



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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(OFFICIAL REPORT—Unrevised)

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DÁIL ÉIREANN

Dé Máirt, 9 Nollaig 2025

Tuesday, 9 December 2025

Chuaigh an Ceann Comhairle i gceannas ar 2 p.m.

Paidir agus Machnamh.

Prayer and Reflection.

2 o'clock

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Pearse Doherty: Before I begin, I send my support and the support of my party to young Cara Darmody, who has begun her 50-hour sit-out protest to demand timely assessments of need are delivered. It is shameful that a young woman has to do this over and over again but we are deeply inspired by her.

Tá fiseán a bhí curtha in airde ag an Roinn tithíochta ar na meáin shóisialta tar éis fearg millteanach a chruthú. Déanann an fiseán iarracht dallamullóg a chur ar dhaoine maidir le freagracht an Rialtais as polasaí tithíochta atá tar éis an oiread sin daoine óga a bhrú le filleadh ar ais le cónaí sa bhaile lena dtuismitheoirí. Demeaning, hurtful, insulting and a two-fingered salute to an entire generation - these are the words people are using to describe the decision by the Minister's Government to share a video advising people how to cope with moving back into the family home. People in their 20s, 30s and 40s are forced to move back in with their parents. I know SpunOut helped with this video. It is a very good organisation that does great work. It is no reflection on it or the young people in the video but it should not be left to a youth organisation to clean up Fianna Fáil and Fine Gael's mess.

Deputies: Hear, hear.

Deputy Pearse Doherty: The decision by this Government to share the video has caused fierce anger. The video suggests that those forced to move back in with their parents should help around the house so they will be viewed as adults. God almighty, how patronising is that?

Did anybody in the Government look at this video before it was shared on the official platforms by the Department of housing? Did anybody think about how people would react? Two weeks ago, I stood here on Leader's Questions and I raised the case of a young couple forced to move back into their parents' house. They were forced to do that because they could not afford the rent any longer. That couple are now planning to head to Australia. Last night,

I was thinking about them and the hurt they would feel after seeing this video. However, they are not alone. The hard reality is that two thirds of 18- to 34-year-olds are still living with their parents. The number of young people forced to live with their family is increasing at a faster rate than in any other country in Europe. Why? Under the Minister's Government, home ownership has collapsed for an entire generation.

We see it all again today in black and white in the report from the Society of Chartered Surveyors Ireland. A total of 80% cannot afford to rent an average apartment built this year. Is it any wonder so many people do not see a future here? The Government's policies are forcing them to choose between moving back into the box room or leaving Ireland for the opportunity of a better life in Australia or Canada. These are the choices they have to make when they should be here, building a future, starting relationships and starting families. Instead, their lives are being put on hold.

If this Government gave a damn about our young people, what it would be doing is bringing action forward to bring home ownership back into reach and get runaway rents under control. What is the Government doing? Instead, it is doing the opposite. It chooses to make things even worse. It is going to push ahead with legislation that will see young people hit with big rent increases come next March. What I want to say to young people out there and those watching today is that we are going to keep fighting for them here. Sinn Féin will keep fighting for them. We will have their back to make things better and ensure they can build a good future and an affordable life here in Ireland.

I will ask the Minister the question many young people have asked me in the last number of hours: does he see why young people are offended and hurt by the Government sharing this video? Does he accept that it is wrong for this Government to make young people feel that they are somehow at fault for its housing crisis?

Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Jack Chambers): In the first instance, this video and the information campaign are not a direct Department of housing campaign. As the Deputy said himself, it is something that has been developed by SpunOut, Ireland's youth information and support platform, and the Housing Agency, who ran this campaign. It was developed by young people and it is based on their experiences.

Like all of us in this House, I recognise the need to do everything we can to improve the availability and delivery of social and affordable homes right across our country. It has been the single biggest issue in our review of the national development plan. It has been our focus in terms of infrastructure. We are enabling infrastructure in energy, water and transport to ramp up the delivery of social and affordable homes. To look at the delivery the Minister, Deputy Browne, has advanced, completions for the first three quarters of 2025 are the highest since 2008. Housing supply has increased significantly over the last five years, with over 158,000 new homes delivered since the beginning of 2020. Rent pressure zones have been extended nationwide, capping increases at 2%. Cost-rental tenancies have been introduced, offering secure rents at least 25% below the market rent. We have extended the rent tax credit to 2028. We have increased the provision of social housing, with nearly 16,000 new homes delivered in 2023-2024, the highest number since the 1970s. As a Government, we are stepping up when it comes to State intervention on the provision of housing across the economy.

I accept that for many young people, rents are still too expensive in our cities and towns and across the country. That is why the intervention from the State is centrally important. Similarly, when it comes to housing supply, we have stood up to the needs in terms of the provision of social housing in our economy. We have extended the first home scheme and the help to buy scheme to help the affordability when it comes to the provision of homes across our country. We want to do everything possible, in terms of the State's role, to support that increased supply of homes right across our country. That is why in the budget we took tax measures to improve the viability of apartments and other interventions when it came to the reduction of VAT on apartments from 13.5% to 9%. That will strengthen the viability of housing supply across the country.

Everyone on this side of the House is absolutely fully aware of the need to do more when it comes to the delivery of social and affordable homes. That is reflected fully in our national development plan. It is reflected in the extension of many of the schemes, subsidies and supports-----

Deputy Cathy Bennett: It is taking a while to build them.

Deputy Jack Chambers: -----which will improve the supply of social and affordable homes. We want to do more across our country with the local authorities to zone more land to ensure that housing supply increases. That is the number one issue for the Government. The Minister, Deputy Browne, has taken a number of interventions over the last number of months with regard to the rental market, taxation decisions and the new housing plan, all to deliver increased housing supply so that people can own and buy their own home here.

In respect of Sinn Féin's policies, it rejects the help to buy scheme which has helped thousands of young couples. It has some made-up policy on affordable homes where the people do not actually own the land underneath the homes they want to own. Sinn Féin's policies on housing would undermine housing supply and, again, the viability gap is something it continuously ignores. Sinn Féin rejected the reduction of VAT on apartments which is critical to improve the supply of apartments, particularly in our cities. This Government will continue to do everything in terms of our policy response to ensure we build more social and affordable homes-----

Deputy Seán Crowe: The Government is helping developers with €100,000 per apartment.

Deputy Jack Chambers: -----and increase and make viable the overall provision of homes over the next number of months and years.

Deputy Pearse Doherty: The Minister is not listening and he is not hearing. He does not understand what it feels like for people in their 20s, 30s or even 40s who have been forced to move back into their parents' house and are now living in the box room when the Department of housing shares a video saying that maybe they should do the dishes when they are at home so they will be seen as an adult. Can the Minister understand how hurtful that is or the lack of hope that is out there? When I was in my 20s I was married, I built my house and I had my first two children. There is an entire generation out there whose lives are on hold or, worse still, an entire generation out there who are no longer here because they have lost hope. They

have lost hope under Fianna Fáil and Fine Gael because they see that house prices are runaway prices, they see what the Government is doing with rents and that it is going to push them up further, and they see that home ownership has collapsed. They have given up. Does the Minister, Deputy Chambers, accept that the Department of housing releasing that video, sharing that video, was hurtful to so many people who, under the Government's policies, have been forced to move back into their parents' box room?

Deputy Jack Chambers: The Deputy is misrepresenting how that video was made and created. It was made by SpunOut, a youth organisation. It was not-----

Deputy Pearse Doherty: I did not say the Department made it.

Deputy Jack Chambers: That particular video was not something that was made by the Department of housing.

Deputy Louise O'Reilly: Deputy Doherty did not say the Department made it; he said it shared it.

Deputy Aengus Ó Snodaigh: It is business as usual.

Deputy Jack Chambers: It was made by SpunOut, a youth organisation in the State and I just want to be clear on that. I am absolutely clear that I want to ensure young people build a future here and have a future with well paid jobs-----

Deputy Louise O'Reilly: And do the dishes and all that.

Deputy Jack Chambers: -----and with more social and affordable homes built right across our country. I want to do that by managing the economy in a way that ensures they have a future here into the long term, something the Deputy just takes for granted every time he gets up and down when it comes to finance issues. My message is absolutely clear. We want them to build a future here and our commitment is there in the national development plan, with nearly €50 billion, between Exchequer and non-Exchequer funds, across all the enabling infrastructure and subsidy for housing support. This is a central priority that we made in the new national development plan so people can build a future in this country. This is why we want to ramp up housing supply with the other interventions that we have made.

Deputy Ivana Bacik: Delivery of new apartments fell by nearly one quarter last year and completions for this year are expected to fall another 25%. It is no surprise. In the budget the Minister slashed tax for private developers but he did nothing to tackle land speculation, even as land hoarding runs rampant. In the greater Dublin area alone figures show that almost 41,000 permissions for apartments lie dormant. They say the definition of insanity is doing the same thing over and over again and expecting different results, yet the Minister did the same thing last year and the year before. In Fianna Fáil they just cannot help themselves. They keep chasing the private developer model even when presented with all the evidence that it does not work. Far from cutting costs or delivering more homes, the Government's VAT cut is simply

being absorbed by developers. It is a benefit for the private sector and there is no evidence it will address what the Minister, Deputy Chambers, has just called that "viability gap". It is a direct wealth transfer from a society locked out of affordable housing into the pockets of those shutting them out. It is an incoherent and contradictory policy. The Minister must fancy his chances at the FIFA prize for housing if that should ever come to pass.

If the budget primed the locked-out generation for disappointment, the Government's housing plan has pushed them over the edge. We have seen no action on the land speculation, which is delaying delivery, and the reality of land speculation delaying delivery. We see nothing to support small developers who want to help deal with the crisis. There is no move to transform the Land Development Agency into a State construction company that is capable of delivering homes at scale. The Government's strategic housing activation office, so-called, still has no one individual person at the helm. It is tsarless and directionless. We have no idea what it will do yet and after 11 months of waiting the Government's plan looks more like what they call "busy work", rather than a blueprint for change.

All the trends are going in the wrong direction. Despite the litany of measures the Minister has just articulated, the reality is that having wrongly overstated the housing figures last year under then Minister for housing, Deputy Darragh O'Brien, the Government will miss its building targets again this year. Construction activity has declined for the seventh month in a row. The number of children in homelessness is, shockingly, climbing towards the 5,500 mark. In a move that is beyond satire, the State is even funding the excellent SpunOut organisation to advise young people by video on how to cope with the move back to their parents' house when it is the Government that has priced them out of the rental and purchase markets. It would be comical if it was not so serious, with 80% of the population priced out of renting and 60% not being able to afford to buy a house on their salary.

It is clear that the Government's policies are simply not achieving for people. We have seen it with the help-to-buy scheme and the first home scheme. When will the Minister finally accept that his Government's policies are failing? When will we see the radical reset of housing policy that the Housing Commission sought and that aspiring homeowners and aspiring home renters throughout the country so desperately need?

Deputy Jack Chambers: I thank the Deputy. First of all, I will state the facts around what we are doing to invest in housing throughout our country. On the capital side, approximately €7.2 billion is being provided in the recently-published national development plan for 2025 with an additional €4 billion around current expenditure. That is more than €11 billion of State investment for the provision of housing, supporting the Department of housing in that work. What the Deputy failed to mention in her commentary and her analysis is that complementing the need to ramp up social and affordable homes is that we have to have a viable housing market. Everything she says is about a State construction company and is attacking any measure that we make in terms of viability on the VAT side. She has attacked the apartment guidelines and attacks anything that relates to having a functioning market. Many young people living in this State want to own and buy their own homes. They want to have private development happen along with the social and affordable provision we are providing throughout the country. We are making significant progress on the provision of social homes. Over recent years we have seen the highest level of social housing delivery in decades, delivered by this Government and by the last one. We continued and extended the help-to-buy

scheme - something the Deputy continually questions - an intervention on affordability in housing. She criticises such things as the first home scheme as a policy, which is another intervention to support affordability in housing supply. What we do not hear from Members on the opposite side is measures needed to ensure we have a viable market for housing.

The State is stepping up when it comes to its role, as I said, in social and affordable housing but we have to narrow the viability gap. The Deputy correctly referenced the report's findings in terms of the high cost of apartment construction. We have sought to narrow that gap with the measure on VAT from 13.5% to 9%, for example, and to increase viability with the apartment guidelines. We have enhanced the corporate tax deduction to reduce the cost of delivery of an apartment for cost rental. We have taken a number of measures to try to narrow that viability gap-----

Deputy Ivana Bacik: It is not-----

Deputy Jack Chambers: -----so that many of the uncommenced planning permissions for apartments are commenced in order that young people can buy and live in them.

I have not heard from the Deputy any measure that she would take to enable the market to increase overall housing supply. We know from the Department of Finance that about €20 billion of capital is required to reach 50,000 homes per year. The State is stepping up on its side of social and affordable housing provision. However, to bridge the gap, we need a viable housing market where people can buy and own their own homes. One of the central issues is that we have had a significant viability gap in recent years. This Government has taken practical steps under the Minister, Deputy James Browne, to address that gap but the Deputy would make it worse. Housing supply would fall under her proposals because she rejects every measure that has been taken in terms of narrowing the viability gap.

Deputy Ivana Bacik: That is not true.

Deputy Jack Chambers: We need a more realistic conversation about housing supply if we are serious about addressing it.

Deputy Ivana Bacik: Unfortunately, anyone listening will realise that, of course, we in opposition put forward reasonable, costed constructive proposals. Indeed, the Labour Party supported the Land Development Agency. We support the tenant in situ scheme. We support measures that are proven to assist people who wish to be able to buy or rent their own homes - the generation that has been locked out of home ownership or even home rental. What the Minister tends to do in government is focus on what the Opposition has not done. He never acknowledges that we have put forward sustainable costed alternatives to his failed measures. The Government's measures have patently failed.

Among the constructive proposals that we put forward are to look at other countries. Let us look at other countries that have models that work. In Vienna, 40% of the rental stock is owned by limited-profit housing associations. Low-, high- and middle-income earners there all have access to stable long-term homes. There are long-term fixed-interest loans providing financial

stability to those who wish to have a home of their own. In Ireland, as the Minister keeps saying to us, the issue is not money but how it is spent.

An Ceann Comhairle: I call the Minister to respond.

Deputy Ivana Bacik: The Government is choosing to spend it in the wrong way. Of course, there is space for the private market but the Government absolutely neglects the huge role the State could and should be playing to ensure people can get a home.

Deputy Jack Chambers: The State has never played a bigger role in the provision of housing in terms of subsidies, supports and the intervention-----

Deputy Ivana Bacik: It is the wrong way, subsidising developers.

An Ceann Comhairle: Deputy, please.

Deputy Jack Chambers: That is reflected in terms of the provision of social housing and in the role of the LDA. This Government brought in cost rental and has expanded cost rental to help affordability of rents for young people. We have extended the help-to-buy scheme. We have the first home scheme. The Deputy did not respond with what she would do to take practical steps to ensure we have-----

Deputy Ivana Bacik: This manifests-----

Deputy Jack Chambers: -----a viable housing market. There are many thousands of young couples who want to buy and own their own homes. The State plays a certain role in terms of the enabling provisions around infrastructural development in the economy and also supporting it through help to buy and other affordability schemes, but we also need to ensure that the market can deliver the other element of housing supply in addition to what we are doing on social and affordable homes.

We welcome the fact the Labour Party supports the Land Development Agency, LDA. We further capitalised the LDA in recent weeks. We have set out the most ambitious, radical step-change in the State's intervention in housing in the national development plan, which will result in a significant ramping up of the supply of social and affordable homes.

An Ceann Comhairle: Thank you, Minister. Deputy Ivana Bacik.

Deputy Jack Chambers: But the other elements of housing supply involve the market functioning-----

An Ceann Comhairle: Thank you, Minister. The time is up.

Deputy Jack Chambers: -----to meet the overall supply targets and those are the practical steps this Government is taking.

An Ceann Comhairle: Deputy Ivana Bacik of the Social Democrats. Excuse me, Deputy Holly Cairns of the Social Democrats.

Deputy Ivana Bacik: A second round.

An Ceann Comhairle: I am sorry.

Deputy Holly Cairns: Go raibh maith agat, a Cheann Comhairle. Disabled people have been failed by this Government. In its record €9.4 billion budget, developers and fast food chains were prioritised. They have been handed tax breaks that will cost the State nearly €5 billion over the next four years. To help pay for that, the income of disabled people was slashed. According to the Disability Federation of Ireland, people's allowances have been reduced by €1,400. This is devastating for so many people who are barely scraping by. Successive Governments have ignored the rights of disabled people but their treatment by this Government feels particularly cruel. That is why so many people are protesting outside the Dáil today - they feel betrayed. Both the Taoiseach and the Tánaiste promised during the election that disabled people would be prioritised, but at the first available opportunity those commitments were abandoned. This Government seems to think income supports for disabled people are somehow optional, because they were cut to the bone.

We have heard a lot from this Government about the need to target resources at those who need them most. That was apparently the guiding principle behind this budget. That is a nice soundbite but it does not stand up to any scrutiny because we know that huge numbers of disabled people are living in poverty. Every day, people are struggling not just with the soaring costs we all face in energy, food and housing, but with the enormous additional cost of having a disability. This is why a weekly cost-of-disability payment is precisely the kind of support the Government should be prioritising, but instead of doing that, the Government did the opposite and reduced people's incomes, pushing them even further into poverty.

One of the many payments in the Minister's pre-election giveaway budget was a one-off cost-of-disability payment. A one-off payment for an everyday cost was obviously insulting enough, but then, incredibly, the Government abolished the payment entirely and did not replace it with anything, as if the costs of having a disability somehow disappeared overnight. It is not the first time targeted supports for disability have been removed at the stroke of a pen. In 2013 personal transport grants for disabled people were abolished. At the time the Fine Gael-Labour Government said it would replace it immediately and more than a decade later there is still no sign of it.

One of the many payments in the Minister's pre-election giveaway budget was a one-off cost-of-disability payment. A one-off payment for an everyday cost was obviously insulting enough, but then, incredibly, the Government abolished the payment entirely and did not replace it with anything, as if the costs of having a disability somehow disappeared overnight. It is not the first time that targeted supports for disability have been removed at the stroke of a pen. In 2013, personal transport grants for disabled people were abolished. At the time, the Fine Gael-Labour Government said it would replace it immediately. More than a decade later, there is still no sign of it.

The people protesting today are telling the Government how they feel - how they feel about the litany of broken promises, how they feel about consistently being failed, and how they feel about their Government slashing their income by €1,400 in the middle of a cost-of-living crisis.

An Ceann Comhairle: Thank you, Deputy.

Deputy Holly Cairns: The question is whether the Government is going to listen to them and whether it is going to act. These cuts were callous and cruel and should be reversed.

An Ceann Comhairle: The Minister to respond.

Deputy Holly Cairns: Will the Government introduce a winter payment for disabled people and-----

An Ceann Comhairle: The time is up, Deputy.

Deputy Holly Cairns: -----will it finally introduce a permanent cost-of-disability payment?

Deputy Jack Chambers: I thank Deputy Cairns. The Taoiseach chaired the first meeting of the delivery and monitoring committee for the National Human Rights Strategy for Disabled People 2025-2030, where we are trying to work on a series of actions to make sure we have a step-change in the provision of disability services over the lifetime of this Government. Budget 2026 was the first opportunity to show our commitment to this strategy and if we look at the funding achieved by the Minister, Deputy Foley, in the context of the disability budget, a 20% increase in funding was secured, which will deliver stronger mainstream services and also targeted social protection supports for households with disabilities. The strategy is our roadmap to 2030 and sets out a series of measures that will be led from the Department of the Taoiseach.

The Deputy asked about social protection in particular. That is why, as part of the overall budgetary allocation, a €10 increase in weekly social welfare rates was progressed in budget 2026. We have also progressed the highest ever increases to the child support payment, a €20 increase in the domiciliary care allowance and a €5 increase in the fuel allowance. People moving from disability allowance or blind pension into work will also retain their fuel allowance for five years and, where relevant, will now qualify for the back to work family dividend. The earnings disregard for carer's allowance will rise in July 2026. We have taken a number of measures in the social protection package to support people with disabilities. We will also expand the wage subsidy scheme from April 2026. As I said, we have taken a number of measures to improve the fuel allowance. In the education system, €3 billion is being allocated to special education for children with additional needs.

There are measures across the education system, social protection and the transport system, where the Minister, Deputy O'Brien, has advanced measures. Some €25 million is being allocated for accessibility improvements, the disabled drivers and passengers scheme is being increased, and a co-designed new scheme from next year will make more people eligible. We have taken a number of steps across multiple Departments to try to improve the day-to-day

experience for people living with disabilities. Central to that has been the funding secured by the Minister, Deputy Foley, specifically for her budget to ramp up the level of intervention that we make for service provision. That was reflected in the work programme and the work that will happen next year in terms of the overall level of support and service provision for people with disabilities. Obviously, the work is ongoing on the budgetary provision for next year for the social protection package. We will consider, with engagement with everyone in the disability sector, further requests around different support payments. You have to take the social protection package in the round, and we did increase the core welfare rates significantly this year.

Deputy Holly Cairns: The Minister is saying there will be a committee to start looking at schemes. I want to highlight the fact there has been committee after committee after committee on disability, and there has been report after report after report, and they all have the same finding: there is a huge added cost to having a disability. We know that people with disabilities in Ireland are living in consistent poverty above and beyond other European countries. We know they have a lower chance of being employed as disabled persons in this country. The Government has had all the committees and reports it needs. People are outside protesting today to tell the Government that they just need action now. They do not need another committee or another report. They do not need to wait until the next budget. There is a cost-of-living crisis now. Disabled people were already disproportionately living in poverty, and now their payments have been cut.

I am going to again ask the Minister the two questions that I initially asked. Will the Government introduce an emergency winter disability payment? Will it finally introduce a permanent cost-of-disability payment? The last budget before this one recognised the cost of disability. Now, the Government has abandoned it.

Deputy Jack Chambers: I reject the assertion that we have had committees and no action has been taken. That is actually untrue. The 20% increase in funding for the Department of disability and the work the Minister, Deputy Foley, is now doing with the HSE on a new service plan will provide a significant improvement in the State's response to improve disability services in 2026. There is a record level of funding to support people with disabilities. When it comes to the Department of Social Protection, as I said, we introduced a series of measures around the fuel allowance, improving core welfare rates and increasing the domiciliary care allowance and back to work family dividend.

We have been clear that the budget we have agreed for 2026 is the settled allocation for next year. Of course, we will engage with all the stakeholders involved around budget 2027, and that will be considered as part of next year's budget. The payments referenced by the Deputy were one-off measures taken in previous years. We were clear in how we developed budget 2026 that the measures we would take had to be permanent, sustainable and affordable. We have made a significant intervention in the social protection package.

Deputy Charles Ward: The law of the land is clear. Section 39(10)(b) of the defective concrete blocks Act 2022 sets out the powers of the appeals board. It may direct the Housing Agency or a local authority to reconsider a decision in line with the board's directions or it may replace the decision entirely with a new determination. That is what the Oireachtas intended.

That is the safeguard homeowners were told they had but in place is a safeguard that is an absolute fiction. Of the appeals heard so far, the panel has found serious and significant errors of law in the Housing Agency's decisions. These are not minor matters but fundamental failures. When this has happened, every one of these cases has been sent straight back and the homeowners have been left under absolute pressure with no decisions made. Not once have these been overturned. The only power the appeals board never uses is the one that would work, which is delivering justice.

Instead of independent appeals we have a closed loop where the State appeals to itself, reviews itself and then reaffirms its own decisions, sometimes doing nothing more than tidying up the paperwork. This is not independence; this is institutional self-protection. It leaves homeowners trapped in the same system that failed them, with their homes still crumbling down around them. No other appeals body in the State operates this way, not in planning appeals, not in social welfare appeals and not in procurement appeals. In every other system, when the original decision-maker gets it seriously wrong, they do not get the chance to make that decision again so why is this the standard for people and families with defective concrete homes?

This week amendments are being brought forward to legislation the Government says is intended to improve the scheme for applicants. This is now essential because the Housing Agency has made failed decisions and it should not be given a second opportunity to do this. It is an error of law that has been identified. The appeals board must be required to use the power given to it by statute to issue a replacement decision and the Housing Agency must be removed from the appeals process. This will cost the State nothing. It will restore fairness and transparency. Homeowners deserve a real appeal not a circular motion dressed up as due process. They deserve a system that protects them. The Government amendment Bill this week will make it explicit that where the appeals board finds a significant error of law or fact, the board must issue a replacement decision and a case cannot be sent back to the Housing Agency that made the flawed decision in the first place. It is a really simple; it is a "Yes" or a "No".

Deputy Jack Chambers: I thank the Deputy. The current Government and the previous one stepped up to support many households affected by defective concrete blocks. That is reflected in the increased allocation in recent years. Over 2025 funding increased by over 50% and following the Revised Estimates process, the budget for homes damaged by the use of defective concrete blocks increased by a further €60 million, bringing the revised allocation to €130 million. As the scheme ramps up, additional funding will be provided to support the households who are progressing through the scheme.

The Government is also making sure the scheme is designed and delivered in a manner that meets the real needs of homeowners in an efficient and fair manner. I know the Deputy asked about the appeals process. Appeals are covered by a statutory process under the appeals panel, led by a senior counsel and with experts from the legal and engineering professions appointed by the Minister under a clear and transparent process managed by the Public Appointments Service. The appeals system is an independent statutory function under the 2022 legislation and it has now begun to issue the terminations to appellants and has accelerated its work in recent weeks.

Section 39 of the Act states that:

Where it is considered necessary for the purpose of ensuring fair procedures in the consideration of an appeal, the Appeal Board may require a party of the appeal to provide the Appeal Board ... such further information in writing as the Appeal Board considers necessary, and ... [they will be] given an opportunity to make submissions in relation to that information.

The appeal board has been writing to the Housing Agency seeking clarification in some instances in an effort to assist homeowners in their cases. We have clear statutory provisions. It is independent, which is important to keep the fairness and integrity in the appeals mechanism within the scheme.

The programme for Government also commits to undertaking a planned review of the legislation underpinning the scheme. This refers to the fact that the legislation mandates the Minister to review the scheme within three years of the Act's commencement, so that is by July 2026. All aspects of the Act will be kept under review, including the appeals process. If changes are required they may be made then, and not through the current amendment Bill which is focused on other matters at this time, particularly increasing the amount of money paid to homeowners. We have a clear and transparent process that is set out and reflected in the legislation. If you take the procedures that are set out and the nomination process that is guided through that, it is important that that is allowed to do its work in the context of appeals that are made.

Deputy Charles Ward: My constituents are coming into the office all the time and are contacting us. Their lives are being determined by the decisions of the Housing Agency as to whether they can rebuild their house and move on with their lives. When they request evidence behind the life-changing decisions, they receive black pages with ink all over them. It is heavily redacted. FOI was sought and refused and then overturned by the Information Commissioner. This is not transparency.

Even more alarming is the Housing Agency record retention policy. Section 7, page 8, allows draft versions of files replaced by the final versions to be disposed of. Destroying records in these circumstances is indefensible. It undermines accountability and violates best record keeping standards. It fuels fears among the homeowners that there is stuff going on.

Will the Minister immediately order the Housing Agency to preserve all records and release unredacted evidence underpinning these decisions? This is a simple "Yes" or "No" question. Just give me a "Yes" or "No" answer to that question.

Deputy Jack Chambers: I have set out the legislative provisions underpinning the appeals process. It is clear that neither the Minister nor the Department has any influence on the operation of the appeals that exist. Any involvement is purely on an administrative basis.

All public bodies hold records and have a duty to provide information as appropriate. Maybe it is withheld because of particular matters relating to the privacy of an individual. I do not know the facts behind every FOI or release of information which has been requested. It depends on each particular case connected to the Housing Agency's involvement.

We have an independent statutory function set up to oversee appeals. That is, as I said, done with independent people appointed by the Public Appointments Service. If any changes are required to the operation of the appeals, that can be considered in the context of the three-year review which is set out under the current legislation.

An tOrd Gnó - Order of Business

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

Tuesday's business shall be:

- Motion re Excess Vote relating to 2024 [Vote 14] (without debate)
- Arbitration (Amendment) Bill 2025 (Second Stage) (to conclude within 3 hours and 34 minutes)

Tuesday's private members' business shall be the Motion re Assessment of Needs, selected by Sinn Féin.

Wednesday's business shall be:

- Statements on Online Safety (not to exceed 2 hours and 25 minutes)
- Motion re Proposed approval by Dáil Éireann for a Council Decision to sign the Third Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (to commence no earlier than 5.20 p.m. and to conclude within 1 hour)
- Irish Film Board (Amendment) Bill 2025 [Seanad] (Committee and remaining Stages) (to conclude within 1 hour)
- Motion to Instruct the Committee on the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Bill 2025 (to conclude within 1 hour and any division claimed to be taken immediately)
- Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Bill 2025 (Committee and remaining Stages) (if not previously concluded, to conclude either at 12.22 a.m. or after 4 hours, whichever is the later)

Wednesday's private members' business shall be the Second Stage of the Dog Welfare (Amendment) Bill 2025, selected by Social Democrats.

Thursday's business shall be the Motion re Restoration of Private Members' Bill to the Order Paper (without debate).

Thursday evening business shall be the Second Stage of the Health (Waiting Lists) Bill 2024, sponsored by Deputy David Cullinane.

Proposed Arrangements for this week's business:

In relation to Tuesday's business, it is proposed that:

1. the ordinary routine of business as contained in Schedule 3 to Standing Orders shall be modified to the following extent:

(a) the time allocated to Government business shall be extended in accordance with the arrangements for that business and the Dáil may sit later than 10.48 p.m.;

(b) Oral Parliamentary Questions to the Taoiseach pursuant to Standing Order 47(1) shall not be taken and Government business shall commence at the time when Parliamentary Questions to the Taoiseach would normally be taken; and

(c) private members' business may be taken later than 6.12 p.m. and shall in any event be taken on the conclusion of the Second Stage of the Arbitration (Amendment) Bill 2025, with consequential effect on the commencement times for the items following in the ordinary routine of business, namely, Parliamentary Questions to the Minister for Finance and topical issues;

2. the proceedings on the Motion re Excess Vote relating to 2024 [Vote 14] shall be taken without debate; and

3. the proceedings on the Second Stage of the Arbitration (Amendment) Bill 2025 shall be brought to a conclusion after 3 hours and 34 minutes and the following arrangements shall apply:

(a) the arrangements for the first speaking round shall be in accordance with those contained in the table immediately below (to be read across, not down);

(b) on the conclusion of the first speaking round or where speeches conclude before the 3 hours and 24 minutes have elapsed and no other member is offering, a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed 10 minutes, whereupon proceedings shall be brought to a conclusion; and

(c) members may share time.

Mins	20	20	20	12	4
Mins	20	12	4	20	12
Mins	4	20	12	4	20

In relation to Wednesday's business, it is proposed that:

1. the ordinary routine of business as contained in Schedule 3 to Standing Orders shall be modified to the following extent:

(a) the time allotted for Government Business shall be extended in accordance with the arrangements for that business and the Dáil may sit later than 9.30 p.m.;

(b) the SOS pursuant to Standing Order 25(1) shall be taken immediately following Taoiseach's Oral Parliamentary Questions pursuant to Standing Order 47(1), which shall be taken at the time when the SOS would normally be taken;

(c) in the event the Statements on Online Safety conclude before 5.20 p.m., the sitting shall stand suspended until 5.20 p.m. when the order of business shall resume with the Motion re Proposed approval by Dáil Éireann for a Council Decision to sign the Third Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters; and

(d) the weekly division time shall be taken on the conclusion of proceedings on the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Bill 2025, and the Dáil shall adjourn on the conclusion of the weekly division time;

2. notwithstanding anything in Standing Order 177(2), the proceedings on Second Stage of the Dog Welfare (Amendment) Bill 2025 shall, if not previously concluded, be brought to a conclusion after 2 hours;

3. the Statements on Online Safety shall not exceed 2 hours and 25 minutes and the order of speaking and allocation of time shall be as follows:

(a) the arrangements for the statements, not including the Ministerial response, shall be in accordance with the arrangements contained in the table immediately below (to be read across, not down);

(b) following the statements, a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed 10 minutes; and

(c) members may share time;

Mins	25	15	10	10	3
Mins	10	10	3	9	10
Mins	3	9	10	3	5

4. the proceedings on the Motion re Proposed approval by Dáil Éireann for a Council Decision to sign the Third Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters shall, if not previously concluded, be brought to a conclusion after 60 minutes and the following arrangements shall apply thereto:

(a) the order of speaking and allocation of time shall be as follows:-

opening speech by a Minister or Minister of State – 10 minutes;

speeches by representatives of Sinn Féin, the Labour Party, Social Democrats, Independent and Parties Technical Group, and Independent Technical Group – 7.5 minutes per party or group;

speeches by Other Members – 7.5 minutes in total; and

speech in response by the Minister – 5 minutes; and

(b) members may share time;

5. the proceedings on Committee and remaining Stages of the Irish Film Board (Amendment) Bill 2025 [*Seanad*] shall, if not previously concluded, be brought to a conclusion after 1 hour by one question which shall be put from the Chair, and which shall, in relation to amendments, include only those set down or accepted by the Minister for Culture, Communications and Sport;

6. the proceedings on the Motion to Instruct the Committee on the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Bill 2025 shall, if not previously concluded, be brought to a conclusion after 60 minutes and the following arrangements shall apply thereto:

(a) the order of speaking and allocation of time shall be as follows:-

opening speech by a Minister or Minister of State – 10 minutes;

speeches by representatives of Sinn Féin, the Labour Party, Social Democrats, Independent and Parties Technical Group, and Independent Technical Group – 7.5 minutes per party or group;

speeches by Other Members – 7.5 minutes in total; and

a speech in response by the Minister – 5 minutes;

(b) members may share time; and

(c) any division claimed thereon shall be taken immediately; and

7. the proceedings on Committee and remaining Stages of the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks (Amendment) Bill 2025 shall, if not previously concluded, be brought to a conclusion either at 12.22 p.m. or after 4 hours, whichever is the later, by one question, which shall be put from the Chair, and which shall, in relation to amendments, include only those set down or accepted by the Minister for Housing, Local Government and Heritage.

In relation to Thursday's business, it is proposed that:

1. the ordinary routine of business as contained in Schedule 3 to Standing Orders shall be modified to the following extent:

(a) pursuant to an Order of the Dáil of 2nd December, 2025, Parliamentary Questions to the Minister for Further and Higher Education, Research,

Innovation and Science pursuant to Standing Order 47(1) shall be taken for 96.5 minutes immediately following the SOS;

(b) topical issues may be taken earlier than 7.24 p.m. and shall in any event be taken on the conclusion of the Parliamentary Questions to the Minister for Further and Higher Education, Research, Innovation and Science pursuant to Standing Order 47(1), with consequential effect on the commencement time for Second Stage of the Health (Waiting Lists) Bill 2024; and

(c) the Dáil shall adjourn on conclusion of the Second Stage of the Health (Waiting Lists) Bill 2024; and

2. the proceedings on the Motion *re* Restoration of Private Members' Bill to the Order Paper shall be taken without debate.

An Ceann Comhairle: Are the proposed arrangements for the week's business agreed?

Deputy Pádraig Mac Lochlainn: Not agreed.

Deputy George Lawlor: Not agreed.

An Ceann Comhairle: I call Deputy Mac Lochlainn.

Deputy Pádraig Mac Lochlainn: The reports into Operations Kenova and Denton expose a central role of the British state over decades in hundreds of targeted assassinations and murders of nationalists in the Six Counties. We need an urgent debate. Tomorrow there are statements on online safety, and I suggest to the Chief Whip that we have a debate on these reports tomorrow and deal with the seriousness of it, the central role of the British state and how it cannot dictate in terms of the legacy legislation and consider how it blocked co-operation with these reports.

Deputy George Lawlor: We need an urgent debate on the crisis in emergency departments across the country. Last week 14 ambulances were stacked up outside Wexford General Hospital, with no access to the emergency department because it was already packed. Some 14 ambulances taken out of service, some for up to seven hours. We are facing an urgent crisis in the emergency department. Wexford needs a demountable unit to avoid this crisis happening again.

Deputy Gary Gannon: Over the weekend, a child of four years of age and his 60-year-old great aunt were murdered in their own home through an arson attack in a manner most despicable and most heinous. It is something which absolutely requires the immediate attention of this House. I cannot understand how the justice Minister is not here talking about how we are going to crack these gangs and how we are going to confront drug-related intimidation that is destroying our communities. This warrants immediacy.

Deputy Richard Boyd Barrett: I joined disabled activists and disability groups in a protest outside the Dáil this morning. They were protesting over the fact that the recent budget has plunged them into poverty. One disabled person described how, for example, he has to sit down and consider whether he can put one bar or two bars on the gas heater that he sits beside. He described his own personal humiliation at having to go to food banks to get sandwiches because he cannot afford food. They were pleading with this Government for an emergency winter payment to be provided to deal with this and for a cost-of-disability payment. Will the Minister respond?

Deputy Michael Collins: I want to bring up the Galway West and Dublin Central by-elections and the fact that nobody is talking about them and the writs have not been issued.

The Mercosur deal is hugely important. We have a crisis in this country where we face, on 20 December, the Commissioner trying to push this ahead so that she can sell vehicles from Germany. There is a Fine Gael MEP and a Fianna Fáil MEP who state they support this shocking, terrible deal which will bring rotten meat into this country.

An Ceann Comhairle: Thank you, Deputy. Time is up.

Deputy Michael Collins: We need a clear statement from the Taoiseach. What is the stance of Fianna Fáil and Fine Gael MEPs? Do they support the Mercosur deal or not?

Deputy Mary Butler: I thank the Ceann Comhairle and all the Whips for raising these important issues. We will take the opportunity on Thursday at the Business Committee meeting to discuss them further. The Order of Business stands.

An Ceann Comhairle: Are the proposed arrangements for the business agreed?

Deputies: Not agreed.

Question put: "That the proposed arrangements for this week's business be agreed to."

The Dáil divided: Tá, 76; Níl, 67; Staon, 0.		
Tá	Níl	Staon
Aird, William.	Ahern, Ciarán.	
Ardagh, Catherine.	Bacik, Ivana.	
Boland, Grace.	Bennett, Cathy.	
Brabazon, Tom.	Boyd Barrett, Richard.	
Brennan, Brian.	Brady, John.	
Brennan, Shay.	Byrne, Joanna.	
Brophy, Colm.	Cairns, Holly.	
Browne, James.	Carthy, Matt.	
Butler, Mary.	Clarke, Sorca.	
Butterly, Paula.	Collins, Michael.	
Buttimer, Jerry.	Conway-Walsh, Rose.	
Byrne, Malcolm.	Coppinger, Ruth.	
Cahill, Michael.	Cronin, Réada.	

Callaghan, Catherine.	Crowe, Seán.	
Calleary, Dara.	Cullinane, David.	
Canney, Seán.	Cummins, Jen.	
Carrigy, Micheál.	Daly, Pa.	
Chambers, Jack.	Doherty, Pearse.	
Cleere, Peter 'Chap'.	Donnelly, Paul.	
Clendennen, John.	Ellis, Dessie.	
Connolly, John.	Farrelly, Aidan.	
Cooney, Joe.	Farrell, Mairéad.	
Crowe, Cathal.	Gannon, Gary.	
Currie, Emer.	Gibney, Sinéad.	
Daly, Martin.	Gogarty, Paul Nicholas.	
Dempsey, Aisling.	Gould, Thomas.	
Devlin, Cormac.	Graves, Ann.	
Dillon, Alan.	Guirke, Johnny.	
Dolan, Albert.	Hayes, Eoin.	
Dooley, Timmy.	Hearne, Rory.	
Feighan, Frankie.	Kenny, Eoghan.	
Fleming, Sean.	Kenny, Martin.	
Foley, Norma.	Kerrane, Claire.	
Gallagher, Pat the Cope.	Lawlor, George.	
Geoghegan, James.	Mac Lochlainn, Pádraig.	
Grealish, Noel.	McGettigan, Donna.	
Harkin, Marian.	McGuinness, Conor D.	
Healy-Rae, Michael.	Mitchell, Denise.	
Heneghan, Barry.	Murphy, Paul.	
Heydon, Martin.	Mythen, Johnny.	
Higgins, Emer.	Nash, Ged.	
Lahart, John.	Newsome Drennan, Natasha.	
Lowry, Michael.	Ní Raghallaigh, Shónagh.	
Maxwell, David.	Nolan, Carol.	
McAuliffe, Paul.	O'Callaghan, Cian.	
McCarthy, Noel.	O'Donoghue, Richard.	
McConalogue, Charlie.	O'Donoghue, Robert.	
McCormack, Tony.	O'Gorman, Roderic.	
McEntee, Helen.	O'Hara, Louis.	
McGrath, Séamus.	O'Reilly, Louise.	
McGreehan, Erin.	O'Rourke, Darren.	
Moran, Kevin Boxer.	Ó Broin, Eoin.	
Moynihan, Aindrias.	Ó Laoghaire, Donnchadh.	
Moynihan, Michael.	Ó Murchú, Ruairí.	
Moynihan, Shane.	Ó Snodaigh, Aengus.	
Murnane O'Connor, Jennifer.	Ó Súilleabháin, Fionntán.	
Murphy, Michael.	Quaide, Liam.	
O'Connell, Maeve.	Quinlivan, Maurice.	
O'Connor, James.	Rice, Pádraig.	
O'Dea, Willie.	Sheehan, Conor.	
O'Donnell, Kieran.	Sherlock, Marie.	

O'Donovan, Patrick.	Stanley, Brian.	
O'Meara, Ryan.	Tóibín, Peadar.	
O'Shea, John Paul.	Wall, Mark.	
O'Sullivan, Pádraig.	Ward, Charles.	
Ó Cearúil, Naoise.	Ward, Mark.	
Ó Fearghaíl, Seán.	Whitmore, Jennifer.	
Ó Muirí, Naoise.		
Richmond, Neale.		
Roche, Peter.		
Scanlon, Eamon.		
Smith, Brendan.		
Smyth, Niamh.		
Timmins, Edward.		
Toole, Gillian.		
Ward, Barry.		

Tellers: Tá, Deputies Mary Butler and Emer Currie; Níl, Deputies Pádraig Mac Lochlainn and Michael Collins.

Question declared carried.

An Ceann Comhairle: Before I move to questions on policy or promised legislation, I welcome the transition year students from Intermediate School, Killorglin, in County Kerry, along with their teachers James Culloty and Annie O'Connor, who are guests of Deputy Michael Cahill.

Deputy Pearse Doherty: As has been mentioned already, as we speak there are people with disabilities protesting outside the gates of Leinster House because they are struggling with the cost of living. The hard reality is that in the budget the Government took away the supports that these individuals were relying on. People with disabilities are up to €1,400 worse off. The Government stripped away the vital supports they depend on to deal with the spiralling cost-of-living crisis. Those are not my numbers but the Irish Wheelchair Association's numbers. The Government shamefully left vulnerable people high and dry. This has caused serious anger, worry and stress for people with disabilities, many of whom are going to be forced into real deprivation. That is why they are gathered outside the gates of Leinster House pleading for the Government to introduce an emergency winter disability payment and do the right thing. Will the Government listen to the disability sector? Will it reverse its decision and introduce an emergency winter disability payment because these individuals cannot wait 12 months for it to get its act together?

Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Jack Chambers): As I said in response to Deputy Cairns, this was a budget where we absolutely took the provision of disability services very seriously. That is why there is a 20% increase following the negotiation and settlement with the Minister, Deputy Foley, which will make a real difference in strengthening and enhancing service provision. That is being complemented with a series of targeted social protection supports in terms of core

welfare increases, the fuel allowance and other payments. Of course, we will continue to engage with stakeholders in the disability sector and people with disabilities in advance of budget 2027 on the priorities for next year's budget. That is the context in which we agreed budget 2026.

Deputy Ivana Bacik: My Labour Party colleagues Deputies Eoghan Kenny and Alan Kelly have recently uncovered alarming details of a shocking sweetener given to the former Garda Commissioner. Last week, we learned from them that roughly €1 million in public money went towards accommodation, refurbishment and security for one of the highest paid public servants in the State. Public funds covered a rent-free home for the former Garda Commissioner in the Phoenix Park at a time when many ordinary gardaí cannot afford to rent or buy in Dublin. We need to know why the public was kept in the dark on this for so long. Deputy Kenny has already sought responses from the Garda and the OPW but I want to put these questions on the record of the Dáil. Why was a house leased from the OPW before the recruitment process even began? What does this say about the fairness of the 2018 selection process for the Garda Commissioner if this accommodation deal was never publicly acknowledged as part of the package? Clearly, multiple questions arise from this revelation and we need to have answers.

3 o'clock

Deputy Jack Chambers: I thank Deputy Bacik. As has been previously stated, the Policing Authority advised the then Minister for Justice and Equality in 2017, in advance of the recruitment of a Garda Commissioner, of the terms and conditions that should apply to such an appointment. This advice included a recommendation that in the case of an external successful candidate it may be appropriate to provide for accommodation or an accommodation allowance, given the requirement that the Garda Commissioner reside in Dublin. The recommendation at that time was accepted and the Department initially engaged with the Office of Public Works to explore support that it could provide if it turned out an external candidate was successful. Further to the appointment of former Commissioner Harris in June 2018, suitable accommodation was identified for the Commissioner. The OPW at that point set the rent for this property, which was paid by An Garda Síochána and, as has already been confirmed, the former Commissioner paid benefit in kind in respect of the accommodation that was provided. The Department of justice and the OPW can provide any further information that Deputy Bacik is seeking.

Deputy Liam Quaide: I want to pay tribute to Cara Darmody's determination on the assessments of need crisis and welcome Cara and her dad, Mark, here today. There are now over 18,000 children whose assessment of need is overdue. The Government is spending many millions of euro fighting in the courts some of these families who are trying to have their right to an assessment of need upheld. At the same time, the Government is imposing recruitment restrictions on the very services in primary care where many of these children should be seen quickly for assessment, followed by timely intervention. This is an absurd way to provide services. What we need is an extension of the right to an assessment of need to also become a right to intervention. The crisis in assessments of need is part of a broader crisis in disability and primary care services and it stems from years of Government neglect, failure to invest and failure to plan. This under-resourcing has created a feedback loop whereby the services are

now struggling to retain staff when they do advertise jobs because they have become so difficult to work in, with out-of-control waiting lists. What we need now is proper workforce planning with a clear staffing target per population across these services and a comprehensive recruitment drive.

Deputy Jack Chambers: First, I want to acknowledge Cara Darmody, who is continuing her campaign outside the gates of Leinster House. I know Cara has met with the Minister, Deputy Foley, and they have had good and positive engagement. In terms of assessment of need, the demand for assessments of need has more than doubled since 2020 and there has been a 57% year-on-year increase in the assessments of need that have been completed within the HSE. We are also using every available mechanism to reduce the backlog as quickly as possible. There have been 5,000 assessments procured privately through the waiting list initiative. The Minister, Deputy Foley, is advancing legislative change to reform the assessment of need without weakening the rights of children, establishing a dedicated panel to provide autism diagnostic assessments, removing the requirement for an assessment of need for accessing non-health supports including special classes and school places, and the roll-out of the education therapy service. In the agreement for budget 2026 the significant increase in disability funding of 20% will make a significant difference in ramping up recruitment in terms of improving assessment of need across the system in addition to the reforms the Minister is progressing.

Deputy Brian Stanley: The programme for Government states on page 68 that the Government will support the school building unit in the timely delivery of school building projects. Coláiste Íosagáin in Portarlinton has been waiting for a decade and a half. Portarlinton is the second-biggest town in County Laois and the school is full to capacity. It has a catchment area taking in Killenard, Lea, Emo, Ballybrittas and Courtwood and, in Offaly, Walshisland and Bracknagh. There is huge pressure on student places and a large part of the school is in prefabricated buildings. There is a new school plan for 1,300 pupils but this has been going on for a decade and a half. I am asking Deputy Chambers, as Minister for public expenditure, to move this on. They have been waiting for approval to go to tender. Will the Government and the Minister for education now move this on? Deputy Chambers, as Minister for public expenditure, has a key role in this because we cannot have schools waiting for up to 20 years to get new buildings in place. It is important for the education of the children. It is important for the staff who work there as well.

Deputy Jack Chambers: In the engagement I have had with then Minister for education, Deputy McEntee, and the Minister, Deputy Naughton, we have prioritised the school building programme in the national development plan. For the next five years we have a total allocation of €7.5 billion. That is up from €5 billion over the previous five years in the national development plan, which was agreed in 2020 or 2021. That will allow for significant ramping-up of the overall delivery of school buildings and, in addition, the special education needs, which are critical in overall school provision. The Department has to work with the allocation it has and manage its pipeline in that context. I can ask the Department of Education and Youth to provide a more specific note on the timeline for that particular school.

Deputy Peadar Tóibín: Today sees the publication of a significant report into British collusion in the killing of innocent Irish citizens. The report details how MI5 managed

murderers and then sought to hide the truth afterwards. The Glenanne gang, who killed 127 Irish people, and was also made up of British Army, RUC and loyalist paramilitaries, is another example of collusion. In most countries, information such as this would be of the gravest priority but not here.

The legacy Act, which was designed to let British soldiers away with murder, has been binned but it has been replaced by the British-Irish legacy framework document. Currently, that is going through Westminster. The British Government is seeking to build in protections for British Army veterans in relation to that. It is also looking to put the Secretary of State in charge of what information can be brought to these investigations. It may even put senior RUC officers in charge of those investigations. People who were involved in the organisations that were involved in the collusion will investigate collusions. The Government has a chance to stop or change this. What efforts will the Government make to make sure the information is made available to the families and survivors who need it?

Minister for Foreign Affairs and Trade (Deputy Helen McEntee): At the outset I thank the Kenova team for its service, initially under the leadership of Jon Boutcher and, subsequently, Sir Iain Livingstone. People who have an opportunity, if they have not done so already, to read the report today will see it certainly makes for interesting reading. There are shocking claims of collusion. Paramilitary groups were regularly supplied with intelligence by members of security forces. However, it is also very critical of the Provisional IRA, referencing the wanton use of torture and murder in its own community. This is a really important piece of work that has been done.

The Deputy is wrong in saying that there has not been a priority or a focus put on this by the Government. There has been a huge amount of engagement between this Government, the Secretary of State for Northern Ireland and the UK Government to bring about the framework, which was agreed in September. The framework strikes a very fine balance in making sure the most important thing happens here, namely, that families get the truth. Any information here will be fed into the overall work that is being done with the framework but the legislation will go through the Houses-----

Deputy Peadar Tóibín: The Secretary of State is still in charge of the information.

Deputy Helen McEntee: The fact that the UK Government has moved with such speed is welcome and we will work with which to make sure it can be implemented.

Deputy Cathal Crowe: Yesterday, a large number of people in the village of Newmarket on Fergus, County Clare, received a letter advising them that their local GP surgery would close and all operations and appointments would be moved centrally to the Saffron and Blue clinic in Clarecastle. One might say what about it, is a doctor not allowed to make those decisions? I would say that the answer is fundamentally "No". It is a failure if this is allowed to happen. There are 927 people on the patient list who are medical card holders. Therefore, the State is a major stakeholder here. That is a State contract.

Owing to age and, indeed, the lack of public transport in many situations, there is a need for the surgery to be at the heart of Newmarket on Fergus. The HSE has advised me that it tried

to seek a premises on the main street to house a surgery. So far, those efforts have failed. I ask that the Government and HSE redouble its efforts. It is imperative that Newmarket on Fergus has a GP practice on the main street and people are not shipped up the road to Clarecastle. I ask for Government and HSE intervention on this.

Deputy Jack Chambers: I thank the Deputy. I regret the fact that residents in Newmarket on Fergus are seeing an important community healthcare provision in terms of their GP service removed and replaced at another location. I will ask the Minister for Health and HSE to follow through on this and the impact of the absence of transport provision for many vulnerable people who need basic community healthcare and a continuity of healthcare in their local community. I will ask that the HSE and Department of Health respond fully to the Deputy's query.

Deputy William Aird: I want to raise the concerning issue of waiting times for assessment of need for children in County Laois. I received a letter from the HSE dated 3 December 2025, stating that 870 children in the Laois-Offaly area are currently waiting to be reviewed by the assessment officer to determine the eligibility of progress for assessment. For those deemed eligible, the average waiting time is 21 months, almost two years, before beginning the process of accessing supports. The HSE did not provide me with specific figures but the scale of the backlog is undeniable. The families are in distress and children are being denied critical early intervention. Even more troubling is that the HSE confirmed to me that 95% of the assessments have been outsourced to private providers but waiting times are not improving. The current situation is not sustainable and urgent action is needed to ensure these children are not left behind.

Deputy Jack Chambers: I thank the Deputy. I acknowledge that many people in all of our constituencies are waiting too long for an assessment of need. We have seen increased resourcing of this over the past number of years but a doubling of demand since 2020, which has put significant pressure on the overall service. For example, approximately 9,570 applications were received in the first nine months of this year alone. We have significantly resourced this in the current year but also in budget 2026, with a 20% increase in disability funding. This will provide for significant recruitment support and increased provision of assessment of need.

Complementing the resource allocation, we also need to reform the assessment of need process to make it much more efficient and effective for many of the children who are waiting for an assessment of need. We also need to increase the provision of therapies for many of the people in communities we represent. That is complemented by the waiting list initiative. The legislative reforms that will be progressed by the Minister, Deputy Foley, and Minister of State, Deputy Higgins, will make a difference in improving the process. Ultimately, we want to vindicate the rights of young people so there is a quicker process around the assessment of need and they get the therapy and intervention from the allied health professionals and providers.

Deputy Donna McGettigan: The Minister for Transport, Deputy Darragh O'Brien, spoke last week at Shannon Airport and said he would like to see a rail link built to the airport in the future. However, he failed to give any certainty about the project. When asked about the timelines for the project, he was vague and unconvincing. Given the Minister's interest, it was

notable that the project was absent from the national development plan review. This project is essential and would greatly boost the future of Shannon Airport, County Clare and the entire region. I welcome the Minister's interest in it but vague aspirations and intentions are no substitute for plans and implementation. We need certainty to provide confidence in the project.

What are the Minister's plans to commence the process for the construction of the rail link? What steps has he already taken? What plans will he bring forward in the time ahead? Can we be assured it will commence within the lifetime of this Government?

Deputy Jack Chambers: I thank the Deputy. I will have to ask the Minister, Deputy O'Brien, to refer specifically to her query. In budget 2026 and the national development plan, we have secured €24 billion for transport capital investment over the next five years, which will make a significant difference in improving public transport, the development of roads and the wider active travel programme right across communities in our country. Part of that is the strengthening the provision of rail in many communities across our country. The Minister, Deputy O'Brien, is working on the sectoral investment plan, which he has published for the next five years, but he is also building a trajectory and pipeline of capital investment over a series of years. He has referenced the strategic link to Shannon Airport and he will be able to set out a more accurate timeline for that.

Deputy James Geoghegan: The vacant home refurbishment grant has been a hugely successful lever for dealing with the scourge of vacancy and dereliction as there have been over 15,000 applications. However, it was reported during the week that there is a proposal to cap the grant at €650,000, which would have a hugely disproportionate impact on Dublin where close to one in four properties currently would not be eligible to receive that grant. I would ask bluntly whether this figure is under consideration. I hope it is not. I really hope a decision is not taken to cap the vacant refurbishment grant at a level that would reduce the number of houses, particularly at a time when the Minister for housing has acknowledged that dereliction in its own right is a form of antisocial behaviour and that we are trying to get people back living in the city centre.

Deputy Jack Chambers: I thank the Deputy. The Minister for housing has an ongoing review of that particular grant. It is my understanding that it has yet to come before Government. He will be able to respond to any particular queries after he has concluded a review, or if any changes are to be made at that point.

Deputy Cathy Bennett: We know from our engagements in our constituencies that for some children, the hot school meal scheme represents a significant portion of the food they might be given on a day. We know that one in five parents skip meals and reduce portion size in order to ensure their children have enough to eat. It is an important initiative. However, there have been issues with how the scheme has been administered. This year, we saw a last minute, four-month delay impact hundreds of primary schools. Funding, portions and size remain consistent for infants right through to sixth class, despite children's nutritional needs changing as they grow and traceability is poor.

Small local companies have told me they feel frozen out of the tendering process. It then leaves the schools having to use heating equipment to ensure the food is hot. Will the Minister undertake to address these issues?

Deputy Jack Chambers: I thank the Deputy. All schemes are constantly under review. The Minister, Deputy Calleary, who oversees the hot school meals programme can take into account any feedback the Deputy has relating to procurement. He can also take into account feedback on the nutritional value of the hot school meals programme. I will ask him to provide a more specific answer to the Deputy's query.

Deputy Roderic O'Gorman: The Complex is the only multi-disciplinary arts centre in Dublin's north inner city. It combines a performance space, a gallery and 18 artists' studios. It is also about to close. Management of the Complex have been talks with the Government and the city council since 2018 to secure the long-term future of this centre but it has now been served with a notice to quit. The city council passed an emergency motion on the issue and there is due to be a public meeting on the issue on Thursday. As Minister for public expenditure, is Deputy Chambers aware of this issue and will he commit to engage with Dublin City Council and with his colleague, the Minister for Finance, to work on a solution to protect this key cultural space for Dublin city centre?

Deputy Jack Chambers: I thank the Deputy. I am familiar with the Complex and its important role for many in the arts community. Obviously, the specific capital needs in terms of any acquisition will be a matter for the Minister for arts. I will reflect on what the Deputy said and I am happy to engage with my colleagues on that matter. Obviously, if there has been immediate notice given, I do not know the facts on how quickly that is moving. It will be a matter for the Minister for arts to respond to and I will ask him to do so.

Deputy Marie Sherlock: My question is on that same topic because I understand the Minister attended two meetings with both members of the board and management of the Complex, along with the former Minister, Paschal Donohoe, over the past number of months. He is obviously very familiar with the situation. The Complex's ask is very simple, in that it has secured funding from DCC and it has a loan but the third part of the jigsaw is securing funding from Government. The reality and the context here is that for the past 20 years, we have counted up to 52 losses or closures of arts spaces and studios in Dublin. The reality is that Dublin is being hollowed and culture cannot compete with capitalism.

The Minister has engaged directly with the Complex. There was a hope the Government would step in. The Department of culture has made it very clear it is not in the business of purchasing or ensuring the long-term lease for properties. We are asking what the Minister will do to save this arts space in Dublin?

Deputy Jack Chambers: I recognise the role of the Complex for many in the arts community. I will engage with colleagues on it again. That particular notice has been advanced and I understand the urgency of the issue but I will engage with the Department of arts and culture on it and revert.

Deputy Eoin Hayes: I was genuinely shocked and appalled by the video that was circulated by the Department of housing yesterday. It was drafted by a charity, as we know, but it was released on the Department of housing's official communication channels. It actually beggars belief that some bright spark in the Department of housing came up with releasing that video. Is it now official Department policy that young people should move in with their parents to have housing?

Deputy Paul McAuliffe: No it is not. Would the Deputy stop?

Deputy Eoin Hayes: Is that the official policy of the Government? The numbers have doubled in a decade and the Government still wants them to move in with their parents. Youth unemployment among the highest it has ever been, if you strip out Covid and the recession. What is the official policy of the Government for housing for young people?

Deputy Jack Chambers: The Deputy has not referenced the housing plan, which is to sufficiently ramp up the provision of social and affordable homes to ensure we ramp up overall housing supply. The Deputy is misrepresenting the facts on this. It was something produced by SpunOut. It is not something----

Deputy Eoin Hayes: It was released by the Department.

An Ceann Comhairle: This is not a back-and-forth discussion, Deputy.

Deputy Jack Chambers: The Government's policy on housing is what we have set out in our housing plan. The series of actions the Minister, Deputy Browne, has taken to ensure that young people can build a future and set up roots here, and the many interventions we have made in terms of the viability of housing and the increased provision in our national development plan for social and affordable homes, are all about ensuring we increase affordability and the supply of social homes right across our country. Our focus over the next number of years is to ramp up housing supply so that we ensure more young people have the ability to buy a home or have affordable rent across our country.

Deputy Paul Murphy: There are many people doing important work in adult education across this country. One mechanism for that is so-called local training initiatives, LTIs. There are 100 workers spread out throughout 16 ETBs. Scandalously, these workers for LTIs have not had an increase in their pay in 20 years despite the deepening cost-of-living crisis. In 2001, the Labour Court recognised pay inequities within the community training programme and recommended a 20% pay increase, as well as future increases, but they were not extended to those working for LTIs. Community training staff who are funded in the same way as LTIs, follow identical guidelines and work with the same students received those pay increases and salary scales but the LTI workers did not. Their committee has two simple asks, namely, pay parity with community training centres, CTCs, and the implementation of pay scales. I am aware that there are discussions ongoing with a small offer being made but there is still no promise of a pay scale like other, similar workers. Can the Government commit to these asks?

Deputy Jack Chambers: I appreciate the Deputy raising that issue. I do not have an up-to-date position on the matter, but I will ask the relevant Department Minister to respond to the Deputy.

An Ceann Comhairle: That concludes Questions on Policy or Legislation.

Civil Liability (Child Sexual Abuse Proceedings Against Unincorporated Bodies of Persons) Bill 2025: First Stage

Deputy Ivana Bacik: I move:

That leave be granted to introduce a Bill entitled an Act to facilitate the bringing of child sexual abuse proceedings against unincorporated bodies of persons, to enable such a body to pay damages arising from such proceedings from the assets of an associated trust in certain circumstances, to extend the limitation period provided for by the Statute of Limitations 1957 in respect of certain civil proceedings arising from claims of child sexual abuse, and to provide for connected matters.

I am glad to be moving this important Bill, which I have been working on, as the Title shows, for some years now. Essentially, this Bill would facilitate the bringing of child sexual abuse proceedings against unincorporated bodies of persons. It would enable such a body to pay damages arising from such proceedings from the assets of an associated trust in certain circumstances. It would extend the limitation period provided for by the Statute of Limitations in respect of certain civil proceedings arising from claims of child sexual abuse. It would also provide for connected matters. This is an issue, as I said, that I have been working on for some time.

In a previous life, as a practising barrister, I represented many survivors of abuse before what was then known as the Residential Institutions Redress Board. These were proceedings arising out of abuse perpetrated, in most cases, in industrial schools. I will never forget the experiences of the survivors I represented and the terrible abuse they suffered at the hands of both religious and lay figures employed by industrial schools, many of which were run by religious orders. They had shocking experiences. Desperate damage, harm and hurt were caused to so many people.

The State's attempts to ensure redress were important in their time, but so much of this has been stymied by the obfuscation, delaying tactics and entirely legal but not ethical devices deployed by religious orders to avoid paying their share of redress. This enormous scandal in Irish life was brought back to us again starkly yesterday with the conviction and sentencing of the abuser Peter Kelly, a former maths teacher at Willow Park school in Blackrock. He was sentenced yesterday to ten years in prison for what was, again, a horrific litany of abuse. He was sentenced in respect of 28 counts against eight boys. I pay tribute to the brave survivors of abuse who came forward to enable the prosecution to be taken. Clearly, this was an abuser who remained in employment for decades in a school run by the Spiritans. This, again, is shocking.

This Bill stems from my desire to do right by survivors. I know all of us want to do that. No organisation should be able to hide from accountability, yet for years religious orders have

shifted their assets into lay-run trusts, which have no legal liability. Legal loopholes have been used to frustrate the efforts of those seeking redress for the terrible harms inflicted on them in childhood. I pay tribute to the Minister, Deputy Foley, who established the commission of inquiry into sexual abuse at schools. I know that is under way. It has been five months since its establishment and the commission is directed to submit its final report to the Minister for education no later than five years after its establishment. I pay tribute to David Ryan, the late Mark Ryan and the makers of the documentary for sharing their experiences and the experiences of others because their testimony precipitated the outpouring that led to that process.

I know there is a high-level interdepartmental group arising out of that process that is advising the Government in respect of funding of redress claims. I bring forward this Bill in an attempt to be constructive as part of this process. We all know the dark and shameful past with regard to the Magdalen laundries, mother, baby and county homes, industrial schools, abuse in religious order-run secondary schools and other institutions. We owe an enormous debt of gratitude to those survivors and victims who have come forward and uncovered these abuses. We, as legislators, must step up to ensure there is redress and accountability for those religious orders which, for far too long, obfuscated, hid and covered up abuse, moved abusers around and facilitated the perpetration and ongoing perpetration of abuse.

We have seen victims retraumatised by flawed redress procedures and dragged through lengthy legal proceedings. We have seen successive governments bearing the cost of redress. I brought this Bill forward some years ago in a previous Government. In 2024, the Tánaiste said he would refer this Bill, or its predecessor, to the Attorney General. Nothing has been done on it, however. More recently, when I asked the Minister for justice, Deputy O'Callaghan, about bringing forward a Bill like this to try to ensure that religious orders could be made to pay redress and unincorporated associations could not hide behind legal status to avoid paying redress that was owed, he indicated he would wait for recommendations from the Law Reform Commission. I just want us to be able to move forward. I know many in the Government share the desire to ensure that religious orders can be made to pay more and we have a legal mechanism to ensure payment of due redress to survivors. Survivors of abuse deserve justice.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Mary Butler): No.

Deputy Ivana Bacik: Go raibh maith agat.

Question put and agreed to.

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

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

Question put and agreed to.

Excess Vote 2024: Motion

Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Jack Chambers): I move the following Excess Vote:

Vote 14 - State Laboratory (Statement of Excess)

That a sum not exceeding €9,680 be granted to make good an excess on the grant for State Laboratory for the year ending on the 31st day of December, 2024.

Vote put and agreed to.

Arbitration (Amendment) Bill 2025: Second Stage

Minister for Foreign Affairs and Trade (Deputy Helen McEntee): I move: "That the Bill be now read a Second Time."

The Bill is being brought forward to amend the Arbitration Act 2010 in order to enable the ratification of international agreements concerned with the protection of investment, containing the European Union's new investment dispute resolution regime. Before turning to the specific provisions in the Bill, it is important to outline the wider context of Ireland's and the EU's trade and investment policies.

Trade and our trading relationships with partners around the world is a central feature of the Irish economic model. Ireland's story is one of openness, that is, openness to the world, trade and new ideas and partnerships. Unlike nations whose wealth is rooted in vast natural resources or the legacies of conquest, Ireland's prosperity comes from something different, namely, the talent of our people, our capacity for innovation, high-quality agricultural produce and an outward-facing economy that looks to the world rather than to itself. We are a small country with a global voice, a trusted partner known for being honest, principled and constructive. Our membership of the European Union is central to that story. It amplifies our voice, strengthens our influence and enables us to advocate for solutions that work for Ireland, Europe and the wider global economy.

As a small, open economy, we have built a strong enterprise base, which is based on our exports and innovation. Our economic success has been built on our capacity to sell goods and services to the rest of the world. We have created the conditions within Ireland to support significant jobs growth. Since the action plan for jobs was first launched in 2012, over 1 million extra people are currently at work. This level of jobs growth is very significant and has also led to a very significant increase in our tax revenues, which in turn has allowed us to invest in vital public services, like our schools and our hospitals, and in so many other areas. A strong economy is essential to building a strong society.

We cannot be complacent, however. The international environment, as we all know, is more volatile, more unpredictable and more transactional than at any time in recent decades. Through the EU, we have been part of an expanding network of free trade agreements that create those opportunities for exports and investment, support jobs and growth at home, and uphold EU standards in food safety, animal and plant health, and environmental protection.

These agreements help promote EU values globally, from labour standards to human rights to climate action.

Recent EU trade agreement negotiations have included dedicated chapters or stand-alone agreements providing for the protection of investment. As such, EU trade agreements include investment liberalisation commitments, which provide an important advantage to EU companies accessing third country markets. Investment protection provisions, including investment dispute resolution, are a logical complement of the liberalisation provisions. Together, investment liberalisation and protection ensure a business-friendly environment and provide a stable legal framework that encourages investment flows between the EU and third countries.

One such agreement, which combines more open trading alongside investment protection provisions, is the EU-Canada Comprehensive Economic and Trade Agreement, CETA. It is one of the most important trade agreements concluded by the EU in recent times and it has already proved enormously beneficial for citizens and businesses in the EU and in Canada, a country that has consistently shown that it shares the core values and beliefs of the EU. Ireland enjoys particularly strong political, economic and cultural ties with Canada, based on a shared history and a shared commitment to democracy, human rights and a rules-based international order. Canada has both an historical and a more recent Irish diaspora. Over 4.4 million Canadians - more than one in ten of the population - claim Irish ancestry, making Irish the third-largest ethnic group in Canada. When the Taoiseach was in Ottawa in September, he invited Prime Minister Carney, who is himself one of those Canadians with Irish heritage, to visit Ireland in 2026. We look forward to welcoming the Prime Minister next year and building on those economic, political and cultural connections.

Under the Government's Global Ireland strategy, we have significantly increased our diplomatic presence across Canada, and we continue to invest in partnerships at city, provincial and federal level. Canada is a key export market for Ireland, and an important focus for Ireland's new market diversification strategy. CETA has already contributed to a significant increase in Ireland's bilateral trade in goods and services with Canada since its provisional application in 2017. That trade increased from €3.2 billion in 2016 to more than €10 billion in 2023, supporting thousands of jobs and benefiting large and small businesses and people the length and breadth of our country. A report on further deepening trade between Canada and Ireland was launched by the Taoiseach during his Ottawa visit. It shows significant potential for further trade and investment co-operation. The report points to the strength of the existing two-way economic relationship. Canadian companies employ more than 22,000 people in Ireland, while Irish companies employ more than 19,000 people in Canada. It also highlights the potential to increase traded goods between our two countries by €1.2 billion annually, a 34% rise, and to expand trade in services by almost €500 million, which is a significant increase on what has already been a substantial increase. Both countries have made known their desire to leverage opportunities to diversify export markets, with Canada aiming to double non-US exports in the next decade.

There have been a number of claims made that we should not be concerned with ratifying CETA as the parts that provide for more open trading are already provisionally applied. Provisional application, however, is simply not the same as ratification. Provisional application is an important mechanism that allows companies and consumers to benefit from a trade

agreement at an early stage, as the completion of national ratification procedures across all 27 member states can take a number of years. There are approximately 42 member state national and regional parliaments with democratic control over the ratification of agreements such as CETA that contain provisions beyond trade as defined by the EU treaties. The agreement in its entirety can only be fully applied once all internal processes are complete, and this stands for the trade components as it does for the investment protection parts of the agreement. It cannot be argued successfully that we have secured the trade aspects of the agreement and, therefore, do not need to ratify the agreement in full. The status of our ratification is regularly raised bilaterally by Canada, but also by the European Commission.

The Bill also includes the EU-Chile advanced framework agreement. Bilateral relations between Ireland and Chile are excellent and have been strengthened significantly since the opening of the Irish Embassy in Santiago in 2019 as part of our Global Ireland programme. The delivery of commitments set out in Ireland's first strategy for Latin America and the Caribbean is being supported. This was launched in 2022. There have been regular contacts between Irish and Chilean political leaders in recent years. Former President Higgins and President Borić met en marge of the UN General Assembly in September 2024, and the then Taoiseach Simon Harris met President Borić at the Ukraine Peace Summit in June 2024. Chilean deputy foreign minister Gloria de la Fuente visited Dublin in May 2025.

Chile is one of South America's most stable and prosperous countries. It leads the Latin American region in human development, competitiveness, income *per capita*, and economic performance. In May 2010, Chile became the first South American nation to join the Organisation for Economic Co-operation and Development, OECD. Chile is an essential actor in the world economy, supplying 27% of global copper as the number one supplier in the world, and 32% of lithium, making Chile the number two supplier in the world. It also has world-leading potential in renewable energy. At a combined €187 million of exports and imports, Ireland has a relatively modest level of trade in goods with Chile compared to our engagement with Canada, but Ireland's goods exports to Chile have grown 24% over the period 2014 to 2024, and reached €100 million in 2024. Medical and pharmaceutical products constitute 45% of Ireland's total goods exports to Chile. Ireland's import of goods from Chile has remained relatively static at a low level since 2014, with Ireland importing €86 million of goods from Chile in 2024. Unsurprisingly perhaps, wine remains the most important Chilean export to Ireland, followed by fruit and vegetables.

Services exports to Chile have grown steadily over the past ten years, reaching €851 million in 2023. Business services, including operational leasing, constituted 77% of Irish trade in services to Chile. There are, of course, further opportunities for Irish companies to expand their footprint in Chile in Latin America, in particular in services linked to the digital economy, as well as in agritech.

As Deputies are aware, in November 2022, the Supreme Court ruled in the Costello case by a narrow four to three majority that the Constitution precluded the Government and Dáil Éireann from ratifying CETA, as Irish law then stood. The Supreme Court also ruled by a six to one majority that the concerns identified by the previous majority could be cured if amendments were made to the Arbitration Act 2010. This is exactly why we are here today. The Costello judgment has, to date, prevented Ireland's ratification of CETA and other mixed EU trade agreements containing similar investment dispute resolution provisions. The

Supreme Court in the Costello case not only identified constitutional concerns that prevented the ratification of CETA as Irish law stood, but the majority also identified a legislative path for curing the concerns that had been identified. The Government has carefully considered the Supreme Court's findings in the case and the legislation we are discussing here today is its response.

The Bill will amend the Arbitration Act and introduce a procedure in Irish law for the enforcement of awards rendered by tribunals established under CETA and similar international agreements, which addresses the concerns identified by the Supreme Court in the Costello judgments and specifies applicable safeguards. This Bill has been drafted to ensure compliance with the Constitution and the international obligations that Ireland would assume upon ratification of the relevant international agreements.

I draw to Deputies' attention that passing this Bill does not ratify CETA nor the EU-Chile agreement, as these will require separate Government decisions and Dáil motions. However, by dealing with the constitutional concerns identified in the Costello judgments, enactment of this Bill is an essential step towards ratification of these agreements. Statutory instruments under the Bill will be required to prescribe other EU-third country agreements containing similar models of investment dispute resolution provisions, such as those with Vietnam, Singapore, and Mexico, before those agreements can also be ratified.

It is important to emphasise at this stage that the investment dispute resolution provisions in this new generation of EU trade agreements differ significantly from the long-standing investor State dispute settlement system, ISDS, that is included in most bilateral investment treaties. Given that Ireland does not have any bilateral investment treaties, there are some misconceptions in how these tribunals operate. However, in light of the shortcomings that have been identified in cases brought under the old ISDS system, the EU and its member states have developed a new system of investment dispute resolution, which is embedded in the newer EU free trade and investment agreements. This new system introduces crucial reforms to address concerns raised regarding the ISDS and is intended to replace the old-style *ad hoc* arbitration model of ISDS with a new investment court system, ICS, contained in relevant EU trade agreements.

I draw to the attention of Deputies that, to date, no cases have been decided under ICS as none of the trade agreements containing this new dispute resolution system have entered into force. The shortcomings attributed to the old ISDS system include a perception that the *ad hoc* tribunals provided under other forms of investment agreements and treaties lack predictability, legal certainty, transparency, independence and impartiality, and that there is a risk of regulatory chill, which is the reluctance to amend regulation for fear of being sued by an investor. To overcome these perceived shortcomings, the European Union and its member states put forward reforms addressing these concerns head on. The reforms include: standing two-tier tribunals established under each agreement as opposed to the *ad hoc* establishment of ISDS panels; cases randomly allocated so that the disputing parties do not know in advance which tribunal members will decide their case; strict rules on qualifications and independence for members of the tribunals, with detailed rules set out in a code of conduct and a procedure for disqualification; detailed transparency rules; and provisions to prevent abuses, including early dismissal of claims that are manifestly without legal merit will be included also.

These are clear provisions preserving the parties' right to regulate for public policy purposes. That means the right of the Irish Government and this House to take measures to achieve legitimate public policy objectives, for example, environmental protections, consumer rights or food safety. I cannot be clearer about this point.

I understand that Members have been circulated with a copy of the Bill. This is a short and technical Bill that consists of five sections and, as noted, amends the Arbitration Act 2010. I will now go through the various sections.

Section 1 is a standard definitions provision.

Sections 2 and 3 of the Bill make technical amendments to the 2010 Act to reflect changes that will be effected by the present Bill. Section 3 provides for the amendment of section 23 of the Act to reflect the position that awards made pursuant to CETA, the EU-Chile agreement and any other agreement prescribed under this Bill may only be enforced in Ireland pursuant to that new section.

Particular attention is drawn to section 4 of the Bill, which amends the Arbitration Act 2010 by inserting a new section 25A after section 25. The new section 25A has six subsections that will establish a new procedure for the enforcement of awards made under relevant international agreements in the State.

Subsection (1) of the new section 25A provides that the section applies to CETA, the advanced framework agreement between the European Union and its member states of the one part and the Republic of Chile of the other part, and international agreements prescribed by ministerial order.

Subsection (2) provides that awards made pursuant to an international agreement to which the section applies will be enforceable in the State by leave of the High Court in the same manner as a judgment or order of the High Court. This reflects the requirement in the relevant international agreements that "execution of the award shall be governed by the laws concerning the execution of judgments" or awards in force where the execution is sought.

Subsection (2)(b)(ii) specifies that these awards are only enforceable in the State under section 25A.

Subsection (3) declares, for the avoidance of doubt, that such an award is not, and never was, enforceable in the State if enforcing the award would compromise the constitutional order of the State or the autonomy of the legal order of the European Union. This subsection addresses the constitutional impediment identified in the *Costello* judgments and sets out a safeguard that complements the new enforcement procedure introduced at subsection (2). This subsection thus provides clarity on specific circumstances in which an award would not be enforceable in this jurisdiction.

Subsection (4) provides that there is no appeal from the High Court to the Court of Appeal on any determination by the High Court in relation to an application to enforce an award, but that an appeal to the Supreme Court may be made if the Supreme Court accepts the appeal in accordance with Article 34.5.4° of the Constitution.

Subsection (5) empowers the Minister for Foreign Affairs and Trade to make orders prescribing certain international agreements concerned with the protection of investment as

ones to which the new section 25A will apply. These agreements will be EU agreements with third countries that include similar investment protection provisions to those set out in CETA. The Minister for Foreign Affairs and Trade must consult with the Minister for Justice, Home Affairs and Migration before the making of such orders.

Subsection (6) deals with parliamentary oversight and provides that every order made by the Minister for Foreign Affairs and Trade under subsection (5) must be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution annulling the order is passed by either the Dáil or Seanad within 21 days on which that House sits after the order is laid before it, the order will be annulled.

Section 5 of the Bill is a standard provision and provides that the Act will come into operation on such day or days as the Minister orders after consultation with the Minister for Justice, Home Affairs and Migration.

While this is a short and technical Bill, it is a necessary step to enable the State to ratify international agreements under the EU's new investment protection regime. The Bill addresses the findings of the Supreme Court in the Costello case by creating a procedural safeguard that deals with the enforcement of such awards in Ireland. Enactment of this legislation will enable Ireland's ratification of CETA, the EU-Chile agreement, as well as other EU-third country agreements with similar models of investment dispute resolution provisions, such as those with Vietnam, Singapore and Mexico.

At a time when free trade and the benefits it has brought to the Irish economy are under increasing pressure, it is important to state that Ireland is seeking to ratify these trade agreements, which will provide our companies and exporters with new opportunities to expand and grow trade overseas, at the same time making sure that we do everything we can to support our industries and address issues where there are significant concerns as part of those agreements. Enactment of this legislation and the subsequent ratifications will equally be a very important signal to Ireland's partners of our continuing commitment to multilateralism, to the international legal order and to the deepening our bilateral relationships. I know that it will be welcomed in particular by our friends in Canada and in Chile.

I thank Deputies for their consideration and commend the Bill to the House.

An Ceann Comhairle: We move to the Sinn Féin slot, shared by four members with Deputy Ó Laoghaire to begin.

Deputy Donnchadh Ó Laoghaire: This is the arbitration Bill and that is what we are dealing with. We are dealing with legislation that in my view takes decisions that would be rightly made by Irish courts in relation to Irish business decisions and seconds them to an international court of a kind over which we have no oversight and no power. That is the fundamental issue.

I agree that we are in a challenging trade environment. I believe a great deal more needs to be done. Ireland has been too reliant on a small number of markets. It is important that we go far beyond trade deals to ensure there are trade missions to new markets and supports for Irish businesses in terms of language and so on. I also believe that we have been too reliant on various tax incentives rather than ensuring that our infrastructure was adequate. I believe that Ireland has been left uniquely vulnerable in this new trade climate because of the policies of

successive Governments. That does not mean that an Irish Government should take the position to rush into any trade deal on offer regardless of the terms and conditions and the implications of it. That would plainly be an absurd position. I hope it is not the position of the Government. If it is, it is certainly inconsistent, given that the only trade deal referenced in the programme for Government is a trade deal that the Government opposes, which is the Mercosur trade deal. The programme commits to opposing the Mercosur trade deal, so it would seem that it is not the position of the Government that we sign up to a trade deal just because the trading environment is challenging.

I am concerned at the haste in which this legislation is being rushed through. I cannot understand why Government representatives on the foreign affairs committee sought to waive pre-legislative scrutiny, given the fact that the predecessor of this legislation, or large parts thereof, was effectively struck down in the Supreme Court. There are constitutional issues here that I do not believe are rectified in the key section here, namely, section 3. The Supreme Court found that, ultimately, we need to have a sense of the circumstances in which Irish courts can set aside decisions of the investor courts. That is not at all clear to me. The Bill talks about procedural safeguards. I see nothing that makes it clear. The Irish public needs to understand. The Irish public would be confident that, if a business believes it is deserving of compensation because of a Government decision, it will get a fair hearing in Irish courts. It would also expect that Irish courts should have the power to set aside a decision made by some of these international courts if they believe there is a constitutional issue or if they believe there has been an error in fact or in law.

We are not at all clear in what circumstances the Irish High Court can set aside a decision in relation to the investor court. That is a big problem, with the sovereignty of our courts being set aside. It beggars belief that legislation with such weight and implications is being rushed through without any real scrutiny and without having the opportunity to bring in expert witnesses, constitutional witnesses, trade witnesses and so on. It is unacceptable and simply not good enough. I commend the work of my colleague, Ms Lynn Boylan MEP, who organised an event to substitute for the lack of Government pre-legislative scrutiny last Thursday. It was very informative.

There is no public interest in signing up to these investor court mechanisms. The trade elements of CETA are in effect; trade is already happening. There is nothing progressive or forward thinking in this. There is only the potential for future liabilities to the State. The question to be asked is, what did the Government not want the public to see when it waived the pre-legislative scrutiny? This is not about trade. It is about protecting our sovereignty. Locking ourselves into these investor courts is a compromise of judicial scrutiny. We are potentially putting ourselves into a situation where private corporations can sue the State if they deem a particular policy a threat to their profits or potentially even their future profits.

There have been examples of what can happen in relation to similar courts and I note the Government is trying to pull out of similar court provisions of the Energy Charter Treaty. I will give a few examples. The Antin versus Spain case arose when Spain refused to pay an international court award against it. The aggrieved firm simply went to the UK High Court to have its award enforced and that court ruled Antin was entitled to seize Spanish property located in London to the amount of €120 million. In a subsequent twist that exposed the impotence of the EU when confronted by the enforcement of ISDS awards in foreign

jurisdictions, the European Commission found this was actually illegal state aid, but ultimately the declarations of the Commission were set aside. There are other examples like Eiser Infrastructure versus Spain.

We are not the only country that has issues with this. There are ten others that share our concerns. We do not need these investor courts. They undermine the sovereignty of our courts and trade is progressing quite well all the same.

Deputy Cathy Bennett: It is incredibly disappointing to see this legislation brought to Second Stage with the Government having refused to allow the Oireachtas Joint Committee on Foreign Affairs and Trade to conduct pre-legislative scrutiny. It is the unfortunate result of Fianna Fáil and Fine Gael ingratiating themselves with each other producing the worst of outcomes. What we have here is Fianna Fáil adopting Fine Gael foreign and trade policy wholesale and both parties adopting Bertie-era Fianna Fáil tactics to ride roughshod through these Houses. Independent lackeys pretending to be in government and opposition at the same time - check. Funny business with the Seanad doors when votes are called – check. I am not sure a senior Minister has bothered to turn up for a Topical Issue debate in months unless specially requested. That is in breach of Standing Orders. Nowhere is it more apparent than when it comes to trade that gone are the faux collegial deals of how the Dáil began to work in the post-crash years. There will not be pre-legislative scrutiny if the Government cannot be bothered or if it is just worried that scrutiny will shine a light on the impact of the poor decisions it has made.

This Bill seeks to enable the worst aspects of CETA. It will open up Ireland to the corporate court systems not available to ordinary Irish citizens. These courts will allow big businesses to sue Ireland for what they call a loss of profit. What could this mean? The answer is vulture funds suing Ireland for addressing the housing crisis, fossil fuel companies suing Ireland in opposition to climate action and the taxpayer picking up the tab. There is no cause or reason for any Irish Government to support this Bill. For years, Fianna Fáil and Fine Gael told us we could not pass the occupied territories Bill because Europe would sue us. After this, they will be telling us we cannot implement renter protections, improve workers' rights or take climate action for fear of being sued.

How the Government has gone about this is yet another example of poor parliamentary practice on its part. Having attempted to ride roughshod over the Constitution, as evidenced by the Supreme Court decision striking down the Government's previous attempts to ratify this agreement, it now attempts to circumvent through legislation the ruling of the Supreme Court that a referendum would be required. However, not content with attempts to circumvent the Constitution, the Government will not even allow what has become a standing part of the legislative process to take place. The Constitution, the Supreme Court or the procedure of the Oireachtas – the Government arrogantly cannot abide by those or accept they have a role to play.

People expect the Government to represent their interests and views at European level but Fianna Fáil and Fine Gael seem to roll over to the whims of the European Commission each and every time, and especially when it comes to trade. The Mercosur trade agreement could flood the European market with upwards of 100,000 tonnes of South American beef and nearly twice that quantity of poultry, which would have a significant impact on my constituency of

Cavan-Monaghan. Despite years of talking out of both sides of their mouths on this deal, Fianna Fáil and Fine Gael have net zero to show in terms of meaningfully enforceable legal guarantees. Speaking of net zero, we will not be hitting that if the Government continues to facilitate the deforestation of the Amazon while being incapable of facilitating reforestation at home. Its response to Irish media exposure of the Irish beef production system being potentially awash with antibiotics posing a potential threat to public health is a net zero. Fianna Fáil and Fine Gael have form for throwing our farming families under the bus to appease Europe. Is it any wonder they are comfortable at this time to do this to the Constitution, the courts, these Houses and every citizen? Shame on each and every TD who supports this Bill.

Deputy Aengus Ó Snodaigh: People are getting used to the two-faced betrayal from this Government, especially when it comes to EU trade deals designed to prioritise private profit over human rights and justice. Fianna Fáil and Fine Gael TDs go on local radio saying one thing and then come in here and vote for the opposite. The hypocrisy damages public trust in politics and erodes Irish sovereignty and democratic accountability. This Bill is a perfect example. In 2023, an Oireachtas committee, the controlling Government majority on which included Fine Gael's Barry Ward and Fianna Fáil's Aindrias Moynihan and Pádraig O'Sullivan, agreed a report that said CETA should be put to a referendum. Those same TDs will line up in here later to vote for the opposite. They will support a treaty they have acknowledged would give big business the power to sue Ireland if we take any action that harms their profits in a courts system ordinary people have no access to. Leading Irish judges have called this neither constitutional nor democratic but the Taoiseach and Tánaiste could not care less.

Cuirfidh CETA an tacaíocht agus aon tacaíocht Stáit don Ghaeltacht i mbaol. Ní hiad sin mo chuid tuairimí pearsanta ach tuairimí traspháirtí an chomhchoiste Gaeilge agus Gaeltachta, bunaithe ar iniúchadh domhain a rinne an coiste sin ar impleachtaí CETA maidir leis an nGaeilge agus an Ghaeltacht. Dá bhféadfadh Ceanada nó chomhlacht i gCeanada a léiriú go mbeadh drochthionchar ag deontas nó ar pholasaí an Stáit i dtaca le cur chun cinn na Gaeilge nó na Gaeltachta ar thionscadal dá chuid nó ar a chuid easpórtálaithe, is cosúil go mbeadh cás acu faoin gcomhaontas seo. Dá mbeadh comhlachtaí i gCeanada atá ag tuilleadh brabús de thoradh ar smacht a bheith acu ar sholáthar tithíochta, seans go gcuirfeadh siadsan i gcoinne ról Údarás na Gaeltachta san earnáil sin. Mar a dúirt an Breitheamh Hogan “Is féidir rialuithe dá leithéid a shamhlú réimsí ar nós rialtán pleanála, zónáil talún, i gceadúnú acmhainní mianracha, cáin nó rialú cíós”. Mar an gcéanna, seans, mar shampla, dá nglacfadh an t-údarás ról níos láidre ag tacú le fuinneamh in-athnuaite amach ón chósta, nó leis an iascaireacht, go mbeadh cás ann inár gcoinne tógtha ag Ceanada.

Cad faoi dá mbeadh an Rialtas ag iarraidh coinníollacha Gaeilge a cheangail le soláthar seirbhísí ag comhlachtaí móra príobháideacha sa Ghaeltacht nó dá mbeadh spéis aige i bpacáistiú táirgí dátheangacha sna siopaí nó céatadán riachtanach Gaeilge a chur ar ábhar, ar cheol ar raidió, nó fiú ar sheirbhísí srutha, rudaí atá i bhfeidhm i gCeanada cheana féin? Bheadh dualgas ar an Stát seo aon drochéifeachtaí léirithe ag na comhlachtaí ábhartha a laghdú, rud a chuirfeadh costas ar an Stát agus a chuirfeadh brú ar an Rialtas gan beart mar sin a dhéanamh sa chéad áit, nó tarraingt siar uathu, is é sin, ó ghníomhaireachtaí dearfacha ar son na Gaeilge nó ar son na Gaeltachta.

Níl anseo ach roinnt samplaí de pholasaí atá uailmhianach ach indéanta. Níor chóir go mbeadh an Rialtas reatha ag cur bac roimh rialtais sa todhchaí gníomh níos uailmhianáí a

ghlacadh maidir leis an nGaeltacht agus an Ghaeilge. Is é sin an fáth gur thug Comhaltaí an Rialtais reatha comhairle sa choiste Gaeilge gan glacadh le CETA gan reifreann, i measc na deich moltaí a bhí leagtha síos sa tuarascáil chuimsitheach a cuireadh faoi bhráid an Rialtais agus faoi bhráid na Dála seo. Dúirt an Breitheamh Charleton gurb ionainn an chomhaontas agus “neamhaird shoiléir ar an mBunreacht.” Dúirt sé arís ansin go ndéanfaidh an comhaontas “sárú ar chumhachtaí eisiacha reachtacha an Oireachtais’.

4 o'clock

The Dáil has been asked to scrap the democratic law-making process of the Oireachtas in pursuing CETA in particular. The Supreme Court judge, Mr. Justice Hogan, stated: “It is also not fanciful to suppose that such a ruling from a CETA Tribunal could curtail the State’s capacity to legislate in accordance with its own democratic and constitutional framework”. We know this treaty is unequal. A quick glance at Article 7.7 shows that Canada's cultural subsidies get protections that are not afforded to us. Mr. Justice Dunne said that it is necessary to have CETA ratified by the people. Of course, it could be rejected by the people. Hopefully, it will be, and we will have a referendum. Mr. Justice Charleton's words on CETA would send a chill down every spine in this Dáil, if Members listened. There is no limit, no democratic participation, no control and no appeal. Níor chóir glacadh leis an mBille seo.

Deputy Fionntán Ó Súilleabháin: The CETA agreement is dangerous for Ireland and may even be worse than Mercosur. I do not believe it is in the interests of the Irish people. I urge the Government not to ratify it and, if necessary, to put it to the people to decide in a referendum. It undermines our sovereignty and, basically, our right to decide our own destiny. It risks entrenching the corporate power of billionaires over Irish democratic decision-making. I believe we must protect our people, not expose them to lawsuits from multinational billionaires or investors.

Ratifying CETA would subject Ireland to investor courts, as my colleagues have outlined, and bypass our judicial system. These special courts are accessible only to large corporations. This will undermine the sovereignty of our own courts and democratic accountability. I believe it would allow companies to sue Ireland for so-called loss of profit, which would place corporate interests over the public good of the Irish people.

Ireland is already facing a severe housing crisis that is driving our youth from the land of their birth. Ireland's largest landlord is a Canadian company, IRES REIT, which owns thousands of build-to-rent apartments here. It could use investor courts to challenge rent controls or rent reforms if it believed that such controls would interfere with its profits. This would make it nearly impossible to deliver affordable housing or protect tenants from exploitative practices. Canadian corporations have significant investments in nursing homes and care providers. If a future Government sought to establish publicly run care facilities, these companies could sue Ireland for interfering with their profits. Of course, this undermines our ability to provide essential services in the public interest. Investor courts could penalise Ireland for progressive legislation on workers’ protections or climate policy. They would restrict our ability to meet obligations to citizens in future generations and would lock us into corporate-driven priorities rather than democratic ones.

Fine Gael and Fianna Fáil are attempting to push this legislation through without proper scrutiny despite the far-reaching implications. This should not happen. The Supreme Court

has already ruled in the Costello v. the Government of Ireland case that ratifying CETA was unconstitutional so, basically, the Government is trying to break the Irish law, which is crazy. The Government's publication of the Arbitration (Amendment) Bill 2025 appears to be a workaround to bypass this ruling, which was damning and a terrible indictment of the Irish Government, thereby disregarding both constitutional safeguards and public opposition.

We know about investor courts worldwide. They have already awarded over \$100 million to corporations. I believe one African country, Togo, has even been sued because of the safeguards it put on tobacco advertising to prevent children from smoking. It lost the case. The tobacco corporations wanted to sue it for protecting the children of the country. This demonstrates the real financial dangers that Ireland would face if this proceeds.

I urge the Minister and the Government to oppose this ratification. I do not see any benefit to the Irish public. It undermines Irish sovereignty. I am looking at the statues behind us in the Chamber. I am wondering what the people who died for Irish sovereignty would think when the Government can bring in this law. It would undermine our sovereignty, threaten housing, public services, workers' rights and climate commitments, and even, as Deputy Ó Snodaigh has just mentioned, limit Irish language rights. I believe we must protect our people, not expose them to lawsuits from multinational corporations. I urge the Government to oppose this.

Deputy Duncan Smith: I am glad to have the opportunity to speak. It beggars belief that we did not have pre-legislative scrutiny on this Bill, considering that it arose out of a Supreme Court judgment, which essentially struck down the investor court element of the CETA agreement. I do not think we need pre-legislative scrutiny of every Bill that comes before the House, although we should have it for most, but we certainly should have had it for this Bill, of that there is no doubt. It begs the question of why we did not. It seems the Government is running away from scrutiny.

I was present last Thursday, as was Deputy Ó Laoghaire, at the event in Europe House on Balfé Street organised by Lynn Boylan, MEP, which was a *de facto* pre-legislative scrutiny hearing. It was really good. It should have taken place in a committee room on this campus. The witnesses were fantastic. They were academically and intellectually strong. There was a rigour and a depth of analysis there that this Parliament deserved to hear, and that this Bill needed. The fact we are here on Second Stage discussing it, knowing that this is going to be more or less rammed through, is severely damaging for our democracy.

We in the Labour Party are not against trade or trade agreements, not at all. We are multilateralists. We know that Ireland benefits from good, progressive trade deals. We see jobs flow into the country and trade flowing, with opportunities and further interconnectedness across the globe. What we do not agree with are these investor court systems. Let us have a look at them. What are they? Where do they come from? They evolved in the post-Second World War era as the British colonies started to get their independence. Britain and other large powers did not trust the judiciary of a new or nascent state and developed these investor court systems. It is very uncomfortable looking back through a historical lens at the whys and wherefores of how the system got up and running. We can at least understand on an intellectual level, if a country had a very young judicial system that had not fully bedded in, why such a system could perhaps be put in place. However, there is no reason whatsoever in this day and

age that the European Union, of which Ireland is a component member, and a state such as Canada - modern liberal democracies with trusted, separate judiciaries - would need an investor court system. There is no argument for it whatsoever.

The amendment in this Bill, which seeks to speak to the Costello judgment, may be constitutional, although I would imagine that will be tested, but it does not make it right. It certainly does not provide comfort when, in the Minister's statement, the reforms include standing two-tier tribunals established under each agreement as opposed to the *ad hoc* establishment of ISDS panels; and cases randomly allocated so that the disputing parties do not know in advance which tribunal members will decide their case. That is not the issue with the investor court system. It is not about the individual tribunal members; it is the system itself. The reforms also include strict rules on qualifications and independence for members of the tribunal. We have strict rules on the qualifications and independence of members of our own Judiciary. We do not need detailed codes of conduct. We should not need to explicitly put this down in a Bill for a parallel judicial system, which is set up purely to benefit the big multinationals, the big mining companies and the fossil fuel companies.

This is not left-wing or Opposition scaremongering. These are the facts of the investor court system throughout the world. We interrogated who is pushing this and who it benefits. It will benefit big Canadian mining companies which are the same as any other mining companies all over the world. They want to dig holes in the ground, extract natural resources and sell them. It will not benefit environmental groups. They will not be able to sue mining companies for unquantifiable damages to the environment. Mining companies will be able to sue countries which bring in progressive legislation that will improve our climate and that could impact their profit margins. It could have an unbelievable impact on our housing system, something that has not been discussed much up to this point. There are huge Canadian financial interests in our housing system as it stands through REITs, pension funds and other fund investments. It seems something of a fantasy but I hope it will come to pass that one day we have a Government that invests properly in affordable housing and we can bring rents down. However, we could be in the crazy situation where we could have an investment fund that has invested tens of millions of euro in housing in this country sue the Irish State for bringing rents down. Again, this is not scaremongering but it is something that could logically happen through an investor court system.

In fact, it is the very reason an investor courts system is set up. It is to protect the interests of big businesses, big conglomerates and multinational organisations. It is not to protect the interests of the citizens of this country. It is not to protect the interests of the Irish Government. There is no rationale for any Government to bring this in because, ultimately, it will be the Government, on behalf of the people, which will be sued by these companies and conglomerates for tens of millions of euro in lost profits. If we bring in improved workers' rights legislation, we will have companies that could potentially sue the Irish State for protecting workers, putting money in workers' pockets and improving their terms and conditions.

This is why the Government has waived pre-legislative scrutiny and is doing everything it can to get this through without public scrutiny or public attention. Even its name, the Arbitration (Amendment) Bill 2025 does not attract the kind of interest that is needed. However, when we spell out what this has the potential to do in respect of climate action,

workers' rights, public health regulations and climate legislation, it will have a chilling impact. I know the Minister said in her contribution that this amendment Bill will remove the chilling effect of the investor courts. It absolutely will not. Just by saying it does not mean it will happen.

We have seen a 98% increase in trade with Canada since the provisions of this trade deal have been implemented. Again, I am not for just taking the good and throwing out the bad and just doing what suits Ireland. However, in my time in this House, this is beyond anything that has the potential to harm the State and the Government of the day. If I was a Government backbencher, I would not have been bringing up the presidential election or anything like over the past couple of weeks, I would have been bringing up this Bill. What are we doing for the future of Ireland and its people? How much are we going to put the State on the hook to big companies? Why have we not asked this question of Canada, which we are saying is bringing this up bilaterally with us all the time and is asking when are we bringing in the investor court? Are we asking Canada why it has allowed the investor court system to be removed from the renegotiated North America Free Trade Agreement, NAFTA, in 2020? It is gone between Canada, the United States and Mexico. It does not have it anymore yet it wants to have it with the EU. It does not make any logical sense.

The Government can save face here. It can amend or withdraw this Bill. We can go about it a different way. We have a trusted Judiciary here. The EU has a trusted judicial framework. Canada has a trusted judicial framework. If any organisation, individual or conglomerate is aggrieved by any action, they can take it to the court system of the EU, Ireland, Canada or wherever best fits. In 2014, the then German economics Minister, Sigmar Gabriel, wrote in an open letter to the then European Commissioner for Trade, Karel De Gucht, stating that investment arbitration was unnecessary between countries with well developed legal systems. Nothing has changed during those 11 years.

An Cathaoirleach Gníomhach (Deputy Paula Butterly): Is the Deputy not sharing time?

Deputy Duncan Smith: I am not but I am very close to finishing.

An Cathaoirleach Gníomhach (Deputy Paula Butterly): Go ahead.

Deputy Duncan Smith: Every vote in support of this Bill will bring ultimately bring potential harm on the State and it does not have to be that way. We do not need an independent investment court or arbitration system. I ask the Minister to look again and withdraw this, to go about it a different way and to trust our court system. We can have good and growing trade with Canada. We can be good partners and improve things. We do not need to hand over to the big multinationals or big mining companies any more influence than they already have. It will ultimately cost this country hundreds of millions of euro down through the years. I know the Minister of State will have seen the Future Forty document that was released last month. Whatever about the next one to ten years, in the next 40 years there will be some serious challenges for this country and State and we do not need to have our hands tied behind our backs. We, in the Labour Party, solemnly believe that the investor court system as set out in CETA would mean us having at least one hand tied behind our back.

Deputy Cormac Devlin: I am pleased to speak in support of the Arbitration (Amendment) Bill 2025. I thank the Minister, Deputy McEntee, and her officials for bring it forward. It has long been debated in this House. This Bill is a direct and careful response to the Supreme Court's judgment in the Costello case, which held that, legislative change would be necessary before the Canada-EU Comprehensive Economic Trade Agreement could be fully ratified. The core issue identified by the court was the automatic enforcement in Ireland of awards of a CETA investment tribunal.

The Bill before us deals exactly with that point. It inserts a new section 25A into the Arbitration Act 2010 to create a bespoke, tightly framed regime for enforcing awards under EU agreements that contain modern investment protection provisions, including CETA and the EU–Chile agreement. Crucially, those awards will only be enforceable under this new section and only where doing so does not compromise the constitutional order of the State or the autonomy of the EU legal order. That is a significant constitutional safeguard.

The Bill also provides for a leap-frog appeal so that any serious constitutional issue can go directly from the High Court to the Supreme Court, if the court so permits. It allows further EU investment agreements, such as those with Vietnam, Singapore and Mexico, to be added by ministerial order, while still operating within the clear limits set by the Supreme Court. In other words, this Bill does not give away sovereignty; it copper-fastens it and it also gives us a lawful, transparent way to meet our international obligations.

Why does this matter? It matters because CETA is not an abstract legal exercise. It is the backbone of an almost free-trade area between the EU and Canada, linking close to half a billion people in a high-standard, rules-based market. Since 2017, about 95% of CETA has been provisionally applied. That has meant the near elimination of tariffs on goods, real opening of services and procurement markets, and practical, predictable rules for trade.

If Ireland cannot ratify CETA, we would put that provisional application at risk, with the very real possibility of tariffs being reimposed and market access rolled back. The gains for Ireland from this agreement are not theoretical. They are already visible in our trade statistics and in jobs on the ground. Ireland's bilateral trade in goods and services with Canada has grown from about €3.2 billion in 2016, before CETA, to more than €10 billion in 2023. Goods exported to Canada have risen from roughly €900 million in 2016 to €4.1 billion in 2024, a more than a fourfold increase. Goods imported have more than doubled from almost €0.5 billion to €1.2 billion. Services tell a similar story. Exports are up from €1.5 billion to over €3.7 billion while imports from €300 million to more than €1.7 billion.

For a small, open economy, that is a textbook definition of success. Independent evaluation at EU level shows that Ireland is a standout winner from CETA, near the top of the league table in welfare gains. That is not surprising. The sectors where CETA delivers most - pharmaceuticals, medical devices, high-value manufacturing, business and ICT services - are exactly those in which Ireland, and Dublin in particular, are strongest. We are not passive spectators; we have built a competitive, export-orientated economy and this agreement plays to our strengths.

We can see that clearly in Dublin, and in the area the Minister of State and I represent, Dún Laoghaire–Rathdown. Canadian-backed financial services, insurance and asset management firms employ substantial numbers of people in Sandyford and across the wider Dublin area.

Canadian investment underpins activity in our aircraft leasing cluster, including, in my constituency, at the West Pier. Dublin-based tech and high-tech firms have used Canada as a springboard market, scaling up employment here on the back of access there. These are not some abstract globalisation stories. They are real jobs, real mortgages and real tax revenues in communities up and down this country.

It is worth underlining, for the benefit of some of the commentary outside this House, that CETA is exactly the type of trade agreement Ireland should be championing. It expands markets for our goods and services. It respects and protects our rights to regulate. It contains practical safeguards for agriculture and recognises the sensitivities of that sector. It binds all of this into a legal framework with strong provisions on labour rights, environmental standards and sustainable development. Equally, Canada is exactly the kind of country we want to deepen trade with. It is a mature democracy and strong rule-of-law state, with robust labour protections and high environmental standards. This is not a race to the bottom deal. It is a partnership between like-minded societies that share a belief in fair trade, high standards and multilateralism at a time when all three are under pressure.

Against that backdrop, I have to say that the position of some in the Opposition is profoundly disappointing, though not remotely surprising. Only last month, we had a Sinn Féin MEP proclaim that Sinn Féin is determined to fight every step of the ratification process. That kind of language might sound energetic on social media, but it sits uneasily beside the facts that exports are up fourfold, services exports are up by more than 250%, there is over €10 billion in two-way trade, and thousands of high-quality jobs are supported here at home. To look at that record and see a threat rather than an opportunity is to reveal an anti-enterprise mindset that has never really come to terms with Ireland's modern economic model. Of course, it is not a new stance. Sinn Féin is the party that has spent the past 50 years championing anti-enterprise policies, while also opposing virtually every major EU treaty. It opposed joining the EEC in the first place, opposed the Single European Act and the Maastricht, Nice and Lisbon treaties. Each time, we were told disaster was around the corner. Each time, the Irish people chose a different course. Our country has thrived by being open, outward-looking and engaged. CETA sits in that same tradition of rules-based trade with a trusted partner in Ireland's long-term interest.

It is important to address the concern that this Bill somehow resurrects the worst aspects of old-style investor state dispute settlement; it does not. The investment court system under CETA is a clear break from *ad hoc*, opaque investor–state dispute settlement, ISDS. It is a standing two-tier tribunal, with independent adjudicators appointed jointly by the EU and Canada, operating under strict ethical rules, with transparent procedures, published decisions and provision for third-party participation. Awards cannot be enforced here if they cut across our constitutional order or the autonomy of EU law. That is a very high bar and an important reassurance.

In a world of Brexit, trade wars, sanctions and the weaponisation of economic interdependence, for a small country rules really matter. Being part of a free-trade area with Canada of nearly 500 million people, one that is grounded in law and mutual respect, strengthens Ireland's resilience. This Bill gives us the legal tools we need to ratify CETA and similar arrangements in a way that is fully consistent with constitutional and EU law.

For all of these reasons, constitutional, economic and strategic, I support this Bill. It will allow Ireland to move from provisional application to full ratification, to deepen our ties with Canada, and to signal, once again, that we are a small country that understands one big lesson, namely, that in challenging times, it is open, rules-based co-operation with trusted partners that keeps our people in work and our economy secure.

Deputy Martin Kenny: Much of CETA has already been implemented. However, the part of it that we are dealing with today relates to the investment court structures that have been set up as a consequence. Obviously, Ireland is late coming to the table to ratify this agreement and we are discussing it now, but many other countries also have serious concerns in regard to that.

We have courts in this country, in Canada and in Europe. There are already more than enough legal structures in place to deal with whatever disputes that might possibly arise as a consequence of international trade and international agreements. Yet, under this Bill, an additional tier is being set up. It is totally irrational to do this in the context of having our own court system. We pass laws in this House. We bring cases to courts. We facilitate services for people to ensure they are protected and the businesses in this country and international businesses coming here are also protected. We are a common law area. We have a lot of things that attract investment, all of which will be undermined by setting up an additional system outside of that. It is totally unnecessary and, in essence, undermines the system all of us worked so hard to ensure works well and is there to protect people's interests.

This is the old difficulty we have. It is big business and profit up against the common good. We want to try to ensure, where possible, that both can work together, that the common good is also something which will facilitate and work with business to ensure everyone can grow and multiple and we can make the cake bigger for everyone. That is what we want to do.

The difficulty we see so often in these agreements is that the winner-takes-all attitude comes very much to the fore. Some of the major corporations are out to make massive profits and if there is anything that could possibly inhibit their profits, it will be cut down and they will have a platform that allows them to sue a state that wants to protect its own citizens from the worst ravages of the markets. We saw the ravages of the markets with the downfall of the economy less than a decade ago. We know what all of this can mean.

The Irish Farmers' Association and others were before the agriculture committee this morning discussing another trade deal, the Mercosur trade agreement. We are discussing the possible negative impact of CETA. A lot of negative impacts could also come down the road with the Mercosur agreement. Deputy Devlin stated that Canada is an advanced economy and we have so much in common with it. In the case of the Mercosur countries, it is an entirely different situation. They do not apply the same standards as we have in the European Union, yet we are expected to import Mercosur products to Europe, particularly beef of a much lower standard than that produced in the European Union.

We need to recognise that if we are to be on the world stage, we also have to stand up for ourselves, our citizens and the citizens of Europe when it comes to the protection of rights, including workers' rights, and the protection of food quality, which, in the case of Mercosur, is a serious issue. We also have to ensure we stand up for the right of the citizens of this nation to make their own decisions, have their own sovereignty, make their own laws and have those laws implemented by their own courts. That is what we need to stand for.

The difficulty Sinn Féin has with this particular arrangement is that it goes further than we need to go. We do not need an additional court system. We have a court system in place here and we should stand by that. That is why we are totally opposed to the Arbitration (Amendment) Bill.

Deputy Liam Quaide: Investor courts are a serious threat to progressive public policy. They cast an ominous cloud over climate action at a time when climate action has never been more urgent or consequential. Ratifying CETA would see the introduction of investor courts that bring no benefit to the Irish people but allow foreign companies to extract money from the Irish taxpayer based on their perceived loss of profits. The Government is blindly walking down a path. Passing the Bill would see us introduce an investor court system when countries around the world are moving in the opposite direction, for good reason, recognising how detrimental investor courts can be to progressive government action. When other countries are actively trying to leave investor court systems, it makes no sense for Ireland to sign up to one. The Government is cynically pushing for full ratification of CETA. I ask colleagues on the Government backbenches if they really know what they are signing up to with this Bill. This decision will be incredibly difficult to reverse. There is a huge amount at stake in allowing investor courts and little to no upside for the Irish people. We have not seen this Bill go through pre-legislative scrutiny where we could have aired the legally complex details that arose from the Supreme Court decision in 2022 which found the investor courts aspect of CETA would be incompatible with the Constitution. We have had no opportunity to discuss the consequences of how CETA would transfer vital elements of the State's sovereignty to external institutions unaccountable to the Irish legal system. The Government has failed to address the Supreme Court's concerns and reflect on whether we want to be part of an investor court system at all or its implications. The investor courts in CETA would allow corporations to sue for unearned income based on the perception of losses due to new state policies or regulations. It would allow these large corporations to leapfrog domestic and EU courts and take cases against the Government when they feel their profits are impacted. Ireland would be left to face potential lawsuits for seeking to introduce laws to promote public health or to protect the environment, biodiversity or workers' rights. We do not have to look too far to see the detrimental effects of investor courts. The UK currently faces a claim after its high court ruled against a proposed coal mine in Cumbria on climate grounds. The company involved has now taken a case based on the loss of its potential profits. Last year, in the Netherlands, Exxon Mobil launched a case in an investor court demanding billions in reparations based on a government decision to phase out gas exploration. There are already examples of Canadian companies taking such cases against European countries. In Romania, for instance, a Canadian company is suing for \$4 billion over the denial of permit to establish an open cast gold mine in Transylvania, a UNESCO world heritage site. Ireland reportedly faces two claims in investor courts under the Energy Charter Treaty. One company is seeking damages of €100 million after an application for a lease on an oilfield off the coast of Cork was refused in 2023. Another is upset and seeking financial compensation after an exploration licence was not granted for Corrib south off the coast of Mayo.

Returning to the Supreme Court decision in 2022, it was suggested that the amendments to the Arbitration Act could be passed to ensure the constitutionality of CETA ratification, although not all judges agreed. One judge, Mr. Justice Charleton, argued that doing so would not be effective and would be in contradiction with the terms of CETA and the Vienna

Convention on the Law of Treaties. He called it a contraindication of CETA itself. The Bill before us does not seek to explain how it overcomes these concerns. The Bill also does not address concerns over the transfer of vital elements of the State's sovereignty to institutions unaccountable to the Irish legal system. It would not give Irish courts any meaningful say over investor court awards nor prevent their enforcement. The investor courts will be under no obligation to adhere to Irish or EU law in adjudicating claims. Worryingly, this Bill would allow the Government to sign up to more investor courts in other trade agreements in the future.

I would also like to point out it is not just in Ireland that opposition exists to CETA. In Canada, seven of the largest trade unions have called for it to be rejected. Some 450 civil society organisations, farmers' organisations and trade unions across Europe and Canada signed a statement calling for CETA's outright rejection. There has been a "take cities out of CETA" campaign, which has seen 89 Canadian municipalities pass resolutions either expressing concern or demanding to be excluded from CETA's provisions. Civil society, environmental movements, farming communities and trade unions across Canada and Europe have concerns about CETA. It is not limited to Ireland.

I call on the Government to allow the public to decide by referendum whether or not to accept CETA and whether to accept an investor court system. There is precedent as other courts were brought in through referendums. We all know the Government will not do this as it would not win such a referendum. The only reasonable course of action for this House now is to reject the Bill and not ratify CETA or any trade deal that would open up the Irish taxpayer to claims from foreign investors.

An Cathaoirleach Gníomhach (Deputy Grace Boland): Saved by the bell. I call Deputy Hearne.

Deputy Rory Hearne: Coming from the committees, it is hard. Deputy Quaide has outlined our many concerns in relation to CETA. Today, my inbox has been flooded with messages from constituents encouraging me to vote against amending the Arbitration Act. As pointed out, there is no EU deadline that requires this Government to ratify the Act. The Government is jumping the gun and no one is asking it to do so. It is another example of this Government catering to investor funds and prioritising deregulation over welfare, services and the needs of people.

I want to talk in particular about the biggest social and economic crisis this country faces, namely, the issue of housing. I have highlighted for many years and made the case that investor funds in the area of housing have been given an oversized role in this country. There are significant downsides to the increased role of institutional investors, corporate landlords and large global equity funds in our housing market. Part of the reason they are here is not to solve our housing crisis but to use our tax system as a way to minimise the tax they pay. It is also, of course, because of the huge rents they can charge. I spoke to someone recently who claimed - we need to look at this - that apartments are left vacant because the value to these global funds is not so much the rental income but the value of that asset appreciating over time. This is not unique to Ireland. It was highlighted, for example, in London. I researched that in the past and the issue of the financialisation of housing - that housing has turned into a global asset and the value and use of that asset is not as a home but as something used in global wealth funds as an asset on their balance sheets. They are not so much concerned about whether it is even rented

out or used but it is the value of that asset in the fund. There is real potential for CETA to impact negatively on this area in further reducing the rights of Irish renters and tenants. It feels like the Government is doing nothing but chipping away at people in terms of the cost of living - people cannot get a home - and even in its prioritisation of investor funds with tax breaks.

The concern is this will add another layer of investor funds having a power and influence over our Government. Will this impact the ability of the Irish Government and the Irish people, through the Government, to regulate and impose laws on institutional funds part-owned by Canada, for example, and, in general, by overseas foreign owners? For example, one of Ireland's largest corporate landlords, IRES REIT, was set up by a Canadian real estate fund. The concern is that CETA will not only reduce workers' rights and lead to further pressure not to ratify measures like collective bargaining but also skew the market even further towards vulture funds and usher in what is essentially a freeze on regulation. There is a real risk that if this agreement is put in place, an Irish Government that attempts to legislate to improve housing standards or to control rents further or to control evictions further could be liable in terms of damages from Canadian companies in the housing market. I do not think the seriousness of this can be overstated.

There is a need to protect renters and workers. Could we see, in the future, corporate landlords suing for loss of profits off the back of legislation on rent caps, tenants' rights, eviction bans and standards of rented accommodation, or suing if the Irish State decided it wanted to impose affordability requirements or purchase the properties to ensure they were rented out affordably? It is wrong that the Government is signing off on legislation that will potentially place the needs of international corporate landlords over the housing needs of renters and people in this country. I will not be voting for it. I am deeply disappointed that the Government continues to push through a regressive agenda of sweetheart deals for investors over dealing with and supporting workers and renters in this country.

Deputy Catherine Callaghan: I acknowledge all the contributions made on this Bill today. It will play a crucial role in protecting Ireland's reputation as an advocate of free and fair trading agreements worldwide and it will allow for the constitutional ratification of the trade agreement between the EU and Canada and other international agreements.

I am not alone in acknowledging the transformative effect that open and fair trading relationships have had on this island. I am also not alone in acknowledging the major opportunities that agreements such as CETA present for future expansions of Ireland's economic capacity. Since the provisional application of CETA in 2017, Ireland's trade with Canada has rapidly increased. Trade between the two countries has grown by 95%, and it reached a value of \$9.6 billion in 2023.

Major Canadian investors are attracted to our dynamic and well-educated workforce, with firms such as Greenfield Global citing local excellence like that available in South East Technological University Carlow as a major factor alongside CETA in their decisions to invest in Ireland. Similarly, Irish talent was what attracted Canadian film firm Mercury Filmworks to Kilkenny's Cartoon Saloon. Mercury Filmworks launched Lighthouse Studios in 2017 and created 140 jobs locally.

Ireland has attracted more Canadian investment in the period than vice versa, with annual Canadian foreign direct investment flows into Ireland increasing by \$10.8 billion, or 131%, in

the eight years between 2016 and 2024. Crucially for Ireland, most of the growth in bilateral goods trade between Ireland and Canada has come from a rise in Irish exports to Canada, a fact that highlights the competitiveness of our economy and the benefits that arise from open trading relationships. The potential benefits of such trading relationships, therefore, should be plainly obvious. However, despite being one of the countries that has benefited most from the arrangement, Ireland remains one of ten EU countries that has not yet fully ratified CETA.

At present, we live in a geopolitical climate that demonstrates the true value of long-term rules-based and amicable trading relationships. If we are to secure the benefits we accrue from our trading relationships, the message is clear: rules matter. Of course, it is important that we do not allow the prospect of improved trading relations with other parts of the world to blind us to the potential impact such agreements can have on our domestic legislation. Following on from the Costello case, I acknowledge the findings of the Supreme Court on those sections of CETA that deal with the protection of investments and provide for investment dispute-resolution provisions.

The investor court system will not undermine Ireland's right to regulate for legitimate policy objectives, as some have said in the House. CETA and similar agreements specifically note that the mere fact that a party regulates in a manner which negatively affects an investment or interferes with an investor's expectations does not amount to a breach of an obligation under CETA. The fact that amending the Arbitration Act will allow for CETA to be ratified in a constitutionally lawful manner does not mean this will be done without further debate. Dáil Éireann's say on each of the agreements covered by this legislation will be preserved. Ireland's constitutional identity will be protected, as will its obligation to adhere to European law. Furthermore, CETA cannot be ratified by the EU until every member state in turn does so. As Ireland is one of ten countries that has yet to take this important step, there is much more work to be done at European level to promote the agreement, although the amending of the Arbitration Act is an important marker of progress. Ratifying the agreement as it relates to investment protection can make a real difference in certain sectors of the European economy, such as raw minerals extraction. The failure to ratify the sections has so far inhibited growth in this sector.

Critically, measures to upgrade the agreement as it pertains to shared environmental concerns and goals are only possible once full ratification has been achieved. I welcome the findings of the Supreme Court that CETA could be ratified by the Oireachtas once amendments are made to the Arbitration Act 2010. Amending the existing Arbitration Act so we can ensure the constitutional identity of the State and protect Ireland's obligation to preserve EU law is the best way of realising both our ambitions and responsibilities.

Deputy Paul Murphy: This is dystopian stuff. Under an innocuous title, the Arbitration (Amendment) Bill, what is being proposed is a fundamental challenge to democracy, sovereignty and people's environmental and labour standards. What the Government is proposing to do, in darkness, is to sign Ireland up to a parallel justice system. This is not a justice system that the Minister of State and I can access; it is a justice system only for corporations. That is what is proposed and that is what CETA is about, or at least that is what the investor court system – the renamed investor-state dispute settlement mechanism – is about. It is a parallel justice system accessible only by corporations for corporations to sue states if they intervene and interfere with their legitimate expectation of making profits. That is what

this is about. It deserves a national debate and national outrage. We should actually be having a referendum on it because the results of this could truly be catastrophic.

I have been fighting this for more than a decade. I was in the European Parliament at the beginnings of CETA. I was involved in organising with civil society organisations across Europe, and also ordinary people, trade unions and civil society groups in Canada, warning about what this was, and now the Government is attempting to push this through.

This paves the way not only for investor courts, or the parallel justice system for corporations only, as part of CETA but also for private investor courts as part of every current and future trade agreement that the Government will sign us up to in respect of which it seeks such courts. Contrary to what the Government is saying now, this could well include Mercosur in the future. The Bill is deliberately drafted in such a way as to ensure the Government will never have to hold a referendum on investor courts ever again.

The whole point of this seemingly innocuous technical Bill is to avoid having to consult the people. Why? It is because the Government knows that if it suggested setting up a parallel system whereby corporations could sue states outside the regular judicial process, it would not win a referendum on it. Investor courts are completely against the public interest. They are rigged, private courts, designed to take the side of private investors against elected governments and to put profits before people every single time. The Minister earlier claimed at length that the investor court system, ICS, is substantially different from the investor state dispute settlement, ISDS. This is simply not true. This is just a rebranding of ISDS as ICS because its brand was so toxic. The Minister of State does not have to take my word for it. Listen to the expert advice of Comhlámh, Christian Aid, ActionAid and Trócaire, which have researched these issues extensively and concluded that the investor court system is a rebranded version of ISDS that offers a few cosmetic changes but which does not differ fundamentally from ISDS. They are not making it up. They are able to see through the corporate spin that it suits this Government and the European Commission to inflict on us.

According to the United Nations, ISDS or investor courts have awarded corporations the equivalent of the combined GDP of 45 small and poor countries. The average award is €250 million but awards of €1 billion or multi-billion euro awards are not uncommon. I will give some examples of what the Government is trying to sign us up for. In the Woodhouse Investment case, the UK is facing a claim from a company which invested in a proposed coal mine in Cumbria which was cancelled when the British High Court ruled against it on climate grounds, and it is looking for compensation for that. In 2024, ExxonMobil launched an ISDS case under the Energy Charter Treaty against the Dutch Government as part of a set of arbitration cases demanding billions of euro for its decision to phase out gas exploration in Groningen in the Netherlands. A fossil fuel company, Klesch Group Holdings Limited, is suing the EU, Germany and Denmark for at least €95 million over windfall taxes under the Energy Charter Treaty. In *EcoDevelopment v. Tanzania*, a Swedish investor sued Tanzania when the land title for a sugar plantation that never got off the ground was cancelled by the government. The company won a payout under this process of more than three times its original investment. The Egyptian Government was sued under an ISDS process because it proposed to increase the minimum wage. The Uruguayan Government was sued by the tobacco industry because it tried to put in better health warnings.

This is about giving corporations the power to get massive amounts of money from states and chill progressive legislation into the future. Basically anything at all is counted as expropriation under CETA and how it is interpreted. I go to annex 8-A, which defines expropriation. It states that if you have direct expropriation, which is the term that we would know it as, there is a slam-dunk case for compensation, but also, "indirect expropriation occurs if a measure or series of measures of a Party [that is, a country] has an effect equivalent to direct expropriation, in that it substantially deprives the investor of the fundamental attributes of property in its investment, including the right to use, enjoy and dispose of its investment, without formal transfer of title or outright seizure." What could that look like? If we introduce rent controls that actually bring rents down, a Canadian investor, under this, can now sue the Irish State. That is indirect expropriation - the investor had an expectation when it invested because the Government told the investor it would be able to continue to jack up rents as much as it wanted, and now its legitimate expectation of making this profit has been cut across by the Government's action, so the investor will sue. The investor might be investing in liquefied natural gas terminals because the Government has given the go-ahead for that, then when a future government comes to power and says this is of course madness and there is to be no more fossil fuel infrastructure, the investor can now sue the Irish State. It would not be in the Irish courts, which is a crucial point, but in parallel courts accessible only by corporations. It would sue the Irish State there for billions in lost revenue because of indirect expropriation.

This is a recipe for fossil fuel companies in particular to stop states from doing what is necessary to save the planet for all of us for a liveable future. Fossil fuel companies should be paying us billions for wrecking the climate, not us paying them, but instead these twisted courts allow them to demand compensation from us for not being able to cause even more storms, floods and devastating heatwaves around the world. It is outrageous that our Government wants to entangle us further into this warped system by expanding investor courts to more international agreements. We are already in deep enough trouble with the Energy Charter Treaty investor courts without handing more multinationals an even bigger blank cheque, which is what is enabling them to sue us in a variety of other investor courts will do.

The Government is presenting this Bill as only applying to CETA and an EU trade agreement with Chile. It says not to worry because it will only apply to Canadian and Chilean companies, but all a big US multinational has to do to avail of CETA's investor courts is to go through a subsidiary in Canada. If it does not already have a subsidiary in Canada, it can open a subsidiary in Canada and then take a case. Let us say a future left government wants to prioritise renewable energy for people's needs, not AI, so it says we are going to stop having more and more data centres. Passing this Bill can mean that Canada, Google, Amazon or Microsoft can sue us for any future loss of earnings as a result. They can sue us for taking climate action in the interests of people and the planet. What is to stop any multinational for suing us for loss of profits under CETA if we decide to impose windfall taxes or make any changes to corporation tax in the future?

The Government is effectively trying to condemn us forever to be its model of a corporate tax haven, a vassal state for US multinationals. The impact of that is not just in the cases themselves. It is not just in the potential billions of euro that the public could be forced to pay to these corporations in unfair, rigged, non-court judicial processes. It is also about the chilling effect. This is putting limits on our democracy into the future. The Energy Charter Treaty, for example, has a 20-year withdrawal clause, so even if we got out of it tomorrow, which we

should, we are still stuck with it for another 20 years. They can still take court cases under it for another 20 years. Other international treaties and courts have similar clauses. CETA is even worse, because once we ratify it, which we do not have to since trade is currently happening with Canada, we can only leave if the entire EU does. It is an extremely high and undemocratic barrier that gives every other European country a veto over our future.

There is no oversight here. The Government is claiming that this legislation complies with the Supreme Court judgment because it found that ratifying these courts would be unconstitutional, but there is no meaningful oversight here. A multinational can choose to sue us in any other country to evade this. They can just sue us in a different country that is also signed up to investor court systems and the Irish courts have no oversight role whatsoever. What a joke. We need to stop this.

Deputy Richard Boyd Barrett: This innocuously named Arbitration (Amendment) Bill is a sell-out to the corporations. It is the definition of the corporate takeover of Europe and the Government wants to sign us up to this. If we do, it will be very difficult to get out of it. As Dr. Oisín Suttle in the Maynooth department of law wrote in a thing I was reading this morning, in other areas of international law, where a state signs up to them, you can get out relatively easily. You give a bit of notice. We sign up to international agreements, such as the European Convention on Human Rights, where we give away a bit of sovereignty to these international institutions, but we can get out within six months of doing that. Article 50 of the Treaty of the European Union allows member states to leave the EU with two years' notice, but with the investor court system which we are signing up to, we would be bound under the obligations of the investor court system, a parallel justice system which subverts our own legal and legislative systems, for 20 years. We could be potentially sued by corporations which decide that the actions of the courts or a government here infringe on their rights and expectations to make profits. You could not make it up. We will be tied into those agreements for 20 years.

As has been said, this is not a hypothetical. This stuff is happening. ExxonMobil, one of the biggest oil companies in the world, has done it. Philip Morris, the big cigarette company, has done it. French waste companies have sued the Argentinian Government. It is happening.

5 o'clock

As has been mentioned already, on key issues like housing we have IRES REIT, the biggest landlord in the country, based in Canada. If we could succeed in getting Fianna Fáil and Fine Gael out, we could potentially bring in meaningful rent controls, things like no-fault evictions, which I believe should happen, and that land being held by land bankers and speculators should be taken off them. They should not be allowed to hang onto land and speculate on property prices which are significantly causing and exacerbating the housing crisis in this country.

While we know that Fianna Fáil and Fine Gael do not want to do it, a future government should be free to do the kinds of things the Kenny report proposed - to take the land bank into public ownership. However, this would be prohibited. We could be sued in a parallel legal system, the investor court system, by property investors, vulture funds in other words. Wealth management companies could sue on the basis that they had invested in Irish property and the Government's actions might infringe on their ability to make profits in the future. It is absolutely shocking this is being proposed.

As has been said, once we are in, we are in for 20 years before we can before we can get out. It undermines our legislative and judicial sovereignty. It is an absolute outrage. There are potentially many different areas where these investors could sue governments on issues such as bringing in legislation to protect workers' rights to protecting the environment or protecting water quality. There is almost nothing they could not potentially sue a government over or sue courts for making decisions where they infringed on their right to make profits. All of this would be done via a parallel legal system which is only available to corporations and not available to ordinary people. It is really quite shocking and unbelievable but not terribly surprising from a government whose entire policy seems to be to hand things over to investors, hedge funds, vulture funds and big corporations so that they can make profits while limiting the ability of this House or the legal system to ever do anything about it in the future. It is an absolute sell-out. We absolutely oppose this.

None of that means we are against trade - fair trade. The idea that we have to give to corporations the right to subvert our legal processes or our democratic processes in order to have trade between countries is an absolute nonsense. It reflects the attitude of the political establishment in this country and in Europe about dancing to the tune of corporations and big business at the expense of the needs, the aspirations and the democratic rights ultimately of ordinary people. We oppose it root and branch.

Deputy Barry Ward: I have been listening to the debate and what some of the speakers have said. I have concluded that the world through the eyes of Deputies Murphy and Boyd Barrett must be incredibly clear because there is no nuance whatever in what they have said. The claims they made about the intentions of this Government and about what this agreement has done are completely unsubstantiated and completely false in my opinion. I do not claim to be an expert in trade law but I can read and I have read the relevant aspects of the agreement.

Let us start with the first misapprehension from those two speakers that I have listened to. The anticipation or the promise of profit is not a basis on which somebody can go to the investor court and have a decision overturned. Second, it is not the case that governments' legitimate policy aspirations can be overturned by investor courts. Third, it is the case that such agreements exist in all kinds of commercial agreements between companies and indeed between states. The Members will know that arbitration exists in all kinds of areas, including in binding areas. The suggestion I have heard from some of the speakers in this debate is that this will completely upend our legal system, that the courts will no longer have any jurisdiction and will completely end the system that we have enjoyed since the foundation of the State whereby we, as the people, are sovereign and actually make decisions.

The reality is that systems like this already happen in all kinds of agreements, both between us and other countries and between companies as well. It is entirely reasonable. It is absolutely creating what are called investor courts but it is an arbitration mechanism that is binding. That is what it is and that exists in all kinds of areas. Listening to some of the speakers today, one would think that this is exceptional although at the same time they have said that this is already happening; it is not new. Yet we already have systems that work in terms of international trade.

Here is the kicker for me. We are a small island on the periphery of Europe, as big as we like to think we are within the European Union and as much as we might punch above our weight. Our economy, which is an open economy, depends on trade first and foremost. The things that

Deputy Boyd Barrett has just lamented so much have provided the quality of living in this country and the fact that we exist in the top ten of pretty much any metric that can be picked to assess the quality of life for people in this country and what they enjoy. That exists because of trade, because we are open to trading with other countries and because we are a fair country that abides by agreements just like this one. What CETA seeks to do is to further that trade relationship with Canada. It is in my opinion a benign agreement that will benefit this country and its citizens, not for 20 years but I hope for generations to come. That is what it is.

Contrary to what Deputy Murphy said, the Supreme Court did not say, for example, that there were constitutionality issues with the existence of these courts. It absolutely did identify issues and this Bill addresses those issues per the Costello judgment. However, there have been extrapolations from that judgment that I do not think are correct. The reality is that what we are debating today is whether we are willing to put in place the mechanisms that are proposed in the Bill, particularly section 4 inserting the new section 25A, to ensure that this country can benefit from CETA allowing enhanced and beneficial trade with Canada.

In order to somehow muddy the waters around this what has been dragged in is that US companies could use a Canadian subsidiary company to get involved in investor courts or somehow to challenge the Irish Government's decision on fossil fuels. Of course, that is true but such a subsidiary company would have no more standing than any other company. What has been said repeatedly in contributions not just from the last two speakers, but from other speakers, is that companies can sue or can bring legal action or litigation. Again, of course, they can and that is happening. They can bring such an action at any time; it does not mean they are going to win it.

When talking about investor courts, we are talking about a panel of independent highly skilled international experts with representation from both sides, Canada and Europe. It is not as if it is being sent off to some unrepresentative body that does not know anything about this or is hell-bent on some kind of new world order that is going to change the face of the earth for the rest of us. That is not the case. Those speakers are trying to create some kind of bogeyman, suggesting to people there is something to be afraid of in this legislation; there is not.

As I have said, the speakers themselves say this has been happening for years. It has and yet we still have a fair and accountable global trade system. It is not perfect by any means, but it delivers for this country and it is very important for the economic survival of this country. The point is that it is not a bogeyman because it is something that applies the rule of law. If a company does decide to sue Ireland for whatever it might be, the decisions that the investor courts, the arbitration body, would make would be in accordance with the provisions of the agreement and the rule of law. That is what it would do in exactly the same way, by the way, that the High Court would. The only difference is the High Court is an Irish institution.

If the argument being made is that only Irish institutions should make judgments on disputes between companies and states, then those Deputies have severely misunderstood the patriotism of our High Court judges because High Court judges have proven themselves time and again to, without passion or fear, apply the rule of law whether it is to Ireland's benefit or not and they would do the same thing. That is exactly what the investor court system will do. That is the law.

Deputy Paul Murphy: It is the Irish law versus CETA.

Deputy Barry Ward: Let me explain to Deputy Murphy what the law is in case there is any doubt about it. Yes, the High Court interprets Irish law but CETA will essentially become the law for these disputes between companies and states or between states. We are signing up to that law. We know what that law says. It will be applied in exactly the same way that a High Court judge would interpret any law. By the way, High Court judges do not just deal with Irish law. The High Court deals with contractual disputes all the time in which it parses agreements between individuals and companies. So, the law is more than just the statutes that are passed by this House or the orders signed by Ministers. The law is a complex nebulous thing that is made up of all kinds of documents from all kinds of different sources. In this instance, the law would not just be the CETA agreement, but the agreement between the individual companies or what they have agreed with particular entities. That would be the law that would be assessed by an investor court. So, let us put aside this bogey-man nonsense, which has been going on for some time now.

There are a couple of things we should actually be looking at in the context of passing this legislation. We know it is there to allow us to ratify the CETA agreement. Is the CETA agreement good for Ireland and good for Irish people? It absolutely is. I will come back to the comments I made about this being a small, open economy that relies on positive trade with other countries around the world. It is good for the Irish economy and the people living within the Irish economy.

Looking at the CETA agreement and the provisions within it, which include these investor courts or this arbitration system, are they something we should be afraid of? Why should we be afraid? The only rhetoric I have heard in this debate as to why we should be afraid is that it is not Irish courts making the decision, but an arbitration body, albeit one made up of independent people and experts in their field and people who have no skin in the game. That is where decisions will be made instead of in Irish courts. One would not be any more confident of a result going the way one wants it to go in an Irish court than one would in the investor court, though. In fact, the greatest confidence one can have in terms of how a decision might go is whether it is in accordance with the rules or the basis on which that decision was made. In the instance of a dispute between, say, a Canadian company and an Irish Government, that is based on the agreement between them and the provisions laid down in the CETA agreement, but there is nothing in here that we should be afraid of. I have spoken to a lot of trade law experts about this and a lot of people on both sides of this debate and they are not afraid of the things - the bogey-men - that my friends on the opposite side are putting out there, so let us be reasonable about this.

We cannot say there is anything in this that is actually going to destroy trade or force the Government into particular policy positions. Of course, Governments cannot behave capriciously, but that is already the case under Irish law and European law, so there is no change there. However, it is very clear that the CETA agreement does not provide in the relevant articles a right for companies to expect certain profits. Reference was made to changes in relation to, as Deputy Murphy said, a left Government prioritising non-fossil fuels, as if no other Government could possibly do that despite the fact that this Government has been fighting to reduce emissions in this country for I do not know how long. Let us say for argument's sake that a future Government tries to put in place a policy that is going to be detrimental to petrochemical companies. There is nothing in the CETA agreement that would

allow such a petrochemical company, be it Canadian or a US-owned Canadian subsidiary, to go to an investor court and say it thought it would be pulling in the big bucks for the next ten or 20 years.

Deputy Paul Murphy: That is not true.

Deputy Barry Ward: There is nothing in the CETA agreement that gives a legitimate expectation, which is the umbrella legal term that covers this, to a company-----

Deputy Paul Murphy: There is.

Deputy Barry Ward: -----that it will continue to make profits to a particular level.

Deputy Paul Murphy: Indirect expropriation.

Deputy Barry Ward: There is nothing to prevent any Government, be it an Irish Government, a French Government, a Latvian Government or a Cypriot Government, from implementing legitimate policies, which we do as a sovereign country and a sovereign Parliament. There is nothing to suggest we could not do that in light of the CETA agreement.

Having listened to many of the speakers in this debate, I really do think that the opposition that has been put up is a string of bogey-men that are not real. They do not actually reflect the reality of what is in this. I say that having looked into this in quite some detail and spoken to people who know a great deal more about trade law than I do. It is not there.

Deputy Richard Boyd Barrett: It is there.

Deputy Barry Ward: We benefit from this because we benefit from improved regulated international trade in the current global environment, where trade, particularly rules-based trade, is being consistently undermined by the big players like the United States. I join with the condemnation of how America is behaving in terms of international trade. This is actually the antidote to that in many respects. Agreements between countries that create a framework for companies to exist within that regulatory environment is the way we promote a global rules-based trade system. Without that, we are nowhere. Let us not fool ourselves into thinking that rejecting CETA by not passing this legislation will somehow lead to the Irish people being better off. They will not be. The opposite will be the case. Irish people will be very much worse off without international rules-based trade systems. CETA is part of that, and I genuinely believe that Irish people individually and collectively, and the Irish economy, will be much better off as a result of signing that agreement between Canada and the European Union and allowing that framework to exist to promote and enhance trade between Europe and Canada. That is to all our benefits. We should be passing the law because it was correctly identified in the Supreme Court that there were issues with the Act, which this Bill fixes. Let us get on with the job of passing the legislation, signing up to CETA and allowing those benefits to be there for all of the citizens of Ireland.

Deputy Michael Collins: Today, we are asked to pass a Bill that does not serve the Irish people. It serves international investor courts. Independent Ireland believes our sovereignty is not something to be traded away through technical legislative fixes. This is not just an amendment to the Arbitration Act. It is a step towards giving foreign tribunals cursory judicial influence over Irish policy because Brussels or multinational investors would prefer it. That is unacceptable. We have seen this pattern before. Deals like Mercosur were sold as opportunities but in reality, they pose direct threats to Irish farmers and rural communities. As I said earlier in this Chamber, Mercosur will flood our markets with contaminated beef produced under standards far below ours, undermining Irish farmers who are already struggling with falling incomes and rising costs. This Bill is part of the same architecture, the same world view that prioritises international trade deals over the interests of rural Ireland and the people of Ireland.

Our farmers are the backbone of this country, yet investor court systems have been used abroad to challenge environmental rules, food safety measures and agricultural supports. If we pass this Bill, we open the door to those same challenges here. Rural Ireland cannot be left exposed to corporate lawsuits that put profit before people. Let us be clear, in that this legislation creates a two-tier justice system. Powerful, foreign corporations will enjoy special tribunals to sue the Irish State while ordinary citizens and small businesses must rely on our domestic courts. This is fundamentally unfair and completely at odds with the principles of a republic built on equality and accountability.

We also must talk about democratic consent. Time and again, major EU commitments have been pushed through without consulting the Irish people, be they on migration or neutrality. Independent Ireland has called for open debate and public endorsement. Here we are again, though, deepening Ireland's obligation under the EU-negotiated investment regimes without a single word to the electorate. If the State wants to bind itself to powerful investor courts, the people deserve a voice.

One of the most alarming aspects of this Bill is the power it gives to the Minister to extend this enforcement system to future treaties by simple order. That means future trade agreements that could impose new liabilities on taxpayers or restrict our regulatory freedom could be approved quietly without proper parliamentary scrutiny. That is not democracy. That is governance by stealth.

Investor court mechanisms have been used worldwide to challenge health protections, environmental safeguards and public interest regulations. We cannot legislate to weaken our own autonomy. Ireland must retain full freedom to regulate for its people, its community and its environment. Independent Ireland stands for commonsense democracy. This Bill represents the opposite - complexity, distant tribunals and diminished accountability. We believe trade should work for Ireland, not against it. We support fair, open trade but only when it protects Irish jobs, Irish standards and Irish communities. By that measure, this Bill fails.

For all of these reasons, Independent Ireland will oppose this legislation. We will not allow sovereignty, fairness and rural Ireland to be sacrificed for the sake of an investment court.

Deputy Ward, who has unfortunately just left the Chamber - I do not like talking about people when they are not here - talked in support of the Bill in the very same way as Fine Gael is speaking out of two sides of its mouth in relation to Mercosur, just as Fianna Fáil is. There is no point in the Minister of State looking at me in confusion. I am the confused person. Regina

Doherty came out last week in favour of so many aspects of the Mercosur deal. Barry Andrews came out saying he was going to vote for it. We are across the world telling Europe not to support this because it will ruin agriculture in this country, yet the Government parties cannot convince its own MEPs. Where are Fine Gael and Fianna Fáil going? Wake up. They are either with the people on this or they are against them. At the present time, Fine Gael and Fianna Fáil are split right down the middle. We are not. Independent Ireland has an MEP who is fighting tooth and nail to make sure this Mercosur deal does not ruin rural Ireland. I am pleading with Fianna Fáil and Fine Gael to have a debate in this House and make sure that does not happen. That is what they have been refusing this State and this country for the last number of weeks.

Deputy Richard O'Donoghue: We are asked to vote to amend the Arbitration Act to ratify the investors court part of CETA. I am asking the TDs to stand with the people and with the Dáil's ability to make laws for Ireland and to vote against amending the Arbitration Act. We already have Irish and EU laws that protect companies and investors, and if these laws are good enough for the rest of us, including Irish businesses, it should be good enough for Canada and corporations. Ratifying CETA will remove the ability of Deputies to enact laws for the public good. It means that the laws to improve working conditions and pay, regulate energy prices or improve health and safety standards can be voted on by Canada's corporations in a secret court whose decision cannot be challenged.

We saw what happens when we take away the ability of our local authorities to deal with planning laws and that power was given to the likes of this House. The power was taken from parties in local authorities to make decisions for counties where people were elected. The Government now wants to take power away from TDs in this House to enact Irish law. We saw what happened with Mercosur. Ciarán Mullooly MEP, from Independent Ireland, fought to make sure that rural Ireland was protected. Fianna Fáil and Fine Gael, which told farmers they were looking after them, made statements last week to say they were in favour of it. There is now a three-year extension. Does the Government not realise that the people in this country have their own voice?

We have our own laws. The Government is supposed to be the protector of this country. That is where the problem lies. We gave away our sovereignty to somebody else to make decisions for us. We can now see where that is getting us. We send out people to Europe and they act like Noddy film characters from years ago, nodding up and down and saying, "Yes sir, no sir, three bags full sir". They are not representing this country. They are not representing rural Ireland or the farmers in this country. Why does the Government think so many people have left agriculture? It is because Fianna Fáil and Fine Gael forced them out with regulations that were not made here but in Europe. We have the finest beef, milk and grass-fed cows in the world and the Government has closed that down.

In this case, I will not vote for the legislation to be amended and I will stand with the people of Ireland to make sure that that does not happen. If the Government votes this in, on its head it will be.

Deputy Michael Fitzmaurice: Most elected representatives, if the playing field is fair, are open to trade agreements. The reality of the past few trade agreements, be it Mercosur or this one, is that the playing field is not fair.

I smiled when I heard the Taoiseach say a few years ago that one was backward if one felt one needed a sovereign state. When he spoke about Ukraine the other day, he made reference to a sovereign state. Europe has stripped us of an awful lot of stuff. We are in control of fewer and fewer things. Europe developed the habitats directive a few years ago, which has basically tied us up in knots. Housing is a major problem everywhere. We have set about giving things away and allowing the likes of Europe to dictate certain documents that are destroying this country. We are now paying the price.

When the habitats directive was introduced, only a few people in the west were affected. It now affects every port, airport, road and everything else. We are constantly giving things away. What is the overall plan in Europe? Is it to make a county council out of the Dáil and leave councillors with less again while Europe dictates everything? It is damnable to see that companies can take our State to court and we will vote for this agreement. To be quite frank, we need to start holding onto what we have and the bit of sovereignty that is left. Let me be very clear - it is not much.

People have said there will be a handbrake and whatever else in respect of Mercosur. The handbrake cable is well gone. Will it be stopped? It will not. Europe will hoodwink, mollycoddle and do whatever it has to do to get enough over the line because Germany controls and a few countries dictate what is going on in Europe. Let us not be waffling that we will decide what Europe will do. At the end of the day, despite it being demonstrated that the regulations for the quality of food are totally different, eyes will be closed to that because Mercs out of Germany are more important than looking after the people of Europe. This is the same setup and that is why I will vote against the Bill.

Deputy Peadar Tóibín: Aontú believes in self-determination. We believe that no other country, organisation or external investor court will make decisions in Ireland's best interests as good as those we will make. It is the very nature of national interests, corporate interests, etc. that self-determination is the only way to guarantee that our national interest is upheld. We learned that the hard way with regard to British rule and people in this country hold sovereignty very dear.

We believe in co-operation with other countries and, at times, it is necessary to co-operate on mutually beneficial issues. In many ways, our partnership with the EU has facilitated that. In terms of the centralisation of the EU in recent times, more power should be returned to national parliaments than is the case and we oppose the federalisation of the European Union.

We also support trade. We think trade is a good thing. Trade obviously lifts the standard of living of people around the world, etc. Trade also has its limits. Certain types of trade can be damaging to the environment and people's health. Unfair trade can be significantly damaging to workers' rights. If there are different standards and regulations in one jurisdiction and that jurisdiction is trading with another, it puts the other jurisdiction at an unfair disadvantage.

As we mentioned, CETA, the transatlantic trade and investment partnership, TTIP, and Mercosur are all issues we have debated here over the years and all have come a cropper in terms of the disparity between regulations and standards. Different standards do a number of things. In terms of Mercosur, it is quite incredible. The *Irish Farmers Journal* investigation in South America showed very clearly that farmers and businesses there were using hormones and antibiotics at a phenomenal rate. That is very damaging to Ireland for a number of reasons.

First, it introduces beef that is unhealthy for people in this country. Second, it gives the producers of that beef an unfair competitive advantage, which reduces the price of that beef and supplants Irish beef in European supermarkets. That has the outcome of pushing more farmers into poverty. We need to be very careful that when we trade, we do so in a fair capacity and make sure we defend the environment, health and workers' rights in this country.

In terms of Mercosur, the actions of the Government over the past number of years have been disgraceful. The Government is speaking out of both sides of its mouth when it comes to Mercosur. The Government is unable to say exactly what it is doing to prevent Mercosur from going ahead. It has said it has certain concerns about it, but at the same time, MEPs are supporting it. Even Michael McGrath, the Commissioner, has come out in favour of Mercosur. There is no real proof that the Government is using any of its leverage in the European Union to find the necessary qualified majority to put a stop to this. The Government is hiding behind the European decision-making mechanism in respect of Mercosur.

Another aspect of Aontú policy is that we believe the judicial system, justice and the rule of law should be underwritten by the democratic decisions of this country. There has to be a system whereby the courts system in this country is based on the democratic decisions made in Ireland. If there are investor courts which lie outside our sovereign judicial system, the danger is that it creates pathways for major international corporations to use those courts to influence policy decisions in this country. Even if these corporations never take a particular case or never even win a case against the Irish Government, there is the potential that it creates a chilling effect in terms of Irish policy. Governments could use the excuse that they cannot make a policy decision because it would put them in danger of losing an investor court decision in the future. That is an incredible situation because it dilutes the democratic will of the Irish people. We should be able to decide policy based on the decisions made by the Irish people through their representatives in the Oireachtas.

It frustrates me regularly that many of the elected representatives of Fianna Fáil and Fine Gael do not feel they owe their democratic loyalty to the people who elected them to this House. Many of them feel they owe their loyalty on these issues to the European Union at times and international organisations. That is a real mistake, and it is a pity. It is also a fact that most people are waking up to around the country. It is one of the reasons Fianna Fáil and Fine Gael are losing significant support in rural areas. In many ways, both parties are retreating to the large urban areas as a result of their decisions.

The Minister of State is looking at me in a perplexed fashion but if you look at Fine Gael, its centre of gravity is firmly in south Dublin at the moment. Many counties that would have been traditional Fine Gael counties do not have a Fine Gael TD. That is the result of not standing up for citizens in terms of these international agreements.

Deputy Neale Richmond: We have plenty of TDs.

Deputy Paul Nicholas Gogarty: Tonight, and in the past, this has been contentious legislation. On the one hand, there is always the situation where, if you join an organisation like the European Union, which still has massive support among the people, you give something up in return for getting something. The CETA agreement is like that. The question was whether we were giving up too much. There is the overarching issue of sovereignty. There

is the fear the system would allow foreign corporations to bypass Irish courts and challenge laws in international tribunals. As previous speakers mentioned, there is also the idea of having less power, in that certain Irish governments may not pass legislation going forward because it might offend these corporations. There is a worry about subtle threats or that decisions will be made that prioritise investors over the common good.

Valid criticisms were made that the ratification of CETA was rushed. Under the 2022 Supreme Court ruling, CETA could only be ratified following changes made via the Arbitration Act, highlighting the constitutional sensitives around it. The question is where we are now with the Comprehensive Economic and Trade Agreement. A lot has changed and, as I will discuss briefly shortly, a lot changed following the US presidential election. Safeguards have been brought in. Unlike the old ISDS models, the investment court system recognises states' rights to regulate in the public interest. Some would argue the ICS better balances investor protection with our public policy safeguards because of the permanent tribunal of judges appointed by the EU and Canada, and we are a member state of the EU.

Decisions made are subject to an appeal mechanism, which is better than the appeal mechanism in place previously, hearings are to be made public and documents are to be published. There is also more transparency and third parties, for example, environmental NGOs, can make submissions. Investors can only challenge discriminatory or unfair treatment, not the general policy decisions. There is explicit recognition that governments retain the right to regulate in areas like health, environment and labour.

I am a firm believer in the European project, as supported by the people. The European Union's principle of subsidiarity holds that the EU should only act in areas where it does not have exclusive competence if the objectives or actions can be better achieved at a lower level. I have said before that our local government system is flawed. There is not enough power at local level to uphold this EU principle. Trade agreements are done at European level. The Germans have had issues with this proposal, as have the Belgians. It is good to put it through scrutiny. On balance, given the fact that the Trump administration is playing a dangerous game with our future in Ireland and given that Canada is a more reliable partner, we have to look at the pros and cons. On balance, I support the legislation as proposed for that reason and because it meets those thresholds.

Deputy Paula Butterly: Before I outline the reasons I will support this Bill, I will pause for a moment and reflect on the words and comments made by our Opposition colleagues. The discussion today has muddied the waters. We have heard our sovereignty and democracy are under threat. I dispute this because what we have before us is an arbitration Bill, which sets out what happens when two parties are in dispute. However, when our Opposition colleagues were talking, it seemed as if there are not two to tango here but there will only ever be one side domineering and dictating to us how a lawsuit will go ahead and what the exact outcome will be.

Other Opposition Deputies spoke about parallel universes. Some of the comments made were so fantastical I thought I was being transported into the spider-verse. The terms "corporate", "investors" and "investments" have been bandied about as if they are somehow damaging and limiting the Irish economy. That is absolutely not the case. In the last couple of years, we have turned to consider corporations, business and trade to be bad. However, trade

is good. The Irish have been globetrotting across the world for the past couple of centuries. Indeed, it is because the Irish have travelled across the globe and formed unique relationships with different countries that we are now in a position to settle on trade agreements and work on and expand them. Yet, somehow it has entered into our lexicon that trade is bad and offers nothing to the Irish consumer and employee. I dispute that. Trade, being good, offers jobs, opportunities and a future to our children and grandchildren. It is the basis of our economy. It is the basis of what supports our services and gives us the opportunity to offer more than was offered to those who came before us.

We hear about arbitration, and this is an amendment to an Arbitration Act, which will allow us to establish even deeper roots in countries like Canada and Chile and expand our horizons once again across the globe. It will ensure our trade agreements and economy continue to grow. It will ensure we have funds and money in the kitty to expand our services and have an optimistic future outlook. I support this amendment Bill.

I will take the Chair to allow the Cathaoirleach Gníomhach, Deputy Ó Murchú, to contribute.

Deputy Ruairí Ó Murchú: I have awaited this moment for at least 30 seconds.

We cannot take away from the importance of the issue we are discussing. As regards the Comprehensive Economic and Trade Agreement, we have no issue with good economic trade agreements and free trade agreements that work for all the people. I do not think many will complain about that fact. On the EU and Canada, I do not think anything is stopping us from accepting what was agreed within that set of negotiations. However, I do not think it will come as a shock that I have a very particular issue with the investment court system.

We all know the issues there have been with ISDS. It can have a chilling effect on legislation. Big corporations have been able to say they entered a certain market on the basis of the rules as they existed and that it does not matter if a government changes the rules to try to impact positively on climate change issues, health matters and the rental market, which would obviously be a huge issue for this State. We have seen the likes of Philip Morris in Australia. While I understand Philip Morris eventually lost the case, it had huge resources and was able to put the Australian state through the mincer for an extremely long period of time. We do not know the chilling effect that has had in the context of legislators carrying out legislation and how careful they must be, no matter how beneficial it is.

We know the issues that exist regarding the Energy Charter Treaty. Italy withdrew in 2016 and it is still facing claims today because there is a 20-year sunset clause. I am not here to defend the North America Free Trade Agreement, NAFTA, or any of the huge number of trade agreements that have been put together recently but, with a huge number of them, at least there was the wit and intelligence to make the sensible move not to have ISDS or investor court system mechanisms because all they are doing is leaving states open to be absolutely hammered. It is all well and good saying that legislators will always work on the basis of carrying out legislation but we have often heard the Government talk about how it is operating on the basis of legal advice from the Attorney General and it cannot necessarily do this, that or the other. I imagine we would be talking about a huge amount of caveated legal advice if we were to allow the investor court system mechanism to leave the State open to being sued. From that point of view, it could change things and cause a chilling effect on future legislation.

We would all like to see – I am not sure everyone would like to see it, but a number of us would, particularly those of us in the Opposition - legislation providing for real rent controls until we get to a better set of circumstances. What we do not need or like to think is that the IRES REIT, a Canadian company which owns thousands of build-to-rent apartments, could take the State to the cleaners or even be able to put the State under severe pressure.

It is fair to say that trade deals, where we get something out of them, are good. I get that we come together. Canada would also benefit from this. In fairness, the reality with this particular one is that we are all benefiting at this point but the investor court mechanism is the absolute Achilles heel. There is no benefit for this State to legislate for it. We would be a lot safer and better off without doing it, and that is the reason agreement was not even achieved when the EU affairs committee, at the request of the Government, produced a report on CETA and the investor court system. Even Government Members were not willing to support the Government's position. That just states where the Irish people are in this regard. It goes without saying that we need to be very careful, considering the huge issues - even the Cathaoirleach Gníomhach would agree me on this - we have with the Mercosur deal and other particular agreements.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Neale Richmond): I am grateful for the opportunity to close this debate. I thank Deputies for their contributions and consideration of the Arbitration (Amendment) Bill. I look forward to the opportunity to respond in this period to some of the issues raised. Crucially, I remind Deputies of the ultimate reason the Government is introducing this legislation, that is, to put Ireland, as a country that so greatly benefits from international trade, in a position where it is able to fully ratify the EU trade and investment agreements that we benefit massively from as an EU member state.

Let us put this in context. Trade works and EU trade deals work. Before Ireland joined the then EEC in 1973, 55% of our exports went to one destination, Great Britain. Today, that is less than 10%. Trade works. EU trade deals have given us not just access to the Single Market but also the world through it. The EU currently has agreements in place with countries across the globe. They are as diverse as Japan and New Zealand to the east and Canada and Chile to our west.

As the Cathaoirleach Gníomhach, Deputy Butterly, said, our trade and investment relationship with Canada is deep and growing, with over €10 billion in trade in 2023 and direct employment in each other's economy of around 20,000 people. There is no constituency in this country that does not benefit massively from this. However, while our trade with Chile is perhaps more modest, it is growing and I am convinced a fully ratified agreement will support more trade and jobs in both Ireland and Chile. Countries in the Asia-Pacific region, such as Vietnam and Singapore, are among the fastest growing in the world and we have yet to be able to meet our international commitments to them, including finalising agreements with them which they entered into in good faith.

As the Minister, Deputy McEntee, outlined in her opening statement, at a time when free trade and the benefits it has brought to the Irish economy are under increasing pressure and, indeed, attack, it is an important signal that Ireland is seeking to ratify these trade agreements, which will provide our companies and exporters with new opportunities to expand and grow

trade overseas. Let us not forget that the full ratification and implementation of CETA was in the election manifestos on which I, Deputy Butterly and the Minister of State, Deputy Feighan, ran and received a mandate and they subsequently entered into the programme for Government. This is something we put before the people.

Returning to the Bill, I will address a number of points raised by the Deputies during the debate. First, the approach of the Government in bringing forward this legislation as an enabling step towards ratification has been questioned. As Deputies are aware, in the Costello case, the majority in the Supreme Court not only identified concerns which prevented the ratification of CETA as Irish law now stands, but also a legislative path to address the very concerns that had been identified. The Government has carefully considered the judgments delivered by the Supreme Court. The purpose of this Bill is, therefore, to fully address the findings of the majority of the Supreme Court in order to ensure that Irish law may enable Ireland's ratification of these EU trade and investment agreements. As the Minister, Deputy McEntee, set out in her opening statement, the Bill will introduce a new procedure in Irish law for the enforcement of awards made by tribunals established under CETA and similar international agreements. It will also specify applicable safeguards.

Second, some Deputies have raised the issue of regulatory chill. Many of them used the exact same term. They have cited cases under the long-standing investor state dispute settlement system. As noted in the Minister's opening statement, the investment dispute resolution provisions in this new generation of EU trade agreements differ significantly, rather than cosmetically as some have accused, from the long-standing ISDS. One of the key reforms is the inclusion of provisions which clarify that the parties to the agreements fully preserve their right to regulate for public policy purposes, such as the protection of public health, the environment and consumer protection. The right to regulate provisions are specifically designed to avoid any danger of so-called regulatory chill.

Deputies have raised a number of cases decided already under the long-standing system of investor state dispute settlement, common to older investor protection agreements, and they have pointed to these cases as, somehow, evidence of a problem with the new investor court system that is included in agreements such as CETA. Many have referred to failed cases. Others have talked about cases used under different systems. As mentioned in the Minister's opening statement, no cases have been decided under ICS as none of the trade agreements containing this new dispute resolution system have entered into force. It focuses on pending cases. Indeed, Deputies Quaide and Ó Murchú referred specifically to countries leaving the Energy Charter Treaty. This, again, is under the ISDS model rather than the new ICS model.

I commend Deputy Ward on forensically going through the clear legal actualities in this case. Deputies Smith and Boyd Barrett cited issues with the name of this legislation. I am not too sure what else we could call it; it is pretty clear. Deputy Kenny said that this is somehow being rushed but I remember making my first statement in these Houses on CETA in October 2016 as a Senator when we had our first legislative debate. Deputy Ó Murchú referred to the European affairs committee in the previous mandate and noted Government opposition, although those Members are no longer Members of these Houses. Indeed, that was prior to the legal challenge and the resolution presented. Deputy Murphy's insistence on using terms like "dystopian" undermines legitimate aspects of his argument. Indeed, I question when Deputy Boyd Barrett has ever been pro-trade, despite his assertions. I welcome Deputy Gogarty's

thoughtful support for the Bill and his rightful citing of both the issues in Belgium and Germany at a regional level, all of which were addressed.

Crucially, as I stated, enactment of this Bill will enable Ireland's ratification of CETA, the EU-Chile agreement as well as other EU-third country agreements with similar models of investor state decisions, such as those with Vietnam, Singapore and Mexico. Free and open trade has been at the heart of the Irish economy for decades. When Ireland shifted its trade policy from protectionism towards an outward-looking, international, free-trade approach, it lifted millions of Irish people out of poverty by supporting jobs, growth and investment in our country. Since joining the European Economic Community in 1973, Ireland has emerged as one of the biggest investors and recipients of foreign direct investment worldwide. The flow of inward and outward investment has been transformational and a critical source of capital for developing new industries and innovative technologies at home and abroad. As Deputy Barry Ward referred to it, people love to talk about the bogeyman. I welcome multinationals. I also welcome the fact that in Leopardstown in my constituency, Microsoft employs over 3,700 people from 72 different countries. It is a good employer and it is boosting the economy, not just of my constituency but in the country as a whole, but it is an easy person to kick when it suits. These flows of investment have been promoted by Ireland and embedded with OECD standards to create an environment that is attractive, resilient, and competitive for both domestic and foreign investment. These investment flows are aligned with sustainable development goals and are not done at the expense of fundamental freedoms or our democratic and cultural values. In the world we are in at the moment, it is very clear that Ireland stands on its values and is noted as such. Our strong adherence to the rule of law, our integration into the European Union, and our commitment to international obligations and standards has made Ireland a trusted partner overseas and a reliable location for foreign direct investment.

That said, Ireland cannot take this trust in our country for granted. Nor can we take for granted the range of progressive free trade agreements we benefit from every day, agreements that are negotiated on our behalf by the European Union as a bloc of 27 countries and 440 million citizens. It is the world's largest economic bloc. The new generation trade and investment agreements are some of the most far-reaching deals ever concluded. The EU's new investment protection chapters provide a robust legal framework that have been examined, verified, and agreed by member states, in the Council and by the Parliament. The investment protection provisions liberalise market access, facilitate dispute settlement and simplify administrative procedures to encourage reciprocal investment. Investment dispute resolution is important to ensure that Irish companies investing abroad have access to an effective international remedy if investment protection provisions are not complied with in a third country and, naturally, companies investing in Ireland want similar reassurances. The protections provided to investors under international agreements containing investment protection provisions include the principles of non-discrimination, fair and equitable treatment, and compensation in cases of expropriation. These principles form part of the global rules-based trading system.

Let us not forget that our partners share our values, which are rooted in a shared heritage with strong diasporic linkages. These values are the foundations on which the Government has built a stable economic environment, an environment that is driven by policies that facilitate, liberalise and protect. This economic model has created hundreds of thousands of jobs for our people over the decades, and has raised our quality of life. It is clear that this economic model

is worth protecting and nourishing, and it certainly stands up to any of the alternatives proposed.

Fully ratifying CETA, and similar international agreements, is quite rightly a priority for the Government. In order to ratify these agreements this amendment to the Arbitration Act is necessary. Trade works. Free, fair and open trade is to the benefit of this jurisdiction and all people who reside therein. Passing this legislation, moving it to the Final Stage, is a vital ingredient in that. I know there is more to discuss and the Minister, Deputy McEntee, and I look forward to doing so with Deputies on Committee Stage. I commend the Bill to the House.

Question put.

An Cathaoirleach Gníomhach (Deputy Paula Butterly): In accordance with Standing Order 85(2), the division is postponed until the weekly division time on Wednesday, 10 December 2025.

Assessment of Needs: Motion [Private Members]

An Cathaoirleach Gníomhach (Deputy Paula Butterly): I welcome the Minister for Children, Disability and Equality, Deputy Norma Foley.

Deputy Pearse Doherty: I move:

That Dáil Éireann:

recalls:

— that children are legally entitled to an assessment of their health and education needs under the Disability Act 2005, and that the assessment must take place within six months; and

— the motion regarding Assessment of Need passed by this House in May 2025;

notes:

— that the law is still being broken with respect to the 18,097 children whose Assessment of Need is now overdue, and with just 4,534 assessments conducted in the first three quarters of this year the number of children being failed is rising every quarter; and

— the achievements won by Cara Darmody due to her dedicated campaigning for increased access to Assessments of Needs;

condemns:

— the failure of the Government to stop breaking the law and to comply with its legal obligations to provide assessments within six months; and

calls on the Government to:

— set a specific target date by which the Government aims to comply with the legal entitlement to an Assessment of Need under the Disability Act 2005;

- implement an emergency action plan to clear the backlog and provide these children with the assessments to which they are legally entitled;
- deliver a longer-term sustainable solution, including an urgent workforce plan to recruit, train and retain enough staff to finally end this breach of children's rights once and for all;
- fund special needs services including speech and language, physio, and occupational and behavioural therapies; and
- provide appropriate school places for children with special needs.

This morning, 15-year-old disability rights campaigner Cara Darmody began another 50 hour sit-out protest at the gates of the Dáil. She will sleep in a tent on Kildare Street tonight and tomorrow night in awful weather to force the Minister, Deputy Foley's Government to take real action to end the scandal of children waiting and waiting for their assessment of need. When Cara staged her last 50-hour protest back in May there were more than 15,000 children waiting. Seven months on, there are 18,097 children whose assessment of need is overdue. The HSE expects that list to reach 25,000. That is scandalous. I do not know what words the Minister would choose to describe the dreadful situation but I describe it as a national emergency. How else could one possibly describe a situation in which tens of thousands of vulnerable children, children with special needs, are denied vital help and education assessments? These are assessments that determine the treatments, the therapies and the services they will need to overcome barriers, to support their development, to determine their educational pathways and to enable them to live full lives and reach their potential.

In every one of those cases the Government is breaking the law. It is breaking the law 18,097 times. Under the 2005 Disability Act, there is a legal requirement on the Government to provide a child with an assessment of need within six months but children are waiting an average of 27 months, more than four times what is required by law. Cara herself wrote that if someone asked her to find a location in Ireland where 100% of the people present were breaking the law, then she would go to the Taoiseach's Department on a Tuesday morning for the Cabinet meeting.

This has dire consequences for these children. Early intervention is key and that is why the six-month rule exists. Every day a child waits for their assessment is a delay in their development. Any parent of a child with additional needs will tell the Minister that every day makes a difference. Cara has met with three taoisigh over the past number of years, including Micheál Martin and Simon Harris. They all promised to tackle the crisis and every time the crisis only got worse. The Tánaiste last met with Cara in September. He assured her that the Government was committed to timely assessment of need but since that meeting, the waiting list has actually increased by over 1,000 children.

The big question is: when will the Government stop breaking the law? We have yet to see a detailed plan setting out how the Government will comply with the legislation and deliver a comprehensive assessment of need within the six-month statutory timeframe. The Government announced reforms of the process today and we need to carefully study these proposals because the detail matters, especially for children and families already facing long delays.

We have been here before. In 2020 the Government cynically chose to introduce a short-cut assessment process. Two years later, the High Court ruled this short-cut was illegal and in

breach of children's rights. Year after year families of children waiting for an assessment of need have listened to big promises from the Government, promises that have been broken over and over. That has to stop now.

It is time for the Government to deliver and that is what tonight's motion from the combined Opposition calls for. It calls for setting a date by which the Government will comply with the legal entitlement to an assessment of need within six months. It calls for implementation of an emergency action plan to keep clear the backlog. It also calls for the delivery of an ambitious workforce plan to train, recruit and retain enough staff needed, funding of special needs' services and therapies, and the provision of appropriate school places for children with special needs.

It should not take a 15-year-old child to do the heavy lifting. It should not take a 15-year-old child constantly banging on the door of the Government for it to wake up and do what is needed in a national crisis.

6 o'clock

These children have had enough of the go-slow from Government, enough of the run-around, enough of the jaded excuses and the shortcuts. This is not going to cut it anymore. Tonight must be a watershed moment, a moment to turn the page. It is time for the Government to do its job and deliver for these children.

Deputy David Cullinane: I have attended dozens of meetings with parents of children with disabilities throughout the State. They are heartbreaking meetings because the parents are trying to do their best for their children. It strikes me that what really drives them mad, and I do not blame them at all, is hearing the Government say you do not really need an assessment to access services and you can access services without an assessment. Most of the parents I meet at these meetings do not get services. The services are almost non-existent. They are stuck on waiting lists for speech and language therapy or occupational therapy. Even for those children who get access to some services, it is patchy and only a fraction of what is actually needed for those children. All of that is really a distraction from the Government's failure, because the purpose of the original Act was to do two things. First, it was to have a robust assessment of need process that could determine the health and educational needs of each and every child and then allow the Government to plan to provide the services, which most children do not get. They go hand-in-glove. As Deputy Doherty said, because the Government could not do both, it tried to circumvent the assessment of need process, to come up with a yellow-pack downgraded version, called a preliminary teams assessment. The Government was caught out and parents brought it to the High Court. The Government broke the law and has been breaking the law ever since.

I will carry out a careful, critical review of what was announced today. I want to see the detail of it. I want to know what these assessment officers will actually do. I do not want to see this in any way as gatekeeping. We cannot substitute informal processes for what is a statutory right. That is what Cara Darmody is standing up for. Parents want the Government to deliver on its legal obligations but, as important or more important, to deliver on the health and education rights of every child.

Deputy Claire Kerrane: I acknowledge the men, women and children with disabilities who came to Leinster House earlier today in the midst of a storm. They came here to send a clear message to the Government that they are now choosing between eating and heating their homes. We heard from people who are deciding how many bars of gas they could turn on and how many more trips they can make to the food bank in a week. What a shame. What an incredible situation for a rich country in 2025, to have people in their wheelchairs travelling to Dublin today because they are struggling so hard this winter. That says a lot about this Government and its priorities. The people who were here today actually said they felt they were used during the general election, when disability was to be a priority. It has been shown once again not to be a priority.

In terms of the assessments of need, the Minister's statement today mentioned new teams and new expert staff, but where are the therapists? That is the actual issue. In my own constituency there are 13 vacancies in the CDNTs 8 and 9, with 11 vacancies in speech and language, occupational therapy and psychology in primary care across Roscommon and Galway. We need the therapists. Without them we will not be able to achieve the six-month obligation for children in terms of assessment of need. However, we do not have the therapists. That is the issue in terms of workforce planning. That is the issue that needs to be looked at, whether it is CORU registration for those who qualified outside the State and come back, or whether it is the numbers coming through our colleges. That is the real nub of the issue and it is not being addressed in what was announced today.

Deputy Maurice Quinlivan: Earlier today, I, along with others, had the pleasure of meeting with Cara Darmody. Despite her young age, Cara is an advocate and a champion of those with disabilities, not just her own family. She has one major demand and that is for the Government to comply with the legal obligation to ensure that all children receive an assessment of need within six months. She has been here before and, because of the failure, to deliver she is back again, compelled to do a second sleep-out for 50 hours outside the gates of Leinster House. It is incredible that a child is doing that in the weather we have at the moment. We should all, particularly those on the Government benches, be ashamed that this child has felt the need to undertake such a protest for a second time.

It is shameful that the State continues to fail children when it comes to their rights under the Disability Act. It is shameful that not only has Cara had to embark on such a protest again but that the number waiting for an assessment of need has risen to over 18,000. A commitment to increase recruitment has not been followed through on. That is what prompted Cara to commence another protest. Those who live with a disability have been let down by this Government. The recent budget provided no support in the face of a rising cost-of-living crisis. It has failed to honour legal obligations on assessment of need. In every aspect, it has failed.

When we discuss these figures, one can lose sight of why an early assessment is so important. An early assessment allows the family to plan the support that a child with a diagnosis needs. It allows for the necessary supports to be applied for. When children must wait beyond the legally required six months it impacts their development, their potential to live a positive life, to receive the right supports within the education system and to have the best opportunity to develop and thrive as all children should be allowed to do.

The legal requirement is that an assessment be provided within six months. Failure to do so is a breach of the law, yet that is what the Government continues to do. The public should be under no illusion that the Government is just missing the targets or hitting the crossbar. The average wait time for an assessment of need is 27 months. Children are waiting two and a quarter years for an assessment of need in some places. That is a shameful failure. In Limerick, 259 children are waiting for an assessment of need. As in other areas, not one child of those 259 has had an assessment completed within the statutory six months. Throughout the State, nine out of every ten children are not having their assessments completed on time.

Campaigners such as 15-year-old Cara should not have to undertake such protests to have this failure addressed. It is high time the Government committed to and delivered on making emergency funding available. It is high time it committed to a timeframe for meeting the legal obligation to provide an assessment within six months, as is the law. It should need to demonstrate how it is going to recruit and retain staff for disability services. We have been in this Chamber before, urging the Government to act. Cara has been here before, urging the Government to act.

We have detailed steps that the Government must take if it is serious about living up to its legal and moral obligations to these children. Without a change in approach, waiting lists will continue to skyrocket, children will continue to be denied the essential education they deserve and are entitled to. Enough is enough. Please commit to emergency funding today.

Deputy Matt Carthy: One of the most shameful legacies of Fianna Fáil and Fine Gael in government has been the services denied to children with disabilities throughout the State. We are back here tonight with what in many respects is a unique motion before the House. It is unique in a number of ways. It is unique in that it is signed by the entire Opposition. Every party of Opposition has joined in this call on the Government. The motion simply and uniquely sets out what the law is - that children are legally entitled to an assessment of their health and education needs under the Disability Act. Most unique of all, it is asking the Government to stop breaking the law. This is amazing in so many respects. The Opposition is coming to the House to ask the Government of Ireland to stop breaking the law in respect of the most vulnerable children in our society. The motion calls on Government to remedy the fact that this breach of law is now impacting on more than 18,000 children and that those numbers are likely to grow because of the ongoing failure to live up to previous commitments.

The motion is certainly different in that it points to one 15-year-old girl who, on many occasions, has forced the State and various Ministers to make commitments. The difficulty, of course, is that those commitments have been broken time and time again. The real impact of a failure to carry out assessments of need is felt for lifetimes. There are children, teenagers now - in fact, there are now adults - who could and should be in much better situations had their rights been vindicated and upheld and the Government obeyed its own laws. I have seen children who managed to access services in a timely manner and got the right therapies at the right time. I have seen the differences that made in allowing them to live full lives. I have seen other children in my constituency who were denied those opportunities, robbed from them by the Government.

We need to get assessments of need right but we also need to ensure that therapies and services are actually delivered to children consistently throughout the State. How is it we have

children still waiting over 12 months for basic therapies and services we know they need? Why are there such discrepancies across counties? The CDNTs in counties Monaghan and Cavan are the ones I deal with directly. The service in County Monaghan is criticised by a lot of families but there are no children waiting over 12 months, whereas in Cavan there are 207. Almost every child on the waiting list has been waiting for over 12 months. When you try to get the detail and ask questions about the waiting times for physiotherapy, occupational therapy and speech and language therapy we are told waiting lists are not compiled for single disciplines within CDNTs anymore. Why is that? What is Government trying to hide? Why is it when you get into the nuts and bolts of the services that are not being provided the CDNTs are not honest. I asked in respect of a constituent of mine who is young child who is in desperate need. His parents were telling me he has not been able to access speech and language therapy, occupational therapy or physiotherapy. I got given a list of dates on which the CDNT told me services were provided. Then I read the small print which said the above appointments were a mixture of one-to-ones, telehealth and parent training. The Minister should train staff to conduct these services because right across my constituency families are living in poverty because they are going private. They are spending funds that will not be reimbursed because families know that if they do not spend them, their children are going to be denied their opportunity to fulfil their potential in future. It is not good enough and the Minister must finally heed the message that the Government must stop breaking the law.

Deputy Ruairí Ó Murchú: That is the message. The Government must stop breaking the law. It is a terrible indictment of this State and the entire system that we are reliant on 15-year-old Cara Darmody to hold this State's feet to the flames. I have often said there is always an element of failure when people have to come to politicians in order to vindicate their rights but in this case we have a young advocate who has been given no choice because of the failure that has been shown to her family and many other families.

I agree with Deputy Kerrane that it is vital we show our solidarity to those from the Irish Wheelchair Association and other groups who made the absolutely necessary point today that those with disabilities, who were promised so much before the election, have been failed so miserably. In previous budgets they felt they were being seen for who they were and the cost of disability was being recognised. They were given that payment and then it was taken from them. The promise was that the Government would look at this, analyse it, review it and then look at it next year. What about this year? What about this year for all those who cannot afford to live in this world? We talk about providing them with rights and providing our citizens with the same rights as everyone else but we have failed miserably and it is a deep shame.

I do not know how many times we can be back here talking about assessment of need. We all have our parliamentary questions. The answer is 18,097 are waiting beyond six months for an assessment of need and the figure is heading towards 24,000 to 25,000. There is a backlog that needs to be dealt with. There is no point in us constantly being in here and hearing about assessment hubs being put together when we do not see this figure moving. I accept there are more children on the assessment of need list than there had been previously because in the past people were put on primary care lists and were able to get services but those services are not there anymore, meaning they have no choice. The system is putting people on the assessment of need list.

We all accept the best-case scenario is you are assessed in relation to what your needs are and then that your needs are delivered upon. There were considerable promises made today and we engaged previously on this but, as Deputy Cullinane said, the biggest gripe an awful lot of parents have is being told you do not need the assessment of need to receive therapies. One of the promises was that the issue of requiring an assessment of need for an appropriate school place was going to be resolved but it is not resolved yet. The Minister should tell me how that happens. We all know the issue that exists. I have no problem if a parent makes the determination they have a decent and proper means of being assessed for autism and then they can get proper therapies. I have absolutely no issue with that, if they decide and their rights are not removed in relation to AON. However, it is not promises they need. They need to see a roadmap. I do not know how many times we have been in here and have talked about a single point of access because the other thing parents give out about is the fact you have no one to go to. They end up becoming advocates themselves. They end up becoming outlier advocates and none of this is good enough. We need to make sure we do the workforce planning and take the emergency action to clear these backlogs and we need the Government to stop breaking the law.

Minister for Children, Disability and Equality (Deputy Norma Foley): I ask the House to note I am not opposing the motion and I welcome the opportunity to debate this important issue. The Opposition put forward a similar motion in May of this year which we, as a Government, did not oppose either. This Government has continued to progress key measures to access assessments of need as well as therapies since that motion went unopposed and I welcome this opportunity for further debate. I also wish to take this opportunity to acknowledge the commitment and passion of Cara Darmody, who is accompanied by her father, Mark. I have met Cara on a number of occasions and I absolutely accept she is so passionate in her advocacy. I take the opportunity to reassure Cara, and all families waiting for an assessment of need, that the Government recognises and shares the concerns expressed through this motion.

I know families have been enduring incredible stress and unacceptable delays in receiving AON reports and some existing AONs are taking up to 30 hours to complete, which is far too long. This is why this morning Cabinet approved the publication of the general scheme of the disability (amendment) Bill 2025 to bring in a faster and more efficient way of carrying out AON reports. In 2026 the HSE will set up and roll out 11 expert teams with four staff on each, including a psychologist, a speech and language therapist, an occupational therapist and an administrator. This will help to speed up the process because assessment officers will have the expert help they need at an earlier stage. There will be improved training for staff involved in the delivery of assessments of need and ensuring that assessment officers and liaison officers have sufficient administrative supports so they can focus on the production of assessment reports and service statements for children.

We are all aware there has been substantial growth in the number of assessment of need applications in recent years. They increased from 2,500 in 2008 when the AON process began to 10,000 last year and over 12,000 applications are anticipated by the end of this year. By the end of September of this year, there were over 18,000 applications overdue for completion nationwide, which is 42% increase on this time last year. I am more than conscious that behind these numbers are children and families facing their own challenges every single day and

relying on the State to help and support them. We want the AON process to be faster so therapists are freed up to provide therapy rather than writing endless reports. HSE clinical staff are spending up to one third of their time completing assessments for the AON process. The more time they spend on the completion of clinical assessments under the Act, the less time they have for the therapy interventions children need. It is a vicious circle and one the Government is determined to break. When clinicians were consulted about this by the national clinical programme for people with disabilities, they spoke about their "moral dilemma" in prioritising AON reports over children on CDNT waiting lists. We need therapists to be therapists and this reform is designed to achieve that.

The targeted legislative reform of the Disability Act aims to improve the effectiveness and efficiency of the assessment of need process so children and families receive their assessment of need reports within the statutory timeframe. I want to be very clear the proposed legislation will not affect individuals' statutory right to an assessment of need or change the time frames set out in the Act. The general scheme will be submitted to the Oireachtas Joint Committee on Disability Matters for pre-legislative scrutiny as soon as possible and will then progress through the Houses. I have no doubt it will be subject to much debate, which I welcome. We owe it to the children and families who affected by delays in the assessment of need process to make sure there is a system in place that works. The legislative reform will build on the work undertaken by the Department and the HSE to date in addressing the increasing demand for assessments of need. In 2024, over 4,100 assessments were completed, a welcome increase of 30% over the previous year. Recent HSE data shows that this upward trend is continuing, with over 4,500 assessments completed in the first nine months of this year, a 57% increase compared to the same period last year. This reflects the priority given by the Department and the HSE to address the backlog of applications. It is essential that we maintain this momentum and accelerate it.

I know there have been calls to use more private therapists to tackle the AON backlog. Since May 2024, we have funded a targeted waiting list initiative where the HSE procures clinical assessments from approved private providers for those families who have been waiting the longest. There have been 6,300 clinical assessments commissioned from private providers for AON since June 2024 and there is €20 million in budget 2026 to pay for 6,000 more. However, we have to reform the system to tackle the root of the problem. If we rely on more and more private reports, it is not fixing the AON system. It is like pouring water into a bucket with a hole in the bottom of it or, as a person said to me earlier, it is like adding another lane to the M50. We cannot rely on the private sector indefinitely. We must ensure that the public system can meet the clearly growing demand.

The Department will continue to prioritise actions to improve the capacity and effectiveness of the assessment of need system. However, there also needs to be a recognition that assessment of need sits within a wider system that has multiple challenges. Much more is required, beyond even the legislation that the Cabinet approved today. For example, autism was noted as the category of disability in 45% of all completed assessments of need in the first nine months of this year. We know that accessing assessments is a significant concern for parents in order that the services necessary to support their children can be identified as early as possible. There will be a new autism assessment process by the HSE next February, and it will be staffed by psychologists. This will provide a more consistent and efficient approach to

autism assessments and establish a clearer pathway to children and their families on how to access these assessments within the healthcare system.

It is important to stress, and has already been pointed out, that children do not require an assessment of need report to access health services. However, I know that many families feel they have no choice other than to rely on the assessment of need. They are faced with long waiting lists for services or cannot access the assessments they want for their children. With this in mind, there will be a new single point of access system from the HSE. This will be rolled out across the country to make it easier for families to be referred to the right service, whether that is a children's disability network team, primary care or the child and adolescent mental health services. As a result, children will not be put on multiple waiting lists or passed from one service to another. Another important development is the new process on the way in education for admission to special classes and special schools. The Department is working to ensure that an assessment of need will not be required to access special classes or special schools. All of these changes will give families a faster way of getting the services they need for their children, rather than just relying on the AON process.

The Department of Education and Youth is putting in place an education therapy service. This new service will commence in special schools with the intention that, over time, it will expand to schools with special classes and mainstream schools. It will complement existing therapeutic services provided by the HSE.

The reform of the assessment of need process will only be effective if waiting lists for children's services are reduced at the same time. It is no use having children move quickly through the assessment of need process only to join long waiting lists for services and therapeutic supports. An intensive focus by my Department on increasing the staffing of children's disability network teams has seen a 26% increase in children's disability network team staffing levels, notwithstanding the issue of vacancies, which I appreciate. There is funding for a further 150 staff for children's disability network teams in budget 2026 to reduce waiting times further. There are a total of 460 new training places for the health and social care professions coming on stream to increase the pipeline of therapists to support the sustained growth of children's disability network teams. That includes 310 new training places this year and a further 130 next year.

As I have outlined, there are many actions required to reform the AON process. It is not fit for purpose as it stands, and I believe we all agree on that. I have personally described it as a broken system and, again, I believe we agree on that across the House. However, we in government are determined to fix it. The Minister of State, Deputy Higgins, and I are committed to working with our colleagues in government to take all the necessary actions, legislative and non-legislative, to improve the AON process for the people who matter most, the children and their families.

Deputy Shónagh Ní Raghallaigh: Yet again, we hear that the Government is not opposing the motion. We have heard it before. No matter how many times Sinn Féin and the combined Opposition bring forward motions, no matter how many days of school are missed by Cara Darmody, who is literally weathering a storm outside the gates of this House tonight, the Government still does not get the message and is still breaking the law.

We are in a crisis in the disability services. In my own area of Kildare South, nearly 2,000 children are waiting, a figure that has risen 7% since the summer. No children in Kildare have their assessments of need completed on time. The average waiting time is a shameful 27 months, and the list is getting longer every quarter.

We know that the AON is only the beginning. Once it is completed, the long and painful battle for therapy starts. In south Kildare, we have an ineffectual CDNT that is simply unable to meet the needs. Due to failed policy, families who are already put to the pin of their collars are forced to pay thousands of euro for private therapies that should be a given. In primary care, waiting times for psychology are staggering. Children will have grown up before they even get an appointment. Across the State, far too many children are still without an appropriate school place.

The system is utterly broken, yet we are still operating as if it is business as usual. We are in a crisis. When will the Government start acting like it? Where is the emergency action? We have qualified therapists in the State today, people who are ready and willing to practice, but the Minister will not fast-track their entry into the system. Disabled children and their families are being treated with utter disregard. This has to change.

Ní chuirfidh muid i Sinn Féin suas leis seo. Tá an rún atá os ár gcomhair soiléir. Teastaíonn infheistíocht radacach agus plean uailmhianach chun fórsa saothair dhóthanaigh a sholáthar ar bhonn práinneach. Cuirimis an scéal seo i gceart. Tá sé de dhíth ar na gasúir atá ag fanacht.

Deputy Thomas Gould: Why must families in the State fight for everything? Why can children with additional needs and special needs not get what they need? Why can they not get what they are entitled to? They are children of this State. This is a fundamental human right - a right to education, a right to healthcare, and a right to be treated with respect and dignity. I have been coming in here for the last six years, listening to the Government telling me what it is doing. Why was this plan that it announced today not announced six, nine or 12 months ago? I have listened to plan after plan here.

There is a child outside the door, Cara Darmody. That is what she is - a 15-year-old child, shaming this Government into doing something for children with additional needs and special needs. A child is standing up to the Government because the Government will not listen to the Opposition, will not listen to parents and will not listen to children who badly need an assessment of need. It is one single girl, standing outside the door, and we can see the shame that she brings on Fianna Fáil and Fine Gael. I am so proud of her. I am so proud of her family. She is taking this on for so many other people. I have been outside that door with parents who are looking for special school places, school transport for their children or special needs assistants for their children in school.

Why must everything be a fight? Why can the Government not show respect? In Cork, 8% - less than one in ten - got their assessment within the time. There are now 1,500 children over the limit between Cork and Kerry. Six months is the legal requirement and the statutory obligation. The Government is breaking that because 27 months is the average time. This is a scandal. Enough is enough. These children must be protected and must be looked after.

Deputy Ruairí Ó Murchú: Hear, hear.

Deputy Fionntán Ó Súilleabháin: This time last year I was still teaching special education, something I have done for many of my 34 years working as a primary school teacher. I have never seen the crisis of assessment of need as bad as it is at present, so much so that the inspirational 15-year-old Cara Darmody has felt forced to sleep outside the gates of this House once again on such a horrible winter's evening. In County Wicklow, which is in the CHO 6 area, we have been faced with massive numbers of children waiting for over a year to have the first contact. Figures show there were as many as 1,000 children in this category this time last year. While it was welcome news that Scoil Phádraig in Avoca has had a special class sanctioned this year, nevertheless when the county is combined with the Kildare-west Wicklow health area, the total number of children who are waiting for an assessment of need reaches a staggering 2,314. That is absolutely incredible.

In County Wexford, a massive 46% of children who received an assessment of need this year were assessed outside of the legally required six-month timeframe, as outlined in the Disability Act 2005. It is the same story from Barndarrig right down to Ballindaggan, from Knockananna to Kilmuckridge, Arklow, Gorey, Carnew, Ferns and all the other villages in between where parents have contacted us from. A whole generation of young children have been failed by Fianna Fáil and Fine Gael, so this has to change.

Deputy Rose Conway-Walsh: I, too, want to commend the achievements of Cara Darmody due to her dedicated campaigning for increased access to assessment of need. It is absolutely shameful that she is outside the gates pleading with the Government to do what it knows it needs to do, on one of the worst nights of the year.

Not one child in Mayo has had their assessment of need completed within the legal timeframe so far this year. That is 0%. There are 291 children in the county waiting for an assessment of need. This is absolutely shameful. Children and families are being failed dramatically and are being left in limbo, waiting for supports they desperately need. The Government is not only failing these children and their families; it is breaking the law. Without a change in approach, waiting lists will continue to skyrocket. Children will continue to be denied the essential education they deserve and are entitled to. Every child has a right to an education. Emergency funding must be made available.

Tonight the Government must not only not oppose this motion, it must make an honest commitment to the specific timeframe in which it will meet its legal obligations. A real and immediate workforce plan must be implemented to train, recruit and retain staff. That must be done right across the island. We need to have an all-island approach to the recruitment of staff and the recognition of qualifications. Adequate funding for special needs services, including the provision of appropriate school places for children with additional needs, must be made available.

The pathway to what we are talking about here tonight has been paved with broken promises. Whatever happened to us cherishing all of the children equally? It is shameful that we are in one of the richest countries in the world and parents in my constituency of Mayo and around this country look at their child, at their children, day after day, knowing the therapies they desperately need will impact them right throughout the rest of their lives.

Deputy Conor D. McGuinness: More than 150 children in Waterford are still waiting for an assessment of need and some have been left waiting for over two years. The Minister does not need me to tell her that is illegal. The law is explicit - children must receive an assessment within six months. This Government is routinely breaking the law and is breaking the law when it comes to children's rights.

Across the State, 18,097 children are overdue an assessment. Cara Darmody, who is just 15-years-old, is undertaking her second 50-hour sleepout on Kildare Street to shame Fine Gael and Fianna Fáil into action because that is what it takes. The Government must do all it can to expedite the recruitment of clinicians to bring this failure to an end.

Tá os cionn 150 páiste i bPort Láirge fós gan mheasúnú riachtanais agus tá 18,000 páiste eile ar fud na tíre thar an teorainn chuí. Tá teaghlaigh ag streachailt gan tacaíocht. Ní leor gealltanais bhuiséid gan fhoireann cheart a bheith i láthair. Tá cearta leanaí á sárú agus tá gníomh práinneach ag teastáil chun an córas a chur ina cheart.

The pattern here is unmistakable as well. Parents are expected to absorb costs, chase private services, or simply wait indefinitely. Budget 2026 set aside €20 million, again thanks to Cara Darmody and her efforts to shame the Government into action, but without recruiting the therapists and without taking any meaningful action to fill that gap the figures will not translate into shortening waiting times for any family. The Government has not addressed the workforce gap and children are paying the price.

The failure in this aspect of children's services extends across other children's services. Young people are living through painful years as they wait for scoliosis procedures. Special school and autism class places remain insufficient, despite repeated warnings. CAMHS continues to struggle. Child homelessness is rising. Tusla is in free fall. Child poverty targets have been missed year-on-year and Fianna Fáil's solution to that is to change the targets. The Government must stop failing children. It must stop failing families. Listen to Cara Darmody. Do the right thing. Stop failing children and stop breaking the law.

Deputy Mark Wall: This is a very important moment for this House. It is not every day we see all Opposition parties co-sign a motion and I thank Sinn Féin for using its time tonight to bring this forward. It is such an important conversation we will have here tonight. I am pleased to speak to this motion on behalf of the Labour Party. It is a motion which calls out Government failure to get to grips with the assessment of need process and puts forward a number of solutions. I hope the Government will listen tonight and work with the Opposition as well as with all of the parties in government to get solutions once and for all.

I also will take the opportunity to acknowledge the ongoing campaign and great work of Cara Darmody, who I and my party have engaged with over a long period. Cara is representing so many families with her continued campaign. She has worked tirelessly to turn her own family's circumstances into a national campaign that has already helped so many families and I have no doubt, having met Cara and her father Mark, will help many more families into the future.

It was quite damning that in the past few weeks, the now Minister for Education and Youth described the assessment of need process as no longer fit for purpose. That is something that I and many people in the Labour Party, along with Cara and so many other campaigners, have been highlighting to the Government for a long time now. The Minister unfortunately made

these remarks without offering any alternative to reform the process. This followed a statement earlier this year from the HSE that it had not a hope of complying with the assessment of need law.

Most recent figures show that nearly 18,000 children are now overdue an assessment of need while the HSE is projecting the waiting list for an assessment will grow to over 25,000 by the end of the year. As my colleague from Kildare South said, figures for Kildare-Wicklow show that there were 1,692 children overdue an assessment in the first quarter of 2025. This has now increased to 1,828 children in quarter 2. Over 90% of the children in Kildare and West Wicklow are overdue an assessment by three months or more, far greater than the national waiting list of 85% waiting three months or more.

Even if a child gets the assessment of need completed, it basically is not worth the paper it is written on because so many are still waiting to receive the vital therapies the assessment recommended for them and their families. We are all aware of the need for early intervention for these children but the reality for children in my county of Kildare is that there are nearly 1,500 of them waiting for occupational therapy while close to 1,600 are waiting for speech and language therapy. Families are simply finding themselves with no help and no direction for their children.

Parents are now taking things into their own hands by forking out thousands of euro on services that should be delivered by the State. Families are eating into their savings and borrowing from their families, friends and the local credit union, just to get their child the best start in life. I know this because these families are in my office every day of the week, asking me what they have to do for the State to help them and their child.

Only today, the Government rushed to publish a press release that says it will deliver targeted reforms which the Minister says will result in a faster and more efficient assessment of need. I honestly hope that for the potential 25,000 families this will be the case but I cannot help but think this is the Government making policy on the hop, not really knowing how to get to grips with this crisis and hoping for more time. The Minister said there will be 11 new teams, made up of different therapists. I am not sure if she is aware, but we can barely staff the current CDNTs throughout the country. Will she outline how she intends to recruit these new staff? Where will these new teams be based? Looking at the current staffing figures, there is an 18% vacancy rate, with 445 unfilled roles, across the CDNTs.

At this stage in the discussion, I want to highlight the national child development centre which was to be developed in Kildare town by Sensational Kids. As the Minister will be aware, this centre, built to roof level in the town, had to stop because of funding. It would have provided 300 children every week with life-changing therapies, reduced waiting times for families with nowhere else to turn and allowed children to reach their full potential. It would have helped the State further reduce the waiting times for assessment of need and, vitally, train many of the therapists that we need to fill the roles I mentioned. I ask the Minister to talk to the Taoiseach and the Minister of State, Deputy Emer Higgins, about this important matter. Solutions to assist in this crisis can be found in this new development in my county. I plead with the Minister to engage with Karen Leigh and her board to bring this potential solution for so many families to reality.

I welcome the continuation of the waiting list initiative into 2026. This is a commitment the Labour Party received in this House a number of years ago and one for which I know Cara Darmody has fought since she began her campaign. This will help those waiting the longest to finally access an assessment. Hopefully, a young child from my home town of Athy who was 12 the last got an assessment will be one of them. His needs now are those of an adult as he is now 23 years of age. Up to last week, he had not received any services. We must remember that there is always another child waiting to be seen and, as the Minister said, behind every number is a child waiting.

I am dealing with a lot of parents who are completely stressed by the need to have a diagnosis by 1 October each year to enable them to make an application for a special class or special school. In many cases, the paperwork needed seems to be never-ending for these families. Letters and parliamentary question replies I have received from the NCSE tell parents the State is aware of their child's needs for a place and that the NCSE will work with them to secure such a place. Parents are naturally worried, concerned and confused. With this in mind, I welcome the news tonight that the Department of Education and Youth will remove the requirement to have a diagnosis for a child to be enrolled in a special class or special school. It is a positive announcement, but a question remains, and perhaps the Minister can clear it up tonight. Why do we have to wait until 2027 for this to happen? Why can those parents contacting me and so many of my colleagues not get the relief this will provide in September 2026?

This week alone, I have been dealing with three families who have had their applications for domiciliary care allowance turned down. In all cases, they are waiting on an assessment of need. I contend that this is one of the main reasons these families are being turned down. I am sure the Minister, like me, sits down and goes through a heartbreaking day-to-day diary with such families to enable them to appeal or request a review of such decisions. They depend on private assessments to get their applications for domiciliary care allowance over the line. Many simply cannot afford to do so. I contend that without the assessment of need, they are being turned down. It is heartbreaking to listen to these families. Children are pulling their hair out, not socialising with children of similar ages, sitting by themselves in school playgrounds, not sleeping at night, not able to clean themselves after they go to the toilet, yet they are still being turned down for this payment because they do not have an assessment of need. That is wrong. The day-to-day diary is gut-wrenching and emotional. I only hope that this latest attempt by the Government will speed up assessment to prevent these families from feeling that nobody is listening to them and the Government simply does not care. It seems like every day is a fight for these families. Every day they have to fight for various services for their child. If it is not an assessment, it is the therapies. If it is not the therapies, it is a school place or a bus place. These families have to fight tooth and nail for something that is an automatic right for every other children in this State. For those with additional needs, it is always a fight.

I will tell the Minister one thing. These families are not going anywhere. They will fight and fight until Fianna Fáil and Fine Gael finally get their act together and start delivering for children with additional needs. The Government must give a clear commitment to families on when it plans to comply with its legal obligations to the assessment-of-need process under the Disability Act 2005. It must have a clear and immediate action plan that gets to grips with the growing waiting lists. The workforce challenges must be addressed. Vital services, such as speech and language therapy, occupational therapy and physiotherapy, must be properly resourced. Children must have access to special schools and school places in their local area.

Most importantly, the Government must give certainty to families on when their child can access an assessment and the services they need, so that the constant battle can finally stop, once and for all.

An Cathaoirleach Gníomhach (Deputy Pádraig O'Sullivan): We now move to the Social Democrats slot. I call Deputy Cummins.

Deputy Jen Cummins: Imagine trying to convince a government that it has to uphold the laws that it rules over. It is like the plot of an eery psychological thriller. Imagine being the parents of a child with additional needs who is trying to access these supports for their child but they are met with blockage after blockage. Parents have enough to be doing to support and parent their child without having to be activists to be able to get the basic legal entitlement for an assessment of need for their child.

Parents are exhausted and they feel ignored. They are disappointed and desperate. I have said that so many times in this House in the year since I was elected to the House. I am sick of saying the same thing again and again. These parents are exhausted. They cannot be activists for the things they are entitled to by law. It is unfair, unjust and illegal.

The Minister said we should not be relying on the private system forever. We should not be relying on it at all. We have a public system and that is what we should be relying on. When will people get it? Families have no choice but to access private services. Some parents are able to handle financial cost and others parents are not. Why should they have to pay for a service that the State is, by law, supposed to be providing?

The system is broken into smithereens. Parents want the best for their children. I am a parent of four. I want the best for my children, and so does every parent who has contacted me from throughout the country to talk about what they need for their child with additional needs. One parent contacted me and told me her son, who is non-verbal, will not see a speech and language therapist for four or five years. That is a basic service that a non-verbal child should get.

I have learned from the latest press release that there will be no need for an assessment of need to access a special class or special school. What does that mean for a mild general learning disability school? Is this a new way to call these schools catch-all schools? This will be detrimental to the children attending those schools who are thriving and doing so well. The education committee heard from those schools before the summer. We were blown away by their passion and all they had to say about what they do to support those children. Because of what has happened, they now ask how they will support those children. I have bringing attention to this issue, as I said, for a year now. It is devastating for everybody involved that they are not going to be able to maintain the wonderful service they have.

What the Department has said is not good enough. It is not good enough either that we had this press release because we are having this debate. The Minister should be doing her job. We should not be over here telling her how to do her and pointing out all that is wrong. It is just not good enough.

Deputy Liam Quaide: The crisis in assessments of need sits within a much broader picture of chronic neglect, by successive Governments, of the disability sector generally and, within

that, the front-line disability services and children's disability network teams, as well as, more egregiously, the primary care services. We cannot meaningfully address the crisis in assessments of need in the absence of a reckoning with that context and without acknowledging the undeniable fact that primary care services had been under-resourced for years prior to the HSE recruitment embargo of 2023 and 2024 and the pay-and-numbers strategy, both of which have impacted so drastically on those services. The pay-and-numbers strategy continues to prevent primary care services from rebuilding to a level where they can meaningfully be seen to provide a timely adequate service.

In most parts of the country, primary care services do not really exist. If you are on a waiting list for three, four or five years, that essentially means being left without a service. Many thousands of families are seeking an assessment of need for their child. They languish on that particular waiting list for months or years only to then languish on a waiting list for intervention. Over 18,000 of those children are overdue an assessment in respect of the six-month threshold.

There is a lot of legitimate concern among disability representative groups and families about the potential change to the right to an assessment of need proposed by the Minister, Deputy Foley, today because it is the one right that has a legal safeguard. Many families are stuck in an assessment of need avenue unnecessarily at the moment because the therapies they should be accessing through primary care services are tragically under-resourced in many cases. Lots of families are seeking an assessment of need when they may benefit much more from timely therapeutic assessment in primary care services followed by timely intervention. As we know, an assessment of need is only useful insofar as it is an access point to interventions. Pouring €20 million into assessments of need in the absence of workforce planning and comprehensive recruitment across all children's services is a dead-end policy.

We need our child services to be joined up and working together, not disconnected and drawing up the shutter to each other due to the strain they are under. It is for this reason that the HSE single point of access proposal is sensible. It should assist child services to work in a more co-ordinated and integrated manner. A major issue in those services is what is known in clinical circles as defensive practice, which refers to a service having overly rigid exclusion criteria, basically repelling referrals of children in an unreasonable and inflexible manner. The human cost of that is children being passed from one waiting list to the next. The main reason for these patterns of defensive practice is that services are so overstretched, they understandably become territorial and guarding of their own limits. The reason they are overstretched is they have been drastically under-resourced. While the single point of access proposal is welcome, it will not paper over the cracks of this chronic neglect and the ongoing imposition of recruitment restrictions.

Another historical and, in some parts of the country, more recent factor that has placed unbearable strain on primary care services is the significant number of children transferred *en masse* from children's disability network team waiting lists onto primary care waiting lists in the context of the roll-out of progressing disability services. This occurred without the necessary recruitment to meet the additional demand on those primary care services. It reflects a fragmented and disjointed approach to service development.

Earlier this year, HSE figures released to me highlighted the dire state of these services across disciplines and throughout the country. Primary care services are in deep crisis, with children

routinely waiting two, three or perhaps five years, and in some instances, far longer, for essential therapies. I only came upon that information through very persistent follow-up parliamentary questions because initially the HSE only released a figure of 52-plus weeks for long-waiters. In some cases, it was many hundreds of weeks.

The first step in addressing this crisis in services more generally for children and, in particular, primary care is acknowledging its existence and the interplay between the Departments of Health and disability in resolving it. As a matter of urgency, we need to see the Government devise a workforce plan for primary care services based on a clear number of clinicians per population size in each health region, with increased staff ratios in areas of social deprivation. This plan needs to be followed immediately by a comprehensive recruitment drive. If pursued, this would provide much greater continuity of care for young people. It would reduce dependency on expensive outsourcing of assessments and improve retention of staff in services struggling at the moment and have been for many years with out-of-control waiting lists.

Deputy Rory Hearn: I want to talk about a number of people from my constituency with whom I have been working. While changes are happening, we need to be careful. Parents and their children have been suffering. They have been neglected and there is a huge issue with trust. In these changes, there will be a real need to bring parents and families along. The big concern is that the changes are another way to avoid taking responsibility and delivering the services needed in schools and primary care, as was mentioned.

One family with whom I have been working is that of Gráinne Carney. Her child has autism. I reached out to her. She said that even with the assessment of need, which she has not got, the local CDNT does not even have a psychologist. Even if someone gets the assessment of need, where will the services come from? This is the real challenge.

I have worked with another constituent, Rob McMahon, in relation to his son, who is still waiting for a special school place. He said the waiting lists are growing longer. He has a question for the Minister. Have any more staff been taken on to get through this? This question is directly from a parent whose child has additional needs and autism. He said the Minister talks about early intervention being key but parents are not seeing that. That is the reality on the ground. They are not seeing that early intervention that can support their children. That is why there are protests outside the Dáil and families taking action and highlighting this. They can see what is happening to their children. Their children are being let down while other children go to school. It is so difficult for them. They can see what their children are losing out on. Imagine watching your child and knowing their potential is not being supported because they are not able to access the services they need and should have, as a right. As a wealthy country, they should be provided. We are failing children with disabilities in our health system and our education system.

While special classes and schools are needed, the services and resources have to be available within the schools and the health services. One family emailed me today. They asked not to be named. Their younger son is six years old. He has been diagnosed with an intellectual disability. He has been waiting for two years for an assessment of need from the local primary care centre. It was delayed because there was no psychologist in place. The family finally got the assessment of need and got the report in November. Prior to that, they had applied to the

NCSE for a special school place but, because they had not got the report in time, the NCSE told them they are ineligible for a special school place. This is shambolic. There are thousands of people who have been told they are ineligible, despite their children needing these places. We need action on this.

Deputy Richard Boyd Barrett: I thank Sinn Féin for tabling this motion. I thank, in particular, Cara Darmody and her father for their fantastic campaigning. It is an absolute shame that Cara is out there in this weather at the moment and that she feels the need to do this in storm conditions because of the failure of the Government to vindicate the legal rights and entitlements of children with additional needs and disabilities. It is absolutely shocking that she has to go these lengths.

It is obviously beyond disgraceful that the waiting lists for assessments of need continue to rise. There are thousands more than there were the last time I looked at this. There are 18,000 children with disabilities and additional needs on these waiting lists. Getting an assessment of need is often critical to accessing supports and services the children need but, even if they do get the assessment of need, the services are not available because of the lack of staffing in CDNTs and CAMHS. The consequence I certainly see in my clinic is that children are regressing. This is all about giving children with additional needs and disabilities an equal chance, the same as other children. That is why they need the supports. What is actually happening is they are regressing because they are on waiting lists and their parents are in absolute despair because their children are deteriorating. It also overlaps with housing. If you have the double problem that you are also in a precarious housing situation, in overcrowded conditions or in a homeless hub, you cannot even get the services because of the conditions you are living in.

7 o'clock

I want to highlight for the Minister of State that in Dún Laoghaire–Rathdown now – I do not know if this is true elsewhere – even where occupational therapists or other specialists in this area have identified priority housing requirements for children with disabilities or special needs, the council says there are too many kids with developmental delays or autism and it is therefore ignoring that or is not willing to take it on board as a priority because it would mean even more housing demand. Therefore, it is not listening to what the specialists say. It is absolutely disgraceful because the consequence is children suffering.

Deputy Ruth Coppinger: For years now, the Irish State has in effect been abusing disabled children because State neglect has been continual. We all know assessments of need are essential. Imagine that children are regressing and that when they should be learning to speak properly, integrating and getting an education, they are being prevented from accessing services. We all know that practically all parents who can afford it raise money and pay for everything privately.

Some 18,000 children are overdue an assessment of need, and the backlog is increasing. For three quarters of the year, only 4,500 assessments were done, so the number of children overdue an assessment will keep going up. Under the waiting list initiative taken last year, the State paid €23 million to carry out 6,373 assessments, which means a cost of €3,500-plus per assessment of need. The reason is that we do not have enough permanent staff. We do not

have them because of the housing and cost-of-living crises, which mean professionals, including teachers and others, are all being forced to emigrate. This is going to continue owing to the announcement today that two people need an income of €150,000, or up to that, to be able to afford a two-bedroom apartment. This is all related to the fact that although there has been a budget surplus in this country, the State has refused to invest it in public services, including housing. The care system and children are suffering as a result.

Dublin West has the longest waiting lists, not that it is a competition. In the Blakestown CDNT area, the waiting list was seven and a half years, if the Minister of State can imagine that. A child is almost ageing into adulthood by the time he or she is assessed. I believe the period is now down to 72 months. Yippee. Again, the reason for the delay is that there is insufficient investment in staff to reduce the numbers on the lists. It is shocking that this has been allowed to continue year upon year. I salute the motion.

Deputy Brian Stanley: The fact that the Government is still breaking the law years after this matter was highlighted is absolutely scandalous. Referrals are supposed to be made in three months and assessments completed within six. The situation is getting worse, with the number waiting now over 18,000, as has been outlined here.

In Laois–Offaly, the figures are ballooning. What is happening is an absolute scandal. The average waiting time for a referral is 21 months-plus. It can be plus another six, eight or 12 months, and some must wait for over two years. It has got worse. Figures I have got in answer to parliamentary questions show the situation got worse even between October and November of this year. After waiting for a referral and the completion of an assessment, a child finds there are few or no services. According to replies I am getting to parliamentary questions, the picture is not getting any better.

The CDNTs in Laois are threadbare. Network 11 has eight vacant posts and network 12 has 11, and this is in a relatively small county. There is a total of 19 vacancies in the CDNT teams. There are no behavioural therapists or therapy assistants. Only 50% of the physiotherapy posts are filled, and the same applies to social worker posts. There has been no occupational therapist for child services up to recently. This is what the HSE told me in a letter. It also stated there is no approval to recruit. All of these things are causing problems for children and their families. Children are regressing because of the lack of intervention and services. This is leading to problems now but it is going to lead to bigger problems in later life. Therefore, the Government needs to stop breaking the law. It and the HSE have not set targets. I cannot figure out why the Government has not done so. If it has no targets, it will not make progress. The problems have been clear for decades. We do not have the staff in the right place. We need a clear workforce plan to train and retain staff. The fact that the State has to go to the private sector and pay €3,500-plus for each assessment of need shows a complete failure. We need to recruit the staff and retain them. We need to get at it now. What I suggest has been referred to here for years; it needs to be done.

Deputy Paul Murphy: What does it say about our society, Government and State if there is, in the middle of a storm, a 15-year-old girl who is to sleep outside the Dáil for 50 hours? What does it say that she started her sleep-out around the same time as a protest by a large number of disability organisations that were crying out to the Government not to make them poorer, as the Government has just done through the budget, and crying out for a winter emergency

payment? It points to the utter failure of the State to vindicate the rights of children with additional needs. The ask is extremely simple and basic: stop breaking your own law, provide the assessments of need and then the therapies. What is happening shows how messed up the priorities of the Government are. The priority is to splash the cash for the fast-food bosses, big multinationals, builders and developers instead of caring for children with additional needs.

The motion contains simple actions that the State could take to end the assessment-of-needs backlog. The Government is not opposing the motion, but is the motion just going to go on a long list of very good motions, including motions we have proposed, suggesting how the Government can deal with this problem, while it does absolutely nothing about it? Will it just join the law in something that the Government ignores? What is the target date to provide all the assessments within six months? Since the Government is not opposing the motion, it should be able to name that date. What is the emergency action plan? What is the longer-term workforce plan? How much additional funding will be allocated to provide special needs services and appropriate school places for all?

I want to mention an awful, tragic case I was asked to raise, namely that of a young girl called Jannah, who was 12 at the time she tragically took her own life. She had been waiting for three years and ten weeks, which is about 12 times the legally required period within which her assessment of need should have started. Her mother contacted the authorities seven times to say the case was urgent and that an assessment was needed. The girl did not receive any assessment or any of the services she needed. It is an absolute disgrace.

Deputy Seamus Healy: I commend and congratulate the teenage disability rights campaigner Cara Darmody, from Ardfinnan in my constituency, for the outstanding work she continues to do in the area of disabilities. Is it not a scandal and disgrace that the Government is breaking the law every single day, knowingly and deliberately? When the Ministers accepted their seals of office, they promised to uphold the Constitution and laws of this State; however, they are not doing that. Every child with a disability is entitled to an assessment of need within six months of referral. A reply to a parliamentary question I tabled shows that, on 30 September, 18,097 children were waiting for an assessment. That figure will be over 22,000 by the end of the year. The Government is breaking the law and is well aware of the fact.

I raised this issue as far back as January 2017, almost nine years ago, with the then Minister for Health and current Tánaiste. Successive Governments have simply done nothing to make circumstances better. In fact, they have disimproved considerably since. If the Government is not going to uphold the law, it should resign.

A related scandal is the decimation of the children's disability network services. The object of the interdisciplinary teams is to support child development and well-being and participation in family and community life on the basis of an individual family support plan. All these services are essential. However, for children in south Tipperary, this is pie in the sky. The team based in Clonmel is almost non-existent. There is no occupational therapist, physiotherapist, psychologist or dietitian. Children are being failed not only on assessment of need but also in these disability network teams. It is time for this Government to either uphold the law or to go.

Deputy Peadar Tóibín: I too want to pay tribute to Cara Darmody and the tremendous work that she has done in achieving so much for children waiting for assessments of need. It is shocking that a 15-year-old girl has to camp outside Leinster House overnight for 50 hours in a storm just to make sure that this Government actually abides by the law. The Minister of State must feel mortification that a 15-year-old girl has to stay outside on a stormy night just to get what people are entitled to. The Tánaiste stated that he wanted to make Ireland the best country in the European Union to be a child. This Government is presiding over more than 18,000 children waiting for more than six months for an assessment of need. That does not even mean they have access to treatment, just that particular assessment. That is thousands of children who are not getting the treatment that they need and thousands of children, as a result, who are not reaching the potential that they could achieve. On a human basis, that is absolutely shocking.

It is incredible that Cara Darmody made an agreement with the Government that there would be a recruitment campaign large enough to make sure that the staff were there to do the assessments of need. This Government implemented a recruitment campaign, but it was incredible and something that I have never seen before, since it was practically secret and the target audience, the people the Government was hoping to recruit, did not know that it was even happening. Cara Darmody today, in a press conference, said that it was like the third secret of Fatima. Nobody knew about the recruitment process. I believe it was deeply cynical. I believe that the Government promised to recruit but made no effort to recruit. The best way for the Government to say "No" is to say "Yes" and then do nothing about it. Cara went on with regard to trying to get therapists. She contacted a company from Britain. The company from Britain was very happy to help. We have the staff available to deal with the waiting lists, yet the HSE and the Government will not employ those staff. There are major questions to be asked about that. I know it goes to the issue of collective bargaining and so on within the public sector but we need to be able to target certain sectors where there is a low supply of staff with increased wages to make sure that we have better recruitment in those areas.

The Government announced a new plan today. I believe it is really cynical. The Government is going to do an assessment of children so they can have an assessment of need. How do you assess a child before you give them an assessment of need? Is this not going to create another barrier which will slow down the process? It is a barrier that might actually keep children away from an assessment of need, make the waiting list go down and make the Government look better, but still bring no value to the child in receiving the services that they need. Regarding the level of funding, an Aontú parliamentary question about a number of different facilities and colleges found out that speech and language therapists were reduced from 370 in the last academic year to 355 in the academic year before the pandemic. The Government is going in reverse in the supply of students who will become the staff needed in these areas. I have very little confidence about the Government fixing this. I believe it should put its money where its mouth is, make sure there is an attractive package and recruit the necessary people.

Deputy Paul Nicholas Gogarty: I have spoken before about the broken system of needs assessment and delivery of services. Today, alongside this welcome motion, we see the Government making ambitious promises of faster assessments of need backed by new expert teams to streamline processes. It sounds like an early Christmas gift but time will tell whether it is just an empty promise or if it can actually be delivered. The Government tells us that 11

new teams with 44 expert staff have transformed the system, yet we know that across the health service, the vacancy rates remain stubbornly high. Speech and language therapists, occupational therapists and psychologists are all in short supply. We hear recruitment and retention are ongoing, but the challenges of meeting that are equally stark. With so many posts lying vacant for months and sometimes years, where will the staff in this plan come from? Where is the plan to fix the staff recruitment so the plan can actually work? We are told that 6,000 assessments will be completed this year, which is a 44% increase on last year. It is impressive but it is against a backdrop, as others have said, that will reach 22,000 by the end of the year.

Families are still waiting. People are outside the Dáil, protesting, and the scale of the challenge is dwarfing the headline numbers. Without a credible recruitment plan, the targets risk being little more than further political spin. The reforms promise to free therapists from paperwork, which would of course be welcome, but if the HSE cannot fill the existing vacancies and retain staff in front-line roles, the bottlenecks will remain. I welcome, in theory, the single point of access and the autism assessment protocol that might help in the long term, but families need assurance that qualified professionals will be available to deliver the service.

Announcing reforms is easy when the Government is being held to account, but the issue is whether they can be delivered. That requires tackling recruitment and retention of staff issues and of course the short, medium and long-term resources. Until we see a clear plan to address the vacancy rates, we still have credibility issues with these targets. I welcome that the HSE will introduce a single point of access system. My time is up but challenges remain for the Government to meet its own targets.

Deputy Michael Collins: On one of the worst nights of the year, 15-year-old Cara Darmody is sleeping outside the gates of Leinster House. She is putting everyone in here to shame. She is calling on this Government to address the backlog of assessments of need for children with special requirements as the national emergency it truly is. Cara rightly reminds us that under the Disability Act 2005, every child is entitled to a completed needs assessment within six months of the application, yet that legal deadline is being missed in more than 90% of cases, leaving more than 18,000 children languishing on waiting lists, some for years, without clarity about what supports they need.

Today, this Government must declare this backlog a national emergency, allocate immediate emergency funding, launch a tangible plan to hire specialist assessors and therapists within weeks, and monitor and report progress publicly every month until every child receives their legal entitlement. I highlight a stark warning from Ireland's disability coalition, which is also outside Leinster House today. Someone from my community, Sarah Attridge, travelled nearly five hours to get to the gates here today, protesting that budget 2026 has left disabled people up to €1,400 worse off. This is not just a number but a heating versus eating crisis. People with disabilities face impossible choices between warmth and food this winter. Despite acknowledging the extra cost of living with a disability, the Government has failed to act. The removal of one-off payments and the absence of a permanent cost-of-living disability payment are pushing thousands deeper into poverty.

As the coalition says, disability poverty does not happen by accident. It is the result of policy decisions. The coalition is calling for emergency winter fuel funding. The Minister of State

cannot stand idly by and not accept that that is a crisis. We need urgent action including, as I say, an emergency winter payment and a long-term commitment to a cost-of-disability payment. No one should have to ration heat or skip meals because of systematic neglect.

You have to talk about the positive things that happen in society too. I was in the Celtic Ross Hotel on Sunday night where the most extraordinary family, John and Mary McCarthy, donated grounds to west Cork for an autism and disability centre. This was started by the Kilbrittain group with tractor runs and fundraising, which Jim and Anne O'Mahony have been spearheading with their committee for a number of years. Giving grounds to the State and the people of west Cork is an extraordinary gift which has to be acknowledged here and by the public. Now I know it has been signed over to CoAction to take on the mantle of building this centre of excellence for the people of west Cork, because young people with autism and other disabilities need the respect that they deserve. The CEO of CoAction is under pressure to deliver but the services are all over the place. Maybe one centre of excellence like the one that will be built in Dunmanway might be a help. If the Minister of State and any other TDs are around, a great tractor run, fundraising for this effort, is taking place on 28 December. They are most welcome to west Cork for the Kilbrittain tractor run.

Deputy Richard O'Donoghue: Assessment of need. I will just read it out. Assessment of need. Cara, who is 15 years of age, can see that there has to be an assessment of need. A 15-year-old girl has been outspoken, supported by her family to support her family. She will be sleeping outside for 50 hours to highlight something that is not there, which we in here should be ashamed of. That is what it comes to.

I will read out something relating to a person in my own area. He now has it in writing in his private psychological report, which cost €1,200, that he needs a special class or special school so he will be ready for when the NCSE portal opens in January for the September 2027 intake. He would not be ready if he was waiting for a public assessment. A child cannot get home school tuition, an ASD Ireland parking permit or an assistance dog in some charities without an assessment. Not having an assessment blocks everything. That is the problem. The assessments need to be done; six months is too long.

The Government has tried to make an amendment to this and make improvements; I welcome it. However, by agreeing to something, it does not mean the Government is going to do it. It needs to be carried out and we need accountability. Cara was able to tell the Government that since the last assessment was done, the list has increased. From the last promises it said it would meet, the list has increased. The Government says it is going to do something, but the proof will be in the pudding when the delivery is done. I want the Government to deliver it. Cara wants it to deliver it. All the families want it to deliver it. Talk is cheap. It is about assessment of need. If somebody cannot do that within the remit of their own work and the guidelines set down around it, they should be moved out and someone who will actually do it should be got in. There are lots of people who will work with the Government to get the assessment of need but the bureaucratic bull that is put in the way of doing this is what is stopping a lot of assessments of need.

Deputy Tom Brabazon: One of my first contributions in this House as a TD was on this topic of the assessment of need and early interventions. In the time since, countless parents have contacted me to tell me that they are still waiting beyond the statutory timeframes for an

assessment of need and for the supports their children require. We simply cannot continue to have a system where delay is normal and compliance with statutory timelines is an exception. We must deliver the necessary supports for these children on time and without delay. It is the least the children and their families deserve.

I welcome the reforms announced by the Minister today and I hope they will deliver a significant and immediate improvement in the system. Families and children cannot be expected to wait for the supports they are entitled to or be forced to get a report privately. This creates inequity, undermines trust and is deeply unfair. I got a reply to a parliamentary question earlier this year showing a demonstrable difference between people getting assessments of need on the northside and on the southside of this city. Many of my constituents cannot afford this nor can they afford to hire a solicitor when the statutory timeframe has been passed. They should not be expected to carry this burden. A child's future should not depend on the family's ability to pay.

Early intervention is vital for these children. The HSE tells us this, the clinicians tell us this and the parents know it. However, families are exhausted and early intervention is more of an aspiration than a reality. Each day without these supports closes developmental windows and puts unnecessary pressure on families. The system must be fast, meaningful and actionable. The system must assess children within the statutory timeframe - not occasionally, not in exceptional cases, but in each and every case.

Critically, the system must restore the link between assessment and intervention. The children have enormous potential and have so much to offer our society. It is our responsibility that the system should allow them to flourish rather than hold them back. We must deliver assessments faster, provide supports sooner and ensure that no child is left behind.

I urge the Minister of State to place equity and fairness at the heart of this reform. We cannot accept in a republic that a child's needs are not assessed on time and that the supports they so urgently need are not accessible. I ask her to ensure that every child, regardless of background or circumstances, has timely assessment, a clear pathway to interventions and access to the support they are entitled to.

Deputy Gillian Toole: I am cautiously optimistic about the announcement today by the Minister, Deputy Foley, and the Minister of State, Deputy Higgins, and I wish them well.

I am going to give a different slant and focus on the needs piece followed by the assessment piece. I have met and listened to parents, educators from the earliest stage, teachers, those working with young adults and therapists in my area of Meath East. Focusing on the needs, there are many local initiatives that can actually be enacted using alternative respite budgets, treatment purchase funding, therapies such as art, drama, equine and music, and investment in sensory and nurture rooms within existing early years and school facilities. There are colleges of further education and training, for example in Dunboyne in my area, that are training medical and social care administrators who would be able to free up therapists' time.

There is an inconvenient truth here that was manifest in the HSE recruitment embargo of 2022 to 2023 and was preceded by the cancellation of developmental checks during the SARSCoV2 restrictions from 2020 to 2022. We have had four years that have effectively

contributed to this backlog. The ages of the children affected concurs with that. For four-year-olds, five-year-olds, six-year-olds and seven-year-olds, that timeline is concurrent.

There is another area that is working very well but is under threat, and that is the area of personalised budgets, a pilot scheme set up by the HSE that needs to be mainstreamed. Families use the budget to purchase bespoke services for their children, including teenagers and young adults. Families can be trusted to manage the funding effectively and efficiently. For example, I am holding up a piece of art by my friend Amy who is 22 years of age and has autism. She is pursuing a level 5 and a level 6 ETB art course at Grennan Mill Craft School. Leap Ireland supported Amy and her family through the personalised budget process to now reach her true potential.

Last night, I saw the documentary, "Born That Way", a powerful account by Éamon Little of the Camphill communities that were set up by Gladys and Patrick Lydon. The activities they provided were suited to the abilities of the young adults who attended. Perversely and unfortunately, the Camphill communities were wound down. Now we have a home-sharing model that is being rolled out by the Health Service Executive. History has a habit of repeating itself. We have to take those learnings and implement them.

I hope that the child, the teenager, the young adult will be at the very centre of all planning and delivery of services to meet their needs first. There can be no expensive layers of management to the provision of services. It should be needs first followed by the assessment. I have been reliably informed by disability services in my own area that by taking that approach, not every child might need the assessment. If the needs can be addressed in the community, that will probably filter out many hundreds.

Deputy Barry Heneghan: I thank the Minister of State for her visit to the CRC in Dublin Bay North. It was great to see her and long may her visits to north Dublin continue.

This topic was one of the first things I spoke about in this House as well. When we were in discussions on government formation as regional Independents, it was big part of our negotiations. We made a clear commitment in the programme for Government that every child in this State deserved timely assessment, timely intervention and the right support to thrive. The Minister of State is just into her new remit. I congratulate her and wish her the best of luck. One of my predecessors sat there and was in the same Department.

Now that she is in her role and given that assessment of need is in the HSE's remit, I hope she lets it know what she wants it to do. She should tell it what everyone in this Chamber wants it to do. The lack of accountability is not acceptable. Thousands of families are still fighting across the island, including in my constituency, for their children's legal entitlement under the Disability Act. Parents should not have to become full-time advocates just to secure the basics. Therapists should not be left trying to deliver services in the system. I want to acknowledge and thank FUSS Ireland who came to the cross-party committee focused on autism. There are Members in the House who were on that committee. The honesty and strength of the FUSS Ireland representatives in that meeting was very informative, and it was solution focused. That is what I always strive to be in this House. I do not want to just give out. In my last two minutes, I want to show the Minister of State some of the solutions that I hope she will grab the HSE with and tell it what she wants it to do - not ongoing evaluations, not measurements, but what is working and what is not. One thing I want to talk about is the

guarantee of assessment. The assessment of need cannot remain a door that opens to nothing. I have heard multiple Members say this. Assessments and interventions must be funded and delivered together, not years apart. We must establish a national and research function; a team with the responsibility for caseload data, waiting list transparency and independent evaluation so that decisions are driven by evidence. Create the family navigator role, which I am cautiously optimistic for due to the Government's announcement today, and peer-led paid supports so that families are not lost in the system. Some kids have parents who can do this, but some do not. We need one clear way.

Embed accountability by defining the senior responsibility framework. Do not let people away with not being held accountable. As Deputy O'Toole said, we must listen to children not as a token gesture, but as primary right holders whose voices force and inform policy and design. The early years sector is already doing this. The people there are qualified to do so. I spoke to Ms Elaine Dunne from the Federation of Early Childhood Providers. They are not being paid but they are willing. We are going to lose a workforce.

Deputy John Connolly: The Minister of State will be aware, as all Government TDs are, that one of the most significant promises we made at the outset of the formation of the Government was to enhance services for children with disabilities. I recall the Taoiseach defining what we needed as a step change in how we provide these services. The programme for Government is explicit in its objective to:

Ensure children and their families who need early intervention and therapy input can access that support in a timely way by increasing staffing, training more therapists, and prioritising children's disability teams to deliver supports and services.

Interestingly, that objective did not include legislative change, but it is welcome that we had the flexibility to recognise where a system was not working and change legislation to make sure we could enhance it to try to bring about that change. Today marks a step in meeting the objective of the programme for Government.

I share the sentiment of some of our colleagues, in that it is a cautious welcome I give this. In doing that, I fully recognise the Minister of State's commitment and the commitment of the Minister, Deputy Foley, who has discussed this with us in depth at our parliamentary party meeting. She has given this a lot of time and a lot of thought. I compliment both the Minister and the Minister of State on that. I hope the changes they are making will bring about the measures we need and that they will have success. As other Members have said, I am anxious about the time it may take to see the impact, and I am anxious about the measures having the effect we desire to see as a Government because, like many, I note the large numbers of children currently waiting. There are 217 children waiting beyond the timeline in County Galway alone.

I welcome the first steps in developing a system where there are no wrong doors for parents. That is crucial. Parents who have concerns about their children or professionals who refer children to therapists for assessment or therapy need to know they are going to receive a welcome. Too often, we hear of parents being advised by a service provider that the needs of their child are not appropriate to the intervention to which they have been referred. We know about children being referred to CDNT, which then says that CAMHS is the appropriate service only for CAMHS to say it thinks community psychology is the appropriate service. We need to streamline that. We need to make sure that when a child is referred, the referral is made to

someone who can and will help, not somebody who might pass that child to a different service provider. We are moving towards that direction. We need to stop that frustrating merry-go-round.

In welcoming the legislative change, I am confident that we have matched this change with appropriate funding in budget 2026 to resource these new teams. Part of budget 2026 was about making sure our public services could withstand what might be constraining economic circumstances. I hope we have included this measure in that. I am confident that we have. I am concerned, though, that we may meet challenges in recruiting appropriate therapists to the roles. If we do meet that challenge, we have an obligation to overcome it. That is through working conditions, job security, permanency and appropriate contracts.

Minister of State at the Department of Children, Disability and Equality (Deputy Emer Higgins): I thank everybody for their contribution here this evening on this really important issue. It is something all of us are familiar with because we all work with families, individuals and children across the country who are affected by this. We all know vulnerable people, including children, who are clearly in need of State support and who unfortunately are left wanting. That is simply not acceptable. Families are stressed out, they are frustrated, they feel abandoned, and that is not fair. No one should be made feel like they need to go public or to protest to draw attention to this issue. Like the Minister, Deputy Foley, I recently met Cara Darmody and I was struck by her courage and commitment. Cara really is a remarkable teenage girl, and she is right. People with disabilities have in many cases been poorly served by the State.

The motion presented this evening highlights some of the aspects of what is a complex issue, the fact that there are unacceptable delays in the delivery of assessments of need, and the need to increase the availability of and access to appropriate services for children with disabilities. As a Government, we have been taking steps to address these complex challenges, but I acknowledge that further work needs to be done, and it needs to be done as a matter of urgency. The assessment of need list sets out the challenge very starkly. We had over 18,000 applications overdue for completion nationwide at the end of September. This figure is expected to grow to over 22,000 in the coming weeks. Over 10,600 new applications were received last year, with some 4,100 completed assessments in 2024. Demand for assessments of need has doubled in five years and demand is clearly outstripping the capacity of the system that is there to try to meet it.

The introduction of the targeted waiting list by the Government is helping. Over 6,300 clinical assessments have now been commissioned from private providers in the past 18 months, and in the next 12 months, 6,000 more will be delivered through this initiative. I am also encouraged by the 30% increase in assessments completed last year in comparison to the year previous and the 57% increase in completed assessments in the first nine months of this year compared to last year. The figures show that we are moving in the right direction, but we need to do more, and we need to do it faster.

The introduction of the targeted legislative reforms announced today to Part 2 of the Disability Act will be key in allowing us to improve the efficiency and the effectiveness of the assessment of need process. Crucially, these reforms will not affect anyone's statutory right to an assessment of need or change the timeframes set out in the Act. Beginning next year, the

Department will be undertaking a wider review of the Disability Act, and in line with the programme for Government commitment, the review will be carried out in consultation with impacted stakeholders.

While my Department will progress these legislative reforms as a matter of priority, I cannot understate the importance of ensuring that operational reform within our public system occurs in conjunction with any amendments to the Disability Act. The Minister, Deputy Foley, has outlined that there will be additional resources provided this coming year to support the delivery of assessments of need. These will include training as well as additional clinical and administrative supports to assist assessment and liaison officers during the process and I am of the belief that not only will these wraparound supports lead to a more efficient process in the medium term, but they will also lead to a therapist spending less time on assessments and more time on delivering therapies to children.

I am only three weeks in this role, but I already know from speaking with parents that the system is not working as it should for their children. We have thousands of children on long waiting lists for services. Indeed, some children have been there for years, and some may be on multiple waiting lists. That is why we are implementing this reform. This Government remains intent on pursuing significant investment and reform at pace in the coming months as part of a programme of sustained transformation across disability services. One of the key vehicles for this radical reform is the recently published National Human Rights Strategy for Disabled People 2025-2030. Pillar 4 of this strategy is about improving access to inclusive, integrated health services from early intervention to mental health supports and health promotion. This pillar includes a clear commitment to address capacity challenges across all children's therapy services in children's disability network teams, in primary care and mental health services for children and young people in schools.

As the Minister outlined, a significant challenge we face in ensuring that children with disabilities receive the therapy they need is the recruitment and retention of therapists across the health system, and many Members have commented on that. While progress has been made through recruitment and retention initiatives, which we have seen in the increase in the number of CDNT staff, significant work still needs to be completed across the health sector to ensure that we have adequate staffing capacity to deliver therapies for children that need them. This progress needs to be achieved in the context of significant challenges internationally in the recruitment of staff into the wider health and social care sector.

In order to increase the pipeline of therapists and to support sustained growth in our CDNTs and the wider disability service, the Government has approved an expansion in the number of training places for health and social care professionals over the coming years. Expansion will provide over 460 new places by 2028, including 310 this year and over 130 next year. In conjunction with this, the HSE also continues to drive intensive domestic and international recruitment efforts to obtain additional therapists to deliver these essential therapies.

The HSE continues to work with overseas agencies on an ongoing basis to expand international recruitment. Within this, there is a particular focus on Irish trained overseas applicants, with a relocation package available to meet vouched expenses of a health and social care professional who has travelled overseas. I am confident that continued efforts by the HSE will allow us to build on some of the success we have seen so far in our CDNT staffing across

the broader healthcare sector and that this will support the delivery of crucial therapy services at an earlier stage.

The Minister highlighted that it is not simply a case of recruiting staff to improve access to therapies; we need to resolve a series of wider systemic issues. This will require intensive collaboration with our colleagues in the Department of Education and Youth, as well as the Department of Health, over the coming months. The implementation by the HSE next year of the single point of access model, which was referenced by many Members, will ensure that children will be directed to the appropriate service, whether primary care, CAMHS or CDNTs, and the introduction of our new in-reach teams will support their work.

The HSE expects to have its new autism assessment and interventions pathway protocol ready in February and to be able to start delivering a new and consistent approach to autism assessments across the entire public health system. These initiatives have been achieved through the work of the HSE and by Departments working closely with each other. More importantly, they work in collaboration with our key stakeholders, taking into account the lived experiences of people and children with disabilities and their families. I look forward to engaging further with colleagues and stakeholders across government on this issue in the coming months.

There is no doubt that addressing the problems with the assessment-of-need process and access to therapies is a challenge. It is a complex and challenging piece of work and requires a well thought-out and comprehensive plan to ensure that all aspects of the system are examined and, where necessary, fixed or improved. I am absolutely clear, as is the Minister, that delivering appropriate assessments of need to children and delivering quicker access to therapies and earlier intervention to children with disabilities are absolute priorities, not just for me and the Minister but for all members of the Government. That is why we are taking a whole-of-government approach to this.

Deputy Joanna Byrne: The Disability Act 2005 states an assessment of need must take place within six months. The Government cannot get its act together on a 20-year-old Act. The response to my most recent parliamentary question on this matter stated that of the 1,200 or more children in Louth waiting for assessments, 250 have been waiting for over 12 months and 350 have waited between six and 12 months. The HSE stated the statutory timeframes are not being met in Louth due to limited staff resources and an unprecedented increase in the number of applications and the workload, which have significantly affected wait times. It also stated that it is currently not possible to guarantee statutory timeframes for when completions of assessments of need will be met, that limited staff resources and an unprecedented increase in applications and workload had significantly impacted wait times and that it is out of the control of current assessment-of-need staff to meet statutory timeframes.

A 20-year-old Act is in place, yet statutory timeframes cannot be met because the Government cannot plan properly or provide the essential staff required. The waiting lists are getting longer year on year and are not decreasing, even with the Louth assessment-of-need team outsourcing the vast majority of assessments to HSE-approved private providers. Staff are overloaded with work, parents are up the walls with stress trying to get their children assessed to ensure they can at least apply for the supports they require and behind each and every one of these damning statistics is another child with disabilities suffering further permanent damage as a result of the

Government continuing to break its own laws. The response of the Government to this and every other issue seems to be to say it is spending more on the problem, but it is obviously not investing wisely given that waiting lists are getting longer year on year.

I have to mention the teenage wonder girl Cara Darmody for all of her campaigning to highlight this issue. Once again, she has to embarrass and shame the Government to act and, once again, it cannot even get that right. Today's announcements do not action Cara's demands for an emergency response for recruiting therapists. Until the Government starts listening to the strongest and bravest 15-year-old girl I know, it will continue to damage and fail the tens of thousands of children around this country waiting for assessments of need.

Deputy Mark Ward: Earlier today, I received information that the State has spent over €7.2 million of taxpayers' money to defend the State against the families of children with disabilities who have not received an assessment of need under the statutory timeframe. In 2022, the High Court ruled that the Government broke the law by providing 90-minute assessments instead of comprehensive assessments of need. Since then, there have been 932 legal cases taken by parents of children who did not receive assessments of need under the 2005 Disability Act. The State has paid solicitors and counsel over €7.2 million to defend it against these families and to defend the indefensible. This is €7.2 million that could have been spent on providing assessments of need or decreasing the time the 18,000 children currently waiting on assessments of need will have to wait.

I know the Minister of State has only been in the role for a couple of weeks and I genuinely wish her well. Nobody on this side of the House wants to see her fail because it is an issue that affects everybody. However, she has to admit that the situation is stark. In our area, Dublin Mid-West, there are 1,618 children waiting for assessments of need. How many of those children received an assessment of need under the statutory timeframe laid out under the Disability Act? Not one child in Dublin Mid-West has received an assessment of need on time. This is truly scandalous.

Not only is the Government breaking the law; it is not allowing children every chance to reach their developmental milestones. I do not think it is too much to ask the Government to stop fighting children with disabilities and breaking the law and to allow children every chance to reach their full potential.

Deputy Seán Crowe: I want to say hello to Cara Darmody and her family. I begin by sending my solidarity to families waiting for an assessment for their child or children. At the start of October, there were more than 8,000 children waiting on assessments of need in the CHO 7 area. Almost 1,600 of those children have been waiting more than two years to be seen. There are almost twice as many children waiting in one area alone than there have been assessments carried out State-wide so far this year. There is a long wait to access support services once a child receives an assessment.

The waiting list to access services in the CDNT in Chamber House in Tallaght is now more than 56 months, or almost five years. I met Katherine Zappone in 2016 while going into Chamber House to try to find out what was wrong. At that time, the assessment was that the team was missing key personnel. Would it surprise the Minister of State to hear that there are still missing key personnel in the team? Parents are being forced to find spaces and go down

the extremely expensive private services route. The Government has become so used to relying on private healthcare to pick up the slack that it has forgotten that not everyone can afford to go private and there is limited capacity in the private system.

During the debate, Deputies have spoken about a broken system. It is a broken system that is contributing, in many cases, to broken families. Thousands of children in just one area are spending their childhoods waiting and waiting for assessments so that they can access speech and language or occupational therapies. This is wrong. The system is broken. It needs to be fixed.

Deputy Paul Donnelly: I commend the amazing strength and determination of Cara Darmody. Her continued campaign brings her back to the Dáil for 50 hours this week in a miserable, cold December. Unfortunately, I think she will be given the same promises that other Ministers have given her previously. I genuinely hope they are not false promises. Why do I call these false promises? The fact Cara has come back to camp outside Kildare Street again is not because she enjoys sitting outside in the freezing cold, in the wind and rain, but because this Government has failed and failed again. It is a bit like the housing plan we were talking about last week. There is another new Minister and another new plan.

The CDNTs have failed to provide adequate support for our children who need supports. I coach a group called the falcons in St. Peregrines. It is just a group of parents who are coaches. We do our best to provide some fun and a chance for the kids to play and meet each other. I meet those parents all of the time. I know the hurt, pain, stress and anxiety they go through because the waiting list for the CDNT for Blakestown is 72 months. They get the assessments but where are the supports they require? They are virtually non-existent. The CDNT acknowledges that it is short-staffed and loses staff after a few months. Unfortunately, that means the process has to start all over again when these staff have built up relationships. The parents do not want hear any more reasons for this. They just want the problem solved. They want the supports they and their children need when they need it.

Imagine the outrage in society if a child went to Temple Street or the new children's hospital and the doctors said they could not fix the child's broken leg because it did not have the staff, so the child should come back in 72 months. It would bring the Government down. If it is unacceptable for young people in that case, why is it not unacceptable for children with different abilities and specific needs? We need to stop the excuses and end the waiting lists. Those children need that support and they need it now.

Deputy David Cullinane: It will not be lost on anybody that this Government wastes no time whatsoever in showing up for those at the top. It does not waste a second when it comes to big tax breaks for corporate landlords, developers and banks. However, when it comes to children with disabilities, the Government comes in, as the previous Minister did, and talks about "complexity". The word "complexity" is actually shorthand for Government failure because this issue is not as complex as the Government presents it. In 2005, a previous government put in place an Act which set out very clearly what needs to be done for children with disabilities. Each child - I do not see how this is in any way controversial or complex - should have an assessment that examines and puts in place the health and education needs of each child. At the end of the year, a composite report would then be given to the Government

that looks at what is the overall ask and what resources or capacity needs to be put in place to meet that need.

In reality, what has happened is not complex. It is Government failure to put in the capacity. We now have reached a crisis point, where neither the assessments nor the services are given to children. The excuse from the Government is that it is very complex, it is beyond the Government and it is more difficult than it thought. The problem is the Government did not train the therapists that were needed and it did not put in place the capacity. Children cannot be blamed for that. Parents cannot be blamed for that. The only people who can be blamed are the people who made a mess of it, which is the Government.

I listened to the Minister's opening speech and read today's announcement on the Department's website. We have seen a lot of this before - providing substandard assessments of need, yellow-pack assessments of need and shortcuts to what children require. That is what I hear. There are then the assessment officers. We do not really know what the assessment officers will actually do. I can tell the Minister of State that parents and children will judge this Government on its actions, not promises, because they have had a bellyful of those. I will very cautiously approach what the Government says on this issue, bearing in mind all of the false promises made to children and their families in the past.

Deputy Matt Carthy: Well said.

Question put and agreed to.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Inflation Rate

1. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Finance the level of inflation that was projected by his Department as it prepared budget 2026, including the decision not to provide an income tax adjustment for workers; and if he will make a statement on the matter. [64572/25]

Deputy Pearse Doherty: Will the Minister outline the level of inflation that was projected when his party decided on the budget of this year? It was a budget that made a decision to pull the cost-of-living supports, such as energy credits and others, and not give any tax break to workers other than a handful of highly paid executives. How does the inflation rate that was projected when the budget was prepared compare to what we are seeing now in real terms? How will this impact on household wages?

Tánaiste and Minister for Finance (Deputy Simon Harris): At the time of budget 2026, the Department of Finance forecast a headline harmonised indices of consumer prices, HICP, inflation rate of 1.9% for next year. For household incomes, the Department of Finance forecast continued growth in wages per head of 3.9% in 2026. This implies continued growth in real incomes, which will support the purchasing power of households, and is an important

indicator of improving living standards. The Department of Finance macroeconomic forecasts were endorsed by the Irish Fiscal Advisory Council, IFAC.

In budget 2026, the Government had to make choices. This budget was designed to boost our economic resilience and to support workers and growth in their income by investing in jobs and in their future. However, with the substantial personal income tax packages implemented over the past four years, the previous Government made significant progress on increasing the entry point to income tax for all income earners and increasing the point at which the higher rate of income tax takes effect. Over recent years, the previous Government provided substantial income tax packages to support workers. Over the lifetime of the previous Government, the main tax credits increased from €1,650 to €2,000, representing an increase of €350 or 21.2%. In addition, the standard rate cut-off point was increased from €35,300 to €44,000, representing an increase of €8,700 or 24.6%.

The income tax measures implemented over the period of the previous Government are expected to be in line with wage growth. In regard to the universal social charge, USC, over the lifetime of the previous Government, the USC ceiling of the band for the 2% rate was also increased by €6,898 from €20,484 to €27,382, in line with the increases to the national minimum wage. Furthermore, there was a significant reduction in the middle rate charge, from 4.5% to 3%. Broadly, the income tax measures implemented over the period of the previous Government are expected to be in line with wage growth.

As the Deputy will be aware, the most recent budget provided a range of support to individuals, families and businesses. In particular, the rent tax credit, introduced in budget 2023, has proved to be a very meaningful support for renters. We have just taken the decision to extend the credit for a further three years to the end of 2028. The ceiling of the second USC rate band is being increased by €1,318 and this will ensure that a full-time worker on the minimum wage who benefits from the increase in the hourly minimum wage rate will remain outside the highest rates of USC.

Deputy Pearse Doherty: For the budget in which the Government withdrew supports and broke promise after promise about income tax cuts that were made to workers during in election, the Department expected that inflation would be 1.9% next year and 1.8% this year. Maybe the Minister will outline that inflation is actually way above 1.8%, not far off double that figure. Would the Minister not agree? We understand the flash estimate puts inflation at 3.2%.

Does the Minister have any concern that there are people out there who are finding it really difficult to make ends meet? Many of them are not making ends meet. The Government projected a budget based on a projected rate of inflation that is way lower than what is actually happening in the real, lived experience of people's lives. Will the Minister consider a cost-of-living package or is the message "You are on your own, folks"?

Deputy Simon Harris: That is not the message. The message is that we took a number of measures in this year's budget that will help families, businesses and workers as well. It includes investing - the Deputy and I have different policy views on this - and deciding to extend the renter's tax credit for a further three years. It includes making sure that people who benefit from the minimum wage increase do not find themselves paying a higher rate of USC,

but also investing in protecting people's jobs because that is a very important thing to do. This was the first budget in the lifetime of the Government as well. We will now get back into the normal rhythm of income tax packages in future budgets too.

8 o'clock

We took a decision to deliver on a number of commitments that were made, including some that the Deputy supports, such as the reduced VAT rate for the hospitality sector. The benefit of that decision will be seen even more in the time ahead because we are seeing some softening in the labour force figures. Supporting those jobs is important. That helps workers to ensure they can keep their jobs. It helps to keep the businesses in which they work open at a time when there are significant economic headwinds.

As the Deputy knows, there are no plans to reopen the budget. With regard to the Department's forecasts as, again, the Deputy knows, the Department forecasts a certain rhythm each year and the Irish Fiscal Advisory Council endorses those figures.

Deputy Pearse Doherty: Is it not great for someone in the Minister's position to talk about getting back into the "normal rhythm" of something soon? When I go back to Donegal and talk to my constituent who simply cannot heat her home, I will tell her not to worry because the Minister says we are going to get back into the "normal rhythm" of things in a couple of years, closer to an election no doubt. It will be closer to an election because that is what the Minister does. He gives plenty of promises in the run-up to the election but, first thing after an election, promise after promise is broken. The Government brought forward a budget that had inflation rates nearly half of what they are currently. Things are worse off. That is why people in wheelchairs were outside the Dáil today. That is why they are coming up in the middle of a storm saying to the Government and the Minister that they need emergency supports this winter. The Minister needs to hear the pleas of the nearly 500,000 people who cannot heat their homes at this point in time, or is the message to them that they have to buckle up and tighten their belts until, in a couple of years' time and closer to a general election, it will be okay again and we will get back into the "normal rhythm" of things?

Deputy Simon Harris: That is not the message at all. The Deputy and I rightly discuss the issues of fuel poverty and energy prices in this House regularly, as we should. What I say to the people is that we have taken a number of measures to assist with the cost of energy, including the reduction of the VAT rate to 9%, a real budgetary cost that we decided to prioritise.

Deputy Pearse Doherty: They are higher than ever.

Deputy Simon Harris: We decided to do that.

Deputy Pearse Doherty: But they are higher than ever.

Deputy Simon Harris: Did we or did we not-----

Deputy Pearse Doherty: The Minister promised to reduce energy costs.

Deputy Simon Harris: We will have lots of time. We are going to have lots of time. It just gets a bit tiresome when the Deputy just shouts me down.

Deputy Pearse Doherty: I am not shouting.

Deputy Simon Harris: Or interjecting.

Deputy Pearse Doherty: I am just reminding the Minister of what he said.

Deputy Simon Harris: For the people watching at home, I get a bit of time to speak and then the Deputy gets a bit of time to speak. I want people to know that we took a decision to reduce the VAT rate on people's energy bills and ensure that is in place for a number of years. We took the decision to make sure more people qualify for the fuel allowance than ever before. We took the decision to increase the fuel allowance. We took the decision to make sure working family payment recipients can benefit from the fuel allowance as well. We also took the decision to invest significantly in things that working people in Donegal and right across the country asked us to do in relation to child, children's services, disability services, education-----

Deputy Pearse Doherty: The Minister nearly said "childcare" there.

Deputy Simon Harris: In childcare, too.

Deputy Pearse Doherty: The Government broke that promise too.

Deputy Simon Harris: We put money into capital, State-led childcare facilities for the first time. We extended the renters' tax credit which was due to expire. We have taken real decisions and it is just the first of five budgets.

Derelict Sites

2. **Deputy Ged Nash** asked the Tánaiste and Minister for Finance the details of and timeline for the production of legislation to empower the Revenue Commissioners to implement the proposed new derelict sites tax; if all of the revenue collected will be disbursed to the relevant local authorities; and if he will make a statement on the matter. [65023/25]

Deputy Ged Nash: A welcome announcement at least was made in the budget in October that this Government would plan to transfer responsibility for collecting derelict sites levies to the Revenue Commissioners and, from then on, the levy would be known as a tax, given the fact that it would be collected by the Revenue Commissioners. This is a welcome development and something for which I have been campaigning and advocating for many years. One of the key things in this regard is that the revenue collected ought to be dispersed directly back to the local authorities involved. The Minister might advise on the position in that regard and what he plans to do to legislate for this announcement that was made in budget 2026.

Deputy Simon Harris: I thank Deputy Nash for the question. First, we share the same view on the importance of this derelict property tax. In a housing emergency, which we are in, every lever must be used. Having a tax that targets derelict properties is an important one. There is a significant body of work to do, however. I do not say this to in any way cast aspersions but I am conscious that local authorities will have an important role in this regard because when you are moving from a levy to a tax, the importance of consistency will be really important in being able to underpin any tax collected by the Revenue Commissioners.

As the Deputy said, in this budget we announced the introduction of a new derelict property tax. The aim of this tax is to encourage the activation of derelict properties and sites. In fact, not having to collect much money from this tax would ultimately be a good thing if we can change behaviour and get derelict sites and properties back into use. This will replace the derelict sites levy and it will be collected by the Revenue Commissioners. In order for the new tax to be successful on introduction, care has to be taken in its design. A key issue is that the tax must apply in a consistent manner to all residential properties and sites that are derelict. Therefore, a lead-in time will be required for our local authorities to identify all the relevant derelict properties in their areas for inclusion on a register in a consistent manner.

I intend to legislate for the derelict property tax in 2026. This is dependent on engagement from stakeholders. It will also be influenced by any advice I receive from the Attorney General. The timeline of bringing in the legislation in 2026 is necessary to allow local authorities to prepare and publish a preliminary register of derelict properties in 2027, with the tax coming into effect as quickly as possible thereafter. The yield from the derelict property tax will accrue to the Exchequer. That is the current intention. As the Deputy will appreciate, replacing the current levy with a new tax is a complex process. There is much detail that remains to be worked through regarding the operation of the new tax. I will be in a position to provide further information over the course of next year in advance of the tax being legislated for. I genuinely look forward to engaging with Deputies on the design of the tax through the legislative process.

Deputy Ged Nash: There is concern at official level in local authorities that it may not be the case that the revenue collected will be dispersed directly back to the local authorities where the subject sites are present. The Minister will understand those concerns. I draw some analogies between the transfer of the household charge, which the Minister will recall from the early 2010s, to the local property tax and how compliance improved. In fact, the transformation of the household charge to the property tax was quite successful from a collection point of view, looking at the compliance figures compared to the collection of the household charge, which was the responsibility of the local authorities at that point in time. It was for good reason that responsibility was transferred. It was done expeditiously and efficiently in a short period of time. Given the fact that we have derelict sites registers available to local authorities across the country, although they may need to be finessed, I do not accept for a minute, given the urgency of this matter, that we ought to wait until 2027 until Revenue has responsibility for collecting these charges.

Deputy Simon Harris: I appreciate the past examples. I remember soldiering on some of them together in past iterations of government. We need to get this right, however. My predecessor announced that timeline on budget day. I think we will all agree that we actually do not want to collect much revenue from the tax. Rather, we want people to take derelict

properties and sites and put them back into use. The purpose of making the budget day announcement, albeit with the lead-in time, was to make it clear to people in this country that if they are sitting on a derelict property or site in a housing emergency, we intend to tax that reality. We intend to do it through the Revenue Commissioners because, as the Deputy rightly said, the Revenue Commissioners are good at collecting tax. That is what we intend to do because, in a housing emergency, we cannot tolerate this situation.

Currently, the derelict site levy is an annual levy of 7% of the land's market value. While the rate of the derelict property tax is yet to be determined, I will say to the House that it certainly will not be lower than the current 7%. The primary goal will not be to raise revenue but, rather, to encourage owners of derelict properties to bring them back into use. We want to do this as quickly as possible but we also have to make sure it is consistent with all the principles expected in a new tax.

Deputy Ged Nash: The Minister will know how this works. He will know about the ineffective nature of the Derelict Sites Act and the need for reform in that space. When a local authority identifies an owner of a derelict site or property and, after due process, decides to place that site on a register, the individual may decide to contest that. It then becomes complicated. He or she may potentially challenge the designation of a derelict site through the courts and communities become frustrated.

Dereliction itself is an absolute scourge, regardless of the housing disaster we are experiencing at the moment. It is a public health matter. In fact, the Scottish Administration has designated dereliction as a public health issue, and for very good reasons. The reality is that the Revenue Commissioners are the best-placed agency to collect a levy that will be transformed into a tax for a number of different reasons. Any business owner I know needs to sweat every asset they have. If it is a case that somebody is wealthy enough to be able to preside over a derelict site without using that site to generate some revenue, they must have very deep pockets. Of course, if Revenue is collecting your tax and you are not compliant, then you cannot run your businesses. I get what the Minister is saying in terms of that disincentive piece, which is important, like the vacant homes tax. It is not about collecting tax; it is about incentivising use. I ask and urge the Minister to look again at ensuring the revenues generated and collected are returned to local authorities like the local property tax, by and large.

Deputy Simon Harris: I genuinely am eager to engage on the design and construct of the new tax and we will have an opportunity to do that through the legislative process. I do also genuinely take the point around the urgency of this, and the Government genuinely does too, but we also have to just make sure we get it right. I am conscious there are local authorities around the country that do very a good job and that are also very busy. This is quite an important and big project for them because we have to have a consistency in terms of this. It cannot be a case of County Wicklow doing one thing in relation to a derelict site levy and County Louth doing another. That is a levy collected by the local authorities. Once this becomes a national tax there has to be that consistent approach.

I agree with the Deputy about dereliction and the housing emergency, absolutely, but dereliction more broadly is a real issue. We will get to some of this later as well, but this is why we have made some changes, for example with the living cities initiatives and the like to

try and bring derelict properties back into use, particularly on main streets with over-the-shop schemes as well.

Tax Code

3. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Finance the number of people that have filed an updated valuation for the LPT that have gone up a band; the average additional cost for those households; and if he will make a statement on the matter. [64573/25]

Deputy Pearse Doherty: The local property tax, LPT, increase kicked in last month. The Government has ensured that virtually every household in the State has experienced a property tax increase. Thousands faced a substantial increase as they were pushed into higher valuation bands. Now that the households that are struggling with the cost-of-living crisis have gotten their letters through the door telling them that their property tax is going up, how many have filed updated valuations for the LPT that have gone up a band? What is the average additional cost to those households that have moved into an increased band?

Deputy Simon Harris: I am advised by Revenue that LPT returns for the next valuation period of 2026 to 2030 have been filed and are fully up to date in respect of over 1.4 million properties. Filing arrangements are being finalised in respect of a further 202,278 local authority and approved housing body properties. There are approximately 40,000 open correspondence queries on hand with Revenue presently, including postal queries and paper returns. While these queries delay filing, the liable persons are considered compliant. Furthermore, payment arrangements are in place for approximately 262,000 additional properties where returns are not yet filed.

While the return filing deadline passed on 12 November, property owners are still making their best effort to file their returns as these continue to be received by Revenue. The due date for payment of the 2026 LPT for those property owners who do not yet have a payment option in place is 9 January 2026. While detailed analysis of the returns filed will take some time, Revenue publishes preliminary statistics on LPT on a regular basis on its website.

I am further advised by Revenue that based on data published on 18 September it is estimated that 4% of properties will move up one band under the 2026-2030 LPT structure. An increase in LPT base charges for properties valued up to €525,000 is estimated at between €5 and €25 extra annually for most property owners. Table 6 of the LPT technical paper provides the estimated average increase in LPT liability by local authority and band. The LPT technical paper is available on the statistics section of Revenue's website. A detailed report will be available once a comprehensive analysis of the returns filed for the valuation period is completed.

I am advised by officials and by Revenue that we are a little bit ahead on the filings than we were the last time there was an evaluation period. The evaluations are coming in and the answer is that about 4% of properties will move up one band, and an increase in LPT-based charges for properties valued up to €525,000 is estimated at between €5 and €25 extra annually for most property owners.

Deputy Pearse Doherty: The information the Minister is giving me is outdated, obviously. As he mentioned, it goes back to September. Since then the letters have gone out, the evaluations have been done and the returns have been filed. I assume going from his answer that he does not have information as to what percentage of people actually went up a band. I raise this issue because the Government introduced legislation that increased the band valuation by 20%, but when that legislation was introduced, house prices had already gone up 29%. In counties such as Donegal, Cavan, Leitrim, Monaghan and Sligo, they had already gone up 40%. All of those property owners are going to be hammered as a result of what the Government has done. Many houses are going to be moving up a band as a result of that. There is an issue if, for example, property owners go from the lower band up to the next band and they are being asked to pay an extra €140. Is the Minister telling me that he has no new information despite the fact that 1.4 million people have actually filed the returns? Is he saying he cannot tell me today what percentage has moved up a band or not?

Deputy Simon Harris: I am genuinely sharing with the Deputy and I am happy to see if I can get him even more up-to-date information. I had a discussion on this earlier today as well. I am advised by Revenue that it is estimated that around 4% of properties will move up one band. These are the latest data I have available here, but I will try and get more up-to-date for the Deputy as soon as that is available. Let me try to provide him with that. This is genuinely the up-to-date information I have. Around 2.1 million properties are in scope and circa 1.9 million are now in compliance in terms of filing. I will see if there are more up-to-date figures available from Revenue and pass them on directly to the Deputy.

Deputy Pearse Doherty: Does the Minister accept that the legislation that underpins the revaluation increased the bands by 20% and that official statistics in counties such as Donegal, Leitrim, Monaghan, Sligo and Galway also had house prices increasing by 40%? The Minister referenced Revenue data published back in September. It estimated that 15% of all households in Galway would actually increase a band. There will be major differentiation across regions. Everybody is paying higher local property tax under Fianna Fáil and Fine Gael. Every single person is paying more. Everybody's property tax increased as a result of this but some had their tax substantially increased. At a time developers are being given hundreds of millions of euro in tax breaks by the Minister's party, people out there are being hit again and again as a result of this revaluation.

Deputy Simon Harris: We have different views on property tax. Although I am open to correction, I think the Deputy used the property tax figures in Sinn Féin's alternative budget figures-----

Deputy Pearse Doherty: We were phasing it out.

Deputy Simon Harris: That is okay, but we are not. We are committed to the local property tax as a sustainable way of trying to fund local services. We have a situation where more is now being returned to local authorities. Council chambers across the country, including the Deputy's own councillors, engaging in discussions about what to do with that revenue base that the local authorities now have. We have also increased the level of discretion that they have, which is quite important. If we give local authorities a revenue base, allowing our local

councillors to determine what best to do and to have a greater level of variance, is a good thing to do. To reflect on some of the points the Deputy made, in some parts of the country there can be particular local reasons, particular anomalies or particular needs that councillors may wish to be able to reflect on as well. This is an example of a tax that has bedded in pretty well and most people in this country accept that it is an important part of funding our local services.

Tax Code

An Cathaoirleach Gníomhach (Deputy Ruairí Ó Murchú): Anois, bogfaidh muid ar aghaidh chuig Ceist Uimh. 4 in ainm an Teachta Roderic O’Gorman. Tá an Teachta Boyd-Barrett á glacadh.

4. **Deputy Roderic O’Gorman** asked the Tánaiste and Minister for Finance the amount of revenue generated from the rezoned land tax in 2024 and in 2025; the number of landowners who sought exemptions from the tax; the number that were granted; the percentage of the overall land covered by the tax that was granted an exemption; and if he will make a statement on the matter. [64997/25]

Deputy Richard Boyd Barrett: The residential zoned land tax, RZLT, was introduced with the intention of trying to deal with land hoarding and to activate land that could be used to build housing. The first liability date was 1 February this year and payments were due in by May of this year. How much revenue has been generated? How many landowners who sought exemptions from the tax? How many were granted? What percentage of the overall land covered by the tax was granted an exemption? We want to see how effective this is.

Deputy Simon Harris: Residential zoned land tax is a self-assessed annual tax that is calculated at 3% of the market value of land within its scope. It is charged on 1 February each year beginning, as the Deputy said, in 2025 and it applies to land that is zoned for residential use and is serviced and identified on maps published by local authorities, but which is not residential property. The RZLT aims to prompt residential development by incentivising landowners to activate existing planning permissions, or to engage with planning authorities to seek planning permission in respect of relevant land. Revenue has advised that as of 14 November the receipts from RZLT were circa €46 million. There were no receipts in 2024 as the tax was first charged on 1 February 2025.

Information in respect of the amount of RZLT declared, the number of exemptions claimed, and the total hectares returned, including and excluding exempt land, is published within the October 2025 property taxes report available on the Revenue website: www.revenue.ie/en/corporate/information-about-revenue/statistics/property-taxes/yearly-stats/2025/index.aspx.

It shows that as of 30 September 2025, there had been 2,433 registrations for RZLT and 2,002 RZLT returns filed. Of those returns filed, 160 applicants claimed the exemption and 585 requested a deferral. The most common reason to claim an exemption is to request a rezoning of land, which is allowed for in the legislation, to reflect ongoing economic use. Updated data from relevant local authorities identified 131 submissions which stated that the land subject to

the rezoning request was the subject of ongoing economic use. A variation process which recommends rezoning is proposed in 49 of these submissions.

In the context of amount of land involved, in total 3,597 ha were declared, with 3,283 ha liable for the tax. In other words, 314 ha were exempt. The latter comprises 8.7% of all declared land. The Deputy can rest assured that the continuing effectiveness of the measure in terms of achieving its objective will be kept under review.

Deputy Richard Boyd Barrett: Eight per cent was deemed exempt. Am I right in saying that a significantly higher proportion has been deferred?

Deputy Simon Harris: That is correct. Some 160 claimed exemptions and 585 requested deferrals.

Deputy Richard Boyd Barrett: Which means that about a quarter got referrals. That is a significant rate of deferral. Will the Tánaiste indicate the reasons for those deferrals? Will he provide any information he has on them? Obviously, the whole point of this is to activate land in order to deliver housing and deal with the scourge of land banking and speculation. As we know, both are widespread. If one quarter of those involved received deferrals, we need to know why they got them and whether they were justified.

Deputy Simon Harris: The deferrals relate to people seeking to change the use of land. However, I will get the specific note from Revenue in relation to that for the Deputy. The tax is working reasonably well. The other questioner here, Deputy O'Gorman would have pushed for this and was an active supporter of it within the previous Government. We brought it in, and we are seeing some encouraging signs. The Deputy may have seen that the CSO published a report last week which shows that the number of transactions involving residential zoned land in 2024 was significantly up on that for 2023. We are seeing, both anecdotally and in CSO data, a bigger churn of residential zoned land transactions, which is really what we want. If a someone has land and is not going to use it for residential property, they need to pay the tax, seek a rezoning or a change to alternative use or sell it off to somebody who will use it. There is some encouraging data in relation to that. I will try to get more information for the Deputy on the reasons for the deferrals.

Deputy Richard Boyd Barrett: As I reflect on the figures, I can see that the main purpose is to activate land and to deal with land hoarding. If three quarters of the people involved paid the tax, that means they are not acting on it. They are willing to pay the tax. We have said from the outset that we thought 3% was too low because the appreciation in the value of land that people are sitting on is probably significantly in excess of 3% at the moment. It can still pay for land speculators and hoarders to just sit on land. They pay the tax - which, it would seem, they are doing - but they are still making money off the land because its value is going up. This suggests that we need much more aggressive measures in order to deal with land hoarding by people who are trying to profiteer from the housing crisis.

Deputy Simon Harris: In my new role, I am learning not to muse on tax changes outside of a budgetary process other than to say that we continue to keep the effectiveness of the tax under

review. We will continue to review it in advance of forthcoming budgets. Our view is that we have a tax in place in relation to taxing residential zoned land where there is not residential property on it. We have put a system in place. This was important. A farmer using land for ongoing economic activity was never what any of us was trying to address. There were teething issues, if I can put it like that, in that regard. Providing a mechanism for people who want to use land for an ongoing economic use is something we are all fine with; it is appropriate. That is working its way through the system as well. As the Deputy stated, this is the first year of it. We are seeing revenue from it of about €46 million. However, as with the earlier question, the aim is to see changed behaviour and people not land hoarding during a housing emergency. We continue to keep the effectiveness of it under review.

Tax Reliefs

6. **Deputy Shay Brennan** asked the Tánaiste and Minister for Finance if he plans to change the rates of capital acquisitions tax or the thresholds at which the rates are paid; and if he will make a statement on the matter. [65024/25]

Deputy Shay Brennan: This is my first Dáil engagement with the Tánaiste in his position as Minister of Finance. I take this opportunity to wish him all the best in that role. I look forward to working with him in his capacity as Minister into the future.

What, if any, plans does the Tánaiste have in place to examine either the rates of capital acquisition tax or the relief thresholds for gifting or inheriting?

Deputy Simon Harris: I thank Deputy Brennan for his kind words. I look forward to working with him as well.

Capital acquisitions tax, CAT, applies to both gifts and inheritance and is charged at a rate of 33%. For CAT purposes, the relationship between the person giving a gift or inheritance and the person who perceives it determines the maximum amount, known as the group threshold, below which the CAT does not arise. The group thresholds were most recently increased in budget 2025.

The group A threshold increased to €400,000 from €335,000. This threshold applies where the beneficiary is a child of the disponent. This includes adopted children, stepchildren and some foster children. Parents may also fall within this threshold where they take an inheritance from a child.

The group B threshold was increased to €40,000 from €32,500 in budget 2025. This threshold applies where the beneficiary is a brother, sister, niece, nephew or lineal ancestor or lineal descendant of the disponent. Following recent changes made to CAT legislation, the group B threshold also now applies to persons who receive gifts and inheritance from the wider family of their foster parents, for example from their foster siblings, uncles, aunts and grandparents.

The group C threshold increased to €20,000 from €16,250 in budget 2025. This threshold applies in all other cases.

Along with tax free group thresholds, various reliefs and exemptions are available in relation to CAT, including agriculture and business relief. There is also the small gift exemption,

favourite niece or nephew relief and the dwelling house exemption. In general, the availability of specific reliefs in respect of a particular tax head often require a higher rate in order to generate appropriate yields. From a tax policy perspective, it is important to maintain stability and certainty and to ensure that the rate and thresholds in the context of the range of reliefs available.

In truth, there is a significant associated cost with reducing the rate of CAT or increasing the associated thresholds. I recognise the burden of capital taxation. Further changes to the CAT rate and thresholds must therefore be considered among the various demands within the overall budget package, as they have been in the past. We will keep this under review in forthcoming budgets.

Deputy Shay Brennan: Inflation has risen sharply in recent years. Nowhere is this more evident than in urban areas, particularly in Dublin. The median house price in the capital now stands well above the €400,000 group A CAT threshold, yet there has been no recent adjustment to this threshold to reflect this mismatch between asset value and tax policy. This discrepancy often results in a difficult outcome where an individual inheriting a family home from a parent suddenly faces a significant tax liability. This often forces people to either remortgage a property or liquidate it in order to discharge that debt. Has the Department conducted any detailed modelling on the cost to the Exchequer of increasing the group A threshold? Has any serious consideration been given to linking future thresholds dynamically to the official house price index for greater fairness?

Deputy Simon Harris: I am conscious of the area of the country the Deputy represents and the area of the country that I represent. I am also conscious that property prices, inflation, capital tax, etc., can place a real burden on people, particularly in circumstances where they inherit, for example, family homes. These are real issues that come across our desks and into our lives as we interact with people we represent. We will continue to keep them under review. We have to keep them under review in the context of all of the other pressures and the various tax packages that we bring forward.

In the final budget of the previous Government, in which the Deputy's party and mine were both involved, we made adjustments to the thresholds. We made those adjustments effective in the context of gifts and inheritance taken on or after 2 October 2024. We will continue to keep this under review in forthcoming budgets.

Each year, we produce tax strategy papers. We have a tax strategy group. Perhaps, in light of some of the suggestions the Deputy has made, this is something I will ask our tax strategy group to consider in advance of future budgets.

Deputy Shay Brennan: Individuals who are childless, by choice or otherwise, now make up nearly one in five adults but are effectively penalised under the current capital acquisitions tax regime. Without children to access the larger group A threshold, they are relegated to the much lower group B limit of €40,000 applicable for siblings, nieces and nephews, or even just the €20,000 under group C for all other cases. This means a third of the substantial value of an inheritance, which is often a family home, is paid out in tax liability. The Minister will appreciate this creates a profound unfairness for the 18% of people who are childless when it

comes to inheritance. Will the Minister commit to keeping those reliant on group B and group C thresholds under active consideration when devising any changes to inheritance tax policy in next year's budget?

Deputy Simon Harris: I will, because without pre-empting any future budgets, the last time we did this in budget 2025 we decided to move each of the bands and that was appropriate. We need to look at this in the round. There are always competing demands on what you can do in relation to a tax package each year but we have only delivered one budget out of five. We have four more and if we continue to keep the economy in good stead, continue to run budget surpluses and continue to be able to set money aside in future funds I believe in the medium-term fiscal framework the Minister, Deputy Chambers, and I will bring to Government soon we will be able to see a regular-sized rhythm of tax packages in future and all these issues can be considered in the context of that. With some of the specific policy elements Deputy Brennan has referenced, it would be useful to have the tax strategy group look at this in advance of future budgets. I will continue to link with him on it.

Ceisteanna Eile - Other Questions

Trade Relations

7. **Deputy Tony McCormack** asked the Tánaiste and Minister for Finance his assessment of the impact recent international tariff changes are having on the Irish economy; and if he will make a statement on the matter. [64103/25]

Deputy Tony McCormack: Like my colleague Deputy Brennan, I wish the Tánaiste the best with his new portfolio and look forward to working with him.

Deputy Simon Harris: I thank Deputy McCormack very much for his kind words. I look forward to working with him. I also very much welcome this question because while I look at it from the Department of Finance perspective now, previously in the Department of Foreign Affairs and Trade I engaged significantly on trade and tariffs at an EU level. It is so important we continue to, as he rightly says, monitor the impact all these issues have or could have on the Irish and European economies were there to be further changes.

I very much welcome that the EU and the US have reached a deal on reciprocal trade. This provides much-needed certainty, or at least more certainty, to exporters. That said, tariffs continue to represent a clear headwind to domestic activity, particularly given the highly globalised nature of our economy. Updated analysis on the impact of tariffs on the economy was conducted by my Department and the ESRI. It was published alongside budget 2026 to reflect the current global tariff landscape. In this analysis, the introduction of tariffs is estimated to reduce our modified domestic demand by around 1.25% over the medium term when compared with a scenario with no tariffs, so it is having an impact. This represents a moderation in growth rather than a decline in economic activity.

It is difficult at this stage to make a definitive assessment of the impact tariff changes are currently having on the Irish economy. In the first three quarters of the year GDP recorded

double-digit growth on an annual basis. Front-loading of pharmaceutical exports to the US in anticipation of tariffs played a key role in driving headline activity in the opening months of the year. The continued strength of GDP in recent quarters suggests structural factors may also be at work, including significant underlying demand for a limited range of subcategories of pharmaceutical exports. My Department will continue to monitor developments in economic activity as more data becomes available. It is also important to say that forecast done by my Department was on this idea of a 15% tariff. We need to remember pharma is still at 0% because we have not yet had the outcome of the section 232 process and we need to monitor that very closely as well.

It is evident global trade has become increasingly less conducive to the free and open exchange that characterised recent decades. In responding to the more challenging trading environment, this Government remains committed to ensuring the continued competitiveness and resilience of the Irish economy - controlling what we can control.

Deputy Tony McCormack: Gabhaim buíochas leis an Tánaiste. Our economy has shown remarkable resilience in recent years and Irish exports have held up strongly despite global tariff uncertainties. That is a credit to our businesses. However, SMEs and retailers are operating on very tight margins and tariff-linked increases in import costs risk eroding their competitiveness on the ground. Will the Tánaiste outline what steps his Department can take to support SMEs and retail businesses in managing tariff-related cost pressures in order that they can remain competitive, protect jobs and continue contributing so strongly to Ireland's economic performance?

Deputy Simon Harris: The Deputy is very much right. That is the reason we set up the Government trade forum. We have in the room now all relevant Departments, including mine, along with the Departments of Foreign Affairs and Trade, public expenditure, agriculture and enterprise. We also have the IDA and Enterprise Ireland meeting ISME, Chambers Ireland, IBEC, the American Chamber of Commerce Ireland and all the various agencies so we can continue to hear from the front line exactly what challenges they face.

We continue to see an economy that is growing despite the tariffs. We continue to see a significant amount of what we export being exempt from the tariffs but it is why we have taken a number of decisions to try to support Irish businesses and SMEs. It is why we took the decision on the VAT rate on hospitality. It was not popular with everybody in this House but it makes a real difference in supporting cafés, restaurants, hotels serving food and the rural pub. It is also why, through the NDP, we are investing significantly in the infrastructure our towns, villages and cities need to remain competitive. We also published an action plan on market diversification with supports available through Enterprise Ireland.

Deputy Tony McCormack: One area feeling the impact of tariffs more directly is the Irish whiskey sector. Irish Distillers, Tullamore Dew and other smaller whiskey producers are paying higher tariff rates in the American market than Scotch producers while American bourbon enters the EU with no equivalent tariff. Irish whiskey is an export success story and a major employer across rural Ireland. Will the Tánaiste work closely with our EU partners to secure improved tariff conditions for Irish spirits so brands like Tullamore Dew can compete fairly and continue to grow on the world stage?

Deputy Simon Harris: I absolutely will. The Deputy is right. This is the sector that got away from the final deal. I know from talking to the EU Commission and counterparts this is the next big priority for Europe because of course it affects us here via Tullamore Dew and Irish Distillers but it also affects France, Italy and other countries, as well as Scotland, if you like, outside the EU. This is an issue we as a country and as a Union would have liked to see in the deal. From my conversations with Secretary Lutnick and Ambassador Greer, President Trump's trade representative, what we all have to do now is show good faith in delivering on the agreement that is in place. That work is under way on both the EU and US sides. Then we have to sit down around a table again and see whether there are areas where it simply makes sense to do more.

The Deputy is right. I have been in Washington, New York and across the United States and there are Irish companies and distillers that would have made investments in the US that would have created US jobs but that have stopped or at least paused those as a result of the impact of the tariffs. President Trump's agenda is about creating more jobs in his country. We can help with that agenda but the 15% tariff is a problem in relation to that.

Tax Code

8. **Deputy Rose Conway-Walsh** asked the Tánaiste and Minister for Finance if his Department is considering any review or potential increase of the VAT registration threshold for the self-employed; and if he will make a statement on the matter. [64580/25]

15. **Deputy Barry Heneghan** asked the Tánaiste and Minister for Finance the reason a graduated VAT system based on business size or turnover was not considered to support small and family-run SMEs; if his Department has examined such an approach to provide meaningful relief for community businesses; the alternative measures being developed to ease the VAT burden on smaller enterprises; and if he will make a statement on the matter. [64591/25]

Deputy Rose Conway-Walsh: I ask this question in the context of how sole traders and self-employed people are struggling right now. I ask in particular what consideration the Tánaiste has given to raising the VAT threshold, especially in the area of services from €42,500 to try to alleviate the administrative burden on these sole traders and self-employed people.

Deputy Barry Heneghan: I wanted to raise this as well to ask the reason a graduated-----

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): I am sorry Deputy, the Minister responds first and then you.

Deputy Barry Heneghan: Sorry, I am still new to the House.

Deputy Simon Harris: I am not and I did not know what happens.

I thank the Deputies for these questions. I propose to take Questions Nos. 8 and 15, together.

The VAT registration thresholds are, as the Deputies note, subject to the requirements of EU VAT law, with which Irish VAT law is obliged to comply. Under the directive there is an upper limit of €85,000 on registration thresholds that member states may apply. Ireland's VAT registration thresholds are set at €85,000 for supplies of goods and €42,500, as Deputy Conway-Walsh noted, for supplies of services. These VAT goods and services thresholds were increased from €80,000 and €40,000, respectively, in the Finance Act 2024. Even if the turnover is less than a threshold limit, a business may elect to register for VAT. Ireland's current registration thresholds are some of the most generous thresholds in the EU, with some member states not operating any threshold, meaning all businesses are required to register for VAT. We have one of those higher thresholds. The thresholds are kept at an appropriate level to support small businesses by reducing administrative burden, but also not to cause competitive distortions or undermine tax compliance.

The VAT directive provides that member states may fix varying thresholds for different business sectors based on objective criteria. A separate threshold cannot be set for self-employed people, SMEs or family-run businesses, as an example. Thresholds must be sector-based and not based on the type of business structure. As a result, a review of the registration threshold for the self-employed is not proposed.

Budget 2026 tried to take a number of measures to assist small and medium businesses in light of the action plan on competitiveness and productivity, and the programme for Government commitments. The programme for Government commits to implementing a pro-enterprise tax policy over the course of the term. This includes commitments to deliver change to hospitality, to examine further tax credit supports for R and D and innovation, and to continue to review and simplify existing enterprise reliefs. I believe budget 2026 makes some progress in this regard.

The question is why there is a different threshold for goods and services. Ireland's VAT legislation applies different registration thresholds to the supply of goods and services. The rationale for this relates to the difference in the nature of the two supplies. In general, the value added on the supply of goods is much smaller relative to turnover compared to the supply of services, where the value added reflects the direct input of the business proprietor or staff, along with the cost of indirect inputs, such as parts. We keep both of these threshold levels under review and will continue to do so in the forthcoming budget.

Deputy Rose Conway-Walsh: I am asking the Minister to undertake greater exploration of this. One of the reasons for this concerns the impact of inflation. We live in an environment that is constantly changing and it is important to examine these things. I am familiar with the different rates in the EU; some are higher and some are lower. In Britain, for instance, it is the same for goods and services at a straight £90,000 sterling. We need to listen to the self-employed. I try to speak to as many of the self-employed as possible. What they are saying to me is that they find it too low, given where they have to register, and that is also the case when passing it on to consumers. They say it is okay if they are trading with another business, but they might be trading with a vulnerable person or a television repair person trying to fix somebody's television, or something like that. They say that they have to pass this on, although the person in the house might not have a lot of disposable income in the first instance.

Deputy Barry Heneghan: I would support a graduated tax system based on business size and turnover - a tiered system, like in other EU countries. I would particularly support small family-run SMEs. Is the Department examining such an approach to providing meaningful relief for community businesses? Are alternative measures being developed to ease the VAT burden on smaller enterprises? The Minister referred to this in his statement.

I also raise the issue of the burden of the cost of renewing the general employment permit after two years. It is €1,500. For a small SME, that is a lot of cups of coffee and scones to be sold to reimburse the cost. I do not think it should be as high to renew the general employment permit after two years. I can understand the initial cost, but it should be reviewed for SMEs.

Deputy Simon Harris: I thank the Deputies for their questions. To recap my position, I have tried to outline why, to date, there has always been a policy differential in the threshold for goods and services. There is some validity to that. The Deputy is right that there are some European countries that might have a higher threshold than Ireland, but Ireland certainly has one of the higher thresholds, so we are certainly at the upper end in Europe. I am quite comfortable with that, by the way, as I think it ensures we are exempting small businesses from that administrative burden.

The Deputy did not ask directly, but I want to put this on the record of the House because it is useful for the Deputy's work. If we were to increase the €42,500 to €85,000 for services and, in other words, equalise it, this would cost in the region of €100 million. At this stage, it is useful to put that out there.

We cannot differentiate between the self-employed and the family-run. I am not saying that is what Deputy Heneghan is looking for me to do, but I know what he is looking for me to do, which is to better support them. We want to do that. We can differentiate between the sectors but we cannot differentiate between ownership types.

I will keep under review for forthcoming budgets the broader point that Deputy Heneghan makes. We have taken some actions in this budget to try to assist small and medium businesses. Deputy Conway-Walsh referenced the selling of scones. I am very proud of the reduction that we are making to VAT in the hospitality sector, although some are not. I think it is going to make a big difference to people because it is effectively reducing the cost of running a café, a restaurant or a pub that serves lunch. At a time when there is so much external pressure on the Irish and European economy, it is prudent to try to support jobs and those who create the jobs in that sector.

We have also made changes to the R and D tax credit. That is often talked about as an FDI initiative and foreign direct investment benefits from it. Interestingly, the larger number of applications for it are from Irish companies, many of which are SMEs and microenterprises. We need to get more information out about that to further encourage the uptake. I will reflect on what both Deputies have said.

Deputy Rose Conway-Walsh: I am very supportive of the R and D tax credit. A previous question was asked about our competitiveness. Innovation at all levels of business is very important. I am glad the Minister said it would take €100 million to bring it to €80,000 for services. The Minister may already have this information. If he does, I might ask him another

question to try to get information on the position if we were to bring it to, say, €50,000, €60,000 or €70,000. It is worth examining this with regard to how we might change it. We have to remember that one of the other big things is that these people are not allowed to pay the PRSI rate that would enable them to get sickness cover or anything like that. They are often in a very vulnerable situation. I know we cannot just have it for the self-employed and sole traders. However, we need to look at this because supporting small and medium businesses, the self-employed and sole traders is important to our economy.

Deputy Barry Heneghan: I am not asking for more supports. I know there have been a lot of them, and I am proud of some of the supports in the budget. I am asking whether the Department is examining a tiered tax system based on turnover per business, say, €300,000 to €400,000, based on the differentiation in their turnover.

The Minister spoke about supporting entrepreneurs. The current wage subsidy scheme needs to be reviewed for self-employed people with disabilities and self-employed entrepreneurs who are employing people with disabilities. Such a measure would be very welcome and long overdue. As I have stated in the House, my PA, Michael Reynolds, has a disability, but I cannot avail of the wage subsidy scheme to support him. It has not held him back. However, we need to review that for those in this House. The more people with disabilities we have near policymakers, the better we will be at dealing with and fighting for people with disabilities. If the wage subsidy scheme could be extended to Members of this House, it would really help us with that.

Deputy Simon Harris: I was checking the figure on the R and D tax credit while the two Deputies were speaking. Some 87.5% of claimants of the R and D tax credit are SMEs, so while the greater quantum is claimed by FDI because of the size of FDI, the overwhelming number of applications is coming from SMEs. That shows it is working and has the potential to work even better.

I would make the point that we raised the thresholds in the Finance Act 2024. Both Deputies made the point but, in the past, we have done that. Of course, there are issues that can be considered in future budgets.

Both Deputies will understand that I have been Minister for Finance for a couple of weeks and that we have yet to pass the Finance Bill for this year's budget. I am not going to speculate on what will potentially be in the next one, other than to say that we can have useful debates and discussions and tease through these issues over the course of the year in the House, at committees and through parliamentary question sessions and the like, in advance of future budgets. We all want to pursue pro-enterprise policies. We have to back indigenous business. We have to continue to make our economy competitive and make it a good place to invest. We are reliant on FDI for many reasons, and those companies also benefit from being located here. However, the backbone of the Irish company has always been our indigenous industry. We all need to work together to see how we can best support that.

On the wage subsidy scheme more broadly, I am conscious that the Chair of the Oireachtas social protection committee, Deputy John Paul O'Shea, is the Acting Chair. We have published the new national disability strategy and the human rights strategy. There is a real focus in that strategy, rightly, on employment for people with disabilities. The first meeting of the oversight

group was yesterday. Deputy Heneghan's PA, Michael Reynolds, does an excellent job. I am sure good work could be done through the Oireachtas committees and through that new strategy on how we help more people with a disability to get into the workforce and how we help more businesses to hire and employ people with a disability who can make a very good contribution to their businesses. I will ask the Minister, Deputy Calleary, to link with the Deputy.

Derelict Sites

9. **Deputy Thomas Gould** asked the Tánaiste and Minister for Finance if he has met with the Revenue Commissioners to discuss the new derelict sites tax. [63073/25]

Deputy Thomas Gould: Will the Tánaiste update the House on whether he has met the Revenue Commissioners to discuss the new derelict sites tax? Will he consider starting the collection of the derelict sites tax on 1 January 2026 or early 2026, and not 2027?

Deputy Simon Harris: I thank the Deputy. I have heard him speak in this House passionately about lots of things, including the issue of dereliction in recent times. Dereliction during a housing emergency is a particular challenge as something that should be almost socially unacceptable. We have an emergency. All of us recognise that. We have different views on how best to tackle it, but tackling dereliction needs to be an important part of that.

I have to be honest, as I was during earlier question replies. There is quite a significant piece of work to do to move from a derelict levy collected by the local authorities - I am not in any way having a go at them; they do a good job - to a consistent national tax collected by the Revenue Commissioners. The benefit of announcing the tax in the budget a couple of months ago was that we all want this tax to act effectively as something to change behaviour. We are not actually looking for this tax to collect loads of money; we are looking for it to send out a very clear message that if you are sitting on a derelict property in a housing emergency, we are going to tax you. It is not just that we are going to tax you; it is also that Revenue will collect the tax. People know Revenue is very good at collecting tax. That there is a benefit in making it very clear - as my predecessor, Pascal Donohoe, did - that there will be a derelict tax that will be collected not by the local authorities but by the Revenue Commissioners is important.

We will have to do quite a few things, being honest, to get this ready. I have spoken briefly to the chairman of the Revenue Commissioners on this matter, and I will be speaking to him more substantively soon, but I know Revenue is gearing up for this. My officials have had lots of significant engagement with Revenue. The big piece of work to be done here is that we will have to legislate in this House for it and we plan on doing that in 2026. I will bring forward legislation and I look forward to debating the design and structure of that tax then. We have not set a rate for it. I will say in the House this evening that it certainly will not be lower than the 7% that is currently charged as the dereliction levy.

The local authorities have a piece of work to do as well in mapping out and identifying all of the derelict properties and ensuring that is done in a consistent manner regardless of whether one lives in Cork or Wicklow. Otherwise the tax would not be sound, quite frankly. There is a big body of work to be done. I want to see the tax introduced as quickly as possible, but we

will not be in a position to collect this tax in 2026. I would be misleading if I suggested otherwise but we can get a lot done in 2026.

Deputy Thomas Gould: The Revenue Commissioners taking over the collection of the derelict sites levy is one thing we can support. It is something Sinn Féin has been advocating for years. My worry now is this: for how long more will land hoarders and speculators who are sitting on sites be able to get away with it? Cork City Council is one of the best local authorities at implementing the levy but it is still only collecting one third of it. Cork City Council has €5 million outstanding. There are millions of euro outstanding while speculators see the value of their properties go up and destroy communities at the same time. Will the Tánaiste commit that the levy will come into place on 1 January 2027 at the very latest? Local authorities have derelict sites registers at the moment, but they are not complete. I agree with the Tánaiste on that. There is a lot of work to do but there are registers there. Can we start with the people who are, in most cases, the worst offenders?

Deputy Simon Harris: I enjoy these rare moments of agreement between Deputy Gould and me. He often shouts at me from the other side of the House and the odd time I shout back as well. As we come up to the Christmas period, it is nice to have a rare moment of harmony so let us cherish that. We are having this rare moment of harmony because we both recognise that dereliction is a real scourge. Deputy Nash made this point earlier from a public health point of view, a safety point of view and the point of view of a sense of community, but the housing emergency also puts an acuity on it. I want to do this as quickly as possible. I do not want to mislead the Deputy or the House on it. I take the Deputy's point and accept his bona fides when he asks if we can start with a certain group. The truth is that once we introduce a national tax, we cannot start anywhere; we have to start everywhere. It is no different with the movement from the current levy to the new tax. It has to be consistent and applied without fear or favour, no matter where the property is located in Ireland and no matter which local authority area is involved at present. This is a big body of work for the local authorities. I will help and support them, as will the Government, in undertaking this. I will visit Cork City Council, on the invitation of its chief executive, in January. I am sure we will have a chance to discuss dereliction and other issues. We will do this as quickly as possible but the plan is to legislate in 2026 and we can tease through all of these issues in the course of the legislation.

Deputy Thomas Gould: The Tánaiste and the Minister, Deputy Browne, have said that this tax will get more derelict sites turned into housing delivery, which I support. If housing delivery is not happening, the tax must hurt those who are abusing their communities. When I walk around a brilliant European city like Dublin, I look at the dereliction. It is the same in my own city of Cork. It drags the whole city and community down. I want to ask the Tánaiste a couple of things. Will the derelict sites levy that is collected in a local authority area be put back into that area to tackle dereliction locally? There is a job of work to tackle dereliction, to acquire these places through CPO and to take on these land hoarders. At this moment, if someone who has a derelict site paints it and can camouflage it, it is not considered derelict. I suggest that if someone has a derelict site that has been lying idle for years, even if it has a coat of paint, that is not good enough. If a site is not being used for housing, business or the community, it is derelict and the tax must apply.

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): Deputy Conway-Walsh has a supplementary question.

Deputy Rose Conway-Walsh: In parallel to this, it is very important to look at derelict sites that are owned by local authorities. The Tánaiste says this is a big job of work for them, and it absolutely is, but it is critical that we cannot be taxing someone on one side of the street when the local authority has a huge derelict site on the other side of the street and is doing nothing about it. I do not necessarily blame the local authorities. They need to work with the centre. I respect that the Tánaiste is not the Minister for housing, but he is the Tánaiste. That has to be done because even his own councillors on Mayo County Council were raising this issue yesterday. Councillor Ger Deere was raising this in respect of Castlebar. That situation is not tolerable either. There needs to be a fast-tracking of the local authorities' derelict sites to make them into accommodation that can be used in towns. There is also the unsightliness of these sites at a time when we are trying to do urban renewal and make these towns look attractive.

Deputy Simon Harris: The point Deputy Gould makes about what is derelict, and getting all of that right and underpinning it in legislation, is exactly what we will have to do when we are bringing the legislation through this House. The Deputy is right when he says that it cannot be just a lick of paint or somebody pretending to resolve the dereliction. We all have to be serious about this. We can debate the structure and composition of the tax - all that sort of stuff, including some of the questions the Deputy asked - during the course of the debates on the legislation. We all agree that we do not want this tax to be something that brings in loads of money. We want it to be something that changes behaviour. Quite frankly, we want the financial penalty of having to pay the tax to be something that moves the dial. That is the aim.

It is a bit like the residential zoned land tax we were discussing earlier. I am kind of pleased we held our nerve, as a Government and as an Oireachtas, in relation to the residential zoned land tax. There were teething issues. We all heard from farmers with legitimate issues. The fundamental idea is that it is not for farmers, who are not landlords at all. If someone is sitting on land and hoarding it and it is in a residential zone, they are meant to be building houses on it. Their options are to build houses on the land, sell the land to someone else who will build houses on it, or pay a tax. There is a housing emergency. The residential zoned land tax is in place. We are moving from a levy which is inconsistent, and even the best local authorities have challenges in collecting it, to a tax collected by the Revenue Commissioners.

Urban Development

10. **Deputy Paula Butterly** asked the Tánaiste and Minister for Finance if Dundalk and Drogheda will be included in the Finance Act 2024 to ensure that the living cities initiative can commence in 2026; and if he will make a statement on the matter. [57738/25]

Deputy Paula Butterly: As it is my first time to address and put a question to the Tánaiste as Minister for Finance, I wish him very well in his new role. On budget day, Dundalk and Drogheda were cited as two of the towns that will be part of the new living cities initiative. Will the Tánaiste be so kind as to outline the next steps and how we will get it up and running in 2026?

9 o'clock

Deputy Simon Harris: I thank Deputy Butterly for her kind words and I look forward to working with her, as we already do on many issues.

The living cities initiative is a targeted measure which is aimed at specific areas in need of regeneration. It currently offers income or corporation tax relief for qualifying expenditure incurred in the refurbishment and conversion of qualifying residential and commercial buildings located within special regeneration areas of Cork, Dublin, Galway, Kilkenny, Limerick and Waterford.

The recent budget announced a number of enhancements to the living cities initiative to strengthen the scheme, with such changes included in the Finance Bill which has gone through this House and is now progressing through the Seanad. It was announced, much to the Deputy's delight and the delight of her constituents, I am sure, that the living cities initiative would be extended to five regional centres as set out in the national planning framework: Athlone, Drogheda, Dundalk, Letterkenny and Sligo.

The Finance Bill also creates a new category of relief which will apply to the part or full conversion of commercial premises, shops, buildings, etc., into residential premises. Importantly, the building age rule will not apply to such conversions. It is about trying to make it as easy as possible to get above the shop space or derelict commercial space back into use as well.

The specific cities and towns in which special regeneration areas may be located are not specified in primary legislation - they never are. The existing areas were designated following consultation with the relevant city councils and an independent review by a third-party adviser. Specific criteria were set down in respect of the areas which should be included within the remit of the living cities initiative which were required to be taken into account by the relevant councils when putting forward the proposed area for each city.

For the scheme to start to apply in the five new towns, including Dundalk and Drogheda, special regeneration areas in each town must first be identified and designated by statutory order made by me in accordance with powers already provided for in the Taxes Consolidation Act 1997. The designation of the new special regeneration areas will require careful planning and preparation in consultation with the relevant local authorities.

I intend to ensure that we write to the local authorities this week and ask them to return their draft maps by the end of January. I would expect the mapping process to be completed by the end of quarter 1, with applications to open by June at the latest. I hope this will be good news to people in Dundalk and Drogheda.

Deputy Paula Butterly: When two of the five towns identified are Dundalk and Drogheda in such a wee county, the Tánaiste can obviously imagine that the wee county is jumping for joy because we see this as a vote of confidence in the county in the famous, or infamous, M1 corridor. Drogheda and Dundalk have huge potential but let us acknowledge the fact that we have a lot of underutilised and older buildings - a lot of stock that can be regenerated. When these maps are sent in by the local authority, and I have it on good authority - pardon the pun - that Louth is ready to submit these maps to the Department for review, I ask that we take into

consideration not the here and now, not a restrictive town centre with a couple of streets here and there, but the expansion out towards the settlement boundaries, and that we are planning for today but also for tomorrow and for ten years. Let us make the most of this initiative and give the businesses and the communities the possibility of reaping the benefits of such an initiative.

Deputy Simon Harris: There is so much potential in the M1 corridor, that north-east economic area. The announcement of the partnership between Dundalk Institute of Technology, DKIT, and Queen's University Belfast has the potential to be transformational. I really believe that. Coupled with the living cities initiative, that will bring much-needed Government support through the tax system to Dundalk and Drogheda to tackle vacancy and dereliction. It will be welcome.

We designate the areas - the maps - in consultation with the local authority. I am pleased to hear and know of their enthusiasm in Louth County Council. They are ready to do this. We will write to the authorities this week formally asking them to get their maps in by the end of next month. We will then have an independent third-party assessor. That is important for the integrity of the scheme. We did that previously. I would like to get the mapping process done by the end of quarter 1 and I would like applications to be able to be received over the summer period, from Dundalk and from Drogheda. I say that in the hope that the communities, the local authorities and everyone can begin to prepare for that reality.

Deputy Paula Butterly: This is not only about bricks and mortar. This is about restoring vibrancy and safety. Let us not undervalue the fact that when we get our town centres regenerated, working again and bustling, there will be the important effect of passive surveillance. People feel safer on the streets, but also at night-time, when you have people living above the shop. There is an added layer of security. When I say it is not only about bricks and mortar, it is about reviving communities. It is about faith and confidence in the local economy.

Drogheda and Dundalk have huge potential. A lot of it has been undervalued in Drogheda. We have to keep going, but I am also very positive about the number of initiatives that have been taken over the last 12 months: the commitment from the ESB, the commitment from Uisce Éireann, and phases 1 and 2 of the port area northern cross route, PANCR, about to get going. I sincerely hope that phases 3 and 4 will receive the Government funding they need.

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): A supplementary from Deputy Neville.

Deputy Joe Neville: I thank the Cathaoirleach Gníomhach for allowing me in. The Tánaiste would be surprised if I heard about the liveable cities and towns and potential economic benefits going to other areas and I did not take the opportunity to mention north Kildare and the need for regeneration of the towns in the context of the liveable cities. I am talking about liveable towns and how we can widen the scope of the scheme, which is obviously welcome.

Last week, I spoke in the House about the housing Bill and the benefits of it. I referenced that when benefits are introduced, a lot of the time we see the small scale to the small towns

and village and a significant amount of grant funding going rural communities. Often we see the urban regeneration and development fund, URDF, and the living cities initiative funding going to these older towns to regenerate them. Often the towns that are missing out are those such as the Tánaiste's own town of Greystones, and Bray, Leixlip, Naas, Maynooth and Kilcock. How do we introduce a scheme that can benefit those towns in a similar way to the living cities initiative?

Deputy Simon Harris: Deputy Neville is right. We have to be willing to look at every possible way to help tackle vacancy and dereliction but also to bring back vibrancy in towns, including towns that are not classified as older towns but are vibrant and growing and often have other challenges such as the population growing so fast and keeping up in terms of the infrastructure. The Deputy regularly keeps me on my toes in this House on the infrastructural needs of Kildare. There are some supports such as the vacant premises refurbishment grant that is in place nationwide and is having real benefits in getting premises back into use.

Deputy Butterly is right that safety is a big issue. If we can get town centres with people living over the shop again, with no derelict buildings and either new businesses open or premises that will not open being converted into homes in a housing emergency, this is what it should be about. How do we recreate? What is the new main street or new town centre looking like? I am really excited. There are real benefits to Louth in this, to Dundalk and Drogheda. Not only have we extended the scheme to the five new areas under the national planning framework, including Dundalk and Drogheda, we have also improved the scheme. I encourage everybody to look at the improvements we have made to the scheme, including the new living over the shop element.

Tax Reliefs

11. **Deputy Joe Neville** asked the Tánaiste and Minister for Finance if his Department has considered increasing the domestic excise duty threshold for Irish brewers from the current 30,000 hl previously set at 20,000 hl prior to 2019; and if he will make a statement on the matter. [64556/25]

Deputy Joe Neville: I welcome the Tánaiste here in his position as Minister for Finance and extend best wishes to him in his term ahead. My question is to ask the Minister for Finance if his Department has considered increasing the domestic excise duty threshold for Irish brewers from the current 30,000 hl, previously set at 20,000 hl prior to 2019, and if he will make a statement on the matter.

Deputy Simon Harris: I thank Deputy Neville for the good wishes. I look forward to working with the Deputy on all things Kildare and all things national in this role, as we do already.

I thank the Deputy for this question in what is an important and growing sector of the Irish economy. The EU legislation which governs the harmonisation of taxes on alcohol across the Union allows member states to offer certain excise relief to independent small breweries. Under Article 4 of the alcohol structures directive, member states may provide relief of up to 50% of their standard excise rate on beer produced by qualifying microbreweries in the EU.

Where a member state provides such relief, the member state must also provide the relief to any qualifying microbrewery supplying that market but which produces its beer in another member state or in Northern Ireland.

Ireland has implemented the excise relief for microbrewers of beer since 2005. Under Irish law, a microbrewery can qualify for relief if it produces up to 75,000 hl per annum, or 7.5 million litres, in the EU. Relief is available on up to 30,000 hl, or 3 million litres, produced by a qualifying microbrewery. The relief is granted at a rate of 50% of the standard Irish excise rate on beer. This means that the excise on relieved beer produced by a qualifying microbrewery is €11.27 per hectolitre per cent of alcohol instead of the standard rate of €22.55 per hectolitre per cent of alcohol. Two or more breweries working together with a licence, franchise, contract or other co-operation arrangement in place are permitted to avail of the relief if their joint production is up to 150,000 hl per annum. The excise relief of 50% is at the maximum permitted under the alcohol structures directive. Any change to increase the volume of beer subject to the excise relief would require legislative amendment. Policy considerations would include the impact on the overall cost of the relief and the fact that the measure would narrow the tax base. Also, the relief is not limited to Irish producers only so changing its availability would not solely benefit producers located within the State. EU-based microbreweries exporting beer into the State could be significant beneficiaries of any expansion to the volume threshold. However, we produce tax strategy group papers each year. On foot of the Deputy raising this issue, the prudent and sensible thing to do is keep the operation of the microbrewery relief scheme under review annually as part of the budgetary cycle and in the tax strategy group papers in advance of the next budget.

Deputy Joe Neville: Like every other market, it is evolving continually. Microbreweries is an industry that really took off over the past number of years. It has grown really well but at the same has its own difficulties and considerations. There has been some contraction in the industry. There have been a lot of increases in costs which has caused difficulty for some of those breweries. The Tánaiste referenced breweries going together but ultimately there are individual businesses and breweries brewing on behalf of other companies and passing on to them. The problem is the person brewing it, when it has come through those customers, even though they are brewing on behalf of someone else, they can get caught in that. In the end, we might actually be restricting competition by not extending it.

Deputy Simon Harris: That is a fair point. I will provide some figures which might be useful. I can send them on in tabular form to the Deputy with more detail. Since 2021, the amount of relief claimed by way of remittance is around €7 million to €8 million per annum. Most claimants are understood to opt for remission. In terms of claims made each year, there are around 70 to 90. To give an example, in 2024, the most recent year I have full figures for, the number of relief claims was 80. There were 74 in 2025 up to 31 August. We introduced the relief in 2005. We made changes in budget 2015 in the qualifying production threshold and the quantity on which the relief may be claimed was increased. In budget 2016, a measure was introduced by which claimants can opt to receive relief by way of remission as well as repayment. We took more measures in budgets 2017, 2020, 2023 and in budget 2025 we extended the relief to include high-strength cider and other fermented beverages other than cider and perry. We continue to keep this under review. It is a growing and an important sector of the Irish economy.

Deputy Joe Neville: I welcome the Tánaiste's response especially his view that we have to keep monitoring this. Like every industry, we need to support it as best we can. It can be a fundamentally Irish product and industry. We want to protect it, look after it and enable it to grow considering it has its own difficulties. We all know the difficulties these sort of industries face. We spoke about it earlier with the whiskey industry and a lot of brewers that export to the US but face difficulties in that regard. It is important and incumbent on us to continue to look at this and how we can support the industry. I welcome the opportunity to discuss this with the Tánaiste tonight. I will continue to liaise with him and his Department.

Deputy Paula Butterly: I could not but help but put my hand to ask a further question when I heard a Deputy talk about something being fundamentally Irish. When I hear the words "whiskey" and "beer", I am automatically reminded of the farmers and tillage farmers in particular. While I know this is a request that will require cross-consultation with the Minister for Finance, the Minister for agriculture, Deputy Heydon, and the Minister for enterprise, Deputy Peter Burke, we have to look at an incentive or a tax regime that will allow tillage farmers to produce and provide the grains necessary to the brewery system. We cannot have whiskey and beer produced in Ireland that is primarily made from imported grain. We have find an incentive so that we can use Irish grains in Irish whiskey. A solution has been found in Scotland. There is a case for it. I would love a further opportunity to discuss this with the Tánaiste and the Ministers for agriculture and enterprise. It is possible. It would be good for the industry, both the brewers and the tillage farmers.

Deputy Simon Harris: I thank Deputy Butterly. I am happy to take that opportunity. I will ask the Ministers for agriculture and enterprise to engage with her in relation to that. The ideal is an ecosystem that works for everyone but I do not profess to be extraordinarily knowledgeable on this. I would welcome that because tillage is a sector we want and need to support. It is one of the sectors, from an agricultural point of view, that aligns very much with our climate objectives. We have clear commitment in wanting to grow the amount of tillage farming in this country but it is a sector that often finds itself under pressure. I would welcome that conversation too.

I agree with Deputy Neville. Not only is this an important, direct benefit to the Irish economy in producing Irish products we sell here and abroad, we have to support people in selling it abroad in a challenging environment. That is why the Minister for enterprise and I launched the action plan on market diversification. It has also now become a tourism product. Lots of distilleries have tourism experiences which bring people into our towns. I am committed to working with people on this. I am proud of the measures we have put in place. The tax strategy group papers are an important place to continue to monitor this matter in advance of future budgets.

Question No. 12 taken with Written Answers.

Fiscal Policy

13. **Deputy Naoise Ó Cearúil** asked the Tánaiste and Minister for Finance the way in which the findings of the 'Future Forty' report will shape Ireland's fiscal policy in the coming years,

with particular reference to demographic change and global trends; and if he will make a statement on the matter. [64370/25]

Deputy Naoise Ó Cearúil: In September, the Tánaiste's predecessor published the Future Forty report. In what way will the findings of this report shape Ireland's fiscal policy in the coming years, particularly when it comes to demographic change and global trends? I am sure the Tánaiste is aware that a quarter of the population by 2060 will be over the age of 65, the Tánaiste and myself included, believe it or not. That will have a significant impact on State finances.

Deputy Simon Harris: That gave me an awful wake-up call. I had not thought of it like that but it is factually correct.

I thank Deputy Ó Cearúil for raising this question. Future Forty is a really important piece of work. I can say that because I had nothing to do with it. It happened before I was in the Department of Finance. Huge credit is owed to the officials in the Department of Finance, the chief economist John McCarthy and others, who worked very hard on this. We are often accused in politics, sometimes with legitimacy and sometimes not, of short-termism. Nobody can suggest there is anything short term about publishing a plan as to where Ireland will be not in five, ten or 15 years but in 40 years. That is the exact sort of big thinking and analysis one would expect a Department of Finance which has responsibility for economic policy to do. It is not a modern version of Mystic Meg; all it can do is look at various scenarios and, of course, scenarios can change depending on the policies we pursue. I say daily and will say again tonight that while it looks out to 40 years, it basically tells us there is a window of about a decade to put in place policies to mitigate against some of the challenges we may face in demographic change and slower economic growth, potentially, but also to look at the opportunities and how we can best harness them. Future Forty was published earlier this month. It explores the key drivers of Ireland's economy and public finances over the next forty years, on a no-policy change basis which of course is not what is going to happen because we will have lots of policies during that time from this Government and future Governments. It examines the long-term economic and fiscal impacts of global megatrends and other structural shifts including climate change, demographics, housing, healthcare, digitalisation, deglobalisation and potential EU expansion. The report presents a central scenario for our population, economy and public finances but also examines over 2,000 alternative scenarios using differing assumptions. It does not identify which scenario is most likely to occur but there are clear patterns which emerge across all trends and projections. I say to everybody in public policy - the Government, Opposition, Government Department and State agencies - that this is a tool for all of us to use to inform evidence-based policy.

Deputy Naoise Ó Cearúil: Go raibh maith again, a Thánaiste. While I said in jest we will both be retired by 2060, you never know. The main thing to bear in mind is that a quarter of the population will be at retirement age. That is going to have a significant impact on pensions and healthcare. Measures have been taken already - auto-enrolment will begin in the new year, which needs to be acknowledged. It is a crucial step to ensuring the future fiscal security of a lot of people, going into old age. However, there will be revenue challenges, particularly when it comes to our reliance on corporate tax receipts. There could be a vulnerability in this regard

so we need to consider broadening the tax base. This will be quite difficult, as we all acknowledge. If we are to take the document as a strategic one on how we are going to manage the economy, we will have to make painful decisions in the short term that will benefit society in the long term.

Deputy Simon Harris: The Deputy is correct. Future Forty does highlight that expenditure related to demographic ageing is expected to grow substantially in the coming decades. Healthcare, long-term care and pensions are expected to take up an increasingly larger amount of the Government's budget. Mitigation of the ageing costs will depend on improving efficiencies and ultimately boosting productivity in public services, including by integrating innovative medical technologies into our health system. Encouraging healthy living can help to keep costs manageable in the long run, too. Future Forty projects that climate costs will rise rapidly due to both long-run climatic changes and the increased frequency of extreme weather events. Although there is considerable uncertainty about the future cost of climate change, Ireland must prepare in advance to lower adaptation costs in the future. Additionally, I point to the cost of servicing our national debt. While this might appear relatively minor at present, Future Forty points to its becoming a growing burden if deficit and debt are used to cover rising costs elsewhere. Future Forty outlines hypothetical issues. Of course, there are also positive outcomes and opportunities. The decision on automatic enrolment, as the Deputy rightly said, is one whose immediate benefit people will not see in the short term, but they absolutely will see it in the future when they retire with better pensions.

Deputy Naoise Ó Cearúil: I thank the Tánaiste. I appreciate all that. The report contains measures we could take to achieve productivity gains. There are elements we could really tap into when it comes to digitalisation, in particular, and the likes of artificial intelligence, AI. There need to be guardrails for AI and that is why the national AI office is being established. There needs to be a proper and comprehensive examination of AI, which the Oireachtas joint committee and other bodies are doing, but we need to start considering ways to increase productivity significantly and take some of the drudgery out of administrative tasks. These could apply to the likes of waiting lists for surgeries and normal administrative tasks in various Departments. This is where we could start to see immediate and long-term economic benefits.

Deputy Joe Neville: Deputy Ó Cearúil's reference to drudgery and repetitive tasks brought me back to my days in PricewaterhouseCoopers, where I started as an auditor. There were many repetitive tasks.

Specifically on Future Forty, the Tánaiste's predecessor as Minister, Deputy Donohoe, put a very sensible budget in place. He was very anxious to ensure we would be left on safe ground for the future. Future Forty refers to corporation tax as something we cannot necessarily rely on and it also refers to broadening the tax base. Notwithstanding the sensible approach of the previous Minister, we really do need to focus on corporation tax to ensure we do not become overly reliant on it. As Deputy Ó Cearúil alluded to, we need to ensure the tax base is widened and not narrowed, as the Opposition continually seeks despite the fact that it talks about the need to increase spending on this and that.

Then again, it never wants any taxes whatsoever to be raised. That is the dichotomy we have to deal with in this House. I just want to get the Tánaiste's views on it.

Deputy Simon Harris: I agree with Deputy Neville on the importance of continuing to run budget surpluses and invest in our Future Ireland Funds – the Future Ireland Fund and the Infrastructure, Climate and Nature Fund – and the importance of continuing to be prudent in our spending of public money. That is why the Minister for public expenditure, Deputy Chambers, and I will bring to the Cabinet next week the medium-term fiscal framework, which will anchor our spending and tax plans not just for a year but also for the five years ahead. That is important for guarding our economy and for planning the delivery of public services that we get on with implementing the programme for Government.

I agree with Deputy Ó Cearúil on the use of technology, including AI. I am aware that the Minister for public expenditure, Deputy Chambers, is very strong on this. He has introduced a plan on digital services and the use of digital technology in the public service. Of course, there have to be guardrails and all of that. AI is not going away, as has been said. It is actually a tool that can be used for good, subject to having a proper system of safeguards in place, including in the area of speeding up assessment times. Let us consider the progress we have been able to make using technology for passports. When we read Future Forty, as the Deputy has done, we see that the use of technology to increase productivity is a key component in addressing some of the challenges we will face in the time ahead and ensuring the costs of the delivery of public services will remain manageable.

National Treasury Management Agency

14. **Deputy Matt Carthy** asked the Tánaiste and Minister for Finance the progress he has made divesting State moneys from companies that derive profits from their activities in the occupied Palestinian territories. [64395/25]

Deputy Matt Carthy: Why is Irish taxpayers' money still being invested in companies that derive their profits from the illegal occupation of Palestinian territories? Will the Tánaiste give the House an update on efforts to divest from such companies?

Deputy Simon Harris: I thank the Deputy for this question, in which he has rightly asked me to outline the progress that has been made in divesting State moneys from companies that derive profits from their activities in the occupied Palestinian territories. The Government is clear in its opposition to illegal Israeli settlements, which are contrary to international law and damaging to the pursuit of peace in the Middle East. Ireland has not been found wanting in its support of the Palestinian people and has taken practical steps at national, EU and international levels. Indeed, we have been recognised internationally as a leading voice on this. Ireland has provided over €100 million in support of the people of Palestine since 2023.

The Ireland Strategic Investment Fund, ISIF, has complete independence in implementing its investment strategy under the NTMA Acts through an investment committee that reports to the NTMA's board. ISIF has taken a decision to divest from six companies, all of which remain on the updated UN database. While divestment from these companies does not mean that Israel will stop maintaining its presence in the occupied Palestinian territories, sadly, ISIF will continue to monitor its investments.

It is important to state the companies are ones that operate all over the world. ISIF's investment in them represents a very small proportion of its overall investments. More broadly, as the Deputy knows, efforts to secure a just resolution to the Israel–Palestine conflict and to the genocidal activity taking place in Palestine are ongoing. Our focus must remain on strengthening the ceasefire and bringing about peace.

ISIF has taken a decision to divest from six companies, all of which remain on the updated UN database and with a total value at the time of divestment of approximately €2.95 million. The six companies are Bank Hapoalim BM, Bank Leumi Le-Israel BM, Israel Discount Bank Ltd., Mizrahi-Tefahot Bank Ltd., First International Bank Ltd. and Rami Levi Chain Stores Ltd. I will provide the Deputy with the list in writing.

ISIF does not comment on individual investments but a list of ISIF investments is available in the 2024 NTMA annual report. I have been informed that ISIF will continue to monitor its holdings to ensure investments remain aligned with its risk profile and investment parameters, but it does not comment on individual investments. I am due to meet officials from the NTMA shortly.

Deputy Matt Carthy: It is not good enough that we continue to invest taxpayers' money in companies that derive their profits from a systemic apartheid regime, which involves the occupation of the West Bank in particular. We have known about this for years and that the occupation is illegal. We know of the real-life impact it has had. We also know that because Israel has faced no consequences whatsoever, it has continued to act with impunity, including through engaging in genocide in Gaza over the past couple of years. The very least we can do is ensure we are not investing public moneys in companies benefiting from all of this. While I welcome that there is divestment from six companies, that just shows that progress is far too slow. The Tánaiste indicated that he is going to meet officials from the NTMA. Is he going to instruct the NTMA to accelerate the process?

Deputy Simon Harris: I will discuss and get an overview on a variety of issues with the NTMA at a first sit-down meeting. ISIF has divested from six companies on the UN database. The NTMA also divested from directly held sovereign bond holdings with a global portfolio across Egypt, Israel and Jordan in July 2025.

It is important to note, as my notes suggest, that companies can come onto and off the UN database. Many of these companies are large, global companies. There needs to be that context too. These are large, global companies which can have a presence right across the world. Ireland's position on the occupied Palestinian territories has been clear and consistent in relation to their illegality. ISIF obviously has independence in relation to its investment strategy. That is not just independence that I say but independence under the law of the land, the NTMA Act, and under the investment committee that reports to the NTMA.

Deputy Matt Carthy: Companies can come on and off the UN database list but the question is what the point of having it is if it does not ensure that states act accordingly. The UN database sets out those companies that are deriving profits directly from the occupied territories, but it does not even cover all of the companies that are benefiting from Israeli war crimes. One company, Palantir, for example, has seen Irish investment increase since 2021. We are at a

point where our holdings are increasing but the value is increasing exponentially. This is a company that has provided the IDF with the resources to conduct its genocide. Is Ireland still investing in that company? Are there plans to divest from that company?

Deputy Pearse Doherty: This issue has been raised for many years. We have a new finance Minister. I would like a bit of straight talking from this finance Minister about his position. We are all appalled by the genocide that we have seen before our eyes with 70,000 people slaughtered. Deputy Carthy talked about one company. When accusations were put to the CEO of that company that his equipment was involved in the killing of Palestinians in Gaza, he said that is true. The UN human rights report stated that the company had provided defence infrastructure, military software and AI that allows automated decision-making, so it is using AI to automate the slaughter of Palestinians. Sometimes there is not much we can do about that. We can raise our voice, have sanctions and so on but one thing we can do is not invest in the company that is proudly associated with the IDF and the genocide in Palestine. That is what we need to do. Deputy Harris is a new Minister. I want him to state clearly to the House whether he believes that taxpayers' money should be invested in companies like that. There are many companies across the world that our money could be invested in. The NTMA does a good job but surely to God the Tánaiste can make a statement here that any other decent Irish person would have no problem with. Do not invest in companies that are involved in supporting genocide.

Deputy Simon Harris: When the Deputy uses words like "any other decent Irish person", I am not sure whether he is trying to suggest that we are indecent or to vilify.

Deputy Pearse Doherty: I am hoping the Tánaiste would make the statement and join the rest.

Deputy Simon Harris: I am wondering because the Deputy uses these loaded comments to suggest that he is decent and we are not.

Deputy Pearse Doherty: It is not decent to invest in genocide. I am clear that it is not decent to invest in genocide and I think the Tánaiste would be stretching it to suggest-----

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): Deputy Doherty, the Tánaiste, without interruption please.

Deputy Simon Harris: Do not shout me down. I do not know how long this bully-boy routine of shouting me down is going to go on but if the Deputy could just ask me a question and allow me to answer it, it is how a democracy works. Stop shouting me down. It is a bit of basic respect.

Deputy Pearse Doherty: I am not shouting the Tánaiste down. I am just telling him it is not decent to invest in genocide.

Deputy Simon Harris: The Deputy has been at this a long time. He knows the law of the land under the NTMA Act. Does he accept that the NTMA Act allows ISIF full independence in relation to its investment decisions? Does the Deputy accept that the Minister for Finance-----

Deputy Pearse Doherty: I accept that the Minister for Finance-----

Deputy Simon Harris: No, I am sorry, I am speaking. Then I will sit down and the Deputy can speak.

Deputy Pearse Doherty: The Tánaiste is asking questions.

Deputy Simon Harris: I am asking them rhetorically of the Chair.

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): The Tánaiste, without interruption please.

Deputy Simon Harris: Does Dáil Éireann understand that under the NTMA Acts, the investment decisions of ISIF are completely and utterly independent? Deputy Doherty tried to do this to my predecessor, suggesting that he was making decisions in relation to it. It was not true then and it is not going to be true now. The Deputy is not going to do it to me. If the Deputy wants to bring forward legislative proposals to change things, bring them forward.

Deputy Pearse Doherty: We have legislation. The Government is blocking it in the committee.

Deputy Simon Harris: We can have the discussion. The Deputy is asking me in parliamentary question time.

The second point I want to make, amidst the heckling on a serious issue, is that I do not need to be lectured on how to support the people of Palestine. Ask the Palestinian President, Prime Minister or ambassador how they have found our levels of support. I do not need a lecture from the Deputy. Is it his position that ISIF should not have any ability to invest in massive global companies that have presence right across the world, in many countries, including European countries, some which might even have headquarters in Ireland, if they have a presence in-----

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): We are out of time.

Deputy Pearse Doherty: If they are involved in genocide in genocide, the answer is very simple, yes.

Deputy Simon Harris: Is that the Deputy's position? That raises very serious questions.

Deputy Pearse Doherty: If they are involved in genocide, yes. I think any decent person would say the same thing.

Deputy Simon Harris: The consequences of that are very significant.

Deputy Pearse Doherty: The Tánaiste did not answer any questions I put to him. At least Paschal answered the questions-----

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): Deputy, please address the Chair.

Deputy Simon Harris: The Deputy misses Paschal.

Deputy Pearse Doherty: -----yet the Tánaiste is giving me lectures on democracy.
Is féidir teacht ar Cheisteanna Scríofa ar [\[www.oireachtas.ie\]](http://www.oireachtas.ie).

Written Answers are published on the Oireachtas website.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): 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 Sean Fleming - The transfer of patients from Erkina House in Rathdowney, County Laois and the future of this facility.

Deputy Rory Hearne - To discuss changes to bus networks in Dublin north west.

Deputy Jen Cummins - To discuss public transport improvements in Chapelizod.

Deputy Barry Ward - To discuss qualification for carer's leave for teachers.

Deputy Malcolm Byrne - To discuss ongoing human rights abuses against the Uyghurs.

Deputy Paula Butterly - To discuss when approved CIÉ pension increases will be paid.

Deputy Conor D. McGuinness - To discuss policing and community safety in Waterford.

Deputy Aidan Farrelly - To discuss capacity issues at Naas General Hospital and the status of planned capital works.

Deputy Pádraig Mac Lochlainn - To discuss the new school project in St. Eunan's College.

Deputy Louis O'Hara - To discuss the need for a 24-hour rapid response vehicle at Tuam ambulance base.

Deputy Pa Daly - To discuss the Bryan MacMahon Hall at Scoil Réalt na Maidine, Listowel.

Deputy Paul Murphy - To discuss bus routes across Dublin south west.

Deputy Tony McCormack - To discuss the issue of criminal activity in Edenderry.

Deputy Naoise Ó Muirí - To discuss the community supports available for those with an eating disorder at Christmas.

Deputy Aindrias Moynihan - To discuss the need to advance guidelines for biogas developments.

Deputy Marie Sherlock - To discuss State support for arts spaces and cultural venues in Ireland and emergency funding for the Complex, Dublin 7.

The matters raised by Deputies Sean Fleming, Naoise Ó Muirí, Aidan Farrelly, Pádraig Mac Lochlainn and Aindrias Moynihan have been selected for discussion.

Saincheisteanna Tráthúla - Topical Issue Debate

Mental Health Services

Deputy Sean Fleming: I want to raise the issue of Erkina House, Rathdowney, which is a long established and excellent HSE facility that comes under the mental health services. By definition, the residents are vulnerable people and are entitled to peace of mind and not to be upset by the HSE in their works. Three years ago, we raised this in the House, and the Minister of State, Deputy Butler, was with us and was personally involved in the situation where the HSE announced it was going to close Erkina House three years ago. The Minister of State, Deputy Butler, was directly involved and that did not proceed. There were 12 residents in Erkina House at that stage and the HSE, after that, announced the closure of this facility but subsequently publicly apologised to residents and their families for the unnecessary upset caused to them.

All I can say is here we go again with the HSE. Now it says there will be no new admissions to Erkina House. This is closure by stealth. Three years ago, the HSE guaranteed that no residents would be moved out without their and their families' consent. Very recently, I have had a family in contact with me, saying they were against their family member being moved out. If it is now happening, it can only be because the HSE has bullied them to accept the HSE's proposal. I understand there are two or three residents in Erkina House at this stage. This fits into the HSE agenda of closing Erkina House by stealth, which it has been working to do. The care provided by staff in Erkina House is superb. The care and attention and, if I am allowed to say it, the affection they have shown for the residents is exemplary. I sincerely hope the staff will be fully respected by the HSE and whatever arrangements it comes to will be outlined in detail to them. A key priority is also that the staff will be dealt with fairly.

I fully understand that Erkina House is an old building and does not meet the current health and safety standards which the residents and staff are entitled to. This is because the HSE has failed to invest and bring this facility up to a standard over the years. There also is an acute shortage of respite beds in County Laois and many Laois people who have had surgery in hospitals locally and require short-term respite are regularly told to go to another county as the HSE does not have adequate respite facilities in County Laois. The HSE should invest in its own respite facility rather than paying a fortune of taxpayers' hard-earned money to private

nursing homes. As everyone is aware, two private nursing homes in Laois are already under investigation and monitoring in relation to various matters and as a result, we are short on respite beds in County Laois. Erkina House would be an excellent respite facility for the area, as well as continuing the services it currently provides. I also suggested it as a suitable location for the health centre in the town, as the existing facility is recognised by all and the HSE as not being fit to meet the modern-day standards for facilities.

The HSE is turning its back on Rathdowney and south County Laois. Its two facilities in Rathdowney, Erkina House and the health centre, have been starved of funds and investment, and this is resulting in a poorer health service at the expense of the people in Rathdowney and surrounding areas. This must stop now. We need investment in these facilities, not closures.

Minister of State at the Department of Health (Deputy Mary Butler): I thank Deputy Fleming for raising the issue of Erkina House. We have been here before. The Deputy has been a long-time advocate for and supporter of Erkina House.

It is a key priority for me and for the Government that people experiencing mental health difficulties receive the appropriate level of care they require in the most suitable location in the community which best meets their needs. Achieving this involves reform of mental health services and developing fit-for-purpose community services that will meet people's needs into the future. I have just spent the past two and a half hours in the Seanad dealing with Committee Stage of the Mental Health Bill, and I will be back in there again tomorrow. It is important that we have services that are fit for purpose.

Erkina House is operated by the HSE as a fully staffed community mental health residence. The HSE has advised the Department that there are three remaining residents supported at the residence. Erkina House has provided much-needed mental health support to many people over two decades. I acknowledge the care and affection and immense mental health supports provided by the staff there. However, it is not the type of mental health facility we would build today. In that regard, there are documented issues with the configuration of the building as a mental health service.

In 2018, a report by the Mental Health Commission inspectorate outlined the need for a significant response to multi-occupancy rooms. This was further recommended by the HSE for the purpose of infection prevention and risk control during the Covid-19 pandemic. The HSE has advised the Department and me that Erkina House would be significantly non-compliant with forthcoming Mental Health Commission community residence standards and that a significant level of investment would be required to develop the facility in order to achieve the additional regulatory standards required.

An independent review was commissioned by the chief officer of the HSE midlands-Louth-Meath community healthcare organisation in 2022. The review was completed on the basis of a potential move of services to another location in County Offaly. This is no longer an option being considered by the HSE. The review strongly recommended that the views of residents on their future service provision be the focus of decision-making.

A person-centred management model has been implemented by the HSE, which has indicated that the remaining residents wish to move to other long-term care facilities elsewhere in the community. The HSE has advised the Department that this property is not suitable for upgrade

and adaptation, and, accordingly, no new admissions to Erkina House will be undertaken. The HSE has provided assurances to the Department as to the service provision being made for the existing residents to properly meet their needs. I will not go over these details on the floor of the Dáil because the number of people involved is so small that the individuals involved would be identifiable. I would be happy to engage with the Deputy offline on that matter.

It is important to address the situation with the staff. At present, there are 12 staff based in Erkina House, five nurses and seven multitask attendants. Consultation with staff and their union representatives is planned for later this month to collaboratively negotiate and agree transition plans. This will be informed by the expressed will and preference of the remaining residents on their plans to leave Erkina House to go into further long-term residential care.

In my concluding remarks, I will discuss the Deputy's concerns about Rathdowney and south County Laois and how we can work with him on investment in the area.

Deputy Sean Fleming: I thank the Minister of State for her response. I understand and appreciate what she is saying, but, obviously, I have a number of questions. As already stated, the Minister of State was involved in an issue relating to Erkina House a number of years ago and was very positive and helpful on that occasion.

The Minister of State indicated that a significant level of investment would be required to develop Erkina House in order to achieve the additional regulatory standards required. We all agree on that. Everybody in Ireland agrees. Everybody in Rathdowney agrees. The reason that is required is because the place was starved of investment in recent years. Those responsible deliberately made sure that nothing was done in an organised manner when there were up to 12 residents on the premises. They chose to close it by stealth. That is the word I would use. If the facility has been starved of investment, it will not meet the new requirements necessary for the health and safety and the mental health of the people there.

We have a great asset in Rathdowney. I have been told that the Minister of State has been looking at getting a new health centre in a different location. Very recently, I have had it in writing from the HSE that the Minister of State will not proceed on that basis because it is too expensive and that she will look at the property owned by the HSE in the town. I ask that there be an extension to the existing health centre at its current location or that it be combined with Erkina House in order that, like many other HSE buildings, it will have a dual use. I ask for that to be considered, if appropriate.

We are short of respite places. This facility could be suitable in that regard. There are two nursing homes that have been in the national media and before the courts in recent months. As a result of that, the HSE is currently not using them. People looking for respite have to travel a very long distance outside the county to get that. People should be able to get respite within their own county. We have the property in Rathdowney. Of course it needs investment, but it could be a multi-use facility. I ask the HSE not to turn its back on Rathdowney, as it seems to be doing in the context of both Erkina House and the health centre.

Deputy Mary Butler: I understand the strength of the Deputy's feelings. As I said, he has been advocating for Erkina House for many years and also for the residents who live there and

who called it their forever home. I understand how difficult it is for residents who have lived in a facility that they will have to move away from for several reasons.

The Deputy has accepted that the building is no longer fit for purpose in the context of the provision of mental health supports. It no longer aligns with the mental health policy, Sharing the Vision, and HSE policies, including Time to Move on from Congregation Settings and Design for Mental Health Housing 2015 to 2017. However, I hear him loud and clear in relation to the facility. On many occasions, the HSE has moved out of facilities and they have been left unused. I am very much of the view that every option should be explored. I will make contact with the HSE in the region to see that all options are explored on the future use of the premises. I am conscious of the issues the Deputy raised in respect of the health centre.

My first priority is to the three residents at the facility in the context of making sure that they are moved on safely and securely and that they get the long-term residential care they need. My next priority is the 12 staff. This is a time of uncertainty for them. I will request that every effort be made to support the staff as they are relocated. Obviously, this can be a disruptive process for many people. I reiterate that I am happy to work with the Deputy to explore all options for the premises.

Eating Disorders

Deputy Naoise Ó Muirí: I am not sure if the Minister of State was in LH 2000 earlier for the lighting of the Christmas tree. It was a lovely event that kicks off the Christmas celebrations for many. Christmas offers a chance for families around the country to come together and reconnect. However, it can also be a time of additional emotional stress and pressure. I refer to the pressure of additional spending for those already struggling to make ends meet, the feeling of loss for families struggling with the death of loved one during the year gone by and the loneliness experienced by those who live on their own.

For those with living with eating disorders and their families, the Christmas season can bring huge pressure. As we approach the holidays, we have to acknowledge that Christmas can present unique challenges for these people. Pressures around food, social gatherings and changes in routine always intensify during this period. While many look forward to celebrations that involve food and drink and the social expectation to get involved, having to do so puts those who are suffering in an uncomfortable spotlight. People with eating disorders can often feel more isolated than ever at Christmas. They can be more aware of their own feelings of inadequacy and the depression and worry associated with their disordered eating.

As the Minister of State knows, eating disorders affect up to 5% of the population at some time in their lives. One of the challenges of supporting these people is that the supports they need cross the traditional divide between mental and physical supports and health services. I have met advocacy groups working in this area and have heard very strong testimonies from those who have experienced these conditions and their families, who have worked so hard around the clock to support them.

Young people are particularly vulnerable at this time of year. When schools close, key protective structures in those schools disappear. Teachers and guidance counsellors often play a stabilising role in a student's life, an influence that is absent for weeks during the holidays. Routines matter for these people and when they are disrupted, additional challenges arise,

intensifying distress and anxiety. I want to ask and examine how supports can be strengthened during this vulnerable period and if the Department of Health has considered issuing any specific guidance for families and individuals living and dealing with eating disorders over Christmas. Families need reassurance and practical advice. I want to acknowledge the excellent work done by Bodywhys, in particular their Coping at Christmas guide, which is a practical piece of work that offers strategies to those struggling to manage the stress associated with Christmas and to plan ahead.

Deputy Mary Butler: I thank the Deputy for raising this important matter. He is quite right that people look at Christmas in different ways. It is a really difficult time for some people. He is also quite right about the unique problems for people with an eating disorder and how they may feel more isolated than ever before.

We have a national clinical programme on eating disorders, which has progressed well, with 16 teams funded, 14 teams up and running and the national roll-out having substantially advanced across some of those teams. Dedicated investment in eating disorders continues and the HSE has spent over €9 million annually on eating disorder services under the clinical programme. It is an area I have prioritised since I came into the role in June 2020. That was a time we had one eating disorder team in place and two others funded, so we have made a lot of progress in relation to eating disorder teams in the community. We now have over 100 clinicians working on eating disorder teams, with eight consultant psychiatrists doing phenomenal work. We did see a huge peak in demand during the Covid-19 pandemic, especially young girls aged 15, 16 and 17 presenting with anorexia nervosa. The demand is there.

The Deputy highlighted how Christmas can be a particularly challenging time for people with an eating disorder and their families for many reasons. For those living with an eating disorder, the festive season often does not bring the same sense of anticipation as it does for others, and it is important that we acknowledge this. The build-up to Christmas, the changes in routine and expectations around socialising and food can contribute to stress, pressure and conflicted thoughts and feelings for people. It is very important that people with an eating disorder who need help reach out to the range of community supports available to them. These include their own care practitioners including their GP and mental health teams and the eating disorder association Bodywhys, which I want to acknowledge. I am very happy to be able to support Bodywhys through the mental health budget. It does a lot of really important work on the interaction between Christmas and eating disorders. The Deputy mentioned Bodywhys Coping at Christmas guide.

For anyone currently supported by an eating disorder team, the HSE has confirmed that all teams will make arrangements with service users and families for days when services are closed. In addition, the HSE Self Care app will have additional guidance on how to manage during Christmas.

Bodywhys has developed two excellent guides and a detailed podcast, led by a psychotherapist, with key information for people, families and carers on how to manage at this time of year. I encourage everyone to consult these guides on the Bodywhys website and will share this information with Deputies as needed.

Bodywhys has also advised the Department of Health that their virtual support groups will meet as normal in December, and that their helpline service remains open over the festive period with the exception of public holidays. If support is needed on these days, *yourmentalhealth.ie* has full information on emergency and out of hours supports available, including crisis phone and text support. I also direct people, particularly young people, to our new Navigator mental health support, Ireland's online tool connecting them to personalised mental health information, resources and support.

Deputy Naoise Ó Muirí: I thank the Minister of State for her response, and I acknowledge the development and service development work that has gone into this in the past number of years. As she set out, we started from a very low base, but it is hugely positive that the service is being developed.

It is important we recognise the challenges that many people face in our communities. Reduced service hours during the Christmas period has the potential of having a really negative effect and I really welcome the commitment from the HSE and the confirmation that teams will make direct arrangements and communicate. That is very positive. I appreciate that significant progress has been made through the national clinical programme. If these specialist services and structures are built, it is important they be available to people at those periods of heightened vulnerability like Christmas. Looking beyond Christmas, the review of the model of care for eating disorders will be crucial in improving how we respond to those challenges and I noted in a recent response to a parliamentary question that the bed capacity review is back from the HSE and is with the Department and the Minister of State. Can she give us any insight as to what that looks like? In-patient bed capacity is absolutely vital for dealing with all elements of these cases. It is an area that is complex, long misunderstood and that has been underinvested in and under-resourced. It is great to see resources going in. We must learn from those lessons coming through the national clinical programme and deliver evidence-based, dependable and well-co-ordinated services that support recovery from eating disorders at every stage in the life cycle. I thank the Minister of State for her work to date and urge her to prioritise clear communication, good strong solid community supports and renewed commitment to getting full implementation of a revised model of care once it is agreed.

Deputy Mary Butler: The Deputy raised a valid point. The priority over the past few years has been community supports because 90% of people with an eating disorder are treated in the community. It is a very difficult mental health disorder and for many people it takes over their entire life. It can sometimes take up to seven years for recovery and some people relapse. It is very challenging, and I am happy to see the roll-out of the supports. The demand is still very high, and we will continue to do that.

In relation to young people under 18 years old with an eating disorder, we have 22 dedicated beds in Cherry Orchard, Dublin, Merlin Park, Galway and Eist Linn, County Cork. The story is not a good when it comes to adults. This is my next focus. We currently have three dedicated beds in St. Vincent's Hospital Dublin specifically for that particular area. We conducted the bed capacity review and I was delighted to work with the Minister for Health, Deputy Jennifer Carroll MacNeill, to secure significant capital investment from 2026 to 2030 sitting somewhere around €400 million for mental health. I have never had that kind of funding available to me before for capital investment. As a result, we will invest in 20 adult beds. We will locat them

geographically. From memory, there will be approximately eight to ten beds in the Dublin region, six in the Cork region and another approximately six in the Roscommon region. The reason they are located like that is these are three areas we have identified and approved for building new centres with departments of psychiatry where we will include these beds. The most important thing is that a person does not have to be living in that particular area to access a bed. That is a specific problem we have at the moment with St. Vincent's Hospital. I am really pleased we will be able to move this on. It does take time, but we are certainly making progress.

Hospital Overcrowding

Deputy Aidan Farrelly: Before I speak to this Topical Issue, I wish to commend Deputy Ó Muirí on raising a really important issue in the House. I fully agree with his sentiments, having been a youth worker for so long. I will be the first to stand here and critique, but on this issue I can attest to the improvements the previous couple of Governments have made in this regard. I know the app the Minister of State mentioned has a very place in her heart in terms of the impact it might have. I wish her continued success with the roll-out of that mental health app.

10 o'clock

When you live in Kildare you begin to plan for certain things at a very early stage. You try to get a crèche place for your child before they are born because they are often full. People try to enrol their children in local schools before they are born because the chances are they are full. People who are lucky enough to have a GP place need to give two weeks' notice to let the practice know they are going to be sick because capacity is a real issue. When it comes to Naas General Hospital, people pray to whoever it is that they pray to that they or their family will not have to darken the door of the hospital over the coming weeks and months. That is not because of the level of care provided, but the issue of capacity. The toll it takes on people's health outcomes is monumental.

I hope it goes without saying that a critique of the hospital is no reflection on the majority of staff who conduct themselves with the utmost professionalism and dedication to their occupation as is humanly possible. Inpatients have told me how thankful they are for the care and medical expertise they experience from a beautifully diverse and wonderfully talented staff team in Naas General Hospital, but to get to that point people must often traverse an excessive wait in the emergency department. Some 255 people were cared for on trolleys in November this year and why I raise this with the Minister of State-----

Deputy Mary Butler: How many?

Deputy Aidan Farrelly: There were 255. I raise this issue because it appears that this has become an acceptable norm in Naas General Hospital.

Year after year, the same number of patients receiving care on trolleys. The numbers may fall or rise slightly, but it has become something of a predictable crisis. In the same way that young families have to plan early for basics like crèche and school places in Kildare, I ask the Minister of State, the HSE and hospital management team in Naas to plan better for this predictable crisis.

Kildare has a population of 250,000 people. The county has experienced exponential growth in 30 years, more than doubling from the 1990s. In truth, we have been failed by successive Governments who rightly want housing delivered, but have utterly failed in their duty to deliver the necessary social infrastructure required in tandem with housing.

This week the CEO of the HSE spoke on radio about emergency departments being about life threatening situations. I understand the point he was trying to make, but he also said if he was given 220 people being cared for on trolleys every day when he started in the role he would nearly have taken that. We cannot allow that to become the norm and that is what worries me. The 250 people in November 2025 in Naas were deemed suitable for care and admission and needed the level of care that only the hospital could provide, as did the 350 people in November 2024 and the 260 in November 2023.

We do not have other options in Kildare. The out-of-hours services are not there to meet the capacity constraints in our county. I call on the Minister of State to raise this issue with the Minister for Health and ask for a meeting to be convened between the HSE, management and representatives in Kildare North and Kildare South to talk about the issues of fundamental importance when it comes to reducing the number from the mid 200s as much as we can over the next number of years.

Deputy Mary Butler: I thank Deputy Farrelly for the manner in which he has raised the issue. While acknowledging the challenges in Naas General Hospital, he spoke about this issue being no reflection on the staff and that the level of care being provided is exceptional. I want to acknowledge his work in advocating for the people of Kildare. I did not realise 250,000 people live in Kildare. That is huge population growth.

Naas General Hospital is a 202 inpatient and 18 day bed acute public hospital, providing healthcare to over 250,000 people in the growing catchment area of Kildare and west Wicklow. Naas General Hospital caters for patient activity through emergency, inpatient, outpatients and day services departments. The hospital is the sole provider of acute care in the integrated health area and serves a significantly larger population than many of its model 3 hospital counterparts.

Naas General Hospital continues to experience sustained pressure across all service areas. From January to October 2025, emergency department attendances have risen by 9% compared to the same period in 2024. Emergency department attendances of patients aged 75 and over have also risen by 9% in this timeframe. The average length of stay for patients aged over 75 is more than twice that of patients aged under 75, compounding pressure on bed capacity and overall patient flow.

I acknowledge the fact that the Deputy said 255 people were on trolleys through the month of November. The last thing any of us wants to see are people waiting on trolleys, especially elderly people and those aged over 75. We have invested hugely in home care, day care and meals on wheels to provide as much support as possible to support people in living well in their own communities, but there comes a time when people have to present to hospital and be looked after. The emergency department can be very difficult for an elderly person when it is extremely busy.

I want to highlight some of the good work being carried out at Naas General Hospital during these challenging circumstances. From January to October 2025, the median waiting time for

all emergency department patients was down 18% compared to the same period in 2024. I accept there is more to be done.

The HSE capital plan sets out the planned health infrastructure investment within a given year. Capital investment plays a critical role in enabling and enhancing health service provision. Construction is underway to repurpose and refurbish existing HSE accommodation in St. Mary's at Naas General Hospital to provide short-term accommodation for enhanced community care, the integrated care programme for older people, ICPOP, and chronic disease management services.

Naas General Hospital is currently at design feasibility stage for multiple projects, including the conversion of an existing operating theatre and ancillary rooms into two endoscopy procedure rooms, increasing the total number of rooms from one to three. Another project involves a 15-cubicle transition unit for patient admissions and discharges to alleviate emergency department admission pressure.

In 2020, Naas General Hospital received a €74 million budget. In 2025, the budget allocation for the hospital rose to €130 million. This investment in recent years is fundamental to supporting the ongoing development of services and ensuring that Naas General Hospital will continue to play an invaluable role in the delivery of health services to the local community in the years ahead. Notwithstanding the almost doubling of the budget between 2020 and 2025, I take on board the points the Deputy has raised. I will be very happy to discuss them with the Minister for Health, Deputy Carroll MacNeill.

Deputy Aidan Farrelly: I thank the Minister of State for her considered response. It is really useful. I hope she can see I am not trying to play politics with this.

Deputy Mary Butler: You are not.

Deputy Aidan Farrelly: It is an issue that has maintained over years and will continue, notwithstanding the matters of merit in the Minister of State's response in terms of capital works and an increased budget. The budgets are increasing in tandem with the population increase. I do not think that will address this meaningfully.

I spoke with someone today who works in Naas General Hospital and their words are more important than mine. I will quote that person:

The nursing staff are voting today via the INMO for work-to-rule. The management is adding services to an already understaffed hospital. No one is listening to the nurses on the ground, despite union meetings. Management wants to change hours without approval of the staff. There are 30 nursing vacancies at multiple levels that are unfilled and unadvertised. There is not enough staff to cover sick leave. They are using agency staff to run theatre lists and endoscopy lists are being filled without following [joint advisory group] JAG protocols.

These are not my points. What matters at this point are the voices of those working on the ground.

This has become an entirely predictable crisis. Irrespective of concerns over how the national treatment purchase fund, NTPF, is being used, the powerful words from someone working in the hospital are what we all need to hear. The majority of staff in Naas General Hospital will continue to work tirelessly, but they will work tirelessly in conditions that are simply unacceptable. I again thank the Minister of State for her time. I ask her to convey the importance of this to the Minister, and to consider convening a meeting of the stakeholders I mentioned to include the union representatives to make sure we hear the voices of staff, patients, ourselves and management so that we are not here this time next year talking about a predictable crisis.

Deputy Mary Butler: I thank Deputy Farrelly for raising Naas General Hospital and the challenges we are seeing right across the country at the moment in terms of the surge in presentations, in particular older people, relating to flu. I heard Bernard Gloster, the chief executive of the HSE, say quite clearly on Sunday that if people are very unwell, they need to present to hospital. It is especially true for older people in relation to flu. I will also take this opportunity to encourage people to take the flu vaccine as well. That is really important because we are seeing a huge surge of presentations.

I could talk about waiting list initiatives and that but that will not help the Deputy out at the moment. Under the 2025 plan, Naas General Hospital has completed works, including an 11-bed acute medical assessment unit and an emergency department admissions discharge lounge. They were some capital projects that have completed. I take on board what Deputy Farrelly is saying. With the size of the population in Kildare, the fact it is the only model three hospital in that area means there is a huge amount of demand. I will give the Deputy a commitment on the floor of the Dáil that I will speak to the Minister, Deputy Carroll MacNeill, to see what more supports can be provided for the hospital. I look forward to seeing the announcement in relation to where some of this national development plan health capital allocation of €1.56 billion for 2026 goes. I will certainly relay the Deputy's concerns to the Minister.

School Facilities

Deputy Pádraig Mac Lochlainn: Can I clarify what Minister of State is taking it?

Minister of State at the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Frankie Feighan): I am.

Deputy Pádraig Mac Lochlainn: Okay. I have submitted a Topical Issue tonight. Everybody knows TDs wait seven or eight weeks to get a chance to have a Topical Issue. It is a precious opportunity. I have a really important issue to raise in respect of my constituency. I walked past the Minister of State for education as I came here this evening. The Minister of State for education is not even here, never mind the actual Minister for education. I am strongly protesting this.

I have a right not to take this if the actual Minister of State is not here. There is supposed to be either the senior Minister or a Minister of State from the Department here tonight. I just walked past the Minister of State in the hall. That is absolute and utter disrespect. I want

clarification on this. Could somebody clarify what the Standing Orders allow for? I ask for the clock to be frozen at four minutes because I have every right to raise this issue.

Deputy Mary Butler: To be helpful while the official is looking up the exact Standing Order in relation to it, I have discussed with all senior Ministers that I expect, as Chief Whip, that somebody from the Department takes a question. That is why I am here myself taking the previous three health questions. I always try to come in if they are about mental health. Sometimes, it is impossible if a Minister or Minister of State is not available. Deputy Mac Lochlainn said he has seen the Minister of State. We then move to Front Bench cover. My expectation of Ministers is that, where possible, it would be fulfilled by the Minister or a Minister from that Department.

Deputy Pádraig Mac Lochlainn: I appreciate the Government Chief Whip saying that. What made me angry tonight is that I walked past the Minister of State on my way here.

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): To clarify, the Deputy can defer it until the next day.

Deputy Pádraig Mac Lochlainn: I ask to defer it until tomorrow morning. Is that okay? Until we have either the Minister or Minister of State here.

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): Will we defer it until tomorrow morning? Yes. We will put it to the Ceann Comhairle's office for the Deputy.

Deputy Pádraig Mac Lochlainn: Okay. I thank an Cathaoirleach Gníomhach.

Deputy Mary Butler: To clarify, Topical Issues are on at 9 o'clock tomorrow morning and I am actually taking one. It is my understanding that the list is already full for the morning so I cannot say whether it would revert to tomorrow or further away. That does not come through me. It comes through the Oireachtas. I cannot state for definite that Deputy Mac Lochlainn's will be taken in the morning.

Deputy Pádraig Mac Lochlainn: I appreciate the Chief Whip's acknowledgement of my frustration. On that basis, I will just go ahead and take it now. It is no disrespect to Deputy Feighan, as he knows. I have utmost respect for him personally but I walked past the Minister of State on the way here. The rules are very clear. It is either the full Minister or the Minister of State who takes it, so it is no disrespect to Deputy Feighan. If the Cathaoirleach Gníomhach does not mind, I will restart the clock and take it now because the issue is important. I will talk to the senior Minister tomorrow about it too.

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): Okay.

Deputy Pádraig Mac Lochlainn: The issue tonight is St. Eunan's College in Letterkenny. I recently visited the college again at the invitation of the student council. There were these outstanding young men who took me around the school. It is not the first time I have had a

tour of St. Eunan's College. I have done it a number of times over the years but I have to say, I was really shocked at the current condition of the college. There are impossible conditions for both students and teachers to work in. There is the original building from 1909 and there were additions in 1979. You can clearly see the dilapidated conditions of the buildings throughout. There is no disability access in the entire college. There are lifts but they are not used, which means that students with a disability are not going to the college.

The college has 1,000 students today in a school that was designed for hundreds. They have waited a long, long time. They started to engage in 1999 with the Department and the Ministers and it has just dragged on and on. For me, I find it so frustrating how long it takes to deliver public building projects in this country. I have visited the college a number of times over the years. It is desperately slow to deliver the amenities. This is a fantastic school. I do not know how it delivers the standard of education it does in the facilities it has. For example, there are eight toilet cubicles for a population of 1,000 students. If you go through the old buildings, they are in appalling conditions and there is black mould, windows are broken and boarded up, walls are damp and soaking wet as you run your hands down them and there are totally inadequate amenities for young people to congregate during lunch breaks. It is absolutely appalling.

I know in the Minister of State's response, he will say that it is at the design stage and it is getting ready to go to tender. This Government has recently launched this infrastructure plan. It has to get a grip on the length of time it takes to deliver these projects. People are learning in absolutely unacceptable conditions. This a superb school that gives a superb standard of education. As are all the TDs, I am currently being lobbied by former students who are deeply proud of the history of the college. They are fighting for the next generation. The students and young people I met, who were the highest calibre of young people, will not be in that college or be in school when the new facilities are delivered. They are fighting for the next generation. They are trying to ensure that nobody has to go through and endure those conditions again.

I stress to the Minister of State, Deputy Feighan, that I will speak to the Minister for education, Deputy Hildegard Naughton, tomorrow. I will make it my business to personally speak to her. I wanted her to be here tonight. I will ask for an explanation as to why the senior Minister and the Minister of State were not here. I walked past the Minister of State for education in the hall. I am really disappointed about that. I mean no disrespect because the Minister of State, Deputy Feighan, came here late at night to read a statement. I appreciate him doing that but he would understand, if he were in my position, the frustration I have. Those young people, parents and teachers would want the Minister for education to be present. The issue here is for the Minister to come to the school, visit the board of management, the parents' committee and the students and do a full tour of the school. That is what I wanted to ask her to do, but I will ask her tomorrow when I see her.

Deputy Frankie Feighan: I thank Deputy Mac Lochlainn for raising this matter. It gives me an opportunity, on behalf of the Minister for Education and Youth, Deputy Naughton, to outline to the Dáil the current position in relation to the school project for St. Eunan's College in Letterkenny. This project is included in the Department of Education and Youth's construction programme, which will be delivered under the national development plan as part of the Project Ireland 2040 framework. St. Eunan's College is a single-sex, Catholic secondary school for boys under the patronage of the Bishop of Raphoe. This school building project will

deliver a new extension and refurbishment of some existing accommodation to provide accommodation for 1,000 pupils and additional classrooms for children with special educational needs.

The stage 1 submission of this major project was initially received in May 2020 and, following the submission of an addendum report, it was approved to the next stage in September 2020. Following this, stage 2A of the project was approved in April 2021. An emergency works application for the installation of fire alarms and related works was completed in April 2022.

Following a review of the schedule of accommodation, the design team was requested to submit design options to include an increase of two classrooms for children with special educational needs. The design team submitted its amended design options to include the increased accommodation to the Department for review, which was approved in July 2024. Planning permission was secured in March 2022. Thereafter, a complete stage 2 report was received by the Department in October 2024 for review. Stage 2B involves detailed design, securing all statutory approvals and the preparation of tender documentation.

In February 2024, the Department secured decant accommodation in the vacant boys' national school, which is adjacent to the school site. This will facilitate the decant of the school to allow completion of the major project. However, these premises will be subject to enabling works in anticipation of the major project progressing to construction. The next stage in the process will be stage 3, tender action and award. The Department is in continuous contact with the design team and the school regarding further progression of the project.

In July, the Government announced a capital allocation of €7.55 billion for the Department of Education and Youth for the 2026-2030 period under the national development plan. As part of this NDP allocation, the Department will place a strong emphasis on provision for children with special educational needs, with a particular focus on meeting annual school place needs.

With regard to the project roll-out for large-scale projects and additional school accommodation scheme projects, the approach will be to continue to maximise the capacity of the existing school estate as much as possible in the first instance and provide necessary additional capacity through targeted and prioritised project roll-out over the course of the 2026-2030 period to meet the most urgent and prioritised needs.

Deputy Pádraig Mac Lochlainn: I thank the Minister of State for communicating the current position of the Department and the Minister. The Minister, Deputy Naughton, is obviously new to her role. The previous Minister in this portfolio, Deputy McEntee, visited the school and, indeed, considering the seriousness of it, the Minister in this role before her, Deputy Foley, also visited the school. My understanding is that the Minister, Deputy Foley, did not get a full tour of the facilities. That is absolutely essential for any Minister. I appeal to the Minister, Deputy Naughton, to come to Donegal as soon as possible to do a full tour of St. Eunan's College because it is utterly unacceptable.

I am going to say it again: this is an outstanding school with an outstanding educational culture. I do not know how they do it but the teachers and students together deliver a standard of education that is superb, despite the absolutely unacceptable conditions they operate in. Those young people toured me around the school and we met with the principal. I could see

the respect. While a number of teachers were present, it was the young people themselves who led the way. They are the leaders of the future but they deserve better. They are calling on public representatives and the Government to make sure that no student goes through this type of situation in the future. I am asking the Minister of State to communicate that to his colleague, the Minister, Deputy Naughton. I have gone ahead with this Topical Issue in good faith tonight, but I ask that it is communicated to the Minister to please come up to Donegal to meet with those students whom I met. If she does the exact tour I did, I have no doubt she will be motivated to urgently progress this project and get it built as soon as possible.

Deputy Frankie Feighan: I will bring the Deputy's concerns back to the Minister and ask her, if she is in Donegal, to put in a tour of St. Eunan's College. Since 2020, the Department has invested over €6 billion in schools throughout the country under the national development plan, involving the completion of 1,300 school building projects. In addition, repurposing and optimising existing accommodation capacity across the school estate has been a key enabler of timely local provision of special class capacity in a way that supports best practice in inclusion and integration. Some 80% of new special classes in 2025 and 2026 are being facilitated by repurposed classroom accommodation. The Government's support for this investment, including by way of supplementary capital funding, has delivered real benefits for school communities. Supplementary capital funding of €210 million, approved by the Government, helped to bring the total capital allocation of the Department in 2025 to €1.6 billion.

Government Departments are currently in the process of publishing their sectoral national development implementation plans. The sectoral plan for the education and youth sector will be published next week and the first tranche of projects to progress to construction will be published in January. The NDP implementation plan will optimise input from the NDP allocations with a strong focus on maximising existing school capacity, progressing priority projects where local capacity across schools in the area is sufficient and ensuring delivery that is affordable, offers value for money and meets functional needs. I thank the Deputy again for raising this important issue.

Energy Infrastructure

Deputy Aindrias Moynihan: Guidelines need to be put in place for the development of biogas plants and they need to be advanced as soon as possible. Community groups have raised a range of concerns with me about the development of biomethane gas plants in their locality. They have questions about whether land should be used for food production or energy crops. They also question whether guidelines could be established about the types of feedstocks used and how locally they need to be sourced. Setback distances are a point many communities are vocal on. If plants are near people's residences, what impact will that have on their homes? They are also questioning the oversight of plant operators by bodies like the EPA and the council and whether they can enforce conditions in the event of non-compliance.

I have had the opportunity to discuss with people around the Macroom area and people in many other communities across the country the various concerns they have about the development of biogas plants local to them. Through the agriculture committee, I have also had the opportunity to meet people who are planning and developing biogas plants. Both raise concerns about the absence of guidelines. Community groups feel that the developers are

attempting to foist these plants on their communities against their will without any engagement. They try to force these plants through, promoting the green energy and the wider benefit. Community groups feel concerned that they are kept in the dark by developers. Community engagement is critical. A biomethane charter that was published recently acknowledges this. The recent charter is a big step, and I acknowledge the huge work that has been done to advance it. The charter points out that engaging with local communities early and often will be critical to ensure successful planning applications for biomethane plants and that plant operators must be responsible neighbours by taking into account the needs and concerns of the communities near them. The charter points to open, proactive and transparent community engagement to help foster positive relationships. We have seen where engagements are taking place such as in Galway, for example, and there are no objections to that one in a recent application. That, however, seems to be the exception. The approach in other communities could be a one-to-one series of meetings if there is anything at all happening. It contrasts very much with wind farm developers who over recent years have learned lessons from earlier applications and are more engaged than previously.

Good guidelines ensure greater transparency and engagement. There is a gap in the planning process where perhaps it is for newer technology and the planning authorities may not be so familiar with the technology and the development plan may not have a defined policy on the matter. At the same time, the planning application has to advance through the planning process to meet statutory deadlines. I understand that considerable background work is being undertaken by the Minister of State's Department officials in advancing the guidelines. The publication of the biomethane charter is also a big milestone as is the publication of the biomethane strategy. These are significant and there is also a need for the next big milestone, which is the publication of the guidelines. If biomethane is to be part of the energy mix we need to see it happen in an orderly manner that ensures it benefits all and not just the developer. Will the Minister of State, Deputy Feighan, outline the plans and the timeframe by which he would expect to see biomethane guidelines being made available?

Deputy Frankie Feighan: I thank Deputy Moynihan. The Government has committed to deliver up to 5.7 TWh of indigenously produced biomethane per annum by 2030. Delivery of this target and the use of biomethane within our energy system will have multiple cross-sectoral benefits for Ireland's economy, energy security and emissions profile. In response to this ambitious target, the Department, in partnership with the Department of Agriculture, Food and the Marine, published the national biomethane strategy in May 2024. Implementation of the national biomethane strategy is an ongoing process of collaboration across key Departments and agencies. The biomethane implementation group has been established to oversee implementation of the strategy and delivery of the 25 key strategic actions to ensure the necessary infrastructure and supports are in place to support development of an indigenous biomethane industry of scale. While anaerobic digesters, ADs, used to produce biogas and biomethane can bring significant benefits to the communities and local environment in which they are located, they are also significant infrastructure, with impacts on the environment, biospheres, and local communities.

Although a very well-established technology in Europe with over 20,000 plants in operation, the AD sector in Ireland has been relatively small to date. However, there is a robust existing regulatory framework in place to underpin the further development of the AD industry in

Ireland and harness the benefits of biomethane. For example, plants involved in anaerobic digestion of animal by-products or derived products must be approved by the Department of Agriculture, Food and the Marine. Depending on the plant's activity, various licences are required from the Environmental Protection Agency. On-site health and safety is regulated by the Health and Safety Authority and the plant's connection to the gas network is regulated through the Commission for Regulation of Utilities and Gas Networks Ireland's procedures and standards. The Department is currently developing a licence, permit and regulation requirement document for biomethane plant development. It is expected that this document will be published shortly on the biomethane policy information page on *gov.ie*.

We need to ensure a clearer understanding of AD technology and consistency of approach by our planning authorities when they are assessing AD projects to improve our planning and permitting processes. AD and other integrated assets are required to undergo a full planning process to ensure proper consideration of a range of factors, including location, visual impact, land zoning plans and ecology. Guidelines and requirements for these are currently set out through several Acts, policy documents, spatial strategies, and development plans. Projects above a certain threshold are also required to complete an environmental impact assessment.

Priority deliverables under the strategy include action 5g on guidance. A biomethane implementation subgroup has recently been established to oversee the preparation of a support document to assist local representatives and planning authorities when assessing planning applications for biomethane plants. It is expected the support document will be finalised early in 2026. This document will be developed by the biomethane implementation group, chaired by the Department and in close collaboration with the Department of Agriculture, Food and the Marine, the Department of Housing, Local Government and Heritage, Teagasc, and the Sustainable Energy Authority of Ireland.

Deputy Aindrias Moynihan: Communities are concerned that biomethane development is going to happen in a disorderly way and that developers are going to walk over communities to make money. The communities need to know that the Minister of State has their back. Does the Government have the backs of the communities on this? They are worried. The Minister of State outlines where visual impact, land zoning plans, ecology and various other aspects are already covered in existing legislation and in existing policy documents. Yet, communities raise concerns about the absence of guidelines. Will there be guidelines that would be expected to cover site selection, the feedstock, the kind of feedstock and where it would come from, and the output material from the plants afterwards? Will applicants that are currently going through and going into planning applications be expected to meet any new guidelines or additional conditions that will be coming available later next year? Can the Minister of State outline those?

These are real concerns for so many communities. Reading through the Minister of State's response it sounds like he is depending very much on what is already there rather than bringing new guidelines to the table, if I am reading that correctly. This would be a concern for many people who feel that there are gaps in the process as it stands.

Deputy Frankie Feighan: I thank the Deputy for raising very valid and informed concerns. The Deputy talks about the absence of guidelines. The Government remains committed to the production of up to 5.7 TWh of biomethane, which is a little over 10% of our current natural

gas, and the development of Ireland's anaerobic digestion of biomethane on an industrial scale. This will serve to diversify our sources of gas, improve our energy security and deliver the carbonisation options for Ireland to meet its 2030 climate and energy targets.

Biomethane production can bring significant benefits to the communities and local environment in which the plants are located, including creating jobs and new revenue streams for farmers and other rural businesses. As was said, these are significant infrastructure and therefore are, correctly, required to undergo full planning and permitting processes to ensure consideration of a range of factors including location, the visual impact, land zoning plans, and ecology. A key priority is the development of guidelines to support our local authorities. When finalised, these will be made available on the biomethane information hub on *gov.ie*.

Finally, it is my colleague the Minister for Housing, Local Government and Heritage who has responsibility for the overall development of national planning policy and legislation. AD and other integrated assets are required to undergo a full planning process to ensure proper consideration of a range of factors including location, visual impact, land zoning plans and ecology. Guidelines and requirements for these are currently set out through several Acts, policy documents, spatial strategies, and development plans. As the Deputy will be aware, projects above a certain threshold are also required to complete an environmental impact assessment.

Again, I thank the Deputy for raising his concerns. I will bring them to the Minister as soon as possible.

An Cathaoirleach Gníomhach (Deputy John Paul O'Shea): I thank the Minister of State, Deputy Feighan, and I thank all Deputies. That concludes the Topical Issue Debate for today.

Cuireadh an Dáil ar athló ar 10.40 p.m. go dtí 9 a.m., Dé Céadaoin, an 10 Nollaig 2025.

The Dáil adjourned at 10.40 p.m. until 9 a.m. on Wednesday, 10 December 2025.