental Health Commission.

I do not propose to accept amendment No. 115. The independence of the second examination by another consultant psychiatrist must be protected. This is to ensure that where a change

of status is sought in respect of a voluntarily admitted person, there is an examination of the person that is independent of the service where they are receiving treatment. To provide for anything less than this would diminish the rights of the person.

Amendment No. 121 is a technical amendment to reword this subsection to give it more clarity.

There was quite a lot in that contribution.

Deputy Sorca Clarke: I will speak briefly to amendment No. 76. This is a real missed opportunity for the Government. This amendment deals with the holistic assessment of an individual. I recognise that the Minister of State said she thinks there is something in this proposal and will consider putting it into secondary legislation. If she thinks there is something in this, it should be inserted in the primary legislation. It has been so long since the Mental Health Act has been updated to any great degree that to have this sit in secondary legislation as opposed to primary legislation would be a missed opportunity. This amendment would reinforce the rights-based, person-centred approach by requiring social and environmental contexts to be considered. Instead of just considering a person's immediate medical symptoms and needs, we must also consider whether he or she can safely live in the community and what supports need to be put in place for that to happen. It protects individuals from unnecessary and inappropriate detention, especially where appropriately resourced community supports could meet their needs. At present, we all know that community mental health services are struggling to meet the demand and, in some cases, are almost overwhelmed by it. Such services avoid the over-reliance on institutional care.

Deputy Ruairí Ó Murchú: This amendment is an attempt to ensure we have a holistic means of assessment. We are talking about everything that impacts on mental health issues, including the environmental, the physical and the social. It is about the idea of ensuring we are assessing everything to make sure that we are dealing with all the issues impacting on a person. As Deputy Clarke said, it is then all about ensuring we can put the best framework and best resources in play.

There is no point not saying this in respect of some of the issues we have talked about throughout this entire debate: the fact is we had a scenario where we had huge institutions, and all that was wrong with them, and the promise was that we were going to introduce a community service. That is where we have to put emphasis. In a lot of cases, we should have this community service. In some cases, these are early interventions at a very early stage and, as we all know, early interventions can stop us from needing those very expensive and acute services when people find themselves in real distress. It is an attempt on our behalf to address that. The Minister of State said she gets the idea of what we are attempting with this amendment. Again, we are looking for best practice. At this stage, I just have not seen any arguments why we would not embed this in the legislation at this point as opposed to going to secondary legislation.

Deputy Pádraig Rice: I support the sentiments of previous speakers on enshrining wider assessment. If the Minister of State agrees this needs to be done but does not agree with the actual amendment, I encourage her to consider inserting a Report Stage amendment that will achieve something similar. I ask her to consider doing that on Report Stage, if she agrees this is worth doing and is worthwhile.

Deputy Mary Butler: I thank the Deputies for those comments. To be clear, this is for

people who are involuntarily detained. It will be written into the Bill, if it passes through the Houses of the Oireachtas, that a psychosocial assessment will be provided within two days. That is actually in the Bill, but what it does not specify is what the psychosocial assessment will be, which would never be expected in primary legislation. There will be greater flexibility for amendment if it is brought to secondary legislation, if it does not fulfil the purpose of what it is meant to be.

To be very clear, this is a new introduction. It is a change from the 2001 Act. We are saying that a psychosocial assessment will be made available to somebody who is involuntarily detained within two days. The reason we moved to two days from the initial Bill is, sometimes, people are not working 7-7, and someone admitted over the weekend might not have access to that psychosocial support. That is why we moved it out to 48 hours.

The other piece is that psychosocial assessment is in the Bill. What the Deputies are looking for is clarification of what that assessment is. That will come in secondary legislation, which will also give us more opportunities if it has to be amended. It is there. It is part of the Bill. It is for those who are involuntarily detained. To Deputy Ó Murchú's point, it is not about psychosocial assessments in the community. This section just deals with the involuntary detention piece.

Deputy Sorca Clarke: I find the Minister of State's position slightly confusing, as she wanted direct input into what a care plan was in the Bill's original iteration. I know the Government has rowed back on the layout of a care plan somewhat. However, for the Minister of State to say she wants to define what the layout of a care plan is, but not what a psychosocial assessment is, just does not add up.

Deputy Ruairí Ó Murchú: The Minister of State should be well used to me using flexibility. I decided that I needed to mention the fact we need to put a certain emphasis on community services. That was already mentioned by Deputy Clarke, so I apologise. I did digress. I get that we are dealing with the issue of involuntary admissions, but we were trying to flesh out how to ensure we are talking about something that is holistic. That was the idea around the biopsychosocial. It is about making sure we are taking into account all the aspects that are impacting on the person.

Deputy Mary Butler: In fairness, what Deputy Clarke said was a bit of a misrepresentation. The care plan is embedded in regulation but cannot be determined in the legislation. Each care plan is individual to each person who may be involuntarily detained or will be in an approved centre voluntarily. We are setting out in primary legislation that there will be a care plan. I am very keen on care plans across everything, for older people as well.

We are also setting out that there will be a psychosocial assessment, but primary legislation is not where we determine that. It is determined in secondary legislation and that is what we intend to do.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 73:

In page 33, lines 17 and 18, to delete "in relation to a person, the subject of a recommendation for involuntary admission, means" and substitute "means, in relation to a person the subject of a recommendation for involuntary admission,".

Amendment agreed to.

Section 21, as amended, agreed to.

SECTION 22

Deputy Mary Butler: I move amendment No. 74:

In page 33, lines 23 to 32, to delete all words from and including “(1) Where” in line 23 down to and including line 32 and substitute the following:

“(1) Where a clinical director receives a recommendation for involuntary admission under *section 16* in respect of a person, the clinical director shall as soon as may be arrange for a consultant psychiatrist on the staff of the registered acute mental health centre to carry out an examination of the person the subject of the recommendation.”.

Amendment agreed to.

An Ceann Comhairle: Amendments Nos. 75 and 76 cannot be moved.

Amendment Nos. 75 and 76 not moved.

Deputy Mary Butler: I move amendment No. 77:

In page 33, line 33, to delete “*subsection (1)(a)*” and substitute “*subsection (1)*”.

Amendment agreed to.

Deputy Pádraig Rice: I move amendment No. 78:

In page 33, lines 34 and 35, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 79:

In page 33, lines 35 and 36, to delete “for the involuntary admission”.

Amendment agreed to.

Deputy Pádraig Rice: I move amendment No. 80:

In page 33, lines 39 and 40, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Sorca Clarke: I move amendment No. 81:

In page 34, line 4, to delete “24 hours” and substitute “72 hours”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 82:

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In page 34, line 4, to delete “*subsection (1)(a)*” and substitute “*subsection (1)*”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 83:

In page 34, to delete lines 7 to 9.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 84:

In page 34, line 11, to delete “*subsection (1)(a)*,” and substitute “*subsection (1)* or”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 85:

In page 34, lines 12 and 13, to delete “or carrying out an assessment under *subsection (1)(b)*, as the case may be”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 86:

In page 34, between lines 16 and 17, to insert the following:

“(6) An involuntary admission order shall be made in the form and manner specified by the Commission.”.

Amendment agreed to.

Section 22, as amended, agreed to.

SECTION 23

Deputy Mary Butler: I move amendment No. 87:

In page 34, line 27, to delete “further extended” and substitute “extended”.

Amendment agreed to.

Deputy Pádraig Rice: I move amendment No. 88:

In page 35, lines 1 and 2, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Pádraig Rice: I move amendment No. 89:

In page 35, line 4, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

Deputy Mary Butler: I move amendment No. 90:

In page 35, between lines 5 and 6, to insert the following:

“(6) A renewal order shall be made in the form and manner specified by the Commission.”.

Amendment agreed to.

Section 23, as amended, agreed to.

Section 24 agreed to.

SECTION 25

Deputy Mary Butler: I move amendment No. 91:

In page 36, to delete lines 14 and 15 and substitute the following:

“(b) receive any information subsequently provided under *paragraph (b)*, *(c)* or *(d)* of *subsection (3)*, and”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 92:

In page 36, line 20, to delete “*paragraphs*” and substitute “*paragraph*”.

Amendment agreed to.

Section 25, as amended, agreed to.

NEW SECTION

Deputy Mary Butler: I move amendment No. 93:

In page 36, between lines 26 and 27, to insert the following:

“Psychosocial assessment of involuntarily admitted person

26. (1) Where an involuntary admission order has been made in relation to an involuntarily admitted person, a mental healthcare professional (other than a consultant psychiatrist) on the staff of the registered acute mental health centre who is involved in the care and treatment of the person concerned shall carry out a psychosocial assessment of the person concerned no later than 2 working days after the date of the making of the order.

(2) The conclusions of a psychosocial assessment of an involuntarily admitted person carried out under *subsection (1)* shall be recorded in that person’s medical record.

(3) A psychosocial assessment shall not be carried out by a relative or spouse of the person concerned.”.

Amendment agreed to.

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SECTION 26

Deputy Mary Butler: I move amendment No. 94:

In page 37, lines 1 and 2, to delete “(both within the meaning of section 2 of the Legal Services Regulation Act 2015)”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 95:

In page 37, line 10, to delete “a registered nurse” and substitute the following:

“a person who was previously a practising solicitor or a practising barrister but is not currently practising (whether in the State or otherwise)”.

Amendment agreed to.

Section 26, as amended, agreed to.

Section 27 agreed to.

SECTION 28

Deputy Mary Butler: I move amendment No. 96:

In page 40, line 20, to delete “the person, the subject” and substitute “the person the subject”.

Amendment agreed to.

An Ceann Comhairle: Amendments Nos. 97 to 99, inclusive, 108, 113, 122 to 124, inclusive, 127 to 130, inclusive, 135, 200, 202 and 203 are related and may be discussed together.

Deputy Mary Butler: I move amendment No. 97:

In page 40, to delete lines 27 to 29 and substitute the following:

“(b) the attendance of the responsible consultant psychiatrist at the hearing of the review board,”.

These are textual amendments to a number of subsections so that they read “responsible consultant psychiatrist”, make the provisions clearer and provide consistency throughout the Bill.

Amendment agreed to.

Section 28, as amended, agreed to.

Section 29 agreed to.

SECTION 30

Deputy Mary Butler: I move amendment No. 98:

In page 42, lines 27 and 28, to delete “consultant psychiatrist responsible for the care and treatment of the person concerned” and substitute “responsible consultant psychiatrist”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 99:

In page 43, lines 17 and 18, to delete “consultant psychiatrist who is responsible for the care and treatment of the person concerned” and substitute “responsible consultant psychiatrist”.

Amendment agreed to.

Section 30, as amended, agreed to.

SECTION 31

An Ceann Comhairle: Amendments Nos. 100, 101, 103, 105 and 107 are related and may be taken together.

Deputy Mary Butler: I move amendment No. 100:

In page 43, line 36, to delete “board” and substitute “review board”.

Amendments Nos. 100, 101, 105 and 107 provide for textual amendments to a number of subsections to read “responsible consultant psychiatrist”, to make the provisions clearer and provide consistency throughout the Bill.

Amendment No. 103 provides for a mental health review board to meet within 21 days of the making of an order, or such shorter time period as might be prescribed by the Minister, to a minimum of 14 days. This means that a review board may meet to review an order earlier than 21 days if a regulation is made by the Minister to provide for a shorter period. I have asked officials in my Department to consider the making of a regulation to reduce the period from 21 days. This regulation will be examined along with other regulations that need to be in place before commencement of the enactment.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 101:

In page 43, line 38, to delete “board” and substitute “review board”.

Amendment agreed to.

An Ceann Comhairle: Deputy Rice is not present, therefore amendment No. 102 cannot be moved.

Amendment No. 102 not moved.

Deputy Mary Butler: I move amendment No. 103:

In page 44, line 11, after “days” to insert “, or such shorter period as may be prescribed which period shall be not less than 14 days,”.

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Amendment agreed to.

Deputy Mary Butler: I move amendment No. 104:

In page 44, line 23, to delete “presented” and substitute “presented,”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 105:

In page 44, line 27, to delete “notify in writing” and substitute “notify”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 106:

In page 44, line 30, to delete “and” and substitute “and,”.

Amendment agreed to.

Section 31, as amended, agreed to.

SECTION 32

Deputy Mary Butler: I move amendment No. 107:

In page 45, line 26, to delete “notice in writing” and substitute “notice”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 108:

In page 46, to delete lines 12 and 13 and substitute the following:

“(b) the responsible consultant psychiatrist, and”.

Amendment agreed to.

Section 32, as amended, agreed to.

Section 33 agreed to.

SECTION 34

Deputy Mary Butler: I move amendment No. 109:

In page 48, line 8, to delete “person involuntarily admitted” and substitute “involuntarily admitted person”.

Amendment agreed to.

Section 34, as amended, agreed to.

SECTION 35

Deputy Mary Butler: I move amendment No. 110:

In page 49, line 4, to delete “the involuntarily” and substitute “an involuntarily”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 111:

In page 49, line 7, to delete “person” and substitute “involuntarily admitted person”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 112:

In page 49, line 21, to delete “*subsection (10)*” and substitute “*subsection (10),*”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 113:

In page 49, lines 26 and 27, to delete “consultant psychiatrist responsible for the care and treatment of the person concerned” and substitute “responsible consultant psychiatrist”.

Amendment agreed to.

Section 35, as amended, agreed to.

Section 36 agreed to.

SECTION 37

Deputy Mary Butler: I move amendment No. 114:

In page 51, to delete lines 30 to 35 and substitute the following:

“(2) The responsible consultant psychiatrist shall carry out an examination of the person concerned under *section 22(1)*.”.

Amendment agreed to.

An Ceann Comhairle: Amendment No. 115, in the name of Deputy Clarke, cannot be moved.

Amendment No. 115 not moved.

Deputy Mary Butler: I move amendment No. 116:

In page 51, to delete lines 36 and 37.

Amendment agreed to.

Deputy Pádraig Rice: I move amendment No. 117:

In page 52, lines 7 and 8, to delete “a mental disorder” and substitute “mental health difficulties”.

Amendment put and declared lost.

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Deputy Mary Butler: I move amendment No. 118:

In page 52, to delete lines 13 to 15 and substitute the following:

“(6) If, following an examination of the voluntarily admitted person and consultation with the responsible consultant psychiatrist, the second consultant psychiatrist—”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 119:

In page 52, line 26, to delete “involuntary admission order” and substitute “order (in this Act referred to as an “involuntary admission order”)”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 120:

In page 52, lines 28 and 29, to delete “and details of the psychosocial assessment”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 121:

In page 52, to delete lines 41 and 42 and substitute the following:

“(10) *Sections 23 to 36* shall apply to a person involuntarily admitted under this section as they apply to a person involuntarily admitted under *section 22* with any necessary modifications.”.

Amendment agreed to.

Section 37, as amended, agreed to.

SECTION 38

Deputy Mary Butler: I move amendment No. 122:

In page 53, line 7, to delete “consultant” and substitute “responsible consultant”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 123:

In page 53, line 13, to delete “consultant” and substitute “responsible consultant”.

Amendment agreed to.

Section 38, as amended, agreed to.

SECTION 39

Deputy Mary Butler: I move amendment No. 124:

In page 53, to delete lines 32 to 34 and substitute the following:

“(c) fails, in the opinion of the responsible consultant psychiatrist, to comply with any condition specified in the permitted absence,”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 125:

In page 53, to delete line 36 and substitute “arrange for a member or members of the staff of the centre or other person or persons,”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 126:

In page 54, line 5, after “request” to insert “as soon as practicable”.

Amendment agreed to.

Section 39, as amended, agreed to.

SECTION 40

Deputy Mary Butler: I move amendment No. 127:

In page 54, line 23, to delete “her consultant” and substitute “her responsible consultant”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 128:

In page 54, lines 26 and 27, to delete “the consultant psychiatrist responsible for the person’s care and treatment shall immediately” and substitute “the responsible consultant psychiatrist

shall immediately”.

Amendment agreed to.

Deputy Mary Butler: I move amendment No. 129:

In page 54, line 30, to delete “her consultant” and substitute “her responsible consultant”.

Amendment agreed to.

Section 40, as amended, agreed to.

SECTION 41

Deputy Mary Butler: I move amendment No. 130:

In page 56, line 12, to delete “consultant psychiatrist responsible for the care and treatment” and substitute “responsible consultant psychiatrist”.

Amendment agreed to.

Section 41, as amended, agreed to.

NEW SECTION

Deputy Mary Butler: I move amendment No. 131:

In page 57, between lines 8 and 9, to insert the following:

“Definitions (consent to treatment)”

42. In this Chapter—

“initial treatment period” means the period specified in section 47(1);

“further treatment period” means the period specified in section 47(3).”.

Amendments Nos. 131 to 134, inclusive, and Nos. 136 to 146 ,inclusive, will be taken together. Consent to treatment for involuntarily admitted people is one of the most important issues in this Bill. Officials in my Department have consulted with numerous stakeholders regarding these provisions throughout the development of the Bill and again since the publication of the Bill last summer. A small number of stakeholders raised concerns about the operability of the consent to treatment provisions, with particular consternation about the prospect that a person might be admitted, but would be unable to be treated if he or she is unable to consent to treatment and is not a risk of harm to themselves or others.

I believe the amendments being moved by the Government today represent the right balance between ensuring the rights of involuntarily admitted people to make decisions about their care and treatment is respected while also providing for timely access to care and treatment when necessary. Considering the developments in mental health policy and services over the past two decades, the 2001 Act does not fully reflect our approach to mental health services now, such as the shift towards community-based services, the adoption of a recovery approach in service delivery and the involvement of service users as partners in their own care and in the development of the services. The context in which mental health services are delivered is significantly different in 2025 to 2001 and our mental health legislation must reflect this. It is worth providing some detail on how consent to treatment works under the existing Mental Health Act, how the policy has developed over the drafting of this Bill, the policy in the Bill as initiated and the amendments being moved here today.

Part 4 of the Mental Health Act 2001 sets out how consent to treatment works in relation to involuntary patients under that Act. The Act states that, for a person to be able to consent, the responsible consultant psychiatrist must be satisfied the person is capable of understanding the treatment and the consultant psychiatrist has given adequate information to the patient. Furthermore, the Act states that a consultant psychiatrist can treat a person without consent only where the person is incapable of giving consent and where “the treatment is necessary to safeguard the life of the patient, to restore his or her health, to alleviate his or her condition, or to relieve his or her suffering”. Under the existing Act, where, in the view of the responsible consultant psychiatrist, the person has the capacity necessary to consent to treatment, then the person cannot be treated against his or her will. It is only where a person lacks capacity to consent to treatment that it can be given without the person’s consent. Part 4 of the Act also contains provisions in relation to the administration of psychosurgery, electroconvulsive therapy and medicines.

In 2015, an expert group published a list of 165 recommendations to amend the Mental

Health Act 2001. Among those were a series of recommendations that sought to fundamentally change how consent to treatment works. These recommendations were that people should be supported to give informed consent to or to refuse treatment, that relevant decision supports under the Assisted Decision-Making (Capacity) Act 2015 be available to involuntarily admitted persons and that treatment could be administered to people who lack capacity in limited circumstances.

Officials in my Department carried out extensive consultation over a number of years on all aspects of the Bill, including on consent to treatment. Consultation included key stakeholders such as the Mental Health Commission and the HSE, as well as the Office of the Attorney General, and other key Departments, including the Department of Children, Disability and Equality. Furthermore, careful consideration of the Assisted Decision-Making (Capacity) Act 2015 was required to ensure that the Mental Health Bill aligned appropriately with that Act. Ireland ratified the UN Convention on the Rights of Persons with Disabilities in March 2019, and Department officials had to carefully consider how best to align the Mental Health Bill with the principles of the convention.

The Bill, as initiated, provides for an overhauled approach to consent to treatment. The Bill links into the Assisted Decision-Making (Capacity) Act as appropriate, such as where a person has been assessed as lacking capacity to make a decision under this Bill, an application under Part 5 of the Assisted Decision-Making (Capacity) Act must be made by or on behalf of the responsible consultant psychiatrist of the person concerned to request a decision-making representative be appointed or a decision-making order be made.

The Bill provides for treatment without consent to be given in certain circumstances, where the person has been assessed as lacking the capacity to consent to or refuse treatment: within 21 days of the person's admission; where the person has a relevant decision support under the Assisted Decision-Making (Capacity) Act; or where the health or life of the person or others is at risk, either during the capacity assessment process or after the assessment process has concluded where an application under the Assisted Decision-Making (Capacity) Act has been made to the Circuit Court has been or will be made.

The Bill also provides for involuntary treatment to be provided in very limited circumstances where a person is a risk of serious and immediate harm to another person and refuses to consent to treatment, or a relevant substitute decision-maker refuses to consent to treatment. In such cases, an application for a treatment order to the High Court must be made to determine whether the limited criteria have been met. As I noted earlier, a small number of stakeholders contacted my Department to raise concerns about the operability of provisions related to consent to treatment. These concerns were primarily focused on the fear that people would be detained without being able to be treated if they were not a risk of harm to themselves or others and where they lacked capacity or a substitute decision-maker to consent to treatment. I have listened to those concerns and the amendments I am moving here today address these concerns.

Where a person has a valid, relevant substitute decision-making arrangement under the Assisted Decision-Making (Capacity) Act 2015, that decision-maker can consent to or refuse treatment. That includes an advance healthcare directive, a designated healthcare representative, and a decision-making representative appointed by the court. If any of those substitute decision-making arrangements are in place regarding a specific treatment decision, then the consent of that directive or representative is required. In cases where a person lacks capacity and does not have a relevant, valid substitute decision-making arrangement, the amendments to

the Bill will ensure that those people will have appropriate access to treatment.

I will give a quick overview of the Government's amendments. Amendment No. 131 provides for the insertion of a new section 42 that sets out definitions which are used in Chapter 3 of Part 3. Amendment No. 132 is a technical amendment to delete a term that is unnecessary. Amendment No. 133 replaces subsection (2) of section 43 to clearly state that a person with capacity may refuse any treatment and withdraw consent to any treatment at any time. Amendment No. 134 inserts a new subsection (5) in section 43 stating that consent or refusal or treatment must be granted for specific treatment, rather than a general consent or refusal. Amendment No. 136 is a technical amendment to correct a typographical error. Amendment No. 137 is a technical amendment to include reference to the first capacity assessment to be carried out by a responsible consultant psychiatrist if he or she thinks that the involuntarily admitted person may lack capacity to consent to or refuse treatment. Amendment No. 138 is a technical amendment to include reference to refusal of treatment, along with consent, to provide consistency throughout the Bill. Amendment No. 139 inserts a new section 46, which provides for treatment of people who have been assessed as lacking capacity by the granting or refusal of treatment by a substitute decision-making arrangement under the Assisted Decision-Making (Capacity) Act 2015. These include a court appointed decision-making representative, a decision-making order from the circuit court, or an advance healthcare directive or a designated healthcare representative appointed by a directive.

Amendment No. 140 inserts a new section 47 which allows for treatment to be administered to an involuntarily admitted person who has been assessed as lacking capacity, or who is undergoing capacity assessments, for a period of 21 days or 42 days following admission. A person must meet criteria for treatment set out in this section.

Amendment No. 141 inserts a new section 48 which provides for an application to be made to the Circuit Court to seek the appointment of a decision-making representative or the making of a decision-making order where a person lacks capacity and does not have a valid substitute decision-making arrangement. The application to the Circuit Court must be made at any point within the 21 or 42 days following admission, and treatment may be administered before the application is made to the Court. This is important.

Amendment No. 142 inserts a new section 49 which provides for treatment to continue to be administered when awaiting the outcome of an application to the Circuit Court.

Amendment No. 143 inserts a new section 50, which was formerly section 51 of the Bill as initiated. This section provides for applications for treatment orders to the High Court in very limited circumstances.

Amendment No. 144 inserts a new section 51, which was formerly section 48 of the Bill as initiated. This section provides for the administration of ECT, subject to the consent of the person and only in accordance with the regulations made by the Mental Health Commission.

Amendments to section 46 make clear that valid substitute decision-making arrangements must be respected if in place.

Amendments to section 47 provide for treatment of involuntarily admitted people lacking capacity following their admission. Such people may be treated for a period of up to 42 days, increasing from 21 days in the Bill as initiated. An initial 21-day treatment window is provided for in the amendments, which can be extended by one further period of 21 days where it is ap-

proved by a second consultant psychiatrist.

The criteria under which a person can be treated within that initial treatment window has been expanded to include criteria based on the need for treatment. In the Bill as initiated, the criteria are restricted to risk of harm to self or others. Without amendment, this may give rise to scenarios where a person can be involuntarily admitted on the grounds of treatment but cannot be treated without consent on admission if they do not also meet the risk criteria. It should be noted that a person's capacity should be regularly assessed during their involuntary admission and if found to be capacitous, treatment cannot be given without their consent.

Section 48 provides for an application to be made to the Circuit Court to seek the appointment of a decision-making representative or a decision-making order from the court to vindicate the will and preferences of the person lacking capacity. The amendments allow for that application to be made at any stage within the initial treatment period of 21 to 42 days but require that the application be made before the end of the period. The amendments also allow for treatment to be administered to an involuntarily admitted person lacking capacity prior to the application being made.

Amendments to section 49 allow for treatment to be administered according to the treatment criteria of either risk or need for treatment while awaiting the determination stakeholders that the criteria for treatment for people who lack capacity in the amendments are different from the criteria for involuntary admission. On closer examination of the amendments, these stakeholders will clearly see that the criteria for admission and treatment are effectively the same. In fact, in relation to the risk criteria, the criteria for treatment are only that the person is at risk of serious and immediate harm to self or others and does not require the additional criteria for admission as set out in section 12(a)(ii). This means that any involuntarily admitted person lacking capacity may be treated, subject to the provisions of Part 3 Chapter 3, if he or she meets the criteria for involuntary admission.

Deputy Ruairí Ó Murchú: In fairness, a considerable number of people were worried. As the Minister of State said, they were sufficiently worried to come to her on that basis. It was said to me that we could be looking at a case where someone was involuntarily admitted and then they could not get treatment. I still have a fear when we are talking about making applications to courts and to the High Court. We all know that there are issues with the Assisted Decision-Making (Capacity) Act 2 that need to be looked at, particularly when we start putting things through a court system this is experiencing a logjam. That is necessary.

What the Minister of State has spoken to regarding these amendments all sounds positive. I am not sure that we are quite where we need be on this. As the Minister of State knows, a selling job needs to be done. A piece of work needs to be done to interaction with stakeholders, particularly those stakeholders who had an issue with this. I ask that this would happen. Beyond that, people could be offered an explanation as how this will work. I get that we are talking about a small cohort of people who could be involuntarily admitted and then because of their situation and circumstances - and I have it seen it - down to paranoia or whatever else, they are not going to take treatment. In some cases, they will refuse food and all of the rest of it. We are talking about people who are in a very distressed circumstance. We need to ensure that all of the protections are there from a human rights point of view. That goes without saying. We need to make sure this is operational. That was the fear of those who work in mental health services. There has been a good piece of work done here. It was a necessary piece of work. More needs to be done. What are the Minister of State's plans for engagement with those

stakeholders? I ask that if there are further pieces needed that we could have that done, I would say on Report Stage but it looks like this Stage is going to go on for a wee while longer.

Deputy Pádraig Rice: The Minister of State mentioned ECTs in her remarks. The Social Democrats will oppose section 83 which allows for ECT for children. According to the Psychological Society of Ireland, it has not been used in the State on children in more than two decades. It is still contained in the Bill. I accept that ECT is subject to the approval of the High Court. We believe that it should never be used. In 2023, the WHO and the Office of the United Nations High Commissioner for Human Rights advised against the use of ECT on children and young people and recommended its prohibition by legislative. The Ombudsman for Children has also raised concerns and said that further consideration must give to its inclusion in this new Bill.

Deputy Sorca Clarke: What can be seen in these amendments is that the Minister of State has listened to the stakeholders who have come forward. When I spoke with them, I was really struck that the concerns that they were raising were coming from a place where they wanted the best possible treatment for the patients, particularly in respect of that gap that was emerging between the involuntary admission versus the treatment. That gap needed to be addressed. I welcome that move in those areas. There are still significant concerns when it comes to any court application, but again most of that comes from a place of concern. It comes from a place of wanting the best possible outcome for the patient. We will be back again at a later point to discuss the other areas in more detail. I wanted to put on the record that the Government has moved considerably towards meeting the concerns of the stakeholders, if not in their entirety but in a significant way.

Deputy Mary Butler: Deputy Rice's amendment relating to ECT and children will be discussed at a later date. I take on board what he said

. I thank those opposite for their support. No legislation is perfect when it is first drafted. There is always going to be unintended consequences. We have to listen to the sector. It is important that the Bill will be operational. It will be no good otherwise. I thank my officials because there has been a huge amount of engagement since the Bill went through Second Stage last September. That work was ongoing during the time that we were off getting elected, and we did not have a government in place. I saw the list and there were more than 500 engagements. I saw the list of the amount of work that was carried out, which was unbelievable. It is important that we listen. In some of the commentary in the past few weeks, people were not aware of the amendments, because that is just the way the system works, whereas now I hope that when they see the amendments and they see that they have been drafted in good faith to try to address the issues, they will realise that what we want is a Bill that is patient-focused but that is patient-centred and workable as well for those who deliver the care.

9 o'clock

We are talking about the most vulnerable people in society. Is our time up?

Deputy Ruairí Ó Murchú: Is the Minister requesting further time?

Deputy Mary Butler: We are to resume next Wednesday. I will be back.

Deputy Ruairí Ó Murchú: I know but I meant this evening.

Deputy Mary Butler: Four hours is enough. We will be back next week. I thank all the Members for the positive engagement so far. We have covered a huge amount of ground. I thank the Leas-Cheann Comhairle for being here for most of the debate.

Amendment agreed to.

Section 42, as amended, agreed to.

Progress reported; Committee to sit again.

Vacant Council Housing: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Thomas Gould on Tuesday, 10 June 2025:

That Dáil Éireann:

notes that:

— there are at least 2,656 vacant council homes, excluding Approved Housing Bodies (AHB) homes, across the State, including 776 homes vacant longer than 12 months;

— the National Oversight and Audit Commission Performance Indicator Report 2023, found that the average reletting time was above 33 weeks and cost, on average, €28,347.05;

— this reletting cost represents a 49 per cent increase on costs when compared to 2019;

— central Government have only provided €11,000 per home in 2025, and have only funded the return of 1,900 homes this year;

— the periodic opening of the Voids Programme, and the restriction on local authorities claiming reimbursement, leaves public homes vacant for months even when only minor works are needed;

— over 250,000 maintenance requests were made for local authority owned homes in 2024;

— local authorities have only budgeted on average €347.45 per unit for planned or proactive maintenance; and

— central Government has only provided €67.23 per unit for stock surveys and planned maintenance in 2025, resulting in only €10.1 million this year;

further notes that:

— these empty homes are an insult to those impacted by the housing crisis, and have a negative impact on the surrounding community;

— the housing maintenance direct labour workforce in local authorities was slashed during austerity, and has never returned to its necessary strength; and

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— failure to properly fund the maintenance of homes leaves people living in unsuitable and unsafe conditions, while also increasing the repairs needed to relet homes; and agrees that the Government must:

— create a dedicated Department of Housing, with an annual multi-million euro maintenance fund starting in Budget 2026, to allow local authorities recoup the costs of improving and upgrading existing stock, including vacant council homes;

— remove the Department of Housing, Local Government and Heritage cap on the amount of money that can be recouped by local authorities when bringing vacant council homes back into use;

— ensure that a standard average turnaround time of 12 weeks is met by all local authorities for bringing vacant council homes back into use, including refurbishment works, allocation and tenanting;

— ensure the maximum use of council employed direct labour, for the refurbishment of vacant council homes being relet and that public procurement rules are applied with flexibility to ensure no delays in cases where private contractors are being used for refurbishment works;

— give local authorities the maximum level of delegated sanctions, to proceed with refurbishment works to bring vacant homes back into use without the need for Department approval, and to allow this process to happen year-round;

— address the delays in securing Garda clearance through better coordination between the Gardaí, councils, AHBs and the Department of Housing, Local Government and Heritage;

— address the delays in local authorities providing nominations to AHB social housing schemes through agreement of a protocol between the Department of Housing, Local Government and Heritage, the City and County Management Association and the Irish Council for Social Housing; and

— the Department of Housing, Local Government and Heritage, must publish a real time report every six months, listing the number of vacant homes in each local authority area and the average length of time these properties are vacant, to track progress in addressing council home vacancy.

The following amendment No. 1 was moved by the Minister of State at the Department of Housing, Local Government and Heritage, Deputy Kieran O'Donnell:

To delete all words after “Dail Éireann” and substitute the following:

“notes that:

— the Government aims to minimise the level of vacancy in every local authority area, and this is reflected in a decade of Exchequer investment in addressing long term vacancy, while acknowledging that there will always be a level of vacancy in the system, as tenancies end for various reasons and homes are prepared for reletting;

— significant progress has been made over the past 10 years to address long term

vacant local authority homes, which has been supported by Government funding of over €360 million;

- funding was ramped up considerably in 2020 to particularly tackle legacy voids and begin the transition to planned maintenance;

- the National Oversight and Audit Commission (NOAC) has found that across the local Government sector, the level of vacant local authority homes is only 2.8 per cent, the lowest rate in many years, reflecting the success of Government's approach;

- there is no cap on the amount that can be spent per home, provided the maximum average of €11,000 is maintained across the works programme;

- in addition, local authorities can complete the suite of works under the Energy Efficiency Retrofit Programme (EERP) in parallel, up to a maximum of €48,850 per unit, increasing the overall funding available per unit as compared to the pre-2020 position;

- local authority homes are in general wholly owned by local authorities, which are encouraged to ring-fence some of their own resources from housing rents and other sources to the maintenance and protection of these homes;

- the Voids Programme operates on the same basis as all other Exchequer funded programmes;

- the transition to a programme of planned maintenance began in 2022, and aims to provide a sustainable model of management and maintenance to proactively address the level of maintenance requests annually;

- the commencement of stock condition surveys funded by the Department of Housing, Local Government and Heritage, which are supported by the very recent roll out of a dedicated Information and Communications Technology system which will capture stock condition data and provide for informed work programmes and strategic asset management across all 31 local authorities;

- the funding available in 2025 for planned maintenance is a 100 per cent increase on 2024, and it is expected to increase further over the coming years as the shift to planned maintenance continues; and

- local authorities determine their priority works programme based on the condition of their units and the available funding, and that stock surveys are key part of this decision-making at local level;

further notes that:

- addressing vacancy across the housing sector, both public and private, has been and remains a key priority of Government;

- providing good quality homes that meet the relevant standards in the Housing (Standards for Rented Houses) Regulations 2019 is another key priority, which the transition to planned maintenance seeks to support;

- the EERP for local authority homes aims to increase the energy efficiency of those homes, increasing comfort levels and reducing energy costs for tenants;

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— staff issues, including the nature of employment in local authorities and requirements for Garda clearance where relevant are the operational responsibility of local authority chief executives;

— maximum flexibility in terms of delegated sanction is already in place, within the framework of the Public Spending Code;

— the allocation of social homes is a local authority function under section 10 of the Housing (Miscellaneous Provisions) Act 2009 and the Social Housing Allocation Regulations 2011 and requires several factors to be considered; and

— NOAC publishes a report on vacancy matters, including turnaround times, annually; and

highlights that:

— over 13,100 vacant local authority homes have been returned to active use since 2020, aided by Exchequer funding of over €189 million;

— since 2021, 9,092 homes were retrofitted under the new EERP;

— funding for the EERP has increased from €17.9 million in 2021 to almost €90 million in 2024, demonstrating the importance the Government places on this programme;

— over 2,350 stock surveys have been recorded on the new asset management system;

— dedicated teams are in place in both the Department of Housing, Local Government and Heritage and the Local Government Management Agency to support this work; and

— the Programme for Government commits to a new Voids Programme, with an emphasis on shorter turnaround times, and that the transition to rolling planned maintenance will support this.”.

Debate resumed on amendment No. 1 to amendment No. 1:

To insert the following after “rolling planned maintenance will support this”:

“commits to:

— reducing the turnaround time for vacated local authority homes to new tenants from the current average of eight months, to a two month average turnaround time; and

— ensuring that local authorities be permitted to apply to the Vacant Property Refurbishment Grant for the purpose of refurbishment of vacant council houses.”.

- (Deputy Paul Lawless)

An Leas-Cheann Comhairle: I must now deal with a postponed division relating to amendment No. 1 to Government amendment No. 1. On Tuesday, 10 June 2025, on the question, “That the amendment to the amendment be made”, a division was claimed. That division

will be taken now.

Amendment to amendment put:

<i>The Dáil divided: Tá, 69; Níl, 87; Staon, 1.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Ahern, Ciarán.</i>	<i>Aird, William.</i>	<i>O’Gorman, Roderic.</i>
<i>Bacik, Ivana.</i>	<i>Ardagh, Catherine.</i>	
<i>Bennett, Cathy.</i>	<i>Boland, Grace.</i>	
<i>Brady, John.</i>	<i>Brabazon, Tom.</i>	
<i>Buckley, Pat.</i>	<i>Brennan, Brian.</i>	
<i>Byrne, Joanna.</i>	<i>Brennan, Shay.</i>	
<i>Carthy, Matt.</i>	<i>Brophy, Colm.</i>	
<i>Clarke, Sorca.</i>	<i>Browne, James.</i>	
<i>Collins, Michael.</i>	<i>Burke, Colm.</i>	
<i>Connolly, Catherine.</i>	<i>Burke, Peter.</i>	
<i>Coppinger, Ruth.</i>	<i>Butler, Mary.</i>	
<i>Cronin, Réada.</i>	<i>Butterly, Paula.</i>	
<i>Crowe, Seán.</i>	<i>Buttimer, Jerry.</i>	
<i>Cullinane, David.</i>	<i>Byrne, Malcolm.</i>	
<i>Cummins, Jen.</i>	<i>Byrne, Thomas.</i>	
<i>Daly, Pa.</i>	<i>Cahill, Michael.</i>	
<i>Devine, Máire.</i>	<i>Callaghan, Catherine.</i>	
<i>Doherty, Pearse.</i>	<i>Calleary, Dara.</i>	
<i>Donnelly, Paul.</i>	<i>Canney, Seán.</i>	
<i>Ellis, Dessie.</i>	<i>Carrigy, Micheál.</i>	
<i>Farrelly, Aidan.</i>	<i>Carroll MacNeill, Jennifer.</i>	
<i>Farrell, Mairéad.</i>	<i>Chambers, Jack.</i>	
<i>Fitzmaurice, Michael.</i>	<i>Cleere, Peter ‘Chap’.</i>	
<i>Gannon, Gary.</i>	<i>Clendennen, John.</i>	
<i>Gibney, Sinéad.</i>	<i>Collins, Niall.</i>	
<i>Gogarty, Paul Nicholas.</i>	<i>Connolly, John.</i>	
<i>Gould, Thomas.</i>	<i>Cooney, Joe.</i>	
<i>Graves, Ann.</i>	<i>Crowe, Cathal.</i>	
<i>Guirke, Johnny.</i>	<i>Cummins, John.</i>	
<i>Hayes, Eoin.</i>	<i>Currie, Emer.</i>	
<i>Hearne, Rory.</i>	<i>Daly, Martin.</i>	
<i>Kelly, Alan.</i>	<i>Dempsey, Aisling.</i>	
<i>Kenny, Eoghan.</i>	<i>Devlin, Cormac.</i>	
<i>Kerrane, Claire.</i>	<i>Dillon, Alan.</i>	
<i>Lawless, Paul.</i>	<i>Dolan, Albert.</i>	
<i>Lawlor, George.</i>	<i>Donohoe, Paschal.</i>	
<i>Mac Lochlainn, Pádraig.</i>	<i>Dooley, Timmy.</i>	
<i>McDonald, Mary Lou.</i>	<i>Feighan, Frankie.</i>	

<i>McGettigan, Donna.</i>	<i>Fleming, Seán.</i>	
<i>McGuinness, Conor D.</i>	<i>Foley, Norma.</i>	
<i>Mitchell, Denise.</i>	<i>Gallagher, Pat the Cope.</i>	
<i>Murphy, Paul.</i>	<i>Geoghegan, James.</i>	
<i>Mythen, Johnny.</i>	<i>Grealish, Noel.</i>	
<i>Nash, Ged.</i>	<i>Harkin, Marian.</i>	
<i>Newsome Drennan, Natasha.</i>	<i>Harris, Simon.</i>	
<i>Ní Raghallaigh, Shónagh.</i>	<i>Healy-Rae, Michael.</i>	
<i>Nolan, Carol.</i>	<i>Heneghan, Barry.</i>	
<i>O'Callaghan, Cian.</i>	<i>Higgins, Emer.</i>	
<i>O'Donoghue, Robert.</i>	<i>Keogh, Keira.</i>	
<i>O'Flynn, Ken.</i>	<i>Lahart, John.</i>	
<i>O'Hara, Louis.</i>	<i>Lawless, James.</i>	
<i>O'Reilly, Louise.</i>	<i>Lowry, Michael.</i>	
<i>O'Rourke, Darren.</i>	<i>Martin, Micheál.</i>	
<i>Ó Broin, Eoin.</i>	<i>Maxwell, David.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>McAuliffe, Paul.</i>	
<i>Ó Murchú, Ruairí.</i>	<i>McCarthy, Noel.</i>	
<i>Ó Snodaigh, Aengus.</i>	<i>McConalogue, Charlie.</i>	
<i>Ó Súilleabháin, Fionntán.</i>	<i>McCormack, Tony.</i>	
<i>Quinlivan, Maurice.</i>	<i>McEntee, Helen.</i>	
<i>Rice, Pádraig.</i>	<i>McGrath, Séamus.</i>	
<i>Sheehan, Conor.</i>	<i>McGreehan, Erin.</i>	
<i>Sherlock, Marie.</i>	<i>Moran, Kevin Boxer.</i>	
<i>Smith, Duncan.</i>	<i>Moynihan, Aindrias.</i>	
<i>Stanley, Brian.</i>	<i>Moynihan, Michael.</i>	
<i>Tóibín, Peadar.</i>	<i>Moynihan, Shane.</i>	
<i>Wall, Mark.</i>	<i>Murnane O'Connor, Jennifer.</i>	
<i>Ward, Charles.</i>	<i>Murphy, Michael.</i>	
<i>Ward, Mark.</i>	<i>Neville, Joe.</i>	
<i>Whitmore, Jennifer.</i>	<i>O'Brien, Darragh.</i>	
	<i>O'Connell, Maeve.</i>	
	<i>O'Connor, James.</i>	
	<i>O'Dea, Willie.</i>	
	<i>O'Donnell, Kieran.</i>	
	<i>O'Donovan, Patrick.</i>	
	<i>O'Meara, Ryan.</i>	
	<i>O'Shea, John Paul.</i>	
	<i>O'Sullivan, Christopher.</i>	
	<i>O'Sullivan, Pádraig.</i>	
	<i>Ó Cearúil, Naoise.</i>	

	<i>Ó Muirí, Naoise.</i>	
	<i>Richmond, Neale.</i>	
	<i>Smith, Brendan.</i>	
	<i>Smyth, Niamh.</i>	
	<i>Timmins, Edward.</i>	
	<i>Toole, Gillian.</i>	
	<i>Troy, Robert.</i>	
	<i>Ward, Barry.</i>	

Tellers: Tá, Deputies Peadar Tóibín and Paul Lawless; Níl, Deputies Mary Butler and Emer Currie.

Amendment to amendment declared lost.

Amendment put:

<i>The Dáil divided: Tá, 87; Níl, 69; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Aird, William.</i>	<i>Ahern, Ciarán.</i>	
<i>Ardagh, Catherine.</i>	<i>Bacik, Ivana.</i>	
<i>Boland, Grace.</i>	<i>Bennett, Cathy.</i>	
<i>Brabazon, Tom.</i>	<i>Brady, John.</i>	
<i>Brennan, Brian.</i>	<i>Buckley, Pat.</i>	
<i>Brennan, Shay.</i>	<i>Byrne, Joanna.</i>	
<i>Brophy, Colm.</i>	<i>Carthy, Matt.</i>	
<i>Browne, James.</i>	<i>Clarke, Sorca.</i>	
<i>Burke, Colm.</i>	<i>Collins, Michael.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Butler, Mary.</i>	<i>Coppinger, Ruth.</i>	
<i>Butterly, Paula.</i>	<i>Cronin, Réada.</i>	
<i>Buttimer, Jerry.</i>	<i>Crowe, Seán.</i>	
<i>Byrne, Malcolm.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Thomas.</i>	<i>Cummins, Jen.</i>	
<i>Cahill, Michael.</i>	<i>Daly, Pa.</i>	
<i>Callaghan, Catherine.</i>	<i>Devine, Máire.</i>	
<i>Calleary, Dara.</i>	<i>Doherty, Pearse.</i>	
<i>Canney, Seán.</i>	<i>Donnelly, Paul.</i>	
<i>Carrigy, Micheál.</i>	<i>Ellis, Dessie.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Farrelly, Aidan.</i>	
<i>Chambers, Jack.</i>	<i>Farrell, Mairéad.</i>	
<i>Cleere, Peter ‘Chap’.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Clendennen, John.</i>	<i>Gannon, Gary.</i>	
<i>Collins, Niall.</i>	<i>Gibney, Sinéad.</i>	
<i>Connolly, John.</i>	<i>Gogarty, Paul Nicholas.</i>	
<i>Cooney, Joe.</i>	<i>Gould, Thomas.</i>	

<i>Crowe, Cathal.</i>	<i>Graves, Ann.</i>	
<i>Cummins, John.</i>	<i>Guirke, Johnny.</i>	
<i>Currie, Emer.</i>	<i>Hayes, Eoin.</i>	
<i>Daly, Martin.</i>	<i>Hearne, Rory.</i>	
<i>Dempsey, Aisling.</i>	<i>Kelly, Alan.</i>	
<i>Devlin, Cormac.</i>	<i>Kenny, Eoghan.</i>	
<i>Dillon, Alan.</i>	<i>Lawless, Paul.</i>	
<i>Dolan, Albert.</i>	<i>Lawlor, George.</i>	
<i>Donohoe, Paschal.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Dooley, Timmy.</i>	<i>McDonald, Mary Lou.</i>	
<i>Feighan, Frankie.</i>	<i>McGettigan, Donna.</i>	
<i>Fleming, Seán.</i>	<i>McGuinness, Conor D.</i>	
<i>Foley, Norma.</i>	<i>Mitchell, Denise.</i>	
<i>Gallagher, Pat the Cope.</i>	<i>Murphy, Paul.</i>	
<i>Geoghegan, James.</i>	<i>Mythen, Johnny.</i>	
<i>Grealish, Noel.</i>	<i>Nash, Ged.</i>	
<i>Harkin, Marian.</i>	<i>Newsome Drennan, Nata- sha.</i>	
<i>Harris, Simon.</i>	<i>Ní Raghallaigh, Shónagh.</i>	
<i>Healy-Rae, Michael.</i>	<i>Nolan, Carol.</i>	
<i>Heneghan, Barry.</i>	<i>O'Callaghan, Cian.</i>	
<i>Higgins, Emer.</i>	<i>O'Donoghue, Robert.</i>	
<i>Keogh, Keira.</i>	<i>O'Flynn, Ken.</i>	
<i>Lahart, John.</i>	<i>O'Gorman, Roderic.</i>	
<i>Lawless, James.</i>	<i>O'Hara, Louis.</i>	
<i>Lowry, Michael.</i>	<i>O'Reilly, Louise.</i>	
<i>Martin, Micheál.</i>	<i>O'Rourke, Darren.</i>	
<i>Maxwell, David.</i>	<i>Ó Broin, Eoin.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McCarthy, Noel.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McConalogue, Charlie.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McCormack, Tony.</i>	<i>Ó Súilleabháin, Fionntán.</i>	
<i>McEntee, Helen.</i>	<i>Quinlivan, Maurice.</i>	
<i>McGrath, Séamus.</i>	<i>Rice, Pádraig.</i>	
<i>McGreehan, Erin.</i>	<i>Sheehan, Conor.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Sherlock, Marie.</i>	
<i>Moynihan, Aindrias.</i>	<i>Smith, Duncan.</i>	
<i>Moynihan, Michael.</i>	<i>Stanley, Brian.</i>	
<i>Moynihan, Shane.</i>	<i>Tóibín, Peadar.</i>	
<i>Murnane O'Connor, Jen- nifer.</i>	<i>Wall, Mark.</i>	
<i>Murphy, Michael.</i>	<i>Ward, Charles.</i>	
<i>Neville, Joe.</i>	<i>Ward, Mark.</i>	

<i>O'Brien, Darragh.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Connell, Maeve.</i>		
<i>O'Connor, James.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Meara, Ryan.</i>		
<i>O'Shea, John Paul.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cearúil, Naoise.</i>		
<i>Ó Muirí, Naoise.</i>		
<i>Richmond, Neale.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Timmins, Edward.</i>		
<i>Toole, Gillian.</i>		
<i>Troy, Robert.</i>		
<i>Ward, Barry.</i>		

Tellers: Tá, Deputies Mary Butler and Emer Currie; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

<i>The Dáil divided: Tá, 87; Níl, 69; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Aird, William.</i>	<i>Ahern, Ciarán.</i>	
<i>Ardagh, Catherine.</i>	<i>Bacik, Ivana.</i>	
<i>Boland, Grace.</i>	<i>Bennett, Cathy.</i>	
<i>Brabazon, Tom.</i>	<i>Brady, John.</i>	
<i>Brennan, Brian.</i>	<i>Buckley, Pat.</i>	
<i>Brennan, Shay.</i>	<i>Byrne, Joanna.</i>	
<i>Brophy, Colm.</i>	<i>Carthy, Matt.</i>	
<i>Browne, James.</i>	<i>Clarke, Sorca.</i>	
<i>Burke, Colm.</i>	<i>Collins, Michael.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Butler, Mary.</i>	<i>Coppinger, Ruth.</i>	
<i>Butterly, Paula.</i>	<i>Cronin, Réada.</i>	
<i>Buttimer, Jerry.</i>	<i>Crowe, Seán.</i>	
<i>Byrne, Malcolm.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Thomas.</i>	<i>Cummins, Jen.</i>	
<i>Cahill, Michael.</i>	<i>Daly, Pa.</i>	

<i>Callaghan, Catherine.</i>	<i>Devine, Máire.</i>	
<i>Calleary, Dara.</i>	<i>Doherty, Pearse.</i>	
<i>Canney, Seán.</i>	<i>Donnelly, Paul.</i>	
<i>Carrigy, Micheál.</i>	<i>Ellis, Dessie.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Farrelly, Aidan.</i>	
<i>Chambers, Jack.</i>	<i>Farrell, Mairéad.</i>	
<i>Cleere, Peter 'Chap'.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Clendennen, John.</i>	<i>Gannon, Gary.</i>	
<i>Collins, Niall.</i>	<i>Gibney, Sinéad.</i>	
<i>Connolly, John.</i>	<i>Gogarty, Paul Nicholas.</i>	
<i>Cooney, Joe.</i>	<i>Gould, Thomas.</i>	
<i>Crowe, Cathal.</i>	<i>Graves, Ann.</i>	
<i>Cummins, John.</i>	<i>Guirke, Johnny.</i>	
<i>Currie, Emer.</i>	<i>Hayes, Eoin.</i>	
<i>Daly, Martin.</i>	<i>Hearne, Rory.</i>	
<i>Dempsey, Aisling.</i>	<i>Kelly, Alan.</i>	
<i>Devlin, Cormac.</i>	<i>Kenny, Eoghan.</i>	
<i>Dillon, Alan.</i>	<i>Lawless, Paul.</i>	
<i>Dolan, Albert.</i>	<i>Lawlor, George.</i>	
<i>Donohoe, Paschal.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Dooley, Timmy.</i>	<i>McDonald, Mary Lou.</i>	
<i>Feighan, Frankie.</i>	<i>McGettigan, Donna.</i>	
<i>Fleming, Seán.</i>	<i>McGuinness, Conor D.</i>	
<i>Foley, Norma.</i>	<i>Mitchell, Denise.</i>	
<i>Gallagher, Pat the Cope.</i>	<i>Murphy, Paul.</i>	
<i>Geoghegan, James.</i>	<i>Mythen, Johnny.</i>	
<i>Grealish, Noel.</i>	<i>Nash, Ged.</i>	
<i>Harkin, Marian.</i>	<i>Newsome Drennan, Nata-sha.</i>	
<i>Harris, Simon.</i>	<i>Ní Raghallaigh, Shónagh.</i>	
<i>Healy-Rae, Michael.</i>	<i>Nolan, Carol.</i>	
<i>Heneghan, Barry.</i>	<i>O'Callaghan, Cian.</i>	
<i>Higgins, Emer.</i>	<i>O'Donoghue, Robert.</i>	
<i>Keogh, Keira.</i>	<i>O'Flynn, Ken.</i>	
<i>Lahart, John.</i>	<i>O'Gorman, Roderic.</i>	
<i>Lawless, James.</i>	<i>O'Hara, Louis.</i>	
<i>Lowry, Michael.</i>	<i>O'Reilly, Louise.</i>	
<i>Martin, Micheál.</i>	<i>O'Rourke, Darren.</i>	
<i>Maxwell, David.</i>	<i>Ó Broin, Eoin.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McCarthy, Noel.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McConalogue, Charlie.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McCormack, Tony.</i>	<i>Ó Súilleabháin, Fionntán.</i>	

<i>McEntee, Helen.</i>	<i>Quinlivan, Maurice.</i>	
<i>McGrath, Séamus.</i>	<i>Rice, Pádraig.</i>	
<i>McGreehan, Erin.</i>	<i>Sheehan, Conor.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Sherlock, Marie.</i>	
<i>Moynihan, Aindrias.</i>	<i>Smith, Duncan.</i>	
<i>Moynihan, Michael.</i>	<i>Stanley, Brian.</i>	
<i>Moynihan, Shane.</i>	<i>Tóibín, Peadar.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Wall, Mark.</i>	
<i>Murphy, Michael.</i>	<i>Ward, Charles.</i>	
<i>Neville, Joe.</i>	<i>Ward, Mark.</i>	
<i>O'Brien, Darragh.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Connell, Maeve.</i>		
<i>O'Connor, James.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Meara, Ryan.</i>		
<i>O'Shea, John Paul.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cearúil, Naoise.</i>		
<i>Ó Muirí, Naoise.</i>		
<i>Richmond, Neale.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Timmins, Edward.</i>		
<i>Toole, Gillian.</i>		
<i>Troy, Robert.</i>		
<i>Ward, Barry.</i>		

Tellers: Tá, Deputies Mary Butler and Emer Currie; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Question declared carried.

Ending the Central Bank's Facilitation of the Sale of Israel Bonds: Motion (Resumed) [Private Members]

The following motion was moved by Deputy Cian O'Callaghan on Wednesday, 10 June 2025:

That Dáil Éireann:

notes that:

— Israel Sovereign Bonds, known as Israel Bonds, have, since 1951, raised funds for the Israeli Treasury for use across the Israeli economy including the Israeli military and the illegal settlements;

— Israel Bonds have since October 2023, been advertised as war bonds with the slogan “Stand with Israel – Israel is at War”, and the website marketing the bonds contains a video by Israeli President, Isaac Herzog who lauds “the crucial role of Israel Bonds during this time of conflict and war”;

— Israel Bonds are intended to fund what Israel calls “the war in Gaza”, the State of Israel Bond Issuance prospectus explicitly refers to the decision of Israel’s Ministerial Committee for National Security Affairs “to undertake military action, which resulted in drafting more than 300,000 reservists launching the war in Gaza”;

— in January 2024, the International Court of Justice (ICJ) found that the Palestinian people in Gaza had “plausible rights” to be protected from the “imminent risk” of genocide;

— in June 2024, the United Nations International Commission of Inquiry on Palestine found that Israel’s actions in Gaza “constitute the war crimes of wilful killing and mistreatment, and the crime against humanity of extermination”;

— in July 2024, an ICJ advisory opinion declared that Israel’s entire regime of military occupation of Palestinian territories is illegal and must end immediately;

— the same ICJ advisory opinion declared that Israel is in “breach of Article 3” of the International Convention on the Elimination of All Forms of Racial Discrimination which “condemns racial segregation and apartheid” and compels states to “undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction”;

— Article 1 of the Genocide Convention requires states to undertake “to prevent and punish genocide”, and under the Convention, states have a negative obligation not to commit or be complicit in genocide and positive obligations to prevent and to punish genocide;

— the obligation to prevent genocide and the corresponding duty to act starts, as the ICJ clarified in the *Bosnia and Herzegovina v. Serbia and Montenegro* case, “at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed”;

— the ICJ’s finding of “plausible rights” and “imminent risk” constitutes that knowledge of the risk of genocide triggers third states’ legal obligations under the Genocide Convention;

— further reasonable grounds exist to believe crimes against humanity and war crimes are being committed by Israel in Gaza, given that arrest warrants have been requested by the International Criminal Court Prosecutor for key Israeli officials, the Prime Minister and Minister of Defence, including, inter alia for the crimes against humanity of extermination and persecution, and the war crimes of starvation, wilful killing, and the causing of great suffering or serious injury to body or health;

— on 5th December, 2024, Amnesty International concluded that Israel was committing genocide in Gaza;

— on 19th December, 2024, Human Rights Watch accused Israel of acts of extermination and genocide;

— on 19th December, 2024, Medecins Sans Frontières described the Israeli military actions in Gaza as ethnic cleansing and genocide;

— at least 54,500 people have been killed in Gaza since October 2023, and another 900 in the West Bank, 65 per cent of them are women and children;

— 2,180 families have been obliterated in their entirety, and 5,000 more have but a single family member surviving;

— 1,400 medics, 200 journalists, and 750 aid workers have been killed;

— on 2nd March, 2025, Israel imposed a total food and aid blockade flagrantly using starvation and denial of medical aid as a method of warfare, and on 18th March, Israel unilaterally broke the ceasefire killing more than 400 people in Gaza in one night;

— on 3rd May, 2025, Doctor Mike Ryan, executive director of the World Health Organization said “We are breaking the bodies and the minds of the children of Gaza. We are starving the children of Gaza because if we don’t do something about it, we are complicit”;

— on 5th May, 2025, Israel announced its intention to permanently seize territory in Gaza and forcibly displace the population;

— on 28th May, 2025, the Government voted against the Restrictive Financial Measures (State of Israel) Bill 2025, which was drafted by the Office of Parliamentary Legal Advisors and underpinned by a full legal opinion that would have given the Minister for Finance the explicit power to end Ireland’s involvement with Israeli war bonds;

— all institutions are obliged under international law to prevent genocide and the abuse of human rights;

— the Central Bank of Ireland (CBI) in their response to the Oireachtas Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach on 4th December, 2024, stated that in their assessment the prospectus makes extensive reference to the war in Gaza and there is a clear and prominent discussion of the war in Gaza and the proposed use of the funds;

— the CBI also stated in their response to the Oireachtas Joint Committee on 4th December, 2024, that the advertisement material is not inconsistent with the information in the prospectus;

— the CBI Governor, has said that the Central Bank can only refuse the approval of a prospectus where it has a legal basis to do so;

— a compelling legal basis exists in the Genocide Convention and under International Humanitarian Law to refuse the State of Israel Bonds Issuance prospectus; and

11 June 2025

— furthermore, the State of Israel Bonds Issuance prospectus is not complete, neither the January 2024 ruling of the ICJ in relation to the Genocide Convention, nor the July 2024 ICJ Advisory Opinion are not mentioned in the prospectus and this omission amounts to the deliberate with-holding of risk-related information; and

calls on the Government to:

— honour Ireland’s obligations under the Genocide Convention and to fulfil the duty of the State to use all means likely to have a deterrent effect on those suspected of preparing genocide, or reasonably suspected of harbouring specific intent, *dolus specialis*, to prevent the genocide;

— honour Ireland’s obligations under international humanitarian law;

— make a clear and unequivocal declaration of commitment to honour Ireland’s obligations under the Genocide Convention, international human rights law conventions and customary international humanitarian law;

— advise the CBI that it is acting in violation of the Genocide Convention, by facilitating the sale of Israel Bonds in the European Union (EU);

— advise the CBI that by acting as the enabling cog in Israel’s fund-raising machine in the EU it is putting the State at risk of a charge of complicity in genocide;

— insist that the CBI immediately end its facilitation of the sale of Israel Bonds; and

— enact emergency legislation to explicitly force the CBI to stop facilitating the sale of Israel Bonds.

Debate resumed on amendment No. 1:

To delete all words after “Dail Éireann” and substitute the following:

“notes that, the Government:

— condemns the renewed Israeli military offensive and plans to establish full control of the Gaza Strip;

— urges all parties to return to talks aimed at securing an immediate ceasefire and hostage release deal;

— recalls that Ireland repeatedly condemned the terrorist attack perpetrated by Hamas and other terrorist groups on Israel on 7th October, 2023, and has consistently called for the unconditional release of all hostages held in Gaza and reiterates calls for their immediate release; and

— condemns Israel’s blockade of humanitarian and commercial supplies for Gaza, imposed on 2nd March, which has rapidly deepened the hunger crisis in Gaza;

and in this context, further notes:

— that the Government will continue to work intensively with partners to exert pressure, to allow a full resumption of aid in accordance with international law and humanitarian principles, and to enable the United Nations (UN) and humanitarian

organisations to work independently and do their job;

— that the Government will progress legislation prohibiting the import of goods from Israeli settlements;

— that the Government will continue to demonstrate leadership at European Union (EU) level, including through pressing for meaningful follow-up to the review of Israel's compliance with Article 2 of the Association Agreement;

— that Ireland is among a core group of states that has tabled a draft Resolution for adoption at the Resumed 10th Emergency Special Session of the General Assembly on 12th June;

— that the Government will continue its intensive engagement at the UN, including through co-chairing, with Türkiye, one of eight working groups at the forthcoming UN High Level Conference in June; and

— Ireland filed a Declaration of Intervention at the International Court of Justice in South Africa's case against Israel under the Genocide Convention on 6th January, the Court's ruling on the admissibility of the intervention is awaited, following which it is intended to make substantive submissions;

deplores that as of 4th June, the UN has reported that at least 54,600 people have been killed in Gaza since October 2023, over 23,000 of whom are women and children;

is gravely concerned that the latest assessment by the Infection Prevention and Control global hunger monitor, that the entire population of Gaza is facing high levels of food insecurity, with half a million people facing starvation;

recalls that:

— in January 2024, the International Court of Justice (ICJ) found that the Palestinian people in Gaza had 'plausible right' to be protected from acts of genocide and related prohibited acts identified in Article III of the Genocide Convention and that there was a 'real and imminent risk that irreparable prejudice will be caused' to that right, before the ICJ gives its final decision in the case;

— in June 2024, the UN Human Rights Council's International Commission of Inquiry on Palestine found that, in its investigation into the attack of 7th October, 2023, the Commission found that members of Hamas, other Palestinian armed groups and Palestinian civilians, had committed war crimes, as well as violations and abuses of international humanitarian law and international human rights law, it also found that, in its operations in Gaza and the Occupied Palestinian Territory since 7th October, 2023, Israeli authorities and members of the Israeli security forces had committed war crimes, crimes against humanity and violations of international humanitarian law and international human rights law, and these included, the war crime of wilful killing and mistreatment, and the crime against humanity of extermination;

— the Genocide Convention requires States to undertake 'to prevent and to punish genocide';

— in July 2024, an ICJ advisory opinion declared that Israel's continued pres-

ence in the Occupied Palestinian Territory is unlawful, and must be brought to an end as rapidly as possible;

— the same ICJ advisory opinion declared that Israel is in ‘breach of Article 3’ of the International Convention on the Elimination of All Forms of Racial Discrimination, which it is obliged to prevent and prohibit all practices of racial segregation and apartheid in territories under its jurisdiction; and

— arrest warrants have been requested by the International Criminal Court (ICC) Prosecutor for key Israeli officials, the Prime Minister and former Minister of Defence, in respect of alleged war crimes and crimes against humanity;

deeply regrets the UN Security Council’s failure to pass a resolution to demand the immediate and unconditional lifting of all restrictions on the entry of humanitarian aid into Gaza;

emphasise the importance of:

— the review by the EU of Israel’s compliance with its obligations under Article 2 of the EU-Israel Association Agreement;

— the forthcoming UN High-level International Conference for the Peaceful Settlement of the Question of Palestine and the Implementation of the Two-State Solution; and

— commits to working to deliver these;

further states that:

— Ireland has provided over €88 million in support of the people of Palestine since January 2023, of which more than €76 million has been provided since October 2023; and

— this includes €58 million for UN Relief and Works Agency for Palestine Refugees since 2023, to support its programmes in Gaza and the West Bank, including East Jerusalem, as well as in Jordan, Syria and Lebanon; and

acknowledges that:

— the Central Bank of Ireland (CBI) is independent in its function;

— the CBI does not issue, sell, trade, list or oversee Israel bonds;

— the CBI’s role, under EU legislation, is to assess the bond prospectus to ensure that it includes all the disclosure requirements of the EU Prospectus Regulation, however in the act of approving a bond prospectus, the CBI does not endorse the issuer or the securities;

— in regard to the Prospectus Regulation, it is up to the third-party sovereign to choose one EU Member State to apply to for approval of its prospectus, and the National Competent Authority in the chosen Member State is then legally obliged to discharge the relevant duties within the Prospectus Regulation;

— the CBI has clearly stated that an Advisory Opinion of the ICJ, or indeed the processes of the ICC does not constitute grounds for the CBI to refuse the prospectus of the Israel Bond Programme; and

— the Government has received advice from the Attorney General that recently proposed legislation to introduce ‘restrictive measures’ was not compatible with our obligations as Members of the EU and in conflict with Article 215 and Article 63 Treaty on the Functioning of the EU.”

- (Minister for Finance)

An Ceann Comhairle: I must now deal with a postponed division relating to the motion regarding the sale of Israeli Bonds. On Wednesday, 11 June 2025, on the question, “That the amendment to the motion be agreed to”, a division was claimed and in accordance with Standing Order 85(2), that division must be taken now.

Amendment put:

<i>The Dáil divided: Tá, 85; Níl, 71; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Aird, William.</i>	<i>Ahern, Ciarán.</i>	
<i>Ardagh, Catherine.</i>	<i>Bacik, Ivana.</i>	
<i>Boland, Grace.</i>	<i>Bennett, Cathy.</i>	
<i>Brabazon, Tom.</i>	<i>Brady, John.</i>	
<i>Brennan, Brian.</i>	<i>Buckley, Pat.</i>	
<i>Brennan, Shay.</i>	<i>Byrne, Joanna.</i>	
<i>Brophy, Colm.</i>	<i>Carthy, Matt.</i>	
<i>Browne, James.</i>	<i>Clarke, Sorca.</i>	
<i>Burke, Colm.</i>	<i>Collins, Michael.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Butler, Mary.</i>	<i>Coppinger, Ruth.</i>	
<i>Butterly, Paula.</i>	<i>Cronin, Réada.</i>	
<i>Buttimer, Jerry.</i>	<i>Crowe, Seán.</i>	
<i>Byrne, Malcolm.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Thomas.</i>	<i>Cummins, Jen.</i>	
<i>Cahill, Michael.</i>	<i>Daly, Pa.</i>	
<i>Callaghan, Catherine.</i>	<i>Devine, Máire.</i>	
<i>Calleary, Dara.</i>	<i>Doherty, Pearse.</i>	
<i>Canney, Seán.</i>	<i>Donnelly, Paul.</i>	
<i>Carrigy, Micheál.</i>	<i>Ellis, Dessie.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Farrelly, Aidan.</i>	
<i>Chambers, Jack.</i>	<i>Farrell, Mairéad.</i>	
<i>Cleere, Peter ‘Chap’.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Clendennen, John.</i>	<i>Gannon, Gary.</i>	

<i>Collins, Niall.</i>	<i>Gibney, Sinéad.</i>	
<i>Connolly, John.</i>	<i>Gogarty, Paul Nicholas.</i>	
<i>Cooney, Joe.</i>	<i>Gould, Thomas.</i>	
<i>Crowe, Cathal.</i>	<i>Graves, Ann.</i>	
<i>Cummins, John.</i>	<i>Guirke, Johnny.</i>	
<i>Currie, Emer.</i>	<i>Hayes, Eoin.</i>	
<i>Daly, Martin.</i>	<i>Hearne, Rory.</i>	
<i>Dempsey, Aisling.</i>	<i>Heneghan, Barry.</i>	
<i>Devlin, Cormac.</i>	<i>Kelly, Alan.</i>	
<i>Dillon, Alan.</i>	<i>Kenny, Eoghan.</i>	
<i>Dolan, Albert.</i>	<i>Lawless, Paul.</i>	
<i>Donohoe, Paschal.</i>	<i>Lawlor, George.</i>	
<i>Dooley, Timmy.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Feighan, Frankie.</i>	<i>McDonald, Mary Lou.</i>	
<i>Fleming, Seán.</i>	<i>McGettigan, Donna.</i>	
<i>Foley, Norma.</i>	<i>McGuinness, Conor D.</i>	
<i>Gallagher, Pat the Cope.</i>	<i>Mitchell, Denise.</i>	
<i>Geoghegan, James.</i>	<i>Murphy, Paul.</i>	
<i>Grealish, Noel.</i>	<i>Mythen, Johnny.</i>	
<i>Harkin, Marian.</i>	<i>Nash, Ged.</i>	
<i>Harris, Simon.</i>	<i>Newsome Drennan, Nata-sha.</i>	
<i>Healy-Rae, Michael.</i>	<i>Ní Raghallaigh, Shónagh.</i>	
<i>Higgins, Emer.</i>	<i>Nolan, Carol.</i>	
<i>Keogh, Keira.</i>	<i>O'Callaghan, Cian.</i>	
<i>Lahart, John.</i>	<i>O'Donoghue, Robert.</i>	
<i>Lawless, James.</i>	<i>O'Flynn, Ken.</i>	
<i>Lowry, Michael.</i>	<i>O'Gorman, Roderic.</i>	
<i>Martin, Micheál.</i>	<i>O'Hara, Louis.</i>	
<i>Maxwell, David.</i>	<i>O'Reilly, Louise.</i>	
<i>McAuliffe, Paul.</i>	<i>O'Rourke, Darren.</i>	
<i>McCarthy, Noel.</i>	<i>Ó Broin, Eoin.</i>	
<i>McConalogue, Charlie.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McCormack, Tony.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McEntee, Helen.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McGrath, Séamus.</i>	<i>Ó Súilleabháin, Fionntán.</i>	
<i>McGreehan, Erin.</i>	<i>Quinlivan, Maurice.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Rice, Pádraig.</i>	
<i>Moynihan, Aindrias.</i>	<i>Sheehan, Conor.</i>	
<i>Moynihan, Michael.</i>	<i>Sherlock, Marie.</i>	
<i>Moynihan, Shane.</i>	<i>Smith, Duncan.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Stanley, Brian.</i>	

<i>Murphy, Michael.</i>	<i>Toole, Gillian.</i>	
<i>Neville, Joe.</i>	<i>Tóibín, Peadar.</i>	
<i>O'Brien, Darragh.</i>	<i>Wall, Mark.</i>	
<i>O'Connell, Maeve.</i>	<i>Ward, Charles.</i>	
<i>O'Connor, James.</i>	<i>Ward, Mark.</i>	
<i>O'Dea, Willie.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Meara, Ryan.</i>		
<i>O'Shea, John Paul.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cearúil, Naoise.</i>		
<i>Ó Muirí, Naoise.</i>		
<i>Richmond, Neale.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Timmins, Edward.</i>		
<i>Troy, Robert.</i>		
<i>Ward, Barry.</i>		

Tellers: Tá, Deputies Mary Butler and Emer Currie; Níl, Deputies Cian O'Callaghan and Paul Murphy.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

<i>The Dáil divided: Tá, 85; Níl, 71; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Aird, William.</i>	<i>Ahern, Ciarán.</i>	
<i>Ardagh, Catherine.</i>	<i>Bacik, Ivana.</i>	
<i>Boland, Grace.</i>	<i>Bennett, Cathy.</i>	
<i>Brabazon, Tom.</i>	<i>Brady, John.</i>	
<i>Brennan, Brian.</i>	<i>Buckley, Pat.</i>	
<i>Brennan, Shay.</i>	<i>Byrne, Joanna.</i>	
<i>Brophy, Colm.</i>	<i>Carthy, Matt.</i>	
<i>Browne, James.</i>	<i>Clarke, Sorca.</i>	
<i>Burke, Colm.</i>	<i>Collins, Michael.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Butler, Mary.</i>	<i>Coppinger, Ruth.</i>	
<i>Butterly, Paula.</i>	<i>Cronin, Réada.</i>	
<i>Buttimer, Jerry.</i>	<i>Crowe, Seán.</i>	
<i>Byrne, Malcolm.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Thomas.</i>	<i>Cummins, Jen.</i>	

<i>Cahill, Michael.</i>	<i>Daly, Pa.</i>	
<i>Callaghan, Catherine.</i>	<i>Devine, Máire.</i>	
<i>Calleary, Dara.</i>	<i>Doherty, Pearse.</i>	
<i>Canney, Seán.</i>	<i>Donnelly, Paul.</i>	
<i>Carrigy, Micheál.</i>	<i>Ellis, Dessie.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Farrelly, Aidan.</i>	
<i>Chambers, Jack.</i>	<i>Farrell, Mairéad.</i>	
<i>Cleere, Peter 'Chap'.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Clendennen, John.</i>	<i>Gannon, Gary.</i>	
<i>Collins, Niall.</i>	<i>Gibney, Sinéad.</i>	
<i>Connolly, John.</i>	<i>Gogarty, Paul Nicholas.</i>	
<i>Cooney, Joe.</i>	<i>Gould, Thomas.</i>	
<i>Crowe, Cathal.</i>	<i>Graves, Ann.</i>	
<i>Cummins, John.</i>	<i>Guirke, Johnny.</i>	
<i>Currie, Emer.</i>	<i>Hayes, Eoin.</i>	
<i>Daly, Martin.</i>	<i>Hearne, Rory.</i>	
<i>Dempsey, Aisling.</i>	<i>Heneghan, Barry.</i>	
<i>Devlin, Cormac.</i>	<i>Kelly, Alan.</i>	
<i>Dillon, Alan.</i>	<i>Kenny, Eoghan.</i>	
<i>Dolan, Albert.</i>	<i>Lawless, Paul.</i>	
<i>Donohoe, Paschal.</i>	<i>Lawlor, George.</i>	
<i>Dooley, Timmy.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Feighan, Frankie.</i>	<i>McDonald, Mary Lou.</i>	
<i>Fleming, Seán.</i>	<i>McGettigan, Donna.</i>	
<i>Foley, Norma.</i>	<i>McGuinness, Conor D.</i>	
<i>Gallagher, Pat the Cope.</i>	<i>Mitchell, Denise.</i>	
<i>Geoghegan, James.</i>	<i>Murphy, Paul.</i>	
<i>Grealish, Noel.</i>	<i>Mythen, Johnny.</i>	
<i>Harkin, Marian.</i>	<i>Nash, Ged.</i>	
<i>Harris, Simon.</i>	<i>Newsome Drennan, Nata-sha.</i>	
<i>Healy-Rae, Michael.</i>	<i>Ní Raghallaigh, Shónagh.</i>	
<i>Higgins, Emer.</i>	<i>Nolan, Carol.</i>	
<i>Keogh, Keira.</i>	<i>O'Callaghan, Cian.</i>	
<i>Lahart, John.</i>	<i>O'Donoghue, Robert.</i>	
<i>Lawless, James.</i>	<i>O'Flynn, Ken.</i>	
<i>Lowry, Michael.</i>	<i>O'Gorman, Roderic.</i>	
<i>Martin, Micheál.</i>	<i>O'Hara, Louis.</i>	
<i>Maxwell, David.</i>	<i>O'Reilly, Louise.</i>	
<i>McAuliffe, Paul.</i>	<i>O'Rourke, Darren.</i>	
<i>McCarthy, Noel.</i>	<i>Ó Broin, Eoin.</i>	
<i>McConalogue, Charlie.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>McCormack, Tony.</i>	<i>Ó Murchú, Ruairí.</i>	

<i>McEntee, Helen.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McGrath, Séamus.</i>	<i>Ó Súilleabháin, Fionntán.</i>	
<i>McGreehan, Erin.</i>	<i>Quinlivan, Maurice.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Rice, Pádraig.</i>	
<i>Moynihan, Aindrias.</i>	<i>Sheehan, Conor.</i>	
<i>Moynihan, Michael.</i>	<i>Sherlock, Marie.</i>	
<i>Moynihan, Shane.</i>	<i>Smith, Duncan.</i>	
<i>Murnane O'Connor, Jennifer.</i>	<i>Stanley, Brian.</i>	
<i>Murphy, Michael.</i>	<i>Toole, Gillian.</i>	
<i>Neville, Joe.</i>	<i>Tóibín, Peadar.</i>	
<i>O'Brien, Darragh.</i>	<i>Wall, Mark.</i>	
<i>O'Connell, Maeve.</i>	<i>Ward, Charles.</i>	
<i>O'Connor, James.</i>	<i>Ward, Mark.</i>	
<i>O'Dea, Willie.</i>	<i>Whitmore, Jennifer.</i>	
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Meara, Ryan.</i>		
<i>O'Shea, John Paul.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cearúil, Naoise.</i>		
<i>Ó Muirí, Naoise.</i>		
<i>Richmond, Neale.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Timmins, Edward.</i>		
<i>Troy, Robert.</i>		
<i>Ward, Barry.</i>		

Tellers: Tá, Deputies Mary Butler and Emer Currie; Níl, Deputies Cian O'Callaghan and Paul Murphy.

Question declared carried.

Negotiations on an Agreement between the European Union and the Republic of Kazakhstan: Motion (Resumed)

Debate resumed on the following motion:

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:

11 June 2025

Recommendation for a Council Decision authorising the opening of negotiations on an agreement between the European Union and the Republic of Kazakhstan on readmission,

a copy of which was circulated to each member of Dáil Éireann on 29th May, 2025.

- (Minister of State at the Department of Justice, Home Affairs and Migration, Deputy Colm Brophy)

An Ceann Comhairle: I must now deal with a postponed division relating to the motion regarding the opening of negotiations on an agreement between the European Union and the Republic of Kazakhstan. On Wednesday, 11 June 2025, on the question, “That the motion be agreed to”, a division was claimed and in accordance with Standing Order 85(2), that division must be taken now.

Question put: “That the motion be agreed to”.

<i>The Dáil divided: Tá, 87; Níl, 67; Staon, 1.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Aird, William.</i>	<i>Ahern, Ciarán.</i>	<i>O’Gorman, Roderic.</i>
<i>Ardagh, Catherine.</i>	<i>Bacik, Ivana.</i>	
<i>Boland, Grace.</i>	<i>Bennett, Cathy.</i>	
<i>Brabazon, Tom.</i>	<i>Brady, John.</i>	
<i>Brennan, Brian.</i>	<i>Buckley, Pat.</i>	
<i>Brennan, Shay.</i>	<i>Byrne, Joanna.</i>	
<i>Brophy, Colm.</i>	<i>Carthy, Matt.</i>	
<i>Browne, James.</i>	<i>Clarke, Sorca.</i>	
<i>Burke, Colm.</i>	<i>Collins, Michael.</i>	
<i>Burke, Peter.</i>	<i>Connolly, Catherine.</i>	
<i>Butler, Mary.</i>	<i>Coppinger, Ruth.</i>	
<i>Butterly, Paula.</i>	<i>Cronin, Réada.</i>	
<i>Buttimer, Jerry.</i>	<i>Crowe, Seán.</i>	
<i>Byrne, Malcolm.</i>	<i>Cullinane, David.</i>	
<i>Byrne, Thomas.</i>	<i>Cummins, Jen.</i>	
<i>Cahill, Michael.</i>	<i>Daly, Pa.</i>	
<i>Callaghan, Catherine.</i>	<i>Devine, Máire.</i>	
<i>Calleary, Dara.</i>	<i>Doherty, Pearse.</i>	
<i>Canney, Seán.</i>	<i>Donnelly, Paul.</i>	
<i>Carrigy, Micheál.</i>	<i>Ellis, Dessie.</i>	
<i>Carroll MacNeill, Jennifer.</i>	<i>Farrelly, Aidan.</i>	
<i>Chambers, Jack.</i>	<i>Farrell, Mairéad.</i>	
<i>Cleere, Peter ‘Chap’.</i>	<i>Fitzmaurice, Michael.</i>	
<i>Clendennen, John.</i>	<i>Gannon, Gary.</i>	
<i>Collins, Niall.</i>	<i>Gibney, Sinéad.</i>	
<i>Connolly, John.</i>	<i>Gould, Thomas.</i>	
<i>Cooney, Joe.</i>	<i>Graves, Ann.</i>	

<i>Crowe, Cathal.</i>	<i>Guirke, Johnny.</i>	
<i>Cummins, John.</i>	<i>Hayes, Eoin.</i>	
<i>Currie, Emer.</i>	<i>Hearne, Rory.</i>	
<i>Daly, Martin.</i>	<i>Kelly, Alan.</i>	
<i>Dempsey, Aisling.</i>	<i>Kenny, Eoghan.</i>	
<i>Devlin, Cormac.</i>	<i>Lawless, Paul.</i>	
<i>Dillon, Alan.</i>	<i>Lawlor, George.</i>	
<i>Dolan, Albert.</i>	<i>Mac Lochlainn, Pádraig.</i>	
<i>Donohoe, Paschal.</i>	<i>McDonald, Mary Lou.</i>	
<i>Dooley, Timmy.</i>	<i>McGettigan, Donna.</i>	
<i>Feighan, Frankie.</i>	<i>McGuinness, Conor D.</i>	
<i>Fleming, Seán.</i>	<i>Mitchell, Denise.</i>	
<i>Foley, Norma.</i>	<i>Murphy, Paul.</i>	
<i>Gallagher, Pat the Cope.</i>	<i>Mythen, Johnny.</i>	
<i>Geoghegan, James.</i>	<i>Nash, Ged.</i>	
<i>Gogarty, Paul Nicholas.</i>	<i>Newsome Drennan, Nata- sha.</i>	
<i>Grealish, Noel.</i>	<i>Ní Raghallaigh, Shónagh.</i>	
<i>Harkin, Marian.</i>	<i>Nolan, Carol.</i>	
<i>Harris, Simon.</i>	<i>O'Callaghan, Cian.</i>	
<i>Healy-Rae, Michael.</i>	<i>O'Donoghue, Robert.</i>	
<i>Heneghan, Barry.</i>	<i>O'Flynn, Ken.</i>	
<i>Higgins, Emer.</i>	<i>O'Hara, Louis.</i>	
<i>Keogh, Keira.</i>	<i>O'Reilly, Louise.</i>	
<i>Lahart, John.</i>	<i>O'Rourke, Darren.</i>	
<i>Lawless, James.</i>	<i>Ó Broin, Eoin.</i>	
<i>Martin, Micheál.</i>	<i>Ó Laoghaire, Donnchadh.</i>	
<i>Maxwell, David.</i>	<i>Ó Murchú, Ruairí.</i>	
<i>McAuliffe, Paul.</i>	<i>Ó Snodaigh, Aengus.</i>	
<i>McCarthy, Noel.</i>	<i>Ó Súilleabháin, Fionntán.</i>	
<i>McConalogue, Charlie.</i>	<i>Quinlivan, Maurice.</i>	
<i>McCormack, Tony.</i>	<i>Rice, Pádraig.</i>	
<i>McEntee, Helen.</i>	<i>Sheehan, Conor.</i>	
<i>McGrath, Séamus.</i>	<i>Sherlock, Marie.</i>	
<i>McGreehan, Erin.</i>	<i>Smith, Duncan.</i>	
<i>Moran, Kevin Boxer.</i>	<i>Stanley, Brian.</i>	
<i>Moynihan, Aindrias.</i>	<i>Tóibín, Peadar.</i>	
<i>Moynihan, Michael.</i>	<i>Wall, Mark.</i>	
<i>Moynihan, Shane.</i>	<i>Ward, Charles.</i>	
<i>Murnane O'Connor, Jen- nifer.</i>	<i>Ward, Mark.</i>	
<i>Murphy, Michael.</i>	<i>Whitmore, Jennifer.</i>	
<i>Neville, Joe.</i>		

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<i>O'Brien, Darragh.</i>		
<i>O'Connell, Maeve.</i>		
<i>O'Connor, James.</i>		
<i>O'Dea, Willie.</i>		
<i>O'Donnell, Kieran.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Meara, Ryan.</i>		
<i>O'Shea, John Paul.</i>		
<i>O'Sullivan, Christopher.</i>		
<i>O'Sullivan, Pádraig.</i>		
<i>Ó Cearúil, Naoise.</i>		
<i>Ó Muirí, Naoise.</i>		
<i>Richmond, Neale.</i>		
<i>Smith, Brendan.</i>		
<i>Smyth, Niamh.</i>		
<i>Timmins, Edward.</i>		
<i>Toole, Gillian.</i>		
<i>Troy, Robert.</i>		
<i>Ward, Barry.</i>		

Tellers: Tá, Deputies Mary Butler and Emer Currie; Níl, Deputies Gary Gannon and Matt Carthy.

Question declared carried.

Cuireadh an Dáil ar athló ar 9.51 p.m. go dtí 8.47 a.m., Dé Máirt, an 12 Meitheamh 2025.

The Dáil adjourned at 9.51 p.m. until 8.47 a.m. on Tuesday, 12 June 2025.