Vol. 1070
No. 4

Thursday,
3 July 2025

DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—Neamhcheartaithe
(OFFICIAL REPORT—Unrevised)

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions 511
An Garda Síochána 511
Domestic, Sexual and Gender-based Violence 513
Deportation Orders 515
Legislative Measures 517
Prison Service 520
Ceisteanna Eile - Other Questions 521
Naturalisation Applications 521
Crime Prevention 523
Crime Prevention 525
Legal Aid 526
Public Transport 528
Probation and Welfare Service 530
Local Community Safety Partnerships 532
Estimates for Public Services 2025: Message from Select Committee 534
Ceisteanna Eile (Atógáil) - Other Questions (Resumed) 535
Work Permits 535
Joint Policing Committees 537
Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions 539
Fishing Industry 539
Tillage Sector 541
Animal Diseases 543
Fishing Industry 545
Pigmeat Sector 547
Agriculture Schemes 549
Ceisteanna Eile - Other Questions 552
Fishing Industry 552

Agriculture Industry 555
Animal Diseases 556
Solar Energy Guidelines 558
Common Agricultural Policy 561
Farm Household Incomes 563
Ceisteanna ó Cheannairí - Leaders' Questions 565
Ceisteanna ó na Comhaltaí Eile - Other Members' Questions 576
Ceisteanna ar Pholasaí nó ar Reachtaíocht - Questions on Policy or Legislation 578
Message from Select Committee 589
Organisation of Working Time (Leave for Health Screening Purposes) Bill 2025: First Stage 589
Health (Availability of General Practitioner Services) Bill 2025: First Stage 590
European Union Regulations on International and Temporary Protection: Motions 592
Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters 621
Saincheisteanna Tráthúla - Topical Issue Debate 622
Special Educational Needs 622
School Enrolments 625
Flood Relief Schemes 628
Tourism Industry 632
Road Safety 635
Ministers and Secretaries (Attorney General) Bill 2023: Second Stage [Private Members] 638

DÁIL ÉIREANN

Déardaoin, 3 Iúil 2025

Thursday, 3 July 2025

Chuaigh an Cathaoirleach Gníomhach (Deputy David Maxwell) i gceannas ar 8.47 a.m.

Paidir agus Machnamh.

Prayer and Reflection.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

An Garda Síochána

1. **Deputy Matt Carthy** asked the Minister for Justice, Home Affairs and Migration the number in each intake of gardaí, and the number who attested, in the past three years, in tabular form; and if he will make a statement on the matter. [36637/25]

Deputy Matt Carthy: I ask the Minister the number of gardaí in each intake, the number who attested over the previous three years and if he will make a statement on that. I also ask him to refer to the potential of reaching the target of 1,000 new recruits this year.

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): I thank Deputy Carthy for his question. As every Member of the House knows, a visible Garda presence is really essential to ensuring the public feel a sense of safety. It is also essential from the Government's perspective and from the objective within the programme for Government to build safe and secure communities for the public to enjoy.

In February, there was the first Garda recruitment campaign of 2025. I am pleased to say this competition was particularly successful and more than 6,700 applications were received in response to it. This demonstrates the continued interest that exists in a career in An Garda Síochána.

I want to answer the specifics of Deputy Carthy's questions. In 2022, there were only two intakes of gardaí into Templemore. These were intakes of 24 and 92 trainees, with 25 and 86 gardaí attested from those intakes. There were a total of 111 gardaí attested in 2022, out of a total of 116 who commenced.

In 2023, there were five intakes of 135, 154, 174, 174 and 109 trainees. Of those, there was a total of 707 attested. In 2023, 746 were taken in and 707 attested. In 2024, there were four intakes, with a total of 630 taken in and, to date, 438 trainee gardaí attested from the first three

intakes. The individual totals for these three intakes are 169, 149 and 120. The final intake of 2024 is due to attest later this year. Deputy Carthy can see there is a variation in the numbers for each of the three years that he asked about because it is dependent on whether there are four or five intakes.

Deputy Matt Carthy: There can be variation in the numbers going into each intake but the one thing that is very clear is that in no intake at the Garda College was there as many trainees as the college had capacity to train. At no stage did 200 or even close to 200 attest. In some cases, the figures were far below that. The difficulty is that the Government has been talking for quite some time now about 1,000 gardaí per year being attested. We are nowhere near this. It makes me inclined to accept the position of the Garda Commissioner when he said it was just not possible to train 1,000 gardaí this year. Does the Minister agree with that?

Last year, the numbers trained in Templemore were around 400 short of that target. Does the Minister accept that he, the Department and the Garda still do not have a grip on the recruitment and retention crisis? How many does he expect to attest in total this year?

Deputy Jim O'Callaghan: The programme for Government commitment is that we will recruit 5,000 gardaí during the five-year term of the Government. I am not too worried about whether we get to 1,000 each year and if they are evenly spread over the five years. The priority is to get to 5,000. We need to increase the numbers within the force.

On the retention crisis, the number of resignations from An Garda Síochána is pretty small. In 2024, approximately only 1% of attested members of An Garda Síochána resigned from the force. That is a pretty low number when compared to the PSNI or other police forces in the UK.

On the future, I am trying to recruit as many gardaí this year as possible. I cannot give the Deputy a figure now as to how many but I ask him to give me some ideas. When I was on the backbenches, I suggested proposals such as increasing the age that someone could join to above 35 and extending the retirement age. I am open to Deputy Carthy's ideas.

Deputy Matt Carthy: Will there be five intakes this year or next year in the Garda College? The Minister might also indicate if there are plans to increase the capacity to allow intakes of 250 trainees.

Has the Minister examined the impact of the rate of payment of the Garda training allowance? We know there was an increase but where the very changes he has referred to in the age profile of those joining the gardaí are concerned and how older people generally have more financial commitments, we are told by the representative organisations that the training allowance is still not sufficient to capture people in that demographic. If the Minister is looking for an idea, there is one off the bat - increase the training allowance, increase the intake numbers permitted and ensure we go beyond increasing not just the number of applications. We need the number of gardaí to increase.

Deputy Jim O'Callaghan: On the intakes this year, there will be four. There was one in June, there will be another in August and there will be another before the end of the year. There

will be approximately four intakes this year. Some years, there can be five but it is dependent upon each year and how the schedule operates.

On the proposal to increase the training allowance, that is something I will certainly look at. It is something we have indicated in the programme of Government. At present, it is €354 per week during training.

I am confident about the immediate future. It is significant that 6,700 people expressed interest during the recruitment campaign. It is also noteworthy that, of those 6,700 who expressed interest in February, some of them were already starting in the Garda College. Certainly, many of them will be starting in the next intake. Historically, there was a delay turning expressions of interest into trainees on the ground. That is changing and I am pleased to see it is speeding up.

Domestic, Sexual and Gender-based Violence

2. **Deputy Catherine Connolly** asked the Minister for Justice, Home Affairs and Migration further to the findings of a report (details supplied) that front-line services were contacted 32,144 times, being an increase of 12% on 2023, that 44% of women surveyed were not satisfied with their initial engagement with An Garda Síochána and that its response to more than 65,000 contacts received last year was inconsistent, the urgent steps he is taking to achieve zero tolerance of violence against women; and if he will make a statement on the matter. [36323/25]

Deputy Catherine Connolly: The Minister is very familiar with the latest Women Aid's report. What will he do, given the significant increase in contacts with Women's Aid and that 44% of women said they were not satisfied with their initial engagement with An Garda Síochána? The response is inconsistent from the Garda in relation to the 65,000 contacts received. What steps is the Minister taking in relation to the zero-tolerance policy of the Government?

Deputy Jim O'Callaghan: I thank Deputy Connolly for her question. As she knows, the Women's Aid report was published last week. I had the privilege and responsibility of launching it. The statistics within it are very concerning. There were 32,144 contacts made with Women's Aid services last year. That was a 12% increase on the previous year. I was also aware of the statistic contained within it that 44% of women were not satisfied with the response they got in the first instance from An Garda Síochána. Notwithstanding the fact that the majority were satisfied, it indicates there is an issue in ensuring gardaí are suitably and adequately qualified in responding to the scourge of domestic violence. My own assessment and the advice I have received from within An Garda Síochána and, indeed, from people who are victims of domestic violence is that, once the victim gets engaged with the experts within An Garda Síochána who are extensively trained in dealing with domestic violence, they have a very positive outcome. That is apparent when one considers the response from people outside court where there has been a successful conviction.

Obviously, it is imperative that we ensure there is adequate and sufficient training for gardaí in the whole area of domestic violence and coercive control. I want Deputy Connolly to know

that, in phase 1 of training at Templemore, trainee gardaí complete 34 hours of instruction on domestic and sexual crime investigation, with dedicated classes on domestic abuse investigation in phases 2 and 3. Trainees in Templemore receive an online presentation on the basics of domestic violence investigation, where the importance of positive first contact with victims is highlighted. It is also the case that trainees attend an in-person workshop on the Domestic Violence Act 2018 and An Garda Síochána policy on domestic abuse intervention. At the nine-week operational stage, trainee gardaí assume an observational role attached to Garda stations.

There is training but there certainly needs to be greater improvement.

Deputy Catherine Connolly: I followed this up myself since I joined the Dáil in 2016. We had a task force in 1996 and Eithne FitzGerald was the Labour Party Minister of State at that stage. Ever since, we have been playing catch-up. I am not reassured that the Garda now has courses in place. It was acknowledged by the Garda when it was before us at the public accounts committee recently and further details will be sent to us on the improvements that would be made. Women's Aid tells us its own services are overstretched and underfunded.

I am lost for words because I have spoken about it so often. The level of violence is horrific. We should drop the word "domestic". There are not even refuges in each county. In a sense, that is the wrong way to be going. We have to go that way but that removes the woman from the house as opposed to the offender.

One of the top recommendations from the task force in 1996 was that we needed to have an intervention strategy in relation to the perpetrator. That has never happened and the figures have grown exponentially despite all the strategies and legislation.

Deputy Jim O'Callaghan: This is a societal problem. However, my own assessment of it is that there is a growing recognition of the extent of this problem and there is a greater sense of confidence and capacity on the part of women to no longer tolerate this and therefore, to report it.

9 o'clock o'clock

There is a debate as to whether the increased numbers are due to an increase in violence against women or a greater sense of confidence and security in coming forward. It is probably an alignment of both, I regret to say. The increase in violence against women seems to be driven from the completely malign and repulsive presentation on social media to young men and boys as to how relationships should develop. We need to keep an eye on what is happening with boys and young men owing to what they are being exposed to online. However, I believe the attitude of society, politics and people in this House to domestic violence has changed remarkably. There is strong resistance to tolerating it any further. The Garda is doing a good job in respect of it.

Deputy Catherine Connolly: I disagree. The Garda is doing a good job through the protective units but I disagree with the Minister that things have changed in terms of societal attitudes. The Minister could do certain things and act very quickly. He could act regarding the domestic violence register he promised. He has given me no timeline for that.

Women's Aid has consistently stated the strongest legislation will not make a difference, even if it is enforced, without a complete overhaul of our approach to violence - I am not going to use the word "domestic" - or to crime. There should be mandatory training for gardaí at every level. In the 21st century, we should not be talking about protective units that are good while the general body of gardaí do not have mandatory training in this area. Family law needs to be overhauled. It is described by Women's Aid and other organisations on the ground that are expert in this as disempowering. Going through the process adds to the abuse.

There are practical things Deputy O'Callaghan, as the new Minister, can do now that will make a difference.

Deputy Jim O'Callaghan: There is mandatory training for trainees in Templemore, as I outlined in my answer. Second, I have instructed officials in my Department to prepare the heads of Bill amending the Domestic Violence Act to ensure that, with respect to persons convicted of serious offences on indictment, the detail will be published in court judgments. This will entail a decision by the judges hearing the case. Efforts are being made and, as the Deputy knows, I have permission from the Government to draft an amendment to the counselling notes. This is being drafted at present and it will be contained within the criminal law (miscellaneous provisions) Bill. There are also other legislative provisions, including on sex for rent and the register, that I have brought forward.

Deportation Orders

3. **Deputy Matt Carthy** asked the Minister for Justice, Home Affairs and Migration the annual percentage of those who received a final negative decision on their international protection application who left Ireland within 30 days and who provided authorities with documentary evidence that they had left within three days of arrival in their home country, for each of the past five years, in tabular form; and if he will make a statement on the matter. [36638/25]

Deputy Matt Carthy: The Minister of State, Deputy Brophy, will know there is a sense that the enforcement of negative decisions within the international protection system is not working. I would appreciate it if he could outline to the House the percentage of those who received final negative decisions who voluntarily left Ireland within the 30-day period and subsequently provided authorities with evidence that they had done so within three days of arrival in their home countries.

Minister of State at the Department of Justice, Home Affairs and Migration (Deputy Colm Brophy): I thank the Deputy for the question. It is a central priority for me, as Minister for State, that Ireland's immigration system is firm, fair and effective. Returning people who do not have permission to remain in Ireland is undertaken through both voluntary returns and deportation. Both types of returns are essential for the system to work effectively and ensure confidence in the application of our legislation in this area.

My Department has a voluntary return programme to assist people to return prior to the issuance of a deportation order. It is important to note that a person can avail of voluntary return only before a deportation order is issued. A person who intends to avail of voluntary

return can arrange their return independently or be assisted with travel costs, financial aid and administrative support by the voluntary return unit in my Department, or through my Department's partner, the UN's International Organization for Migration. The option of voluntary return is not offered to those convicted of serious criminality.

If a person receives a final negative decision on their international protection application, they are informed of the option of voluntary return and have five days to indicate whether they wish to avail of it. If a person decides not to avail of a voluntary return within this period, a deportation order is made against them.

People who make their own arrangements are given 30 days to leave. They are required to provide officials with documentary evidence that they have left within three days of their arrival in their home country. This can include evidence of flight tickets, boarding passes, the bio-data page of their passports and the re-entry stamp in their passport with the passport number clearly shown.

People who require assistance to leave Ireland will have the necessary arrangements made by the voluntary returns unit. This may include obtaining travel documents, flight bookings and ground transport. People who receive assistance must provide evidence of their return.

Further information and evidence will be requested if the supporting documentation submitted is not sufficient to confirm the person has left the State. People who do not submit the required documentation within the timeframe are advised that their cases will result in the issuing of a deportation order. In many instances, those availing of voluntary return will be met by officials from the border management unit of my Department.

In 2024, 934 people left Ireland by way of voluntary return. This year up to 27 June, 808 people have left Ireland by way of voluntary return, which is an increase of 223% by comparison with the number in the same period in 2024. Six hundred and fifteen of these were refused international protection status. Since 2020, over 2,300 people have left Ireland under the programme.

Deputy Matt Carthy: I am just not sure whether the Minister of State has actually answered the question. In respect of the numbers he provided on voluntary returns - 934 and 885, if I noted them correctly - can he confirm that the people notified the authorities with the appropriate documentation within three days of having voluntarily left? Could he give a breakdown differentiating between those who made their own arrangements to leave and those who received assistance from the voluntary returns unit? This is fundamental. There are three distinct issues within the international protection system that clearly have not been working: the time it takes for processing decisions; the scandal within the accommodation system owing to the profiteering that is taking place; and decision enforcement. I would just like to get clarification on the numbers the Minister of State has provided. Is there documentary proof? There is clearly a further gap in respect of people whose situations we just do not know.

Deputy Colm Brophy: To clarify, if a person has left voluntarily, he or she must provide, on foot of a request, officials with documentary evidence within three days that they have left Ireland. If they do not do so, a deportation order can be issued.

Of the 808 people who left by way of voluntary return this year up to 27 June, 615 had been refused international protection status. Since 2020, 2,300 people have left Ireland under the programme. Of these, just over 1,600 had been refused international protection status. In these instances, the departures of the people in question have been confirmed. We have a clear indication from right across Europe that, in many instances, people who avail of the voluntary return programme do not return.

Deputy Matt Carthy: It would be useful if the Minister of State explained to the House the process for tracking and monitoring those who receive a final negative decision to ensure they leave Ireland as required. How many people are now in the State who have received a final negative decision but who have not left voluntarily, even if they have indicated an intention to do so? It is important to know how many are now currently subject to the deportation order.

Do we have information on the precise locations of those people who have received a negative decision or a deportation order but who are currently in Ireland? If so, can the Minister of State quantify precisely how many people are currently in the State who would fall into either of these categories?

Deputy Colm Brophy: The Deputy will be aware that we do not have an exit system for leaving our country. The reason is that there are various circumstances concerning how we manage people coming and going, particularly with the common travel area. We believe, based on clear indications, that the vast majority of people served with a deportation order do actually leave the country.

The indication is that people who are served with a deportation order choose to leave. They leave voluntarily. The exact tracking of that, which would require a system of having an actual process of registering the exit out of the country, is something that is very difficult to implement within a common travel area. It would put a very onerous burden on people moving across the Border between Northern Ireland and the Republic of Ireland. For that reason, while we have clear indications that the vast majority of people do leave when served with a deportation order, we do not have the exact number of all those who have left, having been served with one.

Legislative Measures

4. **Deputy Mark Ward** asked the Minister for Justice, Home Affairs and Migration for an update on the criminal justice disregard of certain convictions related to consensual sexual activity Bill; when it will be completed; and if he will make a statement on the matter. [36639/25]

Deputy Mark Ward: While most of the world celebrated Pride last week and this week, in Ireland there are still men who have criminal convictions for just being gay before 1993. Can I have an update on the Disregard of Historic Offences for Consensual Sexual Activity Between Men Bill 2025? When will it be completed and when will these men have their criminal convictions quashed?

Deputy Jim O'Callaghan: I thank Deputy Ward for asking this question. He will recall that about six weeks ago, during the last round of oral questions to the Minister for Justice, Home

Affairs and Migration, his colleague Deputy Ó Snodaigh raised a similar question. During the course of an exchange between me and Deputy Ó Snodaigh, I stated that we should look to see if there is some mechanism of expediting this process of bringing forward legislation. Deputy Ward will be aware that a working group produced a report in 2023 which set out a very detailed yet slightly complicated statutory proposal as to how the scheme would operate.

When I was discussing the matter with Deputy Ó Snodaigh on the last occasion, I said I would go back to the Department and see if there was any way it could be expedited. I would like him to know that I asked my officials to examine whether the draft heads for the disregard scheme could be produced in a streamlined form that would facilitate their inclusion in the miscellaneous provisions Bill which is currently with the Office of the Parliamentary Counsel for drafting. I believe this is achievable and offers a speedier route to enactment than a dedicated disregard Bill. Drafting of legislative heads on these lines is now at an advanced stage and I hope to bring the heads to Government for approval shortly, with a view to their being added to the miscellaneous provisions Bill.

I commend Deputy Ó Snodaigh and the other members of the Opposition who last Tuesday introduced the Disregard of Historic Offences for Consensual Sexual Activity Between Men Bill 2025. I have had an opportunity to look at the Bill. It is a very fine piece of professional drafting. I will certainly take it into consideration and officials in my Department will take it into account when working on the legislative heads I have outlined. My priority is to try to get legislation enacted as quickly as possible. Whether that is done through my miscellaneous provisions Bill, which I think is probably the speedier way of doing it, or through the Opposition Private Members' Bill, I am agnostic in respect of that. The important thing is that we try to put in place a speedy statutory scheme to facilitate these men whom Deputy Ward spoke about.

Deputy Mark Ward: I thank the Minister. It is hard to believe that only 32 years ago it was illegal to be gay in Ireland. In 1993, when the law was changed, I was only 18. I was not aware of this rule when I was 18 but you can bet your life if I had been a young gay man, I would have been. Gay men at the time would have been driven underground. They suffered trauma and abuse. Ireland has come a long way since 1993, mostly for the better. It is hard to believe that being gay was a crime until 1993. It is still hard to believe that there are men who have convictions for being gay prior to 1993. The last record I have is that between 1983 and 1993, there were 64 convictions. Most of these men are probably still alive at this stage.

I am aware that the Minister has competing interests. I am on the justice committee so I know how busy we are. However, this is a chance to do the right thing. I welcome the Minister's comments on bringing provisions forward through a miscellaneous provisions Bill. Would these provisions quash individual convictions or what way would it work?

Deputy Jim O'Callaghan: I thank the Deputy. Just to add to the statistics, because it is important we know the extent of what we are potentially talking about, it is hard to be definitive but research indicates that between 1950 and 1993, when homosexuality was decriminalised, approximately 940 men received convictions under the Offences Against the Person Act or the Criminal Law (Amendment) Act 1885. The Deputy is absolutely correct. A number of these men will still be alive and will still have convictions over their name for something that we now regard as something that should not have been criminalised in the past. I do not want a

scheme that is going to be too complicated or onerous. I want a scheme whereby individuals will have to apply, and also an opportunity for representatives of a deceased person to apply. Although many of the 64 men will be alive, there are men from before that and a majority of the 940 who probably are deceased. We need to ensure there is an opportunity for the living and for representatives of the recently deceased to bring an application in respect of this.

Deputy Mark Ward: I welcome the Minister's comments on the Bill that was introduced this week by Deputy Ó Snodaigh and several other Opposition Deputies, the Disregard of Historic Offences for Consensual Sexual Activity Between Men Bill 2025. The timing was to coincide with Pride last week and this week. We still have people around the world who are subjected to tyranny and abuse just for being gay. In its essence, this Bill aims to eradicate the historic criminal convictions imposed for the offences of consensual sexual activity between men prior to 1993. The Bill was drafted by campaigners and a lot of work was put into it. A lot of campaigning and research went into the Bill. As the Minister acknowledged, the statistics show that between 1983 and 1993 there were 64 convictions for being gay and there is a good chance that these men are still alive.

I welcome that the Minister is agnostic, as he said, about whether to progress his Bill or the Opposition Bill. What does he think would be the speedier process? Has he given that any consideration? Would he support the progression of the Opposition Bill that was introduced this week?

Deputy Jim O'Callaghan: My view is that since the Department of Justice, Home Affairs and Migration has been working on a particular Bill up to now, and I have asked the officials to expedite this matter to see if we can get it into the miscellaneous provisions Bill, that is probably the speedier method of getting it done. There is an advantage to being in government from the point of view of trying to get legislation through the House. I commend Opposition colleagues who bring in detailed Bills, such as the one presented here last Tuesday, but Deputy Ward knows himself that they require the use of Private Members' time. I would not oppose this Bill on Second Stage but I do think it will be quicker if it is done through the criminal law (miscellaneous provisions) Bill that I will be introducing later this year.

One of the tricky things about this, which the Bill Deputy Ó Snodaigh introduced recognises, is that there is a distinction between persons who were convicted for homosexual activity between consenting males - everyone recognises that if there was not consensual activity and if the individual was of a young age-----

Deputy Mark Ward: That is a crime.

Deputy Jim O'Callaghan: That could not be quashed.

Deputy Mark Ward: Absolutely.

Deputy Jim O'Callaghan: That is where the complexity is. I am positive about the fact that something is going to be done shortly.

Prison Service

5. **Deputy Tom Brabazon** asked the Minister for Justice, Home Affairs and Migration the actions his Department is taking to provide additional prison places to meet current and future demand. [36720/25]

Deputy Jim O'Callaghan: I thank Deputy Brabazon for the question. I am very aware of the capacity issues that exist in our prisons, and challenges faced by those who work and live in our prisons as a result. The current programme for Government commits to increasing the capacity of our prisons by an additional 1,500 spaces, and the Irish Prison Service has already begun work to achieve this. Since January 2022, capacity across the prison estate has been increased by more than 300 new spaces, with 126 delivered in 2024 and 40 delivered to date in 2025, with plans to deliver a further 101 additional spaces by the end this year.

Budget 2025 increased overall funding to the Irish Prison Service by €79 million, or 18%, when compared to 2024, bringing the total allocated to nearly €525 million. This increase is to fund measures to address overcrowding, including a capital budget of €53 million, which is €22.5 million more than the original 2024 allocation. The Irish Prison Service also aims to recruit up to 300 prison officers in 2025, in addition to the 271 prison officers recruited in 2024.

The future prison capacity working group was established back in 2024 to further consider future prison capacity needs and to make recommendations on the numbers and types of prison capacity needed out to 2035. I brought the report of this working group to Cabinet recently and it will be published shortly. I also recently brought to Cabinet a proposal to accelerate the delivery of 960 additional prison spaces by utilising an exemption from the initial approval stages of the infrastructure guidelines for these projects.

That is the public spending code. This will enable accelerated delivery with timelines reduced by 12 months to 18 months. Overall, there are plans in place to deliver extra spaces. It has to be done rapidly. I am doing it as fast as I can, but I understand the capacity issues.

Deputy Tom Brabazon: I warmly welcome the provision in the programme for Government for the construction of Thornton Hall and the additional places the Minister mentioned. The current prison population is 14% over capacity. The Irish Penal Reform Trust, IPRT, has expressed serious concern about the current situation. The Minister is doing his absolute best in that regard. I have concern about the appearance of a revolving door situation. It can be demoralising for members of An Garda Síochána who have spent a lot of time and resources investigating, prosecuting and achieving a conviction, only to find out a convict is back out on the streets quickly because the Prison Service does not have sufficient capacity. The dearth of prison places might also affect judicial discretion. Judges might be leaning towards a custodial sentence and because they see some of their customers, for want of a better word, coming before them again very quickly after they have been previously given a custodial sentence, it might sway it the other way.

Deputy Jim O'Callaghan: This is one area of the criminal justice system where there are capacity issues that need to be addressed fundamentally and rapidly. We invest huge resources in An Garda Síochána and the courts to ensure we get cases on for hearing in the criminal courts

as quickly as possible. The whole system will not operate effectively if, at the end of those processes when a person has received a significant custodial sentence, there is an issue arising in respect of capacity for that person to serve their sentence.

As the Deputy will appreciate, it is also the case that we need to look at alternatives to imprisonment. There are a lot of people in prison. I have visited five of the prisons to date. There are a lot of people in prison who have serious health and addiction issues. There are also people in prison who could be doing community service. That is an area that I am going to change by amending the community services legislation to allow judges to now consider the imposition of community sanctions in respect of a person on whom a sentence of up to two years in prison is to be imposed. There are options other than fining or incarcerating somebody.

Deputy Tom Brabazon: I warmly welcome the Minister's comments in relation to alternatives to custodial sentences and that he is reviewing the alternatives. Community service is something that could benefit society more widely.

Deputy Jim O'Callaghan: I want the House to be aware that there are some very fine prisons in Ireland. We talked about Cork Prison. The new Cork Prison, which I have visited, is an excellent prison. Similarly, I have visited both the men's and women's prisons in Limerick. Huge investment went into them. The Irish Prison Service deserve to be commended on getting these prisons built on time and on budget. When we do prisons, we do them well. Our population has increased significantly. However, our prison capacity has not similarly increased. If we go back to 2011, we had a prison capacity of approximately 4,600. Today, we still have a prison capacity of 4,600. We need to recognise that with the increasing population, there has to be an increase in capacity for prisons. That is not a sign that we are turning into a lock-them-up society, but it is an indication that when there is a greater population, we are going to need greater prison spaces.

Ceisteanna Eile - Other Questions

Naturalisation Applications

6. **Deputy Noel McCarthy** asked the Minister for Justice, Home Affairs and Migration the number of naturalisation applications received in each year from 2020 to 2024, inclusive; the current average processing times for naturalisation applications; the measures being taken by his Department to further reduce application processing times; and if he will make a statement on the matter. [36655/25]

Deputy Colm Brophy: Last week, I was delighted to attend the citizenship ceremonies, along with the Minister, Deputy O'Callaghan, and the Minister of State, Deputy Collins. We welcomed more than 7,500 new Irish citizens. My Department is committed to providing the best possible service to the customers of our citizenship division. We have taken significant steps to speed up the process for applicants. The steps have included the introduction of an online digital application and e-vetting. I am pleased to inform the Deputy that these changes are dramatically reducing the times. The median processing time for a decision on application in 2024 was eight months. This is a significant improvement in processing times, which were

15 months in 2023, 19 months in 2022 and 24 months in 2021. There has been a significant step change in the process.

The number of naturalisation applications received by the Department in 2020 was 10,807. By 2023, that had increased to 22,690 and in 2024, we saw 27,032 applications. Despite this substantial increase in applications being received in recent years, the fact that our processing times have significantly reduced is a huge credit to the work of staff in the Department's citizenship division. I thank them for that. The division has gone from processing approximately 12,000 applications per year to processing more than 20,000 per year. I expect that going forward the majority of applicants will continue to receive a decision within one year. It is important to note, however, that no two naturalisation applications are the same. Some take longer to process than others.

Deputy Noel McCarthy: I thank the Minister of State for his response. It is clear that the volume of applications has greatly increased over the last five years while processing times continue to fall year on year. This is very encouraging. The work of the Minister and his Department must be acknowledged in this regard. I appreciate that the Minister of State may not have the figures at hand. Does he have an indication of the likely number of applications in 2025? Is the number received in the first half of this year higher than the number received in 2024? If application numbers continue to rise, as the figures suggest, will the Minister give any consideration to further upgrading the citizenship application portal or appointing additional staff in the citizenship division?

Deputy Colm Brophy: Based on the trend in recent years, we probably will see either sustained or small increases in the number of applications. We are always looking at how the system works to try to make it work better and ensure people have a speedy response to their request. If we are looking at increased numbers, we will look at how we are handling and processing applications.

It is important to mention again that we have already made substantial investment into the system. We have significantly reduced the average time an application takes, while at the same time handling a significant increase in the numbers. I make this point again because for some individuals there is frustration. I am sure they have raised with the Deputy, as some have raised with me, why individual applications can take longer than the times I am giving. That is sometimes beyond our control and may involve seeking additional information on a particular application. However, every effort is made with every application to make sure the process is as fast and smooth as possible for the individual.

Deputy Noel McCarthy: We recently saw over 7,500 people conferred with Irish citizenship at ceremonies in Killarney. While this is a joyous step on their journey of becoming an Irish citizen, we have seen instances where certificates of naturalisation have taken considerable time to arrive following the ceremony. Unfortunately, this can cause undue problems for the applicants when applying for a passport or seeking to pay third level fees ahead of an upcoming academic year. Can the Minister of State advise on the current waiting time to receive a certificate of naturalisation after attending a naturalisation ceremony and the actions being taken by the Department to ensure that these times are kept to a minimum?

Deputy Colm Brophy: I acknowledge there is a gap between the ceremony and the receipt of certificate. We are working on trying to tighten up and make sure the process involves as short a wait as possible.

To deal with the issues the Deputy quite rightly raises as regards the impact this can have on some individuals, the primary allocation of resources was into shortening the time for people to receive their citizenship. We will continuously look at this to ensure that the processing time for people to receive a certificate from the date on which they have their ceremony to the date on which they get their certificate is monitored and that people do not experience the type of issues the Deputy has mentioned.

Question No. 7 taken with Written Answers.

Crime Prevention

8. **Deputy Colm Burke** asked the Minister for Justice, Home Affairs and Migration the action taken by his Department to monitor the progress of young people who leave the youth diversion programme after their supervision period ends; and if he will make a statement on the matter. [36372/25]

Minister of State at the Department of Justice, Home Affairs and Migration (Deputy Niall Collins): Our Youth Justice Strategy 2021-2027 is a whole-of-government plan that takes a strategic approach to all issues connected to children and young people at risk of coming into contact with the criminal justice system. The key principles of the strategy are linked to the standards endorsed by the international community to uphold children's rights and include early intervention and preventative work, family support, diversion from crime, court processes and facilities, supervision of offenders, detention and reintegration, and support post release.

Youth diversion projects are community-based, multi-agency youth crime prevention initiatives which divert young people who have been, or are at risk of becoming, involved in antisocial and-or criminal behaviour. When a young person's time with a youth diversion project is coming to an end, whether they age out naturally at 18 or are no longer in need of specific youth diversion project supports, a plan is put in place to assist the young person to progress from the project. This process should be commenced well in advance of a person's planned disengagement. For all participants exiting a project, the youth diversion projects should identify other services that could engage the young person; identify specific agency support that may be needed by the young person; make contact with that service provider on behalf of the young person; prepare the young person for leaving the project; and follow up periodically on the progression of the young person after leaving the project and record any relevant details sent annually to the Department for reporting purposes.

The diversion programme has proved to be very successful in diverting young people under 18 away from crime by offering guidance and support to them and their families. It is important that we consider the supports and interventions needed for young people as they move into adulthood because personal circumstances do not just change overnight when someone turns 18.

Deputy Colm Burke: I come from an area where I was involved in a youth project where young people would have dropped out of school. That is where the problems start arising. We worked very closely with the Garda where we had the young people on a training programme. The people we took in were over 15. It is important to note that in a lot of these cases there is no family support. This is what I am saying to the Minister of State about the youth diversion programme. When someone finishes with the programme, that family support may still not be there. I wonder about the checks and balances that are there and about review of the current scheme. For instance, we did a review of the operation. We had 50 young people in training at any one time. We did a review and looked at the people who were with us five years earlier. This was at a time when unemployment was high, but we found that 70% of them had full-time employment whereas the family history would not have been great as regards employment. It just goes to show that where proper supports are put in place it does work. Has there been any review of the programme over recent years?

Deputy Niall Collins: I am grateful for the Deputy's insight and his sharing his experiences. If he has any suggestions, we will absolutely take them on board because we are always open to taking on board new and positive suggestions as regards updating or amending our strategy in this regard. I commented on our youth diversion projects but I want to comment on our plans to extend youth diversion programmes to people once they pass the age of 18. Our strategy includes actions to develop diversion-based responses for young adults aged 18 to 24. It should be noted that we are not seeking to replicate the statutory Garda youth diversion programme for the 18-to-24-year-old cohort because different considerations apply in the case of young adults, as the Deputy will be aware. Research tells us that young adults, not unlike adolescents, can be particularly vulnerable to peer pressure and difficult personal, social or economic factors, including substance misuse and the impact of childhood trauma.

Deputy Colm Burke: I thank the Minister of State for his reply. The work being done by all those people involved in the youth diversion programme is fantastic. They work very hard, also liaising with the Garda. That is what I have found in my experience of working with the local gardaí as regards trying to help people who have dropped out of the education system. One of the problems you find with the youth diversion programme is that one of the reasons people end up in difficulty is as a result of falling out of the education system at a very early stage. Then we try to get them back into any kind of training. For instance, one of the big problems we found with people was difficulty with even literacy and numeracy and making sure there was training available for them. They are afraid of applying for jobs because they have a literacy problem. That is one of the problems. They are afraid of applying for any kind of apprenticeship or any kind of job because those skills are required. Will the Minister of State look at that issue as well?

Deputy Niall Collins: I thank the Deputy for that. He has a particular interest as regards Cork. We have seen an increase in funding since 2022 and, specifically, an overall increase in funding for the Cork youth diversion projects in the order of €1.8 million. I have here a statement in tabular format detailing the increase in funding which I will have our officials forward on to the Deputy afterwards. He is right, and that increase in funding should and does alleviate the types of issues he has raised in terms of numeracy and literacy.

Crime Prevention

9. **Deputy Erin McGreehan** asked the Minister for Justice, Home Affairs and Migration the measures his Department is taking to increase the staffing levels in the Criminal Assets Bureau to facilitate the increased detection of the proceeds of crime due to the reduction of the threshold from €13,000 to €5,000. [36379/25]

Deputy Jim O'Callaghan: I thank Deputy McGreehan for this timely question. The reason I say it is timely is that, as she is aware, last week marked the anniversary of the murder of Veronica Guerin, which, as the Cathaoirleach Gníomhach, Deputy Maxwell, will be aware as well, had a transformative effect on the policing of Irish criminals. One of the consequences of her murder was that laws were changed whereby we could go after criminals in the civil courts. The proceeds of crime legislation and the Criminal Assets Bureau legislation were direct consequences of that.

It is also instructive to note that when I am at European meetings - I know this is the same with the Ministers of State, Deputies Brophy and Collins - many of our colleagues from other European countries are very interested to hear that Ireland has a system in place to seize the assets of criminals and that it is a system based not on the criminal law but on the civil law and the civil standard of proof. Since that legislation was introduced nearly 30 years ago, it has been cutting-edge legislation that is now being followed by the rest of Europe and, I am sure, further afield.

It is also a timely question from Deputy McGreehan because yesterday I received from the Office of the Parliamentary Counsel a stamped copy of the proceeds of crime Bill that I intend to introduce as soon as possible. The key reform under this legislation is the reduction of the waiting period for asset disposal from seven years to two, significantly accelerating access to seized assets. There is a whole series of other matters in the Bill which I will return to at a future date in the House.

As regards Deputy McGreehan's question about the budget and resourcing of CAB, I am pleased to tell her that the CAB budget for 2025 is €12.75 million, which is an increase of 13% since 2023. Between 2018 and 2024, authorised staff resources in CAB increased steadily from 90 to 101. There are also further details of CAB plans which are available in its strategic plan, which is published on the Department website. It is important to know that we will continue to resource CAB as it is an essential tool in our fight against crime.

Deputy Erin McGreehan: I thank the Minister. After the tragic and desperate loss of a lady of the calibre of Veronica Guerin, we have done a lot of good in her memory and name. CAB has been a hugely successful organisation and, as the Minister said, has been mirrored and copied in other countries.

We must ensure any resource that CAB needs, it gets because it is an incredibly effective organisation. We see the reality of crime in County Louth and all across the Border region. We see fuel smuggling and drug trafficking across the Border. Locally, and particularly in north Louth - I am sure it is mirrored across the Border counties - it often feels like we are seeing criminals operate with near impunity. As the Minister knows, the intent behind lowering

the threshold for CAB from €13,000 to €5,000 was to root out all crime and ensure no ill-gotten gain was too small to pursue. We owe that to those who are law-abiding.

Deputy Jim O'Callaghan: I have had the honour of going to Walter Scott House to meet Superintendent Gubbins, who heads up CAB. I am very impressed by the work it is doing. Although Walter Scott House is a fine new building, I am aware that the work of CAB is expanding and I am conscious that the expansion of its numbers will require further facilities. My Department has submitted a proposal as part of the review of the national development plan for funding for CAB accommodation. CAB is currently liaising with the OPW to find new accommodation. As any Minister will tell you, negotiations in respect of the national development plan are ongoing. I cannot guarantee it will happen - it is simply part of a proposal submitted - but it is something I am anxious to see occur. I want Deputy McGreehan to know that the Government will continue to support the growth and expansion of CAB to recover assets for the State. It is extremely important for criminals to know that if they stay in Ireland, their assets will be seized if it is not the case that they will be convicted and brought before the courts.

Deputy Erin McGreehan: It is good to hear that the Minister has been working on the commitment in the programme for Government. He mentioned the Bill that will come before the House. I reiterate it is important that we see a Border CAB unit looking at the Border region. It is not fair on law-abiding citizens and retailers that we have smuggling and illegal fuel coming across the Border. These are criminals whose criminal activity comes under the guise of smuggling. I want to ensure they are held to account.

Deputy Jim O'Callaghan: I agree with Deputy McGreehan. One of the reasons many serious criminals from Ireland have left and gone further afield is the threat they were exposed to from CAB. That is a positive development.

I want the Deputy to know there is no part of the country that is free from CAB's supervision or surveillance. In all communities around the country, CAB has initiated proceedings against individuals where it is believed they have assets which are the proceeds of crime and I want that to continue. I am sure it is happening in the Border region as well as other regions. It is not simply an organisation that concentrates its attention on Dublin or Cork or the main cities. It is absolutely national in its reach and international when it comes to its co-operation with other agencies.

Again, I agree with Deputy McGreehan. I will continue to resource CAB, which wants to extend its powers. This will happen through legislation I will introduce shortly into the House.

Legal Aid

10. **Deputy Matt Carthy** asked the Minister for Justice, Home Affairs and Migration for an outline of the findings of the report of the civil legal aid review group, which has indicated that he has received the report; and if he will make a statement on the matter. [36599/25]

Deputy Matt Carthy: The Minister will know there is significant concern in the legal profession and elsewhere on the time it has taken for the civil legal aid review group to

complete its work. I understand he has now received the report from that group. Can the Minister give us an outline of the findings of the report which he previously cited in response to me and could he give an indication of when that report will be published?

Deputy Jim O'Callaghan: I thank Deputy Carthy for that. As he stated, the civil legal aid review group completed its reports recently. In April, I received a majority report from the group and a minority report from former Chief Justice Frank Clarke. I had the opportunity to read both and am discussing within my Department how I will progress them.

I am satisfied with the need to increase the thresholds available to those seeking access to the civil legal aid scheme. Sometimes people confuse more money for the civil legal aid scheme as being more money for lawyers. It is not about lawyers; it is about ensuring citizens have access to the means by which they can vindicate their constitutional or statutory rights. Law is extremely complex. We keep producing vast amounts of it in this House and we also have European law on top of that. In order to navigate the law, the reality is we need legal advice and assistance.

I propose in the short term to put the reports out for public consultation. While that is happening, I want the Deputy to know I will ask my Department to work on how we can give effect to some of the recommendations contained in the reports. There will be a consequence to increasing thresholds and making civil legal aid more accessible to people. This is something I want to achieve but the consequence is that more work will have to be done. I need to ensure there are resources on the ground for private practitioners and solicitors working within the legal aid board offices around the country to facilitate them in providing for this greater level of work.

I thank the former Chief Justice for the report and I hope to be in a position to publish both reports shortly.

Deputy Matt Carthy: As the Minister may recall, my interest in this matter comes from several different angles but particularly as a result of work I have done with women, predominantly, who have sought protection or barring orders and have tried to secure legal representation under the civil legal aid entitlements but cannot get legal representation. The Minister told me this would be considered in the context of this review. While increasing access to legal aid is absolutely laudable at the centre of this particular crisis, I am told by both women and legal practitioners that the problem is the legal aid fees paid to solicitors on the District Court panel of family law solicitors. That is what is deterring solicitors from taking on cases. Part of the problem for this particular type of court is that there are many adjournments, and this can make it unsustainable.

An Cathaoirleach Gníomhach (Deputy David Maxwell): Thank you, Deputy.

Deputy Matt Carthy: What the Minister has described to me sounds like many further delays. For these women in particular, I want to know if this is going to be addressed.

Deputy Jim O'Callaghan: Yes, it will be addressed. When a very detailed report comes in - or indeed two reports; I have no objection to receiving majority and minority reports - it must

be carefully considered. There is no point in me announcing I will implement the report and then people asking when this will be done and how that implementation will take place.

As the Deputy will be aware, civil legal aid is provided by the legal aid board, primarily through a network of law centres and solicitors employed by the board. There are times when the board will engage private solicitors to supplement the services provided by board solicitors in certain areas of law on a case-by-case basis. I am aware of issues arising in respect of family law and predominantly women who must go before the courts because they are in a family law predicament. We need to ensure they have access to appropriate legal advice in order to facilitate them in vindicating their rights under the Constitution and under statute. It is progressing, the reports are completed and my Department is working on them. I hope to put in place a proposal in the near future for the Government.

Deputy Matt Carthy: I understand there are processes involved but this is three years in the making and now the Minister is talking about consultation processes. He must put himself in the shoes of those who want to secure a barring order or a civil protection order but currently cannot get legal representation. If they were listening to two politicians talk about process, the Minister can imagine the frustration that would be there.

Can the Minister give a timeframe for when this particular issue will be resolved? Further, to put on the record, does the Minister also accept there is an issue here for the number of solicitors willing to take on this work? One way or another, it needs to be addressed. Does the Minister accept there are particular geographical issues where this issue is especially acute?

Does he have any short-term measures that he can put in place to resolve what is a crisis for many people?

Deputy Jim O'Callaghan: I accept there is an issue in terms of solicitors being available to do this very important work. Part of the problem is that because the Irish economy is doing so well, it is attractive for solicitors to get work elsewhere, other than in the areas the Deputy is discussing here or other areas such as criminal legal aid under the criminal legal aid scheme. We need to ensure the fees that are payable are heightened to ensure we get solicitors who are prepared to do this valuable work. We need to recognise, and I welcome that the Deputy has acknowledged this, that there is a difference between the story that we are just getting more fees for lawyers and looking at the purpose of it. The purpose of paying more fees to lawyers is to ensure that the women the Deputy talks about, the individuals who want to access and vindicate their rights before the courts, are able to do that. They cannot do that unless they get access to legal advice. I accept that there is an issue and that the fees will have to increase to try to attract more solicitors to do this private work.

Public Transport

11. **Deputy Emer Currie** asked the Minister for Justice, Home Affairs and Migration to provide an update on his Department's engagement with the Department of Transport regarding the proposed transport security force; and if he will make a statement on the matter. [36531/25]

Deputy Niall Collins: The programme for Government commits to creating a transport security force. While this is a priority, responsibility for its establishment lies with the Department of Transport and the National Transport Authority. On 18 June, the Minister, Deputy O'Callaghan, met with the Minister for Transport to discuss the proposed transport security force. The Department of Transport is developing the necessary legislative proposals but the model remains under consideration and the process is at an early stage. New legislation is required, which takes time to develop and implement.

I assure the Deputy that ensuring the safety of public transport passengers and staff remains a key priority while this work is ongoing. Antisocial behaviour affects many areas, including public transport. Responsibility for safety primarily rests with public transport companies, working closely with An Garda Síochána where appropriate. An Garda Síochána has tools to respond to antisocial behaviour on public transport. Garda management works closely with operators such as the NTA, Irish Rail, including DART and InterCity, and Transdev Ireland, which operates the Luas, thereby maintaining a high-visibility and co-ordinated policing presence. An Garda Síochána is actively working to address issues on public transport, including through dedicated operations such as Operation Twin Tracks and Operation Saul. A range of regional and local operations have been put in place by gardaí to prevent and detect criminal activity on public transport.

The aim of Operation Saul, for example, is to provide a safe environment for commuters utilising all public transport services in the Dublin metropolitan region. This operation can reassure citizens, visitors and the business community that Dublin is a safe place in which to visit, socialise and conduct business. In 2024, 683 arrests and 1,339 charges or summonses were effected under this operation.

Deputy Emer Currie: I appreciate the recent steps to improve transport security, including the increased budget of over €11 million for a security presence through the Department of Transport, Operation Saul and the new public transport hubs. However, we have to keep moving on the commitment to establish a transport security force. In 2024 alone, over 4,200 complaints were received reporting incidents of drug use, violence and sexual assault. Reports of antisocial behaviour on Dublin Bus have almost doubled since the pandemic and there have been incidents on the Maynooth line where schoolchildren have been targeted.

The Department of Justice, Home Affairs and Migration has recently engaged with the Department of Transport, which is positive. We need to keep those meetings going until there is clarity on the legislative framework, the powers and remit given to the transport police and the interaction of the transport security force with An Garda Síochána.

Deputy Niall Collins: The Deputy is right that this is at the early stages and is in development. It is a priority, as I have outlined. The new transport force will have to interact with An Garda Síochána and that will be an operational issue for both organisations. It is primarily a matter for the parties involved to work out how they will operate the new system once the new transport security force is put in place. The aim of all concerned is to improve the security of the public who are using public transport. I know that An Garda Síochána will continue to play its part in that regard.

Deputy Emer Currie: I want to raise the issue of Garda numbers in Dublin West. Some 120 new recruits were attested overall in June and 74 were allocated to Dublin. According to local gardaí in my area, only four came to the Garda's K district. Of 150 new recruits in March, 98 were sent to the city centre and four to the K district. The K district consists of Blanchardstown, Cabra and Finglas and is one of the busiest districts in the country. Last year, in one 24-hour period, it had more calls than all of the other Dublin districts combined. Gardaí in the K district have to deal with antisocial behaviour, criminal damage and assaults. I am told it has the highest number of domestic incidents in the country and it has gangland crime, as well as Blanchardstown town centre and Áras an Uachtaráin to manage. There are only four inspectors across three stations for a population of approximately 200,000 people. It is not sustainable. We have brilliant gardaí but we do not have enough of them. What needs to happen for the K district to get the same level of attention and allocation that is currently being given to Dublin city centre?

Deputy Niall Collins: We discussed at length earlier the whole issue of Garda recruitment. As the Deputy knows, it is a significant priority in the programme for Government to increase Garda recruitment by about 5,000 over the lifetime of this Government. We have made a very good and resounding start. Last month, in June, another 170 trainees entered Templemore, following on from 201 in March, the largest intake since 2019. Some 120 new gardaí were attested in June and 74 of those were assigned to the Dublin metropolitan region, which is the vast majority of those who were attested. How the Commissioner allocates gardaí who are exiting Templemore following their attestation is an operational matter for the Garda Commissioner and something we do not get involved in. The allocation of recruits from Templemore regularly gets raised with me regarding my own area of Limerick. It is challenging but it is something we are working to increase.

Probation and Welfare Service

12. **Deputy Paul McAuliffe** asked the Minister for Justice, Home Affairs and Migration further to a Topical Issue raised on 19 October 2023, if he will outline the current total number of allegations of child sexual abuse involving any member of the Probation Service that he or his Department have been made aware of; if he has considered putting in place a non-adversarial redress scheme, if appropriate; and if he will make a statement on the matter. [36677/25]

Deputy Jim O'Callaghan: I thank Deputy McAuliffe for raising this question. I acknowledge his long-standing interest in this issue and his persistent raising of the matter, which is of significant importance.

I have confirmed with my officials that there have been two historic allegations of child sexual abuse made in relation to staff of the Probation Service. Both relate to alleged incidents in the 1970s by a former staff member who is now deceased. When the first allegation came to the attention of the Probation Service in 2000, An Garda Síochána and relevant services were notified and a criminal investigation was initiated. In recent years, the Probation Service became aware of a second allegation against the same former staff member, who by that time was deceased.

10 o'clock

10 o'clock o'clock

The matter is currently the subject of a legal claim which is being managed by the State Claims Agency on behalf of my Department.

Since the most recent allegation referred to above, the victims' unit of the Probation Service has put out several communications to encourage any relevant victims to contact it. I have been advised that no further victims have come forward. The Probation Service has confirmed that it has no current allegations on hand.

Like Deputy McAuliffe, I would encourage anyone who has been a victim of any kind of sexual assault to reach out for help and support and to report the matter to An Garda Síochána. There is also a range of victim support services available. These are listed on the victims' charter website.

Deputy McAuliffe raised the issue of whether or not the Department considered the introduction of a redress scheme. As I said, there is a case currently being dealt with by the State Claims Agency, my Department is aware of one other case and no other victims have come forward. In all the circumstances, it would seem more appropriate to allow that case that is currently in the system to be concluded rather than starting a new process at this stage.

Deputy Paul McAuliffe: I appreciate the Minister outlining in detail the previous work that has been done on this case. As he said, there is now confirmation by the Department of two reports of allegations of child sexual abuse. In the Minister's words, they relate to a "deceased" member of the Probation Service. Of course, this matter has also been the topic of much media coverage. The "RTÉ Investigates" programme carried out an investigation, entitled "Scouts Dishonour", in which it referred to the then chief scout, the late Joe Lawlor, and allegations in regard to him and his service in the Probation Service. Joe Duffy, on RTÉ, has also discussed this case in much detail.

I appreciate that these cases are incredibly sensitive. Unfortunately, for victims of abuse, there is a stigma in coming forward, but if you were also the subject of the Probation Service, there is almost a double stigma in coming forward because you have to reveal that as well.

Deputy Jim O'Callaghan: I thank the Deputy. He put that very sensitively and appropriately. I am aware of the allegations made against Scouting Ireland. I recall the "RTÉ Investigates" programme and, indeed, I very much recall the very powerful work done by Joe Duffy on his programme in interviewing people who had been subject of abuse while they were in the scouts. On the Probation Service, there was a slight overlap, certainly in the case of one individual concerned, between the Probation Service and the scouts. Of course, the vast majority of work done by the Probation Service was done in respect of people who were not children but, notwithstanding that, it is an issue that has to be closely watched.

On the basis of the information we have at present, however, in circumstances where there are only two allegations, it would be difficult for me to recommend or propose some form of a redress scheme when the numbers are so limited. I note what the Deputy says, that there may

be other people out there who are hesitant about coming forward, but I would be interested to hear his proposals as to how we could encourage them to do so.

Deputy Paul McAuliffe: Perhaps a redress scheme would be overly complex and result in people receiving justice delayed. Equally, we should not be placing the burden on victims of having to sue the State. That is not necessarily the best way forward. We have seen in other cases where people's only option is to sue the State and often justice is incredibly delayed. Perhaps there is a mechanism here to try to mediate this and to try to come forward with a non-adversarial solution.

The criminal justice process is not an option because the person is deceased but there are also questions about what the State knew about this gentleman's service. He worked for the Probation Service for decades. It is incredibly important that whatever information or files are available to the Department of justice are reviewed and we air what was known. As we have seen with other cases of sexual abuse, it is important there is transparency about what happens.

Deputy Jim O'Callaghan: I will make inquiries in respect of the case that is ongoing at present. If it is the case that there is clearly liability on the part of the State, I would like to see that case resolved in a mediated fashion. I will speak to the Attorney General in respect of that case.

Obviously, the Deputy is correct that it puts many burdens on people to sue the State, but a couple of years ago the Attorney General published a protocol for how the State should deal with persons who were suing it. If it is the case that there is liability on the part of the State, I would like to see that liability acknowledged by the State.

However, sometimes the difficulty in resolving a court case can be in respect of the quantum. I am not saying that is so in this particular case but if there is an issue in respect of quantum, that is when, as the Deputy suggested, a mediator could be put in place to try to see if a mediated settlement could be facilitated.

Local Community Safety Partnerships

13. **Deputy Emer Currie** asked the Minister for Justice, Home Affairs and Migration for an update on the roll-out of local community safety partnerships in Dublin West; and if he will make a statement on the matter. [36530/25]

Deputy Emer Currie: I thank the Minister for bringing the regulations into effect for the local community safety partnerships so they can get up and running. This new approach will involve residents, social workers, youth workers, businesses, education representatives as well as An Garda Síochána and State agencies. The initiative is important to us in Fine Gael and I commend the Minister, Deputy McEntee, on developing this vision. Can the Minister provide an update on the roll-out of local community safety partnerships in Dublin West?

Deputy Jim O'Callaghan: I thank Deputy Currie. I am pleased to be able to answer the Deputy's question this time as opposed to the previous time.

Deputy Emer Currie: The Minister was very keen.

Deputy Jim O'Callaghan: If I am answering the wrong question, my very vigilant Ministers of State will tell me I am doing something wrong. The Deputy is correct in stating that last week, I signed the regulations giving effect to the local community safety partnerships, LCSPs. They came into force on Monday of this week.

As the Deputy will be aware, much work has already been done in respect of local community safety partnerships, but now we have the regulations in place and people will be aware that we have to put in place these partnerships as they are an essential part in ensuring that the public in those particular areas are served.

The regulations outline clearly how the safety partnerships will operate in practice and will ensure that each partnership operates with transparency, focus and strong local engagement. The Deputy will be aware, from the report of the Commission on the Future of Policing in Ireland, that community safety requires multi-agency co-operation. That is why the legislation specifically requires that we have not only gardaí and elected representatives from the local authorities on it, but also people from the HSE or Tusla, in order to recognise that many of the issues that arise do not only concern policing, but also relate to community safety and community partnership.

Deputy Currie raised the issue in respect of her area in terms of her constituency of Dublin West. There is an issue there because administrative boundaries require that certain areas fall into neighbouring LCSPs but the overarching aim is to maintain a co-ordinated place-based response to community safety needs.

I want the Deputy to be aware, in terms of her own constituency and, indeed, all other constituencies, that within my Department there is the National Office for Community Safety. It will have a responsibility in terms of providing guidance to local community safety partnerships as to how they should deal with issues in the area.

Deputy Emer Currie: Community partnerships have the potential to truly impact community safety because intervention and prevention are not only the remit of the Garda. We have to bring local stakeholders to the table to tackle local problems with local solutions.

I am wondering how the Minister will ensure residents know about this initiative. Will there be a local campaign or a local awareness drive? I believe €5.5 million has been provided to set the partnerships up. How does the Minister envisage these funds being spent? Will there be a community safety partnership office, for instance, situated in the community for people to access?

There is also the community safety fund putting proceeds from crime back into communities, but it is only €4 million. The local partnerships, if they are working, will have strategies and recommendations and those solutions need to be funded and will not always fit neatly under local authority or State agency budget lines. I hope the Minister will take an active role in ensuring the partnerships are working from the ground up as well as from the top down.

Deputy Jim O'Callaghan: I will be taking an active role. It is an important time and occasion, now that these regulations have been signed and are being rolled out. The community

partnerships will not be on their own trying to formulate their own guidance because, as I said, there will be a National Office for Community Safety, which is a statutory office that will be based within my Department. That office will be providing guidance for the partnerships with overlapping areas. Such collaboration can include exploring opportunities for joint initiatives, shared resources and joint meetings as well.

As laid out in the regulations, each local community partnership may have up to 30 members. Mandatory members will include representatives from the local authority, An Garda Síochána, the Health Service Executive and the Child and Family Agency. Each local community safety partnership will be supported by two full-time permanent staff within the local authority. Each partnership will be led by a voluntary chair and vice chairperson who will be elected from among the membership.

It is my intent to start meeting these partnerships. It is very important that all of us, and me in particular, start selling them and telling people about the benefits that come from them.

Deputy Emer Currie: I thank the Minister for the update. I will circle back to the matter of Garda numbers because community safety also depends on that. There should not be inconsistency across the districts in the Dublin metropolitan region. The K district might be losing out to the city centre at the moment but, historically, there have been inconsistencies with other Dublin districts as well. There is potentially one Garda for every 531 people in the K versus one Garda for every 397 people in a neighbouring district that has significantly lower crime statistics. Gardaí in the K are hungry, driven and dedicated, which is very evident when one works with them. The leadership is rolling out very positive and proactive initiatives. It has a very high proportion of gardaí who are still within their probation period. That is how new the force is in the district. Will the Minister examine the inconsistency and encourage evidence-based policy across population, crime statistics and geography? We need to receive the same attention as the city centre.

Deputy Jim O'Callaghan: I agree with the Deputy regarding the K district in Blanchardstown. In fact, a couple of weeks ago, I went to Blanchardstown Garda station and had the pleasure of meeting the gardaí there. They do excellent work. It is a very demanding and busy station.

The Deputy mentioned that I needed to get involved in directing the Garda Commissioner as to where Garda numbers should go. I will not do that. If I start doing that, it will then become a very politicised system whereby the Garda Commissioner simply responds to where the Minister wants gardaí to go. Where will that lead us in the future, if the Minister or Ministers of State ask for lots of gardaí to be put into their constituencies or to have more? I will not do that. I will leave An Garda Síochána, the Commissioner and the senior staff to make a determined calculation as to where they wish new Garda recruits to go. They are the best-positioned people to determine it and they assess all the factors. Just because a Garda recruit does not come to a station direct from Templemore does not mean that stations such as Blanchardstown do not get people transferred there.

Estimates for Public Services 2025: Message from Select Committee

An Cathaoirleach Gníomhach (Deputy David Maxwell): The Select Committee on Defence and National Security has completed its consideration of the following Revised Estimates for Public Services for the service of the year ending on 31 December 2025: Votes 35 and 36.

Ceisteanna Eile (Atógáil) - Other Questions (Resumed)

Work Permits

14. **Deputy Aindrias Moynihan** asked the Minister for Justice, Home Affairs and Migration for an update on progress towards the introduction of a single permit system for visas and work permits. [36627/25]

Deputy Aindrias Moynihan: There are employers who struggle to get skilled workers in a range of different sectors. They look across the world to find people but when they are recruiting, they struggle both with getting a permit and then possibly a visa to enter the country. What is the up-to-date position on getting the single visa application process up and running?

Deputy Colm Brophy: I thank the Deputy for his question. As he mentioned, legal migration plays an essential and very positive role in Ireland's society and economy. Legal pathways are vital to addressing labour shortages in the economy.

I have been working closely with the Minister for Enterprise, Tourism and Employment to ensure that Ireland's legal employment pathways are efficient and as convenient as possible. In May 2024, Government approval was secured for our plan to introduce a single permit to both work and live in Ireland. This decision followed detailed engagement by an interdepartmental group to explore the feasibility of the measure. As the Deputy is aware, there currently are employment permits. He mentioned the problems in having employment permits, visa applications and residency permits all processed separately. A detailed plan has been developed to unify these processes and an implementation team is working to introduce a single permit. Once this is in place, Ireland can then seek to opt into the EU single permit directive. This is a complex and technical project, involving linking two separate IT systems, and is likely to require legislative amendment. The project is due to be completed in 2027.

In the short term, steps are being taken to streamline the process so that information requests and checks are not duplicated. The customer experience will improve through aligning online information and introducing a single payment model. These steps will simplify the process for people while the common application platform is being developed. My Department is making a significant investment in the technology to fully digitise the immigration service. Also, changes were made last year to allow spouses and partners of employment permit holders to themselves take up employment without the requirement for a separate authorisation.

All of these initiatives are designed to ensure the long-term sustainability of the economy and to support and recognise the vital contribution made by legal migrants to our economy and society.

Deputy Aindrias Moynihan: In areas such as healthcare, farming, timber and other sectors, employers have struggled to get skilled staff. When they look abroad, it can be a slow and difficult process, between finding the person, his or her employment permit and the visa to enter. Each one after another can be a challenge. Employers could end up finding the person but not a visa to enter the country.

The Minister of State outlined the plan to move ahead with the single permit. Will he outline what milestones he sees along the way? What are the various steps he sees on that? Is it intended that it will be a phased introduction? Will he outline whether it is being phased in and whether it will be sector by sector?

Deputy Colm Brophy: To give the Deputy an idea of what the next steps are, an implementation team has been established, chaired jointly with the Department of Enterprise, Tourism and Employment, which will commence implementation of the single permit model. The adoption of the single permit approach is expected to be done by 2027. The programme will be delivered on a phased basis. The new application platform will be developed with customer benefits in the shorter term. Shorter term actions will be taken to remove the duplication of data collection and checks through improvement in communications. The medium-term actions will include the implementation of data sharing and integration between my Department and the Department of enterprise.

We will obviously make every effort to progress, not just in meeting that 2027 deadline, but in having the systems in place to stop that duplication as quickly as possible, which is the initial step. For people applying who are experiencing those difficulties, as the Deputy quite rightly indicated, between the visa and the permit, we are trying to get that process moving as fast as possible.

Deputy Aindrias Moynihan: I have two different questions on that. On phasing, the Minister of State said a 2027 completion date was being aimed for. Will a switch be flicked in 2027 and everybody will apply? Is it being phased in sector by sector from then or just before it? As regards collaboration between his Department and the Department of Enterprise, Tourism and Employment, some of the sectors will be more difficult. For example, there are a small number of larger employers in healthcare, whereas in farming or timber, there are a lot of smaller employers. What is the level of engagement with those? Some of them will be more difficult to reach or engage with. Will the Minister of State outline what engagement he is having with those employers to make sure the application process is meeting their needs?

Deputy Colm Brophy: There is an ongoing process in the Department to reach out to try to simplify and put the application process in place. The answer to the Deputy's question is "Yes". By 2027, it will be a complete one-stop shop and the process will be coming. That is the target date we are working towards for the completion of the process.

In the intervening period, my counterpart in the Department of enterprise and I are willing to see what we can do to ensure that we have better engagement with sectors, where it is needed between the two Departments, to ensure we streamline the process in advance of 2027. I fully take account of what the Deputy said about there very much being different requirements and difficulties within different sectors, but it is possible to work through those and work to have a

much quicker process in the medium term based on the current processes. We will then have the complete changeover in 2027.

Joint Policing Committees

15. **Deputy Ruairí Ó Murchú** asked the Minister for Justice, Home Affairs and Migration if he will provide an update on the progress being made to operationalise community safety partnerships; to outline the timeline, the model and operation of the partnerships; and if he will make a statement on the matter. [35632/25]

Deputy Ruairí Ó Murchú: The Minister has kept to his word and we have the guidelines. I understand it to be seven councillors. What interaction is meant to happen between these partnerships and TDs? I welcome some of the other bodies to be represented on it. I would like to know how they are to be selected. I will ask questions about the *ad hocery* we had with JPCs in Louth that suited the constituency.

Deputy Jim O'Callaghan: I thank the Deputy for the question. As he is aware, last week, I signed the regulations for the local community safety partnerships, which came into operation on Monday, 30 June. A total of 36 partnerships can now be established across the country, with partnerships in each local authority administrative area. That means there will be five in Dublin. Each LCSP will be led by a voluntary chair and supported by a full-time co-ordinator and administrator. The chair will be elected from among and by the membership of the safety partnership.

As the Deputy will appreciate, it is my intention that the local community safety partnerships will now be established as soon as is practicable throughout the country. They will replace and build upon the excellent work that was done by the JPCs and will bring together a broader range of people. As I said previously to Deputy Currie, they will have a direct involvement in trying to address many of the issues faced by local communities. The legislation is entitled "Policing, Security and Community Safety". It is not all about policing; there has to be community safety as well. The Garda cannot always deliver it on its own. That is why I welcome that the partnerships will include local councillors and representatives from the HSE, Tusla, the local authority executive, business, education and many others, obviously including An Garda Síochána.

As outlined in the regulations, the safety partnership may hold as many meetings as required but must meet at least six times a year, including one public meeting and one meeting for local authority members and Oireachtas Members. There will be a facility for Members of the Oireachtas to attend at least one meeting.

Each newly established partnership is required to develop and implement its own tailored community safety plan. The partnerships will take a strategic approach to their work so that issues arising can be dealt with in a co-ordinated manner and addressed collectively. Each partnership will have the ability to consider the local landscape. As Minister for justice, I intend to keep a close eye on their being established and to ensure they succeed in their work.

Deputy Ruairí Ó Murchú: We all welcome that they are up and running. For too long, we have not had the forum of JPCs, which were useful for engagement with the Garda. We are talking about everything from organised crime right down to chaos and disorganised crime. Tusla, the HSE and those other groups will have a huge role. I would like to know how those other people are to be selected. Not only should we get this up and running very fast, but also there should be some sort of review capacity. Previously, TDs were able to sit on the joint policing committees, which made a difference. I think it was worthwhile at certain points in time. Is the Minister open to reviewing this? Tusla and particularly the HSE are an absolute requirement. I would like to know how the other organisations are going to be in play. We all welcome that we will have something that will be both strategic and thematic, which is necessary.

Deputy Jim O'Callaghan: I note what the Deputy has said about the JPCs, which did a lot of good work. Like me, the Deputy is a former member of a local authority. At stages, they could become very formulaic, with many gardaí, including senior gardaí, sitting there and just engaging directly with local elected councillors on very specific issues. Many of the issues raised at JPCs were issues the Garda could not answer because they related to issues such as housing, health or childcare in terms of the role played by Tusla. There will be a benefit in having a broader range of people on the partnerships.

The Deputy asked if we would be reviewing the partnerships' operation. Of course, I will be keeping a close eye on them and there will be an assessment after a period of time as to the extent to which they are succeeding and achieving the objectives that we all want to see them achieve.

The Deputy asked about the process for the HSE and Tusla to nominate people. In the first instance, those bodies will put people forward and that will be the process by which individuals from those organisations come onto the partnerships.

Deputy Ruairí Ó Murchú: My understanding is that nothing is holding this up. It is just a matter of getting it into play as quickly as possible. I understand the process for representation by Tusla, the Garda, the HSE and the local authorities; that is fairly easy. I am talking about the other bodies and organisations, such as community residents' associations. How exactly will that work? There is a huge body of work that needs to be done. I welcome that the Minister is talking about the possibility of a review. Many of us believe it was useful when there were joint policing committees. In Louth, joint policing committees were able to operate on the basis of Dundalk and north Louth, Drogheda and south Louth, and Ardee and mid-Louth.

We need to tackle those issues from organised crime right down into chaos and so on. I welcome what was said earlier about the Criminal Assets Bureau. We all know the world we live in. We need to look at the very particular issue we have at this point in time with organised crime and drugs. When certain people have had houses taken off them, they just regard it as the cost of doing business and they are back in operation again. We need a harm-reduction methodology but we also need to give police the ability to police.

Deputy Jim O'Callaghan: When they are set up, we will look at them. We should not say in the first instance, "Let us start reviewing them." Let us get them up and running. Let us get

them operating effectively and successfully. Everyone here wants them to succeed and I know that the partnerships themselves will want to succeed. If we manage to get this right, it will be a major step forward in terms of just raising issues of concern at local authority level. That is where the issues are really highlighted. This will provide a really useful mechanism to raise issues of concern relating to policing, housing and health.

There will be a statutory office in my Department with responsibility for the overview of the partnership scheme. Partnerships will not be set up as individual separate satellites where they operate independently without recourse to what is happening in other areas. The office in my Department will play a crucial role in ensuring that we see a harmonised and effective role throughout the country. There is no reason these cannot succeed and as Minister for justice, I am committed to seeing them succeed.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Fishing Industry

74. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Food and the Marine for an update on the most recent discussions between the Government and the UK Government on reinstating access for Irish fishers to their traditional fishing grounds at Rockall; if he is considering taking the matter to international arbitration, given the illegality of this long-standing blockade; and if he will make a statement on the matter. [36288/25]

Deputy Conor D. McGuinness: I am asking this question on behalf of my colleague Pádraig Mac Lochlainn.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Timmy Dooley): As the Deputy knows, Rockall is a small, uninhabitable rock located approximately 160 nautical miles west of the Scottish islands of St. Kilda, and 230 nautical miles to the north west of Donegal. As the Deputy is aware, Ireland has not sought to claim sovereignty over Rockall. The UK claimed sovereignty over Rockall in 1955 and sought to formally annex it as part of Scotland under its 1972 Island of Rockall Act. The consistent position of successive Irish Governments has been that Ireland does not recognise Britain's claim of sovereignty over Rockall. Accordingly, Ireland does not accept that a 12 nautical mile, 22 km, territorial sea exists around Rockall.

Ireland's long-held view is that a rock incapable of sustaining human habitation does not allow for the creation of a territorial sea. Therefore, the agreement under the trade and co-operation agreement, TCA, relating to access to the UK 12 to 200 mile zone should apply inside the 12 nautical mile zone around Rockall. We understand that the UK takes a different view.

Irish vessels have traditionally fished for haddock, which is subject to a quota limit, and squid, which is not subject to a quota limit, in the waters around Rockall. Haddock may be caught both within and outside 12 nautical miles of Rockall, but squid is caught within six nautical miles of Rockall. Other stocks caught in the waters around Rockall, both within and outside of the 12-mile area, include monkfish and megrim.

I assure Deputy Mac Lochlainn that reaching an agreement on issues relating to Rockall remains an important issue for the Government. The Government continues to be in regular contact with the relevant Scottish and UK authorities on the issue of Rockall. Through this engagement, the Government is seeking to address the issues involved, reflecting the long-standing fisheries patterns in the area. I am committed to finding a way forward and will continue to work closely with the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Harris, on this issue. The Deputy will be aware that both the Tánaiste and the Taoiseach have raised this issue at diplomatic levels and will continue to do so. It is a matter that we would really like to resolve at the earliest possible opportunity.

Deputy Pádraig Mac Lochlainn: I apologise for being a little late and thank my colleague, Deputy Conor McGuinness, for introducing my question.

I appreciate that the Minister of State is new to his role but my difficulty is that what he has just read out was said to me again and again by the previous Minister for agriculture, Deputy McConalogue. This is an uninhabited rock and there is just no basis under international law for what the British are doing. It has cost millions of euro every year, not just for fishermen in Donegal, Greencastle and Killybegs, but all the way down to Castletownbere. Fishermen from around Ireland are affected. It is outrageous action. Basically, there is a blockade around the rock and threats to people's livelihoods for fishing in their traditional grounds. At some point, if the British Government will not do what is right, we have to look at international arbitration. It is outrageous that this has gone on for so long.

Deputy Timmy Dooley: I note the Deputy's personal interest in this, as well as that of others in the area who have raised it consistently with me. It is a position that goes back to the 1955 situation and, obviously, Brexit then had a really negative effect from a fisher's perspective.

On Wednesday next, I am meeting the UK Minister with responsibility for fisheries, Mr. Daniel Zeichner, and I intend to raise this in the context of a broader discussion around challenges facing our respective fishing industries. There will be other issues discussed too, and I do not want to give the impression to the House that the meeting is just about Rockall because it is not. I also intend, in the course of other meetings with the Scottish Minister and others, to discuss this matter at every available opportunity.

I note the Deputy's interest and his suggestion that arbitration may ultimately be the solution, or at least a pathway towards a solution. I will continue to work on this and keep the Deputy informed of any developments that arise in this area.

Deputy Pádraig Mac Lochlainn: I am mindful that the previous Scottish First Minister, Ms Nicola Sturgeon, according to reports in *The Guardian* newspaper, was trying to resolve this issue. Ultimately, it is a jurisdictional issue and the British Government has probably been let off the hook on this. The fisheries element of the TCA was recently extended by 12 years. That is very problematic because it locks down the loss of fisheries. I know the Minister of State is going to work to improve those quotas as a result but I would have thought this issue should have been resolved as part of that agreement at the time. This is bad faith, particularly by the Whitehall Government, but the Scottish Government has been a disappointment on this issue, too. They know these are our traditional fishing grounds and are very important to a

fishing industry that is struggling. It is really long overdue that they did the right thing. I ask the Minister of State to strongly convey the view, with which both sides of the House would agree, that this has to stop and be resolved.

Deputy Timmy Dooley: I will not be found wanting in conveying the feelings of this House. We are united on this issue. We are not always united on issues here but we are very united on trying to find a resolution to this. I am conscious that it has to be done through the diplomatic channels. I am also conscious that there are significant legacy issues and that, notwithstanding the view of some in this House that the securing of access to UK waters for the next 12 years is positive, we still have to recognise the loss of quota and the negative impact of that on our sector. I am also conscious that, on the other side, the British fishing sector believes it has lost significantly as a result of reciprocal access. There appear to be two losers in this debate. I recognise the British Government's difficulties in that regard. However, recognising that does not and will not preclude me from fighting the case for Irish fishers who have lost very specific quota in the first instance, not to mention the squid fishery, which was a really important part of their economic activity at a particular time of the year but is no longer available to them. We have to do everything we can to try to address that.

Tillage Sector

75. **Deputy Robert O'Donoghue** asked the Minister for Agriculture, Food and the Marine how he proposes to increase the tillage area, as outlined as a key desire in the programme for Government; when a tillage incentive scheme will be introduced to support tillage growers; and if he will make a statement on the matter. [36299/25]

Minister for Agriculture, Food and the Marine (Deputy Martin Heydon): I thank the Deputy for raising this important issue. The tillage sector is an integral part of Irish farming and makes a really significant contribution to overall agricultural output. This Government recognises the importance of the sector and wants to grow the area under tillage crops in the years ahead.

The report of the Food Vision 2030 tillage group, which was set up to set out a roadmap for the growth and development of the sector, identifies opportunities to grow the sector and to further improve its environmental footprint. My Department continues to engage with stakeholders to progress the actions in the report through collaboration with all stakeholders.

My Department has provided significant support to tillage farmers in recent years. The budget for protein aid has increased to €10 million annually since 2024. Applications for over 66,000 ha of cereals and oilseed rape straw were submitted for chopping and incorporating in 2025 under the straw incorporation measure. I have committed to paying all farmers who have applied under the scheme. I have made this decision early to give certainty to farmers while also giving them an economic boost.

In financial terms, €10 million per year was budgeted for straw incorporation as part of the CAP strategic plan, CSP, but the applications this year amount to over €15 million. It is not an insignificant decision for me to make in regard to managing my budget, but I wanted to do it

to be able to provide that certainty and support. I am a major supporter of straw incorporation. I believe it does great work and provides a number of great benefits to our farmers.

In February this year, I announced €32.4 million of payments under the tillage and horticulture support scheme, which was the Government's response to the difficult position tillage and horticultural farmers found themselves in due to exceptionally poor weather and continued high input costs last spring. This exceeds the €30 million provided for in last year's budget. I had to try to find extra money within my budget and made that decision to prioritise because I was anxious that we be able to make the payment on every hectare of eligible ground. The extra €2.5 million was part of that.

Deputy George Lawlor: I thank the Minister and acknowledge his response. As he knows, tillage is a vital part of our food security. Given what is happening globally and the uncertainty that prevails, a reliable and viable tillage sector is required to ensure a food supply. It is also important to speak to the fact that tillage is effectively a carbon-neutral, if not better, area of agriculture and, as such, can play an important role in reducing the carbon footprint of the agriculture sector, if fully supported. In June 2023, the then Minister for agriculture committed to achieving the target of increasing the tillage area to 400,000 ha by 2030. However, figures from the industry at that time suggested that the tillage area was set to decline. In 2012, an estimated 355,000 ha of land in the country were under tillage but by 2024, that had dropped to 334,000 ha. Tillage plays a vital role in the agricultural economy, particularly in the context of food sustainability. It is essential that we increase the tillage area as a matter of urgency because we cannot depend, as we have already seen, on others due to the global uncertainty that prevails at this time.

Deputy Martin Heydon: I concur and agree with the Deputy that we want to see growth in the tillage sector. After two really hard years, I am very heartened to see a slight increase on last year in the area under arable and tillage crops. In the face of two horrendous years, it has stabilised. This year is difficult. Futures prices for the sector are still very challenging. It is the one sector of agriculture that has not seen a big uplift in commodity prices. At the same time, the crops are looking good. We have had a good year as regards weather. The winter crops in particular are looking very clean and full. We are very hopeful for a good harvest. Spring crops are obviously always somewhat more variable but a lot more winter crops were sowed in the back end of last year because of the weather. We will keep a very close eye on it from that perspective.

The tillage sector is supported under other schemes, including the tillage capital investment scheme, the organic farming scheme and ACRES. There are many farmers who are glad to be in ACRES this time. The water quality European Innovation Partnership, EIP, is also open to them. There is, therefore, a range of measures to support our tillage sector.

Deputy George Lawlor: I acknowledge that we may have a better year this year but the tillage sector has suffered crippling losses over recent years. We have seen fertiliser prices increase by up to 300% since the war in Ukraine began. We have seen tillage farm incomes plummet. In 2022, the average tillage farm income was €76,600. In 2024, it had plummeted to €30,000. Tillage farmers cannot take any more of these losses. They need assistance and assurance. Counties like my own county of Wexford are taking a serious hit. The IFA tells us

that the economic viability of the sector is very precarious for 2025 and that the sector will be extremely vulnerable in the coming years. Forward barley prices for harvest in 2025 are €185 per tonne. This is well below the cost of production for many farmers. It is unsustainable and the sector must be supported if we are to see people remain in it and see incomes rise. It is vital that the sector receive the absolute commitment and support of the Minister. I acknowledge that, in his contribution, the Minister said he is supportive of the sector but it is crucial that a new tillage incentive scheme is introduced to support tillage growers and that we begin to be more self-sufficient when it comes to the supply of our own native grain.

Deputy Martin Heydon: At the end of the day, we continue to have those supports in place. There is strong co-operation, €10 million for the protein aid scheme and the allocation of money for the intervention earlier this year. While that was to recognise last year's hardship, it came out of the budget for this year, which I have to manage for tillage and all other sectors. I will continue to work with the sector. I absolutely recognise the challenges. The latest Teagasc income figure is €38,000. When you consider input costs relating to the long-term leasing of land and the price farmers are paying in that regard if they are farming more than their own land, the input costs of machinery, depreciation and the very high cost of replacing machinery, and all of the other input costs, you will see that the risk-reward ratio in respect of that investment is very challenging. That is why I will continue to work with the tillage sector, provide targeted support given the importance of the sector within the wider agriculture industry and deliver on the commitment in the programme for Government to invest significantly in the tillage sector over the next five years.

Animal Diseases

76. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine when his Department will implement the new measures to tackle TB; and if he will make a statement on the matter. [36040/25]

Deputy Martin Kenny: I raise with the Minister the situation as regards TB, which is at crisis point across the country. I know the TB forum has set out a number of measures that have yet to be enacted. I would like to get an update on when these are going to happen. Many of these actions are difficult for farmers. When they have a reactor or their farm is locked down as a result of TB, the last thing they need is a more difficult and strenuous situation that will cause them an even greater loss. We need clarity on many of these issues because farmers are very distressed at the prospect of having to enter into a new situation where they will be further disadvantaged by losses related to TB.

Deputy Martin Heydon: I thank the Deputy for raising this important issue. To answer his question directly, the last thing farmers need is a further increase in the spread of TB. That is the root cause of all of this stress and concern, which the Deputy has articulated very clearly and on which I completely agree with him. My job is to provide leadership and to bring farmers with us. Everybody is going to have to do a little bit more here. That includes my Department and its officials as regards my budget. We are all going to have to do a bit more as we change our approach to TB.

As the Deputy will know, bovine TB is a very challenging disease to control and eradicate. Levels have continued to deteriorate in recent years. Herd incidence has increased from 4.31% in 2022 to 6.04% in 2024, resulting in a 36% increase in the number of herds restricted between 2022 and 2024. As of 22 June of this year, over a 12-month period we had a herd incidence of 6.43%. In 2024, it was 6.04% and it is now 6.43% with over 43,455 reactors. This disease is having an impact on farmers and their families both financially and emotionally throughout rural Ireland.

As the Deputy will know, following extensive discussions at the TB forum, I met with TB stakeholders on 8 May and farming organisations and key stakeholders on 22 May with a view to agreeing an action plan for bovine TB based on the most effective ways to mitigate the impact of bovine TB on farm families and to reduce herd incidence and spread of the disease. At these meetings, I presented five key pillars to address the current rates of bovine TB. The first was to support herds free of bovine TB in remaining free. The second was to reduce the impact of wildlife on the spread of bovine TB. The third was to detect and eliminate bovine TB infection as early as possible in herds with a TB breakdown to avoid future breakdowns. The fourth was to help farmers improve all areas of on-farm biosecurity and the fifth was to reduce the impact of known high-risk animals in spreading bovine TB. I will provide further answers in my supplementary responses.

Deputy Martin Kenny: To get to the issues that are of most concern to many people in the agricultural community, one of the issues farmers are concerned about is the proposal that a sign be put up at marts where there is a reactor in a herd. This would be there for quite a long time and would restrict farmers in getting a decent price for their animals. That is an issue that needs to be dealt with very sensitively. We do not want farmers to be at a disadvantage because they have had the misfortune of having TB in their herds, something which, in most cases, is not their fault. That needs to be dealt with.

One of the other issues is the restrictions as to where and to whom farmers can sell their cattle. In many cases, the only option they will have is to sell to the finishing lots or the factories. This restricts the market, which will be bad for farmers. We need to understand whether there will be some way of mitigating those disadvantages for farmers. Clarity also needs to be brought to the rates of compensation farmers are going to get under this new regime so that we know exactly where we stand.

On the control of animals at high risk, we understand that there are going to be restrictions and further testing. In effect, it will probably be three years after a clear test that farmers will be back to normal. I would like clarity as to where we stand as regards all of that.

Deputy Martin Heydon: While trying to bring people with us and minimise the impact on farmers, who are already extremely stressed, I have to ensure that we have a science-based approach and that what we do is backed up by science. There are three very clear causes of the spread of bovine TB: cattle-to-cattle transmission, residual transmission and wildlife. If we do not have a suite of measures that, when layered over one another, give us a level of cover that addresses all three of those areas, we will fail. That involves difficult decisions for all of us. It also involves a change of practice in how my Department operates, in how testing operates, in how we deal with herds and in what is identified as a high-risk herd because what we have been doing has not worked and has left gaps. That is because we do not have 100% foolproof

testing. The skin test has 80% efficacy. I want to introduce a lot more blood testing in high-risk categories. The efficacy rate of such testing is over 90%. Ultimately, there is more TB left in herds that we have to identify. We have to identify it early and get it out rather than waiting and finding it later on because that is where the disease is seeding. There is a range of measures we can take to address that.

Deputy Martin Kenny: I appreciate all of that. To give credit where it is due, something is being done. A crisis has been allowed to evolve over the years. What we need this morning, if we can get it, is a commitment as to when this is going to happen and clarity on those issues I raised regarding the difficulties farmers going to the market are going to have and so on. We need to see that clarity. We also need to see where the budget for this is going to come from. From a departmental point of view, it will obviously cost more to bring in these new rules and regulations and implement them properly. If they are only half-heartedly implemented, they will not work. All of us, including the Minister, understand that. That will require more resources but it will put farmers in a position where they can have confidence in the scheme. The problem we have at the moment is that farmers do not have confidence in it. They see feedlots and other things that are hit-and-miss in how well they are run and they have difficulty understanding why all the emphasis has once again been put on the farmers who find themselves in a situation where TB has spread to their farms, often through wildlife.

They are the ones who feel they are being punished for it. We need clarity and we need to ensure the budget is there to ensure people can have confidence in this new scheme.

Deputy Martin Heydon: I want to provide that clarity as soon as possible and to restore confidence in this scheme. The final set of proposals I bring forward will be the biggest change in our approach to TB in the 75 years the disease has been in this country. I have held discussions and meetings that have fed into the TB plan, which I intend to finalise the details of and publish shortly. At a Cabinet meeting on Tuesday, 24 June, I received approval and support from my Government colleagues to address the current high level of bovine TB with this plan. The Deputy is dead right to say this will be expensive. It will cost more money in the short term. I believe it is a strong business case because I am front-loading expenditure to save money in the long run. That is definitely a case I am making, but a significant amount of money will be required. If we are successful, it will not necessarily identify more herds affected, but will identify earlier more reactors within the herds affected. We need that to happen to get them out and to stop them seeding the disease out. These new measures will require significant changes to the existing TB programme. There will be significant funding and other implications. We are currently working through the necessary preparations to implement these changes as soon as possible.

Fishing Industry

77. **Deputy Jennifer Whitmore** asked the Minister for Agriculture, Food and the Marine if he will direct the Marine Institute to undertake a formal stock assessment of sprat, with a view to introducing a total allowable catch; and if he will make a statement on the matter. [36041/25]

Deputy Jennifer Whitmore: Will the Minister direct the Marine Institute to undertake a formal stock assessment of sprat, with a view to identifying a total allowable catch, and will he make a statement on the matter?

Deputy Timmy Dooley: I thank the Deputy for her question. Sprat is a small pelagic schooling fish that occurs inshore. Sprat is a short-lived species and an important prey fish for many marine species, those vital to the ocean food chain, as well as an important source of income for inshore fishermen. The International Council for the Exploration of the Sea, ICES, considers sprat to be a data-limited stock, which means that more detailed data is required to form a full understanding of the state of the stock. However, the Marine Institute has been actively involved in work on sprat through research surveys and fisheries catch sampling. From this work, it has data and information on the biology, population dynamics and stock structure of sprat around Ireland. Studies have not to date shown evidence of separate stocks in the Celtic Sea, and the ICES considers sprat in ICES divisions 6 and 7 to be a single stock. Sprat around the Irish coast is known to perform seasonal migrations between winter feeding and summer spawning grounds.

The latest acoustic survey for sprat in the Celtic Sea and the south Irish Sea was conducted by the Marine Institute in October 2024 as part of its annual survey series, ongoing since the early 2000s. The survey results are available on its website. This survey shows no evidence of sprat moving northwards and no collapse in the abundance of the species over the scale of the surveyed area. At this time, there is no proposal from the European Commission for a total allowable catch, TAC, and quota management arrangement for fodder fish such as sprat in the waters around Ireland. Ireland will, of course, have regard for a possible TAC and quota regime or other appropriate conservation measures going forward if recommended in the scientific advice to support the sustainable management of these stocks.

Deputy Jennifer Whitmore: I thank the Minister of State. Sprat is not economically important. It is quite a low-value fishery but it is ecologically valuable. Everything feeds on it, from fish, whales and dolphins to seabirds. If we do not have sprat, we do not have those other species. Unfortunately, we are in a situation where, because it has not been deemed economically valuable enough, we do not have stock assessments. There has not been a TAC conducted on sprat. That is now causing huge problems because we do not have sufficient data to manage this important species. While I know the Marine Institute has been doing some analysis, it is not sufficient. This is a short-lived species, living for only four years. If there is major overfishing, which it is indicated is happening in some areas, that stock will collapse in the areas in question. It is really important that we have the data available so we can make decisions, not just fisheries decisions but ecological and environmental decisions.

Deputy Timmy Dooley: I am aware of the Deputy's knowledge and experience in this area, and I take that on board. She is right to identify sprat as an important feeder stock for mammals, birds and other fish species in those areas she has identified. I will continue to engage with the Marine Institute with regard to the information it has and data it is capturing as part of its overall assessment of stocks in the region generally. The Deputy will be familiar with an effort made by a previous Government to look at the capture of sprat in a manner that is not so much based on the reduction in or concerns about the stock volumes, but more to try to support the inshore

fishing sector. For that sector, with its smaller operations, sprat provides an economic dividend for their livelihoods. It is important to coastal communities. I know there will be a further question on this matter later. Time permitting, I will address the current position in a more holistic way.

Deputy Jennifer Whitmore: I ask the Minister of State to provide some information on the point that process has reached. I am interested in hearing when a decision will be made. The reality is that, in the absence of data, the fundamental approach to take with any stock is the precautionary principle. That essentially means working on a risk-averse basis. We are not doing that at the moment, and it is important we do. Depending on the outcome of the Minister of State's consultation and decision, I am very concerned that even with that decision in place, we do not know enough about this stock to ensure sustainable fishing of it. Would he consider a moratorium on the entire stock on a short-term basis until we have the data and evidence to show we can protect the species for future fishing, and not just from an ecological perspective? If sprat are not there, other pelagic fish will not be available either.

Deputy Timmy Dooley: The overall catch of stock has grown significantly in recent years. That indicates that there is not a major threat in the short term to the supply of sprat. However, it is my view that to continue to fish at those levels would certainly lead to a significant negative impact. I will get into the process that is under way a little later. I have to be mindful, in whatever decision is ultimately taken, that it is a proportionate response to the threat and risk to the stock and to the economic viability of the inshore fishing sector. We must take all of that into account when a decision is being made. I am hopeful we will not just have reviewed the upwards of 5,500 submissions that have been made in the latest consultation period. I have also sought from the Marine Institute the latest scientific information available and general economic data to assist me in making a decision about how we move forward in the next phase.

Pigmeat Sector

78. **Deputy Paul Murphy** asked the Minister for Agriculture, Food and the Marine if he will outlaw teeth-clipping, tail-docking and castration in pig farming and regulate sow stalls and farrowing crates to have an area of not less than 5 sq. m, so as to improve animal welfare; and if he will make a statement on the matter. [36640/25]

Deputy Paul Murphy: Last Tuesday, I introduced a Bill to ban pig mutilation, sow stalls and farrowing crates, which the EU has already committed to phase out and for which the Minister is already giving grants to farmers to move away from. The question is whether he will take a lead on this, as the Government did under pressure from campaigners on fur farming, where it moved ahead of the rest of the European Union to ban fur farming. Will the Minister act now to ban the most inhumane practices in the pig industry?

Deputy Martin Heydon: I thank Deputy Murphy for raising this important topic. There is EU and national legislation in place to protect the welfare of pigs. It sets out detailed requirements for pigs, including, for example, requirements for minimum space, feeding and watering of pigs, environmental enrichment, lighting and noise levels. Regarding sow stalls and farrowing crates, the legislation allows for sows and gilts to be confined in stalls and crates

for a defined period and currently both are used on most Irish pig farms for management purposes. My Department has implemented specific actions to help reduce the need for routine tail docking of pigs. These include the delivery of a free animal welfare risk assessment tool for commercial pig farms in collaboration with Animal Health Ireland and Teagasc.

11 o'clock

11 o'clock o'clock

The tool enables farmers to work with their vet to identify their risk factors for tail-biting and to develop an action plan to deal with those risks. More than 1,300 assessments have been carried out across 400 pig farms to date. My Department also carries out risk-based inspections on a number of pig farms each year to check compliance with the legislation. Tooth reduction in piglets is currently necessary to prevent injuries to the teats of sows and to other piglets when they suckle. However, the castration of pigs is not routinely carried out in Ireland.

Under the farm to fork strategy, the European Commission committed to revising the EU animal welfare legislation, including the pig welfare directive. The Commission has also indicated that a phasing out of the use of cages for animals, including sow stalls and crates, is being considered. It is important that any new welfare legislation is based on science, with reasonable transition periods and supports given to farmers. I will continue to closely monitor developments at EU level.

Deputy Paul Murphy: What provoked me to introduce this Bill was undercover investigations carried out by the National Animal Rights Association and Animal Rebellion Ireland. There were two separate investigations on six different farms, chosen at random. Video evidence was produced, which I watched. It was horrendous. The Department has been sent the footage but I do not know if the Minister has had a chance to watch it. I encourage him to do so.

Sick and dying pigs with open wounds and weeping open sores were left to suffer and die in filthy conditions. "Enrichment" was just a metal bar and the pigs were clearly starved of any real enrichment. Pigs had their tails painfully docked or cut off right up to the root, although tail-docking is supposed to be banned, other than in limited circumstances. Up to 95% of Irish pigs still have their tails docked. The farrowing crates and sow stalls are so narrow that the sows cannot turn around or move more than a few centimetres. They are in there for long periods to ensure they never get a moment's break from suckling the 15 piglets that are now regularly born in each litter. Has the Minister seen the footage and how does he respond to it?

Deputy Martin Heydon: The Government strongly condemns any cruelty or mistreatment of any animal. It is my Department's policy to investigate all allegations of illegal or criminal behaviour and to prepare files for appropriate action. We have very robust animal welfare legislation in this country. The welfare of all animals, in particular those in intensively reared systems such as pigs, is a priority for my Department. In the case of pigs, there is sector-specific legislation in place based on existing EU rules.

Some of the measures the Deputy talks about are unpleasant in nature but they also involve animal welfare measures. A large sow rolling over on very young piglets could cause their death, which would not be positive. The purpose of the crate around farrowing time is to

prevent that happening. For that reason, we must look at animal welfare measures in the round. It is the same with the point about piglets' teeth and the impact they can have on other piglets or the sow.

Deputy Paul Murphy: Pigs are highly intelligent, sociable creatures. The farms were selected at random and all of them demonstrated horrific conditions for pigs. They were in a desperate state. Dead pigs were just lying there, as were pigs that were severely injured and heading towards death. Pigs were trapped in very small spaces. They are in grim indoor spaces and they never go outside in their whole lives. Some 3.5 million pigs are in conditions like that and are slaughtered in Ireland every single year. Pig farming takes place on a very small number of farms. There are approximately 260 pig farms in Ireland.

What we have is a mixture of breaking existing laws and laws that are inadequate and allow poor conditions to persist. The Minister might tell us what is being done about that. Every time I raise such issues or there is an "RTÉ Investigates" programme, the Minister says he is looking into the matter but nothing ever seems to happen in regard to actions against the farmers who are guilty of abuse or in terms of improvements to the legislation.

Deputy Martin Heydon: I repeat that the Government strongly condemns any cruelty or mistreatment of any animal. We carry out risk-based assessments. We also carry out investigations into any allegations of illegal or criminal behaviour and we prepare files for the Director of Public Prosecutions, as appropriate. That is a strong priority of my Department. We take that responsibility very seriously. I want to be very clear on that.

My Department recently published an updated specification for new pig housing under TAMS 3, with requirements including more space, more comfortable flooring, more feeding space and farrowing pens of 6.5 sq. m. Sows can only be kept in a crate for a few days around farrowing, and the rest of the time they must be loose in the pen. Housing constructed in line with this specification will enhance pig welfare and enable farmers to move towards rearing pigs with long tails. We are working on that in a very clear direction. We take a very serious approach to any infringement of animal welfare laws, which is our role. We continue to engage at a European level on the future direction of policy regarding the points Deputy Murphy raised.

Agriculture Schemes

79. **Deputy Mattie McGrath** asked the Minister for Agriculture, Food and the Marine if he will provide a full explanation for the ongoing delays in issuing ACRES payments to participating farmers; the number of applicants still awaiting full or partial payment under all streams of the scheme; the urgent steps being taken by his Department to resolve system bottlenecks and ensure timely payment to farmers who have met all compliance requirements; and if he will make a statement on the matter. [36922/25]

Deputy Mattie McGrath: I want to ask the Minister about the ongoing delays in issuing ACRES payments. Farmers signed up to these schemes in good faith. There are delays in payment even in cases of full compliance. The issue is an inability to pay. I want answers as to what the Minister is doing about it. What is the reason for the delay? Is it merely that the

Department does not have the funding to pay the farmers? This is totally unacceptable. I expect a good response from the Minister.

Deputy Martin Heydon: I hope the Deputy always expects a good answer, not just to one question. I thank him very much for raising the agri-climate rural environment scheme, ACRES. The scheme is very important. I accept that there are challenges in regard to it for some farmers.

ACRES is the flagship environmental scheme provided under the 2023-27 CAP strategic plan, with €1.5 billion in Exchequer and EU funding allocated over the course of the scheme. There are currently just under 54,000 participants in ACRES.

Payments in respect of ACRES continue to issue on a weekly basis, as cases pass all required validation checks. A total of €512.2 million has now issued since ACRES payments commenced at the end of 2023. That is more than half a billion euro in a couple of years paid directly to farmers to support them in the measures they are taking.

In the case of the 2023 scheme year, almost 99% of participants have been paid in full. As regards 2024, 97% of participants have received their advance payments and almost 94% of participants have now received a balancing payment.

My Department is committed to resolving as soon as possible the issues that have been delaying the remaining payments. Additional resources have been deployed and we are systematically working through the remaining issues associated with the outstanding cases. These issues can range from internal departmental matters, such as the processing of changes of ownership and the finalisation of payment calculation processes, to external, applicant- or adviser-related matters such as the submission of documentation.

While we continue to work on those internal issues, I take this opportunity to remind farmers who have further information to submit to do so as soon as possible. My Department will continue to issue regular online updates in the coming period on the progress being made. I am not happy that some farmers are not being paid on time and when they expected to be paid. It was a top priority for me to address this issue when I came into this office at the end of January. I will not rest until the situation has been resolved for every last farmer. We have made very significant progress in recent months to get the number down to the current very low level. It is a top priority for me and my officials to continue to work until the situation has been resolved.

Deputy Mattie McGrath: The Minister calls ACRES a flagship scheme. I wonder about that. The ongoing and completely unacceptable delays in the issuing of ACRES payments is a matter of deep concern to farmers across the country. It is just not fair. Farmers who entered this scheme did so in good faith, on the understanding that they would be paid in a timely manner. Yet, here we are, halfway into 2025, and thousands of farmers are still waiting. I must be the only person in the country meeting farmers who are unpaid in County Waterford, County Tipperary and other places. Farmers are even waiting for partial payments. Many have received nothing at all. This is not a technical glitch or a minor inconvenience; this is a serious cashflow crisis for farmers who have bills to pay and who have engaged contractors in good faith. They expect to get the money as they have been compliant.

Many of the delays are due to errors on the side of the Department. One example relates to a constituent who was due to receive his 2024 payment. He received a partial payment in November 2024, which was totally due to an error by the Department. He was told he would be provided with a corrective payment in 2025.

Now in July he has received a payment of just €300 when he was due €5,000. A dodgy car salesman would do better than this. The Minister said recently that due to staffing issues, the payments could not be paid. That would not be acceptable in any Department or for anybody else.

Deputy Martin Heydon: I did not say that.

Deputy Mattie McGrath: It is not good enough.

Deputy Martin Heydon: I did not say that. The Deputy should not attribute comments to me about staffing issues. I have been very clear here; we have had a very significant challenge with processing and working through all of these issues. Some farmers were not paid on time. When I came into this job on 23 January, 14,500 farmers who were due to be paid had not been paid because of challenges we had in processing their applications. That was not acceptable to me. It is still not acceptable to me that there is a couple of percent of farmers left unpaid. However, the progress we have made from 14,500 farmers unpaid when I started this job less than six months ago to getting that down to 1,586 farmers, of whom 514 are from 2023 so are counted twice in that measure, is significant.

We have made very significant changes to our structures in Johnstown Castle. We have brought about a number of changes in how we process these. I have put extra resources in there from a departmental perspective to get those farmers paid with the promise that these challenges would not recur. The resolutions we found to these problems took time because we did it in a systematic way and dealt with the cohorts group by group and designed the IT functionality around that, so that this problem would not recur every year and that we could restore confidence in this really exceptional scheme that has put more than €500 million into farmers' pockets.

Deputy Mattie McGrath: I accept the Minister's bona fides. He is a farmer. I am a businessman. No one could operate in this manner, with farmers still waiting for payments from 2023 and hearing every excuse in the world. A man expected to get €5,000 of a corrective payment and he got €300. As I said, a dodgy salesman or a man at a fair who would spit in your hand would do better than that. In this day and age, this is shocking. I accept the Minister's bona fides but I want to know how many farmers are still waiting under each stream of ACRES and how many farmers are suffering through Department errors. This is not acceptable. What concrete steps is the Department taking? The Minister said he has made efforts but what kind of a lethargic or inept mindset got into the Department?

I respect the Department officials and have done for decades. I have met them and dealt with them. In this day and age, it is just not good enough to blame IT and blame anything he likes. Farmers entered into these schemes in good faith and where they are compliant and honour the terms of the scheme, they must be paid. They have contractors to pay. They have

feed suppliers to pay. They have families to raise and kids to put into education. No other sector would put up with this.

The Department issued a statement some months ago - I heard it myself - that there were delays with payments again and the new deadline would not be met due to lack of staff. If the Department officials were told they would not get paid next Thursday, or if that statement was made in any Department, that would not last for long. The farmers need fair play here. Fair play is fine play for me and it is not happening for the farmers of Ireland.

Deputy Martin Heydon: I believe we have made progress. I cannot be any clearer; I will not rest until every last farmer is paid. I will continue to push my officials and push the system as hard as possible to work through those last issues. The last issues are also the most difficult. To be at 99%, 97% and 94% of payments through the different cohorts is significant progress. We have made a commitment that problems will not recur on this scale.

The Deputy asked for a specific breakdown, so let us make it specific to Tipperary. In Tipperary, of the applicants in 2023, 1,559 have been fully paid and only 14 still have challenges we are working through. There are 14 outstanding and 1,559 have been paid. In 2024, 1,842 received advance payments for 2024 and 1,797 received the balancing payments on that as well, with 63 of the advance payments not paid and 113 of the balancing payments not paid. Those farmers still have to be sorted. They are my focus and I continue to do that while making sure we can restore confidence in the sector. However, the vast majority of the Deputy's farmers in Tipperary and farmers in other parts of the country have had those problems resolved. They are finding great benefits and delivering benefits through ACRES, which has delivered more than €500 million into our economy and into farmers' pockets over the last couple of years.

Ceisteanna Eile - Other Questions

Fishing Industry

80. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Food and the Marine if he is aware that only 52 persons have availed of fish assist across the State as of 31 May 2025; and if the Minister of State with responsibility for the marine and his Department officials will now engage with the representative POs for inshore and islands fishermen to discuss a financial support or subsidy scheme for the sector. [36266/25]

Deputy Conor D. McGuinness: I ask the Minister for Agriculture, Food and the Marine if he is aware that only 52 persons have availed of fish assist across the State as of 31 May 2025; and if the Minister of State with responsibility for the marine and his Department officials will now engage with the representative producer organisations, POs, for inshore and islands fishermen to discuss a financial support or subsidy scheme for the sector.

Deputy Timmy Dooley: I thank the Deputy for the question. As he knows, the operation of the fish assist scheme is a matter for the Department of Social Protection. The primary source of funding for the Irish commercial seafood sector, including inshore and island fishermen and

fisherwomen, is Ireland's seafood development programme, which is co-funded by the Irish Government and the European Commission under the European Maritime, Fisheries and Aquaculture Fund, EMFAF, 2021-2027. The measures which are eligible for aid are set out in the regulation governing the implementation of the EMFAF regulation, which is aligned with the objectives of the Common Fisheries Policy. There is no provision for direct income supports in relation to primary producers in the seafood sector under the Common Fisheries Policy. The EMFAF regulation does not make provision for the use of EMFAF funds to provide income supports to primary producers in the seafood sector.

Equally, there is no provision in the relevant EU regulations governing state aid that would allow any Exchequer-funded subsidy scheme for the seafood sector or for fishermen, in particular. I note the Deputy's question revolves principally around the ability of fishermen and fisherwomen to engage with the Department of Social Protection on that. I assure the Deputy that whatever we can do on engaging with that sector, we are happy to do so. By the Deputy raising the question today, it has the capacity to highlight to those people who work in this sector that there is aid and support there, as there is with farm assist, which is again administered through the Department of Social Protection.

I am happy to assist in disseminating that information. It may be something that can be done through press releases by all of us to remind those who find themselves in difficult circumstances that the supports of the Department of Social Protection are there to assist all concerned.

Deputy Conor D. McGuinness: I thank the Minister. The figures are glaring. There are 13,000 active fishermen in the State and the idea that only 52 of them are in need of support is absurd. There is a disconnect. No one can seriously claim the sector is not under pressure. My understanding and sense of it from the figures, which back this up, is the fish assist scheme is too restrictive and limited. It is not that fishermen and fisherwomen are not aware of it - they know about it - but it is too limited and restrictive and it is not fit for purpose. That is why they are not applying but the need is there. The need is in every coastal community and we see it.

Inshore and island fishing communities have been systemically starved of opportunity, denied a fair share of the fish in their own waters, and Government policy has failed them again and again but they are not asking for handouts. These are proud people. They are asking for a viable future. They are asking for proper financial support or a subsidy scheme of some sort that reflects the reality of that situation. The Minister of State and I know it is needed. Will the Minister of State engage with the Minister for Social Protection on foot of this question and debate and collectively take action?

Deputy Timmy Dooley: As I outlined in my initial response to the Deputy, it is not possible to apportion any of the funding available to our Department through EMFAF to the income support he talks about. As he knows, and as is the case with farm assist, income support comes through the Department of Social Protection. While that does not fall within my responsibility, I am happy to have a conversation with the Minister, Deputy Calleary, on that. I am also conscious that the supports that are generally available through the Department of Social Protection are funds for individuals in really difficult circumstances. They are not seen as income support. They are really a means to allow individuals to get through a really difficult time, whether it be fluctuations of income or whatever. They are means tested and not really

designed to be income supports. I am happy to communicate with the Minister but I do not want to give the Deputy false hope either.

The Deputy talks about the disparity between the numbers of those who are engaged in the sector and those who are drawing down those income supports. I am conscious that no more than in farming, there are some part-time fishermen and fisherwomen who operate in that sector and have income from other sources so their combined income would certainly put them outside the threshold of means testing. It is important to put that on the record as well.

Deputy Conor D. McGuinness: I thank the Minister. To his credit, I know he is engaging with the sector and he has heard from fishermen around the coast.

However, the figures still speak for themselves, notwithstanding that some may be disqualified on income grounds. Some may not need the scheme but we know there is great hardship in the sector. This is not necessarily about creating a new subsidy from EMFAF funding; it is about making the existing scheme work for fishermen. The feedback we are getting and the figures released to my colleague Pádraig Mac Lochlainn in response to his parliamentary question to the Department of Social Protection back that up.

Fishing communities are on their knees in many respects and fishing activity is under huge pressure. The input costs for fisheries are going up. Those concerned have asked time and again for a fuel scheme to help to ease the pressure but the Minister of State's predecessor refused it time and again. The Minister of State says the door is open and the community has his ear. His engagement is really welcome but we need it to inform not just his work and that of his Department but also that of the whole of government to ensure we will have a sustainable fishing industry.

Deputy Timmy Dooley: I recognise that. When I was before the committee chaired by Deputy McGuinness recently, I informed it that I have asked an outside interlocutor to work with the sector generally. Mr. Kieran Mulvey has accepted the role of working with all stakeholders in the sector to identify areas where we can assist and develop a way forward or pathway as part of a strategy that the Department will develop under the programme for Government.

The Department has significantly improved the financial supports available to the inshore fleet in the past year, having implemented a number of schemes to specifically support inshore fishers and improved the aid rates available. These schemes include the small-scale coastal fisheries schemes, which provide unprecedented enhanced grants of up to 80% to inshore fishers for both onboard and onshore investment. Grants of 100% are now in place for inshore fishermen and women participating in the lobster V-notching scheme. An innovative scheme to support the economic development of the inshore fishing fleet, the inshore fleet economic assessment scheme, was put in place in 2024.

Inshore fishers can also access supports under other schemes, such as the fleet safety scheme and the seafood training scheme. All these schemes are administered on behalf of my Department through BIM, as the Deputy knows. Further details on them are available from me. I am happy to continue to work with the sector to try to provide the most support possible, recognising that there are constraints set out in both domestic and European law.

Agriculture Industry

81. **Deputy Jennifer Whitmore** asked the Minister for Agriculture, Food and the Marine when the Agri-Food Regulator will be granted additional powers of compellability; and if he will make a statement on the matter. [36023/25]

Deputy Jennifer Whitmore: The establishment of the Agri-Food Regulator was a very welcome move but the body clearly does not have sufficient teeth. The regulators themselves have requested additional powers. When will the body be granted additional powers of compellability and could the Minister make a statement on the matter?

Deputy Martin Heydon: I thank the Deputy for raising this important issue. As she will be aware, the independent Agri-Food Regulator, established under the Agricultural and Food Supply Chain Act 2023, performs two key functions: it enforces the law on unfair trading practices, and it performs a price and market analysis and reporting function. The regulator has, since its establishment at the end of 2023, been successful in delivering on these functions.

On the price and market analysis function, over the past year the regulator has published welcome analysis on the egg and horticulture sectors. Such reports are important to assist food suppliers in their decision-making. However, while there has been much positive engagement with the regulator from operators who have voluntarily responded to requests for information, a few operators did not provide the requested data. As a result, the two reports concerned were published using only publicly available data.

In light of its experience concerning these reports, the regulator has reported to me that it requires enhanced powers to compel businesses to provide financial information that is not in the public domain. The Act itself does not permit the regulator to compel the provision of such data; however, the Act provides that the Minister may make regulations on price and market information.

As I have previously stated, I am fully committed to ensuring the regulator is equipped with the necessary powers to fulfil its statutory function subject to the necessary consultative and legislative process. This is necessary to ensure that the additional powers granted are proportionate. I have to strike a balance and be very careful in any key decision I make, having engaged with all key stakeholders and taken on board the points of view of businesses, while also having been very clear and determined to ensure that our Agri-Food Regulator can continue to carry out the work we set it up to do.

I assure the Deputy that the process is under way and that it is a priority in my Department. The role in question is separate from the one associated with the very strong powers of enforcement the Agri-Food Regulator has in relation to unfair trading practices in the agrifood supply chain, in respect of which it continues to carry out work.

Deputy Jennifer Whitmore: I thank the Minister. It is welcome that he is in the process of granting or providing the powers but we need to see a timeline. It has been quite a while since the regulators themselves raised the gaps in their powers and it is important that we see movement on this, particularly given how grocery prices are increasing at present. Members of the public need transparency when purchasing products so they will know where their money

is going. There also needs to be fairness for producers. The risk – I think this is what is happening – is that producers will not get their fair share of the value of their produce. Therefore, the information is absolutely required. It is important that the regulator can get whatever data it needs to inform its analysis of pricing. Could the Minister give me a timeline for achieving this?

Deputy Martin Heydon: I want to do this as quickly as possible while also being respectful of a process that involves consultation, engagement with all sides and me listening to the concerns of the industry. The industry has concerns over how the information could be distorted by competitors abroad. The regulation applies only to our domestic market and we export 90% of the food and drink that we produce. These points will be made as well. I want to make sure there are no unintended consequences to giving the additional powers to the Agri-Food Regulator. I have engaged with the regulator on how it, as a controller of data, would handle data responsibly. This is serious, so while I want to give the powers, I want to do it right. I want to do it as quickly as possible but not at the expense of doing it the right way.

Deputy Jennifer Whitmore: In providing the additional powers, is the Minister considering the likes of the large supermarkets and their profits? Obviously, we have a cost-of-living crisis and food prices are rising continually, and farmers are continuing to get less and less for their produce. One of the pieces of the data jigsaw that is missing concerns how much supermarkets are making in this country. Supermarkets must provide their data publicly in the UK, but when they have an Irish arm they have no obligation to provide the associated data on a quarterly basis. Will the Minister consider such provision as part of the process?

Deputy Martin Heydon: Section 12(3)(d) of the Act allows the regulator to seek data impacting on price and margins from businesses within the agricultural and food supply chain. The data include, but are not limited to, prices paid and received and margins. This answers the Deputy's question in this regard.

I do not want any suggestion to land that the Agri-Food Regulator is not able to operate. It is operating very well and I commend it on its work, which has been valuable to date. I acknowledge the fact that the regulator secured, in November of last year, a conviction of a meat processor in the courts for the non-payment of a cattle farmer in the west. It is getting on with its work. It has highlighted to me some of the frustrations it has found in the system to date. I am reflecting on these and will implement the programme for Government commitment to provide enhanced powers to the Agri-Food Regulator, but I am doing that in a responsible way.

Animal Diseases

82. **Deputy Jennifer Whitmore** asked the Minister for Agriculture, Food and the Marine to outline his Department's plans to deal with bovine TB; and if he will make a statement on the matter. [36021/25]

Deputy Jennifer Whitmore: Can the Minister outline the Department's plans to deal with bovine TB, which he spoke about earlier, and particularly his approach to badger culling and badger vaccination as part of that?

Deputy Martin Heydon: The overall response to TB is to address all elements of its spread. There are three key contributors: wildlife, its control, and the interaction of wildlife with bovines; cattle-to-cattle transmission; and residual transmission in the herd.

As we know, herd incidence has increased from 4.3% in 2022 to 6.04% in 2024, resulting in a 36% increase in the number of herds restricted between 2022 and 2024. As of 22 June this year, over a 12-month period we had a herd incidence of 6.43% with over 43,455 reactors. This disease is having an impact on our farmers and their families both financially and emotionally throughout rural Ireland. This cannot be allowed to continue. It is also having an impact on badgers and on the wildlife the Deputy talks about. It stands to reason that if there is more of it in the countryside, either among our bovines or among the wildlife, there will be more of it in each group. When incidence rises in our bovines, it is rising in the wildlife too. We want to stop the badger getting TB the same way we want to stop the cattle getting it. When we discover animals that have it, they are removed to stop its spread and for their own sake. That is an important intervention.

In my engagement with all key stakeholders including the NPWS, ICOS and all the farm bodies, I have outlined a new approach that I want to take which would involve increased investment from my Department and would address all five key pillars of bovine TB, that is, to support herds that are free of it; reduce the impact of wildlife on the spread of TB; detect and eliminate infection as early as possible in herds with a TB breakdown and avoid a future breakdown; help farmers to improve all areas of on-farm biosecurity; and reduce the impact of known high-risk animals in spreading bovine TB. That would include deer as well as badgers.

Deputy Jennifer Whitmore: I do not think anyone is underestimating or minimising the absolute devastation when a farmer realises they have TB in their herd. As the Minister says, it is not just a financial but also an emotional shock and trauma for the family. The most important thing to do is put in place a system that is going to work for them. The Minister talks about being led by science. I cannot see any definitive scientific evidence to show that badgers are responsible for the spread of TB. Actually, it is the opposite. In 2022 England conducted a study on this and found there was no significant evidence to show any impact on badger TB with the herd. Indeed, Scotland has been TB-free since 2009 and they do not cull at all. If we look internationally and see where it works and where it is being done properly, badger culling does not play a part in it. It is about husbandry, stock intensity, the biosecurity measures and supporting farmers to do that. If we are being led by science, as we absolutely need to be, we must be really clear about badgers and their role, or non-role, in this. We are culling a significant number of badgers and it is not having the desired impact anyway.

Deputy Martin Heydon: If a badger is examined and tested and is found to have TB, then for its own sake it needs to be culled as well as to stop the spread of the disease to other badgers, bovines and others within the community. Vaccination has a role to play but the vaccination process we have used to date has not worked to the same extent. I will be very clear. There are three causes of the spread of this disease and wildlife is one of them. As the Deputy knows

in her county and mine, deer are a significant contributor. We have had deer management units established that will play an important role. The Deputy is also right to say there are animal husbandry and other measures in here as well. That is why we have the five pillars of approach, which have 30 proposed actions under them. I said at the start that not all actions need to be implemented but we need a critical mass of them to layer over each other. They would include biosecurity measures like fencing off a badger sett. That makes a big difference. I want to communicate this better with farmers. They think it is kind of a strange thing as it will not stop the badger coming out of the sett. It is not about stopping the badger. The badger does not want to interact with the bovines. Bovines by their nature are nosey. They tend to go and nose in around the sett or the latrine in front of it. Badgers tend to urinate there. That is not what we want. We need to keep the cattle back from them and keep the division between them. Measures like this and raising water troughs are things I want to support farmers to do, as well as the other measures here, to stop that interaction.

Deputy Jennifer Whitmore: I would be really keen if the Minister could send me the studies and evidence that show transmission of TB from badgers to cattle and the incidence. If a badger has TB that is not a good thing for the badger, but the Department culled nearly 7,500 badgers last year and 20% of them had TB. The culling involves snares which not only is an incredibly inhumane way for an animal to die but it is not targeted. It also kills dogs, lambs, and foxes, where they have been disemboweled or have had to chew their own leg off to get away from the snare. This is a really aggressive, inhumane way of culling. I would really like to see the evidence to show this is what is actually going to assist farmers. This programme has gone on for about 70 years now. We spend billions on this every year. We need to get it right for the farmers. The approach that has been taken to date is not getting it right. Unfortunately, it seems that badger culling is going to be a key component of the Minister's reforms going forward. I cannot see the evidence for that so I would really appreciate if he could send it to me.

Deputy Martin Heydon: A series of my proposals would be around changing how we deal with the current vaccination approach. The current approach has been vaccinating without testing the animal. We can now test a badger and have a result within about ten minutes. There are challenges to that on the bovine side. Where an animal tests positive, for its own sake and the sake of everyone else in the sett and the bovines, it does need to be removed, but otherwise it can be vaccinated.

I also want to do a programme of vaccination of badgers that do not have the disease ahead of big projects. Badgers by their nature, if they are disrupted, tend to move significant distances not to have to be moved again. They are quite territorial. When they move, they will move about 1 km. When we know a forest is going to be felled, a new road is going to be built or a big infrastructure project is going to happen that will upset them, we need to be vaccinating them proactively beforehand. Then when they move, they will not be bringing the disease with them and spreading it out. The Deputy will see a number of measures in this approach. I would also be interested in the Deputy sharing that data with me that she said shows badgers are not spreading TB to bovines. By all means, I will consider that in the mix as well.

Solar Energy Guidelines

83. **Deputy James O'Connor** asked the Minister for Agriculture, Food and the Marine if he is engaging with the Minister for Climate, Energy and the Environment regarding the use of good agricultural land for solar farms; and if he will make a statement on the matter. [36654/25]

Deputy Pádraig O'Sullivan: I am taking this question in the name of Deputy James O'Connor.

Deputy Martin Heydon: I thank Deputy O'Sullivan for raising this point on behalf of Deputy O'Connor. Deputy O'Connor has spoken directly to me on this point previously regarding his concerns in Cork. The programme for Government has committed to introduce planning guidelines for solar farms and to provide certainty in the development of solar energy. Issues regarding planning fall under the remit of the Minister for Housing, Local Government and Heritage. The rights of farmers and other landowners are, of course, subject to the usual constitutional protections.

As Minister for Agriculture, Food and the Marine, I am committed to driving sustainable agriculture practices that underpin Ireland's food sector and contribute more broadly to food security through an export market worth over €19 billion. My Department does also offer support for the production of indigenous renewable energy. This is primarily through the solar capital investment scheme, SCIS, under TAMS and the installation of mainly rooftop solar PV technology along with battery storage on Irish farms across the country. As of April 2025, over 3,000 farmers had received approval under the SCIS with 532 farmers having installed panels to date.

It is important to provide farmers with opportunities to ensure they can maximise the income from their holdings, maintain viable holdings and protect our family farm tradition. Hence, my Department provides a wide range of supports for a variety of farming activities and sectors. My Department also has a specific role in ensuring that agricultural lands, as defined under the Common Agricultural Policy, are maintained to a high environmental standard as set out under the cross-compliance framework. Land submitted for payment under the basic income support for sustainability must remain under agricultural management for the duration of the scheme year. My Department also ensures that the required environmental and sustainability practices are implemented on agricultural land in Ireland.

Deputy Pádraig O'Sullivan: I thank the Minister. I am aware of the scheme he outlined and the number of farmers who have availed of it. It is a very good scheme. The designation of land, land use policy and so on is really a matter for the Minister for local government, but one of the reasons Deputy O'Connor raised this matter with the Minister for agriculture is its potential impact on farming, particularly the dairy sector in the part of the world the Deputy and I represent. We are seeing large solar farm proposals now in the absence of any guidelines or any instruction from the Government. The Minister has said it is in the programme for Government that we will be bringing forward guidelines. They cannot come soon enough. There is concern that some communities are being swamped by these.

Nobody here is saying we do not need solar farms. They are indisputably part of what we need to do in generating energy for the future. However, the nature of the developments is erratic and concerns are being expressed by communities, particularly in my own parish of

Knockraha into James O'Connor's area of Leamlara and Lisgoold. There are multiple applications. These farms are transforming the landscape from largely agricultural to what we would argue is a commercial enterprise.

Deputy Martin Heydon: I accept those valid points and the importance of the planning guidelines committed to in the programme for Government. It is why we have that commitment in there. That is a matter for the Minister for Housing, Local Government and Heritage to introduce.

As regards dairy farmers and concerns about the availability of land, there is huge pressure on availability as it is, be that for dairy, tillage, leasing, etc. Land use is under pressure from a variety of directions. The Deputy raised concerns about the dairy sector and I understand his perspective, but it has very high energy costs, so my Department supporting the implementation of solar panels on the roofs of sheds to offset those costs is a good thing for farmers. Solar has a place here. I realise the Deputy is not saying it does not. I am proud that we support farmers to have rooftop solar panels and reduce their energy costs. Whether the individual is a dairy, beef, sheep or tillage farmer, he or she can continue to do the core activity of producing top-quality food in that shed while having a sustainable and steady source of income every year from the shed's roof, which can help in years of income volatility when prices are low.

Deputy Pádraig O'Sullivan: The Minister is restrained in what he can say. He is the Minister for agriculture, not energy and communications. I take his point about solar that the Department is providing for rooftops. That scheme is very much welcome. However, we are seeing the landscape transforming in front of our eyes. I took my kids for a walk in Leamlara in east Cork a couple of months back and as far as the eye could see, there was panel after panel in what was probably the most productive land in the country. That is the concern we are expressing. We are not saying we are against solar farms; we are clearly not. They are as necessary as wind energy. A large, industrial biodigester was built in my area of Little Island a numbers years ago. Nobody objected to it. The community was actually in favour of the proposal and supported it because it was necessary infrastructure. However, we are expressing the community's genuine concerns about hundreds of thousands of acres. The Minister's concern should be about the knock-on effects on the agricultural and food sectors. There is a scoping exercise and there will be a public consultation on the guidelines, but we are all here long enough, so let us be honest about it - that will take two or three years. Meanwhile, there will be dozens more of these applications with essentially no guidelines in place. That is the most concerning thing for us.

Deputy Conor D. McGuinness: I thank the Leas-Cheann Comhairle for the opportunity to add my voice to this important debate.

The issue of solar farms on prime agricultural land is a critical one in parts of County Waterford. We all see the advantage of solar power, including solar farms and solar on rooftops. Farmers in rural communities are in favour of this and see the advantages and benefits of it. However, we cannot have development of large solar farms on prime agricultural land take place in what is essentially a legislative and guidance vacuum. We need to see guidelines and they need to be based on consultation with stakeholders in rural communities. We need to

understand the impact this will have on agriculture as a sector, but also on the family farm into the future.

Deputy Mattie McGrath: This is a massive issue. I have discussed it with the Minister. For decades, we were waiting on planning guidelines for wind turbines, and here we are on the new craze of solar panels. We cannot blame farmers when they are being enticed to set aside land for long-term leases. The best of land in the Golden Vale, in Rathgormuck in County Waterford, and in east Cork is being taken up. This scéal is scary. There are farmers with 500 or 800 cows ceasing production. There will be a food shortage if we do not have some balance very soon.

Deputy Martin Heydon: For fear anyone mistakes me for the Minister for climate or planning, I am the Minister for agriculture. I accept the points that have been raised in that context but I wish to put on the record I was very supportive of planning guidelines for solar in the programme for Government talks. It is the right thing to do; we need a bit of structure on that. I understand the concerns raised by Deputies representing their communities. I also recognise the right of farmers to get that blend right between playing their part for the environment, producing food and making sure they have a sustainable farm income. In general, there is a role for renewables to play in supplementing that income. I refer back to the point on rooftop solar. Irrespective of the price of the sheep, cattle or grain in that shed in any given year, the year that price is low, the solar panels on the roof will still give a return and a steady income. Income volatility is a huge challenge for our farmers. Renewables have a role to play in supplementing farm incomes and encouraging the next generation of farmers to take farming on, as there will be a more sustainable income there.

Common Agricultural Policy

84. **Deputy Barry Heneghan** asked the Minister for Agriculture, Food and the Marine if he will provide a breakdown of funding uptake and participation levels by scheme under Ireland's Common Agricultural Policy strategic plan to date; how these supports are being geographically distributed and monitored for environmental impact; and if he will make a statement on the matter. [36636/25]

Deputy Mattie McGrath: I am taking this question on behalf of an Teachta Barry Heneghan.

Deputy Martin Heydon: The CAP Strategic Plan 2023–2027 aims to improve the economic, social and environmental sustainability of Ireland's agrifood sector. It does this by supporting viable farm incomes and enhancing competitiveness by strengthening the socioeconomic fabric of rural areas and contributing to the achievement of environmental and climate objectives at national and EU levels. The CAP strategic plan, or CSP, includes 28 different schemes or interventions, as they are known. CSP interventions range from income support measures to environmental interventions and include targeted measures to support young farmers and female farmers.

More than 120,000 farmers in Ireland receive CAP supports through a combination of direct payments and targeted rural development supports. A list of all CAP beneficiaries is published

each year on my Department's website, including information on geographical distribution. My Department also publishes an annual performance report, or APR as it is known, each year. The APR for 2023 is available on my Department's website and the APR for 2024 will be published shortly, following approval by the European Commission.

It should be noted that the CAP financial year 2024 ran from 16 October 2023, which was World Food Day, to 15 October 2024. In the financial year 2024, over €1.9 billion was spent on the CAP strategic plan. This included €1.2 billion in CAP Pillar 1 direct payments, which are fully funded by the EU, and €700 million in co-finance payments under CAP Pillar 2, rural development and environment payments. Payments per beneficiary vary according to farm size, scheme participation and entitlement value for direct payments.

Under the new delivery model for the CAP, there is a monitoring system for performance against each of the CAP objectives. Some 16 of the CSP result indicators relate to environmental objectives. The CSP monitoring committee meets at least once a year to review progress and includes representatives from the European Commission as well as a broad range of Irish stakeholders.

With regard to funding uptake, I confirm that Ireland is ahead of other EU member states in drawing our share of EU funding in the CSP to date.

Deputy Mattie McGrath: This policy has been a linchpin and a source of very important funding streams and supports for farmers for decades now. However, there comes a time when things need to be tweaked. That is why Deputy Heneghan asked for the geographical breakdown. We in Tipperary and other parts of the country have seen the conglomerates who get phenomenal payments under this scheme. There should be more balance shown towards the west and areas with poorer land conditions. There should be more supports for agritourism and different initiatives, such as environmental schemes, for younger and family farmers.

Looking at the publications every year, it is a table of the rich. There are phenomenal figures for factory farms and big conglomerates. These people are distorting the market in many other ways, especially the big production outlets, which can dictate the price of cattle, be they scarce or not. We need a reconfiguration and recalibration of this scheme.

Deputy Martin Heydon: I am happy to provide the Deputy with the table in written form as a result of this question. It lists the total expenditure per county for all CSP schemes, the number of beneficiaries and the average per beneficiary.

It is quite even. The Deputy's county, Tipperary, saw total expenditure under all CSP schemes of €112,091,305 to 6,652 beneficiaries. The average per beneficiary worked out at €16,851. That compares with Carlow, which is at €17,700; my county, Kildare, at €16,210; Kilkenny, next door to the Deputy, at €17,525; and Laois at €15,750. There is a uniformity in terms of the average per beneficiary, so it is quite balanced and quite fair. We have seen that movement to fairness progress over previous CAPs as well.

Deputy Mattie McGrath: The Minister makes a comparison with my neighbouring county and the Leas-Cheann Comhairle's county, Kilkenny. We will be working other matters out on the field of play at the weekend. I hope it will be a good game, and may the best team win.

On a serious note, I accept those figures, but inside them, and to get to those averages, there are massive, phenomenal payments for big conglomerates and stronger farms. I am talking about balance, not only in my county, but also through the west and to ordinary farmers. It is vital that we keep these farmers on young family farms because the conglomerates are gobbling up those farms. Every family farm has a family and they support schools, hurling teams and the teams of the future. They are vital. The supports should be skewed in favour of the smaller farmers and the mixed farmers, and those in food production especially. This has to be recalibrated because the figures are eye-watering.

Deputy Martin Heydon: I wish the Deputy and the Leas-Cheann Comhairle the best of luck in the hurling at the weekend. As a proud Kildare man, we look forward to competing for the Liam MacCarthy with both teams next year, after our win in the Joe McDonagh Cup.

The Deputy can stand up here and talk sentiment, mention the word "conglomerates" a number of times and so on, but the sentiment he displays is not borne out by the facts. The tabular breakdown, which I will provide to him afterwards, shows that, per county, the average per beneficiary works out at €15,585. In Tipperary, the average per beneficiary is €16,851, so there is not the big disparity he talks about. His next-door neighbour of Waterford is at €18,209 to 2,273 beneficiaries. That is the average per beneficiary. Leitrim is at €15,005. The Deputy spoke about the Golden Vale and different counties and farming models west of the Shannon. If one were to take the sentiment of what he said, there would be a big disparity between what is paid to farmers, but that is not borne out by the facts.

Question No. 85 taken with Written Answers.

Farm Household Incomes

86. **Deputy Conor D. McGuinness** asked the Minister for Agriculture, Food and the Marine the additional supports he will put in place to support family farms in light of the recent finding that only 42% of medium-sized and large farms are economically viable. [36153/25]

Deputy Martin Heydon: I thank Deputy McGuinness for raising this point. The statistic referred to by him is from the recently published Teagasc national farm survey, NFS, 2024 preliminary results. By way of context, in 2024, the NFS results were based on a sample of 818 farms with a standard output of €8,000 or more per annum, representing almost 88,000 farms nationally. Some 65% of farms in Ireland are represented in the survey and 96% of the livestock population is held on those farms.

In 2024, average family farm income increased by 87% to almost €36,000. Year-on-year improvements were recorded for all sectors, with particularly strong results for sheep, dairy, tillage and cattle rearing. As the Deputy notes, 42% of farms were categorised as economically viable. This represents a 15% increase on 2023 and is one of the highest annual viability outcomes on record. When considering this categorisation, it is important to recognise that the NFS includes full-time and part-time farms and that the viability of farms varies across farming systems. Just over one third of NFS farms are classified as full-time farms and two thirds as part-time farms. Many of these part-time farms rely on off-farm income. In 2024, in addition

to the 42% of farms categorised as economically viable, the NFS categorised a further 34% as sustainable.

The Government continues to provide strong support to the sector, including through €9.8 billion of Common Agricultural Policy, CAP, supports and targeted sectoral payments. In 2024, income growth and, subsequently, viability were driven in part by additional support payments, which had a particularly positive impact on sheep and cattle systems. Across all farm systems, the average value of direct payments represented 60% of family farm income, with CAP support payments typically accounting for a larger share of income on cattle and sheep farms, and Pillar 2 payments a particularly important income source for smaller dry stock farmers.

Deputy Conor D. McGuinness: The Teagasc survey might show increases in income, but let us not get carried away. We all know that these increases are coming from rock bottom. A rise on next to nothing is still not enough to live on. We have to be clear and truthful with ourselves. The stark reality is that only 42% of farms are economically viable, even after the so-called rebound. Take dairy out of the mix and things are worse again. Suckler farmers are on €13,500 a year and beef farmers are on €18,000. That is far below the minimum wage. It is no wonder that so many farmers have left. They have given up.

While we are talking about rising incomes, farmers are still waiting on ACRES payments, they are still being squeezed by sky-high input costs, especially fertiliser, and they are being told there is no money left in the TAMS budget. This is the lived reality on family farms. I ask plainly, when will we see real targeted income supports that match the reality on the ground for beef, suckler and sheep farmers?

Deputy Martin Heydon: I have to disagree with the Deputy, respectfully. I understand the point he makes about the impact on small-to-medium-sized farms. As regards ACRES payments, however, 99% of 2023 farmers have been paid fully, with 97% advance payments in respect of 2024 and 94% of the remainder having received their balancing payments for 2024 as well. It was not good enough when I came in. I put a lot of focus on and energy into it. There were 14,500 farmers unpaid, there are 1,500 left, and we are moving might and main to get their cases resolved. Significant progress has been made in this area.

I did not say - nobody said - that there was no money left for TAMS. It is not factually correct for the Deputy to say that. I have talked about being responsible in my management of that budget because it is a budget of €440 million that has to be managed from 2021 to the end of 2027. I would not be responsible if I did not flag that I may need to introduce ranking and selection in the future.

Deputy Conor D. McGuinness: The message is out there that TAMS is running low. Let us be clear: the Government has failed to address the crisis in farm incomes and, by extension, rural Ireland family farming. We can talk about surveys and percentages, but families are struggling to make ends meet. There is a cost-of-living crisis gripping communities, urban and rural, all across this State. When we look at farm incomes and the low floor that is there, they need something they can rely on, something that is sustainable, fair and secure. I refer to those rising input costs and the delayed payments. There has been progress, and fair play to the Minister, but it should never have got to that stage and it put so many family farmers under

huge financial pressure. Although the percentage of farmers still waiting may be small, they are still waiting and still stretched because of it.

What we need is a radical shift, with a Government that puts suckler beef and sheep farmers at the heart of rural policy, not at the bottom of the pile. Viability cannot be a luxury or a pipe dream. It is a basic requirement for the future of these rural communities.

Deputy Martin Heydon: TAMS has been hugely positive, so when the Deputy suggests that the Government is failing, I disagree with that. TAMS has seen a massive ramp-up and uptake and drawdown of money, and I continue to support that. It is important that the message go out there that if a farmer is considering buying equipment beforehand, he or she is not guaranteed that it will be covered if ranking and selection have to come in. We want responsible activity on the part of farmers and no farmer making an investment that does not meet the criteria afterwards. Ranking and selection are responsible things to do and I will absolutely defend that.

Let me be really clear. The Deputy suggests that the Government is somehow failing farmers. When I came into the Dáil in 2011, the value of agrifood exports from this country was €8 billion. Last year, it stood at €19.2 billion.

12 o'clock

12 o'clock o'clock

Successive Government schemes and programmes, like Food Harvest 2020, Food Wise 2025 and now Food Vision 2030, which are ten-year strategies, have delivered a marked increase in income for our farmers from the value of their produce. I travel the world on trade missions, selling our top-valued produce from the length and breadth of the country. There is a direct link between those extra markets - those increased higher-value markets - that I, along with my Department and An Bord Bia, work with on marketing our food companies around the world. There is a direct link between that and the fact farmers are currently getting record prices for their produce across a whole host of areas. They are not mutually exclusive and we must continue to work to support our smaller and medium-sized farms, but Government is delivering for our farmers not just in terms of supports but in getting the best price for their produce we can.

An Leas-Cheann Comhairle: Questions Nos. 87 and 88 are grouped. There is not sufficient time left in the slot to deal with them so I propose to move to the next item, which is Leaders' Questions. Is that agreed? Agreed.

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

Written Answers are published on the Oireachtas website.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Matt Carthy: The Minister's Government is all over the place on student fees. We have had the Minister for higher education, Deputy Lawless, clearly state on Sunday that

without a cost-of-living package in the budget, college fees will go up by €1,000 in September. His position was then backed up by the Taoiseach. Let us clear up this mess today. I have just one simple question for the Minister and it is the same question that has been anxiously asked at kitchen tables all over the country. When students get their bill in September, how much will they be asked to pay? Will it be €2,000 or €3,000? Students and their families need an answer to that question today. It is the only question I have for the Minister.

Minister for Finance (Deputy Paschal Donohoe): The brevity of the Deputy's question gives me a moment to outline what Government is already doing to help with student accommodation-----

(Interruptions)

Deputy Matt Carthy: One question. One answer.

Deputy Paschal Donohoe: -----and to make a difference to what we know is a huge cost for many families. The Government is clear in recognising education, particularly higher and further education, allows students to fulfil their potential and plays a vital role in the economic development of our country in creating jobs and culture that is the heart of the progress Ireland is making.

Let me outline the supports we are already providing and what we are already doing to respond to the need we know is there.

Deputy Máire Devine: We heard that yesterday and the day before that.

An Leas-Cheann Comhairle: Quiet, please.

Deputy Paschal Donohoe: At present, with the support the Government has made available through the Minister, Deputy Lawless, as well as the work of this Government and the previous one, one in three students did not pay a student contribution. At present, half of students, through the SUSI scheme available, are supported in costs for becoming students, which we know are difficult. The Government has adjusted the standard rate income threshold by 15% to ensure more families and students are in a position to get the help they need.

Deputy Conor D. McGuinness: Is it €2,000 or €3,000?

Deputy Paschal Donohoe: Today, households with an income of up to €64,000 do not pay a student contribution. For those families who have more family members or a higher number of children, that ceiling is higher again. For postgraduate education, maintenance grants have been fully restored and a SUSI support is now available for the first time for those in hybrid or part-time education. That is what the Government has done and is already in place as we recognise the great challenge many families and students face with the cost of education, which we know is high. Those are the supports in place.

How have we been able to do this? We have been able to do this for two reasons. First, it is due to the hard work of the Irish people and the contribution they make to our economy that,

in turn, creates the resources we are in a position to spend. Second, budget by budget, the Government has put in place measures we believe we can sustain and are affordable which can accompany all the other things we need to do in higher and further education for students. The capital investment the Minister, Deputy Lawless, announced several days ago regarding additional student facilities will bring more facilities for a group of universities. Only a week ago, the funding in place to help improve the quality of education students receive resulted in many Irish universities moving up the world league ratings regarding their academic performance.

Budget by budget, we make changes we believe are affordable which recognise the challenges there. That is why we will do what we normally do in the approaching budget. We will put in place measures, including those to deal with the cost of becoming a student and the challenge many families face, we know are affordable, can be funded and can be built upon in the years ahead. I, along with the Minister, Deputy Lawless, and the Minister for public expenditure and reform, Deputy Chambers, are very clear on what that objective is. We are very clear that the temporary measures in place when inflation was so high need to be looked at as well as at how we can put in place other measures that can make a difference to something we know is an acute difficulty for so many. So many are already receiving support which we know is needed.

Deputy Martin Kenny: So, it is going to be €3,000.

Deputy Paschal Donohoe: The Deputy's question may have been brief-----

Deputy Máire Devine: Is it €2,000 or €3,000?

Deputy Denise Mitchell: No answer.

Deputy Paschal Donohoe: -----but the answer to it is longer in outlining the supports and difference we already make and want to build upon.

Deputy Matt Carthy: The Taoiseach, the Tánaiste, the Minister for higher education, the Minister for public expenditure and now the Minister for Finance cannot answer the simplest question that will have a life-defining impact on many students who are having conversations today, which will impact the rest of their lives, on whether they can travel to university or college or whether they must find somewhere more local and whether they will be able to afford a place to rent or whether they will have to commute. They do not want to hear what politicians are planning to do at some point in the future. I could stand up here and talk about how Sinn Féin does not want to just keep fees at €2,000 but wants to abolish them, but that will not answer the question being asked today. I will ask the same question that has been put to the Taoiseach, the Tánaiste and successive Ministers all week one more time. Will fees be €2,000, as they were last year, or will they be higher? Will the Minister please show people some common decency and come down from his ivory tower and answer that question? People need to know and they need to know today.

Deputies: Hear, hear.

Deputy Paschal Donohoe: It is exactly because this issue is life-defining for so many that Government already has supports in place.

Deputy Matt Carthy: Answer the question, please, Minister.

Deputy Denise Mitchell: Is it €2,000 or €3,000?

Deputy Paschal Donohoe: Of course, Sinn Féin will never acknowledge this in any contribution it makes. The difference between those of us who sit over here and Deputy Carthy is that we are interested in solutions rather than sound bites.

Deputy Martin Kenny: They will not answer any questions.

Deputy Paschal Donohoe: We are interested in action that will make a difference-----

Deputy Matt Carthy: Answer the question. What is your solution?

Deputy Paschal Donohoe: -----rather than the Deputy's attempt at action on the issue of the day.

Deputy Denise Mitchell: Is it €2,000 or €3,000?

Deputy Conor D. McGuinness: It is a multiple-choice question.

Deputy Paschal Donohoe: The answer to this question-----

Deputy Martin Kenny: You will not answer the question.

Deputy Paschal Donohoe: -----is the same answer that has been given at every other point in recent years. As this is such an important issue, it must be decided budget by budget-----

Deputy Matt Carthy: The answer was given by the Minister for higher education, who said fees are going up.

Deputy Paschal Donohoe: In the engagement every Minister has with the rest of Government and the Minister for public expenditure, the progress and supports in place recognise this is not only something that will be life-defining in a positive way but will also bring with it costs.

Deputy Denise Mitchell: So you do not know.

Deputy Paschal Donohoe: What Government wants to do is help in a permanent way and we will outline our answer to that serious question, as we will to many others, when the budget is completed.

Deputy Conor D. McGuinness: Multiple choice, Minister. Is it €2,000 or €3,000?

Deputy Matt Carthy: They are going to college in September. The budget is not until October.

Deputy Jennifer Whitmore: When will the Government get its act together and level with parents and students? It has been five days since the higher education Minister took to the airways and dropped the bombshell that parents and students will have to find another €1,000 to fund college before September. He did not try to sugar-coat that news; it was quite the opposite. He said, "All of us in any walk of life have to play the hands we are dealt." It was utterly galling and incredibly tone deaf; a member of Government actively stacking the deck against students and families, essentially telling them to suck it up - that is what he said - and play the bum hand they have been dealt.

Elaine is one parent who is trying her best to play the hand she was dealt. She has one daughter going to college and another starting in September. She has already told her children they cannot go to college in Dublin because accommodation is too expensive and now she is worried about how she will cover student fees, which are increasing for her from €2,000 to €6,000. Elaine told “Liveline” that she and her family went on a foreign holiday recently. It was the third time they have been abroad in 22 years and now she really regrets that decision because she does not know if she can afford to send her children to college.

There are thousands of families all over the country in exactly the same boat that Elaine is in. They have built family budgets on commitments given by the Minister and his colleagues. They believed Fianna Fáil and Fine Gael when they promised to reduce fees during the election. They believed the promises in the programme for Government that they would reduce college fees and they have been betrayed. They have learned that this Government cannot be trusted and that its promises are not worth the paper they are written on.

Students and families have been led down the garden path by this Government and they are absolutely sick of its games. I am astonished that the Minister thinks it is okay to tell families, “Wait until the budget and we will clarify matters for you.” That is four months away. Students and families cannot budget like that. They need to make plans now. They do not have a grand or three down the back of the sofa that they can easily pull out. They will need to scrimp and save and sacrifice to cover this increase. Does the Minister not understand that? Does he not get that?

This Government promised to reduce college fees and the Minister should have no problem today in clarifying whether it is going to keep to the commitment that it made. Will the Minister tell Elaine and all of those other parents out there whether or not they will see an increase in college fees come September? Will they be required to pay €2,000 or €3,000?

Deputy Paschal Donohoe: First, I want to deal with the different language and points that the Deputy has made before I come to the really important issue of Elaine, her children and her

children's future. For the Deputy to use language such as "stacking the deck against students" does no justice to the seriousness of this cause and demeans the need for serious debate regarding important decisions that this country has to make. When the Deputy suggests that the Minister for higher and further education is looking to make decisions that disadvantage students, that he is looking to make decisions that worsen the prospect of students, not only do I know that the Deputy really does not believe that, but I know that, by making that charge, she devalues the serious issue she is raising in the debate. What the Minister, Deputy Lawless, is seeking to do, and what he will do with support from the Government, is look at how we make progress on the programme for Government, how we can deal with issues of affordability and how we can make progress on the affordability issues in higher and further education while dealing with all of the other important issues that Elaine and the rest of the country want to see us make progress on.

On the broad issue that the Deputy is raising on affordability, let me again state what we do. It is important to acknowledge what is there before we look at how it can be improved. It is important that even if these supports are not available to Elaine, they are available to other people. They are available to other citizens because we recognise the importance of the affordability of higher and further education and we are committed to looking at how that can be improved. The reality is that, as the Deputy puts that question to me today, 143,000 students and their families benefit from free fees. They benefit from that because they deserve to benefit from it. We know that for those 143,000 families, there are students who might not otherwise be able to go to college and benefit from the ability to have their prospects reshaped by going to higher and further education and studying further. The reality is that 60,000 students at the moment benefit from lower forms of student contribution, again, because they deserve to. The reality is that, today, 80,000 of our student population are benefiting from either no fees at all, because of the various schemes that are in place, or partial fees.

All of that is in place because of our desire and the commitment we have to ensure that for Elaine, and for all the other families across the country for whom affordability is an issue, there are supports in place to help. What we will be doing, as we move to the necessity of having more normal budgets in place year by year, is looking at how we can make progress, which we will, on the affordability and quality of, and access to, higher and further education. That is what the Government will do, and we will work with the Minister, Deputy Lawless, and the rest of the Government to make progress on that.

Deputy Ruth Coppinger: No answer.

Deputy Jennifer Whitmore: The Minister is clearly not listening to what I am saying and, what is worse, he is clearly not listening to what parents and students are saying at the moment. They believed the Government when it said in the programme for Government that it would continue to reduce student fees. They believed it when it said that. It could not be any simpler. The question is this. Is the Government going to keep its promise or is it going to break its promise? That is the question for the Minister. Will parents be paying €2,000 in September or will they be paying €3,000? Do not answer me. Answer all of the parents out there who are asking that question. At least give them the respect of giving them that information so they can plan their budgets for September.

Deputy Paschal Donohoe: It is because of my respect for those families that it is important to give a clear and honest answer. It is important to recognise that those families also have other needs and issues that they want our country to make progress on. In order for us to make progress on those collectively, we have to make decisions as part of the budget process so we can ensure that the changes we make are affordable and sustainable and can be built upon in the years ahead. The families the Deputy is raising are the same families who engage with me, the same families who are contacting Deputies on the Government benches-----

Deputy Denise Mitchell: The Minister is still not giving them an answer.

Deputy Paschal Donohoe: -----not only with questions on this but on many other priorities they want to see the Government make progress on. It is what we have done each year. We will need to do that now in the context of having normal budgets in a world that is becoming more uncertain and complex. We will need to look at how we can make improvements, budget by budget. That is why, as has always been the case, we will be in a position to give a clear answer to that when our budgetary work is done, and to respond to all of the needs that are there within our society in addition to this critical need of the affordability of education.

Deputy Paul Murphy: Yesterday, 94 Palestinians were killed in Gaza. Forty-five of them were killed while waiting for aid from the so-called Gaza Humanitarian Foundation. Today, so far, 87 people have been killed, and every day has a similar horrific number of casualties. In just one month, 600 Palestinians have been killed and more than 4,200 have been wounded by Israeli fire near aid distribution sites. A new low in this genocide is the use of aid as a weapon to ethnically cleanse large parts of the Gaza Strip and to assemble people in order to be shot down in what is being described as a death trap. People saw the horrendous pictures from Monday of a café and the people inside it blown to bits. It has been reported that a 500 lb bomb was used by the Israeli military to do this.

The Minister has previously and repeatedly defended the authorisation of the sale of Israeli bonds by the Irish Central Bank. We know now from the Central Bank that €418 million was raised by Israel in these war bonds approved by the Central Bank between October 2023 and April 2025. That is a quarter of all funds generated globally by these bonds. How many bullets did that pay for? How many missiles did it pay for? How many bombs did it pay for? Does the Minister accept that it is time to stop this complicity of the Irish State in genocide?

Let me quote a Central Bank worker:

> When over fifty-thousand people – seventeen-thousand of them children – are dead, murdered in their homes, schools, hospitals or killed trying to escape the slaughter (Rafah, Jabalia, Khan Younis, etc.) I must admit I find it difficult to discern the difference between the Bank's official line – 'we are guided by the law and if the requirements under the prospectus regulations are being met, we must comply with the law' and the defence claimed by Soldier F, the perpetrators of genocide in Rwanda, Cambodia, Sudan, Myanmar the defendants at Nuremberg – 'we were just following orders' – the Superior Order defence.

The same applies to a Government which has twice now voted not to end this complicity. It is incredibly unfair to put the workers in this situation because of the Government's failure to act. We know that there is an email from the Israeli Ministry of Justice previously talking about

a confidential phone call with the Minister and the Minister saying that the Government would block the occupied territories Bill. Now, here we are again, with the Minister blocking action to stop funding the genocide. What will it take to shift the Government on this? What will it take for the Minister to act?

Deputy Paschal Donohoe: In recognition of the horror that is being inflicted on the people of Gaza, the loss of life, the new low that we are seeing being perpetrated when aid is being used in a way that appears to be assembling people for further deaths and injury, let me outline what the Government has done and what we continue to do to respond in a diplomatic and practical way to this. I refer to the work the Irish Government has done in responding to the clear sentiment of the people of Ireland in our intervention in the International Court of Justice in the case taken by South Africa; what has happened in recognising Palestine as a sovereign and independent state; our support for a proposal from the Netherlands to review the EU's trade and political relationship with Israel; the fact that we were the first country to call for UNRWA to remain in Gaza and that for the past two years alone we have allocated €58 million to support its work; and the fact that Ireland has been at the heart, as demonstrated by the Taoiseach and Tánaiste in the past number of weeks, of making a case for a different diplomatic approach from the European Union to respond to the loss of life and horror that the people of Gaza are confronting. That was recognised earlier in the week. The Prime Minister and Foreign Minister of Qatar visited Ireland to engage with us. Qatar is a country playing a key role in trying to stabilise and bring peace to the Middle East. He visited to engage with the Government regarding our diplomatic efforts and the work we are doing to make a difference.

I again refute the charge that the Deputy made against me personally and note that the call did not happen. I cannot help but be struck by the irony that the Deputy would rather believe the Ministry of Justice of Israel than me on the matter given everything else he says about that state.

As regards the role of the Central Bank, let me again emphasise what it does not do. The Central Bank does not sell bonds on behalf of the State of Israel and nor are these bonds listed in our Stock Exchange. The legislation the Opposition has proposed, which the Deputy correctly said I argued and voted against, is, we believe, unworkable and would not have been in line with the law of the European Union. Instead, what we need to do, recognising the fact that while we are a member state of the European Union, there are many other member states of the European Union that hold differing views, is work to build up a diplomatic consensus to make a difference to that issue. That is not done by Ireland acting on our own. It is done through the patient work of diplomacy, which the Taoiseach and Tánaiste are at the heart of doing, to change the stance of the European Union on this issue, while taking action ourselves, as we have done and which is recognised by the leaders of the people of Palestine, to make a difference to the horror that we see unfolding.

Deputy Paul Murphy: Every time we raise this issue, we get the same response from the Government, which is, basically, to ask why we are not thanking it for all it is doing and for not being as bad as the western states that arm, fund and enable this genocide? I am sorry. We, and the public, have a higher standard of no complicity in the genocide. That is not only a moral standard; it is a legal standard. Under international law, all states have an obligation not to assist in any illegal situation, such as occupation, illegal settlements, apartheid or genocide.

The Irish Government itself recognises that genocide is happening. Does the Minister not see that providing access to EU markets to fundraise to support genocide is a violation of our obligation not to assist?

It is true the Central Bank does not endorse this but it authorises it. Without the authorisation of a central bank, these bonds could not be sold. That is over €400 million. Does the Minister not accept that he should act, that declaring this a genocide has consequences and that he should do everything in his power? The Central Bank has said it will adhere to any financial sanctions or restrictive measures that are imposed under law. Therefore, the Minister should instruct the Central Bank or we should change the law. We need to stop the sale of genocide bonds.

Deputy Paschal Donohoe: At what point in my contribution did I look for thanks or recognition? At what point in the statements that I or any other member of the Government has made in relation to what is unfolding in the Middle East have we looked for recognition from the Deputy or, indeed, anybody else?

Deputy Jennifer Whitmore: The Taoiseach does it constantly.

Deputy Paul Murphy: Constantly.

Deputy Paschal Donohoe: What we are doing is using the diplomatic resources that are available to us and our political leadership to make a difference, in practical and political terms, to the people of Gaza and to the horror that is unfolding to them and which has gone on for too long, in calling for a ceasefire, in making the case for a review of the trading relationship with Israel within the European Union, in the work the Taoiseach did in the European Council last week and in the work the Tánaiste has done in all of the Foreign Affairs Councils he has attended. That is what we are doing - by action.

The Deputy made reference to the need for higher standards. There are standards that matter here. There are standards that matter in terms of only giving commitments to things that we know we can legally do and that can have a practical effect. That is what the Government is doing. Our actions are recognised by those who lead the people of Palestine and their allies. Regardless of that, what we will do is continue with the patient political work that is needed to make a difference with regard to a ceasefire and to support the people of Gaza in their hour of greatest need.

Deputy Ruth Coppinger: God forbid you would break a law to end the genocide. It would be terrible.

Deputy Ken O'Flynn: On behalf of Independent Ireland, I add my sympathies to those made yesterday to the family of Brother Kevin Crowley.

The European Commission has now issued a formal notice to the State demanding that we implement the so-called hate speech laws under the threat of infringement proceedings. Once again, I see indications from the Government of the bending of the knee. It is willing to compromise the constitutional freedoms of the Irish people to appease the European institutions and digital outrage merchants. Let me ask the Minister plainly: will the Government stand

over a law that criminalises people for what they think and say rather than what they do? We are not talking about the incitement of violence, threats or harassment. We are talking about words, ideas and opinions, sometimes unpopular and uncomfortable but still lawful expressions, which are supposedly free in a republic.

Is the Minister aware that in Finland, a member of parliament was prosecuted for publicly citing scripture. In Sweden, a pastor was given a one-month prison sentence for publishing his sermon. In Denmark, an MP was convicted for his views on Islam. Interestingly, in the Danish hate speech law, at section 266b, the truth is not a defence in hate speech, regardless of the factual accuracy in a statement that is deemed insulting.

In parts of Europe, laws are being used to criminalise satire, prosecute artists and silence dissent. In Scotland, even private conversation spoken within one's own home may fall within the remit of criminal hate speech. This is not theoretical; this is happening.

Deputy Ruth Coppinger: Would you get real?

Deputy Ken O'Flynn: Could we have one person speaking in the Dáil, please? If we are to pass this legislation, we must ask ourselves, "What comes next?" Will quoting scripture become a punishable act, something that fines the teaching of exclusionism? Will religious observations be branded as hateful if they conflict with the views of the public? Will the right to express a moral belief, if it is found to be uncomfortable, not be accepted?

Ireland already has hate speech laws in place. These deal with genuine hate speech, which is about the incitement of violence. What exactly is the real purpose of this proposed legislation that is to come before us? Is it to protect people from violence or to protect the Government from criticism?

Who will define hate for this House? Will it be the courts, civil servants, an online administrative service or an algorithm? What will the threshold for criminality be if I disagree with somebody's views? Will I be found a criminal if I have a different view from the Minister?

Deputy Paschal Donohoe: The Deputy will certainly not be found a criminal for having a different view from me.

Deputy Ken O'Flynn: I hope so.

Deputy Paschal Donohoe: I assure him of that. As we deal with this important matter that is at the heart of how we conduct politics in our society and the liberal democracy we are all proud of, which we know we can never take for granted and have to protect and renew by act, deed and word, it is important to remember what has already happened and what the legal framework for all of this is. As the House will be aware, the Criminal Justice (Hate Offences) Act 2024 came into effect on 31 December last year. That Bill prescribed prison sentences for very specific crimes where word or incitement is proven to be motivated by hatred or where hatred is demonstrated. What that did was put the right legislation and right legal framework in place to ensure that any assault aggravated in any way by hatred is one that will attract a higher prison sentence. That is what we have already done. Therefore, in dealing with the

issues the Deputy raised and the charges he made regarding how we want to maintain that balance, it is a balance that deserves further debate, maybe in a more careful way. I believe the use of language and the way we describe issues in the House have an effect on the tone of politics. In turn, the tone of politics affects the conduct of politics, as well as how we can make the case for politics as a force for good and helping with the issues all of us are elected to raise. We will do that in a way that gets that balance right.

I am not familiar with the detail of the legislation in Denmark or Sweden the Deputy referred to. They have political traditions that are every bit as proud as ours and take the case of parliamentary democracy and freedom of expression every bit as seriously as we do. If, however, there is cause to consider the matter further in Ireland, we will do three things. First, we will ensure that whatever we do continues to be consistent with the constitutional framework, which we cherish, in place in our country. Second, any such moves or further decisions are ones that always have to be proportionate and recognise the deep value of free speech and the right to freedom of expression. Third, freedom of expression is not cost free or consequence free. Words can be used in such a way that causes more than hurt and offence; they can influence how others act. That is recognised in the legislation the Government already has in place. The Deputy and others can be assured that in any further consideration of this issue, the Government and the Minister, Deputy Jim O'Callaghan, will always be aware of the delicate and vital balance we need to maintain.

Deputy Ken O'Flynn: Is the Minister aware that the European Commission has sent a request to the State on this to ask us to tighten the laws? Is the Department of Finance prepared to pay the fines if we do not change the laws? There are proceedings in that regard that have been cited by the European Union.

I draw the Minister's attention to the European Court of Human Rights verdict in the Handyside *v*. the United Kingdom case in 1976, when it was found that freedom of expression includes speech that offends, shocks and disturbs. That was accepted by the court. I also bring the Minister's attention to Article 40.6.1° of Bunreacht na hÉireann, which outlines the right to expression. Will the Minister confirm that there will be no other influence from the European Union to bring in more hate speech legislation? There is a genuine concern about people's right to talk and their right to stand out. Many people in this country have a view that conflicts with many European countries when it comes to Palestine and Israel. Will all those people be included under a hate speech law?

Deputy Paschal Donohoe: The European Union is an institution that we are part of and that we shape, benefit from and influence. Implicit in the Deputy's question is the idea that the European Union is handing down direction or making decisions that we are, in some way, not able to influence or respond to. I am not familiar with the exact detail of the engagement the Commission has with the Department of justice. The Minister for justice will treat any such engagement from the Commission in a very serious way.

The Deputy referenced the European Court of Human Rights, which is another institution that has done so much to protect and advance human rights and political and civil liberties. It is another institution that Ireland engages with and has the greatest of respect for. What I can do is restate the principles I outlined, which are that freedom of expression is precious and liberty in a liberal democracy is something we must protect, but words and acts also have

consequences. We have looked to recognise that in the legislation in place, which the Dáil passed. In respect of any further initiatives that could originate within the European Union or elsewhere, we will be conscious of the need for Ireland to maintain that balance.

Deputy Ruth Coppinger: I am sure it will go down well on Gript anyway.

Deputy Paschal Donohoe: At least we talk to them.

Ceisteanna ó na Comhaltaí Eile - Other Members' Questions

Deputy Keira Keogh: Imagine you have a 12-year-old child and found out that child was watching or was exposed to pornography on a sitting room television while visiting a friend's house. The child would likely be permanently banned from visiting that friend's house and it is likely you would report the parent to Tusla. Yet, we are giving our children smartphones with open access to the Internet where they regularly encounter misogynistic and toxic content online, especially on well-known pornographic websites. Ignorance is not bliss any more. Parents, Coimisiún na Meán and the Government need to step up and urgently act to protect our children. Children as young as those still in primary school are accessing porn. A recent UK study found that one in ten children has viewed pornography by the age of nine with half the respondents seeing it by the age of 13.

I am not trying to be the fun police or drag Ireland back to the time when sex was seen as bad or dirty, but gone are the days when teenagers hid magazines underneath their pillows. Nowadays, access to pornography is a free-for-all and completely unregulated. Just a cursory glance at some of the adult websites accessible in Ireland shows that these expect users to check a box to claim they are aged 18, with little to no age verification. The content our children are viewing has been shown to increase mental health challenges and sexual aggression and decrease stability for future relationships. Children and teenagers are getting the wrong impression of sex. It is grooming our boys to be violent and our girls to be submissive and think they should consent to sexual violence. Their young minds think that this is what sex is, this is how they should behave, this is what they should expect or even this is what they should look like.

We need robust policies and legislation to stop the pornography industry from profiting off our children. We need to start the age verification process and we must have strict enforcement by the online safety commissioner for non-compliant websites, which should face fines. France recently introduced an enforcement mechanism that results in websites in breach of age verification systems facing significant fines and even being permanently banned. Our online safety commissioner, Niamh Hodnett, said that video sharing platforms established in Ireland will have to have age verification measures to block under-18s from accessing adult content by 21 July. My question is: "Or what?" What consequences will they face? What about the companies that are not established here?

Deputy Paschal Donohoe: I thank the Deputy for raising this extremely serious matter and drawing our attention to the reality of what is happening as young minds are reshaped in ways that can do great harm to them, when those young minds have their expectations set regarding

what should be permissible and consensual and are putting behaviours in place we know can be so harmful to their well-being and safety in future. She raised a very important matter and correctly made the point that this is not about trying to go back to some kind of role where the State acted as a censor or seeking to go back to other practices.

It is simply about getting the balance right and recognising that for our youngest people, young boys and young girls, who could be exposed to content, it is not only inappropriate but also has unfortunately the real potential to be highly dangerous and damaging.

I will answer the different questions the Deputy put to me. There are four actions that are in place from the Government on that at the moment, through the Government directly and through our online regulation. The first one is the online safety code which is in place. Part A of that online safety code has set out very clear but general obligations regarding what we expect social media platforms to do in order to protect children from harmful content. Part B of that code, which will apply from 21 July in a few weeks' time, will set out very specific obligations regarding age verifications for particular platforms to protect our youngest from content which they simply should not be seeing and which could do such harm to them both now and in later life.

In recognition of the importance of this issue and the need for European action, to which I will return in a moment, the Minister, Deputy O'Donovan, along with other ministers from EU member states has now co-signed a letter to the European Commission emphasising how critical the issue of age verification is and looking to meet the French and Danish ministers on this.

On the cost of non-compliance, there are fines of up to €20 million or 10% of turnover, whichever is greater, and continued non-compliance can lead to legal action against senior management and those involved in the availability of this content.

The Deputy mentioned France. I understand that the law it has put in place, which is a recognition by France of the importance of the issue the Deputy is raising today, can only apply to websites and content that originate in France. That highlights the need for co-operation between member states and highlights the need for the EU to act collectively on the issue. It is really important. Those are the actions we are taking and I thank the Deputy for raising it.

Deputy Keira Keogh: Obligations are one thing but we definitely need sanctions and need them quickly. The deadline for these obligations to be in place is 21 July. The Minister will forgive me for my scepticism, but I do not see swift action following. We need to name these companies, shame these companies and have swift sanctions. At a national level, we need to be able to discuss these challenges openly. We have to educate our young people on consent. We have to ensure we are tackling at the very least under-18s who are being exposed to violence and rape. Just this week Women's Aid reported a 12% increase in people contacting it over domestic violence. It had 32,144 people contacting it this year. We know that there is a connection between pornography and violence against women.

We also need to consider that only 20% of parents are using parental controls. There is a lot of work that we need to do here and I just do not get a sense of urgency. I am Chairperson of the Committee on Children and Equality. We need to look at all the ways that we can protect our children from this harm.

Deputy Paschal Donohoe: I very much agree with the Deputy and also agree with the point she made that a very dangerous reshaping of expectations regarding what is permissible and how we should engage with each other has taken place due to the availability of content and young minds being exposed to it. While I appreciate her scepticism given the importance of this issue, all I can do is genuinely underline to her the action that the European Union is taking and the role that we are taking here in Ireland through our regulator and through the actions of the Minister, Deputy O'Donovan, to respond to the important and worrying behaviour that is now taking place regarding access to material and content that young boys and girls and teenagers should not have access to. The Minister, Deputy O'Donovan, is very much aware of this.

On the final point the Deputy made regarding the ability to openly discuss these matters in a respectful but appropriate way, by her raising this issue here today, she is playing her role in it. The Government will continue to respond to an issue that we know is so important.

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

Deputy Matt Carthy: Major research conducted jointly by Dublin City University and Ulster University published this morning highlights how the reunification of Ireland is a huge opportunity for us all. It finds that the costs of unity would be far lower than had previously been put forward by opponents of Irish unity. In my view the research has delivered a fatal blow to any economic arguments that might have been presented against a united Ireland. This is good news and exciting news. It shows that there are opportunities and benefits of reunification there to be seized. We now need an Irish government that will demonstrate the vision, the ambition and the action to match that opportunity. This generation, in my view, can unite Ireland but the Government needs to come off the bench and to get onto the pitch. We need an Irish government now to step up and grasp the massive opportunities for all the people of Ireland's 32 counties. Will the Government now start planning and preparing to deliver a united Ireland that we know can be a better Ireland for us all?

Minister for Finance (Deputy Paschal Donohoe): The Government and many successive Irish Governments have made clear our commitment to that cause. We have also made clear the steps we believe should be put in place beforehand to bring us closer together and to unite this island. That is already happening. I have pointed to the work of the shared island fund, overseen by the Department of the Taoiseach, supported by the Department of foreign affairs, putting in place investments to bring us also together. I point to the work the Government has done in dealing with the consequences of Brexit. I make the case that those who point to economic consequences are not necessarily opponents. We should be able to have a fair and open debate regarding an issue that is so important. The Government will do more than debate; we are putting in place the practical steps to bring us together, as I have just highlighted.

Deputy Eoghan Kenny: On behalf of the Labour Party, I express my sympathies with the families of those involved in the car crash in County Donegal yesterday evening.

Yesterday the HSE CEO, Bernard Gloster, revealed that the waiting list for assessments of need will get worse before it gets better. It is quite clear now that there are over 15,000 children

waiting for an assessment of need and a prediction for 25,000 children by the end of this year. This is an absolute scandal and a failure of the State under the obligation of law to carry out these assessments of need within six months. It is quite clear that the failure of assessments of need to take place has serious knock-on effects for children, particularly in the area of school places and resources for such schools. This year some parents took to sleeping outside the Department of Education and Leinster House, doing their very best to secure extra school places. How is it possible to plan for increased resources, supports and classes if we do not know the needs of the students?

Mr. Gloster said yesterday that outside the assessment of need, significant challenges are faced particularly with essential therapies and interventions. I acknowledge that extra classes have been made available this year, which is to be welcomed. My questions are as follows. Will extra capacity be provided to the HSE? If so, what is it? Will legislation be reformed to complete assessments of need more quickly? How does the Government plan on opening extra classes and providing resources for schools if we do not know the needs?

Deputy Paschal Donohoe: I thank the Deputy. There are quite a few questions there and I will do my best to touch on each of them. Before I do so, I join him in offering our condolences to the family in Donegal who have just received such terrible news. The most terrible of news is sometimes unexpected. Earlier, I neglected to agree with Deputy O'Flynn in offering condolences on the death of Brother Kevin, a man who did such good work throughout Dublin, as I saw myself. He was an amazing man and may he rest in peace.

Deputy Alan Kelly: Hear, hear.

Deputy Paschal Donohoe: The Deputy has raised some really serious issues. First, the Government will continue to put in place additional funding and support to help those families who are waiting for the additional needs assessments that we know are really important. Second, actions are being taken by the Government to increase the classes, the therapists and the teachers who are needed to be in those classes. Third, we need to consider, which of course we will do in conjunction with the committee of which the Deputy is a member, how we are conducting these assessments of additional needs and how it could be done in a way that deals with the issue of speed of access.

I know at first hand the huge frustration, anxiety and worry that many families experience as they wait for that assessment and the deep effect it has on their lives and those of the young girls and boys they are looking after as parents. They are the actions that we are taking as a Government and this is a high priority for us in terms of making a difference.

An Leas-Cheann Comhairle: I welcome to the Distinguished Visitors Gallery the Minister for European Affairs of North Macedonia, Mr. Orhan Murtezani, and the special adviser for foreign policy and EU affairs, Ms Elena Presilska. I hope they enjoy the proceedings and their time in Leinster House.

Deputy Sinéad Gibney: I also welcome our distinguished guests. I wish to express the sympathies and condolences of the Social Democrats to the families in Donegal and of Brother Kevin.

The official death toll in Gaza has now exceeded 57,000 people but we all know that the reality is much worse because tens of thousands of people are missing, presumed dead under rubble. As the Israeli Government ramps up its depraved slaughter of innocent civilians, western countries continue to sit idly by. Shamefully, the only action taken by many countries is to supply weapons to the Israeli Government and to vilify and criminalise people who are actually doing something to protest this slaughter. In the United States students and workers have been rounded up for joining protests against Israeli war crimes or simply blocked entry. In the UK yesterday the parliament voted to proscribe a group called Palestine Action as a terrorist organisation. This was prompted by activists spray-painting two RAF planes. Let us be clear, Palestine Action has never harmed anyone. It has certainly never dropped a 500 lb bomb on a seaside café full of innocent people, as Israel did this week. What we are witnessing is grotesque and dystopian. Is the Minister concerned at the rowback of civil rights in countries like America and England? Is he as appalled as I am by the perverse double standards that prevail?

Deputy Paschal Donohoe: I thank the Deputy, who is, of course, raising such a serious issue regarding what is happening in the Middle East and what is happening to the people of Gaza. I have outlined the Government's view on it and what we are doing to make a difference. I am not in a position and nor do I have the necessary information in front of me today to offer a view on the actions of other parliaments or governments in relation to this. All I can do is reiterate two points. First, we in Ireland recognise and will continue to recognise the right of people to assemble in a peaceful way to make their voice clear in relation to what is happening to the people of Gaza. Second, we as a Government will continue to do what we can, which I outlined earlier today, to make a practical and political difference to the terrible suffering that the people of Gaza have had to endure.

Deputy Roderic O'Gorman: How can the United Nations be expected to take the Taoiseach's words about protecting our oceans seriously when he is dumping the laws that would actually do so? Last month the Taoiseach attended the World Ocean Summit, at which he said that he looked forward to "joining with fellow world leaders over the coming days to discuss and collaborate on ways to secure the future of our oceans and seas". Then, over the weekend we learned that the Government is dropping plans to put in place a law to give protection to vital parts of our seas here in Ireland, the marine protected areas Bill. A marine protected area is a defined area where marine life is legally protected. The draft Bill is well advanced and literally years of work have gone into it. It balances the needs of fishers, nature and offshore wind but this Government of Fianna Fáil, Fine Gael and Independents is tearing all of that up. Why is the Government so committed to rolling back on the environmental progress that has been made over the last four years? Why is it caving in on marine protected areas?

Deputy Paschal Donohoe: I thank Deputy O'Gorman for raising this issue. The Taoiseach, the Minister for agriculture and the Minister of State, Deputy Dooley, are very much aware of the importance of the issue raised by the Deputy. The reason the Taoiseach went to the aforementioned conference in the first place was to highlight the personal interest he has in this issue and the Government's commitment to do more in this area. Our marine life, our oceans and our seas are such a precious economic and natural asset. I am informed that the

Government has no such plans in relation to this legislation at the moment. As far as I am aware, it is still in our legislative programme. I will refer the comments the Deputy made to the relevant Department but my understanding is that the legislation is still on our programme to be brought forward to both the Dáil and the Seanad.

Deputy Ken O'Flynn: During a recent visit to Cork, the Fine Gael party leader and Tánaiste suggested that a Garda task force for Cork city would be a good idea. He made a number of announcements about it which were greeted with great fanfare but he did not give a specific date for when it would be established. There was neither a funding plan nor a full plan put in place. Meanwhile, Glanmire Garda station in a part of the constituency that I represent, on which over €2 million was spent on refurbishment, has two gardaí working in it and is not open to the public. Nobody can get a document stamped. There is no garda on duty who is available to members of the public. Ballincollig Garda station, which services over 20,000 residents in my constituency of Cork North-Central, is open for 15 hours per week on paper. However, the reality is that it is only open for about two hours per week. Nobody can get access to the station. I am sick and tired of meeting gardaí on the ground who tell me they do not have people to answer the phones. I am sick and tired of meeting residents' groups in Cork who tell me they cannot understand why they cannot get through to a Garda station. The reality is that there is nobody there. Will the Minister make finance available to the Department of justice to properly fund gardaí in Cork so that people can feel safe in Cork city again?

Deputy Paschal Donohoe: I am sure the Deputy will understand that I am not in a position to comment on any individual Garda station. I am sure the Minister for justice will be able to respond to the Deputy on that but the Government is fully supportive of the efforts of the Minister to increase the number of gardaí and to continue our efforts to keep our streets safe in Cork and elsewhere. Three things have been done in that regard. First, as the Deputy will be aware, we have increased the stipend that is available to those who want to become gardaí and are attending Templemore to help them to deal with the cost of that training and to maintain their living standards when they are there. Second, we have changed the age at which people can join An Garda Síochána, recognising the fact that many people are able to join An Garda Síochána a little later in life and do really important work. Third, we have increased, budget by budget, the amount of funding that is available to An Garda Síochána to ensure that Templemore is supplying new gardaí and prioritising them being on the beat on the streets of our cities and towns. That is what we are doing. We know that issues of law and order and safety continue to matter so much. We need to do more on it and they are the actions that the Government and the Minister have put in place.

Deputy Pádraig O'Sullivan: Over the last number of weeks many ETBs across the country have expressed their concern about funding shortfalls and are saying that they are being squeezed. I have read articles about same related to Louth and Meath ETB and in my own county, Cork City and County ETB has experienced a similar shortfall in funding. I am guessing - the Minister can correct me if I am wrong - that this is related to the increased allowances for apprentices that were committed to last year. I ask the Minister to explain the squeeze and what he intends to do to make sure all ETBs are adequately funded to deliver the courses they have been prescribed to undertake.

Minister for Further and Higher Education, Research, Innovation and Science (Deputy James Lawless): I thank the Deputy for giving me the opportunity to address this important matter. He is correct that some of this dates back to commitments that were given last year. I am working through the issues. There was an issue with backlogs that arose over the last two years which are now working their way through the system. Apprentices who should have been out through the system and qualified are now at phases 4 and 6. The upshot of that is that more people are coming through, which is a good thing, but because of previous delays, they are being paid at the higher rates, as befits their status, and a funding shortfall has arisen as a result. I am meeting the board of SOLAS next week. I have also met a number of ETBs on this. I have engaged with Deputy O'Sullivan's local ETB on it. I have given a direction that no apprenticeship classes should be cancelled in any ETB in the country and I understand the ETBs are working through that locally. I will continue to engage with Deputy O'Sullivan and with other Deputies interested in the matter.

Deputy John Paul O'Shea: I stand here today to respectfully request that additional funding be allocated to the local improvement scheme, LIS, in 2025 to address the long waiting list for the scheme in every county across Ireland, particularly in my home county of Cork. There are currently thousands of applications on hand within local authorities, many dating back five years or more. I urge the Department of Rural and Community Development and the Gaeltacht to consider this request for increased funding for the LIS. This investment will yield significant returns through improved road infrastructure for people living on these roads and it will also improve road safety.

1 o'clock

1 o'clock o'clock

It will strengthen the rural development outcomes we should all be working towards.

Deputy Paschal Donohoe: I thank Deputy O'Shea for raising this important issue. I know the local improvement scheme is really important for the communities he represents and the many other communities that need additional support in upgrading their roads. Since 2017, €169 million has been invested in this scheme. Last year, the figure stood at €40 million, which represented an increase of €12 million on the previous year. The Government continues to increase funding for this important scheme. I understand the Department of Rural and Community Development and the Gaeltacht will look at how to prioritise the scheme further and the further steps that can be taken to strengthen it so that it can respond to the needs and issues the Deputy has referred to. I will make sure the Minister is aware of what the Deputy has said today, although I imagine he is already committed to looking at how this scheme can grow in the future.

Deputy Fionntán Ó Súilleabháin: The Arklow to Shillelagh greenway project, which is of great importance for tourism on the east coast and in south Wicklow and north Wexford, is still stuck at phase 2. There has been no update since 2023 so two years have passed without visible progress. It will be an absolutely tremendous asset for the area, providing scenic walking and cycling routes through the beautiful valleys of south Wicklow. It will extend benefits into north Wexford and across the east coast. It will connect the villages and towns of Shillelagh,

Tinahely, Annacurra, Aughrim, Woodenbridge and Arklow. As the Minister knows, the Wicklow Mountains are a great attraction. This is a unique opportunity to develop a flagship tourism project in the region. The constituents of south Wicklow and north Wexford are very frustrated that it has not yet moved to phase 3. We still have to go through phases 4, 5, 6 and 7, the construction phases, so they fear we might not see a greenway for another ten years or so. That is simply not good enough. Will the Minister explain the delay? Will he commit to ensuring the project progresses in a timely manner? Will he give a timeframe for delivery?

Deputy Paschal Donohoe: The Deputy knows I do not have the information. He knows it is not reasonable to expect me to know the status of every greenway in this country when answering questions on promised legislation. If he wanted an answer, he should have let me know he was going to raise this particular issue. I then could have given him a more detailed answer. It is not acceptable to expect that, when I am on my feet responding on a variety of issues, I would know the status of every greenway in our country, even one as important as this one. I know the part of the country the Deputy is referring to well. I know how beautiful it is and that a greenway will only benefit those who live there and those who want to visit. I will commit to making sure the Minister for tourism and the Minister for Transport are aware of the issue the Deputy has raised but, if this issue is as important as he believes it to be, it would have been reasonable to let me know he was going to raise it so that I could have done the issue justice here in the Dáil today. In the absence of that information, I am not able to do so. I will raise the issue with the Ministers responsible for this area, however.

Deputy Fionntán Ó Súilleabháin: Even next week would be grand.

Deputy Keira Keogh: Planning regulations stipulate that new housing developments of up to 75 units must provide a childcare facility with up to 20 places. We are in a childcare crisis and this is simply not working in small, medium and large towns. In my own town of Westport, we recently saw separate developments of 50, 48 and 20 units, a total of 118 units, but no new childcare facility. There is a new housing plan coming. Are there any plans to change this stipulation in respect of housing developments?

Deputy Paschal Donohoe: I thank the Deputy for raising this matter. As we build more homes, which we need to do, it is really important that we do so in a way that makes services and facilities available for those who will live within them, including families. I am sure the Minister, Deputy Foley, will be giving this matter consideration. I will raise the issue with her and let her know the Deputy has made this suggestion. There may well be trade-offs that need to be considered with regard to the impact it might have on development within an area. However, the Deputy's suggestion sounds very sensible to me and I will make sure the Minister is aware of it.

Deputy Erin McGreehan: Our Lady of Lourdes Hospital in Drogheda is one of the busiest hospitals in the country. It has serious capacity issues. The base bed numbers do not match the need. The accident and emergency department is regularly at capacity, requiring the hospital to enable surge capacity. This has knock-on effects such as outpatient appointments being cancelled. That is not to mention people on trolleys and waiting lists. Dundalk and Drogheda are two of the largest towns in the country. I ask that the feasibility of establishing

a surgical hub in Louth County Hospital in Dundalk be considered. It is a practical and cost-effective way to look after the health needs of the people of Louth and the north east.

Deputy Paschal Donohoe: I am aware of the issues the Deputy has referred to, which affect not only the people of Louth, but also those of the wider north east, as the Deputy has said. The location of surgical hubs depends on the evaluation and recommendation of the HSE. The Minister and the Department of Health then do their best to act on such recommendations. I am not aware whether such a recommendation has been made for the Deputy's hospital but I will certainly pass this on to the Minister for Health because I know the availability of surgical hubs makes a really big difference to waiting lists and, more importantly, to the health of those who are on them. I thank the Deputy for raising this. I will make sure the Minister, Deputy Carroll MacNeill, is aware of the matter.

Deputy Johnny Guirke: I have a question the Minister should be fairly familiar with. Many parents and families have contacted me in the past few days wondering how they are going to pay their children's student fees and rent. People are beginning to see through this Government. The reason it decided to put a halt to the promises made to students and not to include a cost-of-living package in this year's budget is that this is not an election year. Families are being squeezed for every penny they have and the Government has now decided to add an additional cost of €1,000 for each child attending college. One lady who called my constituency office asked me not to let the Government do this. She said that an additional €1,000 would put her family in arrears with their mortgage and that they are living day by day as it is. I will ask the Minister what his fellow Ministers are also asking. Will the Government reverse the decision to charge students and their families an additional €1,000 this year and work towards scrapping student fees once and for all?

Deputy Paschal Donohoe: I thank the Deputy. I will outline what we are doing to support people with the cost of living, which we know continues to be a significant issue and problem for many, even when the price growth we have had to deal with for many years is slowing. What has the Government done to respond to the needs we know are there? We are rolling out the free hot school meals system and making free GP care available for under-eights. We have rolled out a free schoolbooks scheme in primary schools across the country and the Minister for Education and Youth is now looking to roll out free schoolbooks across secondary schools. The back-to-school clothing and footwear allowance will be available before the summer. We have rolled out a summer school meals programme. Action has been taken to reduce the PSO obligation in respect of renewable energy. Eligibility for the fuel allowance has been expanded so that thousands more people, particularly older people, are able to qualify for the scheme. We know the cost of living continues to be an issue for many. These are the actions the Government has taken. We need to ensure that the actions we take in the time ahead are affordable and permanent and that we can build upon them. That is why these important decisions need to be made on budget day.

Deputy Paul Murphy: As the Minister will know, there is a two-tier system in place in respect of homeless HAP. Those who entered the scheme after July 2022 are able to access a higher rate than those who entered before that time. This has resulted in an unjust situation where people are faced with the prospect of renewed homelessness in order to be able to access

the higher rate. I will give an example from my constituency. A young woman who works very hard every day lost her car because she had to sell it. She spends over an hour on public transport to work on a farm every single day. She cannot afford to pay her rent any more. She is currently on a homeless HAP rate of €990 per month. If she was to access homeless HAP today, she would be entitled to €1,215 and could pay her rent but she is not able to access that rate. I have pursued this with the DRHE and with the Minister through parliamentary questions. The only way for her to access the higher rate is to become homeless again, which clearly makes no sense. Does the Minister agree that we need a change in this area, which could be done by way of ministerial order, so that people like this woman and many others in the same situation could access the higher rate without having to enter homelessness again?

Deputy Paschal Donohoe: The very reason the higher rate of HAP was made available in the first place was that the Minister and the Government recognised the need for that payment to do more, to help more and to make a difference in preventing homelessness.

I am not aware of the exact issue that could prevent somebody from accessing the higher rate. Of course, the last thing we want to do when designing something like this is create incentives that make it more difficult for somebody to move out of the terrible difficulties of being homeless. The best thing for me to do is follow up on that matter with the Minister for housing.

Deputy Alan Kelly: I recently met MABS and was taken aback by the range of issues people had. I have listened attentively to what the Minister said today about cost-of-living measures. I acknowledge those actions. In the past three years, however, there have been a range of one-off cost-of-living measures in budgets, which have been welcomed. I want to get all the nonsense out of the way and ask definitively if the Minister for Finance is saying there will be no one-off cost-of-living measures in this year's budget. There will be nothing for people with disabilities as there was in the past, or the fuel allowance for older people, double child benefit for families or energy credits for households, etc. Will the Minister confirm to the House, because there has been so much speculation and narrative, that there will not be any of these? There may be other long-term measures, but there will not be one-off cost-of-living measures in the budget.

Deputy Paschal Donohoe: I thank the Deputy for the manner in which he has raised this matter. I am also aware of the issues he refers to and the views of MABS. The issues he raises are really serious for so many citizens in our country.

First, no budget decisions have been made. We are here at the start of July. The budget will happen in October. In between July and October, various other measures I have outlined to the House will be implemented to help with the cost of living.

Second, and generally, this budget will have to move to a more normal budget in terms of scale and measures. Third, what that means is we want to move back to where we have been at other points where measures were in place that could help our country with all the other needs there. However, these measures were permanent, different in scale and were ones we could build upon. I know the cost of living is an issue for so many at the moment, but we are in a place where the really big increase in prices we saw over two years in particular has begun

to change and slow down. We have to recognise that in the decisions we make, and we are well aware of the important issues the Deputy has raised.

Deputy Brian Brennan: I am looking for the Minister's support for a Bill that is currently working through Third Stage. The Protection of Accident Victims from Non-Consensual Recording of Images Bill is aimed at addressing the worrying trend of persons videoing the scenes of accidents and sharing them online. As recently as 3 May, a young man in Cork drowned. Following this, his family had to appear on national media to ask for witnesses not to share footage of the incident. Last week, I walked down the main street of Gorey, County Wexford, to my office and witnessed a very distressing accident. I must compliment the emergency services in Gorey for their quick response. I single out Dr. John, Dr. Kilian and Nurse Middleton, but I was stunned and horrified to see people driving by that accident and videoing the victim on the ground. This was totally disrespectful to the person affected. Recording such incidents is repulsive and those involved in taking images of tragic, sometimes fatal, scenes must be challenged and should be prosecuted.

Deputy Paschal Donohoe: I thank the Deputy for raising this issue. The terrible behaviour he has referred to is inappropriate, given that somebody could be suffering, distressed or vulnerable. It is equally repugnant to those who love that person and who might find out about it on their phones in an unprompted and unplanned way with no support. For those two reasons, and there are many others, the behaviour the Deputy has referred to is terrible. I compliment and acknowledge Deputy Duncan Smith. My understanding is - I am sure he will correct me if I am wrong - that he has introduced some legislation in this area.

Deputy Duncan Smith: It is on Committee Stage.

Deputy Paschal Donohoe: Okay. While the Government indicated that, in recognition of this issue, we did not oppose the legislation, we indicated our significant concern that we believed it would be difficult to legislate for the behaviour the Deputy has referred to and the harm it could cause. I know we need to debate this issue and consider it more carefully. I cannot imagine how any of us would feel if we were in a moment of distress, pain or vulnerability and we had somebody standing over us recording and it being broadcast in a way that others could see. This is serious. This behaviour should not be happening. The Minister, Deputy O'Callaghan, and the wider Government are not yet certain that it is something that can be dealt with through legislation, but we will seriously consider it.

Deputy Paul McAuliffe: I raise the issue of lengthy waiting times for oncology services in the Mater. This issue was brought to my attention by a constituent of mine called Maura, who was referred by her GP in early February for an urgent ten-day appointment with BreastCheck. Unfortunately, it was May when she received a letter, and she was told there was a five-month waiting list for an urgent ten-day appointment. The Minister knows the important work that unit does in saving many women's lives. I put in a parliamentary question asking for details of it. While those details spoke about retention and staffing issues and capacity, I believe we need to make an intervention. While I am aware of the case of Maura, I am not aware of many other women who might be waiting, not just five weeks, but five months. For the many people who support others through breast cancer awareness and so on, this is an incredibly important issue.

Deputy Paschal Donohoe: Yes, it is. I thank the Deputy for raising it. He and I are aware of the great work the Mater hospital does, how much it is respected and how hard its staff work. I also know how important and sensitive the issue he is raising is. I understand that, last year, approximately 60,000 women were seen in a rapid access clinic. The HSE, in recognition of this issue, has set a target for 95% of urgent referrals to be seen within ten working days and non-urgent within 12 weeks. Five of our centres met those standards and targets and four did not. Sometimes, these were for reasons of staff shortages or problems in accessing diagnostics.

On the particular issue raised by the Deputy, the Minister is intending to write to the CEO of the Mater hospital about this point to draw this matter to his attention. However, I know the Mater hospital will be doing all it can to see patients and those who are really worried about their health as fast as possible. I am sure the Department of Health will give them any assistance to deal with this important matter.

Deputy Darren O'Rourke: Funding for further education and training has been cut by approximately €40 million. In my own area under the Louth and Meath Education and Training Board, the funding cut is in the region of €14 million. That is very significant and will have an impact on apprenticeships and further education courses. They will be delayed, postponed or cancelled. We have also been contacted by adult education teachers who are already dreadfully treated. They are being told they will not have jobs in September. They will be protesting about this outside the Dáil next Wednesday at 1 p.m. Does this concern the Minister at a time when we need apprenticeships and tradespeople? What will he do to ensure this funding is restored and these courses and jobs are protected?

Deputy Paschal Donohoe: Funding for apprenticeships is increasing. Funding for higher and further education has increased as well. The Minister, Deputy Lawless, is committed to this. He is doing important work in this area. We have seen in recent years the funding we are making available has been prioritised particularly for those who need to retrain and want to move into parts of our economy where we need additional skills. I know the overall picture is one in which the funding for this work has been increased.

I am not aware of the specific and important matter the Deputy raised regarding funding for ETBs and for those involved in adult education. However, I am sure the Minister is aware of this, and I will make sure he is aware of this exchange in advance of the protest next week mentioned by the Deputy.

Deputy Peadar Tóibín: Less than a year ago the Government made a U-turn on hate speech. The Tánaiste, Deputy Harris, overruled the former Minister for justice and made a pragmatic decision. Unlike this House, the majority of Irish people oppose any censorship laws. There was some sniggering in the Chamber a little while ago when a speaker suggested that hate speech could be turned against political parties in this House. Many Members are foolish in thinking that hate speech is for other people.

The hate speech laws are a threat to the right, the centre and the left. They are a threat to democracy. I will give an example of that. The Israeli foreign minister accused the Tánaiste, Deputy Harris, of hate speech. He said Simon Harris was guilty of being anti-Semitic. Right through Europe at the moment, pro-Palestinian activists are being clamped down on. The

German police violently broke up pro-Palestinian marches. Pro-Palestinian protesters in universities in the Netherlands have been arrested. As the Minister knows, Ireland has a very different view to most Europe countries on the slaughter that is happening in Gaza at the moment.

An Leas-Cheann Comhairle: The Deputy should conclude.

Deputy Peadar Tóibín: It is really important that the Government gives a strong answer. The European Union has given the Government just until Monday to comply with European law when it comes to hate speech. That is only four or five days away.

An Leas-Cheann Comhairle: The Deputy has gone over time.

Deputy Peadar Tóibín: What is the Government's answer to the European Union in terms of complying with that law?

Deputy Paschal Donohoe: The Minister, Deputy Jim O'Callaghan, will reply to any communication that we have received from the European Commission on this matter. When he has decided on the appropriate response, I am sure he will be able to come to the Dáil and answer questions in relation to it. I see him in the Dáil and Seanad virtually every day.

I did not hear any sniggering when the issue was raised earlier. Anybody who sits beside me over here is well aware of the importance of this issue, and getting the balance right between freedom of expression and being conscious of the consequences of hate speech. I know that balance will be maintained in any engagement we have with the Commission on this topic.

Deputy Pádraig Rice: My question today is about the new Cork city library. Four years ago, the Taoiseach, Deputy Martin, announced €50 million would be spent transforming Grand Parade and providing a new public library, a new central plaza and a boardwalk. The vision was big. We were promised a new 7,700 sq. m library with capacity for 1 million visitors per year, but like so many other key capital projects for Cork, the Government has failed to deliver. The promised new library is nowhere to be seen. In the four years since, inflation has soared and the project is now short. The current library is not fit for purpose. The roof leaks and parts of the building have been closed to the public. Cork deserves a world-class library - a cultural and community space in the heart of the city. A 21st-century library could be more than a library of books; it could be a library of things. Will the Minister engage with Cork City Council on this key project and, crucially, will he provide the additional funding required to deliver this world-class library for Cork city?

Deputy Paschal Donohoe: I am extremely proud of the quality of libraries that are opening up across our country. I am proud of their beauty and the essential role they play. I believe libraries are cradles of decency and learning. We have shown that in our investment in our library programme in recent years.

On the particular library referenced by the Deputy in Cork, we need local authorities to make decisions on the allocation of funding and the projects that they wish to prioritise. As the

Deputy says, I can imagine that the cost has gone up because of construction inflation. All public and private construction projects have had to confront that. I will make sure the Minister for housing and local government is made aware of this. He has many competing demands at the moment but he and the Government are doing their best to manage them. We have made good progress with libraries in our country and we will continue to do this. I am proud of them. We need more of them.

Message from Select Committee

An Leas-Cheann Comhairle: The Select Committee on Agriculture, Food and the Marine has completed its consideration of the following Revised Estimate for Public Services for the service of the year ending on 31 December 2025: Vote 30 - Agriculture, Food and the Marine.

Organisation of Working Time (Leave for Health Screening Purposes) Bill 2025: First Stage

Deputy Duncan Smith: I move:

> That leave be granted to introduce a Bill entitled an Act to provide for a period of paid leave in order to enable employees to participate in health screening programmes; for that purpose to amend the Organisation of Working Time Act 1997; to extend the protection against unfair dismissals conferred by the Unfair Dismissals Acts 1977 to 2015; to provide for the consequential amendment of certain other Acts; and to provide for related matters.

I thank Edel O'Shea, a constituent of mine, who worked with me on the Bill, and the Irish Cancer Society, which, as ever, is fantastic in providing data and detail on all things related to cancer services, cancer treatment and cancer screening in this country.

The Bill is simple. It would stop workers having to take annual leave for hospital appointments for national screening programmes. There are four national screening programmes: BreastCheck, CervicalCheck, BowelScreen and Diabetic RetinaScreen. BowelScreen is a home check so the practicalities of this Bill would not apply to it, but it would apply to the other three.

This is not to say that we are failing in terms of take-up. BreastCheck, for example, exceeds the 70% take-up, which is the standard for screening programmes. However, more can always be done. A very important piece of research was conducted for the HSE by Sophie Mulcahy Symmons at the end of 2023 on the take-up of national screening programmes. It indicated, among other things, that people in lower socioeconomic groups are less likely to take up a national screening programme appointment. The majority of people in lower socioeconomic groups are likely to be in vulnerable, insecure or low-paid employment. We know that those types of employment come with fewer safeguards, entitlements and protections. The take-up of trade union membership is also lower in these groups.

We call on the Government to introduce this Bill. I look forward to working with our current health spokesperson, Deputy Sherlock, who is sitting next to me, and our workers' rights spokesperson, Senator Cosgrove. I wrote this Bill at the end of the last Dáil term but I did not

get a chance to introduce it when I was health spokesperson and chair of the Oireachtas cross-party group on cancer.

We believe this would be an easy win for the Government. We will work with the Minister for Health and the Minister for enterprise in order to get this through. The Irish Cancer Society estimates that approximately 40,000 people get cancer in Ireland each year and approximately 30% of all deaths per year are from cancer. We know through our own history with screening programmes and, unfortunately, the scandals that have brought screening programmes to the fore of people's minds, that the earlier people get checked, the greater their chance of survival. We are now in a situation where we have increasing trust in our screening programmes - trust that has been hard won after the scandals that have occurred, in particular in regard to CervicalCheck. However, we need to progress more. We must do everything we can to reduce every barrier in people's way to ensure that they can take up national screening programmes.

Some screening checks involve a geographic distance. For those of us in Dublin, the distance can be quite short and we may only need to take a morning off work. Some people who live in more remote parts of the country will need to take a day off work in order to take part in a screening programme. This is an investment for each employer to ensure that their employees are getting checked through national programmes as early as possible. If there is an anomaly or, God forbid, they do have cancer, it can be caught early and treated early. The earlier the treatment, the less invasive it is and the healthier people can remain, which means they can remain in work longer and be able to engage in every other part of their lives. We believe that makes sense. It is something that would not have too much of a cost impact on employers or on the Exchequer. We also believe that, morally, it is the right thing to do. It sends the right message as a health policy - that we as a State will do everything in our power to support people to take part in national screening programmes. We commend this Bill to the House.

An Leas-Cheann Comhairle: Is the Bill opposed?

Minister of State at the Department of Health (Deputy Kieran O'Donnell): No.

An Leas-Cheann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

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

Question put and agreed to.

Health (Availability of General Practitioner Services) Bill 2025: First Stage

Deputy Marie Sherlock: I move:

That leave be granted to introduce a Bill entitled an Act to make provision in relation to the availability of general practitioner medical and surgical services throughout the State, and to provide for related matters.

I am very proud to introduce my first Bill in the Dáil on behalf of the Labour Party. There is a reality that access to GP care is not equal across this country. It is a stark reality for the many people in my constituency and people in many parts of the country, for those born here and those who come to make their lives here, that they cannot even get on a GP list. There are then people who are on a GP list but cannot get an appointment for well beyond a week. The fact is that it depends on where you live. We have mapped out the GP-to-population ratio for most of the country, relying on 2025 data provided to us by the HSE, and we have found extraordinary variation. There is one GP per 1,390 population in Clontarf in Dublin 3, yet in Cabra in Dublin 7, the ratio is one per 3,060 of population. Similarly, the ratio is one GP per more than 5,000 population in east Meath and one per just more than 1,700 population in south Louth.

Lower GP-to-population ratios have a very real impact for patients in terms of the time it takes to get an appointment and getting timely access to care. However, there is a double whammy here. Even more seriously, we know that GPs serving the most disadvantaged communities in Ireland encounter higher health needs among their patients. Yet, we have a lower ratio of GPs in deprived communities compared to more comfortable areas.

It is important to acknowledge measures have been taken by the Department of Health and the HSE in terms of additional GP training places, recruitment from South Africa and a number of other measures. They are all well and good but they are far from enough. The reality is we have a situation where the right hand does not really know what the left hand is doing because the Government is telling us they have increased GP training places, which is great, but no one is measuring how many of those GP graduates are going into the general medical services, GMS, scheme. At least, that is what the HSE tells us in responses to parliamentary questions. It is a point that has been powerfully made to me by Dr. Austin O'Carroll, when he felt he needed to establish a specific north inner city GP training programme to keep GPs there.

Our Bill is about ensuring the distribution of GPs across communities in this country is not left to chance. Our Bill effectively mandates the HSE to step in and take responsibility for ensuring GP services are distributed fairly across all parts of the country. That forward planning entails the HSE having regard to both the distribution of the population and number of GPs but, crucially, it is also about considering the actual levels of health need, based on social determinants in that specific area. What the HSE does with that information is another question. We have very clear views on that. The proposals on directly employing GPs have been around for years and yet we have seen no real progress in that space.

Even more important for us, we believe there needs to be fundamental changes to the GMS scheme. We also need to see tangible supports for GPs for setting up practices, particularly in disadvantaged communities, and helping them with buildings and other supports. I have to be very clear here that while the State has been involved in building primary care centres over the previous number of years, what is not acceptable to me is that in those primary care centres, we have big GP companies like Centric becoming the anchor tenants in those primary care centres. I am aware of that in one part of this country. That was not the original intention of the primary care centres.

Our Bill is one part of the fundamental reform we need to see happen to ensure disadvantage is properly recognised in supports for GP care. The reality is that within the GMS scheme, GPs are paid according to a crude measure of the sex and age of their patient. No account is taken

of the complexity of care need of their patient, social deprivation or other factors. It is a reality that in a GP practice in my own constituency, GP Care for All in Summerhill in Dublin 1, the average age of death is just short of 60. In most other parts of the country, the average age of death is well north of 80. That tells us much about the massive inequalities and the quality of health that exists across communities.

Last March, *The Lancet* medical journal devoted a whole editorial to the state of GP care in Ireland. It detailed how Ireland is an outlier with a private system of GP care, how its inaccessible primary care system places tremendous strain on hospitals and how this is a political choice. I hope we have the Minister of State's support when we bring this Bill further through the Dáil.

An Leas-Cheann Comhairle: Is the Bill being opposed?

Minister of State at the Department of Health (Deputy Kieran O'Donnell): It is not being opposed.

Question put and agreed to.

An Leas-Cheann Comhairle: Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

Deputy Marie Sherlock: I move: "That Second Stage be taken in Private Members' time."

Question put and agreed to.

Cuireadh an Dáil ar fionraí ar 1.35 p.m. agus cuireadh tús leis arís ar 2.15 p.m.

Sitting suspended at 1.35 p.m. and resumed at 2.15 p.m.

European Union Regulations on International and Temporary Protection: Motions

An Cathaoirleach Gníomhach (Deputy Aisling Dempsey): Before I call on the Minister to open the debate, I remind Members that three separate motions are being debated in this slot, namely the motion re proposed approval by Dáil Éireann for a regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the establishment of a list of safe countries of origin at Union level, the motion re proposed approval by Dáil Éireann for a regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the "safe third country" concept, and the motion re proposed approval by Dáil Éireann for a European Council recommendation on a co-ordinated approach to the transition out of temporary protection for displaced persons from Ukraine. The motions will be moved separately but will be debated together and decided by separate questions. I invite the Minister, Deputy Jim O'Callaghan, to move the first motion and open the debate. The opening speaking slot is 35 minutes.

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): 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:

Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the establishment of a list of safe countries of origin at Union level,

a copy of which was laid before Dáil Éireann on 16th May, 2025.

For the convenience of colleagues who may not be here but who may be watching the proceedings on a screen, I will probably not take the full 35 minutes.

The Chair will be aware that the central priority of the Government is to have an immigration system in the country that is robust and in which the people can have confidence. Ireland is committed to supporting and advancing the development of a common European system of asylum to provide a consistent, fair and efficient asylum procedure in ordinary times and also in times of crisis, which we certainly saw last year when 18,500 people came to Ireland seeking asylum. For this reason, I ask that the House approve the three motions before it this afternoon, which seek permission to allow Ireland to opt into the three proposals in the field of international and temporary protection.

The Chair will also be aware that the legal basis on which we seek to opt into these proposals is pursuant to Article 3 of Protocol 21. Ireland has an option when it comes to opting in. It can opt in pursuant to Article 3 or pursuant to Article 4. With respect to the three motions before the House today, I seek the permission of Dáil Éireann to permit Ireland to opt in pursuant to Article 3, which gives us an opportunity to get involved in the negotiation of the legislative instrument before it is finalised.

In 2024, Ireland opted in, under Article 4 of Protocol 21, to seven non-Schengen measures of what was referred to as the migration pact, including the asylum procedures regulation, APR. On 29 April 2025, I brought before the Government a memorandum seeking Government approval for the drafting of a new international protection Bill to replace the current one, which has been in place for ten years. The purpose of the new Bill is to reform the system of asylum applications in Ireland and ensure we are transposing into Irish law the requirements of our membership and the agreement to take on board the content of the migration pact.

On 16 April 2025, the European Commission published a proposal for a regulation amending the APR as regards the establishment of a list of safe countries of origin at Union level. This relates to the first of the three motions. The APR provides, for the first time in EU law, for the possibility and conditions to designate safe countries of origin at Union level. The possibility for member states to designate countries as safe countries of origin at national level is retained. This, in particular, is something I wanted to emphasise. Members will be aware that under section 72 of the International Protection Act 2015, Ireland is entitled to designate countries as safe countries of origin for the purpose of the asylum application process. That statutory power will remain when the new Bill is enacted next year. What we are seeking to do here is recognise that parallel to that will be an EU system whereby the EU can designate countries as safe.

The current proposal of the EU is to designate all EU candidate countries as safe. These countries are Albania, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Türkiye and Ukraine. It is also proposed at EU level to designate the following non-candidate countries as safe: Bangladesh, Colombia, Egypt, India, Kosovo, Morocco and Tunisia.

That would continue alongside the national power that Ireland and all other member states would retain to designate their own list of safe countries.

As I have stated, under section 72 of the 2015 Act, I can make an order designating a country as a safe country of origin. To date in Ireland, 15 countries have been designated by us as safe countries of origin under section 72, namely, Albania, Algeria, Bosnia and Herzegovina, Botswana, Brazil, Egypt, Georgia, India, Kosovo, Malawi, Montenegro, Morocco, North Macedonia, Serbia and South Africa. It must however be noted that the application of section 72 will not be affected by the proposed amendment to the asylum procedures regulation I am seeking permission to opt in to here.

Comparing the list of countries that Ireland has designated as safe under section 72 with the proposal for the EU-wide list of countries, we see there is considerable overlap. The only real difference is that on the EU list, there are three further countries, namely, Turkey, Tunisia and Colombia, which three countries have not yet been designated by Ireland as safe countries of origin. The agreement of a list of safe countries of origin at Union level would contribute to the objective of enhancing co-operation on return and readmission as a part of the comprehensive approach to migration set out in the proposed new international protection Bill and in the other EU legislative proposals contained within the pact. That is the first motion, seeking the approval of Dáil Éireann for permission for us to opt in pursuant to Article 3 of Protocol 21 to the EU-wide list of safe countries of origin.

The second proposal and second motion concerns another matter which is referred to as "safe third countries". Safe third countries are different from safe countries of origin. Safe countries of origin are the place from where the applicant emanates. Safe third countries are places to which an applicant from another country may go or may be returned to. On 20 May 2025, the Commission published a proposal for a regulation amending the asylum procedure regulation as regards the application of the safe third country concept. This allows member states to determine an international protection application is inadmissible when the applicant could receive effective protection in a safe third country, considered safe for the applicant. Currently, by virtue of section 72A of the 2015 Act, I can designate by order a country as a safe third country. Only one country to date has been designated under the 2015 Act as a safe third country, namely, the UK including the Isle of Man and the Channel Islands.

The asylum procedure regulation will govern the safe third country concept at an EU level when measures come into effect in June 2026 with the enactment of the international protection Bill. Under the proposed amendments, the connection criterion will remain, but there will be two further alternatives. One is that the concept can be applied based on transit through a safe third country before reaching the EU. The other is on the basis of an arrangement or agreement with a safe third country ensuring the examination of requests for effective protection in that country.

As the EU intensifies efforts to establish an effective and safe migration policy, it is important that Ireland is strategically aligned with fellow member states on a multilateral basis to benefit from opportunities and address challenges. We have seen what happened when the United Kingdom decided to respond to illegal migration of its own accord by leaving the European Union. Things have got considerably worse for that country in terms of illegal migration. It is important and advisable that a country such as Ireland should seek to align ourselves and harmonise our approach with other EU countries. Ireland's strategic role in relation to migration decisions will be strengthened through its participation in migration measures at EU level. A decision to opt in to these proposals would demonstrate Ireland's commitment to a common EU-wide solution to migration, as evidenced by our opting in to the series of EU legislative proposals that I outlined earlier. Opting in to this safe third country proposal under Article 3 of Protocol 21 would allow Ireland to influence the proposals during the legislative process, giving potential to mitigate any aspects of the proposals that may cause difficulties for Ireland.

At this stage I should pause and say that, as Members of the House will be aware, when it comes to Protocol 21 there are two options available to Ireland. We can opt in under Article 3, as I am proposing here in respect of the safe third countries and safe country of origin measures. We also have the power to opt in under Article 4. The difference between opting in under Article 3 and Article 4 is that under the former, we participate in negotiations and play a significant part in trying to get agreement for the outcome and conclusion of the legislative proposal. When it comes to Article 4, however, we see the finished proposal and then decide ourselves whether we wish to opt in to it. There are advantages and disadvantages in respect of both. It is the case that historically and recently, Ireland has availed of Article 4 more than Article 3.

Before I go on to deal with the other opt-in I am seeking the permission of Dáil Éireann to carry through, I refer to the return regulation, an issue that had originally been listed as a legislative proposal which I wished to get the permission of Dáil Éireann to opt in to under Article 3. On 11 March 2025, the European Commission published a proposal for a regulation establishing a common system for the return of third country nationals staying illegally in the European Union. Opting in to this proposal would demonstrate Ireland's commitment to a common EU-wide solution to migration which is already evidenced by our opting in to those other measures which make up the pact. The returns proposal has been constructed by the Commission as a hybrid measure with both a Schengen and non-Schengen legal basis to facilitate the participation of Ireland and Schengen member states and Schengen-associated countries. The particular manner of Ireland's participation is still under discussion with EU counterparts given the complexity of the hybrid legal basis issue. The issue will be formally discussed by all member states in the relevant working group next Monday. I want to reflect on the outcome of that discussion, and if the emerging consensus from that discussion among member states is that it would be preferable and more beneficial for Ireland to seek an opt-in under Article 4, instead of Article 3, I will then ask officials to pursue that path. I will seek the approval of the Houses regarding same in due course.

In respect of the returns proposal, what I am stating is that I want first to have engagement with the European Union to see what the consequences would be of opting in under Article 3, and what the benefits or consequences would be of opting in pursuant to Article 4. I will be in a much better position to make a determination on that after Monday. If the advice I receive is

that an opt-in pursuant to Article 4 is more favourable to Ireland and is preferable, I will come back to this House to seek permission to opt in, probably next year or late this year.

I will now deal with the third proposal that is on the agenda for today, which concerns temporary protection. I am also seeking to get the permission of Dáil Éireann to permit Ireland to opt in to this Council recommendation on a co-ordinated approach. Colleagues are aware that on 4 June 2025, the Commission published a proposal for a Council recommendation on a co-ordinated approach to the transition out of temporary protection for displaced persons from Ukraine. Given the inherent temporary nature of the temporary protection directive, it is accepted that even if the war in Ukraine remains protracted, temporary protection must come to an end.

The Commission has published a proposal for a Council recommendation on a co-ordinated approach to the transition out of temporary protection for displaced persons from Ukraine. The four sets of measures promote the transition into other legal statuses before the end of temporary protection, ensure smooth and sustainable reintegration in Ukraine, ensure the provision of information to displaced persons and enhance co-ordination, monitoring and exchange of information among member states and Ukrainian authorities to monitor and support reintegration efforts. The proposed Council recommendation will not be binding in nature; rather, it is an important tool to support a co-ordinated EU-wide exit from temporary protection. Providing a roadmap for an orderly exit from temporary protection, this recommendation is essential to meeting one of the key objectives of activating the temporary protection directive, which is to protect the member state's international protection system, while acknowledging that many persons enjoying temporary protection have been in the Union for several years.

The third proposal before the House today seeks to get the permission of Dáil Éireann to permit us to opt in to those proposals in respect of temporary protection. One thing I am certain of when it comes to temporary protection that was granted in respect of persons fleeing Ukraine is that there must be a co-ordinated response by the European Union to how that temporary protection should come to an end. Everyone recognises because of its name that temporary protection cannot go on forever. It must come to an end. However, it would be extremely dangerous if Ireland were to adopt a unilateral approach and to say we should just bring temporary protection to an end for ourselves. The effect of that would be the 90,000 people from Ukraine who are in Ireland at present would all apply for international protection. We have managed to get the numbers of people seeking international protection down in Ireland significantly from where they were last year. For the first six months of this year, there have been approximately 6,000 applicants. In total, last year there were 18,500 applications. We are on target to have a lesser number than was the case in 2024 and, indeed, in 2023 and 2022. What we do not want to do is to completely disrupt our system of international protection, which is working faster at present, by telling the 80,000 or 90,000 Ukrainian people who have temporary protection they no longer have it and they would then have to apply for international protection. That is the reason it is appropriate to have a harmonised and co-ordinated response by the European Union to how temporary protection should end.

We do not want to see a situation where people from Ukraine in different EU countries are looking around saying let us head to Ireland or Czechia as there are better services there, or

there is more preferential treatment in one country over another. We want to ensure that there is a harmonised response across the Union to how this process is terminated.

It is important for Ireland to opt in to these three proposals to ensure Ireland's immigration system is robust but also effective and efficient. Opting in will underline Ireland's commitment to EU values and support for the EU's migration system. It would demonstrate Ireland's continued solidarity with our EU partners. It would also show that we have a harmonised agreed approach in response to the big challenge of asylum applications in respect of Europe in the 21st century.

Deputy Matt Carthy: We are being asked to debate three distinct motions as part of one debate to facilitate an early opt-in to proposed EU regulations. Until yesterday afternoon, we were due to be dealing with four motions. The withdrawal of the motion on the returns regulation reinforces everything Sinn Féin has been saying, and which I will address here, about why we should not opt in to these regulations under Article 3 of Protocol 21. It is astounding and concerning that the Government was planning to push through an Article 3 opt-in where it has now been revealed that Ireland's manner of participation is still under discussion with EU counterparts. In explaining the late withdrawal of this motion, the Government has cited the "complexity of the hybrid legal basis" of the regulation, which has been constructed by the Commission as a hybrid measure with Ireland, Schengen states and Schengen associated states. The fact the Government had to pull this motion with 24 hours' notice should be a wake-up call for anyone who thinks it makes sense to hand the Government a blank cheque to sign up to regulations by rushing through opt-ins under Article 3 of Protocol 21 when we have the option to do so later with more information under Article 4.

Sinn Féin has always said Ireland's unique position as an EU state outside of Schengen and part of the common travel area with Britain raises specific challenges and that our approach to any proposed regulation has to be carefully considered. Article 4 of Protocol 21 gives us the option to opt in when we know exactly how such a regulation would operate in Ireland's unique circumstances. The motions, which remain on the clár, and which we are considering today, deal with important matters, including planning for the end of temporary protection, the designation of safe countries and safe third countries. These are matters Sinn Féin believes should be dealt with by an Irish Government based on what is best for the country rather than through an EU-wide approach that will be heavily influenced by the needs of the larger EU states, which are also part of the Schengen area.

The Government keeps repeating when bringing forward such motions that Ireland is aiming to demonstrate our commitment to an EU-wide approach to migration. Who exactly are we trying to impress? The primary objective of an Irish Government should be to do what is in Ireland's best interests. Where it is in Ireland's best interests to opt in, this is best done under Article 4 of Protocol 21 when we can examine in these Houses the final contents of the regulation and are in a position as an Oireachtas to satisfy ourselves that this is the case.

The majority of the problems facing Ireland's international protection system do not require EU legislation or regulations. They require a Government that ensures that international protection applications are processed quickly, decisions enforced to ensure that those who are not entitled to remain leave swiftly and that those who are entitled to remain are supported to integrate into our communities. In the first instance, migration policies should be decided at a

state level when possible by governments which are answerable to their electorates. Sinn Féin believes that Ireland's sovereignty on migration issues should only be impinged when it is necessary to act collaboratively. We accept there are occasions, instances and policy areas where that is the case. There is a need for co-ordination, for example, in the EU with returns and information sharing. However, in the first instance, it is the Irish Government's responsibility to ensure that our migration system here in Ireland works better, faster and more efficiently while being human-rights compliant.

I wish to address the major concerns of sovereignty with respect to how the Government is approaching opt-ins to regulations under Protocol 21. This something that has been highlighted by the Government's decision to pull the returns regulation. There is a growing trend of the Government seeking to opt in to EU measures in the areas of freedom, security and justice where Ireland enjoys the right to opt out. Crucially, once we opt in, we cannot opt out.

Protocol 21 attached to the Treaty on the Functioning of the European Union, TFEU, came into effect in its current form with the Treaty of Lisbon on 1 December 2009. It was a key selling point of the Government of the day in respect of the second Lisbon treaty. The protocol provides Ireland with the right to opt out and the choice to opt in to legislation adopted to govern the areas of freedom, security and justice on a case-by-case basis. Under Article 3 of Protocol 21, Ireland can opt in either within three months after the proposal has been presented to the Council, as is being proposed in relation to these motions, or under Article 4, at any time after a proposal's adoption. Under Article 3, we get to participate in negotiations and vote on the measure. That is the Minister's apparent selling point. However, he did not say we are bound by the outcome that will be decided by qualified majority vote. Ireland has no veto and could be bound by the resulting measure even if it is contrary to our interests.

For Sinn Féin, the issue of sovereignty is paramount in considering these motions. A constant drip drip of handing over that sovereignty to the EU undermines democracy and our ability as a country to act in the best interests of the people. Unless there is a compelling reason to the contrary, Ireland should be making our own decisions on the issues for consideration in these motions. These are: designation of safe countries of origin; designation of safe third countries; and the transition out of temporary protection. Under Article 4 of Protocol 21, Ireland has the option to opt in to these regulations at a later stage. This would allow us to do it at a time when we have absolute clarity on whether they are in our best interests.

Taking three significant proposed regulations as part of one debate scheduled for three and a half hours, although it will probably be less because a pile of Government speaking slots will not be taken, does not show any commitment to upholding sovereignty and democracy or to ensuring proper scrutiny.

The first proposal is a regulation amending the regulation regarding the establishment of a list of safe countries of origin at Union level. Member states will be allowed to designate additional safe countries outside of the EU common list. Sinn Féin has supported the concept of safe country of origin, including the use of accelerated procedures for those from these states as part of the efficient management of our migration system. As Irish law currently provides for this, there is no argument to have this done at EU level. In fact, it makes a lot more sense for this to be done by an Irish Government based on what is happening here with migration flows which may be considerably different from time to time to the experience across the rest of the European Union.

The problem we have at the moment, which is down to a Government failure to end the chaos in our international protection system, is that even in the case of those from states subjected to accelerated procedures it is still taking far too long to process applications, particularly when an appeal is involved, which is virtually all cases. At the beginning of this year, the average processing time for a person from a country subjected to accelerated procedures was 15 months once the person appeals the decision.

While there has been a notable increase in IPAT staff and budgeting, we still face significant problems. It was revealed to me in a reply to a parliamentary question this week that there are 25 vacancies in IPAT. That is a vacancy rate of over 20% when you look at the overall staff cohort.

The Government is failing also when it comes to returns. It does not need to rely on the EU in order to do better in terms of monitoring, tracking and enforcing returns. This is undoubtedly complicated by the fact that Ireland is part of the common travel area and does not track exit from and entry into the State.

I have raised issues consistently with the Minister as to how these decisions are enforced and tracked where people do not have a right to remain in the State. Again, there is a huge gap at the moment.

The problem, of course, is that for years the Government did nothing. Now we see some deportation flights but they impact a tiny fraction of those with deportation orders, and I think there is a sense that they are more of an elaborate, expensive PR exercise than anything else to give the impression that the Government is dealing with the issue.

The second proposed regulation deals with the safe third country concept. That concept has existed in Irish law since 2020, when it was inserted into the International Protection Act 2015 by way of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act. It was further amended by way of the Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024 as a result of a legal challenge.

Britain is currently the only country that has been designated as a safe third country under Irish law, but the Irish Government at any time can designate others. In April, the Minister indicated to me in a reply to a parliamentary question that following the redesignation of Britain as a safe third country, following legislative changes, arrangements for re-operationalising the reciprocal returns agreements on foot of the new designation were being put in place in consultation with Britain. It would be useful if at some point the Minister or one of his colleagues could update the Dáil on whether this has now happened and, if so, how many returns have actually been made since they were re-operationalised.

Currently, applicable EU and Irish law requires a connection between the applicant and the safe third country concerned on the basis of which it would be reasonable for the person to be returned to that country. The proposed amending regulation provides that a connection between the applicant and the safe third county would no longer be mandatory, that transit through a safe third country before reaching the EU could be considered as a sufficient link, and that the safe third country concept can be applied if there is an agreement or an arrangement with a safe third country ensuring the examination of requests for effective protection in that country. Irish law, of course, could just be changed to reflect some of these changes - if this House were to decide that is what is required - where they make sense and are in line with Irish interests and

values. The option as regards this regulation is that we could opt in at a later stage under Article 4 when we know precisely what it is we are voting on. We should not opt in at this stage when we do not know exactly what will be contained in the final regulation.

Finally, as regards the proposal for a Council recommendation on a co-ordinated approach to the transition out of temporary protection, I want to put on the record Sinn Féin's view that the temporary protection directive should not have been extended until 2027. The Government supported this extension without any consultation with the Oireachtas despite the financial and the public policy implications of the move. The extension of the temporary protection directive to March 2027, five years after the war started, was not a sustainable solution and is incredibly problematic. It is very interesting to read the speech the Minister has put on the record of this House. He said:

> Given the inherent temporary nature of the temporary protection directive, it is accepted that even if the war in Ukraine remains protracted, temporary protection must come to an end.

I was called heartless last week for saying the exact same thing. It is a matter of common sense that temporary measures should be temporary. Sinn Féin argued that, rather than extending the temporary protection directive, what we needed to see was a planned end to the directive that gives Ukrainians certainty about their future in Ireland and about what supports for those who wish to return home would be put in place.

The way in which the temporary protection directive has operated in this State has been problematic in many aspects. If we do not acknowledge that, we have a problem. Not only did it create two classes of refugees; measures such as the accommodation recognition payment were deeply unfair and caused huge divisions within communities. The scheme created significant pressure within the rental system. It added to the driving up of rents in many counties as those who were from Ukraine under the protection directive were offered non-means-tested supports for housing that were not available to anybody else from anywhere else in the world, including Ireland, who were in equal need of housing assistance and in some cases might have had a lower income and lower means.

What we have said for a long time is that the Irish Government should have been planning long before now for how we move beyond temporary protection. Government Ministers, of course, were quick to criticise Sinn Féin for saying that an end to temporary protection needed to be planned for, but that is now what the EU is belatedly proposing and the Government signs up in an instant. What we need to see, though, is the Irish Government planning for an end to temporary protection based on Ireland's circumstances, not simply because the EU has decided that is now what we should do.

As it stands, we simply have no idea whether the Council recommendation in relation to a co-ordinated approach out of the temporary protection directive will be appropriate to the specific circumstances and challenges we face in this State. We should not be signing up under Article 3 of Protocol 21. Rather, the Irish Government should start now in drawing up our plans for what we require for the ending of the temporary protection directive, taking into account the needs of Ukrainians in Ireland who came here under the scheme and wider Irish interests.

I again call on the Minister to reconsider his approach to all three motions. We should not be opting in under Article 3. Unlike other EU states, we have the advantage of being able to

opt in at a later stage under Article 4 and only if it is in Ireland's best interests to do so. That right was won by the Irish people when, by virtue of their constitutional right to make these decisions in referendums, they rejected EU regulations simply and quite largely because of the precise fear that Irish governments would make decisions at an EU level for which there would be no or limited democratic oversight here.

Ireland needs a managed migration system that has the confidence of the Irish people. We do not have that at present. International protection applications still take far too long to process. The IPAS system has become a cash cow for a golden circle who have made absolute fortunes from taxpayers' moneys with virtually no transparency or accountability. Communities have lost important facilities and services have become overstretched from this failed approach. We cannot have confidence that the asylum decisions that are being made are being enforced or that those who are not entitled to be in Ireland are actually leaving the country. This State must do whatever is required to have a managed migration system that is human rights-compliant. That might include some of the measures included in these regulations, but those decisions should be made in this sovereign Parliament, by an Irish Government that is accountable to the Irish people, not behind closed doors in Brussels where decisions will be binding not just on the current Government but on future governments, and where those decisions will invariably fail to consider Ireland's unique position as a partitioned island nation with a common travel area with a state outside of the EU framework. That is a recipe for disaster.

The Government's response to the migration challenges we face is to give a blank cheque to the EU to set our policies. The very fact that the Minister withdrew one of the four proposed regulations due to legal concerns should raise a bright red flag to every Member of this Chamber who intends to vote for the other three. Once we sign up we can never opt out, regardless of the final text agreed, even when it is blatantly not in Ireland's interest. The approach the Government is taking is wrong. It is, in fact, dangerous and the Minister is abdicating his responsibility to deliver a managed migration system that is accountable to, and has the confidence of, the Irish people. It is for those reasons that Sinn Féin will vote against these regulations.

Deputy Alan Kelly: It is concerning how we got to this stage today where we are dealing with these motions in the manner in which we are dealing with them. Frankly, it is unacceptable that we are dealing with such important motions in this haphazard way. The fact one of the motions had to be withdrawn by the Minister at the last minute just goes to show how shoddily this issue is being dealt with. Why was this proposed to be dealt with here and then 48 hours later it was taken off? The Minister might explain that to the House.

The first of these motions would designate all EU candidate countries as safe countries of origin. This will include Albania, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Türkiye and Ukraine. Outside of the EU, it will also designate Bangladesh, Colombia, Egypt, India, Kosovo, Morocco and Tunisia as safe countries of origin. I appreciate that Pride Month is over now but bearing in mind that the International Protection Act requires protection be given where there is a risk of prosecution on grounds of sexual orientation, is it not relevant to a safe country designation that, for example, in Egypt same-sex activity is punishable by up to 17 years of imprisonment with hard labour, fines and deportation? Is that not relevant?

As regards European Union candidate countries, ILGA-Europe publishes an annual rainbow Europe review of the human rights situation in every European country. According to its recent review, Türkiye comes third with a score of 5%, ahead of only Russia and Azerbaijan, etc. and Georgia is sixth last on 12%. I encourage the Minister to look at those statistics.

The second proposal would change the rules around safe third countries. This concept allows member states to decide that an application is inadmissible if the applicant cannot be returned to the country of origin but could receive effective protection in a third country that is considered safe for the applicant. Currently, the law requires there be some reasonable connection between the applicant and the third country concerned. You could not reasonably deport an Indian national to Kosovo just because they would be safe there. Is that reasonable? The EU wants to change this rule by proposing an amendment which provides that a connection between the applicant and the safe third country will no be longer mandatory. Transit through a safe third country before reaching the EU could be considered a sufficient link. The safe third country concept could be applied under an agreement or arrangement with a safe third country to ensure the examination of requests for effective protection in that country. This rings familiar in the context of the arrangement the UK had with Rwanda. It is the same thing.

The third proposal would broaden the category of countries to which we could return a failed IPA applicant to include not just the country of origin but also countries of former habitual residence; first countries of asylum; third countries where the individual has the right to reside on an interim basis; and third countries where there is a bilateral or EU-level agreement in place.

Finally, the last proposal states it is accepted that if the war in Ukraine continues in a protracted fashion, the temporary protection directive as we all know it must eventually end. A non-binding Council recommendation is proposed as an important tool to support and co-ordinate an EU-wide exit from temporary protection. To be honest with you, this strikes me as a form of EU nimbyism.

The withdrawal of the other motion, which I referred to earlier, is frankly disgraceful. The slipshod practice of the Department regarding these issues is something I had hoped would discontinue. We as legislators, on behalf of the people, need to deal with these serious issues in a much more considered way.

By way of background, we need to remind ourselves that Ireland is a sovereign state and that we required an amendment to the Constitution in 1972 in order to join the EEC, as it was then. This was required not just to vote in favour of the European project but because the EEC as a project is not, in a formal sense, compatible with our Constitution. The Constitution - this is important - is written on the basis that all laws come from here - the Oireachtas - and are interpreted by the Irish courts. The executive power belongs to the Government of which the Minister is a part. It is a Constitution that was enacted by and belongs to the people. When we joined the EEC, as it was then, we were required to create an exemption. We had to join up to a system which provides that when EEC treaties require us to apply EU law, the European law - and not Irish law - must be applied by an Irish court, even if it conflicts with Irish law or the very same Constitution. The Minister knows this. I do not necessarily have a problem with that; it is the basis on which the European Union was built. I also have no problem with the certainty that we need to be very vigilant in patrolling the borders between EU competence and our own domestic Irish competence. We have to be extremely vigilant on this.

Originally in 1972, we gave a constitutional override to any EEC measures that are necessitated by the obligations of our membership. As we know, at a later stage the EU developed. With regard to the UK and Ireland, an opt-in or opt-out approach to proposals it had in mind for justice, home affairs and Schengen applied. We again amended our Constitution. We are now enabled to opt in to proposals from Europe on justice and home affairs if, and only if, both Houses of the Oireachtas give their approval. That is what brings us to today. It is important to realise what this approval actually means. It means not only that law arrives in this State that is in some formal sense unconstitutional, given it has not originally been enacted by the Oireachtas, but also that the law, once enacted, cannot later be tested by the courts as to its compatibility with the Constitution on any grounds, including human rights grounds. It will escape constitutional scrutiny as EU law because the two Houses have on a day like today - a Thursday afternoon at the beginning of July in 2025 - opted into a proposal of EU law and opted out of the details of the Irish Constitution.

We need to remind ourselves that the UK was always suspicious of justice initiatives coming from Europe on immigration. As we have a common Border and a common travel area with the UK, we have historically largely gone along with the UK's opt-in or opt-out decisions. Now, in light of Brexit, it is not so obvious how we will address the issues we are talking about today, particularly in the field of immigration. It seems we are getting more and more of these proposals from the Department of justice in this way.

As regards these motions coming from the Department, the record seems to show sometimes these were referred to a committee. There is no consistency in this; I have looked it up. They were referred to a committee for prior consideration and then other times like today they were not. The reality is that some of these motions are important. I will go as far as to say they are more important than many of the Bills which come from the Minister's Department. They have a bigger impact and remember, they are absolute; they cannot be challenged.

My point is that these motions deserve and require greater scrutiny. They need hearings, evidence, analysis and discussion, but all of that is bypassed if the Minister decides instead to bring the motion directly into the House without any prior examination in committee. I much prefer and propose that any opt-in motion coming from the Minister's Department should in future automatically 100% stand referred initially to the European affairs committee unless the Dáil orders otherwise.

3 o'clock

3 o'clock o'clock

For some reason, the Minister may want that provision but it should go before the Committee on European Union Affairs first. I do not believe that what we are doing today is the way the Dáil ought to conduct its business, especially when it is important constitutional business.

We were told at the last minute that one of these motions had been withdrawn and we were down to three. The Minister's explanation is pretty terse and dismissive, and he says no more than that he might "reflect" on the discussion as to whether an opt-in under Article 4 instead of Article 3 of Protocol No. 21 would be preferable. There is no attempt from the Minister to offer even the basic courtesy of identifying the actual protocol to which he is referring. It is a pretty shambolic way of asking the Legislature to pass law. Protocol No. 21 is, in fact, referred

to in Article 29 of the Constitution and we had to pass a referendum in order to accept Protocol No. 21.

Both Articles 3 and 4 of the protocol refer to the possibility of this State opting into measures adopted by other member states under Title V of Part 3 of the Treaty on the Functioning of the European Union. The only difference between the two articles, insofar as I can see, is that Article 3 is about signing up at an early stage, before the measure has been enacted, while Article 4 is about signing up later, after the matter has been passed. We are entitled to hear a lot more from the Government about this before we can be expected to make a decision. I think the Minister would appreciate that, and that he appreciates where I am going with this narrative.

We have an option. We can examine the proposal and decide to opt in or opt out. If we opt in, we are opting into a system of binding EU law that overrides our domestic law. This is an increasingly important decision that we must make. We cannot continue like this. It will be a disservice to our State, the people who put us in here and the people of the wider country if we continue to deal with all of these issues in the manner in which the Minister has begun to deal with them and the manner in which they were dealt with by the previous Government. This is becoming a real issue. We need to change the manner in which we deal with these motions and the way they are scrutinised. Their impacts are colossal. With respect, I urge the Minister to reflect on what I have said today.

Deputy Pádraig O'Sullivan: I welcome the Minister to the House to deal with what is, at times, a divisive debate in the country at the moment. I have been listening to the previous speakers and, above all else, the one thing I would ask and expect of people in the House is that we would have an informed debate without the usual scaremongering and hyperbole. Let us just get down to discussing what is contained in the motion.

Since the Minister's appointment, he has always said that we need a fair and firm asylum process. That has been reflected in his work since he took over while, at the same time, he has to be cognisant of and compassionate regarding the circumstances in which people are potentially arriving into the EU and this country.

The motion relates to the establishment of a list of safe countries of origin at Union level, the application and definition of a safe third country concept and the proposal for a Council recommendation on a co-ordinated approach to the transition out of temporary protection for displaced persons from Ukraine. It also covers an opt-in to the proposal for a regulation establishing a common system for the return of third country nationals staying illegally within the EU.

I know the Minister is due to introduce an international protection Bill in the coming months to give effect to these proposals. The proposals stem from the EU migration and asylum pact, which creates an efficient asylum procedure in ordinary times, as well as in extraordinary times of migratory pressure. It also establishes a more coherent approach across the EU to migration, asylum, integration and border management. It is expected to come into force sometime in 2026. The EU migration and asylum pact upgrades the common European asylum system to provide a consistent, fair, sustainable and efficient asylum procedure in ordinary times and, as I said, in times of migratory pressure. It is obvious that in recent years we have experienced peaks of that migratory pressure. The pact will also ensure a fair sharing of responsibility

through stronger governance of asylum and migration policies across the EU. It is envisaged that the Bill will be published in June 2026.

Under section 72 of the International Protection Act 2015, the Minister for Justice, Home Affairs and Migration may make an order designating a country as a safe country of origin. By any "neutral observer" standard, since the Minister has assumed office, he has looked at various circumstances where those designations are appropriate and where they are not. In deciding to make such an order, the Minister has to be satisfied on the basis of the legal situation, the application of the law within that democratic system and the general political circumstances, that it can be shown there is generally and consistently no persecution, no torture, no inhuman or degrading treatment or punishment, and no threat by reason of indiscriminate violence in situations of international or internal armed conflict. Fifteen countries have been designated as safe countries of origin under section 72, namely, Albania, Algeria, Bosnia, Botswana, Brazil, Egypt, Georgia, India, Kosovo, Malawi, Montenegro, Morocco, North Macedonia, Serbia and South Africa.

The asylum procedure regulation, APR, provides for the first time in EU law for the possibility to designate safe countries of origin at Union level and sets out conditions for the designation of a country as a safe country of origin. The possibility for member states to designate countries as safe countries of origin at national level is retained. That is crucial. There are fears that sovereignty and decision-making powers are being taken from us, but the situation could not be further from the truth. That designation of authority will still be retained.

A country may only be designated as a safe country of origin at Union level in accordance with the APR where, on the basis of the legal situation, the application of the law within a democratic system and general political circumstances, it can be shown that there is no persecution. The designation of a country as a safe country of origin may be made with exceptions for specific parts of a territory or clearly identifiable categories of persons within that jurisdiction. The assessment of whether a country is a safe country of origin in accordance with the APR must be based on a range of relevant sources of information, including information from fellow member states, the EU Agency for Asylum, the European External Action Service or even the UN High Commissioner for Refugees.

These decisions will not be made on a whim. They will obviously be done in a compassionate and sympathetic way. I think the way the Minister has started is the way he means to go on, and I have full confidence that he will do that in an unbiased and neutral manner.

It is also proposed to designate all EU candidate countries as safe countries, namely, Albania, Bosnia, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Türkiye and Ukraine. They would be designated safe countries except where the following circumstances apply: there is a serious threat to civilians by reason of indiscriminate violence in situations of international or internal armed conflict; restrictive measures or sanctions have been adopted in view of the country's actions; and the EU-wide recognition rate pertaining to the applicants from the country is higher than 20%. Additionally, the proposal will also designate Bangladesh, Colombia, Egypt, India, Kosovo, Morocco and Tunisia as safe countries of origin.

In relation to the regulation amending the APR as regards the application of the safe third country concept, the safe third country concept as provided for in the EU asylum legislation

allows member states to determine that an international protection application is inadmissible when the applicant could receive effective protection in a safe third country that is considered safe for the applicant. Current EU and Irish law requires a connection between the applicant and the safe third country concerned on which basis it would be reasonable for the person to be returned to the country. It is not, as perhaps has been implied in the House by some, that we are going to be indiscriminately dropping people back into random countries. It is clearly defined in the amending regulations what way this process will happen.

Section 72A of the International Protection Act 2015 also provides for the Minister to designate, by order, a country as a safe third country.

Section 21(2)(c) of the 2015 Act provides that, where an applicant for international protection arrived in the State from a safe third country, there are grounds for determining the application to be inadmissible.

At EU level, a country may only be designated as a safe third country where non-nationals' lives and liberty are not threatened in that country on account of race, religion, nationality or membership of a particular social group, non-nationals face no real risk of serious harm as defined in the qualification regulations, and non-nationals are protected against *refoulement* in accordance with the Geneva Convention and against removal and violation of the right to protection from torture and cruel, inhuman or degrading treatment or punishment.

This is, as I said at the outset, an emotive issue. I urge that all people engage in this debate in a responsible way.

Our system has had its challenges and, let us be honest, it needs reform. The migration pact that has been proposed and that we have agreed to move forward with is at this moment in time the only show in town when it comes to dealing with migration in this country in a fair, equitable and compassionate way.

Deputy Fionntán Ó Súilleabháin: Sinn Féin has been clear that where a person is not entitled to be in Ireland, he or she should be returned safely to his or her country of origin and that deportation orders should be both enforced and tracked. We need to have powers to immediately return those who are found not to be entitled to be here.

I am looking up behind the Minister at a statue of Cathal Brugha, Pádraig Pearse over here and James Connolly behind me. I firmly believe that an Irish Government is best placed to make decisions in the best interests of the Irish people, not unelected bureaucrats in faceless EU institutions making such decisions that undermine democracy. Ireland must resist this constant drive to hand over more of our sovereignty, power and control to the EU, including that in relation to migration policy or control of our borders. It is crucial that we retain what little bit of sovereignty we have left.

Last year, Sinn Féin strongly opposed the vast majority of measures in the EU asylum and migration pact because the majority of the pact's measures were not in Ireland's interests and ran contrary to the wishes of the Irish people as shown in numerous polls. Polls show that many communities believe that the current Government is implementing policies that are not in the interests of Irish citizens but are done at the behest of Brussels.

Sinn Féin supported opting into only two of the measures contained in the pact, namely, the asylum migration management regulation and the Eurodac regulation. We did so for two primary reasons. First, we have to be able to return those who seek to make an asylum application here to the first EU country that they entered or applied for asylum in before travelling onwards to Ireland. An applicant who has already been living in, for instance, France, Spain or Italy should not be able to arrive in Ireland and stay here having claimed asylum in those countries previously. Second, in relation to the Eurodac regulation, we have to be able to access the fingerprint database to ensure we have more information on those who enter the State, assist with vetting and conducting checks, and return asylum seekers to other EU countries, if appropriate. Eurodac would help with tackling child trafficking into Ireland for sexual exploitation, a scandal that was well documented in the Irish Human Rights and Equality Commission, IHREC, evaluation report on progress to combat human trafficking. We know that the vast majority of Irish people want to see this commonsensical approach as well as an end to the speculative and greedy cash cow approach to the International Protection Accommodation Service, IPAS, centres that have been imposed on local communities by the Government across Ireland.

Protocol No. 21 of the Treaty on the Functioning of the European Union, TFEU, came into effect in its current form in the Lisbon treaty in 2009. Protocol No. 21 provides, through the opt-out, the choice to opt into legislation adopted to govern areas of freedom, security and justice on a case-by-case basis. Unfortunately, it is a growing trend of the Government to seek to opt into EU measures in areas of freedom, security and justice where Ireland enjoys the right to opt out. This shows shocking disregard for Irish sovereignty. Crucially, once a country opts in, it cannot opt out.

The withdrawal of the motion, with only 24 hours' notice, on the returns regulations reinforces everything that Sinn Féin has been saying from the very beginning, namely, that we should not opt into such motions under Article 3 of Protocol No. 21. It is concerning that the Government was planning to push through an Article 3 opt-in on a regulation where it has now been revealed that Ireland's manner of participation is still under discussion with EU counterparts. This is alarming and it should be a wake-up call for anyone who thinks it makes sense to hand the Government a blank cheque in relation to such regulations.

For Sinn Féin, the issue comes down to sovereignty. This is paramount, considering the three motions under question today. We see a constant drip-drip handing over of our sovereignty to the EU. This undermines democracy and our ability as a country to act in the best interests of the Irish people.

Unless there is a compelling reason to the contrary, Ireland should be making its own decisions on the issues for consideration in these motions, which are, basically, designation of safe countries of origin, designation of safe third countries and the transition of Ukrainians out of temporary protection, which we must expedite. It is crazy to extend this to March 2027. It did not have Government approval and it certainly does not have the approval of the Irish people. We must also assist in the efforts towards peace negotiations between Russia and Ukraine and a commitment to encourage Ukrainians to return to their homeland once peace is restored.

Taking three significant proposed regulations as part of one debate on a quiet Thursday afternoon in July shows no commitment whatsoever to sovereignty, democracy or ensuring

proper scrutiny. Ireland should not opt into these motions under Article 3, as proposed by the Government, under any circumstances.

Deputy Gary Gannon: I want to raise the concerns that I raised at Tuesday's meeting of the justice committee. What we are being asked to debate today amounts to a significant reshaping of Ireland's approach to international protection and asylum, yet the Oireachtas and its justice committee have not had an appropriate opportunity to properly scrutinise what is proposed before it has been brought here. We are facing three major EU motions, and we are being given no detailed pre-legislative scrutiny, no committee hearings with legal experts, no engagement with human rights organisations or affected communities, and just over three hours of total debate time. That appears to be an exercise in rubber-stamping by the Dáil.

These are not technical amendments or background regulations. These are proposals that will fundamentally shape who gets a fair hearing in Ireland, who is labelled "safe" without individual assessment and who can be turned away based not on their need for protection, but on the route they travelled, and once we opt in, we become bound by rules we did not help shape and cannot revise unilaterally.

Let me take each motion in turn. The first motion proposes a new EU-level list of safe countries of origin. This is a significant change. Under current Irish law, specifically section 72 of the International Protection Act 2015, we determine the list ourselves, based on evidence, our own standards and our international obligations. This regulation would replace that discretion with a binding EU-wide list.

The proposed list includes countries such as Morocco, Tunisia, Egypt, Bangladesh and India, but we know, and I presume the Government knows, that these countries are not safe for everyone. LGBTQI communities still face criminalisation and violence. Religious minorities and political dissidents are regularly targeted. Being from a stable country does not mean one is from a safe country.

This motion risks replacing the essential, nuanced, case-by-case approach with blanket assumptions. It shifts the burden onto applicants to prove that their countries, which are now officially labelled "safe", are in fact unsafe for them. That is already difficult and traumatising and this change will only make it even harder.

The second motion relates to the concept of a safe third country. It would make it significantly easier to reject applications based on the route a person travelled, not the substance of his or her claim. Under current Irish law, we have only designated the UK as a safe third country. This motion would dramatically lower that threshold. In fact, simply passing through an airport in a designated state without ever claiming asylum there or even being offered protection could be grounds for refusal. That is not how a fair asylum system should operate. People often travel through so-called safe countries because they have no other option. They may not be permitted to seek asylum there, they may face discrimination and they may still be at risk, but under this motion, those experiences would be disregarded and their applications could be dismissed automatically.

The third motion relates to the transition out of temporary protection for people displaced by the war in Ukraine. I understand and acknowledge that this is a non-binding Council recommendation but it still reflects a shift that deserves scrutiny. Since 2022, Ukrainians in

Ireland have been protected under the temporary protection directive. It has allowed people to live, work and access education and healthcare. Now, there is pressure across the EU to move these individuals into long-term residence schemes. In theory, that may be reasonable but unless the transition is carefully managed, with clear safeguards, people will fall through the cracks. That includes children in the schools, elderly people with care needs, people with disabilities and those still living in emergency accommodation. We need guarantees that legal status, services and supports will not be disrupted simply because a category expires.

Any transition must be led with compassion and tailored to the realities people are living with.

I see deeper issues across these motions. We are witnessing a trend, not just in Ireland, but across the EU, towards outsourcing our moral and legal responsibilities to processes that are becoming increasingly restrictive. Individual assessments are being replaced by categories. Presumptions are overtaking hearings and speed is being prioritised over fairness. I am a committed supporter of the European Union but I am also very clear-eyed about the direction it is heading. We must be honest about what direction the EU's migration policy and fortress Europe is taking and whether that reflects the values we claim to hold in our Republic. Ireland has long stood for a humane case-by-case approach to international protection. That tradition is now under serious pressure. We are told these proposals will make the system work better, but for whom will they work better? Perhaps they are better for bureaucracies and member states seeking to limit arrivals, but not for a person fleeing violence or persecution. They are not better for the trafficked individual rerouted to a so-called safe state and certainly not better for the vulnerable people who have already lost everything and are looking for protection in a system grown increasingly hostile.

We should be opting into measures that improve fairness, enhance protections and genuinely share responsibility across the EU. These motions do not meet that standard. They move in the opposite direction in narrowing access, weakening discretion and raising the risk of injustice. We have not had the debate these decisions deserve, certainly not at committee level. There has been no meaningful scrutiny by the justice committee, civil society or legal professionals. People with lived experiences have not been included, yet here we are being asked to lock ourselves into a significant legal commitment based on limited information and no public consultation. That is simply not good enough.

The people affected by these decisions deserve better. They deserve fairness, to be heard and a protection system that sees their individual risk and does not deny it by default. I fundamentally disagree with the motions because they do not strengthen the system or reflect our best values and the Oireachtas should not provide legal frameworks it has not been given a real chance to examine. We are not just debating procedures here. We are deciding people's futures, which is worth appropriate scrutiny. I do not agree with this trend that is happening at all. We can do infinitely better. It lacks respect for the mechanisms of Dáil Éireann. We have a justice committee that is perfectly able and suited to scrutinising this legislation in a more appropriate environment before bringing it to the Dáil.

Deputy Ruairí Ó Murchú: The issue we all have is that this is not the way to deal with this type of legislation, where we are talking about building up a framework that would have a long-term impact on the migration system in operation in Ireland. As Deputy Gannon said, there

were huge opportunities to deal with this at the justice committee. To do so at the last minute on a Thursday in early July does not make an awful lot of sense.

Like my party colleagues, I have a particular issue with the means by which we are talking about opting into these three motions under Article 3 of Protocol No. 21. We are signing up on the basis of qualified majority voting. We do not know exactly what will be decided, but it will be decided. We may even have to vote against it and will then be locked in and have to agree. Most frightening of all is the fact we had a fourth motion that was pulled on the basis of the complexity of the hybrid legal basis. This is a regulation that has been constructed by the Commission dealing with the likes of Ireland, the Schengen states and Schengen-associated states.

We have a very particular situation in Ireland. We are obviously still dealing with the outworkings of the evil that is partition and we have the common travel area. That makes us very different from an awful lot of places. It has been made a lot more difficult on the basis of Britain choosing to leave the European Union. We are dealing with those issues. We could have looked at all these motions, while accepting we could have done a greater level of due diligence, within the Oireachtas. We could also, having had those debates, seen how negotiations went. Article 4 of Protocol No. 21 gives us the option to opt in when we know exactly how such regulations would operate. It is about making the decision that is best for us and best makes sense in Ireland.

We accept there have been huge issues in respect of migration. In general terms, we need to make sure the migration and work permits system is well managed and makes sense from the point of view of those who come in and from the point of view of Ireland and its economy. However, we have had a particular issue with international protection. I do not know how many of us have spoken here about how long it is taking to deal with people when they apply for international protection, as they have a right to do. We need to make sure we look after those who are fleeing war or persecution, but the fact is it is taking us years upon years to deal with people. That is wrong of this State. If people have a right to be here, they should stay and if they do not have a right to be here, then they need to leave. That needs to be managed in the best way possible. It is wrong if we are taking years to get to that point.

As regards the Minister's legislation, he has spoken about his plan for a three-month turnaround for processing applications, including appeals. We are a long way from there at this point. That is the piece that needs to happen. The failure to do so has fed a lot of bad actors, so we need to make sure that is the road we go down. I would like to think we will carry out the proper level of due diligence and will not be dealing with it here in a last-minute scenario.

I have an issue with having to pull a motion out on the basis of the complexity of the issue from a legal standpoint. That says everything about the point we are at.

Sinn Féin opposed the EU asylum and migration pact. We supported opting into two measures, namely, the asylum migration management regulation and the Eurodac regulation. We all understand it makes complete sense that there has to be an element of harmony in how we deal with our European partners and others, and that we put together a sensible system that works for us. However, we have to do what makes sense for Ireland. The proposal is for an amending regulation regarding the establishment of a list of safe countries of origin at Union level. While probably nobody has a major difficulty with a lot of what is being proposed, it

makes complete sense that we have control of that. The safe third country issue needs to be dealt with. Regarding those who have come from Ukraine, we need a planned transition to end what was a temporary measure that has remained in play.

Deputy Paul Murphy: We in People Before Profit are strongly opposed to the two safe country motions we have before us and that I will focus on in the time available. These are draconian motions that designate countries with appalling human rights records, such as Egypt, Morocco and Tunisia, as safe. The motions allow for people to be deported to so-called safe third countries even when they have no connection to that country. Once a country is designated as safe, a yellow-pack accelerated asylum process is used. Member states can apply border procedures, which in essence means that they can incarcerate people without trial in border detention camps and the whole process has to be completed within three months. The speed of this process obviously means that miscarriages of justice will be far more likely. In other words, whole families and individuals, including children, will be deported back to countries they have fled to face persecution, torture and even death.

The basis for designating countries as safe is inherently flawed. It is based on current recognition rates for people applying for asylum from those countries. The regulation we are being asked to approve states that there is, in general, no risk of "persecution or serious harm", within the meaning of Regulation No. 2024/1347, in Bangladesh, Colombia, Egypt, India, Morocco and Tunisia, as well as the potential EU candidate Kosovo, as shown by the very low recognition rates.

This is clearly not an unbiased standard as it assumes that there are no or very few injustices in how the system currently operates. I do not believe that is true. The regulation further states that if the recognition rate is 20% or lower, it serves as an indication that applications from that nationality are likely to be unfounded. Even assuming for a moment that Government decisions are always legally correct in their own terms, which again I do not believe, what about the rights of the 20% of people from those countries whose claims were recognised prior to this regulation? Their equivalents in the future will be faced with an accelerated process, a higher burden of proof on them to prove their claim in a shorter space of time and, in reality, a harder time getting their application for asylum approved.

One example of these so-called safe countries that we are adding to the list is Egypt. I was in Egypt recently and it did not seem to be a country without fundamental human rights issues. It is an authoritarian dictatorship with arbitrary detentions happening all over the place. It persecutes journalists and does not have free and fair elections. Political activists are routinely rounded up. A point someone made to me when I was in Egypt is that you do not see Palestinian flags in people's homes in Cairo. Why is that? It is not because the people do not support the Palestinians; it is because they know that the Sisi regime will round up people showing a Palestinian flag because it is seen as a political act. It is why the Egyptians could not allow the global march to Gaza to proceed because of the danger it would send a message to their own people that they should have the right to protest.

The EU, in its own documentation on the regulation, makes the following admission:

> Human rights defenders, political activists and opponents may face arbitrary arrest and torture, and may be targeted with measures such as travel restrictions and asset freezes.

[...]

Human rights challenges in Egypt remain significant, particularly in relation to the protection of fundamental freedoms, governance and the rule of law.

That does not sound very safe to me. How is it safe? For a trade unionist, a political activist or a human rights defender, Egypt is not a safe place to try to do any of those things. That is obvious from reading the Amnesty reports, Human Rights Watch reports or other reports which will outline the truth about Egypt as a very authoritarian dictatorship.

The EU's and our Government's get-out clause is that designating a country as safe is supposedly "without prejudice to the specific challenges faced by certain groups in the country which may merit particular attention." However, are the people most likely to be fleeing here or elsewhere and seeking asylum, taking this desperate step of leaving their family, their community, the country that they know behind, not precisely the ones who are likely to be facing persecution? They are the human rights defenders, the LGBTQ people, the political activists and the members of ethnic minorities. However, they are then going to be subject to this accelerated process. There is no special recognition of the specific challenges faced by those who are actually likely to be the ones fleeing and applying for asylum. They are the ones who are going to get punished.

The regulation on safe third countries is also a travesty. It allows for people to be sent to so-called safe third countries that they have no connection to. This can include a country that they have transited to, perhaps in the back of a truck or a shipping container, but also countries they have not been to at all. We know what the weasel words of "safe third countries" really mean. They mean wealthy European countries deporting families to appalling conditions in places like Rwanda and Libya where they are very likely to experience extreme hardship and human rights violations. It is the European Union outsourcing its "immigration problem" by deporting people to horrific places where they are treated in awful ways.

It is a disgrace that a country among the most responsible for international emigration per head of population is about to inflict this on people in the same situation that so many Irish people faced before. Our Government lobbies year after year on behalf of so-called undocumented Irish immigrants in the US, pleading for them not to be deported and to be given a pathway to legal citizenship. I agree with that lobbying but the hypocrisy of that and how people in equivalent situations are treated here is glaring. At home, the same Government that lobbies abroad for the undocumented Irish is chartering planes to deport schoolkids ripped out of their classrooms, friend groups and communities in front of others, causing real damage to people.

I want to raise a particular case on which I got a load of emails this morning. I really appreciate that people are speaking out on behalf of vulnerable families who are being treated appallingly by this State. Six families live in my community in IPAS centres at the Red Cow Hotel and the Inchicore Suites. This Friday, tomorrow, they are faced with eviction from their accommodation. Today, less than 24 hours before they face this eviction, they have yet to be provided with the location of their next accommodation. I understand that this is happening to dozens of families all over the country at the same time this week. These are people who have been granted asylum so they are not unworthy or whatever. They have gone through the asylum process and have been granted asylum. They, like lots of people in this country, have been

unable to find more permanent accommodation despite searching for it tirelessly. They want to remain in their current education and employment. There are kids currently in schools and so on but, like many others, they have been unsuccessful.

Those who have made the difficult decision to accept transfer to other emergency accommodation are yet to receive any information on where this accommodation will be. Despite reassurances in their eviction notices that it will be provided, it still has not been provided. Now, as a result, the residents are reporting harassment by staff in their centre and told to pack up their things as new families will arrive on Friday to take their places. They have also been told that if they find themselves on the streets on Friday, they will not be eligible for emergency homeless accommodation while they remain under the care of IPAS awaiting transfer. That is some care.

It is an incredibly stressful situation for these families, many with young children. With less than 24 hours to go, I appeal to the Government to intervene to pause these evictions until assurances can be provided about where these families will be transferred to. It makes sense for them to stay in the locality where they have connections, roots, employment and school places. I would appreciate a response from the Minister on that.

An Ceann Comhairle: I welcome members of the Retired Garda Association from Wexford and their respective partners. We all owe them a debt of gratitude.

Deputy Michael Collins: I speak to the Minister today not just as leader of Independent Ireland or on behalf of my constituents, but on behalf of the tens of thousands of people across this country who feel ultimately betrayed by a Government that has wilfully ceded Irish sovereignty, ignored countless opinion polls and placed the interest of Brussels and bureaucracy above the basic needs of its own citizens. The Government had the option - the legal right under the Lisbon treaty - to opt out of the EU migration pact. Instead, it rolled over and surrendered. It signed us up to binding quotas, border detention policies and an EU-managed asylum system that will dictate whom we accept and how we manage our own borders. We had a choice and the Government chose to give that choice away.

The Irish people never agreed to this. In fact, time and again they said the opposite. Over 70% of the population, according to repeated polls, including RED C and Ireland Thinks, believe this country has already taken too many migrants. That is the reality. That is the voice of a country with a housing crisis, a health crisis, an infrastructural crisis and a Government in absolute denial. Why is it ignoring the will of the Irish people on immigration? Why is it ignoring the concern of exhausted residents in Citywest, Dundrum, Athlone and areas all over Dublin? In my constituency, in communities where services are stretched and schools are full, people are told to just get on with it.

The people of Saggart and surrounding areas were promised that the Citywest facility would be temporary. That promise is now in ashes. The Government has handed over a staggering €148 million of taxpayers' money to make it permanent. There was no consultation, honesty or regard for the community. The Government has betrayed them and they know it. There has been no consultation in the Dáil. How can the Government spend €148 million without approval from Dáil Éireann? Whether we like it or not, that is where democracy starts and ends, by right. However, there was none; this all went on behind the people's backs. The

Government spent €148 million on people who have no connections to Ireland, while hours ago I was informed that a much-needed and loved nursing home in Bantry is now being told its doors must be closed, along with another home in Conna.

HIQA informed the receiver in charge of Aperee nursing home in Bantry that it is issuing a closure order for the home. HIQA recognises that there are no clinical or fire safety issues in the nursing home and that the standard of care is very good. The Minister of State is probably asking himself how that relates to the issue before us but I am telling him that we do not have homes for our own people. I held up a picture in the Chamber yesterday of a gentleman who told me I was entitled to do so. He is from Ballinspittle in west Cork but he had no home last night to sleep in. That is an astonishing situation. Last week, I held up another picture. This man is 77 years of age and last week I showed a picture of an 88-year-old woman who had no home. These are Irish people. Surely to God they need to be respected and there needs to be at least some thought given that they are entitled to a home. Now we have two nursing homes that are going to close. Where are the residents to go? They are going to have no home and there is no issue with compliance other than a paperwork issue. All of this has to start and end somewhere.

The bottom line is that the Government has opened up a door and it cannot close it now. It has no credibility. I brought up Citywest on numerous occasions, as well as other areas and called for a proper, open debate. There are people who have come into this country who have been welcomed. I have certainly looked for a lot of work visas for them and they are well entitled to come. However, just banging open the doors and taking off the hinges is not good enough but that is what has happened in this country. We can spend millions on everyone but not focus on our own. While all of this is happening, what do we hear from Ministers? We hear excuses and empty rhetoric. We do not see action.

I will give the House a direct comparison. The Government has earmarked a paltry €100 million in this year's budget to help students and families with college fees. That is barely enough to keep up with inflation, let alone provide real relief to struggling parents. Meanwhile, we are spending billions on international protection and refugee accommodation. The figures released show that over €1.5 billion is being spent this year alone on accommodation services and direct provision for asylum seekers and refugees and that figure is rising every year without any democratic consent. Students are dropping out of college because their parents cannot afford to pay the rent. Parents are working two jobs to pay for books and transport. What is this Government's response? It is to spend more on everyone else but not on our own. That is the whole point I am trying to make here. The spending of billions of euro has not really been approved here. It has been approved by Europe. We cannot be dictated to by Europe every day of the week. We have done our bit in relation to Ukrainian people when the trouble broke out there initially. We have done that but it seems like we are continuously opening our doors. We need further debates in the Dáil, but not divisive debates. People have different opinions and I have to respect that too but a debate is the democratic right of everybody. That democratic right is being refused to Gus, Jennifer and the people who are going to be kicked out of a west Cork nursing home in two weeks. Funding needs to be put in there and not where it is being put at the present time.

Deputy Ken O'Flynn: I am delighted to see Deputy Paul Murphy and welcome him back from his recent trip to Egypt. I was surprised when I heard Deputy Murphy saying how

disappointed he was with Egypt and its Government because he was a number one supporter of the Arab Spring in 2011. I am surprised and shocked to hear that he does not support that regime now, a regime that he took to the streets and vehemently supported previously. What has happened? Oh, I know what it is - they took his phone off him. That is probably what is wrong.

There is something tragic in a nation that no longer has the resolve to enforce its own laws. This motion, designed merely to give effect to the European return regulation, is not just a procedural footnote but is a moment of national retreat. We are speaking of individuals who have entered Ireland, sought asylum, been lawfully heard and lawfully refused. Deputy Murphy said a moment ago that these people have roots in the community. These people, who have been lawfully listened to and legally gone through, do not have roots in the community. They should have not been here in the first place. That is the reality of it. What the Government needs to be doing is exactly what is done in Denmark and France, which is moving people around very quickly and turning it around. It is not that they have roots in the community. They should not have been here at all because they have entered this community incorrectly.

I find it amazing that people say that they have roots in the community when they have only been here five minutes and are here illegally and incorrectly, or they have made false declarations and are sent home because they are not lawfully here. We are following the law and that is what should be done, and correctly. I am amazed when I listen to these statements in the House. How anyone can come along with a statement like that, that they have roots in the community, is beyond me.

I went down to Cork Simon recently and I saw people queueing outside at 7 o'clock in the evening, even though they would not get in until 11 o'clock and would be lucky to get a mattress on the floor. That is what is happening to Irish people, yet in IPAS centres three meals a day are provided to people. There is a big turnaround. There are toiletries, solid beds and the whole lot. Everything is given to them. Everything is given to them, and rightly so if they are genuine, but if those people are not genuine, they should be turned around quickly, removed and sent back to their port of call. That is the reality of it.

I am amazed at the statements that are being made in the House today, this bleeding heart idea which does not really compute with what Irish people are saying and thinking. What Irish people are thinking is that it is about time the Government got fair with everybody.

Deputy Paul Lawless: The Government's immigration policy has been an absolute shambles. The Government has disrespected the people of this country. People in the community where I am from ask me every day what is happening to a particular building. I come in here and ask the Minister of State and his party leader but I get no response. I engage with property owners who tell me they are developing a hotel only to find out later, through a leaked document, that it is going to be an IPAS centre. That is what the Government has done. It has treated the people of Ireland like mushrooms. It is keeping them in the dark and feeding them rubbish. After a year or two years of raising this, what has the Government done? Nothing. Then it signs the EU migration pact. The Government cannot manage the system so it hands it over to our European overlords, to let them decide. I have a message for the Minister of State. If he cannot manage his Department, he should hand over the reins to someone who can. He should not hand them over to the European Union. We go to the people seeking a

mandate to govern this country and to make decisions for the welfare of our people but the Government turns around and cedes power to the European Union. That is what it has done and it is so frustrating. We have marked the 100th anniversary of this Republic. On that anniversary, the Fine Gael MEP Seán Kelly said that 70% to 80% of our laws are made in Brussels. On so many issues that I raise at the committee on agriculture, I am told they are related to a European directive. That is what we are told but it has been signed over by Fianna Fáil and Fine Gael. That is not what they tell us. What happens when we do not comply with an EU directive? We get a fine. Who pays the fine? It is not paid by the Minister who signed over. No, it is paid by the Irish people.

The reality in relation to the EU migration pact is that we currently do not have the ability to process asylum applications and are looking at fines down the line. Many of the issues raised in relation to the EU migration pact were things we could have implemented ourselves. That is the truth and the Minister of State cannot argue with that point. What was sold to the Irish people was that this pact would streamline the immigration system and speed up processing times, as if to say that we could not do that already. The Minister of State knows that we could but we did not have the will. It is deeply shocking that the Government would seek a mandate from the Irish people and then hand over power to Europe. Then, when it hits the fan and we have a fine, the Government says that it is nothing to do with it, that the EU says so. It is despicable.

In the short time remaining, I want to raise the issue of IPAS centres going into communities which are given no say. Section 5 applications are being submitted right across the country. Last week, in my constituency two section 5 applications were submitted, one for Kevin Barry Street in Ballina and the other for Abbey Street in Ballinrobe. I did some research into the companies involved.

You would want to be an investigator to understand what is happening.

An Ceann Comhairle: I thank the Deputy.

Deputy Paul Lawless: It is submitted by Forbairt Orga Teoranta. I do not have time to go into the detail.

An Ceann Comhairle: You are right. You do not.

Deputy Paul Lawless: This is a company that is owned by another company that is owned by another parent company, TNM Developments-----

An Ceann Comhairle: Deputy, your time is up.

Deputy Paul Lawless: -----which is, in turn, owned by a UK company. The Government is making millionaires of these shell companies that are operating-----

An Ceann Comhairle: Suigh síos, Deputy Lawless. Your time is up.

Deputy Paul Lawless: -----in other parts of the country. What does the Government do?

An Ceann Comhairle: Deputy Lawless-----

Deputy Paul Lawless: It signs over the power to the European Union.

An Ceann Comhairle: Is there an issue with your hearing? Sit down, Deputy. Your time is up.

Deputy Mattie McGrath: I strongly oppose the first and third motions but I think I can support the second motion. With regard to the first motion, I cannot support any proposal that forces Ireland to accept an EU-wide list of so-called safe countries. This is yet another example of Brussels removing our ability to make independent decisions as to who comes into our country. It is a one-size-fits-all policy that undermines our sovereignty. What is worse, it opens the door to even more migrants appealing decisions with no accountability. We need to update our list of safe countries and stop the abuse of the system. It is a pity the former Minister, Deputy Roderic O'Gorman, is not here because he sent out a tweet in several different languages appealing for people to come to Ireland. He said they would have their own front door in three months. It was lunacy.

As for the third motion, which has regard to the transition out of temporary accommodation for Ukrainians, I must say that the special treatment afforded to one nationality over all others is contributing to growing frustration across Irish society. While Irish families struggle to get housing, healthcare and even school places, we are told that resources are unlimited when it comes to accommodating tens of thousands of displaced people. There is a never-ending list of entitlements rolled out for the Ukrainians that Irish people cannot access. We see this in the whole modular homes situation in Clonmel. The OPW, the company and the HSE told me that these units would cost €200,000 each. They are not worth €70,000 or €80,000. They are now costing a staggering €480,000 per unit. It is unbelievable. It is disgraceful. It is rotten to the core and there is huge corruption in it. There has to be. There is no long-term plan, no public consent and no acknowledgement of the strain this is placing on local communities. It is leading to social fragmentation and resentment. The special concessions and protections must be cut back. We can all help people fleeing war but I do not believe anyone agrees with the level of special treatment that has been given here.

On the second motion, I do support stronger application of the safe third country rule. Someone who has passed through multiple safe countries before reaching Ireland should not be permitted to lodge a claim here. We are not a soft target. People think we are but we must change our tune. This is about restoring common sense and respect and ensuring our asylum system is not abused. We must cut our cloth according to measure. We want to be the great people who can take everybody in but we cannot. I welcome the apparent change since the Minister, Deputy O'Callaghan, and the Minister of State, Deputy Brophy, took up their positions. I hope it will continue because the way things were going on was unbelievable.

My county has been ravaged by IPAS centres. It started with a centre in Roscrea and there are now centres in Dundrum and outside Thurles. Attempts have been made to make the Kilcoran Lodge Hotel into one. The Minister of State has fond memories of that hotel. He says he was there as a pageboy at a wedding years ago. He knows how beautiful it is. Hearn's

Hotel in the centre of Clonmel has become such a centre and there is another on the border of Carrick-on-Suir. Those are the ones we know of.

Section 5 exemptions have been applied for in a number of places. Such an application was turned down in respect of Abbey House in Cahir. I am thankful the county council saw that these units could be used for Irish families. There are three High Court cases under way regarding a proposal in Dundrum. The Minister of State knows that, the senior Minister knows it and their officials know it. Despite this, they agreed a contract based on a section 5 exemption granted by Tipperary County Council that has now been shown to have been false and erroneous. The council has conceded in court that it erred in granting that section 5 exemption. We were writing to the chief fire officer for 12 months along with ringing and emailing him. He admitted at a meeting two weeks ago that he never visited the site once. Is that respect for politicians or for the public?

What is happening in Dundrum is shocking. Under the Government's own guidelines, demographics should not be changed by more than 5% and yet it is going to put in 277 IPAS people - God bless them - when there is only 200 people in the village. That is senseless. What the Government is doing is outrageous. It is making millionaires out of cowboys. They are not interested in humanitarian need; they are interested in money. Monaghan has been destroyed by a certain gentleman and we are the same in Dundrum. There are three court cases under way. The people who bought the place are suing as well. They will have to weave their way through. I am waiting for the full report the Minister, Deputy O'Callaghan, promised to Deputy Michael Murphy and me as to how this contract was granted when there were so many issues with what was going on.

The Government has plundered and ravaged our country. It has disrespected the people. It is time it respected the people. Members of Government, especially the Taoiseach and the Tánaiste, are punch-drunk from being great people who travel all over the world. They should look after our Irish people. They should respect them, the Constitution and the people who fought for it. We had a debate on the GPO two days ago. What is happening here is nothing short of outrageous. I am told we have no social welfare inspectors. We have two in Waterford city and south Tipperary. People are flying in here every seven or eight weeks to collect copious amounts of money before flying back out again. In the name of God, are we pure fools? I ask that the Government please respect the Irish people and the sovereignty of this country.

Deputy Gillian Toole: Gabhaim buíochas leis an Aire Stáit as a bheith anseo inniu. I take on board the opening remarks of the Minister, Deputy O'Callaghan, and his comprehensive explanation of the procedures involved in these three out of the four motions we were expecting today. I understand the need for a common approach to procedures for international protection within the European Union. I will keep my remarks quite simple and, I hope, honest. I believe it is fair to say that everyone wants a fair, efficient and humane asylum policy for those seeking asylum and those prospectively hosting people seeking international protection.

I first raised the issue of inward migration with Meath County Council in September 2023. At that time, I was accused of being far-right and was called all sorts of other names. However, in raising the issue, I was trying to establish the truth of the matter and to differentiate between those with a legitimate need for protection and who were fleeing danger and those who were economic migrants or those attracted by social welfare benefits.

In this instance, I am going to share the very hushed concerns of constituents in my area. In the profound interest of social cohesion, Ireland's ability to cope with inward migration must be assessed across all of the pressurised sectors. I refer to housing, healthcare, elder care, education, special education, transport and community infrastructure. To be blunt, we need to solve Ireland's key areas of inflammation and to plan ahead for future generations in clearly defined timelines. Failure to do so would be ignorant, inconsiderate and reckless abandonment of prospective host communities and those who are in genuine need of international protection. At this point in time, there is a high risk of a fracture in community relations among people who are fearful for their safety. Can Ireland avail of the crisis and *force majeure* regulation derogations from the EU pact on migration and asylum given the crisis in provision in the areas I have covered? I note that this regulation only comes into effect in July 2026 but time is necessary.

Minister of State at the Department of Justice, Home Affairs and Migration (Deputy Colm Brophy): I will begin by reiterating that it is a central priority of the Government that our immigration laws are robust and that they are enforced. Ireland is committed to the continued advancement of the common European asylum system to ensure a consistent, fair and sustainable asylum procedure at all times, not just at times of migratory pressure. Such a system demands a sharing of responsibility through mirrored approaches to migration and asylum across the European Union. This shared responsibility and shared process will need to be central to our system in future. Ireland has already shouldered some of its responsibility through the adoption of the European migration and asylum pact.

4 o'clock

4 o'clock o'clock

Opting into the establishment of a list of safe countries of origin at Union level and the application of the safe third country concept will move Ireland further towards its aims of ensuring the establishment of a sustainable and coherent system and demonstrate our strong desire to participate in the continued advancement of the Common European Asylum System.

On safe countries of origin, Ireland, at national level, has designated 15 countries as safe countries of origin, most of which are on the list proposed by the European Commission. Ireland will retain the possibility to continue to designate countries as safe countries of origin at national level. That is an important point.

The application of the safe third country concept has been updated to ensure the flexibility of member states to apply that concept in their international protection process, while safeguarding the fundamental rights of applicants. This is an important element of the asylum and migration procedures toolkit. The Council recommendation on a transition out of temporary protection considers that eventually temporary protection must come to an end. However, it recognises the need to ensure a smooth and sustainable transition to eventual reintegration in Ukraine. For that reason, the measure aims to ensure the provision of information to displaced persons to enhance the co-ordination and monitor the exchange of information between member states and Ukrainian authorities.

A co-ordinated exit is crucial to minimise secondary movement and remove the risk of fragmentation while protecting our international protection system, which was a key objective

of the directive's activation. It was intended to seek approval for an opt-in to the returns regulation under Article 3. However, the particular manner of Ireland's participation is still under discussion with EU counterparts, given the complexity of the legal basis issue. This issue will be formally discussed by all member states in the relevant working group later this month. Following that discussion, if the emerging consensus is that an opt-in under Article 4 of Protocol 21 would be more appropriate, I will instead ask officials to pursue that path and will seek the House's approval of the same in due course.

It should be noted that these proposals have been formulated to ensure compliance with international human rights standards, which is a central element of the pact. The Council recommendation on temporary protection seeks to ensure that reintegration for displaced persons takes place in a compassionate manner. Therefore, I hope the House will support the exercise of Ireland's opt-in in respect of these measures. I thank the Deputies for their consideration of this important matter.

An Ceann Comhairle: Before I deal with the motions, I welcome to the Gallery Mr. Stephen Doughty, the UK Minister of State for Europe, North America and Overseas Territories in the Foreign, Commonwealth and Development Office. He is here with Deputy Lahart and is very welcome.

Question put.

An Ceann Comhairle: In accordance with Standing Order 85(2), the division is postponed until the weekly division time on Wednesday, 9 July 2025.

Minister of State at the Department of Justice, Home Affairs and Migration (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:
>
> > Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1348 as regards the application of the "safe third country" concept,
>
> a copy of which was laid before Dáil Éireann on 13th June, 2025.

Question put.

An Ceann Comhairle: In accordance with Standing Order 85(2), the division is postponed until the weekly division time on Wednesday, 9 July 2025.

Minister of State at the Department of Justice, Home Affairs and Migration (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:

Council Recommendation on a coordinated approach to the transition out of temporary protection for displaced persons from Ukraine,

a copy of which was laid before Dáil Éireann on 26th June, 2025.

Question put.

An Ceann Comhairle: In accordance with Standing Order 85(2), the division is postponed until the weekly division time on Wednesday, 9 July 2025.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Cathaoirleach Gníomhach (Deputy Grace Boland): 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 Robert O'Donoghue - To discuss the design of the entrance to the Rush side of the Rush and Lusk train station.

Deputy Paula Butterly - Tourism in Louth.

Deputy Naoise Ó Cearúil - To discuss ongoing road safety issues on the Celbridge Road, Maynooth.

Deputy Albert Dolan - To discuss a change to the enrolment criteria for specific speech and language disorder special classes.

Deputy Naoise Ó Muirí - To discuss the planning issues seen in Údarás na Gaeltachta communities.

Deputy Pat Buckley - To discuss initiating tranche 2 of the flood relief programme for the communities of Rathcormac, Castlemartyr, Killeagh and Mogeely in County Cork.

Deputy Louis O'Hara - To discuss the urgent need for updated wind energy development guidelines.

Deputy Maurice Quinlivan - To discuss the ongoing crisis of capacity at University Hospital Limerick.

Deputy Jennifer Whitmore - To discuss the shortfall in primary school places in Wicklow town and Rathnew for coming September.

Deputy Malcolm Byrne - To discuss levels of State support to amateur drama and musical theatre in Ireland.

Deputy Dessie Ellis - To discuss what plans are in place for the continuation of school breakfast clubs.

Deputy Darren O'Rourke - To discuss the need for traffic calming measures in Carlanstown, County Meath.

The matters raised by Deputies Albert Dolan, Jennifer Whitmore, Pat Buckley, Paula Butterly and Darren O'Rourke have been selected for discussion.

Saincheisteanna Tráthúla - Topical Issue Debate

Special Educational Needs

Deputy Albert Dolan: I refer to the issue of specific speech and language disorder, SSLD, classes and the eligibility criteria for same. The Circular 0038/2007 published by the Department of education set out the criteria for enrolment into specific speech and language disorder classes, which precluded access to this service for children who have an identified disability. Essentially, the children with speech sound disorders cannot be treated in mainstream classrooms due to the nature of the specialised support required. A parent representative group from the Galway branch of Down Syndrome Ireland initially highlighted this anomaly in the circular last May to the then Minister of State with responsibility for disability, Anne Rabbitte.

A working group was convened to undertake a review of this circular to remove any discriminatory elements. However, the revised circular, which was published in March 2025, Circular 0024/2025, also discriminates against children with a disability as it only permits access to children who have "a speech sound disorder (SSD) of unknown origin". Therefore, children with a disability are still excluded. These discriminatory eligibility criteria are the cause of blatant discrimination against, and the exclusion of, young children with a disability in primary schools in Ireland for decades. This policy in the Department of education has denied children with a speech and language disorder equal access to supports in education, for example, specific speech and language disorder class placement based on the grounds of disability, since the publication of the circular in 2007. While the specific reference to IQ range and physical disability in the amended circular have been removed, a new discriminatory clause has been inserted.

The DSI Galway education subgroup sought international expert advice on the interpretation of this discriminatory clause, as well as advice from local senior speech and language therapists. Their advice is that this is further discrimination and exclusion against children with disabilities. This is in contravention of inclusion and fails to agree with the principles of the Equal Status Act 2000, the Equality Act 2004, the Education Act 1998, the Education for Persons with Special Educational Needs Act 2004, the Disability Act 2005 and, more recently, the UNCRPD.

While it is the HSE's responsibility to operationalise and implement the therapy in specific speech and language disorder classes, the fundamental problem in accessing these classes is the criteria set out in the Department of education's circular letter, that is, the exclusion of a child who has a speech sound disorder and a co-occurring disability, for example, a physical disability such as cleft lip and-or palate, or a specific syndrome such as Down's syndrome.

It is important to note that speech sound disorders can occur in a child with a disability and, likewise, they can occur in a child without a disability. Thus, a child's disability is not always the cause of their speech sound disorder. This barrier is being used by the HSE to prevent access by children who have a disability. Unfortunately, it is SLT managers in the primary care section of the HSE who decide whether or not a child is enrolled in these classes, although it is a Department of education policy. In some instances it is a discretionary decision made at HSE level. These classes must be accessible to all children regardless of disability. For children with literacy, learning, social participation and well-being needs, their educational provision and their special educational needs will be best met by the integrated and short-term provision offered through the specific speech and language disorder, SSLD, classes.

There are multiple examples of children with a speech sound disorder and a disability who attended SSLD classes in the past and who made significant gains from attending these classes. As a result, the children are now able to verbally communicate. These children are capable and they are eager to learn. With the right support, they can thrive, and their voices, though not always heard, are just as important as any others in those circumstances.

While this issue has been highlighted by the Down Syndrome Galway education subgroup, this is a nationwide issue that has affected children all over the country for years. We have a Government that is advocating for inclusive education. In 2024 the NCSE published a paper, An Inclusive Education for an Inclusive Society. I am conscious of the time and I will comment further in due course.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Neale Richmond): I sincerely thank Deputy Dolan for raising this important matter and allowing me the opportunity to outline the changes on behalf of the Government and his party colleague, the Minister of State with responsibility for special education, Deputy Michael Moynihan, that have been recently made to the enrolment criteria for specific speech and language disorder special classes.

There are 63 special classes for pupils with specific speech and language disorder attached to mainstream primary schools in dispersed geographical locations. These classes cater for pupils with a very specific set of language needs for a maximum of two years. The enrolment criteria for these classes originate from the recommendations of the special education review committee report, SERC, in 1993. As envisaged by SERC, the classes were designed to provide a time-limited, targeted intervention for children with severe impairments in their skills of understanding and expressing themselves through spoken language.

The inspectorate division of the Department published a composite report on the quality of provision for children attending these classes in 2021. While, overall, the inspectorate reported positively on this provision, significant issues were noted. These included: enrolment criteria for entry to the special SSLD classes used at the time did not align neatly with the current diagnostic definition of developmental language disorder, DLD, which has been used by speech and language therapists in Ireland and internationally since 2017. Some schools indicated that there were difficulties caused by the divergence between the DLD diagnostic criteria and the narrower SSLD definitions, as well as the requirement for psychological assessments to establish children's intellectual ability.

The inspectorate report noted that the disparity in definition between the DLD diagnostic and original SSLD enrolment criteria must be addressed as a matter of urgency to ensure that the pupils most in need of this specialised support will continue to be prioritised for enrolment. It will be equally important that pupils with lesser language needs, but who might fit into the broader DLD diagnostic category, are supported more appropriately throughout the educational system.

In September 2024, the Department undertook a review of Circular 0038/2007. This review has been completed and an updated circular, Circular 0024/2025, was published, as alluded to by the Deputy, on 20 March 2025. This circular, Criteria for Enrolment in Special Classes for Children with Developmental Language Disorder (DLD) or Speech Sound Disorder (SSD), is available online.

The term SSLD will no longer apply to entry to these classes and will be replaced instead with developmental language disorder-speech sound disorder, DLD-SSD. This amendment will apply, in some cases, for the 2026-2027 school year, as the admission process had already been completed for 2025-2026. Schools were notified to that effect on the publication of the revised circular. The revised criteria see, among other changes, the removal of reference to IQ as one of the entry criteria for these classes.

In terms of co-morbidity, it is important to clarify that the criteria for access to the DLD-SSD class do not exclude children with any co-morbid conditions, such as Down's syndrome. The circular acknowledges that both the DLD and SSD of unknown origin diagnoses may have co-morbidities. A co-morbid condition is one that exists alongside another and is not causative. The Department acknowledges that there may be children for whom their SSD is of unknown origin but there are co-morbid conditions and there are others where the SSD results from a particular medical or biomedical diagnosis. The circular will be subject to review, and will involve the full range of education and health stakeholders. I will make it my business to ensure that Deputies who raise the issue in this House will also have the opportunity to feed into it.

Deputy Albert Dolan: I appreciate the reply. It is also welcome that the IQ measure has been removed but, as I said, the Government has highlighted that bringing therapy back into special schools is a key priority. However, there is a cohort of children with disabilities and speech sound disorders in mainstream education who have a critical need for in-school speech therapy. In 2005, the Department's report noted that the eligibility criteria could not be widened at the time due to a shortage of supply of speech and language therapists. Here we are 20 years later and nothing has changed. The criteria have not been amended at Government level. It has taken the steadfastness, determination and advocacy of a small group of parents in east Galway to highlight this and to escalate it to Government level in order to enact it. The Irish Association of Speech and Language Therapists highlighted this issue several times before in position statements in 2007 and 2017 and it stated that, regardless of such concerns, the adoption of evidence-based criteria is urgently required and deemed the eligibility criteria for placement in a specific speech and language disorder class to be narrow and restrictive. It also stated that the current position, where the only intensive model of support available is restricted to children with non-verbal IQ at or higher than 90 points and significantly discrepant language scores, denies appropriate support to many children with severe, pervasive and long-enduring needs.

Regarding the details in the revised circular that was issued in March of this year, I was informed that it was a senior speech and language therapist from the NCSE who mistakenly advised on the particulars that went into the new circular. We cannot stand over this discrimination any longer. I request the immediate removal of the discriminatory clause to ensure equality of access to these classes and that the NCSE reviews its recommendations to insert that clause. Furthermore, we must request the Department of education, the NCSE and the HSE to address the insufficient classes that are available throughout the country to meet demand and to cater for the significant number of children with speech and language disability.

I want to make an additional point before my time runs out. In one CDNT in my constituency, 20 children have been identified following assessment. There are in excess of 90 CDNTs nationwide. Therefore, if the law of averages applies, there could be at least 2,000 children who have a disability and a speech sound disorder who are being denied access to these therapeutic supports because of the idea that their speech and sound is of an unknown origin. I appreciate the Minister of State's support on the matter.

Deputy Neale Richmond: As I outlined previously, the Department has reviewed the enrolment criteria and updated the circular. The updates to the circular were informed by robust engagement with the speech and language therapy service in the National Council for Special Education, the Irish Association of Speech and Language Therapists, and speech and language therapists in the HSE. It was a multifaceted process. There has also been ongoing engagement with school principals on enrolment into these classes for the coming school year.

In the medium term, the circular will be subject to review, typically one year after publication. This will involve the full range of education and health stakeholders, as I outlined. Issues identified in the implementation of the circular that require amendment will be made as necessary at that stage. However, the Deputy asked for something to happen a lot sooner than that. I am more than happy to pass that request on to the Minister. It should be possible to facilitate a meeting between the Deputy and the Minister.

Deputy Albert Dolan: It is arranged.

Deputy Neale Richmond: If it is arranged, then that is the next step. I am more than happy to put on pressure to ensure that it delivers a welcome outcome.

School Enrolments

Deputy Jennifer Whitmore: I want to raise with the Minister of State a really urgent and time-sensitive issue. As he is well aware, Wicklow town and Rathnew have seen a huge population increase in recent years. We have probably had 800 to 1,000 new homes built there. Very many of them are family homes for young families. We have seen people coming from other counties into the area.

I was made aware last week that there is a major issue in regard to primary school places. There are six primary schools in the area: St. Coen's, St. Patrick's, Holy Rosary School, Glebe National School, Educate Together and Gaelscoil Chill Mhantáin. All six of those schools came together in January because they had identified a capacity issue. They raised concerns

with the Department in January saying that they believed they would be absolutely oversubscribed for September.

Their fears have come to fruition. The Department was in contact with them and asked them to identify how many unique children who had no place were on the waiting list. They identified 119 primary school children who do not have a place in any of those six schools for September. Of the students, 36 are junior infants and the rest of them are spread across the other school years. That clearly demonstrates that these are existing families who moved into the area and might have a child in second class or fourth class. Those children need places in their hometowns. They will not be able to get to Dublin to attend school there. That is not feasible.

I ask the Minister of State and the Minister for education to send someone to sit down with the six school principals because they want to find a solution. I believe one of the schools has the capacity for an extra school class, which might suit junior infants. Obviously, someone needs to look at each of the years and work out a solution for each of those. There might be potential for some movement in other schools as well.

This also identifies a more ongoing issue. It is one we have seen in Wicklow for years. When I moved to Wicklow 15 or 16 years ago, I could not get my child into a school. The problem was starting then. There was a big population increase. What we are now seeing is that cohort and that increase in population moving from north Wicklow down and across the county. We need a new school in Newtownmountkennedy and there is certainly capacity for a new primary school in the Wicklow town and Rathnew area, but that is probably a longer discussion.

In the interim, and as an emergency need, we need a departmental official to go to Wicklow town to meet the six principals. All those schools have finished up for the summer. Those children do not know where they are going and they have to do things like getting uniforms. The children need to be prepared. They are simple things but they are so important for a good transition. Those children will not be prepared for school.

In addition, the staff will be expected to perhaps set up new classes but the schools are closed. It will be logistically difficult. I ask that a departmental official is sent immediately to sit down with those principals and come up with a solution.

Deputy Neale Richmond: As the Deputy will know, I am very aware of this issue and I have been lobbied intensely by the local councillors. I will lay out a few points for the interest of the Chamber before I get to the meat of the ask, as is appropriate in such a debate.

It is important to state for the record that the annual enrolment process for new junior infants at primary and new first-years at post-primary is a very large-scale operation. It is transacted at close to 4,000 schools across the country, involving some 140,000 pupils. I know because my daughter is one of them for next year.

While the Department is aware of enrolment pressures and demand for additional school places in some areas, including Wicklow town and Rathnew, and south County Dublin, there is generally provision across the country, which I think we all can accept, notwithstanding the demographic pressures and others that are driving these factors.

As part of the NDP review process, all Departments, including the Department of Education and Youth, are currently engaging with the Department of public expenditure and reform with respect to NDP allocations for the period 2026-2030. It is expected there will be clarity on these allocations over the course of the summer period and this will allow the Department of Education and Youth to plan its capital investment programme for the 2026-2030 period, in line with prioritised needs and reflecting, as appropriate, wider Government priorities.

Maximising existing capacity in schools to meet needs is very important, as the Deputy has alluded to in the case of at least one school in her area. The Department of Education and Youth is continually planning for and investing in existing and new schools to ensure every child in the State has access to a school place. With regard to the Wicklow school planning area, there are a number of active projects at primary level which increase that capacity. These include extension projects for Pádraig Naofa National School, Scoil na Coróine Mhuire and Wicklow Educate Together National School, which will provide both mainstream and special educational needs classes.

The Deputy has made a very clear request for a departmental official to be sent to meet with those principals. Unfortunately, I am not in a position to guarantee that as I am not a line Minister in the Department but I have no hesitation in passing on that request to the Minister. I am aware that two of the Deputy's constituency colleagues from my party have engaged with and have visited these schools in the past few weeks, including the one with my big brother. I do not need to name names in the House, but the Deputy knows where I am going. This is something we can all get behind in terms of simply looking after the primary school needs of Wicklow town and Rathnew.

In the previous Dáil, we debated school places for second level in north Wicklow at length, and also in Newtownmountkennedy. As the Deputy knows, our constituencies are very alike. This is an issue happening in Dublin Rathdown, just as it is in Wicklow and Wicklow-Wexford. Whatever I can do to assist that process beyond party political lines, I am more than happy to do it.

Deputy Jennifer Whitmore: I thank the Minister of State. That is very welcome and I think there is a solution here. Hopefully, if he talks to the Minister - I have mentioned it to her myself - we can get someone to visit.

In my remaining time, I want to put something else in the education area on the record. We are seeing major issues with the NCSE and a sort of stoppage of processes. I think it is moving to a new process or a new scheme or system. What seems to have happened is that anything that was under consideration has been stalled and principals are now being told it will come back to them in the next school year. That means those schools are not ready for September. They do not have the places and they do not have the SNA supports.

I refer in particular to two special schools - Marino Community Special School and New Court School, both of which have major difficulties with SNA supports. Indeed, Marino's review was cancelled two days before it was due to happen. There are also other schools in the area where there are difficulties. There were two SNAs in Scoil na Coróine Mhuire and one of them has been cancelled. That school is in dire straits. It was appealing that but the appeal process was stopped. Hopefully, it is moving again but it absolutely needs that SNA support. Dominican College in Wicklow had received permission to open an ASD classroom this year

but that was cancelled. That is another issue. Gaelscoil Uí Chéadaigh in Bray does not have an SNA issue but it has a staffing one. It has lost a teaching post, which means that one of its classes will be 39 pupils in size, which is in no way acceptable for any school.

I wanted to put those points on the record but I have a long list of schools that have difficulties and problems. For whatever reason, the system and process are not reactive to their needs. It is not meeting them where they need to be met. It is like the whole process and everything has stopped or slowed down. Those schools need to be ready to go in September. They will have to have the staffing they need, whether it is teaching posts or SNA supports. It is something that has to be looked at and if the Minister of State could pass that on, I would be very grateful.

Deputy Neale Richmond: I thank the Deputy for using the time available to highlight a really important issue. Being married to a special education teacher, I hear about this quite regularly, as the Deputy can imagine. For anyone who thinks politicians are going on holidays in two weeks' time, I can assure them not only are we not but our school leaders and teachers certainly are not on holidays at the moment. This is perhaps the busiest and most stressful time, particularly for school principals, which Deputy Dolan alluded to in his intervention. Two weeks ago, I took a similar Topical Issue tabled by Deputy Malcolm Byrne.

The original part of this Topical Issue was on the need for national school places in Wicklow town and Rathnew. The point has been made that the Department uses data from a range of sources, including child benefit data, enrolments and information on new residential developments, to plan for school place needs. This is one of the key issues. It is one of the biggest opportunities we have as elected representatives. We are not a data sheet. We are on the ground. Every single one of us is either in the schools as a parent or guardian or just visiting to give talks. We engage with our school communities on so many different issues. It is our responsibility, as elected officials from all parties and none, to be those eyes and ears on the ground. When there are issues with delays of allocation of resources, particularly for pupils who need special education services, that gives us an even greater responsibility.

With regard to the issues the Deputy raised in her second intervention, I will bring them to the attention of the Minister of State, Deputy Moynihan. On the provision of school places in Wicklow town and Rathnew, I know there is ongoing consultation. It has started. It is easy to say there are adequate places for a wide geographic area and that it comes down to choice, based either on ethos or family. Crucially, there could be a critical mass of numbers that perhaps is not being captured. This is a really worthy debate that impacts every constituency but particularly commuter belt constituencies like ours and like those of most of the Members in the Chamber.

Flood Relief Schemes

Deputy Pat Buckley: I thank the Minister of State, Deputy Moran, for being here. It is much appreciated. I thank him and his Department for their engagement.

I am speaking today on behalf of the residents of Castlemartyr, Mogeely, Midleton, Whitegate, Killeagh and Rathcormac to urgently implore the Government and Minister of State to initiate tranche 2 of the flood relief programme for these communities. These towns and

villages have been repeatedly and severely impacted by flooding events that have devastated homes, livelihoods and essential infrastructure. In Castlemartyr and Rathcormac, in particular, flooding has become distressingly regular. Families are being displaced, local businesses suffer long-term damage or have been closed, and community morale is at an all-time low. Each new flood exacerbates the already significant financial and emotional burden on the residents.

The situation in Mogeely is even more precarious. The village has at least 32 homes constructed with timber frames, which are particularly vulnerable to water damage. These homes will not withstand another flood without severe consequences for the residents. The inhabitants live in constant fear of destruction and many now feel abandoned by the system that is supposed to protect them. The houses have roughly 56 entry points so the flood protection gates are, as a fellow said, as useful as an ashtray on a motorbike. While I acknowledge the measures implemented through tranche 1, it is now imperative that tranche 2 be initiated without further delay, with Castlemartyr, Killeagh, Rathcormac and Mogeely placed high on a list.

Residents respectfully request the following engagement. They have asked me to ask for the defined scope and priorities aligned with the strategic outcomes, confirmation of ownership and resourcing across the impacted teams, the establishment of timelines, dependencies and measurable success criteria, and a commitment to reviewing the regulation on private house insurance, which is very high.

I live not too far from the main street in Midleton. I live beyond a place called Forest Hill, which gets flooded. We need an ark for the whole of County Cork, and that indicates the problem we have with insurance there.

The flood group that has been formed basically wants the Minister of State's support. In fairness to him, he has been extremely engaging and has visited the region and spoken to residents there. I acknowledge that he said he will be back down again, but the residents are looking for points of contact. If there are any planning issues, they would like to be involved with them. This is not just to be nosey but to facilitate. They probably do the Minister of State's job and mine at times because they are the experts on where they are living. They definitely want early input on priorities. They also want to know the Minister of State's realistic availability to engage on this matter. He has engaged and I acknowledge he will be visiting the area. At a meeting I was at in Midleton last Friday night, the residents told me flooding is no longer an occasional national disaster but an ongoing crisis for affected communities. They are asking the Government to act before the next flood causes totally irreversible damage.

Never mind the financial stress and worry, the mental health of the affected people should be considered. They are really upset, hurt and frightened. The Minister of State knows that with mortgages so expensive in this day and age, they will be goosed if there is another flooding event in their area. The homes will not be homes anymore.

I will make a few more points in my two minutes after the Minister of State responds.

Minister of State at the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Kevin Boxer Moran): I thank the Deputy for raising this important issue today. I am fully aware that flooding has a significant impact on

people, families, businesses and communities. I refer in particular to the widespread flooding caused by Storm Babet in October 2023.

To date, the OPW has completed 55 flood relief schemes nationwide. These are providing protection to over 13,500 properties, and an economic benefit to the State in damages and losses avoided estimated to be in the region of €2 billion.

The catchment flood risk assessment and management, CFRAM, programme, the largest study of flood risk, was completed by the OPW in 2018. The output from this study was the flood risk management plans that are providing the evidence for a proactive approach for designing and constructing 150 flood relief schemes for the most affected communities.

Since 2018, the Government has trebled the number of flood relief schemes at design and construction to some 100. This has been achieved through the partnership delivery model between the OPW and local authorities, and by the OPW increasing the capacity of the local authority sector. Today, the OPW funds some 50 project management and engineering staff across the local authority sector. They are leading the delivery of flood relief schemes within their administrative areas.

While funding under the national development plan, of €1.3 billion to 2030, is available for the flood relief measures identified in the flood risk management plans, it is not feasible to progress all the flood relief schemes identified by the plans concurrently due to limited capacity in the local authorities and the specialised consultancy market. The flood-relief delivery programme was subdivided into two tranches, focusing initially on tranche 1 schemes and those already in the delivery pipeline. Under the national programme, work has yet to commence on the design of some 54 tranche 2 flood relief schemes.

Regarding challenges affecting scheme delivery and the impact of these on the timeline, senior officials in the OPW engaged with the directors of services of local authorities in spring 2023 to discuss and develop a planned national approach to future schemes that matches the return on investment from the available capacity between the local authorities and the OPW.

One of the important lessons learned from the current delivery model is the time taken to gather the necessary data on the causes of flooding and the landscape of a community at risk.

Any flood relief scheme needs to map and understand the location and the flooding sources and constraints. This is achieved by extensive and wide-ranging surveys. In consideration of the above, the OPW is piloting a new delivery model for flood relief schemes through four tranche 2 schemes in counties Kilkenny and Donegal. These are known as the tranche 2 pilot. There are two tranche 2 pilot schemes in County Kilkenny, in Freshford and Piltown, and two in County Donegal, in Donegal town and Letterkenny.

The tranche 2 pilot will transfer the management of data-gathering, as a first step in designing a scheme, from consultant engineers for a single scheme to the local authorities for all schemes in the pilot and, where feasible, within their areas of responsibility. The pilot means that data gathering may be scaled up from individual communities to all schemes in a county. The pilot will better inform the prioritisation of future schemes nationally and the scope of services required from consultants to design and construct flood relief schemes.

Deputy Pat Buckley: I thank the Minister of State for his reply, in which he stated, "Any flood relief scheme needs to map and understand the location and the flooding sources and constraints." This is spot on, but I just want a preventative measure very fast. Land at Gleann Fia, the land next door to the site at Mogeely, owned by a farmer, can hold water, and there is an agreement in this regard. We can divert the water away from the timber houses. If there is a constraint that we can lift very fast, it will be a win for everybody.

The majority of the flood protection gates people are getting are only about 3 ft high. Some people have had 5 ft of water. When I met the residents last Friday night, I was actually taken aback. I do not know whether it is a matter of who sourced the gates but to me it is a case of a car jack in a wetsuit if a gate 3 ft high is being used to stop 5 ft of water. It does not make sense and I want the Minister of State to know that. At the far side of the bridge where the Maghy family is, where the bend in the river was, there is a flood plain. It has not been dropped enough for the water to get in. The family were very close to being flooded again.

Could the Minister of State commit to meeting the residents' group when in Cork again? They are very honest. It is a matter of urgency and fear. It is summer now and everything is grand, but if the crap hits the fan again and these people are flooded, they will be broken mentally, financially and every other way. We just need what I have requested and to have tranche 2 as soon as we can to start preventive work, no matter how minor. I congratulate the county council and OPW, which have been working well, but we just need to resource everybody better. If there is European money available, let us ask for it.

Deputy Kevin Boxer Moran: As the Deputy knows, I have visited Midleton and know too well the strain that is on the people there and the other groups, particularly in the other areas that have been flooded. No one knows that better than I do. Since my taking up this role, we have gone from five schemes to 13 schemes, with 11 at construction and two more to follow this year. That is a huge jump. The OPW is working with the local authorities. The whole-of-government approach is trying to help people and communities that are suffering greatly. They are the people the Deputy and I represent.

I have travelled most of the country and have been down in the Deputy's neck of the woods. I was in it again last week. My wife asked me last Sunday where I was going. I said I was going to Cork and she said to me, "They see more of you than I do." I am all too well aware of the issues. I feel for people greatly when it comes to flooding. I spoke to the local authorities. I am there to help the local authorities and I want to move on tranche 2 schemes. That is why I brought the issue to the fore and why we have teams meeting with the local authorities to see how fast we can move. We talk about what is available.

On the minor works scheme, I engaged with Kevin in Cork the other day and I said to him that when I go down and meet these groups up and down the country, not just in Cork, I want the local authorities to use the minor works scheme to do interim solutions to help the people in the communities. I am somewhat taken aback when the Deputy refers to floodgates. They are an interim solution, not the final solution. They give people comfort and they do work. I know what the Deputy is saying about a flood of 5 ft. I can understand that quite clearly. However, when that proposal is put to the people, they grasp it because they need support and help. That is what we are here to provide. The Government has backed it up with the money and now we just have to deliver the scheme. From having five schemes to having 11 schemes

at construction stage in such a short few months shows we are delivering, working with the local authorities up and down the country.

Tourism Industry

Deputy Paula Butterly: It is no secret that the tourism industry is one of our most valuable indigenous sectors. Over the decades, it has reached every corner of Ireland, providing jobs and opening our communities to the world, not just other parts of Ireland. It is no secret, however, that over the last number of years the sector has been struggling and has had challenges. It has faced these challenges remarkably well considering what we have been through - Brexit, Covid and the cost of living. However, these challenges persist. The barometer indicates that things so far in 2025 have been quite flat. The sector, which is eternally optimistic, predicts that things may not be as bad as it thought and we might just finish where we were in 2024.

Initiatives like the Wild Atlantic Way and Ireland's Ancient East have provided incredible marketing. On trips abroad to New York and in Italy, I have seen the remarkable work of Fáilte Ireland in promoting Ireland and bringing tourists here. I also have to compliment the agency on the funding it gives local authorities through the regional development initiatives to harness and increase the shoulder season, which is now proving to be a lifeline for many businesses.

Let me go back to where the challenges are. Now more than ever, it is important to bring together the roles of enterprise and tourism. We know there are challenges around VAT and I believe we are going to address them. There are challenges around the cost of living and hopefully we will be able to support the businesses in their endeavours. It is not just about hotel beds or hospitality. It is about the person who offers a service such as kayaking, a visit or a little bit of agri-tourism. It affects thousands of other spin-off industries. There are also gaps in where this tourism is working and where it is not. In County Louth, perhaps because we have in the past attracted business more so than tourism, the local authority might not have seen tourism as a significant sector in which to invest. County Louth really is a hidden beauty in Ireland and is only 35 minutes from Dublin Airport. Too often, we see people getting into their rental cars at Dublin Airport and heading south, west or into the midlands, the Minister's area. We do not see enough of them heading towards the north east. I would like to see that addressed. We have many beautiful areas. Carlingford is starting to show itself not just to Ireland but overseas. We have Ardee, Clogherhead, and importantly the most historic town of Drogheda, with hundreds of years of historical value.

There are areas in Ireland that need specific attention and a specific strategy backed by Government in co-ordination with the local authorities and also private enterprise. I never believe that one person can do things alone. It is always a united front. Can we see specific strategies for those who are not yet up to speed?

Minister for Enterprise, Tourism and Employment (Deputy Peter Burke): I thank the Deputy for raising this matter. My role and that of my Department in relation to tourism includes the development of national policy and the securing of resources to assist the tourism agencies, Fáilte Ireland and Tourism Ireland, in the implementation of policy.

County Louth is included in Ireland's Ancient East Regional Tourism Development Strategy 2023-2027. Ireland's ancient east is not only internationally renowned for its rich heritage but also for the variety of tracks and trails by which the region can be explored and discovered. Its diverse landscape provides the visitor with a rich tapestry from which to unlock the living culture unique to the place and underpinned by 5,000 years of heritage and tradition evidenced by its many historical sites.

I had the pleasure of visiting County Louth at the invitation of Deputy Butterly earlier this year. We encountered so many good businesses like Greenore Port, and Sandra Byrne of EliteForm Manufacturing, another very exciting company. We also saw some of the many picturesque areas across the county.

Regional tourism development strategies are being activated across every region through a series of local area action plans, referred to as destination and experience development plans, DEDPs. The "Ancient" destination experience development plan, which was launched in May 2021, is a five-year plan designed to be a roadmap for enhancing the existing visitor proposition to achieve the objectives of addressing seasonality, increasing visitor numbers, and improving dwell time and visitor dispersion in the Boyne Valley and surrounding areas of Louth and Meath. Since the launch of the Ancient DEDP in May 2021, 26 projects have been completed, while a further 41 are in progress across its four strategic pillars. Key achievements to date include the completion of a plan to reimagine the Boyne Valley drive and the development of an outdoor destination orientation development plan for Carlingford and the Cooley Peninsula. Fáilte Ireland is also presently conducting a mid-term review of the Ancient DEDP to ensure it is updated to reflect present day challenges.

In May, I announced the recipients of funding under Fáilte Ireland's new "Home of Halloween" pilot destination development scheme. A total of €1.5 million will be invested over the next three years, from 2025 to 2028, aiming to establish Ireland as an authentic global home of Hallowe'en. Each successful destination, which included a joint proposal by Meath County Council and Louth County Council, will receive up to €100,000 annually to develop Hallowe'en-themed festivals that celebrate Ireland’s heritage and attract visitors during the off-peak season.

The Government remains committed to supporting the tourism and hospitality sector in County Louth and the wider north-east region. Critically, there are a few things we are significantly working on. We are revising our tourism plan, which we will have finished by September. That is going to reflect that tourism is now in the heart of the Department of Enterprise, Tourism and Employment. We will be focused on SMEs, how we absorb that capacity and a change in direction which will be key, namely that we will have key performance indicators right at the heart of it. This will be an accelerant for key areas like those the Deputy mentioned. We are also looking to expand the season from St. Brigid's Day out to Hallowe'en, which will be very important to attract more visitor numbers into our country.

My intention is to come forward with an all-island food strategy which would be very important to attract visitors. It is a significant advantage for our country. We are also looking at working with our agencies to ensure that we are capturing the massive amount of opportunity in our destination and experience development plans, really putting money right behind where the evidence suggests we can attract more visitors.

A lot of good is going to happen in our tourism sector. I would point out that over the first quarter of the year, which generally comprises a small proportion of tourism in the year, the airport cap was still in place. We had approximately 6% fewer seats. From May to December, we have approximately 11% more seats coming into Ireland - about 1.65 million people - which is very significant. Hopefully that will reflect positively and we will have a good year. The measures the Deputy has outlined in relation to VAT are also very important for the SME sector.

Deputy Paula Butterly: I thank the Minister for those updates. I look forward to welcoming those extra visits to County Louth now that the cap will be lifted. When it comes to County Louth, I will never shy away from broadcasting and promoting the county. Indeed, as people arrive in Dublin Airport and head to the north east, I have a vision of seeing Drogheda as the welcoming mat for County Louth. Without a shadow of a doubt it is the biggest town in Ireland, followed closely by Dundalk. With its coastal beauty, heritage and historical value, it is a place many tourists would love to come and stay in, and not just visit for the day.

I welcome the Minister's announcement about the all-island food strategy because ten or 15 years ago, County Cork focused on food producers and people flocked there to try a bit of Clonakilty pudding and all the beautiful delights that county could offer. Indeed, many a weekend has been spent flying back from Italy to head to Cork because it was so deliciously delightful. The same can be said about Connemara. We have wonderful food producers there who have brought tourists to the area. Let us not forget that Louth is no less than any of these counties. We have the Boyne Valley and producers not just of food. We also have distilleries that make whiskey, beer and even gin. We will not be found wanting when it comes to offering hospitality to any visitors who arrive in the county.

I refer to places that do not have a hotel such as Ardee. It has had a town plan - Ardee 2040 - which is hobbling along. Tourism will play a huge role in raising Ardee to its rightful status as an important town in County Louth. I ask the Minister one last time for a specific strategy to help those towns reach their potential.

Deputy Peter Burke: I am happy to work closely with Deputy Butterly on that. Another area I am actively working on is expanding the remit of Fáilte Ireland. One of the first things I did was to take a deep dive of the legislation that underpins the State agency. I want to include a restaurant sector. It is key as regards developing its model. Fáilte Ireland has focused on hotels but if we look further afield, our restaurants are key to our value proposition for tourism and are keen to absorb that capacity. As I come forward with our tourism plan in September, there will be a key focus on: developing our SMEs with Fáilte Ireland taking a greater role in that; looking at how we expand the season from St. Brigid's Day right out to Hallowe'en as there is a huge amount we can do in that regard; looking at slow tourism; and looking at trying to ensure our destination experience development plans attract the capital investment the State needs for towns like Ardee. I know the Deputy is a great advocate for Drogheda and Dundalk as well in the work she does. I look forward to working with her on those key areas.

The Deputy rightly pointed out that food is a very important niche for Ireland and it can sometimes be alarming when one is abroad, particularly from a European perspective, that people can have a very different idea of what our food is. That is why we need a joined-up approach in regard to our food. It was embarked upon a few years ago but was not followed through. This is something I will work closely on with State agencies.

I acknowledge also Tourism Ireland and the work it does in advocating to ensure we can increase capacity of tourists coming to our country and have better transport through aviation, which will be key to improve the statistics over the later part of the year.

I must reflect upon one thing. The year 2024 was a bumper year for tourism and it will be hard to repeat. Current levels show we are strongly up on 2023 but I am sure we will have a good second half of the year, which is where it counts. The middle part of the year is when the real business is done for tourist operators. We look forward to supporting them as well as supporting County Louth, Drogheda, Dundalk, Ardee and all the towns the Deputy brought me to recently.

An Ceann Comhairle: We will do our best in Wexford with the fleadh. I am sure the Minister will be there.

Deputy Peter Burke: Wexford will not beat Mullingar.

Road Safety

Deputy Darren O'Rourke: Gabhaim buíochas leis an gCeann Comhairle. I thank the Ceann Comhairle for selecting this issue for debate. It is an important one and sits within road safety. This was a tragic day on our roads in Donegal and east Meath. I extend my deepest condolences to all those affected. Internationally, in the world of sport, there was a very high-profile death on the roads. Road safety is incredibly important and this is a really important case in respect of Carlanstown. I raise it here because avenues have been pursued in Meath. Carlanstown is a growing community but it contends every day with speed on the roads, heavy vehicles on the roads and lots of movements in an area that has been wanting for investment in connectivity, traffic-calming measures and safety measures for vulnerable road users, particularly preschool children, schoolchildren, elderly people, people with buggies and people with limited mobility.

There is very heavy traffic and people travelling at speed. If we were standing on the streets of Carlanstown village rather than here, the Minister would immediately recognise there is a need for physical intervention and engineering intervention to calm the traffic. We raised this with Meath County Council and the reason I raise it here is that I have been informed, as have the local community and the local public representatives from the Minister's party, my party and from across the political spectrum, that this is a TII issue and not a Meath County Council issue. When we raised it with the council it points toward the process. TII identifies high-collision hotspots. It has road safety inspections. Those inspections have not identified Carlanstown as an area for investment. From its end, Meath County Council has feasibility and options reports and if identifying Carlanstown as an area in need of investment, it applies to TII for funding to bring the project to design stage and then it goes back to TII for investment in the project itself.

In effect, the residents in the area and the local representatives have been pushed from Billy to Jack. For me that is incredibly frustrating because it is clear what needs to happen. What is needed is some layers of tar for ramps at various spots along the road, signage and some markings along the road. This is not a significant investment. I have had experience of this before. Public lighting is already in place and it is often an issue we have in rural areas, in that

public lighting needs to be installed. It is already there. It is incredible that these small works have not been earmarked and working their way through the planning and implementation phases.

Sometimes TII states something cannot be done because of the nature of the road, but this is the N52. It is a national road. If one goes further along that road to Clonmellon or Delvin, which are in County Westmeath, the exact traffic-calming measures the people of Carlanstown are looking for have been installed. We say firmly that they need to be implemented in Carlanstown as well.

Deputy Neale Richmond: I thank the Deputy for expressing condolences in the House. I suppose when he submitted this Topical Issue, he did not think we would be thinking of tragedies on our roads and indeed more high-profile ones. It is a timely reminder. The Ceann Comhairle has such a strong track record on road safety, it is appropriate we take a moment before discussing this specific issue.

As the Deputy is aware, the Minister is responsible for overall policy and Exchequer funding with regard to the national roads programme. Once funding arrangements have been put in place with Transport Infrastructure Ireland under the Roads Acts 1993 to 2015 and in line with the NDP, the operation and management of individual national roads is a matter for TII in conjunction with the local authorities concerned.

5 o'clock

5 o'clock o'clock

TII ultimately delivers the national roads programme in line with Project Ireland 2040, the national planning framework and the NDP.

The Government has earmarked €5.1 billion for capital spending on new national roads projects from 2021 to 2030 as part of the NDP. This funding will enable improved regional accessibility across the country as well as compact growth, which are key national strategic outcomes. The funding will provide for the development of numerous national road projects, including the completion of projects which are already at construction stage and those close to it, as well as the development of a number of others. In addition, €2.9 billion was allocated for the protection and renewal of the existing national road network.

As the greater portion of this funding becomes available in the second half of this decade, this has meant there has been a constraint on the funding available for new projects in 2025. However, approximately €502 million in Exchequer capital funds was provided for national roads through TII to local authorities in 2025. It is worth noting that this year approximately €650,000 was allocated for the construction of new national roads in Meath, with an additional €5.2 million being allocated for the improvement of the existing network.

The allocation for protection and renewal of the existing national road network will fund a range of activities, including road safety improvements, pavement renewal, maintenance of bridges and structures, and measures to ensure the network can withstand the increased number of severe weather events.

The Minister for Transport understands from TII that Meath County Council is considering developing a scheme in Carlanstown. There are a number of potential road safety improvements, mainly relating to vulnerable road user facility provision and continuity through the village. I am open to correction, but it is my understanding, and this is where we need to get to the nub of the issue, and it is welcome that the Deputy has raised this in the House in order to do that, that no feasibility and options report has yet been drafted by the relevant local authority. Once a feasibility report is drafted, Meath County Council can engage with TII regarding the progression of the scheme.

That is what I have in the reply before me. I do not know if that is contrary to what the Deputy said. Perhaps we are trying to find out exactly what needs to happen here. I hope we can achieve something this afternoon to do just that.

Deputy Darren O'Rourke: I thank the Minister of State for that response. I did not go directly to TII myself. I await a response from it, but this response from the Minister of State is helpful because it sets out the position.

Meath County Council has pointed to a pathway involving a TII-initiated process. That does not look like it is happening. In TII's inspection and its review Carlanstown has not come up. My question then was whether Meath County Council has the capacity or licence to initiate, through its own feasibility and options report, a proposal for Carlanstown. It is clear from the Minister of State's response that it can and that TII awaits that. I and the local public representatives need to take that back to Meath County Council and say it needs to initiate this. Then the question immediately becomes, and I hope this is one the Minister of State will take away, whether the funding will be there for this project, if it is a good project and if it is well designed, and how quickly we can make that happen. From our perspective, from the Meath end, we can contact the council and say it should get preparing its proposal for the feasibility and options report and get on to TII and we will pursue that. However, the question for the Department, TII and the Minister of State is whether there is scope to deliver this type of project, specifically whether there is scope to deliver it in Carlanstown.

Deputy Neale Richmond: I am glad to hear that the response was of some use. We look at the quantums available, as I alluded to at the outset of my initial response, in terms of the capital spending budget, not necessarily for new national road projects but the €2.9 billion allocated for the protection and renewal of the existing national road network, with a considerable amount, €502 million, made available this year. The Deputy will recall that we were both in the previous Dáil and we raised many issues in this Chamber as Topical Issues and I received issues under Commencement matters in the other Chamber. There has been a very distinctive step change in terms of the funding available in this half of the decade for national road projects. I know that is of little succour to the many Deputies and Senators, particularly those who are no longer here, who consistently raised issues and were told this would come in the second half of the decade. There is funding available. Again, it is down to the options and feasibility report by the local authority to make apparent the real necessity of these works. It is fitting that we conclude this debate in putting on the record our shared desire to make our roads safer on this fateful day.

Ministers and Secretaries (Attorney General) Bill 2023: Second Stage [Private Members]

Deputy Ivana Bacik: I move: "That the Bill be now read a Second Time."

I am sharing time with Deputy Ciarán Ahern. I welcome the fact the Minister of State is here and I thank Deputy Ahern, who will speak alongside me. This is a Bill that we in the Labour Party introduced some time ago. It was drafted in the wake of the nursing home charges scandal. A key purpose of the Bill is to clarify and reform the role of the Attorney General by providing a mechanism for both acknowledging and accommodating public interest concerns in State litigation. When we speak about this we think of the real people involved. We think of the late Vicky Phelan, who bravely went public, along with so many other women, in exposing their treatment by the HSE as they were dragged through the courts. We think of the survivors of thalidomide. We think of all the many individuals who, to vindicate their rights, have been forced, essentially, to sue the State and the State has taken what might be described as a very aggressive role in defending claims. We are trying to ensure there is a rebalancing such that when the State is defending - of course having regard to the interests of the people in terms of value for money and the demands on the public purse - it does not behave like any faceless corporate entity in doing so but would also have regard, through the Office of the Attorney General, to the need to ensure that the public interest is maintained. That is a core purpose of the Bill. It was drafted, as I said, in the wake of the nursing home charges scandal and in light of the fact that so many people affected by that scandal had to take to the courts to pursue their rights.

The Minister of State will recall that successive Cabinets had consistently resisted awarding repayments to holders of medical cards who had to pay for care in private nursing homes because of the lack of beds in public institutions. It was Government policy, on the advice of successive AGs, to settle with residents who threatened legal actions, but the Government kept those settlements secret to deter other deserving potential litigants from taking similar cases, with the net result that those who could afford lawyers sued and settled with repayments. The State avoided a visit to the courts by paying up, but other residents without the money and without legal representation got nothing. There was a real and valid concern when this all came to light that this litigation strategy operated by the State and the Attorney General's office was not in the public interest. A core purpose of this Bill is to ensure that, at the very least, the Attorney General would have to have regard to the public interest when taking decisions in defending claims made against the State.

There are two other aspects of the reforms proposed in this Bill, again focused on the Office of the Attorney General. The Bill would further ensure that claims of legal professional privilege are not made in relation to advice of the Attorney General referred to and relied on by the Government in explaining its policy approach to Bills and resolutions in the Houses of the Oireachtas. To be clear about this, there has been some controversy in recent years about the Attorney General's advice being withheld yet relied on by the Government in taking political positions. I am thinking of two key instances of this in recent years. One is the lifting of the eviction ban. The Attorney General's advice was consistently referred to by the Government in justifying making the decision to lift the no-fault eviction ban, yet there was no clarity for Opposition parties - or anyone else, for that matter, particularly renters - as to what

that advice actually said. Of course, there is the ongoing invocation of the Attorney General's advice in respect of the occupied territories Bill.

That is a source of real frustration to us in the Opposition and to the many people across the country who want to see the occupied territories Bill passed. The Government tends to rely upon the cover of the Attorney General's advice in saying it cannot pass the full occupied territories Bill and cannot seek to apply it to services as well as goods, again referring to this secret Attorney General's advice.

The third aspect of the reform is that the Bill will introduce the Attorney General into the regime of codes of conduct for office holders provided for in the Standards in Public Office Act 2001. To go into a little more detail on how we propose to make these reforms, I will focus on two key areas: the need to have regard for the public interest in defending litigation against the State; and the need to ensure the Attorney General's advice, in certain circumstances, may be published.

On the litigation point, we recall that the Office of the Attorney General was established by Article 30 of the Constitution, which describes the Attorney General as "the adviser of the Government in matters of law and legal opinion". Section 6 of the Ministers and Secretaries Act 1924 provides that the Attorney General "shall be vested" with various powers, including "representation ... of the public". The Attorney General is not a member of the Government and acts independently when invoking the jurisdiction of the courts to enforce the Constitution to defend constitutional rights or in a claim of public right. In many cases where public bodies or the State are being sued, the Attorney General's relationship to the Government is that of lawyer to client. This of course entails no accountability to the Houses of the Oireachtas and involves advising the Government on litigation strategy to defend or defeat legal claims. I think we are all aware that in recent years, as I have said, a tension has been exposed between the Attorney General's obligations when acting as legal adviser to the Government and the public interest the Government is supposed to be serving.

A Minister or Department may have an interest in settling litigation on confidential terms to reduce exposure to other potential litigants. That is a legitimate tactic and would be the appropriate tactic for a lawyer to advise in private practice when representing a corporation, for example. It fails to acknowledge, however, the specific public interest considerations which arise in public litigation where there is a public interest in rooting out unfair, unsound or unjust practices. That is why there should be a mechanism in law for acknowledging public interest concerns when the State is the defendant in litigation.

We of course accept the need for the State and State's offices to have regard to value for money but it is not appropriate for the State to wage what we might describe as lawfare - using law as a sort of tool or weapon of war - on citizens and residents who have suffered a wrong committed by the State or an injustice for which the State is responsible. There is a public sector equality and human rights duty here. The Preamble to the Constitution affirms a quest, indeed a need, "to promote the common good". We are very concerned that in cases like the nursing home charges, the public interest is not best served by a Government that simply settles out of court and in secret with those who can afford litigation while abandoning the rest, knowing there are others to whom a wrong has also been done, to stay ignorant of their potential right to compensation. We believe it is not in the public interest to prevent an action from

reaching the courts for fear of losing a test case. This appeared to be the root of the State's litigation strategy in the nursing home charges scandal.

We hope the Government will work with us on that first component of the Bill in seeking to ensure a public interest duty is there to be balanced where the State is defending. I appreciate all those who have contacted me regarding the Bill. I mentioned the thalidomide survivors, who have a particular interest in ensuring the public interest is taken into consideration in the State's litigation strategy. Tomás Heneghan, who, again, has a record in this regard, also contacted me.

I will briefly turn to the second important reform we seek to introduce, which is to ensure the Attorney General's advice may be published in certain circumstances. We are all aware that in recent years, the way Government practice has developed means it is now rare for the Attorney General's advice to be published by the Government on any aspect of anything it has been advised on. There is no legal reason, however, for refusal to publish this advice and it can be problematic to treat this advice as secret. The privilege is for the client to weigh and not the legal adviser. The Government - any Government but this Government as much as any other - has tended to hide behind the Attorney General's advice, notably on the issue of inclusion of services in the occupied territories Bill. We are concerned that in a democracy, on matters of public importance, such as evictions, housing policy and the occupied territories Bill, there is every reason for the Government to be transparent with the public and with the Opposition, as well as with backbench TDs and Senators. We are concerned that over-reliance on secret unpublished Attorney General advice obscures the decision-making process around policies being constitutional or unconstitutional and legal or illegal under European law.

More often than not, particularly in matters of legislation or big policy like the eviction ban, these are questions which should be open for informed scrutiny by Members of the Oireachtas with regard to the legal advice the Government has received. As the Bill acknowledges, there are individual cases in which the Attorney General's advice should not be published, but on bigger issues we believe the State's public interest is best served by enabling the Attorney General's advice to be published.

Deputy Ahern will speak more on this aspect of the Bill. I appeal to the Minister of State to not oppose our Bill on Second Stage and to work with us. We welcome Government amendments and consultation on how to get this Bill through.

Deputy Ciarán Ahern: All too often the State approaches litigation against it in the same way any private corporate entity would. It is a war of attrition against each individual plaintiff who dares to sue it. That approach must change, not least because it is hugely discriminatory against those who do not have the time, resources or mental fortitude to fight a case like that. We must also consider the appropriateness of the State pursuing unsuccessful litigants for costs in certain situations, for instance, where a case that is of constitutional importance or concerns human rights is taken. In the case taken by Louise O'Keeffe some time ago, she was ordered to pay €500,000 in costs after losing in the High Court but the Supreme Court overturned the costs order against her due to the case's public importance. I cannot imagine the stress this put Louise O'Keeffe under as a survivor of abuse and someone the State had failed to protect.

This Bill, which has been moved by Deputy Bacik, deals with advice from the Attorney General and the Government's treatment of that advice, particularly the frequent reluctance to

make that advice public. This is a major problem because the Government often cites the Attorney General's advice as a kind of trump card in debates around public policy matters. The Government says that it would do something but, unfortunately, the Attorney General has said "No" so its hands are tied. This effectively gives the unelected Attorney General a veto over particular Government policy. In some ways, this makes the Attorney General, who is not a member of the Government under the Constitution, the most powerful member of the Government.

One example of an area where the Attorney General's advice was consistently cited but not disclosed in recent decades is on the topic of adopted people's rights to access their birth certificates and early life records which are held by a range of agencies and institutions. For decades, adopted people were told that it was impossible, and that there were complex constitutional issues at play. Successive governments simply asserted that mothers had and actively sought a constitutional right to privacy which required secrecy. Without access to the Attorney General's advice over the years, however, it was not possible to see how or if the Attorney General factored into the legal equation the coercive and forced adoption system that prevailed during the 20th century. This had little regard for women's rights and instead left them with no other choice but to relinquish their children. It also was not possible to see if the Attorney General's advice considered that birth records had been public records since 1864 and that no guarantee of privacy could have been given to mothers in the first place. Under Ireland's adoption system, women were forced to sever legal and familial ties with their own children and act as if they had never given birth.

It is unknown whether or to what extent the Attorney General had considered the extreme discrimination caused by denying one group of Irish people the most fundamental knowledge of themselves that others took for granted. These people were being denied basic knowledge of their identity. Had the Attorney General considered mothers' rights and demands to access their records, and after 2018, what did the Attorney General think of the EU data protection law requirements in that regard? It is because of advice which came from - we are told - the Attorney General that the Birth Information and Tracing Act discriminates against adopted people, still denying them the unconditional access to their birth certificates and records that is enjoyed by the general public. This was and is far too serious and complex an issue for people to be told repeatedly that the Attorney General says "No", the Constitution says "No" and the law says "No", but this is what adopted people have been subjected to for decades. It is as if their demand for information was some kind of competitive battle where it would prejudice the State to reveal its hand and where adopted people and their allies could not be trusted to know the real reasons behind the Government's stance.

This Bill is about having respect for the people of Ireland, not patronising them by suggesting they cannot understand why the Government makes the decisions it does. It is about strengthening our democracy so legislation is designed and debated with as full a picture as possible of the relevant facts and the relevant legal interpretations. Professor David Kenny of Trinity College has made the point that this practice has only emerged in recent decades. We have seen it play out with the occupied territories Bill recently. The Government repeatedly relied on the Attorney General's advice as a reason for delaying the Bill yet refused to publish that advice. The public concern on this matter was and remains evident and, now, for reasons we cannot be quite sure of because we have not seen the initial advice, the Government is seeking further advice on ostensibly the same matter from the Attorney General.

Why would the Government not be transparent with the advice it receives on matters such as this? Anything less leads to legitimate political questions as to whether the advice it received actually gave it an answer it did not want. We must strengthen our democracy when we see any cracks forming. That is what we are trying to do here. I commend Deputy Ivana Bacik for bringing forward the Bill and I commend it to the House.

Minister of State at the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Emer Higgins): I thank the Deputies for giving me the opportunity to discuss the Government's position on Second Stage of this Private Members' Bill, the Ministers and Secretaries (Attorney General) Bill 2023. At the outset, I remind Deputies, as Deputy Bacik has done, that the Attorney General is a constitutional officer appointed by the President on the recommendation of the Taoiseach under Article 30 of the Constitution. Their role is to be the adviser of the Government in matters of law and legal opinion. The Bill contains provisions that risk significantly undermining these relationships. They could also undermine the Office of the Attorney General and the Attorney General's capability to properly defend litigation on behalf of the State.

To summarise the purpose of the Bill, as set out in the explanatory memorandum and by Deputy Bacik, its principal purpose is stated to be to provide a mechanism for both acknowledging and accommodating public interest concerns in State litigation. Another purpose is to ensure that claims of legal professional privilege are not made in relation to the advice of the Attorney General referred to and relied upon by the Government in explaining its policy approach to Bills and resolutions in the Houses of the Oireachtas. The final principal purpose is to introduce the Attorney General into the regime of codes of conduct for office holders that are provided for in the Standards in Public Office Act 2001. I will address each of these three points in turn.

Regarding the public interest, the Bill, if enacted, would be counterproductive to the efficient work of the Government. Duplication arises in a number of areas, for example, the State litigation principles, the programme for Government commitment to update the ethics in public office legislation and the delegation of functions by the Attorney General to a deputy or assistant attorney general. The Bill seeks to introduce a number of inflexible provisions seeking to unnecessarily regulate matters relating to the Attorney General's remuneration, private practice and practice at the Bar, many of which are already addressed appropriately in a non-statutory manner.

Since this Bill was originally put on the Order Paper, the Government has approved the adoption of State litigation principles which serve as guidelines in the conduct of litigation by the State. The 15 litigation principles recognise the imperative that the State should act in the public interest, broadly construed, in pursuing and defending litigation and should consider the broader public interest before taking certain procedural steps in litigation. The litigation principles apply where the State, through the Government, a Minister of the Government, a Department or an agency under its direct control, initiates or engages in litigation. These principles clearly articulate standards for the State and its lawyers in the conduct of legal proceedings. They set out how the State can and should behave in its capacity as a party to a given dispute before the courts.

The litigation principles, in clarifying and explaining existing best practice, assist officials in the different Government Departments, and the lawyers acting on their behalf, in upholding the high standards already expected of the State. They also assist in explaining the approach of the State to litigation and foster a better understanding of how the State serves the public interest when litigating. The litigation principles, when they were introduced in 2023, were not intended as a radical departure or change from what was done previously but, instead, represented a distillation of feedback and existing best practice. While it is simply not possible to prescribe in advance how to act in every conceivable situation that will arise in complex and high-stakes litigation on behalf of the State, the litigation principles serve as guidelines for the conduct of litigation in accordance with high standards of ethics and integrity.

The litigation principles provide a more suitable approach for the State in this context than an inflexible statutory regime and they do not alter the reality that the State has, and should have, the same entitlements as any other litigant in respect of litigation. The 15 litigation principles inform how the State views public interest in the context of litigation. To seek to do this in an overly prescriptive and inflexible statutory rule carries with it the risk of damage to the State's ability to litigate properly in the public interest. The Deputies mentioned a number of concerns in their contributions. As one would expect, the litigation principles refer to the need to act honestly, avoid legal proceedings where possible, minimise legal costs for all parties, not take advantage of the less well-resourced litigant and apologise where the State has acted unlawfully. These are among the principles that were devised as State litigation principles in 2023.

The next issue of privilege is a proposal to not allow a claim for legal professional privilege to be made in relation to advice from the Attorney General in order to explain a position that has been adopted in relation to the passage, defeat or amendment of a Bill or resolution in either of the Houses. It has been the long-standing policy of successive Governments, consistent with professional practice in respect of legal matters, that detailed legal advices provided to the Government by the Attorney General are provided in confidence and remain confidential. The Government, as the "client" of the Attorney General in receipt of advice, is entitled to the same professional privilege as any other client in receipt of legal advice. It is well recognised that legal professional privilege enables open, candid and confidential communications between a client and their lawyer, which is a cornerstone of the administration of justice.

The Attorney General in their advices will often draw attention to risks or legal vulnerabilities with a policy proposal or a Bill. Of course, the risks or vulnerabilities will have been examined before a Bill reaches the Houses. As Deputies would expect, every effort is always made in the development of policies and legislation to remove or reduce to the minimum the extent to which the State, and the taxpayer, may be exposed to risk and litigation. However, releasing this kind of advice may lead to the revelation of possible legal risks or vulnerabilities that could be leveraged in actions against the State or see strands of costly litigation against the State seeking to exploit potential legal vulnerabilities. That would not be in the public interest.

The statutory regime governing ethical behaviour in public office at national level is provided under the ethics Acts. The 2025 programme for Government contains a commitment to update the ethics in public office legislation and work is ongoing in my Department to meet this programme for Government commitment.

It is important to note that, in the meantime, the Attorney General is currently subject to the provisions of the ethics regime. For example, the Attorney General makes a statement of registerable interests on an annual basis, and this statement is furnished to the Taoiseach and the Standards in Public Office Commission. This statement sets out the interests of the Attorney General, as well as of their spouse, child or civil partner, which could materially influence the performance of the Attorney General's official functions. In addition, the Attorney General must make *ad hoc* statements where a function falls to be performed and he or she has actual knowledge that he or she or a connected person has a material interest in a matter to which the function relates. The statement must be furnished to the Taoiseach and SIPO, and must describe the nature of the interest. As one would expect, the Attorney General must fulfil the tax clearance requirements for appointment to the office.

The ethics Acts also provide for the making of codes of conduct. These codes are designed to indicate the standards of conduct and integrity for the persons to whom the code relates in the performance of their functions and in relation to any matter connected with or affecting, or likely or appearing to affect, their performance. As the legislation is currently framed, the manner in which the ethics Acts apply to the Attorney General depends on whether the Attorney General is a Member of the Houses of the Oireachtas or not.

While the legislation provides for codes of conduct to be made in respect of Oireachtas Members, officeholders, directors and employees of public bodies, an Attorney General who is not also a Member of the Oireachtas is not covered by a code of conduct. The Private Members' Bill before us seeks to adjust this by providing that the reference to an "office holder" in this context is deemed to include an Attorney General who is not a Member of the Oireachtas. Consideration of this matter would fall under the overall update of the ethics Acts, which, as the Deputy said, is a programme for Government commitment. That is something that is happening now and is an ongoing review.

The principal purpose of the Bill has been to a large extent addressed by the State litigation principles, and the 2025 programme for Government commitment to update the ethics in public office legislation addresses additional elements of the Bill. I have outlined serious issues with the Bill in terms of legal professional privilege in relation to Oireachtas business, which may cause the disclosure of significant volumes of very sensitive legal advice by the State in a manner which may leave legislation more vulnerable to challenge in litigation.

After careful consideration, the Government has decided it will oppose this Bill as it would seriously undermine the work of the Attorney General and, by extension, the work of the Government which the Attorney General is constitutionally charged with advising.

Deputy Ivana Bacik: A Cheann Comhairle, might I ask if there is a copy of the Minister of State's speech available? I am conscious there was a lot in it.

An Ceann Comhairle: Yes. Minister, normally-----

Deputy Emer Higgins: I think it is here. Is it not here?

An Ceann Comhairle: We have not yet received it.

Deputy Emer Higgins: I am so sorry.

An Ceann Comhairle: The Minister of State can certainly forward it. We will ask for it now, if possible. I will let the Minister of State do that, just to finish, if Deputy Farrell does not mind.

Deputy Emer Higgins: Somebody can provide that. In the meantime, do you want to photocopy my one?

An Ceann Comhairle: That is also helpful, I would assume. We can do that. I thank the Minister of State. The Clerk can collect the Minister of State's speech and get it photocopied. I call Deputy Farrell.

Deputy Mairéad Farrell: Gabhaim buíochas leis an Cheann Comhairle agus leis an Aire Stáit.

This is my third week in a row speaking on a Private Members' Bill from the Opposition which, on a Thursday afternoon, is being pushed back or declined by Government. This feeds in to a narrative and the opinion that this is a slow-moving do-nothing Government.

First of all, I commend Deputy Bacik and the Labour Party on bringing forward this Bill. Most of us would be in agreement that, of anybody in the House, Deputy Bacik probably has the most understanding in relation to these matters. It is quite astonishing, to be perfectly honest, that the Government is going against this Bill.

It is also very rare that we see amendments to the Ministers and Secretaries Act, despite it probably being one of the most important pieces of legislation in the State. Sometimes I think people do not realise how important this particular legislation is. Indeed, it is one that establishes the relationship between Ministers and their Secretaries General.

The Bill deals with the relationship between Ministers and the Attorney. In particular, it requires the publication of the Attorney General's advice.

I have seen how often the Government tells us that it cannot do X or Y because of Attorney General's advice. It is almost used to hide behind. It is often the case as well that we are told that something is far too complex for us to understand and that is another reason something cannot be done. Our little minds would never understand. That hiding behind that advice means that they do not pursue a given course of action. One clear example, the most recent example that is on everybody's lips at present, is in relation to the unpublished Attorney General's advice on the occupied territories Bill. Consistently, we were told that cannot be done because of legal reasons because of the Attorney General's advice. Then, it was seemingly leaked and published by *The Ditch*, which stated that issues of including services in the Bill was a political decision and it had nothing to do with some insurmountable drafting issues. It was simply a matter for the Government to decide. I have done my fair share of interviews about the occupied territories Bill and the first question I am always asked is that as the Attorney General's advice is that it cannot be done, it is insurmountable and services cannot be included, how possibly therefore I can go against it. Every single time, I reply that according to advice that seemingly was published by *The Ditch*, it says it is a political decision. Again,

every single time we have this kind of debate, we are told that this is not possible. This example alone, especially given that it is so politically charged and is so much within the political vernacular at present, speaks to the merits of this Bill.

More broadly, I have a real issue with the state of transparency in the State and I have raised this on a number of occasions. Transparency and openness are fundamental to faith in political life, political decisions and people's ability and willingness to participate in all of those things. Often, however, transparency and openness have come to be seen as burdensome in some quarters. I see a lack of ambition when it comes to improving oversight. Only last night, my Transparency and Social Value in Public Procurement Bill 2024 was kicked down the road for 24 months. I have seen that happen to other Bills and, in my view, that just means that it is not going to happen.

The Minister of State has stated the Government is voting against this Bill and maybe that is a more clear-cut answer from the Government than this crack of delaying it for 24 months. I am the only person I know who got a 24-month ban on a Bill. I got an awful slagging that I got mine a 24-month delay when most Members get nine months to a year. However, I will continue and in two years' time, I will make sure to raise it again.

We need to see the publication of the Attorney General's advice when it is given. It should not be used as a shield, a crutch or a curtain. The Minister of State might say that is not what is happening but then the Government should publish it. It should not be used to deflect from legitimate criticism, should not be a crutch to lean on in times of instability and should not be something to hide behind when the Government is unable to marshal meaningful arguments for its own positions.

If Deputy Bacik's Bill were accepted, we would address all of these issues. It is the kind of Bill that would genuinely improve the functioning of Government, which, unfortunately, is probably why it is being voted against.

Legislation and reform of this type only seem to happen in the moment of a crisis. That is what I have seen over the past five years. It is a shame that Deputy Bacik's former colleague Brendan Howlin is not here as he could talk about all of these issues at length. I am sure that if you were here for a much longer time, you could have a lot more to say about that too and could speak of the shortcomings that exist within our legislative process. Sometimes we need to see a lot more reform and one should not just reflexively shoot down Opposition Bills because one can. We need to have far more reform. We need to see within the Department of public expenditure a far more reformist zeal. Rather than just going through the motions, it should really deal with reform, which is in the title of that Department.

I commend Deputy Bacik on bringing forward this Bill. This particular legislation is very interesting. There is so much that can be done in this House. I can see that a lot of thought went into it and it is targeted and designed to address a specific issue of transparency in a neat and tidy manner. If the "Dr. No" approach of the Government changes and were it to do more than delay or vote down this Bill and were it to see that we need to see reform, I would welcome that. I have no problem welcoming things. In the previous Dáil, sometimes we had Ministers with whom we worked well in changing certain aspects of certain Bills, etc. I am always willing to welcome that when it happens but in this particular Government, we are seeing very much a "Dr. No" approach. That is unfortunate.

I commend the Labour Party on bringing forward this Bill.

Deputy Ivana Bacik: Sorry, is it me-----

An Ceann Comhairle: No, it is the Minister of State first, then the Deputy.

Minister of State at the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Emer Higgins): I thank the speakers who have contributed. We all agree that the State should act in the public interest, broadly construed, in pursuing litigation and should consider the broader public interest before taking certain procedural steps in litigation. This is the reason the Government approved the adoption of State litigation principles two years ago. They serve as guidelines in the conduct of litigation by the State. The 15 litigation principles inform how the State views public interest in the context of litigation. The litigation principles provide a more suitable approach for the State rather than an overtly prescriptive and inflexible statutory rule that carries with it the risk of damage to the State's ability to litigate properly in the public interest.

In terms of legal professional privilege, the Government, as a client of the Attorney General, is in receipt of advice and is entitled to the same professional privilege as any other client in receipt of legal advice. The Attorney General in his or her advices will often draw attention to risks or legal vulnerabilities with a policy proposal or Bill. As Deputies would expect, every effort is always made in the development of policies and legislation to remove or reduce to a minimum the extent to which the State and the taxpayer may be exposed to risk and litigation. However, removing the privilege for this kind of advice may lead to the revelation of possible legal risks or vulnerabilities that could be leveraged in actions against the State or could see strands of costly litigation against the State seeking to exploit potential legal vulnerabilities, which would not be in the public interest.

This Private Members' Bill seeks to adjust the ethics regime by providing that the reference to an officeholder in the context of codes of conduct is deemed to include an Attorney General who is not a Member of the Oireachtas. Consideration of this matter will fall under the overall update of the ethics Act, which is a programme for Government commitment that is ongoing.

The principal purpose of the Bill has been to a large extent addressed by the State litigation principles and the 2025 programme for Government commitment to update the ethics in public office legislation that addresses additional elements of the Bill. I have outlined serious concerns with the Bill in terms of legal professional privilege in respect of Oireachtas business, which may cause the disclosure of very sensitive legal advice by the State in a manner that may leave legislation more vulnerable to litigation challenge. For this reason, the Government opposes the Bill as it would seriously undermine the work of the Attorney General and, by extension, the work of the Government, which the Attorney General is constitutionally charged with advising.

I have copies of my speech that I will circulate.

Deputy Ivana Bacik: I thank my colleague Deputy Ciarán Ahern and Deputy Mairéad Farrell for their words of support. I should also have thanked Deputy Ged Nash, who co-sponsored this Bill with me, at the outset. I also thank Deputy Farrell for her kind words about

my background. I should have declared my interest at the start. As a practising barrister, I represented both the State and individuals suing the State. I have had some experience on both sides of the courtroom and have worked for and with Attorneys General on defending litigation against the State, so I know the way this works.

I am disappointed, frankly, that the Government has taken this "Dr. No" approach to the Bill and the principles within it. It is a pity the Minister of State did not see fit to let it go through on Second Stage so that we could have worked with her on addressing some of the issues she outlined, on seeing whether amendments could be made and whether the spirit of the Bill or the principles within it could best be encapsulated in some other way. I am conscious that other Private Members' Bills have been delayed for 12 months or even, as we saw last week, 24 months. Even that would have been preferable to straightforward opposition to a Bill that is fundamentally meritorious.

I will go back to the two specific issues and aspects of the Attorney General's office addressed in the Bill. The issue of litigation and the public interest in it referenced by the Minister of State can be summed up by a phrase she used several times in both her initial speech and her response - "any other client". She said the Government is like "any other client" in receipt of legal advice. Fundamentally, that is not so. The Government or the State is not any other client. The Attorney General is not any other lawyer. He or she is a constitutional officeholder who simply cannot be regarded in law, policy or legislation as the same as any other legal adviser. In the same way, the State cannot be regarded as just any other client. That is a fundamentally skewed basis on which to view this Bill. We are saying we are absolutely cognisant of the Attorney General's role constitutionally, and that of the Government, but that is why this legislation is needed - to ensure there is regard to the very specific roles of the Attorney General, the State and the Government.

Deputy Ahern rightly referred in particular to instances where the State defended cases in a way that was against the public interest. The Louise O'Keeffe case is one glaring example. I will come back to the nursing home charges case, however, because that was the initial prompt for this. In that case, the State was simply behaving as any other client would have, but that was against the public interest. It was against the interests of all those people who had been wrongly charged. It was fundamentally wrong that those people who had, as I said, the wherewithal to hire lawyers were given a settlement but those who did not were left without any recompense from the State.

Further to the public interest and litigation strategy point, and the Minister of State emphasised this in her closing speech, the Government introduced guidelines or State litigation principles in 2023. Much of what is in section 2 of our Bill reflects, as she said, best practice and what is in those guidelines, but the whole point is guidelines do not have the force of statute. The Minister of State made a virtue out of these being guidelines and said that statute would be too rigid and inflexible. We absolutely refute that. The way we have crafted the Bill, and we crafted section 2 very carefully, ensures it would not tie the hands of an Attorney General. It simply states that the Attorney General has responsibility for ensuring that functions are performed in the public interest. Of course, the Attorney General retains discretion to determine what is in the public interest subject to what is set out in section 2(2), where there is a long list. I do not think anyone could disagree with what we have outlined there because, as the Minister of State said, much of it is reflected in the principles that were set out in 2023, but

if we already have these principles and guidelines, why not put them in statutory form? They are not overly prescriptive in the way they are framed, they do not tie the Attorney General's hands and they would have the huge merit of ensuring that an Attorney General, when looking at a case before him or her, would take cognisance of the fact he or she is not just any other lawyer advising any other client, that he or she is the State's constitutional legal adviser to the Government who is advising the Government and the State, and that he or she must balance the public interest with the interests of the State in ensuring value for money and that the public purse is protected and so on. There is a lot of merit in our proposal set out in section 2 that the public interest should be named in statute as a consideration for the Attorney General in the conducting of claims and litigation against the State.

Turning to the second key aspect of the Bill, where we look to ensure that the Attorney General's advice may be published, Deputy Ahern pointed out a very useful example, that of the long campaign by adopted persons to have a right to information. I should say that I was very involved in that. The then Minister, Katherine Zappone, did her very best on it. The subsequent Minister, Deputy O'Gorman, eventually succeeded in getting legislation through, but it was a tortuous process. As an Opposition Senator and TD, I sat in on many meetings where I heard, as Deputy Ahern rightly said, departmental officials saying, "The Attorney General says" and "The Attorney General's advice is". We never saw the Attorney General's advice. I was in the unenviable position of trying to assist with drafting in a constructive way without knowing what the Attorney General had actually said. That really is not helpful when we are trying to legislate in the public interest, in the interest of transparency and to ensure we have what everyone accepted was a much-needed reform. "The Attorney General says no", a bit like "computer says no", became a sort of unanswerable point.

Let us think of other examples. I did not mention this, but during last year's referendums on care and equality, which the Government was defeated on, from the Opposition and as Chair of the Committee on Gender Equality, I did my best to work constructively to ensure we saw appropriate amendments made to the awful text on the family that now, sadly, remains in Article 41 of the Constitution.

Again what was not helpful was the constant reference to the Attorney General's advice as the basis for the flawed wording that the Government produced and which inevitably people ended up rejecting. The publication of the Attorney General's advice would have been really helpful to those of us who were campaigning from Opposition for the amendment and to those members of the public who were genuinely puzzled and perplexed by the wording.

It is also fair to say, of course, the Attorney General's advice could be published in redacted form in any of these instances. We are not saying the Attorney General's advice must in all cases be published in full - far from it. Section 1 is very carefully crafted. We say that a claim of legal professional privilege shall not be made in respect of legal advice where the Attorney General's advice is being referred to by a Minister in order to explain a position that has been adopted related to the passage, defeat or amendment of a Bill or resolution. It is actually quite a confined provision.

We say specifically it does not apply to legal advice given in the course of litigation. We are not suggesting the Attorney General's advice be published in respect of individual cases. It is without prejudice to any grounds other than a claim of legal professional privilege that could be relied on for non-disclosure of legal advice. We are again careful not to be overly

prescriptive and, as I have said, there is no requirement that the advice must be published in full in any instance. For example, in a particular issue that arose about a particular form of wording in the referendum, the Attorney General's advice on that specific point could have been published and would have been very helpful.

I also mentioned the occupied territories Bill. The Tánaiste has helpfully indicated that he wants to see an occupied territories Bill passed and he wants to work with Opposition on how broad it can become. I conveyed the Tánaiste's view, as expressed to Heads of Government from other member states at a pre-European Council meeting last week in Brussels, to our socialist grouping, because across Government and Opposition we all want to see the occupied territories Bill passed. However, we in opposition want to see it passed in full, covering goods and services. It is not helpful that it appears we cannot see the Attorney General's advice. All too often this has been used as a cover, in my view. The Minister of State said it is a long-standing practice not to publish. Deputy Ahern referred to Professor David Kenny in Trinity, who has been a noted commentator and noted legal expert on these matters. He has pointed out that it can be published and in many cases it would be helpful to do so.

The Minister of State's trump card at the end was to say that it would not be efficient and would undermine the work of Government and Opposition to pass this Bill, particularly on those two points of public interest and publication of Attorney General's advice. It is unfortunate to hear that efficiency would trump transparency.

Deputy Farrell referred to the former Deputy Brendan Howlin. Brendan Howlin and the Labour Party have a long track record of improving transparency and accountability in governance in many different pieces of legislation before this House over many years. We see this as an in keeping with that spirit. We are disappointed that the Government sees fit to oppose it. We again ask the Minister of State to reconsider in advance of the vote next week.

Question put.

An Ceann Comhairle: In accordance with Standing Order 85(2), the division is postponed until the weekly division time on Wednesday, 9 July 2025.

Cuireadh an Dáil ar athló ar 5.55 p.m. go dtí 2 p.m., Dé Máirt, an 8 Iúil 2025.

The Dáil adjourned at 5.55 p.m. until 2 p.m. on Tuesday, 8 July 2025.