



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—Neamhcheartaithe
(OFFICIAL REPORT—Unrevised)

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DÁIL ÉIREANN

Dé Céadaoin, 15 Iúil 2026

Wednesday, 15 July 2026

Chuaigh an Cathaoirleach Gníomhach (Deputy Aindrias Moynihan) i gceannas ar 9 a.m.

Paidir agus Machnamh.

Prayer and Reflection.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Cathaoirleach Gníomhach (Deputy Aindrias Moynihan): 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 Thomas Gould - To discuss the bus service in Cork city.

Deputy Ryan O'Meara - To discuss the establishment of an SATU in the HSE Mid West region.

Deputy Malcolm Byrne - To discuss the need for the development of Bunclody Community College, County Wexford.

Deputy John Clendennen - To discuss the cumulative regulatory burden and rising cost of doing business.

Deputy Michael Cahill - To discuss delays in payments to subcontractors by Uisce Éireann.

Deputy Paul Donnelly - To discuss the use of scramblers by those under 16 years of age.

Deputy Fionntán Ó Súilleabháin - To discuss the school bus transport system in Wicklow and Wexford.

Deputy Roderic O'Gorman - To discuss reform of the Tax saver commuter ticket scheme to include shared mobility services.

Deputy Marie Sherlock - To discuss the use of periodic payment orders in the courts.

Deputy John Connolly - To discuss the provision of appropriate public housing for families that provide foster care.

Deputy Tom Brabazon - To discuss the proposed new Garda station at Northern Cross.

Deputy Rory Hearne - To discuss the cessation of the financial contribution scheme in Dublin North-West.

Deputy Pa Daly - To discuss measures to prevent the spread of harmful content on social media platforms.

Deputy Louis O'Hara - To discuss the need for a 24-hour rapid response vehicle at Tuam ambulance base.

Deputy Darren O'Rourke - To discuss the Government response to the rejection of the workforce development plan proposals by SNAs.

Deputies Donnchadh Ó Laoghaire, Séamus McGrath and Pádraig O'Sullivan - To discuss the State acquiring the Bessborough site in Cork city to provide a memorial.

Deputies Gary Gannon, Ruairí Ó Murchú - To discuss issues being created in the courts system by the new legal aid model.

Deputies Ciarán Ahern, Seán Crowe, Paul Murphy, Aengus Ó Snodaigh and James Geoghegan - To discuss the feasibility of continuing MetroLink from the city to south-west Dublin.

Deputies Shane Moynihan and John Lahart - To discuss the urgent situation concerning a Tusla-funded service provider for children.

The matters raised by Deputies Thomas Gould, Roderic O'Gorman, Shane Moynihan and John Lahart, John Clendennen and Pa Daly have been selected for discussion.

Saincheisteanna Tráthúla - Topical Issue Debate

Bus Services

Deputy Thomas Gould: The bus service in Cork has been in crisis for a number of years. Buses do not turn up. Buses are late. There are ghost buses. There are buses that have "out of service" displayed on them as they drive past dozens of people waiting at bus stops for them. There is an app that does not work. People are looking at the app which says there is a bus due shortly and after a while the bus disappears from the app.

It is unbelievable that the crisis in the bus service in Cork is this bad and has been this bad for so long. I have been contacted by drivers who tell me the condition of the buses in Cork is so bad. There are numerous issues and there is a shortage of buses in Cork. One of the reasons there is a shortage of buses in Cork is that there was supposed to be a temporary depot in Tivoli. That is a year late. It is going to cost €18 million for a temporary depot and Cork will not get any buses until that is up and running. I have looked for commitments for the last two years to get that open and here we are looking at delay after delay.

This means there is gridlock in Cork at the moment. There is absolute gridlock in the city centre with people trying to get from one side of the city to the other. At Monday night's council meeting there was a discussion about a new traffic system in Cork to encourage people to walk, cycle and use the buses. How can people use the buses when we are short buses and they are

not turning up? With this new system, because the bus service that was supposed to be in place is not in place, the gridlock is now worse.

It is unbelievable in this day and age that a city like Cork has been reduced to this because of a shortage of buses. In the middle of the crisis last week there was a big announcement to introduce 90-minute fares for Cork city. You might say to yourself that this is a bit of positive news. However, hidden inside that announcement was another announcement saying fares for adults would increase by 26%. Fares are to increase by up to 26%. For an adult in Cork who commutes, that is the equivalent of an extra €240 a year. The Government gave Cork 90-minute fares and at the same time gave us a 26% increase. How in the name of God with the cost-of-living crisis we have at the moment is that acceptable? I do not think it is. It happened in Dublin. I think most of them had no increase and some of the services had an extra five cent or a very small number.

This 26% increase has to be changed. The 90-minute fares have to stand but they have to stand at the original price. The thing about Cork is that most people do not use multiple trips. If someone pays a fare in the morning, they are going one way. They are going to work, school, college or the hospital. For the vast majority of passengers, the 90-minute fare is actually no saving but, rather, an extra cost.

The question I ask myself is whether these fare increases are to subsidise the poor decision-making of the NTA and the Government and to supplement Bus Éireann for the extra costs? I want to make it clear that this is not the drivers' fault. In fact, I do not believe it is Bus Éireann's fault, and it is not the passengers' fault. This is a result of Fianna Fáil and Fine Gael's decision to privatise the bus services and it is wrong. Bus services need to be public services.

Minister of State at the Department of Enterprise, Tourism and Employment (Deputy Niamh Smyth): I thank Deputy Gould for his passionate presentation this morning about bus services in Cork. I am really disappointed to hear the technology is failing passengers and bus drivers, with apps not working. We are in a day of digitalisation and digital transformation and I am in disbelief about that. I will certainly see if there is anything from my end that we can do on that. The Deputy raised the condition of the buses along with a shortage of buses. That is very disappointing to hear too and is something I will raise with the Minister.

The Minister for Transport has responsibility for policy and overall funding in relation to public transport. However, he is not involved in the day-to-day operations of public transport, which cover a lot of the issues Deputy Gould has raised about digital transformation, conditions of buses and shortages of buses. I want to make that distinction.

The National Transport Authority, NTA, has statutory responsibility for securing the provision of public passenger transport services nationally and for the scheduling and timetabling of these services in conjunction with the relevant transport operators. It is clear this is an NTA responsibility. The NTA also has responsibility for the regulation of fares charged to passengers, which the Deputy alluded to, in respect of public transport services provided under public service obligation contracts, including Cork bus services.

As Deputy Gould is aware, the NTA recently announced that from Monday 20 July passengers using Bus Éireann's Cork TFI city bus services will benefit from faster boarding times and a simplified 90-minute fare.

This means that, for the first time, passengers would be able to catch any bus in the city and transfer between buses in Cork city as often as they need within 90 minutes. To support the introduction of TFI 90, adult Leap card fares in Cork city will move to a single flat fare of €1.70. This replaces the current adult Leap fares of €1.35 to €1.55, creating a simpler fare structure while enabling unlimited transfers within 90 minutes. It means passengers can move between buses without being penalised for doing so. The main ethos of this is to keep fares reduced and as low as possible.

The introduction of new onboard ticket validators also means that passengers can simply tap their Leap card and go, reducing boarding times and keeping services moving. This improves the overall reliability and punctuality of Cork city bus services. That said, it is disappointing to hear the Deputy's presentation this morning, which speaks against all of the information the NTA is giving the Minister. As a result, passengers should enjoy greater flexibility, and they will also benefit from fare capping, which has not been previously available to passengers in Cork. This initiative is future-proofing the multimodal public transport offerings planned for the city of Cork over the next few years.

The Tivoli temporary bus depot, to which the Deputy referred, is being delivered by Bus Éireann using funding administered by the NTA. The Tivoli bus depot is a critical enabler of the BusConnects Cork programme as it allows for the expansion of the urban bus fleet servicing the Cork metropolitan area in the short term. The Minister has been advised that substantial completion of the Tivoli temporary depot has been achieved and that fit-out works are ongoing and due to be completed shortly. This will facilitate the additional bus fleet needed for Cork, including Cork city. Regarding the upgrading of fleet, the electric bus charging infrastructure framework has been completed, and contract signing is expected shortly. Once finalised, the framework will support the delivery of charging infrastructure at Capwell depot.

Deputy Thomas Gould: The Minister of State referred to the new 90-minute fares and the fact that people can tap on and tap off. I want to let her know that the fare is €1.90 but next week, it will be €2.40. That is a 26% increase in the fare. How can that be justified? The people of Cork are being forced to pay 26% extra for a service they cannot even depend on, a service that might not turn up or might be delayed. People are depending on the bus service in Cork but it is not reliable. Can the Minister of State imagine this? Drivers are telling me that brake warning light signals are coming on. They are driving buses that are old and decrepit in this day and age. Dublin, Limerick and Galway got new buses. Why did Cork not get new buses? At the same time, we are being asked to pay 26% extra.

The Government always blames everyone else. It blames the local authorities for the housing crisis. It blames Irish Water for the infrastructure. It blames the HSE for the health crisis. Now, it is blaming Bus Éireann for the bus crisis. The Government has to take responsibility. It is unbelievable that people cannot get to work, school or college on time and be able to depend on the bus service.

The Minister of State mentioned BusConnects. We supported BusConnects. We engaged with it, we put in submissions and we met those involved. Right now, BusConnects is dead in the water. As long as that is not up and running, we are in big trouble in Cork in terms of buses. Taylor Swift has a song, "Anti-hero", which has the line, "It's me, hi, I'm the problem, it's me". I think those in the Government need to say that to themselves.

Deputy Niamh Smyth: I am glad the Deputy presented different figures from those provided in the information from the NTA. I have taken note of that because the Deputy has presented different figures for the flat fee and the 26% increase. However, I have to be factual and say to him that there are State agencies in this country that have absolute responsibility. The NTA has responsibility for the regulation of fares. It is important to outline that in order to counteract some of what the Deputy is saying. That said, I have taken note of what he said.

It is important to note that the NTA continues to engage with Bus Éireann to finalise the depot layout required to accommodate 52 charge points at Capwell. I take the Deputy's point on the introduction of new buses in certain cities, but not in Cork, as well as his point about the conditions. The Deputy raised that very clearly here today and I have taken note of it. The infrastructure at the depot is due to be completed by quarter 4 of 2027 to support the electric bus roll-out for future network redesign launch dates.

The performance of all public transport operators is monitored by the NTA as part of the contractual arrangements in place between it and the operators. I understand the Minister for Transport and his officials continue to engage with the NTA on an ongoing basis in relation to maintaining high operational standards on all forms of public transport. That should also mean high standards and the good condition of buses that passengers have to use.

The individual operators are responsible for the management and operation of services on a day-to-day basis. In this case, Bus Éireann operates both PSO services funded by the State subvention and Expressway inter-city services, which operate on a commercial basis and do not receive any State subvention.

I can assure the Deputy the Department of Transport is committed to providing investment in our public transport network, which is clear to be seen across the country. The Minister is supportive of the Government's goals in relation to delivering an accessible, affordable and, most importantly, reliable public transport network throughout the country, including in Cork city. As I said earlier, I have taken notes of the issues that the Deputy has raised.

Public Transport

Deputy Roderic O'Gorman: I want to raise the issue of reforming the existing tax saver commuter ticket to include shared mobility services and to recognise new work patterns like working from home, as has been proposed by several service providers. As the Minister of State knows, shared mobility is shared bikes, e-bikes and e-car share services that people can rent when they need them. It complements rather than replaces existing public transport by providing flexible transport options that connect people to destinations that fixed public transport routes simply cannot reach. The first mile and last mile of any journey are as important as the middle. We know there are people who would like to get public transport to work but the time it takes them to get from their house to the bus stop or station at either end of the commute can act as a disincentive. For many commuters, shared mobility provides that vital last-mile connection between the bus stop or train station and their home or work. For others, it offers a full-on, sustainable alternative to owning a private car for journeys that would otherwise have to be made by car.

The potential is significant. Commercial bike sharing services last year delivered more than 600,000 journeys, while car sharing services facilitated over 500,000 journeys last year. These numbers are expected to grow substantially, with estimates suggesting that expanding car sharing alone could take demand for 300,000 private cars off our roads completely.

The national policy statement on shared mobility was published last year. It highlights the OECD findings that shared mobility has enormous potential to reduce carbon emissions and support more sustainable travel, an ambition that we all support. However, the potential will only be realised if the sector receives the policy support that it needs. There are businesses operating on low-margin, high-cost models. We have already seen providers like TIER & Dott withdraw bike sharing services from Irish towns and cities, including Limerick and Navan, while Driveyou exited the Dublin car share market. If we fail to act, we risk further market failure and losing services that are essential to a more sustainable transport network.

Last year, the national policy statement on shared mobility policy referenced the potential of introducing a shared mobility voucher but I understand the sector has recently been told that the option of a voucher is now off the table. If this is the case, there is another practical and achievable solution, and that is modernising the existing tax saver scheme. Quite simply, the existing tax saver model is no longer meeting the needs of today's commuters.

Participation has fallen dramatically. In 2019, there were about 60,000 users and that has fallen to 25,000 today. While initiatives like the 90-minute fare in Dublin have undoubtedly played a role, they do not fully explain this decline. The reality is that the tax saver model is built around an outdated model of commuting. It works best for people with fixed travel patterns and convenient access to traditional public transport, but we know that nowadays many workers split time between working from home and the workplace, and they rely on a combination of transport options to complete their journey. However, the tax saver scheme completely excludes shared bikes, car share services and other sustainable transport models, and it is not providing the incentive for a genuinely multi-modal travel model. It also remains very much focused on Dublin transport patterns.

If we are serious about encouraging sustainable travel, the tax saver scheme must evolve. It needs to become more flexible, more inclusive and more reflective of how people travel today. As a first step, I ask that the Minister for Finance directs officials in his Department to undertake a review of the tax saver scheme.

Deputy Niamh Smyth: I thank the Deputy for his heartfelt contribution. The proposal is to reform the tax saver commuter ticket scheme to include private shared mobility services. As somebody from a rural area where we totally rely on bus services, it sounds like a novel thing to have the shared mobility model of bikes, cars and all the rest. It is way beyond what we experience in more rural parts, but it is wonderful to hear about it from the Deputy.

The key objective is to ensure and encourage behavioural change in favour of the usage of shared mobility services and would support integrated transport services like bike, scooter and car-sharing through a virtual tax saver account model. The core objective is to encourage a shift in usage towards shared modes of transport in place of less efficient, congestion-inducing and carbon-intensive private car use, particularly for frequent journeys such as commuting. However, I take the Deputy's point that the existing architecture of the scheme is for reliable,

constant and regular transport rather than the patterns that most people have, which are a bit more flexible, particularly with working from home.

As the Deputy is aware, commuting employees currently have access to reliefs from benefit-in-kind, BIK, in respect of sustainable transport, namely the cycle to work scheme under section 118(5G) Taxes Consolidation Act 1999 and the tax saver scheme under section 118(5A) of the same Act. The schemes have similar objectives - to reduce car dependency and to encourage the use of public transport and cycling as more sustainable forms of commuting.

What is being proposed is the introduction of a new scheme that would allow employees to choose to assign part of their salary to pay for shared mobility services. Specifically, the sacrificed pay could be transferred to a virtual card account operated by an approved third-party commercial provider. Under this proposal, the sacrificed pay would not be subject to PAYE, USC or PRSI, while employers would benefit from reductions in employer PRSI. The actual operation of the ticketing wallet would be appropriate to the Department of Transport but there may be limitations in terms of what the current ticketing system, primarily Leap, can support.

Subject to meeting the conditions of the scheme, there is currently no impediment to employers who wish to provide a voucher in respect of a shared mobility service to an employee under the small benefit exemption. The current threshold for this scheme is €1,500 per annum per employee. It is for each employer to decide whether to utilise this provision.

The existing schemes are implemented as tax-exempt benefit-in-kind in order to keep the implementation as simple as possible and to reduce the administrative burden on employers and employees. The schemes are designed to be as straightforward as possible to encourage uptake by employers. The proposed model is more complex than the existing scheme and is something that would require engagement with stakeholders, including employers, software providers and transport operators.

It is important to note that employers are not required to take part in the tax saver or bike-to-work schemes. Where an individual's employer does not participate in the schemes, any benefits that could arise under the relevant scheme will not be available to any employees of that employer. This means that an individual cannot avail of the scheme if their employer has chosen not to participate.

However, it should be noted that if an employer does choose to participate in the schemes, employer's PRSI is not payable on the cost of the relevant benefits when they make the associated deduction from their employees' salary payments. Thus, there is an incentive for employers to participate in these schemes.

Deputy Roderic O'Gorman: I think we can all agree that commuting patterns have changed a lot since the Covid-19 pandemic and that idea of the rigid, five-day, ten-journey commute along the same route every day has disappeared for many workers. The tax saver scheme needs to change to reflect that new reality. Commuters want something that is more flexible, to reflect the fact that they are commuting in less regular patterns, but also to reflect the increased desire for multi-modal journeys. The idea of a flexible tax saver ticket that includes shared mobility is one that is worth exploring for these reasons.

In the context of the forthcoming budget, I ask that the Department of Finance seriously look at reviewing the scheme and design a pilot programme to see how this type of flexible ticket might work in practice. As the Minister of State discussed earlier, it could be achieved through a digital wallet that allows commuters to assign a certain portion of their gross pre-tax income each month, which they could then use to purchase passes for different transport services on a flexible basis, depending on what modalities they needed and what particular days they need it for.

It would require some additional digital infrastructure and planning, but it would achieve a lot of flexibility that the current system does not achieve. That is why I am proposing a pilot programme. I am not suggesting that we roll it out immediately, but a pilot programme would be the perfect way to explore how this might function and test the system before we undertake a full roll-out. I ask the Minister of State to bring this to the Department of Finance and her Government colleagues because we are losing people from the tax saver scheme at a dramatic rate and we have to do something dramatic to halt that.

Deputy Niamh Smyth: I appreciate the sentiment of the Deputy's contribution and I do not disagree with any of it. Particularly when we look at digitalisation and the travel wallet, all of that should be considered. I will re-emphasise to the Minister for Finance and the Minister for Transport to perhaps look at this as a pilot programme.

In considering proposals in respect of all tax expenditures, the Government must be mindful of the public finances and the many demands on the Exchequer. Tax reliefs, no matter how worthwhile in themselves, lead to a narrowing of the tax base and a strong and convincing case for the benefits and outcomes needs to be articulated and due consideration given to the commitment of scarce taxpayer resources for such reliefs. To be fair, the Deputy made that argument strongly.

While the conditionality around the BIK exemption for the tax saver scheme falls under the Tánaiste's remit as Minister for Finance, the scope and conditions of the travel passes on offer are a matter for the individual transport providers. As with all tax policy measures, the tax saver scheme is kept under review by Department of Finance officials. It is particularly important in considering proposals in respect of tax expenditures that the Government is mindful of the public finances and the many demands on the Exchequer. The expansion of any scheme creates a cost and that cost must be recovered elsewhere. At present, there are no specific plans to amend the tax legislation in respect of the tax saver scheme, which is considered to be operating well.

The Programme for Government: Securing Ireland's Future contains a commitment to, within the lifetime of this Government, conduct a review of the bike-to-work scheme to boost take-up among all workers. The Minister's Department has engaged with officials in the Department of Transport in recent months in relation to this review and the terms of reference remain under consideration.

I again thank the Deputy and will pass on his heartfelt sentiments to both Ministers in relation to a pilot programme for consideration.

Early Childhood Care and Education

Deputy Shane Moynihan: I am taking this Topical Issue with my colleague, Deputy Lahart, on behalf of the children and parents affected by Nexus preschool, which is a service provider based in Knocklyon, but which has centres and provision in communities across Dublin Mid-West and Dublin South-West. Nexus preschool provides specialist educational programmes for children with autism spectrum disorder, many of whom have been unable to secure appropriate school placements. In recent times, the service has been informed by Tusla that, as a registered early years service, it is not in a position to enrol children aged six years or older.

The issue is that the service provider has, in fact, supported children aged over six for the past number of years, with the knowledge of the local special educational needs organiser, SENO, in situations where there are not sufficient school places for those children. We are not talking about a scenario affecting only one or two children. Across the sites it operates, if Nexus is not allowed to proceed with registering these children for September, we could be looking at up to 60 children without appropriate support. This is a matter of distress to those children and their parents.

I understand that Tusla is acting in good faith with regard to the regulations in place for early years providers. However, a precedent seems to have been set in recent years whereby this service was allowed to continue to register children over six years of age. Will consideration be given to a ministerial exemption and-or constructive engagement with the provider to get things to where they need to be? We also need to look at the range of powers and options available to Tusla under the early years and childcare legislation and regulations as to what can be done to ensure compliance with those regulations. More fundamentally, we may need to look at revising the regulations, especially in the context of an issue often raised in this House, namely the lack of sufficient special education spaces, particularly for children with ASD.

Deputy John Lahart: Parents of children with special needs require certainty and predictability. Their lives and those of their children are challenging enough without having to endure distress and anxiety caused by uncertainty and unpredictability. The Minister of State appreciates that. As my colleague Deputy Moynihan said, parents are deeply concerned that Nexus in Knocklyon and other locations has been informed by Tusla that due to its registration as a part-time service provider, it cannot take children who will be aged six or older for the 2026-27 school year. Nexus has been warned it could face sanctions, fines or prosecutions if it continues to provide services for those children.

The families affected have argued that this decision could leave their vulnerable children without appropriate educational supports at a time of severe shortage of special school and special class placements. Deputy Moynihan and I had a meeting with the parents on Tuesday, where we heard at first hand about those anxieties. Parents are frustrated that they may be forced to choose between keeping their child at home, having to leave employment to provide care and placing their child in an unsuitable educational setting.

Deputy Moynihan has highlighted the crux of the issue. As the parents have pointed out, Nexus has already been supporting children aged six and over for many years. It has undergone inspections without this issue being highlighted heretofore. Families are seeking clarity as to why a difficulty has now arisen and what steps will be taken to ensure their children are not disadvantaged. Tusla must explain why the provision of this care was okay until now. Was

there an incident? What changed? Transparency on the part of both Tusla and the provider is needed before we can move forward.

Deputy Niamh Smyth: I thank the Deputies for raising this issue. It seems absolutely ludicrous that this service was being provided to children aged over six and that Tusla was happy to allow it to continue but that things have suddenly changed. Deputy Lahart is right that transparency for parents is incredibly important, as is having certainty and predictability in respect of the service into the future. In today's world, we cannot leave children in a vacuum at any age, and particularly when they have previously had a service available to them up to the age of six. That cannot be allowed to happen. I appeal to Tusla to provide that transparency, certainty and predictability to parents immediately. It is absolutely crazy that because of this, parents might either have to leave their job or find an alternative, possibly unregulated or unsuitable, education setting for their children.

Tigers Childcare and Nexus Preschool provide a full daycare service, as the Deputies alluded to, which opened in 2024. The service is registered to provide care and education to children between two and six years of age across two distinct services at the same address, both with their own staffing teams. The service was inspected on 4 March 2026. During that inspection, the service was found to be operating outside of its registered status in regard to two children over the age of six who were in attendance on the day of inspection.

Should the providers wish to lawfully provide services for children who do not have a school placement, they can consider seeking approval to become an education provider pursuant to section 14 of the Education (Welfare Act) 2000. The service providers could alternatively reach a private arrangement with the parents of the children to provide services in accordance with the home tuition scheme. However, this could only be operated separately and distinctly from the existing registered early years service. The question is how to accommodate 60 children, as Deputy Moynihan noted. The service providers were requested to revert to the terms of their registration status.

Under the early childhood care and education, ECCE, programme, the provision of an exemption to the upper age limit where a child has special or additional needs is made under review by the Department of children in conjunction with the Department of Education and Youth. It is a requirement that any request for an exemption to the upper age limit under the ECCE programme must include a letter from a medical specialist or therapist specifically recommending why an ECCE service would meet the child's specific needs in a more appropriate way than a primary school.

In deciding on applications for exemptions to the ECCE age limits, the Department of children is guided by a review of the exemption to the upper age limit process carried out by the National Disability Authority, NDA, for the Departments of children and education in 2018. In its published report, the NDA concluded that it is in the best interest of children with additional needs to transfer to primary school with their age cohort. All cases are examined on their own merits. While many children granted an ECCE overage exemption will reach the age of six years while in their final year in ECCE, overage exemptions are not granted to children who have already reached the age of six.

Deputy Shane Moynihan: I thank the Minister of State for that comprehensive response. The providers in question have indicated that they are exploring the possibility of securing education provider status. I understand they have started those discussions. I fully acknowledge the parameters of the regulations, as set out in the response from the Department of children.

Like Deputy Lahart, what I am asking for is certainty. Paths forward have been identified. What is needed now is urgent engagement between Tusla, the Departments of children and education and the provider to ensure we do not have a situation where children who are particularly vulnerable, given the nature of their needs, have to be moved from an environment in which they are comfortable and where they know the people caring for them. In fairness, Nexus has made it very clear that where primary school places have become available at other sites across both constituencies, they have assisted with that transition. In this instance, they have been providing a safety net for these children to ensure they have care.

I fully appreciate the remit of the regulations but it seems from the Minister of State's response that there could be a path forward. I ask that there be urgent engagement on the matter.

Deputy John Lahart: Will the Minister of State clarify on whose behalf she is responding? Is it the Minister for children or the Minister for education?

Deputy Niamh Smyth: I am responding on behalf of the Minister for Children, Disability and Equality.

Deputy John Lahart: One of the things that strikes me about the reply, which is not the Minister of State's responsibility, is its technical nature and the lack of child-focused orientation it displays. There is no comfort in it for parents as to what will be done for their children in six weeks' time. That is the real letdown.

I fully concur with Deputy Moynihan that there is an avenue available to move this situation forward. I am grateful for the Minister of State's indication in that regard. If there is a child-focused view and perspective, then the Departments of children and education will move Heaven and earth to ensure that Nexus is in a position to qualify and to jump through the hoops that are there.

I thank the Chair for allowing me a bit of latitude here. I am not saying Tusla is wrong in its position. Nexus may not have been upfront with us but we have no reason to believe that is the case. Tusla has not explained why it allowed this service to continue. According to the provider, there were inspections previously. Let us focus on the children. They need places and their parents need certainty for 1 September.

Deputy Niamh Smyth: I totally concur with the Deputies' appraisal of the response to the effect that there is an avenue open now for Tusla, the provider and the Department of education to sit down and find a pathway forward. There may be a narrow window, but anything can be done within six weeks. It would seem deeply unfair that, because there may be discrepancies related to two children, 60 children and their wider network of family, parents and friends would be impacted. To give to any family the traumatic news that perhaps within six weeks'

time their child will not have a place seems deeply unfair. Therefore, I appeal to Tusla to sit down with the provider and the Department of education to find a pathway forward, take away the uncertainty and give predictability to parents as quickly as possible.

Once again, I thank both Deputies. I know that when you go to public meetings like those in question, there are tough stories from parents and you may feel a little inadequate sometimes in being able to deal with these things as quickly as possible. I am glad the Deputies used their time here today to make the presentation and to campaign for the parents. I will relay their very heartfelt sentiments to the Minister, Deputy Foley, this afternoon.

The Minister wishes to acknowledge the role of the Tusla's early years inspectorate, which is the statutory regulator of early years services in Ireland. Regulation includes registration, inspection and, where necessary, enforcement. Regulation is very important. It is the gold stamp of approval for any service. The question here is one of why now when the service has already been in place for what I imagine is many years. Tusla's early years inspectorate promotes and monitors the safety and quality of care and support of children in Tusla-registered early years services in accordance with the Child Care Act 1991 (Early Years Services) Regulations 2016. The ECCE programme currently provides for exemptions to the upper age limit in certain circumstances, as I have outlined, to support children with additional needs. The provisions of the exemptions provide an opportunity to ensure that these arrangements continue to meet the needs of children and families while remaining consistent with the objectives of the ECCE programme.

I will relay to the Minister the Deputies' heartfelt remarks on behalf of these most vulnerable children and their families.

Business Regulation

Deputy John Clendennen: I thank the Ceann Comhairle for selecting this matter on the cumulative regulatory burden and the rising cost of doing business. It is certainly not an abstract issue. As someone born and raised in a family business, I am acutely aware of the challenges that many businesses face. I am very conscious that the two Ministers of State at the Department of Enterprise, Tourism and Employment, Deputies Niamh Smyth and Alan Dillon, and the Minister, Deputy Burke, have very much taken a proactive approach in their Department, constructively leading to strong results by adopting a simpler, lighter and faster approach to enterprise and the sector.

We have seen nearly 15,000 new companies registered in the first half of 2026, a 13% increase on the same period last year. At that pace of increase in registration, we are going to see one of the strongest years ever in relation to company registrations. There is no doubt that Ireland is a great place to invest. We are seeing exceptional growth in artificial intelligence and digital technology, as well as pharmaceuticals and manufacturing. For many small and micro-businesses and family businesses, however, viability is becoming an increasing challenge. These are businesses that are the cornerstone of local communities, sponsoring local events, community groups and sports organisations. For many of them, it is now a question of survival. Since I entered this House, I have done a considerable amount of work trying to highlight that. I carried out a survey last year on foot of which 600 business owners highlighted the concerns they had around the future viability of their businesses. This has been built on by

ISME, which found that 78% of respondents cited business costs as a big issue facing SMEs. That is also recognised by the Small Firms Association, which points to a 40% cumulative increase in costs over the past three years. My fear is that the burden of these costs is being placed on employers and is reducing the number of employees and employers, specifically small businesses. Not every business has the potential or wants to scale up.

We have made progress in relation to the likes of the 9% VAT rate. I have met many of these businesses over recent weeks, and they have basically said that this was the difference between being in profit and being in loss. It is Government recognition of the challenges and is very much welcomed, but we need to continue to address viability.

When we look at some of the reports from the Commission for Regulation of Utilities, CRU, in recent weeks, in which it has stated that more businesses need to consider switching, we note that this comes down to a lack of time for many of them. They are spending more time behind a desk and less time at the counter, where they should be serving customers. There are growing regulatory complexities and burdens, demanding tax obligations, investment needed in energy efficiencies, insurance premium hikes, complex applications for Government supports, and unattainable legal and planning costs.

An Coimisiún Pleanála announced this week that it will be up to a year before it has a decision on the water pipeline from the mid-west to Dublin. If that is what it takes for the largest infrastructure development the country has ever seen, at a cost of €5.9 billion, what encouragement does it give to a small business that wants to expand or introduce a storage facility? There is a real need for urgent action by the Government to engage with An Coimisiún Pleanála to ensure this process is not delayed and that we see delivery from small business, societal and economic perspectives.

Overall, the SME test has been beneficial and productive, and we need to continue to do that. I ask that concrete steps be considered for budget 2027 that will see meaningful and impactful measures to ensure the survival of small and medium businesses, and to build on the work we have seen with the recently introduced 9% VAT rate for the hospitality sector, provided for in budget 2026.

Deputy Niamh Smyth: I thank the Deputy, including for the energy he brings to the Oireachtas committee with responsibility for enterprise. He and his colleagues come from a genuine business background, so he is speaking from experience. That makes a huge difference at Oireachtas committees and in feeding into the work of the Department with me, the Minister, Deputy Burke, and the other Minister of State, Deputy Dillon. It is very helpful and very much appreciated. I thank the Deputy for the energy and experience he brings to his role.

I want to outline the Department's priorities for Ireland's Presidency of the Council of the European Union, centred on building a more competitive, innovative and resilient European economy. The Deputy's question is particularly around the regulatory burden. We have to have the relevant conversation knowing that, in the background, the evidence is available from the Draghi and Letta reports that right across Europe, not just in Ireland, we may have lost sight of what is required a little by being so correct about how we do things. We have laid huge burdens on the SME sector in particular. As the Deputy rightly stated, SMEs do not have huge human resources departments. They are multitasking, as they have to, and they are very much the backbone of this country. In light of that, we are using our Presidency to ensure we are

harnessing competitiveness, including by paring back on the regulatory and bureaucratic burden that has been on businesspeople in this country for a very long time.

A key cross-cutting priority will be reducing administrative burdens and improving the business environment and ecosystem. My Department will advance simplification measures to ensure EU rules are proportionate, effective and supportive of enterprise. When we say that, we are not saying that it somehow becomes the Wild West to do business. That is not it. It is about giving that gold stamp of approval to businesses, but also taking away the regulatory burden. "Simplifying" is probably a better word.

The Minister, Deputy Burke, is leading the way on all this and established the cost of business advisory forum in June 2025, delivering on a programme for Government commitment. Its purpose is to examine key cost drivers and assess the impact of the rising cost of regulatory pressures on businesses in Ireland. The forum's independent report and recommendations will be presented to the Government and published on 22 July. I thank that committee for its incredible work in respect of that forum. It has been very helpful to us in our Department. These recommendations will aim to help businesses remain competitive and resilient in an increasingly challenging economic environment.

The Action Plan on Competitiveness and Productivity was published by the Department in September 2025. It contains 85 actions. Actions are important. We need to consider these not just as recommendations but as actions that we can take as a Government to ensure our competitiveness and productivity performance. The aim behind one of the themes in the plan, "Regulating for Growth and Controlling Costs", is to ensure that the regulatory costs faced by Ireland's businesses are kept to a minimum. The action plan includes measures to support the development of a more effective regulatory system that seeks to support sustainable economic growth while controlling overall cost levels, because we know they have grown exponentially and, in some cases, have got out of control for people trying to stay in business.

One such measure is the introduction of the red tape challenge across government to significantly reduce regulation and administrative burden for SMEs, which is incredibly important. Work on the red tape challenge is under way, and progress will be closely monitored. Implementation of the action plan is at an advanced stage. Officials from my Department provided an update on progress at the Competitiveness Summit on 13 July. For priority actions, 65.4% have either been implemented or are on track, while 34.6% are partially implemented and considered in progress. I will let the Deputy come back in.

Deputy John Clendennen: I have a number of asks. First, we need to look at the effectiveness of the local enterprise office, LEO, reporting to the local authority and Enterprise Ireland. There is a question there of effectiveness. I would also like to see the local authority leading out on enterprise parks to give opportunities for businesses. I would like to see more competition in the banking sector and looking at new creative ways of accessing finances for small businesses. I would like to see the following approach. A good example is what the Vintners' Federation of Ireland, VFI, has proposed in relation to an on-trade keg of draft beer or cider sustainability scheme where there would be proportionate and focused support for small pubs, considering their vital role in local communities. They are no different from newsagents or hardware stores where they are providing not just employment and economic activity but they are social anchors in our community as well. This scheme proposing a tax

credit of €20 on every 50-litre keg of draft beer would be a huge tangible benefit to our local communities. I ask for it to be considered in the 2027 budget. This will not just protect the heart and soul of our commercial trading but it will protect our social activity and jobs and will support businesses. We would continue to see that rural and regional development and activity and build on the work that has been done.

I do not want this to be seen as being critical of the Government. We are moving in the right direction. We are on the right trajectory in relation to trying to cut out that red tape to ensure there is a seamless way of going about business and that it is encouraged. Far too often, we see now where there are challenges around succession from one generation to the next in family businesses. We have to ask: why is that happening? We need to see a broader and greater appeal and ensure that we do not see lights go out. One in five pubs has closed over the past 20 years. We see similar trends in relation to shops like newsagents and others. There is a real opportunity now to build on the work of VAT 9 in the last budget and to ensure that we continue to support small business.

Deputy Niamh Smyth: I thank the Deputy very much for his presentation. It is very heartfelt but, equally important, it comes from his experience in both business and on the committee. I take his point on the effectiveness of LEOs. We can see some LEOs being hugely effective but maybe that is not the same across the country. We may need to do a mapping exercise to see the effectiveness of all our LEOs across the country. I concur with his presentation about the importance of our local authorities being able to develop enterprise parks. In my experience of the Cavan and Monaghan area, we have nowhere to develop. There may be no finance or no obvious channel of finance for the local authority to do it. Enterprise Ireland and IDA are incredibly agile and energetic Government agencies. At that local level, we find that many businesses are operating from a back shed, particularly in country parts, and along highways and byways. It is about providing the facilities, ecosystem and infrastructure. Our local authorities are very energised about doing that. We need to find ways of channelling that energy and to give them the finances and the infrastructure to do it. I concur with that. I am working with the Minister, Deputy Burke, to see what avenues and finance we can provide to our local authorities to achieve that.

The Deputy is right about access to finance. We hear all the time that the pillar banks are not always the easiest for the SME sector to do business with and are not always the great risk-takers that our SMEs have to be and need to be. That is what gives them the fire in their belly every day of the week to get up and run their businesses. We need to make finance more accessible to them.

Regarding the proposal the Deputy made for the publicans, I like his term "social anchor". I agree with that, particularly in country parts and in small towns and villages. In my town, we went from 46 pubs down to two or three that are in business today. In today's world, we do not need 46 pubs, however, those who remain and continue to invest in those pubs and that industry are incredibly important. They are a social anchor and should be supported as well. I have a very detailed reply to give the Deputy, and I will share that with him.

Social Media

Deputy Pa Daly: I thank the Minister of State for coming in to deal with this issue when other colleagues were not available. She will be able to bring her experience of this area to this debate. I am slightly caught for time, so I will try to parse it a little bit. I wish to ask the Minister of State about the harmful content on social media platforms.

I read reports in the newspapers this morning, for example, about the death of Ann Widdecombe. British police are investigating some comments that have been made - it has been reported already - online celebrating her death. They were saying that it was good news and that they hoped it was extremely painful. That has already been widely reported.

Social media has many very positive aspects, such as giving people a voice and allowing people to communicate, including people of all ages. The Digital Services Act was introduced. It was to ensure a safe, predictable and trusted online environment and to prioritise greater activity and online safety. There is the Online Safety and Media Regulation Act 2022 to protect children and the public from harmful and illegal content. There is a danger. It is an offence if something can harm the physical, mental or moral development of children or if it is an incitement to hatred. In this State, we have a lot of the very large online platforms operating here.

I wish to express my sympathy to the family of the woman who was killed in Killarney. On her social media platform, on her Instagram account, there are over 2,000 comments. They are still available if you open your Instagram app this morning. Many of the comments are mocking the deceased woman. While we know violence against women is a crisis and femicide in Ireland is a crisis, it is overwhelmingly men who carry out these acts. These are men of all cultures, races and ethnicities. However, social media giants have a responsibility and are clearly not stepping up to the plate. They are not complying with their obligations. They are allowing comments. If they were said in Temple Bar on a Saturday night, the person would be arrested for at least a breach of the peace or threatening, abusive and insulting words or behaviour with intent to provoke a breach of the peace. Clearly, some of the comments that are being made - I do not want to list some of the comments - are mockery of a dead woman. It is allowed. It is online and in public. There seems to be no monitoring and regulation of these comments. Somebody even said that they hope these comments are not going to be deleted to suit one's ideology, which they misspelt. That is the kind of narrative that is going on. They are mocking her beliefs and her. It is similar to what is being investigated by the police in Britain. I ask the Government to take a stronger line with the platforms, or at least, contact them.

Deputy Niamh Smyth: I thank the Deputy very much for raising this important issue. I pay my respects and express my condolences to the family of Ann Widdecombe. It was a shocking and heinous crime that happened to her. It is the same thing for the lady in Killarney. However, the points the Deputy raised are so true and accurate. Social media platforms fuel this.

10 o'clock

To allow comments like that to sit on the account of somebody who has lost their life in such tragic circumstances, with the further traumatic impact that has on her family, is just not acceptable. I really am of the view that the likes of *The Irish Times* or the *Irish Independent* would not be allowed to publish comments like that. They fuel that hate and allow it to continue and be exacerbated. To perpetuate that kind of vile commentary online is shocking.

I am going to take time after this debate to look at the Instagram account the Deputy raised today to see for myself. I do not disbelieve the Deputy. It upsets me so much to see that is allowed. Where is the monitoring of it? The Deputy and I both sat on the Oireachtas committee where we had companies in and were promised that social media platforms would not be the wild west any more. What the Deputy has presented today certainly does not concur with that sentiment.

I thank the Deputy for raising the important issue of online safety. It is a priority for me and across the Government, particularly when it comes to the protection of children, women and young people. It is one of the key themes of Ireland's EU Presidency and it is an explicit whole-of-government priority in the national digital strategy, published in February of this year. We have a robust online safety framework in Ireland that should be respected and regarded. It comprises the Online Safety and Media Regulation Act 2022, the EU's Digital Services Act, and the terrorist content online regulation. Together, they place obligations on online platforms, including social media platforms, to put measures in place to prevent and limit the spread of illegal and harmful content on their services. Last July, the framework was enhanced when the online safety code came into full force. The code includes provisions designed to strengthen the protection of children online. For example, it obliges designated video-sharing platforms to implement measures to ensure that under-18s do not have access to adult-only material, such as pornography. To comply with that provision, platforms are required to use robust age assurance measures. As the Deputy knows, the Government is working with our European colleagues to come up with an age limit on access to social media platforms. I think that is a must. The Government is developing an age verification tool to support compliance with that obligation. It will only confirm to a platform whether a person is over or under 18. No other personal information is revealed to the platform, so it will meet high standards for protection of privacy. That tool will be offered as a service on the digital wallet, on a voluntary basis.

Coimisiún na Meán, as Ireland's online safety and media regulator, plays an important and central role in supervising and enforcing the regulatory framework. I have worked particularly hard on the prohibited practices piece, which will come into effect on 2 August.

Deputy Pa Daly: We are running over time but I will make one more point. If, as it provides in the Online Safety and Media Regulation Act, we are to protect children and adults from online conduct, how does it look as an example to younger people in particular when this content is still allowed to be there? That is the example that is being set for people who are starting off on their online journey.

Deputy Niamh Smyth: The Deputy is right - it should not be there. It only encourages more of it and sends the wrong message to young people. I would appeal to the social media companies, particularly in the case the Deputy has raised this morning, that it be removed immediately. I am going to go and look at the Instagram account he raised today. It is shocking. We have strong regulation in place and I would appeal to the social media companies to respect that and regard it.

We are establishing the national AI office, as the Deputy knows, and it is incredibly important that the regulations be adhered to in respect of the prohibited practices piece. The regulation is designed to ensure that illegal and harmful content - there is no question that it is

harmful content - is more likely to be identified, removed and militated against. New rules to address the challenge of AI have been adopted recently and will come into force on 2 August. The Government favours this European-wide approach to the digital services, which will make it more straightforward for service providers to comply and regulators to oversee. Digital services are provided across borders and our response should be the same. Along with supervising and enforcing regulation, raising awareness is another tool to combat harmful content online. Coimisiún na Meán is working in this area.

I will take a moment to thank Hotline, which does incredible work in this area, and An Garda Síochána. I appeal to members of the public who find harmful content online to make a complaint to Coimisiún na Meán, Hotline, An Garda Síochána and, more importantly of course, to the platforms themselves to remove the content immediately.

Teachtaireachtaí ón Seanad - Messages from Seanad

An Cathaoirleach Gníomhach (Deputy Aindrias Moynihan): Seanad Éireann has passed the Planning and Development (Amendment) Bill 2026, without amendment.

Seanad Éireann has passed the Housing and Residential Tenancies (Miscellaneous Provisions) Bill 2026, without amendment.

Digital Divide and Back to School Costs: Motion [Private Members]

Deputy Eoghan Kenny: I move:

That Dáil Éireann:

notes that:

- research by the Economic and Social Research Institute and the University of Limerick from a survey of more than 720 post-primary schools showed that more than three in ten mandated the purchase of digital devices, including 17 per cent of Delivering Equality of Opportunity in Schools (DEIS), and that there is a risk of growing inequalities in the education system;
- the Barnardos Back to School 2025 survey showed the average cost of digital devices for second level schools has reached €430, up from €121 in 2022;
- since 2015 the Society of St Vincent de Paul has received nearly 3,000 requests for assistance with educational digital devices;
- savings to parents from the Primary Schoolbooks Scheme are now being undermined by requests for mandatory Information and Communications Technology (ICT) equipment that is more and more essential for schoolwork;
- the Grant Scheme for ICT Infrastructure 2026 for schools was cut by €15 million, to €35 million in 2025, remained at €35 million in 2026 and there is no dedicated funding for repair or maintenance; and

— manufacturers have warned that the shortage of memory chips will lead to significant price increases for laptops and tablets;

further notes on school costs that:

— The Zurich Cost of Education in Ireland 2026 survey, shows an annual cost to parents of €1,794 for primary school and €2,928 for secondary school, and that the number of parents taking out loans to help with costs doubled from 2025 to 2026;

— Budget 2026 discontinued the two double Child Benefit payments, removed energy credits, the €400 once-off Working Family Payment, and the once-off family support €100 lump sum per qualifying child;

— State Examination Fees have been reimposed on Junior and Leaving Certificate students;

— the School Transport Scheme fees have increased to €100 per child with the family cap increasing by €95 to €220, the fee for primary school children doubled from €50, and increased by a third, €25, for post-primary students;

— the increased cost of energy, insurance, waste and other essential services are not being met from the Capitation Grant, leaving schools reliant on voluntary donations;

— at least 47 schools have been referred to the Financial Support Services Unit of the Department of Education and Youth in the 2025/2026 school year, due to rising costs, an increase of 38 per cent on last year;

— the Back-to-School Clothing and Footwear allowance (BSCFA) has been extended to 2- and 3-year-olds, but the €100 cut in the rate in 2024 has never been restored, and the income thresholds remain very restrictive;

— parents are provided with no support for other substantial costs including mock exam and correction fees, school trips and tours, after-school and summer extracurricular activities and camps, and students in transition year have additional expenses above normal year-to-year costs; and

— the 2017 circular on affordable uniforms is not being enforced, with large numbers still using crested or branded uniforms rather than generic uniform items;

recalls that:

— the Minister for Education and Youth has written to all schools noting that they cannot make it mandatory for pupils to purchase laptops or tablets, but there is no enforcement of this guidance;

— there is still no ban on voluntary contributions forcing parents to have to fund essential school activities; and

— the introduction of new curriculums for Leaving Certificate subjects has imposed further extra costs on post-primary schools; and

calls on the Government to:

- address the growing inequality from the digital divide and ensure all children have access to digital technology in school at no additional cost to parents;
- introduce enforceable guidelines for schools on the requirement for laptops and tablets in schoolwork that protects families from the costs of having to buy digital equipment;
- restore the school Grant Scheme for ICT Infrastructure 2026 to at least €50 million, and ensure there is a separate stream of funding for the maintenance and repair of equipment;
- ensure students have access to a national loan scheme when laptops or tablets are required for school project work;
- remove State Examination Fees, and reverse the increases to the School Transport Scheme fees;
- restore the €100 cut to the BSCFA and expand income thresholds to increase eligibility and ensure more working families qualify;
- ban voluntary contributions and ensure that school capitation rates are increased in Budget 2027 to meet the actual costs of running a school; and
- mandate schools to use non-branded uniform clothing and ensure that parents have a choice of supplier to ensure competition on costs.

Parents across Ireland are sitting at kitchen tables trying to work out how they are going to pay for another school year. For far too many families, the excitement of a child returning to school has been replaced by financial anxiety. Increasingly, parents are being forced into debt simply to educate their children. In one of the wealthiest countries in Europe, that should shame every single one of us. Education is supposed to be the great equaliser. It should be the pathway that allows every child to achieve their potential, regardless of where they come from or what their parents earn. That has always been a core Labour Party belief. It was the principle that guided Niamh Bhreathnach when she transformed education in this country. She understood that Government should remove barriers to education, not create new ones. The barriers facing families today may be different but the principle has not changed. The Labour Party believes opportunity should be determined by talent, effort and ambition, not by the balance in a parent's bank account.

Technology has transformed education for the better and it is now an essential part of modern schooling. If digital learning is essential, then access to digital technology must also be essential. It cannot depend on whether a family can find another €430 at the end of August. Equality of opportunity means very little if opportunity comes with a price tag that thousands simply cannot afford. The Government cannot claim it did not know this was happening. It has had the research from the ESRI and the University of Limerick. It has heard the warnings from Barnardos and the Society of St. Vincent de Paul. It has heard from principals, teachers and parents, yet the response has simply not matched the scale of the problem. The research tells us that almost three in every ten secondary schools now require students to purchase digital devices. Even more worrying, almost one in five DEIS schools has introduced these requirements. The very schools established to reduce educational disadvantage are now asking some of the most financially stretched families in Ireland to spend hundreds of euro on technology simply so that their children can participate fully in school. The Society of St.

Vincent de Paul has received 3,000 requests for assistance with educational digital devices. Those are not just figures in a report. They represent parents taking out loans, relying on credit cards and sacrificing their own needs or the needs of other children because they refuse to let their children fall behind.

As a former teacher, I know that teachers learn quickly. We see the child who quietly falls behind because they do not have the same resources as everyone else. We see parents apologising because they simply cannot afford another payment. Teachers will always do everything they can to support those students, but teachers should not ever be expected to compensate for Government failures. This is no longer simply a digital divide. It has become an education divide. A child without access to the technology required by their school is not simply missing out on a laptop but on opportunities. If access to learning depends on family income, then we are failing in our duty to provide equality of opportunity.

The Labour Party welcomed the free books scheme because it genuinely helped many families but let us not pretend free books make education free. Free books do not pay for the hidden costs. Families do not experience Government decisions one at a time; they experience them all together. Government sees separate policies where parents see one enormous bill.

The Minister has written to schools stating laptops and tablets cannot be made mandatory; however, parents, teachers and children know the reality. If a child cannot complete assignments or fully participate in class without a device, then that device has become mandatory in everything but name. We need to stop pretending otherwise and introduce enforceable protections for families. As schools become more dependent on technology than ever before, the Government has cut the ICT grant by almost €15 million. That grant stands at just €35 million with no dedicated funding for repairs or maintenance. Schools are expected to deliver 21st century education with 20th century resources. The Government is not reducing the cost of education; it is simply moving the bill from the Department of education to the kitchen table.

The pressure on families does not end there. Parents have seen school transport charges increase and State examination fees return. Schools continue to rely on so-called volunteer contributions because capitation has failed to keep pace with the real cost of running a school. At least 47 schools have been referred to the financial support services unit in the Department in the academic year 2026 because they cannot make ends meet. That is not a failure of principals or teachers; it is the consequence of political choices.

The Labour Party believes there is a better way. We call for enforceable national guidelines on digital devices, the restoration of the ICT grant to at least €50 million, a national loan scheme so every child can access a device where required, the reversal of increased transport and examination fees, the restoration of the back-to-school clothing and footwear allowance, proper capitation funding and genuine choice for parents when buying school uniforms.

This debate comes down to one simple question: do we want an education system where every child has the same opportunity to succeed or do we want opportunity to increasingly depend on what their parents can afford? The Labour Party has made its choice. Poverty should never determine potential. Education should be the ladder that lifts children out of disadvantage, not another bill that pushes families further into it. Education should open doors; it should never open overdrafts. I commend the motion to the House.

Deputy Mark Wall: I thank my Labour Party colleague, Deputy Kenny, for tabling this important motion which highlights a massive issue for many families across the country. The cost of education report by Zurich shows the annual cost of sending a child to primary school is €1,794. Sending a child to secondary school is even more expensive at €2,928. This means parents could be paying anything up to €32,000 just to put their child through what is supposed to be free education.

The Labour Party is clear that free education means free. It does not mean voluntary contributions, State examination fees or €700-plus on laptops or tablets. Uniform costs are putting financial pressure on working families who, in most cases, do not qualify for the back-to-school clothing and footwear allowance. Parents contacting my office tell me they are forced to go to one supplier due to the requirement for school branding. These parents pay over €160 on uniforms and over €100 on shoes for secondary school students, according to a recent report by the Irish League of Credit Unions. It is a lot for parents who are struggling with the cost of living. Government needs to intervene and mandate schools to introduce non-branded uniform clothing so parents can shop around for the most affordable prices.

I previously raised the ongoing issue of digital devices for students in this Chamber. This continues to be a source of concern for many working families and there is no clarity on whether these devices are mandatory. I have received three responses from the Minister's Department which state there is no requirement for digital devices in junior or senior cycle. The Minister has stated this in the replies and confirmed it to schools as well, yet principals and teachers have highlighted to me that the curriculum mandates digital devices for additional assessment components, AACs. I raised this in a parliamentary question to which the Minister replied, "There is no requirement currently under the new subject specifications for students to have their own laptops or devices; or devices of a particular type." This is extremely confusing for many school communities and parents who are having to bear the costs of these devices. Working families coming into my office are being told they must pay €700 or more for these devices and that they can only be bought from a particular supplier. People from all over the country tell me there is no free education in Ireland any more. One dad told me he had to buy three laptops, one for each of his three children. That will cost him over €2,000 - a cost the Minister's Department is saying he does not need to incur. That is before uniform costs and voluntary contributions are factored in. A family in County Meath tell me they are paying €600 while another in Cork tell me they are paying the same. Parents are paying up to €1,000 for laptops. Members can imagine the pressure that is putting on families. Some have to pay insurance on top of this, which is adding another €100 to the cost. Families in Kildare, Meath, Cork, Dublin, Wicklow, Waterford, Longford, Tipperary and throughout the country are contacting me and other Labour Party members saying they do not know how they will afford these costs.

The cost of education keeps increasing year on year. Government was rightly praised for introducing the free books scheme but parents tell me that what the scheme gives on one hand is being taken away by the cost of laptops on the other. It is time for the Minister and her Department to provide clarity to school communities and parents by making a statement to the Dáil on this matter. We cannot let parents spend the summer months worrying about this.

Every year, Bus Éireann and the Department of education places enormous pressure on those applying for school transport, which is another cost. This is a massive issue for many

parents in my constituency of Kildare South who are fighting every year for a place for their child. Even if they are lucky enough to get a place, these families could face paying up to €200 for primary school transport and €220 for secondary school transport. In a cost-of-living crisis, this is an attack on working families who are doing their best to get their children to school and to get to work on time.

When we factor in voluntary contributions, digital devices, uniforms, State examination fees, mock examination fees, school transport fees and more, we no longer have free education. We no longer have equal starts for each of our children. The Government needs to deliver on the State's promise of free education. We ask it to listen to the Labour Party, to parents and to school communities, and to show up for workers.

Deputy Alan Kelly: If we truly live in a Republic, we need to deal with the myth of free education. I have two children going to secondary school: one in TY and the other doing the junior cert. I have been through a lot of the cycle. My wife and I can afford the costs imposed but, over the summer, numerous families will be coming to my clinics saying they cannot afford what is ahead of them. In a Republic and a wealthy country like ours, we need to call out this myth.

I acknowledge the advances made on schoolbooks but when we talk about the cost of laptops and iPads, there is no point in telling parents about the circular and the Minister saying they are not mandatory. There is not a single parent who does not want to do the best for their children. If a certain percentage of students in the school have these devices, instead of saying they are not mandatory, we should ensure everybody is on a level playing field as we head into the 2026-2027 school year. That is the way we should be looking at it. In many schools, there is a digital divide, which is completely and utterly unacceptable.

Many people come to me about the ongoing costs they are facing. One woman told me her daughter is going into TY and the cost the family is budgeting for is well over €1,000. They considered not letting her do TY - letting her instead advance straight into fifth year - because they would not be able to afford it.

That is not a choice any family should be having to make. There are the issues of transport fees, stationery fees, the ridiculous voluntary contributions, transition year, branded school uniforms and €300 for a PE uniform, which is insane. My colleague, Deputy Eoghan Kenny, whom I want to commend, has outlined what we need to do to deal with these issues, namely, capitation grants, ICT grants, back to school allowances and all of that.

I ask the Minister to please listen to the Labour Party. Our party truly believes that, when we in a republic say that we have free education, it should really mean free education.

Deputy Robert O'Donoghue: This motion could not have come at a better time. Last week, a constituent was on to me. She told me that her child had finished school on Tuesday, 30 June and the next day the first payment request from the school had landed in her inbox. That is not the end of it. Between now and August, parents will receive email after email or app notification after app notification reminding them to pay. Sometimes, these reminders come twice a week. Then, throughout the school year, every time the parents open the school app, there is a request for more money. This is not the fault of schools, which are trying to operate

with inadequate funding. The families are being asked to bridge the gap and the costs just keep mounting. It is the airtex tops, the school trousers, the crested uniforms and the voluntary contributions that we know are not voluntary. Then comes secondary school and the bills get even bigger. Parents are expected to buy Chromebooks, laptops and iPads, often designated through one supplier at inflated prices. One constituent mentioned to me that she had just paid €980 for her daughter who was starting secondary in September. The device cost hundreds more than it would have in Power City. Then she has to buy Microsoft Office, again, even though she already owns it. I do not understand why the Department has not established an IT service for schools. These devices are now mandatory, more or less, yet parents are carrying the full burden.

It feels like the company Wriggle has an exclusive arrangement and no real competition. This is not an isolated incident. I hear it repeatedly from parents across my constituency. On top of that, the Government has brought back State examination fees. School transport charges have doubled, particularly for people going from zone 1 to zone 2, for kids in Rush and Lusk accessing the Loreto Secondary School in Balbriggan. For families in Dublin Fingal West, particularly Ballyboughal, the situation is worse. The school bus service that goes from Ballyboughal to Lusk Community College forces parents to drive their kids to the outskirts of the town, absorbing fuel costs. That bus needs to go through the village so that students can walk to the bus. That should be looked at in the coming year.

The message parents are getting is simple: at every stage of their children's education, they are met with another bill. Education is supposed to be free but for too many families it no longer feels that way. The cost of sending a child to school has become one of the biggest financial pressures for working families. Parents are doing everything they can but they cannot keep being treated as the Department of education's funding model. It is time for the Government to recognise the reality families are living with and take meaningful action to reduce the cost of education, instead of shifting more and more of the burden onto parents.

Deputy Ivana Bacik: We all know that school costs continue to weigh heavily on families. I commend my Labour colleague, Deputy Eoghan Kenny, for proposing this important motion at this time. We are all hearing it from people in our constituencies. I hear it weekly from residents of Dublin Bay South. Desperate parents are telling me what they have to sacrifice to ensure that their children can feel normal at school. People are utterly squeezed by the education policies of the Government and, indeed, the schools. It causes immense distress to parents, principals and teachers but most of all, it is impacting on children in Dublin Bay South and every other constituency. Children are going without essential educational equipment or are suffering the trauma of seeing their parents grappling with financial pressures, taking out loans to pay off loans and going without basic essentials just to fund an education that, as my colleagues have said, is free in name only.

This week, research from the Irish League of Credit Unions shows that more than one in four families are getting into debt over school costs. Nearly 60% of parents say that back to school costs are a financial burden. It is no wonder. The average so-called voluntary contribution in primary schools is close to €100 per child and €150 in secondary schools.

I know that the Government will say what it has done to ease the pressures on families. I anticipate that is what the Minister will be saying. We acknowledge progress on school

meals and schoolbooks. These are policies that Labour has been pushing for years. However, half of the respondents to the credit union survey say that their costs have gone up since last year. The trend is going in the wrong direction. Education is becoming less accessible due to costs, when education in a republic must be a right and not a privilege.

Deputy Kenny rightly focused on the digital divide in his motion. We know that the Minister has written to schools to offer guidance. I am looking at the letter. It clarifies that there is no requirement for students to have their own laptop or device for the junior or senior cycles. That is welcome. However, the Minister then says she appreciates that decisions on the use of digital devices rests with the board of management of each school. This is despite the fact that she acknowledges, in some cases, that families have been directed by schools towards commercial credit arrangements to meet the cost of buying a digital device for their children. As others have said, no parent wants their child to be without a digital device when others in the class have them. This is mere guidance; it does not really offer much support to parents. We have learned that three in ten schools are still requiring that parents cough up the expense. In a cost-of-living crisis, parents need the Minister of State to have their backs and to support them, as our motion asks, by restoring grants, reducing fees and enforcing what is now only guidance and is being ignored by many schools that are still requiring parents to purchase digital devices.

The schools need to be supported, too. Labour has been to the fore in looking for adequate supports for schools. Principals tell us that they feel they have no choice but to levy parents because the public funding they receive is just not enough to provide the supports they need to ensure that children will be taught the digital skills that will help them access decent jobs. High-quality education costs money and the Labour Party believes that the Government need to do more to ensure resourcing in education.

Minister for Education and Youth (Deputy Hildegard Naughton): I welcome the opportunity to respond to this motion. I recognise and share the genuine concern felt by many families at the beginning of the new school year, which can bring real and often significant financial pressure. I have listened to parents who have described the financial pressures they face when a number of education-related costs arise at the same time. That is why the Government has made affordability a central focus of education policy.

The concerns reflected in this motion are ones that I have heard directly from parents and it is important that we continue to help families to meet these costs in a practical, evidence-based and sustainable way. While digital technology can greatly enhance teaching and learning, no family should be placed under financial strain because of an expectation that they purchase a device. As our schools continue to embrace the opportunities of digital learning, we must ensure that access to technology remains fair and inclusive for all families.

I am very conscious that parents can feel under pressure when some schools seek the use of digital devices for learning. That is why, on 25 May, I wrote directly to all schools and made it very clear that there was no requirement for students to have their own personal devices for school. I encouraged schools to consider how existing ICT supports and funding could be used to meet students' needs before any expectation was placed on parents to purchase devices. I asked schools to carefully consider the financial impact of any digital device arrangements on families. In particular, I asked schools to engage with all parents and not just their parents'

associations before making a decision on the use of digital devices. I also asked schools to ensure that no student was disadvantaged because of their circumstances.

While digital technologies can support teaching, learning and assessment, the way in which they are used should be guided by the educational needs of each school. That is reflected in the requirement for every school to have a digital learning plan that sets out a clear vision for digital learning. We know from the research commissioned by the Department and published by the OECD in 2025 that access to digital technologies alone does not guarantee improved learning outcomes. Rather, their effective use depends on deliberate, pedagogically informed decisions about how and when technology is used to support specific learning objectives.

This emphasises the importance of schools taking a planned and evidence-based approach to the use of digital technologies. To support this, the Department issued guidance to schools last May on the use of digital devices and the cost considerations for students and parents. The guidance asked schools to place affordability, equity and value for money at the centre of their decision-making and before introducing any expectation that families purchase devices to consider whether students' needs can be met through shared devices or school-managed loan schemes funded through the existing ICT supports.

I am aware that Deputies have called for further measures. I share the fundamental objective behind those calls and I strongly believe that no child should be placed at a disadvantage in his or her education because he or she does not have access to a digital device. At the same time, we must recognise the way our school system operates. Under the Education Act 1998, schools and boards of management have responsibility for decisions at local level while operating within national policy. That balance is important. It allows schools to respond to their own circumstances, their own students and their own educational priorities, but it also means that decisions about digital devices should be grounded in pedagogy, informed by engagement with parents and students and mindful of affordability for families.

That is why the Government has taken a balanced approach that involves clear guidance, significant investment in school ICT infrastructure and flexibility for schools to respond to the needs of their own communities. My objective is straightforward - every student should have access to the benefits of digital learning regardless of his or her family's financial circumstances. Technology should support better educational outcomes and greater opportunities for learners while remaining accessible, affordable and inclusive for all. While digital devices are a particular and growing concern, I fully recognise that the cost pressures on families go much wider. Deputies have also raised issues relating to school uniforms, transport fees, voluntary contributions, capitation funding and the back-to-school clothing and footwear allowance.

I will turn first to school uniforms because this is an area where practical measures can make a meaningful difference for families. School uniform policy has traditionally been a matter for each school's board of management, reflecting local needs and traditions. However, Circular 32/2017 makes clear that schools should take practical steps to reduce costs for families, including using generic items where possible, avoiding unnecessary exclusive supplier arrangements, using sew-on or iron-on crests and consulting with parents. We recognise that more can be done. That is why a working group, including the National Parents Council and education partners, is reviewing the circular to strengthen and update the guidance. We are

also commencing work to promote uniform swap shops across primary schools, helping families save money while supporting sustainability.

Since September 2025, all students in the free education scheme, almost one million children and young people, have benefited from free school books and core classroom resources. This represents an investment of €160 million and the full delivery of the programme for Government commitment to provide free school books for every child.

We are also maintaining our commitment to affordable, accessible school transport. The school transport scheme, which Bus Éireann operates on behalf of my Department, has expanded significantly in recent years. Since 2018, the number of children and young people using the service had grown from 117,800 pupils in 2018 to over 180,000 pupils in 2025, which equates to an increase of close to 54%. It is worth highlighting that for the coming school year, a primary school ticket will cost 55 cent per school day, a post-primary ticket will cost approximately 60 cent per school day, and the maximum daily cost to a family will be no more than €1.32, regardless of the number of children per family who use the service.

To help cover the cost of clothing, as of this month, the Department of Social Protection issued back-to-school clothing and footwear allowance payments totalling €47.8 million to over 123,000 families in respect of over 229,000 children. The scheme has been extended this year to include children aged two and three and now covers eligible children between the ages of two and 17, and 18 and 22 if returning to second-level education.

A central tenet of our education policy is that schools need to always engage openly with parents and students - to listen as well as to inform them. That is the principle at the heart of the Education (Student and Parent Charter) Bill, which is progressing through the Oireachtas and is expected to go to Committee Stage before the end of this year. When enacted, this legislation will require every school to consult with parents and students on key policies and activities. It will set clear expectations for communication, transparency and respect between schools, parents and students.

We have also taken major steps to support schools with their running costs. In budget 2026, my Department secured €39 million to increase capitation funding, giving schools greater flexibility to cover running costs. This includes an increase of €50 per pupil in primary schools, €20 per student in post-primary schools and additional support for DEIS and special schools. Over the past three budgets, capitation funding has increased by nearly 50% at primary level and 28.5 % at post-primary level, which is a very substantial uplift.

I again thank all the Deputies for bringing this motion forward. The concerns raised today are real and reflect the pressures that many families experience at the start of the school year and they are concerns I also share. The Government's approach is practical and focused on easing pressure on families. The Government is supporting families through free school books, the expansion of hot school meals, increased capitation funding, continued investment in school transport, the back-to-school clothing and footwear allowance, the strengthened guidance on school uniforms and digital devices. School costs should never stand in the way of a child taking part fully in school life. No family should feel that their child is at a disadvantage because of the cost of uniforms, transport, digital devices or other school-related expenses. That is why we will continue to work with schools, parents, students and education

partners to reduce costs to support inclusion and to ensure that every child can participate fully and confidently in education.

Deputy Conor Sheehan: I thank the Minister for her considered response. We need to get rid of voluntary contributions and move to generic school uniforms. This is something that has been done in the UK. It is much more cost-effective and efficient because the average cost of sending a child to primary school in this country is now €1,794 and the average cost of sending a child to secondary school is €2,928. With our ever-increasing digital world, apparently everything is online and it is somewhat impossible to be a member of society and not have to rely on technology. Now more than ever, students are forced to rely on technology such as laptops, tablets and other devices in order to fulfil the basic requirements of their school education. If a student does not have access to one of these devices or access to one at home, there is often no alternative and that could leave them excluded. Many families are forced to pay hundreds and thousands, particularly with the rising cost of microchips, for these devices. In a country experiencing a greatly increased cost-of-living crisis with everything having gone up exponentially in price, the last thing families need is another cost to deal with and that is the cost of these tablets or laptop devices. A study by the ESRI and the University of Limerick showed that of more than 720 schools, three in ten required the purchase of a digital device. We really need the Government to take action to address this and to help reduce the numerous costs so many families have to face just to secure a quality education for their children. This digital divide is resulting in a severe and growing level of inequality where so many communities, students and families are unable to purchase the devices they desperately need for their children's education.

What we are trying to do with this motion is to ensure that all students have access to the technology they need in school by ensuring that the guidance supplied by the Minister that schools cannot mandate the purchase of digital technology is mandated and enforced and that, in instances where technology is needed, there is funding and a national loan scheme to support students who are unable to provide these materials for themselves.

Deputy George Lawlor: I commend my colleague, Deputy Eoghan Kenny, on bringing this motion to the floor of the Dáil. One line from his contribution this morning is at the nub of everything, where he said, "Poverty should never determine potential." That is the key component of this motion.

What is happening to many families throughout this country is nothing short of unacceptable. Every year, parents brace themselves for the back to school season and, every year, the financial pressure grows heavier. Now, on top of books, uniforms, transport fees, exam charges and so-called voluntary contributions, families are being told they must purchase digital devices costing €400, €500 and sometimes even more. It is simply outrageous and it is already pushing hard-pressed households to the pin of their collars.

We know the facts. The ESRI and University of Limerick found that three in ten secondary schools mandate digital devices, including 17% of DEIS schools - the very schools serving families least able to absorb these costs. Barnardos tells us that the average cost of a device has skyrocketed to €430 - which I think we will all agree is a most conservative estimate - up from €121 - which is also conservative - just a few years ago. The Society of St. Vincent de Paul has received 3,000 requests to help with digital equipment since 2015. These are real

families and real children who are suffering real stress. I have spoken to parents who were choosing between paying the electricity bill or buying a tablet their child must have in order to participate in class. Parents who are already struggling with rising rents, food prices and energy costs are now being told that, without a laptop, their child will fall behind. It is shameful that the State's own free book scheme savings are being wiped out by digital demands that schools have no business imposing without the proper funding.

Let us be clear: the Government has also cut the ICT grant. It has failed to provide maintenance funding. It has reimposed exam fees, increased transport charges and left schools so underfunded that 47 of them have had to seek financial support just to keep the lights on. Meanwhile, families are expected to pick up the tab.

This motion is not radical; it is basic fairness. We are calling for enforceable guidelines, proper ICT funding, a national loan scheme, the removal of exam fees, the reversal of transport fee hikes, the restoration of the back-to-school allowance and a ban on voluntary contributions that are voluntary in name only. Families cannot take any more. The digital divide is widening and unless this Government acts it will become a chasm. I urge every Member, Government and Opposition, to support this motion and stand with parents and children who deserve so much more.

Deputy Ciarán Ahern: As the Minister knows, parents are paying hand over fist for ancillary school costs, be it for school uniforms, laptops, school transport or the so-called voluntary contributions. We cannot say we have free education in this country if the whole architecture that enables proper participation is hugely expensive for parents. What is so regrettable is that some of the good work that is being done, like the school books scheme - something that has been long-championed by Aodhán Ó Ríordáin and others in the Labour Party - is being eroded by these additional costs now being faced by parents. The benefits of technology in education have to be available to everyone on an equal footing. Gone are the days when you would just have a hand-me-down textbook and a few Aisling copybooks that would only cost a few quid. Some parents are now having to pay hundreds of euro for devices if their children are to just fully participate in school. As this motion states, we are at risk of creating a digital divide and new inequalities in our education system unless we put further supports in place for low-income families. Kevin Shortall, principal of St. Aidan's Community School in Tallaght, in my constituency, said on RTÉ last week that the choice to use digital services is not available to some schools because of the associated costs for parents.

There are larger issues of funding for schools that I would like to touch on now. The Labour Party has been calling for a long time for an end to voluntary contributions. Schools should not have to go cap in hand to parents just to keep the lights on. Voluntary contributions would not be necessary if capitation grants were where they need to be. I welcome the fact capitation grants have increased in recent years but the costs in schools associated with that are also rising at a faster rate and the capitation grants still are not enough. Just last year, the Sacred Heart Junior School in Killinarden almost had to shut its doors because it simply could not keep up with utility bills. Thankfully, that school secured an early payment of its capitation grant, but only after months of anxiety and stress, and, even still, that does not address the underlying financial issue. It is just robbing Peter to pay Paul. The school will need to get this year's capitation grant earlier again and the cycle just seems to continue. As the capitation grant is not covering basic operating costs, many school boards feel that to avoid running deficits,

which they will get into trouble for from their governing bodies, they have to find funds elsewhere. Some schools will fundraise via parents' associations or by increasing the voluntary contribution, but that will not always be possible or enough. The ever-growing need for increased revenues coming into schools means that things like school halls or classrooms, which are community assets that are routinely used by community groups or after-school services, are now being rented out at higher and higher rates, forcing community groups to fundraise themselves in order to keep going, or to opt out. Much of that fundraising comes from the same source, which is the parents of the kids using those after-school services.

This all comes back to funding our schools. All too often, despite the much publicised overspend in the education budget, schools still have to fight tooth and nail to get the resources they need. I never predicted that so much of my time as a TD would be spent working with local schools on funding and resourcing issues. In the past few months alone, I have worked with ten different schools. Scoil Maelruain Junior National School, for example, will lose a teacher next school year and will have to merge classes, as will St. Mary's BNS. St. Dominic's National School is looking for DEIS plus status. Sancta Maria College wants the Department of education to finish building its PE hall. Ballyroan BNS is looking for a new school building. Abacas Special School needs a new school building. Saplings Special School needs an emergency works grant.

An Cathaoirleach Gníomhach (Deputy Aindrias Moynihan): Sin é, a Theachta. Tá an t'am caite.

Deputy Ciarán Ahern: The list of schools goes on. A lot of these issues are on the Minister's desk and I really hope they will be looked at favourably.

Deputy Darren O'Rourke: I welcome the opportunity to speak on this motion. I thank the Labour Party for bringing it forward. The cost of sending children to school has become increasingly unacceptable. Education should be the great equaliser but for too many families the start of the school year brings anxiety, stress and impossible financial decisions. No parent should have to worry about whether they can afford a school uniform, a so-called voluntary contribution or, increasingly, an expensive digital device simply to ensure their child can participate fully in class. Digital devices alone cost hundreds of euro - up to €800. The Government insists they are not needed and not mandatory but guidance without enforcement offers no comfort at all. The resulting growing digital divide risks creating a two-tier education system where a family's income determines whether a child can fully participate in learning. That is completely unacceptable.

The burden does not end there. The most recent cost of education survey shows parents are now paying almost €1,800 each year for a child in primary school and almost €3,000 per year for a child in secondary school. Even more worrying is that the number of parents taking loans to cover these costs has doubled in just one year. That should be a wake-up call for the Government. Instead of easing the pressure, this Government has reintroduced State examination fees, increased school transport charges and reduced a range of cost-of-living supports for schools and for families. Parents continue to subsidise the education system through so-called voluntary contributions because schools remain chronically underfunded.

Principals are struggling to cover basic costs such as heating, electricity and insurance and families should not be expected to bridge the gap.

While I welcome the Labour Party bringing forward this motion, we cannot forget that much of the funding crisis in education was compounded by a Labour Party education Minister, Ruairí Quinn, who slashed funding to schools - vital capitation and grants that still have not recovered. It was a Labour Party Minister for Social Protection, Joan Burton, who, among other vital supports, cut the back-to-school clothing and footwear allowance. Funding for schools and school-going children must be protected above practically everything else. They are just that important to the health of our society.

Sinn Féin has consistently put forward practical and costed proposals to reduce the financial burden on families. We would properly fund schools so that voluntary contributions could finally be abolished. We have introduced legislation to reduce school uniform costs by ending restrictive single-supplier arrangements that leave parents paying inflated prices.

We would restore funding for ICT and provide proper support for digital devices, so that no child is disadvantaged because his or her family cannot afford expensive technology. We would expand school transport, reverse the reintroduction of State examination fees, and ensure that supports such as the back-to-school clothing and footwear allowance continue to help families meet the real cost of education.

The cost-of-living crisis has not disappeared simply because the Government has stopped talking about it. Families know that every euro counts. They feel the pressure every time they buy groceries, pay a bill, or prepare their children for school. Education is a right, not a privilege. Access to learning should never depend on a parent's ability to take out a loan or put another bill on a credit card.

This motion provides an opportunity for the Government to recognise the reality facing families and, importantly, to act. Sinn Féin will support it because we believe every child deserves the best possible start in life and every parent deserves a Government that stands with them rather than adding to their financial burden.

Deputy Donna McGettigan: I thank the Labour Party for this timely and important motion. Sinn Féin supports this motion because the cost of sending children to school has become an unacceptable financial burden on families across the State. While the free book scheme is very welcome, the problem now is that the savings that many families receive are being completely undermined by mandatory ICT costs. In her opening statement, the Minister said schools should use the ICT fund in this case but was this fund not cut by €15 million? You really could not make it up. The Government cuts the fund and then tells schools to use it.

The reality is that a growing digital divide is emerging in our schools, and while the Government celebrates its announcements, parents are being asked to pay more and more simply to ensure their child or children can fully participate in education. So much for free education.

The Zurich cost of education survey shows that the annual cost to parents now is almost €1,800 for a child in primary school, and almost €3,000 for a child in secondary school. That is per child. Even more shocking is the number of parents taking out loans to meet these costs.

That number doubled between 2025 and 2026. How on earth can that be described as free education?

At a time when families should be proudly taking photographs of their children on their first day back at school, many parents are instead lying awake at night, wondering how they are going to pay the bills. The Minister said school costs should not stand in the way of education but as she can see here today, they do, and she needs to listen and act on that.

The State needs to step up and properly fund schools. We need an end to the so-called voluntary contributions. We need action to reduce school uniform costs, and we need proper funding for digital services so that all children can access them. We also need the expansion of a genuinely universal hot meals scheme.

The truth is that schools are being so badly underfunded that parents are being forced to subsidise essential education activities. This year alone, at least 47 schools have been referred to the financial support services unit. That is a staggering 38% increase. While Government Members will stand up and list the things they have done, some which are very welcome, they will conveniently ignore the things they have done to make life harder. They have reintroduced State examination fees, increased school transport fees, and cut the school clothing and footwear allowance.

Most importantly, research from the Economic and Social Research Institute, ERSI, and University of Limerick, UL, is now confirming what parents and teachers have been telling us for years, and what the Government has chosen to ignore, namely the digital divide is real, and educational inequality is growing. The Government has been sitting back while schools are left with no choice but to pass the costs on to parents because Ministers have continually failed to properly fund our education system.

Deputy Conor D. McGuinness: Every July and August, families steel themselves for the cost of children going back to school, including uniforms, books, and shoes, and, as the Minister of State well knows, school transport. Now, for thousands of parents, there is another bill waiting on the kitchen table. It is one for hundreds of euro for a digital device. The latest research from the University of Limerick and the ESRI confirms what families and schools have been saying for months now that the Government's hands-off approach to digital education is widening inequality instead of closing it.

I have heard directly from parents across County Waterford who simply cannot absorb another €600, €800 or €1,000 in expenses. When they go to their child's school, they are often referred to the credit union or the Society of St. Vincent de Paul, both of whom, to be fair, are stepping up but that is not the way it should be. I have also spoken to principals who are told to stretch their ICT budgets, and, in fact, that is the response I got from the Minister of State's colleague, the Minister, Deputy Naughton, when I queried this. Those budgets have been cut. They are threadbare. They are already covering administrative software networks, cyber security, classroom technology, and audiovisual equipment for schools.

The truth is that the Government talks about equal opportunity but too often it delivers unequal access. It celebrates digital education while expecting parents to bankroll it. It tells schools to prepare children for the future but refuses to provide the resources needed to do so. That is not the leadership required here. It is simply passing responsibility on to families and

calling it policy. A child's education should never depend on his or her parents' ability to buy a digital device, and no student should be disadvantaged because they cannot afford the device his or her school requires.

If the Government is serious about reducing back-to-school costs and about equality and access, it must properly fund schools' digital infrastructure and stop expecting families to bridge the gap. Níor cheart go mbeadh todhchaí aon pháiste ag brath ar acmhainní airgid a theaghlach. Caithfidh an Rialtas infheistíocht cheart a dhéanamh inár scoileanna agus deireadh a chur leis an ualach atá á cur isteach ar thuismitheoirí.

Deputy Cathy Bennett: The idea that education in Ireland is free at any level is a myth, whether it is the so-called voluntary contributions or a student contribution fee that costs more even though the Government claims it is reduced. It is utterly galling for hard-pressed families who shell out hundreds or even thousands of euro a year. That is not to say there have not been positive initiatives - for example, the schoolbook scheme. However, the benefit many parents have seen from that has been wiped away by the increasing numbers of schools mandating the purchase of digital devices.

We have an absolutely ridiculous situation whereby in the midst of a cost-of-living crisis continuing unabated, the Government has decided it is the optimum time to reintroduce costs for junior and leaving certificate examinations.

Most recently, we had a situation whereby the Government's refusal to adequately fund our schools led to cuts being imposed on every Government Department. If the Government wishes to work towards truly free education and to avoid being the cause of stress and financial hardship in the year ahead, there are a few things it should do. It should ban voluntary contributions - Sinn Féin has brought forward the legislation necessary to do this - and adequately fund our schools, including ICT. The Government should ensure the school transport scheme is not the shambles it is every year, and that it is actually free. It should reverse its decision to reintroduce the examination fees. These would be real supports for parents and would finally put an end to giving with one hand while taking back with the other. That could become a hallmark of the Minister of State's Government.

Deputy Donnchadh Ó Laoghaire: The summer is meant to be a time that families get some respite, a chance to de-stress and so on but very often, for a lot of families, it is as stressful as any other time of year as they are trying to deal with massive costs. I looked at a receipt a while ago from a mother of three kids, two in primary school and one in secondary, all in DEIS schools. The receipt was for one trip to the uniform shop. It was for a total of €348.50 and she told me that on top of that, the family has bought €70 worth of trousers and shirts, and that is before they get three sets of shoes, stationery for two, and bags for two. The tracksuit, made by a well-known branded company, cost €55, and the family spent €30 on a wool jumper, which incidentally, causes a lot of sensory issues for an awful lot of kids.

We look at these costs which could be cut in half if we were actually enforcing the guidelines. We need some kind of enforcement mechanism. The sew-on or print-on emblems on uniforms would make a huge difference to parents. We need to ensure an enforcement mechanism. Parents, like the women I mentioned, will get the uniform and stationery, have their holiday, if they can afford one, and come back in September and get the letters. These are

DEIS schools yet this parent could be looking at fees for the two schools - there are two kids in primary school and one in secondary - of maybe €400. That is even before, in some circumstances, families deal with costs around tablets that could total €500, €600, or €800.

The cost families are facing are absolutely bananas, and real action needs to be taken, especially in terms of uniforms but also digital devices. Voluntary contributions are absolutely Dickensian. We have parents fundraising to keep the lights on. Schools do not get enough money to actually run, and it is not acceptable. We need a lot more action. Education is not free in this country.

Deputy Louise O'Reilly: I thank the Deputies for bringing forward this motion.

11 o'clock

I was chatting to my dad as I was coming in and told him I would be debating this motion in relation to supports for parents this morning. He reminded me, of course, that it was the Labour Party in government that cut those very supports. Then again, those in that party do have all their best ideas in opposition, as we both remarked, and not for the first time I need not tell you.

The Minister indicated that she is very conscious that parents can feel under pressure when some schools seek the use of digital devices for learning. She said that is why she wrote directly to all schools on 25 May and made it very clear that there is no requirement for students to have their own personal devices. She also asked the schools to ensure that no student will be disadvantaged because of his or her circumstances. I do not know why we are having this debate at all if the Minister has written a letter. What precisely happened as a direct result of her writing that letter? I refer to the outworkings of Government policy in the survey Barnardos undertook. One third of parents are getting into debt in order to just pay for the basics. Over 50% of them are very concerned about meeting the back-to-school costs. Some 20% of parents surveyed by Barnardos cut back on food in order to pay their bills. I would say they are very relieved that the Minister wrote a letter. My God - a letter. If her letter does not have any impact - let us be honest; it has not had any impact - the Minister of State might outline what he will do that might go a bit further than writing a letter.

We know that devices are essential. We know that parents want their kids to be able to participate. Let us say that a school has ignored the, I am sure, very strongly worded letter from the Minister. Parents want their kids to be able to participate. For many of them, however, that means getting into debt, going without and, in some instances, cutting back on food. In the middle of a cost-of-living crisis, the Government reintroduced exam fees. The very least it could do is not make matters worse for parents. Parents in this State pay the highest rents in Europe. They pay some of the highest energy costs. They pay the highest childcare costs. There is no sign of those costs being reduced. There are plenty of things outlined in the motion - they have been outlined in great detail by Sinn Féin time and again - that the Government could do to support parents in the here and now.

Deputy Paul Donnelly: I welcome the motion. The matter to which it relates is something in respect of which Sinn Féin has been campaigning consistently for many years. There is no doubt that costs are rising and putting families under severe pressure over the summer months.

At a time when children and young people are at home and with the good weather, constant demands on parents' budgets are causing massive concern.

We need to see the end of the so-called voluntary contributions. I understand why schools look for them. They are trying to keep the lights on and trying to keep toilet rolls in bathrooms. It is the basic stuff they cannot afford. They cannot afford these things because of the gaps in funding. We need to end restrictive single-supplier arrangements. We have already called for this in our affordable school uniform Bill. It is bizarre that the State does not fund digital devices. What is the point of free school books when people have to find hundreds of euro to pay for devices? In a country that is home to most of the largest IT and social media companies in the world, surely, we must be leading the way in terms of technology in our schools.

What has the Government done in respect of this matter? It has cut €15 million from the ICT grants for schools, which are down to a miserly €35 million. A recent survey puts the cost of education at €1,794 for primary school and €2,928 for the post-primary. Those are shocking costs for parents, particularly in view of the cost-of-living crisis. Of course, the Minister of State will point to the free books scheme. Surely even he can see that has been wiped out by the increasing cost of digital devices. This matter needs to be addressed. A letter from the Minister, however nicely worded, has simply not worked. We are often told that Ireland is a world leader in terms of quality educational systems. What we need is fair and equitable access to the education system for all of our children and young people. We often talk about nobody being left behind. I can tell the Minister of State that there are children all over this State who are being left behind.

Deputy Ann Graves: At this time of year and with the great weather we are having, families should be planning holidays or spending days at the beach or elsewhere. Instead, for a growing number of families, this is a time of stress. They are already worrying about the cost of their children going back to school in September. On top of spiralling rents, mortgages and food and energy costs, they must also pay for school books, uniforms, school bags and shoes and make the so-called voluntary donation. The list is endless, and the burden for families is getting heavier. Sending children back to school is a significant financial burden, with an average cost of €1,607 in respect of primary school students and over €2,100 for secondary school students. These costs, details of which were provided by the Irish League of Credit Unions and Zurich, are forcing many parents into debt. Added to them are growing digital costs. According to Barnardos, the average cost of digital devices for second level has reached €430. That is up from €221 a couple of years ago. Families are going to be contacting me throughout the summer at my constituency office in Dublin Fingal East, just like they did last year. Parents and guardians are under pressure. They are seeking financial help. Many of them are borrowing money to clear current debts before the back-to-school bills land on their doorsteps.

The Government points to improvements like the free school books scheme, but these gains are wiped out by the cost of living. The Government has reintroduced State examination fees, increased school transport fees, cut the back-to-school clothes and footwear scheme and removed the cost-of-living payments for schools and the double child benefit payment. Many schools still do not provide hot lunches for kids. Tackling these costs requires structural change, sustained public investment in education and schools and an immediate reversal of the cuts to grants and one-off payments and the reintroduction of fees. Our kids are our future; we need to invest in them.

Deputy Jen Cummins: I thank the Labour Party for bringing forward this motion. It is very timely. These are the summer months when parents start to think about how we will we stretch our finances to autumn, get everything that we need to ready and then still maybe take a holiday, organise summer camps, etc. The motion is, as stated, very timely. I thank everyone involved for their work on it.

It has been very interesting to listen to the contributions so far. Everybody recognises that there are challenges in the country in the context of poverty. Ultimately, this motion stems from the fact that hundreds of thousands of children in this country are living in poverty. The Department is trying to implement measures to combat that, but there are differing views in terms of where the support is coming from and how effective it is.

I will go through a few of the things that I think still present challenges. The capitation grant for schools was increased last year but has still not reached a level which will mean that schools are fully funded. It has not reached the level where it needs to be. In addition, it does not take into consideration the level of inflation. As a result, parents are offsetting the costs that the schools do not have the money to meet. Fundraising is happening, particularly in primary schools. I reiterate what I have said on previous occasions, which is that parents are not fundraisers for schools. They send their children to school and that really should be the end of the transaction. If education is truly free in this country, they should not need to fundraise. However, some parents like to fundraise for things that give schools a bit of icing on the cake but not for the bread-and-butter stuff.

There should be no parents' associations, etc., fundraising to pay for the cost of insurance, toilet rolls, which I heard about from a few schools, or anything else that should be covered by the State. There should be no parents coming in to fix a shelf that constantly falls down or a hole in a floorboard because material in a prefab is rotten. That should not happen in our schools. Our schools should be fully functioning, fully kitted out and fully workable. The people who work in schools and the students who attend them should be able to do so in buildings that are modern and fit for purpose. Parents should not be offsetting the costs relating to the upkeep of schools that and schools should not have to wait for an extremely long time to get the buildings they so rightly deserve.

Voluntary contributions should be banned outright. The payment of such contributions should not be allowed by any schools. There is an app that parents often have on their phones. There is a payment section in the app, and there will always be a little notification mark in that section to say that there is a payment outstanding. When people click into the section in question, they find details of the voluntary contribution.

The word is "voluntary" and so that should not be allowed to feature on any app whatsoever. There should never be reminder letters telling parents they have not paid their contribution fee or the kind of passive one stating, "For those parents who haven't paid..." They should just be banned because the State should fully fund the school. We need to get rid of that and the sooner we do that the better.

The issue of hot school meals has been a focus of the education committee for a long time. I introduced my first Bill a number of weeks ago with regard to the nutritional value of hot school meals. That is available because there were children who were hungry coming to school. It was introduced to combat that, to make sure that no child in primary school would

be hungry. That needs to be rolled out to all primary schools. It is available to all primary schools but not all of them take it up because of the administrative burden on the principals and not all parents take it up because of the nutritional value. That needs to be rolled out, to be fully functioning and to be nutritious so that every child is able to have a nutritious meal in primary school. I would love to see that rolled out in secondary schools but that is a different day's discussion.

The reintroduction of the examination fee six weeks before it had to be paid was an absolute disgrace. If at the time of the budget in October the Government knew that was going to happen, parents should have been notified that it was going to be reintroduced in the springtime. When parents were told, they had six weeks to pay but most people do not have such a flexible budget to allow them to pay the €160 or however much it is. When things are being reintroduced time needs to be factored in for that.

There was an increase in the cost of school transport for families. I know the Minister said the numbers look very small but for parents with a number of children and on a tight budget any increase will put them in difficulty.

I have mentioned school uniforms several times. Sinn Féin had a motion earlier in the year dealing with school uniforms. I put on the record that I think the uniforms for some children are very challenging. I would probably have a different view as to whether we should impose uniforms on children but again that is for a different day. Circular 0032/2017 has been in existence for almost ten years and in most parts is not enforced. There is no point in issuing a circular if nothing is going to be done about it. I am delighted the Minister has said there will be a working group to review and hopefully strengthen that. I would love if nobody had to spend hundreds of euro on a uniform. There should be iron-on or adhesive logos on a generic uniform that would not cost so much money.

The reason we know things are so difficult for parents is that the Minister for Social Protection has said that he is going to give 126,000 families the back-to-school clothing and footwear allowance. That equates to 233,000 children in this country who need support for their clothing and shoes to go back to school. I do not see it as a great achievement that we are supporting them. I see it as an absolute disgrace that such a number of people need that support. I welcome that that funding and support is there for those families but I am still shocked that this affects 233,000 children, which is a lot of children, aged between two and 18. I think it goes up to 22 in some cases.

There is a digital divide. The digital divide has been seen from Covid time, in particular. My own project in Ballymun, the anseo school completion programme, provided laptops and broadband. I know people still do not believe me that we provided broadband to families but we did because they did not have broadband at home and that is still the case for families around the country. There is a growing divide even though the Minister is saying that children and young people do not need laptops. However, there is an advantage if their family can buy them one and they can continue their school work at home. It is not good enough to say that schools can make up their minds about that. The Department needs to actually decide and give guidance like it does for other things. The Department needs to say they either do not need it or they need it and if they need it, it needs to provide the support money for that.

My next point continues on from the digital divide. Some children with disabilities do not have access to digital devices to help them with their learning in school. Their schools might only be granted one or they might only be able to have access to one or two assessments. That needs to change. Every child who needs digital support for learning needs to get that as a priority and it needs to be available to them.

While I do not want to eat into too much more of Deputy Hearne's time, I want to wish everybody on the education committee, the Minister, the Minister of State and those who speak on a regular basis about education a very nice summer. It has been a very difficult year for everybody. It is important to recognise that everybody is trying to work hard. We will keep pushing the Minister and the Department from this side of the Chamber but I hope they have a good break.

Deputy Rory Hearne: I thank the Labour Party for bringing forward this motion. It is important to have a discussion about the context of education costs and back-to-school costs. Of course, the context is massive inequality in this country. The gap between the haves and the have nots is worsening year after year while we have 11 billionaires in this country who have a combined wealth equal to that of 3.5 million people or two thirds of the population. The top 10% in this country have 50% of all the wealth while half the population own just 10% of the wealth. We see the reality of that on a daily basis. In Ballymun, Finglas and across this country families are struggling to pay for the very basics and one of those is back-to-school costs, the cost of education.

Education should be free. It is a human right. However, what it is actually doing is throwing families into even more stress on top of not being able to pay the basic bills. In my constituency to respond and support families struggling with back-to-school costs, the Finglas voluntary food and family support service, Feed Our Homeless, last year organised help for families with a pop-up shop for school uniforms and shoes. This year families are struggling so much they are reporting they are already dealing with being cut off from electricity and gas. Families and services are asking for support again. Families are finding it extremely challenging. One in five children in this country lives in a family below the poverty line after housing costs. Children and families cannot cover the basics. A second tier of child benefit would lift 55,000 children out of poverty but the Government will not do it. It costs the same as what it has given in tax breaks to developers, investor funds and large fast-food giants.

Childhoods pass quickly. No child should have their future limited by poverty. Every child deserves a fair start in life and a chance to thrive. Child poverty is not inevitable. It is a policy choice. It results from decades of policy choices that have not prioritised child poverty. We need to end child poverty in this country and we can. Part of it is ensuring education is free and school costs are provided for. Ultimately, it is about ensuring families can cover the basics.

Deputy Paul Murphy: A couple of months ago, I was contacted by a grandfather whose granddaughter was told she needed to have an iPad in school and needed to pay €500 for an iPad. It is an absolutely crazy situation where we have free education in this country and yet many schools impose this massive burden on families, many of whom simply cannot afford it. I accept the Minister has written to schools saying they cannot make these compulsory but it is not wiping this practice out across the board. The costs are absolutely staggering and are rising each year.

We need to have some analysis on whether it is good for children to be using iPads, laptops and so on. The Department of education has gone all-in on so-called ed tech without much real scrutiny of whether it is beneficial. That is what is driving schools to tell parents that the kids have to have an iPad, tablet or Chromebook. We need independent analysis of whether and when technology is beneficial in the classroom instead of just dancing to the tune of big tech as we do in so many other areas of policy.

Obviously if the Department is going to insist on ed tech being used, it needs to fully fund it. Instead, it has cut the grant scheme for ICT infrastructure for schools by 30%. It provides no funding for repair and maintenance of digital devices. We have a bit of a cruel joke whereby schoolbooks are being made free, which is great, but on the other hand we are using them less and instead parents are being forced to pay more and more for technology.

The one issue I have with the motion is the idea that there should be a loan scheme for parents to buy laptops or iPads for their children. We are supposed to have free primary and secondary education in this country. I know we are a long way off from it in reality but we should not be legitimising the idea that parents should be forced into debt to fund their children's education. Instead, we should be demanding that the Government fully fund the cost of education for every child in this country.

Deputy Ruth Coppinger: I will cut to the chase here. The reason for the digital divide is that the Department of education has introduced a syllabus, particularly in senior cycle in secondary school, which has such a high level of assessment, 40% in many cases, that school principals have decided that students need laptops. It is because of the new syllabus the Department has introduced.

There was a very good article by the RTÉ education correspondent on this in January.

What is happening in schools is that Wriggle and other companies are wooing principals and trying to wine and dine them in order to get contracts. Overnight stays in the K Club and five-star retreats are being offered to principals. I am not saying that principals are going along with this or are doing anything wrong, I am just outlining the facts for the Minister of State.

This should be done by means of public procurement. I absolutely agree with the previous speaker. We need to have an audit to establish whether it is good for children to be on screens. There is loads of scientific evidence that it is not good. Certainly, older children and teenagers need laptops or access to computers in order to do assessments and assignments and to have a fair chance, which they do not have, in this education system. The Minister of State needs to make this a public procurement issue as opposed to leaving it up to individual schools. If students need equipment, it should be provided. During the pandemic, I returned to teaching at a school in west Tallaght. At that time, students were on their phones trying to cope because the Department of Education did not provide them with equipment to allow them to engage with remote learning. The addiction that many teenagers developed in respect of their phones during the pandemic is the Department's fault. I do not have time to go into all of the other costs that are being imposed on parents. In the context of the issue to which I refer, however, the Department needs to invest.

Deputy Roderic O'Gorman: I thank Deputy Kenny for bringing forward this really important motion, which addresses many of the concerns parents in my constituency are raising with me regarding the increasing back-to-school costs they face each year. I want to hone in on one of the biggest issues with school costs, which is the cost of increasingly mandatory ICT equipment for students. Something I was really pleased to see during the term of office of the previous Government was the roll-out of free schoolbooks. That made a big difference for a lot of families. However, the increasing frequency with which laptops and tablets are being made mandatory for students is seriously undermining that progress. In many cases, the cost of ICT equipment is ending up being greater than the cost of schoolbooks ever was. One parent was in touch with me recently to outline how more than half of her back-to-school costs for this year relate to a mandatory laptop that is going to cost over €700. Parents have been told by the school in question that these laptops will only be used for five years, which will necessitate another expensive purchase for leaving certificate year. Aside from the cost factor, there is the clear issue of creating additional waste through ICT equipment that cannot be passed on to new students.

There is an expanding frontier of cost increases that the Government has not really got to grips with. The Minister for education needs to give clear and firm guidance around what is and is not acceptable in terms of placing ICT cost demands on parents. There also needs to be serious investment in the grant scheme relating to ICT infrastructure, with a view to ultimately making these devices free for families. This is only one issue we need to address in terms of child poverty and school costs. There are many more. We need additional child benefit, we need to increase the back-to-school allowance to deal with rising uniform costs and we need to boost funding for the school meals scheme in order to maximise quality and nutrition as well.

Deputy Charles Ward: I thank Deputy Kenny for bringing forward this motion. As a parent, I have seen the costs relating to sending children to school skyrocket over the past ten years. The situation is absolutely out of control. The recent back-to-school survey carried out by the Irish League Of Credit Unions shows that 59% of parents find covering back-to-school costs a major financial burden, with more than one in four getting into debt. I would say that number is rising now in view of the cost-of-living crisis. Technology is emerging as a pressure point, but uniforms remain the main pressure point. Some 15% of parents have had to avail of second-hand uniforms, while 43% of the lower cost options such as supermarket alternatives are not available due to the fact that more schools are introducing expensive branded items such as bags, coats and PE gear. Uniforms are supposed to represent equality, but they have become another financial burden on families who are already struggling with a cost-of-living crisis that has been going on for a very long time.

Families are being squeezed from every angle, but particularly in Donegal where families, already living with a burden of defective concrete, are being forced to face additional hidden costs as a result of situations they had no part in causing. I refer, for example, to additional travel costs in circumstances where families are often forced to leave their crumbling homes and move to completely different areas while their children have to travel back to their own communities to attend school. Commuting costs are adding to the burden people must bear and to the pressure on family life, particularly in Donegal. Those who were previously on particular school bus routes no longer have the option of using those routes. As a result, parents are forced to engage in long commutes and to cover the costs incurred in this regard.

I welcome the motion. However, in the context of the funding model for schools, including DEIS schools, I see examples of instances where schools are struggling. We need to improve this down the line. Families are struggling and their needs are not being met.

Deputy Brian Stanley: I welcome this comprehensive set of proposals from Deputy Kenny. We are at the time of year again when parents, particularly those in the low- and middle-income brackets, face the annual challenge of covering back-to-school costs. Families are facing a stack of fees and expenses in respect of uniforms, increased school transport costs, school stationery, so-called voluntary contributions, and laptops and IT equipment. In addition, State exam fees are back. Surveys show that the total cost per school year can accumulate to €1,700 for primary school children and up to €2,900 for secondary school children. For families with a number of school-going children, this can be a major headache.

While I acknowledge that the free schoolbooks scheme and the book-rental scheme result in savings and are a help, those savings are wiped out by the cost of having to buy IT equipment. Such equipment is now mandated in schools and can cost up to €500 or more. Then there are all the other costs that the National Parents Council has consistently highlighted. These are the hidden costs such as transition year contributions, payments for school trips, etc. In the struggle to meet these costs, many households turn to moneylenders because there is nowhere else to go. In some cases, they pay penal amounts to illegal moneylenders who charge rates of interest in excess of 50%.

In light of the cost-of-living crisis, there is an onus on us to do all we can to help the low- and middle-income households. We have a reasonably good education system, but we must deal with the issue of costs. In the context of the proposals in the motion regarding the introduction of enforceable guidelines for schools and the fact that some schools have a mandatory requirement in respect of laptops and IT equipment, it is important that these be mandated as opposed to just the subject of a letter that was sent out. We also need to restore the school grant up to an amount of €50 million in order to cover the cost of ICT infrastructure. We need to restore the €100 that was cut from the back-to-school clothing and footwear allowance and issue a ministerial order to schools in relation to generic uniforms. It is a terrible situation. I remember hearing a conversation between my mother and an aunt years ago regarding the benefit of school uniforms. They said that every child would look the same and there would be no competition for fashion, particularly in girls' schools. However, what has happened is-----

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Gabhaim buíochas leis an Teachta.

Deputy Brian Stanley: -----that we have stood that on its head. It is important that we increase the capitation grant for schools as well.

An Cathaoirleach Gníomhach (Deputy Aengus Ó Snodaigh): Anois, bogfaimid go dtí an chéad sliotán eile agus an Teachta Michael Collins.

Deputy Michael Collins: Every parent knows that September has become one of the most expensive months of the year. While free schoolbooks are welcome, many families now face

growing costs for other items. Parents are being asked to purchase laptops that cost €400 or more, make increased payments for school transport and pay charges to cover examination fees. For hardworking families with two, three or four children travelling long distances to school, these costs add up very quickly. At the same time, schools are struggling because the capitation funding no longer covers basic day-to-day expenses. Education must be properly funded by Government. It cannot be left to parents and fundraising committees. The State must not create a two-tier system whereby only wealthier families can afford to fully cover their children's education.

Another huge problem which normally arises in August is that relating to school buses. Parents have no way to get their children to school because of the nearest school rule. The current and previous programmes for Government contain promises that this will be done away with, but nothing has happened. The rule needs to be abolished. That has been promised over many years, but here we are again this year. Parents are on the phone begging me for tickets for school buses. One lady was on to me the other morning to say that her son is going into fifth class. He had a ticket for the past four years and now he does not have a ticket this year. The neighbours are the same situation. That is not good enough. We cannot just grab a ticket from a child who had a ticket before and then find some kind of an excuse as to why that happens. Education should not be measured by means of the distance someone lives from school, and school transport should not be measured on that basis either.

I want to raise a matter that Councillor Bill Clear brought to my attention. It is a very serious issue regarding St. Corban's National School in Naas in County Kildare.

It stepped up when the Department came calling, faced with a shortage of junior infants places. That left up to 30 children with nowhere to go. The school agreed to open a third junior infants class and take in an extra 25 pupils at the Department's request. Now, after doing the right thing, the school is being told it will not be given the additional teacher needed to staff that class. That leaves two unacceptable choices. Either 25 children are left without a school place this September, or two senior infants classes are merged into one class of 34 children. Does the Minister of State agree that schools should not be punished for helping to solve an enrolment crisis? Will he immediately sanction the additional teaching posts required for St. Corban's before the new school year. I would appreciate if the Minister of State addressed that here. Councillor Bill Clear has raised it as a huge issue. He has been to the school and met the parents. This is a crisis that has popped up in a new school in Bandon, too. It seems to be a crisis that is popping up here and there.

Schools that are doing their best are still being punished. Sometimes, there needs to be a bit of movement because, for example, there could be a teacher short. I was chairperson of a board of management and know the difficulties that schools face just because they are one or two children short. That can be made up as the year goes on but it is a crisis that Councillor Clear finds unacceptable. Schools stepped up to the mark when the Minister asked them to and now they are being punished for doing so.

While I am on the floor, I congratulate Councillors Bill Clear and Ger Dunne from our own Independent Ireland team on becoming mayor and deputy mayor of Naas, respectively.

Deputy Ken O'Flynn: Like many of the stories the Minister of State has heard today in the House, it is not strange that we have constituents coming to us regularly saying the biggest fear

they have is the postman's knock. When they get the criteria for what is needed for their children to start the school year, those include €700 laptops, €600 iPads, tablets or something of that format as well as signing up to a Microsoft programme that has been selected. Despite your household perhaps owning a Microsoft programme, you have to buy into another one. I highlighted this in the House over 12 months ago on Leaders' Questions. I am still waiting for a proper reply from the Taoiseach. We have heard the ministerial circular that went around saying that people do not have to use laptops. Every one of us knows from our own constituencies that laptops, iPads and tablets are being used regularly by order of boards of management.

I have to acknowledge the Government's good work and call it out, including the free books scheme and the school meals. However, the Government has made a hames of the school meals. Deputy Collins has produced photographs in the House of food that you would not give to a farm animal, yet it is being produced for children. That is the standard that the Government has come up with. That has to be addressed.

When it comes to education, Deputy Moynihan is a Fianna Fáil Minister of State. I remember the great days of Donogh O'Malley. I would what Donogh O'Malley would think if he saw the education shambles that the Government presided over in this country over the last 20 years. The Government has not addressed school uniform problems or the fact that most parents have to pay €300 for a PE kit. It has not addressed the problem that parents have to give this voluntary contribution, which is really not voluntary when schools are putting out news bulletins listing the names of families who have contributed and those who have not contributed. That is happening regularly. Parents are suffering, wondering how they will get the money for a school tour and how they will get the money to send their young ones up to the Dáil to tour the House. We have dozens or hundreds of schools that visit this House and many parents in my constituency in Cork have told me that they could not let their young ones go simply because they did not have enough to pay for their lunch or the bus. That is in the wealthiest country in Europe. We should all be inside here hanging our heads in shame about how we are treating people.

Just go outside the gate and the Minister of State will see Cara Darmody outside Leinster House again, highlighting a law that the Government has been breaking for over 20 years. What was the Taoiseach's answer to me yesterday? He said we might have to look at and change the legislation. He does not want to be the lawbreaker. He is happy to have broken the law for the last 20 years and presided over that, but now he has decided that instead of fixing the problem, he will change the law so that he is not culpable. It is unbelievable to even be allowed to give that answer to the representatives in this House.

The Government has failed the country again. It has failed the 22,000 children in terms of assessments of need, it has failed the school meals programme, which is badly thought out, and it is failing again. I commend the Labour Party and the motion to this House.

Deputy Paul Lawless: We are in a cost-of-living crisis. Groceries are up by 40% and diesel is up by 60% over the past five years, yet another bill is landing every August for families who send their children to school. That bill is an ICT bill. It is a bill for a laptop. Incredibly, the Government introduced free books last year but has this year introduced what is effectively mandatory ICT at a cost that is significantly higher than the books ever were. Many families

have contacted me and outlined bills of €1,000 for a laptop. The same families came into my office and showed me second-hand laptops that they already owned but that the school principals and authorities said could not be used, meaning the families had to purchase brand new laptops from one specific supplier.

The Government created this problem and has passed the buck to the principals. The principals are now trying to deliver a curriculum that was never designed in schools because the Department and officials did a solo run to radically change the curriculum. At both junior cycle and senior cycle, the Government introduced a massive amount of continuous assessment without any provision for how that continuous assessment would be delivered, and now principals are scratching their heads, wondering how they deliver all of this continuous assessment in an age where many children do not have personal laptops. They sent out letters to families with €1,000 or €1,500 bills for laptops.

I wrote to the Minister and asked if she could make a statement on this, and the Minister said that no child should be required to purchase a laptop, yet the bills and letters are still landing because the principals do not know what else to do. It is very clear to me that the Government has essentially created a problem as a result of lack of consultation, and now the people paying the costs are the hard-pressed families who are struggling with the cost of living. It is a very similar situation to the school uniform, where we had single suppliers for crested uniforms. These suppliers were often charging double what other suppliers were. We have created the very same problem and the Government has learned nothing. It needs to intervene here. I am dealing with families who are afraid to speak up and raise the fact that they do not have the money to afford this, and that their children may be adversely affected by not being on the school team and so on. It is perhaps irrational but this is happening on the ground.

The other question that the House has not addressed is whether it is good for children to be on laptops from 9 o'clock to 4 o'clock during the school day and then to go home and be consumed with social media. The Government has created this with a solo run with the change of curriculum, and now it is up to the Government to address it.

Deputy Barry Heneghan: Gabhaim buíochas leis an bPáirtí an Lucht Oibre. This highlights what many families are experiencing right now. Many people have been in contact with me. Even today, I met parents who were under enormous pressure because of the cost of uniforms, books, transport and school activities. Many families are being told that they must now spend hundreds of euro on a Chromebook, laptop or other digital asset, and it is still not something that they can afford. Over recent weeks, one parent told me that their school insisted that these were essential learning tools for every student because of the new leaving certificate curriculum, yet parliamentary questions that I submitted confirmed that there is no departmental requirement for students to have a personal digital device at either junior or leaving certificate level. That contradiction leaves parents and students whom I represent caught in a middle ground. On one hand, the Department is saying they are not mandatory and, on the other, schools are telling parents that they must purchase one.

I understand that the Minister of State was in north Dublin. I thank him for coming out to those schools, but parents need to be fully consulted about any decision and schools should avoid unnecessary costs where possible. Those are sensible principles. They are not always being reflected in practice.

Parents are also raising legitimate concerns with me and the Department about where schools require students to purchase devices through a single supplier.

They deserve to know how that supplier was selected, whether public procurement guidance has been followed and why students cannot use an equivalent device that they may already own.

Technology undoubtedly has an important role in education. I do not dispute that fact. I came through education while the technology was developing. However, access to education or a curriculum should never depend on a family's ability to spend several hundreds of euro on a particular device. If the Department's position is that personal devices are not mandatory, then policy should be applied consistently across Ireland, as parents deserve clarity and no young people should feel excluded from education because of the cost of a laptop.

Deputy Gillian Toole: I am thankful for the opportunity to discuss this important matter. I acknowledge the massive improvements that have been made. The national broadband plan is almost complete. Massive inroads have been made in my home county of Meath, including in the roll-out and the access it provides. That is most welcome, particularly in the area of assistive technologies for young people and older people with intellectual disabilities. It is the connectivity piece. The cost, however, is paramount.

One part of me is slightly incredulous that we are having the discussion in 2026 because my experience goes back to 2018, 2019 and 2020 in Ratoath, County Meath. A Ratoath report was carried out by Ms Cora Dunne and Dr. Ann Marcus-Quinn. It made a significant contribution to discussions around the introduction of mandatory digital devices in post-primary education. It highlighted parental concerns regarding the cost and compulsory purchase. The roll-out was halted in 2020 with the Covid-19 pandemic and remote learning and having one's own device become an essential. Other than that, the long-term implications of mandated devices was largely paused rather than fully developed.

In 2024, there was another report. Then, there was an OECD report in 2025, which highlighted that Ireland could benefit from a more structured and equity-driven digital education system. The models in France and Estonia provide stronger mechanisms for ensuring universal and consistent access, but they focus on the cost.

Most recently, there was the July 2026 ESRI report, working paper No. 836. I apologise if I am repeating what other Members have gone through. The information is there. The plan and suggestions are effectively worked out for us. What we need now is to expand on the policy. The key finding in all three reports, which span the last seven years if we take into account 2019 when we began that exercise in Ratoath College, is that we risk reproducing and intensifying existing educational inequalities. Family income is the primary determinant, followed by school resources and institutional capacity. Even within that, there is variation between school sectors and governance structures.

In terms of taking the learnings and recommendations from France, Estonia, Malta and Austria, there is a roadmap. Like it or not, it may mean pulling back from the commercial one-to-one contract between the family and the provider and centralising it. That will encompass centralised State procurement, standardised device specifications and collective purchasing arrangements, having guidelines, and having additional targeted financial supports for schools

serving socio-economically disadvantaged communities. Other factor can be looked at such as VAT relief, hardware refurbishment schemes and buyback programmes. That is the approach Austria and Malta take. We are rapidly moving to the point where we have to have a centrally led approach to this subject.

Deputy Mattie McGrath: I, too, am glad to be able to speak on this motion today. I compliment Páirtí an Lucht Oibre for introducing it. While we often the cost of education in terms of books, uniforms and transport, the reality for many families is that the financial pressures associated with rearing children have never been greater. I acknowledge that the schoolbooks scheme has been a positive development. It has delivered genuine savings and a significant burden has been removed from parents in many households. That support has made a real difference and it is important that we recognise it. However, parents are telling us that the savings are increasingly being swallowed up by a wide range of other costs. The loss of the double child benefit payment and other cost-of-living supports has come at a time when families are facing rising bills across every aspect of daily life. Parents are not just paying for education. They are paying more for food, energy, insurance, childcare and gach rud eile.

One issue that deserves particular attention is the cost of extracurricular activities. Too often, participation in these activities depends not on a child's talent or interest, but on the ability of the parents to pay. This is creating an uneven divide and it has denied opportunities to many children. It is downright wrong. It should not be like that. If parents have enthusiasm for music or something like that, whatever talent the child has, they should be nurtured. "Mol an óige agus tiocfaidh sí" used to be the old adage. Music education is a perfect example. Some schools provide excellent music programmes and opportunities for students to learn instruments and participate in assemblies. Other schools offer very little. Where lessons are available privately, parents can be paying up to €25 a lesson and more before the cost of purchasing and maintaining the instruments. For many families, this is simply beyond their reach. These experiences are highly important to a child's development, confidence, which has never been more important, and well-being, yet too many families are being priced out.

We must recognise the growing cost associated with uniforms. Despite the guidance promoting affordable uniforms, many parents are still required to purchase expensive crested and branded items. Parents also face substantial bills simply because they are required to buy specific items from a specific supplier. That is not fair and is not a balanced market either. There is no good reason that generic uniforms or PE clothing cannot be used in most cases. Parents should have the freedom to shop around and buy affordable items themselves. Competition is the spice of trade. It keeps the price down.

Alongside these pressures, parents are increasingly faced with the expectation that they provide laptops and other digital devices for their children. While technology is important, why should parents be carrying that cost? Families have benefited from the schoolbooks scheme. We should be creative and try to assist families in purchasing this expensive and necessary equipment. The point has been made earlier that they are on their laptops all day in school and then they go home and are on social media all night. It is not good for the holistic development of the children and young adults.

Minister of State at the Department of Education and Youth (Deputy Michael Moynihan): I thank the Labour Party for tabling this motion. The motion before us reflects a

concern that many families will recognise, namely, that the costs associated with going back to school can place real pressure on household budgets. Both the Minister, Deputy Naughton, and I, and the wider Government, recognise that concern. Our focus is on practical measures that reduce costs, support schools and ensure every child can participate fully in school life.

The issues raised today are important. I thank all Deputies who raised the issues across the Chamber. They reflect the real and often significant financial pressures that many families face at the start of the school year. Those pressures are felt in very practical ways: through the cost of uniforms, transport, classroom materials and, increasingly in some cases, digital devices. The Government recognises those pressures. More importantly, we are acting to reduce them. Our aim is simple: school costs should never stand in the way of a child taking part fully in school life.

A particular focus of today's debate has been the issue of digital devices in schools. Deputies have raised legitimate concerns about the costs that can arise for families where schools use digital technologies as part of teaching and learning. The Government recognises these concerns. Digital technologies can support high-quality teaching, learning and assessment. They can open new opportunities for students, support learning and help young people develop the skills they need in an increasingly digital world but technology must support inclusion and must not become a new source of inequality. That is why the Minister, Deputy Naughton, wrote directly to all schools on 25 May following concerns raised by parents about the growing costs associated with digital devices. The Minister made it very clear that there is no requirement for a student to have their own personal device for school. This is an important point, and one that bears repeating. There is no national requirement that students must own or purchase a digital device in order to attend school or participate in learning. Where schools are considering the use of digital devices, they are expected to take full account of the financial impact on families and to ensure that no student is disadvantaged because of their circumstances. The guidance issued by the Department asks schools to place affordability, equity and value for money at the centre of their decision-making. Before introducing any expectation that families purchase devices, schools are encouraged to consider whether students' needs can be met through school shared devices. Importantly, schools can use ICT grant funding to purchase and manage such devices.

The guidance also asks schools to consult with parents and students before introducing or reviewing digital device arrangements. It encourages schools to take account of the overall cost of education for families: to provide clear information on device requirements; to avoid exclusive purchasing arrangements; and to consider options such as second-hand, refurbished or reused devices where these can reduce costs. This is the right balance. It respects the role of schools and boards of management in making decisions at local level while making clear that those decisions must be informed by engagement with parents and students and by a clear commitment to affordability and inclusion.

While digital devices have been a strong focus of the debate, the Government also recognises that school costs go much wider. Families can face a range of costs at the start of the school year and those costs can arrive all at once. That is why the Government has taken action across a number of areas. The free books scheme, which was introduced, is a great example. It is one of the most significant measures ever introduced to reduce the cost of education for families. Since September 2025, almost 1 million children and young people

have benefited from free books and core classroom resources. That represents an investment of €160 million and the full delivery of the programme for Government commitment to provide free schoolbooks for every child.

The Government has also increased capitation funding to schools, as the Minister outlined earlier. In budget 2026, €39 million was secured to increase capitation funding, giving schools greater flexibility to meet running costs and reduce reliance on parental contributions.

Over the past three budgets, there has been a substantial uplift in capitation funding at both primary and post-primary levels. The Government is also maintaining investment in school transport. The school transport scheme has expanded significantly in recent years, with the number of children and young people using the service increasing from just under 120,000 in 2018 to over 180,000 in 2025. There has been an increase of over 145% in investment in the scheme from 2019 to 2025. The scheme expenditure was €219 million in 2019, rising to €537 million in the last school year.

The back-to-school clothing and footwear allowance continues to provide important support to families. As of this month, payments totalling €47.8 million issued to over 123,000 families for over 229,000 children. The rate of payment per child is €160 for children aged between two and 11 and €285 for children aged 12 years and over. These are practical supports that make a real difference for families.

This has been a valuable debate and I thank all Deputies for the sincerity of the debate and for bringing forward the motion. The concerns raised are real. They reflect the pressures that some families can face at the start of the school year. We are implementing practical measures that make real-world differences to families. We are supporting families through free books, increased capitation funding, investment in school transport, the back-to-school clothing and footwear allowance, and the expansion of the hot school meals programme. We are also strengthening guidance on school uniforms and strengthening the voice of parents and students through the Student and Parent Charter Bill.

The Department has issued guidance asking schools to prioritise affordability, equity, consultation and value for money. The Government will continue to work with schools, patrons, students and across the education partners to reduce costs, support inclusion and ensure every child can participate fully and confidently in education.

Deputy Duncan Smith: I welcome to the Gallery former councillor Peter Coyle, a great servant to the Labour Party and Fingal local government for 20 years.

I thank Deputy Kenny for bringing forward this motion on behalf of the Labour Party and the majority of Deputies for their contributions to this debate today. I have to qualify that thanks as a couple of the Sinn Féin contributors chose to take a narrow, decontextualised view of Labour's own record in education. To focus that lens on Sinn Féin, which held the education brief in Northern Ireland for 16 years, it was a time of multi-annual budget cuts, multiple fee and state exam increases and, indeed, redundancies of teachers and support staff. The charge made against us was that we have our best ideas in opposition. Maybe the charge against Sinn Féin is that it has its best ideas in the South because its record in the North in education is nothing short of disastrous.

Deputy Darren O'Rourke: What about the Tories?

Deputy Duncan Smith: You have had your moment.

We have put this motion down in July 2026, at a time of relative plenty. While over the past number of years things have been brought in to attempt to relieve the burden on parents and families in relation to school costs, this Government has continued, almost by stealth, to squeeze families in relation to the cost of education. State examination fees continue to go up. School transport fees continue to go up under this Government. The cost of ancillary services, energy, insurance and waste services, which all impact on school and education, continue to go up while the supports that parents rely on, like the double child benefit payment or energy credits, are gone. These are all under this Government. Again, it is a squeeze - a stealth tightening - on parents and families in relation to education. If the Government was really serious about education, it would do something to enforce the 2017 circular on affordable uniforms rather than just talk and hope that schools bring it in.

The study published this month by the Irish League of Credit Unions, ILCU, found that 59% of parents said covering back-to-school costs is a financial burden and more than one in four is going into debt. That should be the wake-up call that this Government needs that whatever measures it believes it is taking are nowhere near good enough and that parents and families are struggling. We say we have a free education system when, in fact, we do not. There are huge inequalities. There are haves and have-nots and if you are a have-not in this country, you feel it in many different ways and one way you feel it is in access to and the ability to enjoy education. This Government is not doing enough and this motion sets out ways that it can do more.

Deputy Marie Sherlock: I want to thank my colleague, Deputy Kenny, for bringing forward this really important motion and welcome the support across the Opposition. He does appear to be getting to some Deputies in Sinn Féin.

No one wants to be talking about going back to school but the back-to-education allowance has landed this week and many parents are having to deal with an existing cost-of-living crisis. It beggars belief that after years of budgetary surpluses the at-risk of poverty rate and the deprivation rate continue to go in the wrong direction. It is shameful that with all the money being dished out, we are seeing a rise in the at-risk of deprivation rate among one-parent families. Almost half of all one-parent families are still experiencing deprivation and there is a rise in the at-risk of poverty rate for two-parent families, with one in eight of those families experiencing deprivation. The back-to-education costs are a very big part of the story of child poverty and deprivation in this country and the ILCU survey very powerfully spoke to that this week.

Talking about back to school feels like Groundhog Day with regard to school uniforms.

12 o'clock

As my colleague Deputy Smith said, there is a Department circular that the Department has failed to enforce across schools. It is extraordinary to listen to the Minister of State talk about guidance from the Department to schools saying that no family or pupil should be forced to purchase a device. The reality, as we know, is that 30% of schools have mandated their pupils

to get devices. Some 17% of those schools are DEIS schools. We know that some tech companies, a huge number of which have their EMEA headquarters here in Ireland, are supporting schools, including some schools in my constituency, but that is not good enough. We need the State to step in. It is frankly appalling that the ICT grant was cut last year and has remained the same this year and that there is no provision for maintenance and repair.

Our key message to the Minister is that there needs to be a proper State policy with regard to ICT use in our schools, there needs to be proper supports to families to access the devices, and we need to end the digital divide and the very blatant inequality emerging to a much greater extent because of access to ICT devices in our schools.

Deputy Eoghan Kenny: To finish the debate, I thank all Deputies across the House for their contributions. I am quite surprised by the contributions from some Deputies in Sinn Féin, which holds the finance Ministry in the North of Ireland, where there is currently a €700 million shortfall in the Department of Education.

(Interruptions)

An Ceann Comhairle: Do not interrupt, please.

Deputy Eoghan Kenny: Sinn Féin Deputies come in here and have a go at the Labour Party for something that happened 15 years ago, when I was in primary school and 11 years old.

(Interruptions)

An Ceann Comhairle: Through the Chair, please.

Deputy Eoghan Kenny: It is quite interesting. I am not sure where their priorities lie in providing solutions.

Deputy Aengus Ó Snodaigh: Stand for election in the North and see how you get on.

An Ceann Comhairle: Allow the contribution, Deputy.

Deputy Eoghan Kenny: The priorities lie in this motion. Instead they come in here and have a go off the Labour Party - no problem at all.

Deputy Cathy Bennett: We are only telling you the truth, Eoghan.

Deputy Eoghan Kenny: No, not at all.

An Ceann Comhairle: Deputy Bennett, you are out of order. I ask Deputies to stop interrupting. Allow the closing speech.

Deputy Eoghan Kenny: Sinn Féin should get back to the priorities in this motion.

The Minister in her speech referred on a number of occasions to encouraging schools:

I encourage schools to consider how existing ICT supports and funding could be used to meet students' needs before any expectation was placed on parents ...

Using the words "encourage schools" is extremely blasé in that it does not pay for digital devices. Saying to schools "I encourage you to look into not using digital devices" does not pay for those digital devices that are required.

The Minister referred to a digital learning plan. In our motion we have called for a ring-fenced maintenance fund to be provided by the Department of education for schools. Having been a teacher in two schools, I recognise that these tablets and these laptops that are provided to schools break and that maintenance for them is coming out of capitation grants that cannot be fulfilled by the schools because they are using capitation grants elsewhere. If we had a ring-fenced maintenance fund for these laptops and tablets, it would provide the necessary funding to be able to maintain them. As regards the Minister's reply, guidance to schools is not enforcement to schools. As regards providing guidance and letters to schools that say, "My Department believes that it is not necessary to have laptops and tablets; I am issuing guidance on this", without those enforcement mechanisms being put in place, schools can still mandate children to have a personal digital device, which is what they are doing.

In relation to the Minister's comment that "decisions about digital devices should be grounded in pedagogy, informed by engagement with parents and students and mindful of affordability for families", her own Department has created a senior cycle reform, leaving certificate reform, and almost 40% of that leaving cert work is project work now that almost includes the use of a digital device consistently.

The Minister said when speaking about school uniforms that Circular 32/2017 makes it clear that schools should take practical steps to reduce costs for families, including use of generic items where possible, avoiding unnecessary exclusive supplier arrangements. It is just not happening. That circular needs to be revisited and schools need to be issued with further guidance. It is a guidance letter once again, a guidance circular that was produced by the Minister at the time in 2017 that gave absolutely no consequences to the school for having branded school uniforms.

In my opening speech I, as well as my colleagues, welcomed the free books scheme. It was an essential piece that was brought in within the Department of Social Protection and the Department of education that genuinely helped families. However, that free books scheme is now being undermined 100%, unfortunately, by a lot of schools mandating children to have digital devices. That free books scheme was extremely welcome. I welcomed it as a teacher; I welcome it now as a politician. Unfortunately, it is now being undermined by many schools across the country mandating children to have digital devices.

The Minister outlined the cost of school transport. School transport should be free. I do not care if it is €1.32 for families right across the country. It should be free. We should have free school transport in this country for every single child. No financial barrier should be put before a child who needs access to schools, predominantly children living in rural areas.

In relation to the engagement and consultation charter Bill, of course consultation with parents is essential, but drawn-out consultation right now will not pay for the significant back-

to-school costs that parents are sitting around the kitchen table right now wondering how they will be able to afford in the next month or two.

Question put and agreed to.

Ceisteanna ó Cheannairí - Leaders' Questions

An Ceann Comhairle: Before we move on, I ask for all your co-operation with the direction of the Chair to get through the amount of business we have. I welcome all the Members in the Gallery.

Deputy David Cullinane: "We are not going to regain any of the abilities we've lost, but Skylarys will give us time. Time when you're dealing with our progressive relentless disease is everything. We all deserve time with our loved ones." Those are the words of Emily Felix, a 28-year-old trainee solicitor from Kilkenny who is living with Friedreich's ataxia. It is a rare, progressive and life-limiting neurological condition. It gradually takes away mobility, speech and independence. Emily was diagnosed at 12. Since then, she has completed her degree, pursued postgraduate study and begun training as a solicitor. She is doing everything she can to protect her health and her future, but the disease continues to progress.

Yesterday, as the Taoiseach knows, the HSE drugs group met to consider reimbursement of Skylarys, the first approved treatment that can slow the progression of Friedreich's ataxia. Patients hoped for a positive decision. This process has been ongoing for years. Instead, the drug was referred to a rare disease technical review group for further consideration. This group is not a standing body and must now be convened. This could mean further delays and potentially months before a final decision is made.

For patients, that delay is unbearable. It can mean losing the ability to walk, to speak clearly, to swallow safely or to live independently. Skylarys is not a cure but it offers something precious: more time with mobility, working, communicating and living independently. Dr. Richard Walsh, consultant neurologist and co-director of the National Ataxia Clinic, has described this drug as a ground-breaking development. He has said that he would prescribe it if it were available in Ireland and that it may reduce the rate of disease progression. Skylarys has been approved across the European Union since February 2024. It is already publicly funded or accessible in several European countries. Irish patients are watching people with the same condition receive treatment elsewhere while they continue to deteriorate without it. That is cruel.

Yesterday, those living with Friedreich's ataxia gathered at Leinster House waiting for good news. Their hopes were high, but advocates and campaigners were left waiting with no communication. They were left desperately making phone calls, checking for updates, asking journalists and asking politicians if they had heard anything. They were treated appallingly. Then, when the news did eventually filter through, they were left devastated.

Craig Coady from Cork, who has already lost his 13-year-old son, Rory, to Friedreich's ataxia, now watches as his older son, Paudie, deteriorates from the same condition. He took to social media to express his anger. He said:

This is the worst news for my son. The government is kicking the can down the road. We don't have that time because Paudie is getting worse every day. I am so upset and disgusted.

Medicines must be properly assessed, and I get that, but the patient cannot be lost in the process, and that is what happens. In fact, in the programme for Government the Government committed to reviewing that process because it was accepted it does not always work.

The technical review group obviously now needs to be convened and needs to meet urgently.

Emily cannot afford more delays. She is a young woman with a career, ambitions, a family and a future she is fighting to protect. The same is true of every single person living with Friedreich's ataxia in this State. They cannot be left waiting any longer and they deserve better.

Does the Taoiseach accept that those living with Friedreich's ataxia were treated appallingly yesterday, that they deserved to be treated with respect and should have been properly communicated with? Does he recognise that this is a matter of urgency for them and that they cannot continue to wait while time is running out?

The Taoiseach: As this is my last Leaders' Questions of this term, I thank the Ceann Comhairle and all Deputies in the House for their co-operation throughout the year. I thank the entire team that works here, the ushers, the staff in catering and so on, for the manner in which they look after all of us on an ongoing basis. We deeply appreciate that. To the Deputies, while we disagree on many issues, this is parliamentary democracy in action and long may it continue. I just wanted to say that.

I thank Deputy Cullinane for raising this issue. I accept this is a matter of urgency for those with the condition of Friedreich's ataxia. I have met with Craig Coady and with others who have the condition. It is extremely worrying for them to say the least. The experiences they and their families are going through while awaiting the assessment of this drug are extremely traumatic. I appreciate the Deputy saying there has to be a process or a scientific input into whether medicines are effective or not, or suitable for reimbursement. It took a length of time. I think the company was slow over the past two years in responding to the HSE. The timeline is there. I know the Deputy has kept in close contact with the Minister on that. The commercial proposal was ultimately received from Biogen on 27 May. It went through a lot of interactions before that, which, in my view, could have been quicker on the part of the company.

That said, there is a process where first a health technology assessment was published in December 2025. That is public and was not that strong in terms of its assessment of Skylarys at the time. There was a clear recommendation from that. That was then moved on to the HSE drugs group. I accept there are issues in terms of how this gets communicated. However, up to now since the 2013 Act, there has not been a practice whereby there is a parallel political operation while this group is meeting monthly. I think 70 rare disease drugs were approved in the four years between 2021 and 2025. It was not the case that people were waiting every month. That is something we have to be conscious of. I understand it but we need to work on the communication of all that. These are scientists and people with expert knowledge who meet to assess drugs. They are not politicians. We have to protect that process too in terms of their assessment of the efficacy of drugs and so forth with regard to conditions. This year alone, 26 drugs for rare diseases have been approved and many more drugs outside of that.

It is a serious and urgent situation for the families. Our hearts go out to them. It is a disease that progresses and has severe impacts on those with the condition. It has now been referred to the rare diseases technology review committee and the Minister is taking steps to get that established as quickly as possible to assess this. It is my understanding that some of the national expertise and practising consultants in this field would be on that group, and I hope we can get an outcome as quickly as possible.

Deputy David Cullinane: I met many of those patients and people with the illness yesterday. Many of them were here in Leinster House. They told me, as they have in the past, they cannot walk and they cannot swallow and, as the Taoiseach acknowledged, it is also very difficult for their families who have to watch as their condition worsens and the disease progresses. This drug was approved by the European Union in 2024, over two years ago. It is publicly available in many European countries and yet again Ireland lags behind and we are not providing this drug. I see it simply. This is about empowering the clinicians. At the moment clinicians treating those patients do not have the option of prescribing that drug. We should enable them to have that option because this is an issue for clinicians and patients to work out the best treatment for those patients. That is an option available in Italy, Germany and other countries. It is not available in Ireland.

When is that group going to be convened because those people who were here yesterday were really upset? There was no communication. They were making phone calls, and they fear more months of delay before a decision is made.

The Taoiseach: I accept the devastation for families on receiving that news yesterday. This is not the news they wanted to hear. The previous month a drug was approved and that was welcomed across the House. The very same group made that recommendation in respect of that drug. There is an urgency attached to this and we are prepared to work with Members of the House in terms of the processes. We all accept that, ultimately, there has to be a scientific perspective on this. I accept there is also a role for those at the front line clinically in respect of this condition, and in the neurological field more generally who are treating people with this condition. Many drugs have an evolutionary process. In other words, they can get better as they are refined and improved upon in the research. There is much more in terms of clinical trials and so on that the Minister-----

An Ceann Comhairle: That concludes the question.

The Taoiseach: -----has published a strategy on.

Deputy Holly Cairns: I want to take up where we left off yesterday. When explaining why the Government was not going to buy Bessborough the Taoiseach said:

Excavation without evidence of location is neither feasible nor lawful [because] Under the Institutional Burials Act 2022, the Government can only [start an excavation] where it is satisfied that burials have taken place and there is evidence that those burials are manifestly inappropriate.

He then said, "I am advised that the legal threshold cannot currently be met because the location of many burials remains unknown." I cannot have been the only person listening who was stunned. The Government knows that 859 children and 19 women who were incarcerated at Bessborough are missing, presumed dead. It knows the Commission of Investigation into Mother and Baby Homes said it was highly likely that burials had taken place on this land. It has all the evidence of abuse, suspicious deaths, disappeared women and children and likely burial, and the Taoiseach is telling us he is powerless to act because legislation his previous Government drafted and enacted is preventing him. This really is beneath contempt. I repeat again what he said yesterday. The Government needs evidence that burials were "manifestly inappropriate" before it can intervene. Is he actually trying to say that these burials were in any way manifestly appropriate, and discarding the remains of hundreds of children without a scrap of paper recording the burial location is appropriate? He now seems to be using that as an excuse for inaction, when what he should be doing is moving heaven and earth to find these children and 19 women who disappeared.

Two weeks ago, the Taoiseach told me that Cork City Council should have placed a compulsory purchase order on the land. Councillors on Cork City Council have now twice voted unanimously to CPO the land, mostly recently on Monday of this week. The councillors have been told that they cannot do that because the council does not have capital. The Taoiseach holds the purse strings. Quite frequently when I ask him an important question he comes back and speaks about how I do not have a monopoly on caring, about his bona fides and about how much he cares.

Respectfully, it does not matter how much the Taoiseach cares unless that is mirrored some way in his actions.

Deputy Pádraig Rice: Hear, hear.

Deputy Holly Cairns: Can he please refrain from doing that in his reply today and focus on answering the questions? He is the Taoiseach of this country.

An Ceann Comhairle: Please.

Deputy Holly Cairns: If he cared about this issue he would act. He could amend the burials Act. He could open the archives. He could negotiate with the developer. He could give money to Cork City Council to secure the land.

An Ceann Comhairle: I thank the Deputy. I call on the Taoiseach to respond.

Deputy Holly Cairns: Will the Taoiseach do that? His hands are not tied; he is sitting on them. There is a difference.

Deputy Jennifer Whitmore: Hear, hear.

The Taoiseach: A number of years ago, I met with Maureen Considine and some survivors in Bessborough. Deputy Cairns has often said we should talk to survivors. Their perspective

is far different from hers in respect of Bessborough. I refer her to an article in today's *Irish Examiner* by Maureen Considine in respect of this issue. She established the Cork Survivors and Supporters Alliance, CSSA, in respect of this issue - in terms of the burials in Bessborough. The fundamental issue they wanted was to first of all establish where their babies were buried. Their sense was:

The mothers at the heart of our alliance are being overshadowed by an abstract human rights debate. Any demand for further disturbance of remains without their explicit input and consent is not an act of justice; it is a repetition of the original trauma where an institution exerted control over their children's burial. These mothers have inherent rights to privacy and space to grieve in peace.

The Cork Survivors and Supporters Alliance wanted to find out where the mothers' babies were buried. They were involved in legal submissions to a different application and employed experts and so forth. By the way, they do not believe that the current area of lands, which is the subject matter of the current An Bord Pleanála recommendation, is where the babies are buried. That is following their work with the experts they availed of. There are different perspectives from different survivors, which Deputy Cairns has ignored in all of her presentations. I also refer the Deputy to an article by Ann O'Gorman, based in Limerick, who lost her baby when it died 20 minutes after birth. The Deputy should read that article, which was in the *Irish Independent* some time ago. The point is Deputy Cairns has an extraordinary habit of distorting things that I say and conflating them. We are talking about 60 acres here. The planning permission for housing is not for the entirety of the 60 acres. It is for a part of it. There are two other lots of land. There are State services on the land. One hundred people are working in different services in Bessborough. There is childcare there, and so forth. It has been an active area of human activity for a long time-----

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

The Taoiseach: -----long after the home closed. I know a lot about it because I have been around a long time in that area. I live nearby.

The Taoiseach: The time is up. I thank the Taoiseach. I call Deputy Cairns.

The Taoiseach: I will come back in a minute.

Deputy Holly Cairns: At the end of the day, there are a few things that we know and a few things that we do not know. We know the commission of investigation found that it is highly likely there are babies buried on the grounds. We do not know why it made that recommendation. Why? Because the archives are sealed. The Taoiseach took exception to that word yesterday. They are closed. He can call it whatever he wants. That is why we do not know why the commission made that recommendation. We know that archaeologists walked the site. We do not know what they said or recommended because the archive is sealed. We know that there was no ground-penetrating radar used. As far as we know, there were no soil samples and no test excavations. We do not know why. We know that we have this information for Tuam and for Sean Ross Abbey. We do not have it for Bessborough. We do not know why. The Taoiseach's whole argument amounts to "We simply don't have enough

information to meet the threshold for excavation and examination." Why do we not? It is by design.

An Ceann Comhairle: I thank Deputy Cairns. I call on the Taoiseach to respond.

Deputy Holly Cairns: It is very clearly by design that we do not have this information. I take it from the Taoiseach's reply that his answer to my questions was "No", so I will ask him this: will he simply release the archaeological report?

An Ceann Comhairle: The Taoiseach will respond now.

The Taoiseach: Deputy Cairns has attacked the Institutional Burials Act. She implied it was imposed by this Government. It actually was agreed by the entire Dáil.

Deputy Holly Cairns: Not by me.

The Taoiseach: By the entire Dáil, including Deputy Cairns's party.

Deputy Holly Cairns: I put forward amendments at every Stage.

An Ceann Comhairle: Respectfully, it works both ways.

The Taoiseach: Let us park that for a moment.

Deputy Holly Cairns: The Taoiseach can check the record.

The Taoiseach: It was agreed. When I spoke to Deputy Bacik yesterday, we had a constructive engagement and she asked certain things. Deputy Cairns cannot draw conclusions from yesterday in terms of what the Government's position on this ultimately will be because we said we would reflect on it. That is what I said yesterday and that is what I intend to do. We need to be mindful of all survivors. I think Deputy Cairns has been too dismissive of those I have quoted this morning. I met with them three or four years ago. I was very taken by what they said. They have come to the view that they wanted a proper memorial. They felt their children were within those grounds. By the way, they believe there was a burial ground there and that burials were not *ad hoc*, scattered all over the 60 acres.

Deputy Holly Cairns: It is the apartments-----

An Ceann Comhairle: I am sorry, Deputy.

The Taoiseach: There is a very telling phrase in the article.

An Ceann Comhairle: The Taoiseach's time is up.

The Taoiseach: If I could, I will just finish on this very sensitive issue. Their point is that there was not a blade of grass disturbed on that site.

An Ceann Comhairle: It may be, but we are out of time. I call Deputy Bacik.

The Taoiseach: The way that site was organised, there would have been a burial ground. I accept the point that we have not located it, but there would have been a burial ground there.

An Ceann Comhairle: I call Deputy Bacik.

The Taoiseach: That is the issue. It is not where they-----

Deputy Ivana Bacik: The housing crisis continues to cut deep. The numbers in homelessness remain shockingly high. There are over 17,000 people in emergency accommodation, including 5,583 children. That is an appalling statistic and each figure represents an individual human tragedy. While the Dáil is in recess, sadly, many more people are likely to see an eviction notice land in their letterbox, and all of us know of those who are directly affected - like the young man who contacted me this week. He and his neighbours are being evicted at the end of the month with nowhere to go. Or like the young woman I am supporting, who was evicted into homelessness more than a year ago now. She has four children, two with significant disabilities, one of whom requires 24-hour medical care, and she has yet to be housed. She is relying on the goodwill of family and friends to keep a roof over her head. Another mother who is working full time was also evicted into homelessness a year ago. As a result, she has seen a deterioration in her youngest child, who has additional needs. I have supported her as she has been applying to every Government support scheme available but nothing has come good for her. Incredibly, her family has been deemed ineligible for priority treatment on exceptional grounds. Her ordeal should be unthinkable but, sadly, it is no longer a rarity.

All of us know of other families in similar situations because, under the Government, homelessness has sadly been normalised and evictions have continued apace, including mass evictions. The Government's housing policies have failed: policies on shed-sits, on evictions and rent hikes, on vacancy and dereliction but, above all, policies have failed to deliver on homes and social and affordable housing.

Let us take the Irish Glass Bottle site down the road in Poolbeg, where nearly 4,000 homes are set to be provided. At the weekend, letters uncovered by the *Irish Independent* revealed that the delivery of the social and affordable component of housing there is under threat. The Taoiseach knows there is a long history to this development. He will know it is the subject of a good faith agreement between the Department of housing, the developer, Dublin City Council and local residents. The agreement was to provide for the delivery of 900 social and affordable homes in an area where housing is desperately needed, where people are living in damp, mouldy homes in Pearse House, Markievicz House and other places with stairwells literally falling down. It is an area where market rents are sky high. An apartment on the Glass Bottle site rented privately costs more than €4,000 per month, yet the Minister for housing has been told that provision of much-needed social and affordable homes may now be delayed. Where will my constituents go?

Mere weeks ago, the Minister, Deputy James Browne, wrote that the most powerful tool we have to tackle homelessness is the delivery of social housing. It is possible, if we are determined enough, to use every single lever at our disposal. Will the Government use every lever at its disposal to tackle the housing crisis? Will the Taoiseach ensure delivery of the social and affordable homes promised at the Irish Glass Bottle site, and indeed across every community where they are so badly needed?

The Taoiseach: First, we will use every lever. I accept that housing is the social issue of our time. There is no question about that. We are using every lever but from time to time the Opposition objects to many of the levers that we deploy in respect of housing.

Could I pick the Deputy up on social housing? Between 2020 and 2025, we have delivered 60,000 social homes, through build, acquisition and leasing.

Over 9,000 new-build social homes were delivered in last year. That was the highest annual total in the State's history. We have made huge progress on social housing since 2020 in terms of the numbers of homes that are being built. Close to 23,000 social homes were in design or construction at the end of 2025. We are targeting about 72,000 new social homes by 2030. In addition, we are making progress regarding new starter homes. Some 36,000 houses were built last year. We will build more this year, and we need to build more again in 2027. That is the objective.

If we look at planning permission alone, we can see that the momentum is strong. Permission was granted for 34,000 new homes in the 12 months to the end of quarter 1 of 2026. This was up 8% year on year, with 13,000 commencements for the first five months of this year. That was up 161% year on year. The housing infrastructure fund is going to be significant and will unblock about 86,000 units. Real investment in dwellings was up close to 20% in 2025. Construction employment is up 33%, at 195,000, since 2020. Development land deals are up 55%, with quarter 1 of this year being the best quarter in this regard since 2019 being experienced. Home Building Finance Ireland's loan book has grown by 25% and a €1 billion housing infrastructure investment fund has been announced. The number of first-time buyers mortgage drawdowns in 2025 was 27,500, the highest volume since 2007. In May of this year, first-time buyers accounted for 59% of all mortgage approvals. That is up 44% on 2022. Progress is being made. The issue for us is to get to 50,000 per annum, and to do so on a sustainable basis over a ten-year period in order to meet population growth and demand.

Homelessness is a far more complex issue now than it was four or five years ago. There are many factors in homelessness.

Deputy Rory Hearne: Fianna Fáil and Fine Gael.

The Taoiseach: Not least among these is the migration issue, which is having a significant impact. Across the board, we have taken significant initiatives, which have been opposed by the Opposition, to deliver housing. I still think that the Government's programme is more substantive, effective and impactful than any proposals that brought forward by other political parties in the House.

Deputy Ivana Bacik: The Taoiseach can quote figures, but I have already quoted to him the shocking figure relating to those who are homeless. Let me also quote figures published just this week by the AIB construction purchasing managers index. Those figures show residential building contracting for the third consecutive month. There was a sharp contraction in construction activity in June, down to 45.4% from 50.2%. I use the debacle over the Poolbeg site to illustrate the difficulty the Government is in. The Government's overreliance on the private sector has simply failed to deliver homes at the necessary scale. Construction, including residential construction, is slowing. The private sector has a significant role to play, but the State needs to take on a far more prominent and proactive role. That is at the heart of the Labour Party's proposals and, indeed, the proposals of other Opposition parties. Central to provision is that promises on delivery must be kept. Should the developers of the Irish Glass Bottle site fail to honour the legally binding 15% planning condition, legal action will have to be taken.

An Ceann Comhairle: Thank you, Deputy. The Taoiseach to respond.

Deputy Ivana Bacik: It is very hard for my constituents and other people around the country who are homeless or facing the threat of eviction to see how little is being done by the Government.

An Ceann Comhairle: Deputy, please. At the behest of the Chair, the Taoiseach will respond.

The Taoiseach: That is not real. On the Labour Party's proposal, namely the idea of setting up a new State-owned construction company-----

Deputy Ivana Bacik: The Land Development Agency.

The Taoiseach: -----would take years and would not have any impact on house building right now or over the next five years for that matter. The Labour Party has produced a couple of pages on it, with nothing fleshed out. That is the bottom line. We already have the Land Development Agency-----

Deputy Ivana Bacik: That is what I said. Ramp it up.

The Taoiseach: -----and that is delivering well, so why create a new one?

Deputy Ivana Bacik: That is what we said. Ramp up the Land Development Agency.

An Ceann Comhairle: It does not work like that, Deputy. Please respect the answer.

The Taoiseach: It has been ramped up, for God's sake. Billions are going into the Land Development Agency. That is how thin the Labour Party's proposals are. Genuinely, there is no real substance coming from the Opposition on housing in terms of adding to our stock. We did the exemption for back gardens, but those in opposition just dismissed that. We did rural

housing and that was also dismissed. The Department also produced guidelines. The help to buy scheme, was opposed by the Opposition. The first home scheme was also opposed.

Deputy Conor Sheehan: It is inflationary.

The Taoiseach: That has helped young people and first-time buyers enormously, so much so that the number of first-time buyer mortgages is way ahead now of any other type of mortgage.

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

The Taoiseach: How do we get from 40,000-odd to 50,000?

An Ceann Comhairle: Deputy Stanley is on his feet. Taoiseach, the time is up.

Deputy Brian Stanley: I want to raise the situation regarding the absence of health cover for a large section of the population. Many middle- and low-income households have either very limited health cover or none at all. Forty-five per cent of the population have some kind of private health insurance. Most people who have such insurance have very limited, partial and restricted cover. A total of 42% have medical cards that provide either full medical cover or just GP care. This breaks down to roughly 30% having full cover and 12% having GP care cover. What these figures show is that 57% of the population have very limited cover. Worst of all, 13% to 14% have absolutely no health cover whatsoever.

These workers and families are typically on low to middle incomes but they live in one of the richest countries in the world. That is a scandal. The facts are that the income thresholds relating to entitlement to a full medical card have not increased in over two decades. The Taoiseach was Minister for Health at the time. The thresholds are of the 1980s variety. The latest figures from this year show that a single person has to be on an income of less than €184 a week in order to qualify. The threshold for a couple to qualify for a full medical card is €266.50 per week. If they have two children, the threshold is €345 per week. For the GP-only card, the threshold is €373 a week for a single adult and €607 - which roughly equates to €30,000 per year - for a couple. This means that many households which cannot afford it have no access to even basic healthcare or GP care. In turn, this gives rise to medical neglect.

I fully support Sláintecare. We are making some progress on that, but it is not happening quickly enough. Ten years were allocated in respect of the implementation of Sláintecare and universal healthcare. Those ten years will run out in 17 months' time. The process relating to full implementation has to be stepped up.

The position relating to discretionary medical cards needs to be examined and improved. As a start, we need to ensure that cancer patients have full medical card cover. On 6 March 2025, the Minister for Health, who is sitting beside the Taoiseach, in reply to a parliamentary question I tabled, stated:

I can assure the Deputy that my Department keeps medical card issues under review ... Over the course of 2025, we will review the existing eligibility framework to clearly

assess what is working well ... This is an important step towards delivering on universal healthcare

I agree with her on that, but it is 105 years since independence and the establishment of this State. Budget 2027 will be introduced in 12 weeks' time. I accept that everything cannot be done at once, but will the Government ensure, as the next step towards implementing Sláintecare, that income thresholds will be increased in order to provide medical card cover to the workers and families who do not have any at present? Will it also ensure, very importantly, that cancer patients have full medical card cover? I welcome the fact that the number of training places for GPs has been increased, but will the Government expand the process in this regard further and get the HSE to directly employ GPs in to fill the gap in rural and urban areas where people do not have access to GPs at present?

The Taoiseach: I thank Deputy Stanley for raising this issue. He mentioned that Ireland is well over 100 years in existence as an independent State. There is a great book by Mark Henry, *In Fact: An Optimist's Guide to Ireland at 100*. It contains a great chapter on health that I invite Deputy Stanley to read. If he looks at what people were dying of in 1922 and 1923 and the average lifespan at that time and the position today, he will see that there is no comparison. There has been an incredible improvement in the average lifespan. Ultimately, that has to be the measurement of any health service and of a broader societal approach to health and well-being. With a life expectancy of 83 years in 2024, Ireland ranked sixth highest among EU member states. I was Minister for health from 2000 to 2004. We were nowhere near this level of life expectancy at that time. The reason was that we did not have any national strategies on the key killer diseases, namely cancer and cardiovascular disease. We developed national strategies from the late 1990s onwards for cancer and cardiovascular disease. These had very dramatic beneficial impacts.

Those strategies were followed by substantial investment as well. Our mortality rate fell by 16.1% over the decade from 2015 to 2024. Our mortality rate for all circulatory system diseases fell by 28%, with the rate for heart disease and stroke falling by 34% and 42%, respectively. The mortality rate for all cancers dropped by 13.7%, with cancer of the trachea, bronchus and lung and breast cancer dropping by 19.3% and 11.7%, respectively. The mortality rate for respiratory diseases is down by 23%. I just need to make those general points. We are making progress. The investment has been huge. We have invested exponentially now in our health services.

In respect of GP and primary care, we have now had the biggest expansion of access to free GP care in the history of the State. If we take medical cards and GP visit cards, about 2.3 million people are eligible for free GP care, including those with medical cards and GP visit cards. We have reduced the threshold for the drug payment scheme to €80 per month. We did this progressively over the past number of years. We have funded diagnostic scans now for patients. We have introduced free contraception for women up to the age of 35. We are publicly funding assisted human reproduction, including IVF, and free HRT.

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: We have also developed a much-needed revolution in women's healthcare in terms of see-and-treat gynaecology clinics and-----

An Ceann Comhairle: I thank the Taoiseach. You will be coming back in. I call Deputy Stanley.

The Taoiseach: -----fertility hubs and specialist menopause services. All that helps to gain greater access for patients.

An Ceann Comhairle: I thank the Taoiseach. The time is up. I call Deputy Stanley.

Deputy Brian Stanley: That is all fair and good, and I acknowledge there has been progress. Of course, there has been progress in 105 years. There has been progress in my lifetime, which is a bit less than 105 years.

The Taoiseach: We can see from the Deputy's demeanour that he is doing very well.

Deputy Brian Stanley: I am hoping to get a bit longer than 83 years out of it.

The fundamental question here concerns people who do not have health cover. Progress is being made towards implementing Sláintecare, and I acknowledge, in particular, the stand taken by the Minister in relation to the contracts for consultants. If they are paid to work for the full week by the State, then they cannot do private work during that time. A plumber working for the Office of Public Work, OPW, cannot be off doing nixers during the day for somebody else. We support her in doing that.

Universal healthcare is where we have to get to. We are out of step with other states. The Taoiseach will have to admit, and he has not addressed this, that since he was the Minister for Health, those thresholds have not increased, and I acknowledge all the progress that has been made, although we have a distance to go yet. It is €184 for a single person, €266.50 for a couple and €345.50 per week for a family of four.

An Ceann Comhairle: I thank the Deputy. The Taoiseach has the figures. I call the Taoiseach to respond now, please.

The Taoiseach: I again thank the Deputy for raising this issue. The biggest movement in the past couple of years has been the GP access card, the GP visit card, more than the medical card. I acknowledge that point. We have, however, reduced the drug threshold payment as well. We are also building up the public health system as per Sláintecare and Government decisions-----

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Deputy Brian Stanley: The Taoiseach himself-----

The Taoiseach: -----which I think are, in many respects, extremely important in terms of the diagnostic hubs and the community-based model that has been evolving over the past number

of years. It actually gives people very ready access to diagnostics and treatments in terms of not having to access the acute hospital system all the time.

On growing college and training places, which the Deputy referenced earlier, as he knows, there was a big investment in 2026 enabling higher education institutes to deliver over 1,100 new healthcare course places each year over the next three years.

An Ceann Comhairle: I thank the Taoiseach.

The Taoiseach: We have had a particularly significant investment in more GP places in our colleges and clinical placements thereafter.

An Ceann Comhairle: I thank the Taoiseach. I appreciate that there is a lot of information.

Ceisteanna ó na Comhaltaí Eile - Other Members' Questions

Deputy Michael Lowry: When this Government was formed just over 18 months ago, no one could have predicted the scale of the crisis unfolding in the Middle East, the disruption it would place on global energy markets and its impact on the cost of living in Ireland and across the world. In these times, the value of a capable and stable Government became clear. This coalition must continue to provide certainty for households, protect our living standards and keep our economy on track. Fuel supports introduced to shield families and workers from surging prices at the pumps have been extended into the autumn. The focus must now turn to October's budget and the decisions needed to protect people from external shocks, sustain our prosperity and strengthen our economy for the years ahead.

Independents supporting the Government helped to shape last year's budget, with a strong focus on protecting the most vulnerable and securing meaningful, long-term benefits. Earlier this month, the largest-ever increase in the carer's allowance income disregard took effect. That is real progress, and we are committed to phasing out the means test entirely during the lifetime of this Government. The central question now is what budget 2027 will do for working people.

Last year, income tax bands and personal tax credits were left untouched. As wages rise to meet the growing cost of living, workers are being unduly punished by the tax system. The people in the squeezed middle, the workers who keep our economy moving, need a meaningful tax package in October that will allow them to keep more of their hard-earned money. People living with a disability continue to face unavoidable additional costs in areas such as transport and healthcare. I welcome the cross-Government work conducted over the past year that has looked at the possibility of a permanent annual cost-of-disability payment. Budget 2027 should move that commitment in the programme for Government from the discussion phase to delivery and the establishment of this permanent payment.

Inheritance tax must be reviewed. The current inheritance tax regime is penal and is not fair or equitable. Families should be able to pass on a home, farm or business without there being an excess tax burden. We must also look at how people without children can pass on an inheritance to nieces, nephews or close relatives without being disproportionately penalised.

Prudent management of our economy is the cornerstone of good government. While people are struggling with the cost of living, they are further infuriated to see public money wasted. This squandering of taxpayers' money is evident across all Departments, State agencies and local authorities.

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

Deputy Michael Lowry: The Minister, Deputy Jack Chambers, requires the full support----

An Ceann Comhairle: I call the Taoiseach to respond, please.

Deputy Michael Lowry: -----of the Government to implement measures to-----

An Ceann Comhairle: The time is up, Deputy.

Deputy Michael Lowry: -----reduce wasteful expenditure-----

The Taoiseach: I thank Deputy Lowry for raising a fundamental issue insofar as it affects the livelihoods of our citizens across the country, workers, those on pensions and so on. We rarely get opportunities to discuss the wider economy in this House. I was struck that earlier this week we had a significant investment by Intel of up to €5 billion in its site in Leixlip, and there was not a whisper in this House about it. It kind of tells us a story about the degree to which this House is divorced from the reality of economics and the economy, and how to sustain the economy and stay competitive. There is rarely a discussion in here on any of that.

If we take trade, for example, the main Opposition party is opposing the trade deal with Canada. Our exports to Canada have gone up fourfold since that trade deal came in provisionally. This has led to many jobs for SME companies in Ireland, as well as multinationals. Yet Sinn Féin's response is to take it to the courts to try to get rid of it. This is the sort of extraordinarily bizarre take on the economy that we have to listen to in the House sometimes. We do not really have a proper to-and-fro debate on it.

Ultimately, we have a responsibility to try to provide jobs. We are doing that, and the growth in employment has been phenomenal. At the moment, we are at about 2,794,500 people working, as of the first quarter of 2026. We have a growing population. It now stands at over 5.5 million people, which is an increase of 10% between 2020 and 2026. There has been an incredible increase of 53% between 1995 and 2026. Being straight-up about it, there are pressures that have come from that.

We have to have a budget that reflects the need to sustain that level of work in our economy so that people will have access to jobs.

The AI issue is causing a lot of concern. I take heart from the investment announced by Intel this week, which will be AI-propelled, actually. That industry is now looking at an upward curve in the context of semiconductors, sensors and so on.

The Deputy is correct in saying that the conflict in the Middle East has had a huge impact. In the budget, we will endeavour to ease the pressure on families. There will be a package relating to income tax for families. The Minister for Social Protection, Deputy Calleary, is working on the cost-of-disability payment issue. That will be groundbreaking. It has never happened before. It is complex; it is not simple. There had to be public consultation in respect of it. We will do everything we can in the budget to try to alleviate the pressures on people brought about the Middle East war, the shock to supplies it has caused and the inflationary impact on fuel prices in particular to which it has given rise.

Deputy Michael Lowry: There is another group of people who cannot be overlooked, namely the self-employed. These people take risks, create employment and contribute significantly to the economy. The self-employed are at a disadvantage in accessing State supports and social protection. They do not have access to the new My Future Fund pension arrangements available to all employees. The Government should start setting out a clear pathway towards inclusion for the self-employed or an equivalent mechanism that will give them the same opportunity as others to build greater retirement security. Fairness for working people must include those who work for themselves. The self-employed make a huge contribution to our economy. In many cases, they are overlooked.

The Taoiseach: I appreciate the point. This is a pro-enterprise Government. That matters. I believe in nurturing and supporting companies and people who start their own businesses. Those people take great risks. In many instances, for the first ten years of a new company, they have to work 24-7. An issue we discuss with Enterprise Ireland is how to enable those companies to have capital to scale up. Part of our European Union Presidency programme is around competitiveness and giving a better break to SMEs in particular and giving them greater access to capital. Supporting the self-employed will continue to be a commitment of Government. It is an issue we keep under constant review. There is a cost-of-doing-business forum which comes under the remit of the Minister for Enterprise, Trade, and Employment and which is looking at what we can do to reduce costs, clarify and simplify regulation for SMEs in particular, which would go a long to helping them, and enhance the research and development tax credit in terms of making it available to and accessible by SMEs.

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

Deputy Darren O'Rourke: The Government is punishing special needs assistants, SNAs, for exercising their democratic rights. It is tearing up a local pay agreement worth 1.5% and a new special leave arrangement simply because workers rejected a separate workforce plan. There is much uncertainty, anxiety and anger about what is happening. SNAs do not know what the future holds. This move on the part of the Government is yet another insult. Will the Government reverse this reprehensible decision on local bargaining? Will it work in good faith to address the uncertainty and anxiety that exist? Will the Government side get back to the negotiating table as a matter of urgent priority in order to address the identified issues of contention and put a plan together that SNAs can support?

The Taoiseach: We put a comprehensive plan together in terms of the broader area of special education. We also issued a circular and so on. That was an agreement with the trade union Fórsa at the time. The matter went to ballot, and the result was not positive. Government always stands ready to engage with the trade union representatives in respect of the broader picture. The investment in SNAs has been huge. It will continue to be significant, as will the investment in special education across the board.

Deputy Jennifer Whitmore: A hosepipe ban will come into force in a number of counties on the east coast from tomorrow. I completely understand that because we are seeing record temperatures and are in the middle of dealing with the climate crisis and climate change. It is important that we conserve water, but can the Taoiseach understand the frustration of many people being told that they have to conserve water when it appears that there is very little governance or oversight of the amount of water used by data centres, particularly those in the Dublin area? Uisce Éireann cannot seem to provide proper figures for the amount of water that is being abstracted at the moment. It reckons that about 800 ML, 0.13% of the national average, is being abstracted. However, that is less than what Meta has recorded as abstracting for one of its own plants.

An Ceann Comhairle: Thank you, Deputy.

Deputy Jennifer Whitmore: Uisce Éireann seems to have plucked its figure from thin air.

An Ceann Comhairle: The Taoiseach, please.

Deputy Jennifer Whitmore: Will the Taoiseach ensure that there is oversight-----

An Ceann Comhairle: Time is up, Deputy.

Deputy Jennifer Whitmore: -----of the amount of water that data centres use?

The Taoiseach: We can, but I am not clear about the direction in which the Deputy is heading on that. Is she saying that we should shut them down or put them out of use-----

Deputy Jennifer Whitmore: We need to know what they are using.

An Ceann Comhairle: Deputy, it does not work like that.

The Taoiseach: -----with all the implications that-----

Deputy Jennifer Whitmore: We need to go into this with our eyes wide open.

An Ceann Comhairle: Deputy, do you want the answer?

The Taoiseach: -----would have for users of technology? The hosepipe ban is important but trying to juxtapose, having the big baddie over here and saying we should not have a hosepipe ban because-----

Deputy Jennifer Whitmore: We have no idea how much water data centres are using. It is incredible.

An Ceann Comhairle: No, Deputy Whitmore. Please.

The Taoiseach: I just do not think that is a valid juxtaposition.

Deputy Ivana Bacik: Yesterday evening, I met a group of individuals who have Friedreich's ataxia and their families here in Leinster House. They are calling for urgent access to Skyclarys, the life-changing drug for those living with this rare, degenerative neurological condition. I offered them my full support and that of the Labour Party. My colleague Deputy Sherlock has already given them her full support. I was with them when the very disappointing news filtered through that the HSE drugs group had deferred its decision on approval of public funding for the drug. The news in this regard was leaked by means of communications with public representatives as opposed to officially. the Taoiseach acknowledged earlier that there has been poor communication with the group. I ask that this be addressed. Clearly, the most substantive issue is the delay in providing approval for reimbursements. Skyclarys is already being reimbursed in other EU countries. We need to work with other EU member states to reduce costs in line with the Irish EU Presidency priority of competitiveness. Can the Taoiseach give the families some indication that the approval-----

An Ceann Comhairle: Thank you.

Deputy Ivana Bacik: -----process will be expedited and that there will be no further delays?

An Ceann Comhairle: The Taoiseach, please.

Deputy Ivana Bacik: As the Taoiseach understands, this is a heartbreaking situation.

An Ceann Comhairle: Deputy, please. I call the Taoiseach.

The Taoiseach: I thank the Deputy for raising this matter, which I dealt with extensively earlier in reply to Deputy Cullinane. The Minister is doing everything she can to expedite the convening of the rare disease technology group, to which the matter has been referred. This is very serious and urgent for all concerned. Some countries do reimburse it and others do not. The health technology assessment relating to this matter was published. If the Deputy reads that assessment, she will see that it proved challenging. We are not scientists, but we all feel for the families. We understand. We have met people with Friedreich's ataxia. They cannot get this drug fast enough. For all drug approvals unfortunately, there are processes which, unfortunately, have to be gone through. I take the Deputy's point.

Deputy Roderic O'Gorman: There has been rightful focus on road safety over the past week in the context of discussions on illegal use of scrambler bikes and the dangerous use of e-scooters. The Taoiseach, the Tánaiste and the Minister of State, Deputy Canney, are due to make significant decisions about new laws soon. The Road Safety Authority estimates that about 5% of the adult population uses e-scooters. That is tens of thousands who use these devices, mainly as part of the work commute. We have rightly focused on the bad and dangerous behaviour that is out there, but there are plenty of people who are law abiding and who do their best to drive safely. They use e-scooters because they are more convenient and are cheaper to run in the middle of a cost-of-living crisis. In the decision it is about to make on new rules for e-scooters, the Government should keep in mind the position of thousands of adults who use e-scooters responsibly, who need them for their commute and who should not be punished because of the dangerous behaviour of some individuals.

The Taoiseach: I take the Deputy's point. The Minister for Health has sought a comprehensive report from Children's Health Ireland on one of the issues that concerns me, namely injuries to children arising as a result of e-scooter accidents. I refer, in particular, to head injuries, brain damage and so on. We have to assess that report when we get it as a factor in how we deal with this issue. The Minister of State, Deputy Canney, will be bringing proposals to Government. We will have meetings next week in relation to this. We will then be in a position the, perhaps, to engage more widely with Members of the House on the matter. This is a very serious issue for us.

1 o'clock

Without question, it probably did not have the regulatory framework it should have had at the outset. That is something we need to look at.

Deputy Michael Collins: This matter has been raised twice already this morning, but it is hugely important. I will make a personal appeal to the Taoiseach regarding Skyclarys and the further delay that has now arisen. Yesterday, Emma O'Shea came to Leinster House from west Cork with her mother, father and brother. I am in regular contact with Emma, but seeing her here again yesterday fighting courageously for a medication that could help to slow the progression of this cruel disease had a profound impact on me and my staff. Emma is just 26 years of age and is now confined to a wheelchair. Her family knows all too well the reality of Friedreich's ataxia because Emma's brother died from this disease. Last night when Emma got back to west Cork and learned there would be yet another delay, she sent me a text message. Her words were simple: "It is a joke. I am heartbroken". Every day matters for Emma. Every delay means more deterioration, more uncertainty and more fear.

I am not hear to blame the Taoiseach. I am asking the Taoiseach to get personally involved and to put the full weight of his office behind this issue. I hate to be so blunt, but what happened to Emma's brother cannot be allowed to happen to Emma----

An Ceann Comhairle: Thank you, Deputy.

Deputy Michael Collins: -----because of delays. I urge the Taoiseach to please do everything in his power to get this medication across the line.

An Ceann Comhairle: Time is up, Deputy.

Deputy Michael Collins: Emma's family and other families like them simply do not have time to wait.

The Taoiseach: I thank the Deputy for raising the situation and how it personally impacts on Emma O'Shea from west Cork. Well over 200 families are impacted by this rare condition. It is particularly high in Ireland in comparison with other locations. I accept fully the impact and trauma on Emma's and other families. The Minister is doing everything possible to progress the issue and get the group established.

There is a broader issue about the assessment of new drugs and how we do that. We have to have a scientific dimension to it and a proper rigorous evaluation of the efficacy of drugs. I think that is accepted. Over 70 drugs for rare diseases have been approved in the last four years, so we do approve drugs for rare diseases-----

An Ceann Comhairle: Thank you, Taoiseach.

The Taoiseach: -----as per the exiting process that is laid down in legislation. However, I take the Deputy's overall point.

Deputy Tom Brabazon: I raise the issue of Uisce Éireann and the lack of meaningful engagement it has with the public and public representatives. I have had a number of dealings with it recently, most notably on James Larkin Road where it is doing an important project. While there has been engagement with public representatives, there has been no meaningful reaction to the problems raised about the traffic chaos on the Howth Road and on the way into Raheny village. A number of suggestions have been put forward to Uisce Éireann.

In the Mask area of Artane, there is severe discolouration of water in households. Uisce Éireann sent someone out, but the water appeared discoloured again a number of hours later. When this was raised with Uisce Éireann, it said that the issue had been resolved. It is extremely frustrating dealing with Uisce Éireann. It seems to be accountable to no one, in particular public representatives. Something must change.

The Taoiseach: I thank the Deputy very much for raising the issue. He said that there had been engagement but the responses had not been effective or impactful. I will take the matter up with Uisce Éireann. It has established a unit on the effectiveness of communications with public representatives. I have brought this to the attention of Uisce Éireann, as has the Minister, and it has undertaken a review of engagement with elected representatives with input from across its entire business. That is due to conclude shortly. That is a general point about how it engages with public representatives, including Members of this House.

On the specifics, I have had engagement in the past on matters of the kind the Deputy raised. I did get a response ultimately. It was quite a few years ago. It was about residential concerns, disruptions and so on that could happen when major works were under way. I will engage with the company to see if we can get an improvement from the Deputy's perspective.

Deputy David Maxwell: I will ask about home support services, which are raised in my constituency office time and again by families across Cavan and Monaghan. Many people who have been approved for home support hours are still experiencing delays in receiving the care they have been assessed as needing. This creates understandable worry for older people who wish to remain living independently at home and places additional pressure on family members who often step in to fill the gap. Many people are currently waiting for approved home support hours to be delivered.

I would welcome an update on the measures being taken to recruit and retain home support workers, particularly in rural areas, where staff challenges can be more acute. This issue has persisted for a number of years in Cavan and Monaghan, and in the country as a whole. Many families would appreciate reassurances that progress was being made to improve access to these vital services. The home support service can help with everyday tasks such as dressing, undressing and getting in and out of bed.

What is the Government doing to make sure that staff and resources are in place to allow people who want to stay in their homes do so in Cavan and Monaghan?

Minister of State at the Department of Health (Deputy Kieran O'Donnell): I thank Deputy Maxwell. This is an important point for his constituents in Cavan-Monaghan. By way of update, 302 people were on waiting lists for home support at the end of May in Cavan-Monaghan, including 33 new applicants and 269 people already receiving support who require additional hours.

Specifically on the point the Deputy raised, I met the HSE as recently as yesterday. One of the key areas I focused on was Cavan-Monaghan. The HSE gave me an assurance. The last recruitment campaign of home support workers was in April. It has interviews scheduled for tomorrow, 16 July and Friday, 17 July, of 17 candidates to replace ten whole-time equivalents. Furthermore, ten new staff commenced in January 2026. The recruitment of additional staff is under way, with ten staff already in place since January. We want to get a further ten staff in place as quickly as possible and 17 candidates will be interviewed tomorrow and the day after for those posts.

Deputy Fionntán Ó Súilleabháin: This is Groundhog Day in terms of school transport. It is the same as last year. The only thing that has changed in the school transport system is the families affected. We are still inundated with emails from frustrated parents from Rathdrum to Kilmuckridge. Children who have always qualified have suddenly been refused tickets. Others received tickets but no service is available. In other cases, one sibling got a ticket while another sibling attending the same school did not, so the parent drives behind the bus. We submitted 12 names during the year for Castletown National School and 21 for a service from Camolin to the Gorey Educate Together school. Families are still waiting for certainty. Children in Coláiste Bhríde, Carnew, who had always received transport were told no service was available, but when we contacted the provider, it said that a service was available. The waiting time to hear back from Bus Éireann is unacceptable. When will the Government introduce the policy recommendations on eligibility and distance that were outlined previously?

The Taoiseach: First of all, the school transport scheme is a very extensive scheme. About 180,000 students are now carried on the school bus transport system. Costs have been increasing on a yearly basis, as has investment in the programme. There are limits to what we can do. We cannot do everything in one year. However, we continue to work on it.

The Minister of State with responsibility for special education and school transport, Michael Moynihan, has been engaged on this for the last year and a half. We are making improvements to it and the changes to the eligibility criteria will be implemented on a phased basis. The numbers have increased. There are pilot projects. About 11 were approved for the 2025-26 year where the distance criterion was reduced to 2 km for primary and post-primary schools. The need for a pupil to be attending the nearest school has been removed, as the Deputy will be aware, in those 11 pilots, so we will see how they work out.

Deputy Pádraig Mac Lochlainn: In recent weeks, the Taoiseach talked about the importance of the Minister of State with responsibility for the marine. However, incredibly, it is the Minister for agriculture who will address the European Parliament's committee on fisheries today. He is having an exchange of views with the members of that committee, not the Minister of State with responsibility for fisheries, Deputy Dooley. There is clearly a row. Letters have been exchanged. I ask the Taoiseach to intervene and make clear that it is the Minister of State with responsibility for fisheries, who has been engaging in widespread consultation with the fishing industry and seafood industry in Ireland and Europe over the last year and a half, who should represent Ireland. He knows what he is talking about. That would give a clear message that the Taoiseach is serious about giving the Department of marine and the Minister of State with responsibility for the marine independence to speak and fight for our people, rather than the Minister for agriculture, who could not possibly know anything about these matters.

The Taoiseach: The Deputy's endorsement of the competence of the Minister of State, Deputy Dooley, is duly noted. I hope it will not come back to haunt him some day in subsequent events. The Minister of State, Deputy Dooley, is an effective Minister of State with responsibility for the marine and has a great rapport with the industry.

I appreciate the Deputy saying that. Deputy Heydon, of course, is the senior Minister in the Department and has been working with the Minister of State, Deputy Dooley, with regard to fishery interests and other issues. That is the basic position.

Deputy Pádraig Mac Lochlainn: The Taoiseach is not going to intervene.

Deputy Robert O'Donoghue: There is an issue that has come to me in Dublin Fingal West, although it affects the country at large. I refer to the spiralling cost of summer camps and the financial burden it is placing on households earning lower to middle incomes. One parent told me that they were paying €160 a week for three hours over four days. If a family has two or three children, that cost may put these opportunities completely out of reach. I raised this last week as a Topical Issue but the response focused on childcare and the national childcare scheme, NCS. With respect, that missed the point I was trying to make. Summer camps are effectively run by the likes of sports clubs. Nobody is asking for camps to be made free. We recognise that providers face genuine costs. They deserve supports for the valuable services

they provide. Will the Department examine the introduction of a means-tested summer camp subsidy in budget 2027 so that no child misses out simply because his or her family cannot afford summer camp fees?

The Taoiseach: Is it that the Deputy wants the State to subsidise general summer camps?

Deputy Robert O'Donoghue: Yes, but on a means-tested basis.

The Taoiseach: We are providing enormous funding for the summer education programme and so on. There have to be limits to Government expenditure. Local authorities have been supporting summer camps on a local basis. I think that, in Cork city, it has been going on for 40-odd years that we have allocated funding to local summer camps organised by community associations and so on. There are limits to what the State can do in all of these scenarios. We have prioritised education, and special education in particular. Under that programme, there are also supports for particular communities in which there may be high levels of disadvantage.

Deputy Conor Sheehan: I thank the Ceann Comhairle and the staff for being so accommodating this parliamentary term.

Deputy Matt Carthy: Deputy Sheehan is looking for extra time.

Deputy Conor Sheehan: I raise the issue of the community access support team, CAST, in Limerick, which has prevented 133 detentions under section 12 of the Mental Health Act and reduced the number emergency department presentations. It has responded to over 1,000 incidents. There is evidence for this and the University of Limerick published a report last week. It has been extraordinarily successful. It needs a dedicated core budget. It has been transformative in normalising a non-criminalising response to mental health. Will the Government formally establish this team as a national interagency crisis response service in the upcoming budget?

Minister of State at the Department of Health (Deputy Mary Butler): I thank the Deputy for his support for CAST. I am extremely proud of this pilot project, which we started working on in 2022. I compliment Superintendent Andrew Lacey, who has done phenomenal work on this for many years. At our initial conference in UL, we heard from police forces from Canada, elsewhere in North America, Great Britain and Northern Ireland. The pilot has been really impressive. As the Deputy has said, it has resulted in 133 people being deflected away from emergency departments. For anyone who does not know, how it works is that, when gardaí respond, a dedicated mental health clinical nurse practitioner travels in the car and intervenes when it is safe to do so.

I spoke with the superintendent last week. I have also spoken with the regional executive officer, Sandra Broderick. They feel that there is a little bit more work to do before the initiative is ready to mainstream. On funding, as the Deputy will know, we now have six regional health areas. Each regional executive officer can mainstream these types of supports. There is a little bit more to do. We will then be able to roll it out.

Deputy Mattie McGrath: Maidir le hUisce Éireann, cad a dhéanfaimid feasta gan uisce? The situation in south Tipperary has reached crisis point. Since January, the Ardfinnan regional water scheme has experienced 58 water supply interruptions, affecting 11,000 customers, while almost 28,000 homes and businesses were placed on a boil water notice in a single week. The water is consistently off. Tipperary town has been under a boil water notice since last February. There is no sign of it being lifted.

One constituent summed up the frustration, telling me that there was yet again no water pressure when the house was full of grandchildren. The attic tank was not filling, so there was no water for cooking, showers or washing clothes. All of this was happening before the introduction of a hosepipe ban. They say it would be great to have water to be affected by a hosepipe ban.

Uisce Éireann is totally out of control. Two weeks ago, the Tánaiste gave me some hope here that the Government might do something. Uisce Éireann is not acting for anybody. It is committing sabotage on the Ardfinnan regional water scheme and the Glenary plant in Clonmel. It is now going on to the Galtees and causing havoc. The reservoirs have not been full in about two and half years despite Uisce Éireann getting tens of millions.

An Ceann Comhairle: I call the Taoiseach to respond. Deputy McGrath's time is up.

Deputy Mattie McGrath: Something has to be done with Uisce Éireann because-----

An Ceann Comhairle: The Taoiseach will respond.

The Taoiseach: I thank Deputy McGrath. I acknowledge and accept that there are very serious issues across south Tipperary in respect of water outages and boil water notices. I will raise the issue with Uisce Éireann. We have allocated very substantial equity and investment to Uisce Éireann, particularly in the context of the national development plan. I will get an update for the Deputy.

Deputy Eoghan Kenny: I raise the issue of the lack of a plan for a new public sector pay deal and the lack of engagement on this matter. SIPTU, Fórsa, Unite and the Irish Nurses and Midwives Organisation, INMO, are now to ballot their members for industrial action, up to and including strike action. The public sector pay deal expired on 30 June and formal talks have yet to begin on a successor agreement. We are in the final week before Dáil Éireann goes into recess for the summer and trade unions and workers in the public sector are none the wiser about their future income and job security. Despite the ongoing cost-of-living crisis, looming back to school costs, winter on the horizon, the cost of fuel, third level education costs, and rents being reset to market value, the Government is leaving these workers in limbo. When will workers see the Government at the negotiation table with trade unions to deliver a fair public sector pay deal for workers across this country so that we can stop strike action from happening?

The Taoiseach: First of all, the Government wants to secure a pay deal with the public sector workers and their representatives. That has been very clear in recent meetings and

engagements. In my view, we reached an agreement, which has now expired. What normally happens is that engagement takes place, there are informal soundings and so on, and formal talks then begin. My sense is that there was never an expectation that these talks would happen before September in real terms. I expect talks to develop apace in September.

Deputy Matt Carthy: Is the Taoiseach concerned about what is happening in our courts as a result of the debacle in handling criminal legal aid reform? We have seen substantial numbers of solicitors withdraw from the scheme. I am told that the solicitors who have withdrawn provided representation in the majority of cases involving the legal aid scheme last year. More important, we have seen thousands of criminal cases adjourned. We have seen victims turning up to court only to be turned away. They are waiting for justice. We have also seen people who should be in custody today being released on bail. At the same time, we have seen remand numbers increase exponentially, putting huge pressure on the already overstretched Prison Service. Will the Taoiseach ensure that there is dialogue with the stakeholders? Sort this out. We cannot allow the chaos in our courts system to continue over the summer months. Will the Taoiseach ensure that there is real dialogue this week to bring an end to this?

The Taoiseach: May I first of all say that these are reforms that the Minister for justice has brought in? He sought Government approval for these reforms. I do not know what the Deputy's position is on the reforms *per se* but it is without question that the system needed reform. I hope the Deputy accepts that. Perhaps he could articulate that at some stage.

Deputy Matt Carthy: I am just asking for engagement.

The Taoiseach: There has been engagement.

Deputy Matt Carthy: No, there has not.

The Taoiseach: The Minister and the Department have engaged with the Law Society. I am concerned because I think people should not be withdrawing their services. I ask those who are doing so to rethink and reflect, and to do what in my view is their obligation, which is to represent people in court. What was going on in many cases was not acceptable either in terms of multiple adjournments and so on.

Deputy Matt Carthy: Well, there are more now than ever.

The Taoiseach: The fee structure needed to be reviewed and reformed.

Deputy Matt Carthy: The Taoiseach will not call for dialogue this week.

Deputy John Connolly: The decision of the Government to purchase the Hammerson site on O'Connell Street - the site of the old Carlton Cinema - clearly shows the intent and determination of the Government to progress and complete the MetroLink project. Hopefully, the intent and determination are not limited to MetroLink or to other transport projects within the Dublin area. As the Taoiseach will know, I am referring to the Galway city ring road, which

has been granted planning permission. However, that grant is subject to judicial review, which could derail the project. The city cannot countenance that, and the region needs this project urgently.

There are also approximately 50 families who are subject to the compulsory purchase order, CPO, process. I ask that there would be an early settlement strategy for those families. They have been aware for over ten years now that their homes and lands are subject to this process and that they will have to move on. It is important that we move on this at the earliest opportunity for those families and for the good of the project.

The Taoiseach: First of all, I thank Deputy Connolly for raising this issue. He has been a consistently strong advocate for the Galway city ring road. I accept his point that there has to be a similar intensity in terms of getting this project under way as there is in terms of the metro because this is choking Galway. It is extremely difficult for people living in the Galway area to get from A to B. It also has potentially significant negative impacts on industry in the Galway region, particularly for people and families more generally. I have said to the Minister for Transport that I believe very strong engagement should take place. It is not for Transport Infrastructure Ireland, TII, but the councils and so on, but the Deputy's idea of an early settlement strategy is one I would put to the Minister and it is one that should be embarked upon.

Deputy Aindrias Moynihan: I need to raise with the Taoiseach the straw incorporation measures and the delays from the Department of agriculture in approvals. There is fine weather. Tillage farmers are focusing in on the harvest. There have been no approvals issued by the Department of agriculture for the straw incorporation measure at this point. Farmers have nominated lands that they plan to harvest in the days and weeks ahead. The chopping will be done as part of the harvest. Tillage farmers have seen one difficult year after another and they really do not need the hassle being introduced now by the Department of agriculture not having approvals done yet. It is going to become even more critical as the barley crop ripens. Will the Department of agriculture issue approvals for the straw incorporation measure to give certainty to tillage farmers before the harvesters roll into the field?

The Taoiseach: I thank Deputy Moynihan for raising this issue. It is an important issue. This year has seen very high levels of applications for this scheme, extending well beyond the €10 million per year allocation. It is €50 million from 2023 to 2027. All possible options are now being examined by the Department in respect of the high numbers that have applied. Decisions will be made shortly to allow farmers to plan accordingly. Farmers will be notified as soon as possible by the Department of agriculture about the details of the scheme for 2026. I am aware of the issue and will pursue it as well on behalf of the Deputy.

An Ceann Comhairle: I call Deputy Murphy. We will go over time, so I ask the two remaining Deputies to be brief.

Deputy Michael Murphy: I want to briefly amplify what has already been said about Uisce Éireann. South Tipperary is in crisis, with 38,000 households on a prolonged boil water

notice. Most of the key towns are more often than not without water. Will the Taoiseach request a meeting for the Oireachtas Members with the CEO of Uisce Éireann, Mr. Gleeson?

There is also the issue of accountability. A public utility in receipt of significant taxpayer funding should be accountable to the Dáil. I cannot table a parliamentary question for this organisation. More importantly, however, it should be accountable to the existing committee structure within the Oireachtas or, even better, we should see the establishment of a dedicated Oireachtas committee for our public utility companies that are in receipt of significant taxpayer funding.

The Taoiseach: I thank Deputy Murphy for raising the issue. He raised a number of important points. I will seek to convene a meeting with the CEO of Uisce Éireann and the Deputies for the area. I will also examine the Deputy's issue around Oireachtas committee structures and things like that. That is a fair issue. I am not suggesting that every semi-State body should be subject to parliamentary questions because with artificial intelligence, AI, now we are seeing a huge generation of parliamentary questions. In other words, we want people sorting out the water problems instead of being consumed by responding. There is a balance here to be struck. Uisce Éireann needs to get focused on the issues and get it sorted.

Deputy Paul Nicholas Gogarty: My constituency and others have seen a huge number of childcare providers leaving the core funding scheme because of the fee freeze, which is kind of a financial straitjacket, with staffing taking up 7% and a lot of huge costs. Meanwhile, the newer ones are able to set much higher fee baselines, although in areas like the Adamstown strategic development zone, SDZ, the rents are so high that we do not have as many places opening as there could be. Will this matter be revisited to look at ways of keeping providers and maybe encouraging some to come back into the scheme? Parents are worried about the massive increase in prices this coming autumn.

The Taoiseach: I will talk to the Minister. I did not get the final point the Deputy made. The issue is that about 93% of all eligible providers have signed up to the current core funding scheme. Some are leaving in certain areas, as was articulated yesterday-----

Deputy Paul Nicholas Gogarty: Yes, the older ones are leaving because they cannot afford it whereas the newer ones find it easier.

The Taoiseach: I will engage with the Minister for children on this and ask her to talk to the Deputy in respect of the points he made. Our aim is to try to get the fees down and we have made a lot of progress in the last number of years in doing that. I hope that people are not exiting in certain areas because they feel they can get better prices on the market as opposed to the constraints that the core funding scheme puts on people.

Victims of Sexual Violence Civil Protection Orders Bill 2025: Referral to Select Committee [Private Members]

Deputy Matt Carthy: I move:

That the Bill be referred to the Select Committee on Justice, Home Affairs and Migration in accordance with Standing Order 187(2).

Question put and agreed to.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Taoiseach's Meetings and Engagements

1. **Deputy Pádraig O'Sullivan** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [46936/26]

2. **Deputy Martin Daly** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [46937/26]

3. **Deputy Malcolm Byrne** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [28399/26]

4. **Deputy Naoise Ó Cearúil** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [28400/26]

5. **Deputy Liam Quaide** asked the Taoiseach if he will report on his recent meeting with Spanish Prime Minister Pedro Sánchez. [48681/26]

6. **Deputy Jennifer Whitmore** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [49336/26]

7. **Deputy Brendan Smith** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [49735/26]

8. **Deputy Jen Cummins** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [51502/26]

9. **Deputy Richard Boyd Barrett** asked the Taoiseach if he had discussed the situation in Gaza with his Spanish counterpart, Pedro Sanchez, during his recent meeting with him. [51504/26]

10. **Deputy Paul Murphy** asked the Taoiseach if he had discussed the situation in Gaza with his Spanish counterpart, Pedro Sanchez, during his recent meeting with him. [51507/26]

11. **Deputy Barry Heneghan** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [51514/26]

12. **Deputy Ivana Bacik** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [51515/26]

13. **Deputy Roderic O'Gorman** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [53272/26]

14. **Deputy Sinéad Gibney** asked the Taoiseach if he will report on his recent meeting with the Spanish Prime Minister. [53688/26]

The Taoiseach: I propose to take Questions Nos. 1 to 14, inclusive, together.

I had a bilateral meeting with the Spanish Prime Minister, Pedro Sánchez, on 10 March at which we discussed plans and priorities for Ireland's EU Presidency, international issues, including the situation in the Middle East and Ukraine, and bilateral relations, which are excellent. My visit to Madrid was the first in a series of visits to European capitals to meet my counterparts as part of preparations for our EU Presidency. I also visited colleagues in Germany, the Netherlands, France, Italy, Hungary, Poland, Finland and Greece.

In my meeting with Prime Minister Sánchez, we discussed areas where Ireland would work to make progress during our term. I explained our particular focus on competitiveness and we agreed the need to take further action to simplify regulation, deepen the Single Market, embrace the green and digital transitions, widen our trade relations and make energy more affordable for our citizens and enterprises. We also agreed that Europe needed to do more to ensure its future security, including in the context of new cyber and hybrid threats.

We agreed that to achieve its goals, the European Union needed a budget that both protected existing successful policy areas while also providing for new areas of focus, including security and innovation. Advancing negotiations on the multi-annual framework, MFF, budget will be an important task for us in our Presidency and we will work closely with the President of the European Council, António Costa, with a view to securing agreement by the end of the year, if at all possible.

Prime Minister Sánchez and I also agreed the need to make headway on enlargement. We also discussed global issues, including the situation in the Middle East and Ukraine. Spain and Ireland are very like-minded on the Middle East, including in our support for a two-state solution. We both recognised the Palestinian state together in May 2024 and we have worked together in support of suspension of the EU-Israel Association Agreement in light of egregious breaches of human rights in the Palestinian territories. Prime Minister Sánchez and I discussed the dire situation in Gaza and, indeed, the West Bank, including the urgent need for humanitarian assistance in Gaza and prospects for a meaningful political process that could deliver peace to both the people of Palestine and of Israel. We agreed to continue our work together at European Union level on the issue. Support for Ukraine is a central focus of our Presidency.

Prime Minister Sánchez and I agreed that work to achieve a just and lasting peace should continue, including through the work of the coalition of the willing. This aims to ensure that when peace comes, there are robust security guarantees in place to protect Ukraine in the future.

We reflected on the strong bilateral relationship between Ireland and Spain, built on strong historical links as well as a close cultural affinity. We discussed how we could work together to further strengthen these links, including in areas such as trade, investment, energy, education, research and culture.

Additional information not given on the floor of the House

We agreed to develop a joint action plan in this regard.

As Deputies will be aware, our Presidency began on 1 July, with a ceremony in Dublin Castle that day marking the occasion, attended by Presidents Costa and Zelenskyy. On 2 and 3 July, members of the Government met with their counterparts from the European Commission in Cork where we exchanged notes on the important issues we will work on together. On 7 July I presented Ireland's Presidency priorities to the European Parliament. In our engagements to date, it is clear that colleagues have placed their trust in the Irish Presidency and want to see it succeed. For our part, we have been clear that we will do our utmost to advance the Union's agenda between now and the end of the year.

An Ceann Comhairle: Based on the number of Deputies present, I propose one minute each and that will give the Taoiseach time to answer.

Deputy Martin Daly: The relationship between Ireland and Spain is hugely important with €15 billion in total in trade, including €10 billion in goods and services from Ireland to Spain, a country that is in the European Union and has shared our values, culture and history. It was a hugely important meeting and is a hugely important relationship. I ask the Taoiseach to comment in particular on the memorandum of understanding in relation to the electricity interconnector, which will help our energy security and improve our access to a broader supply of renewable energy.

Deputy Naoise Ó Cearúil: While yesterday was Bastille Day, I think in the soccer it was certainly Spain's day.

The Taoiseach: I should have congratulated them.

Deputy Naoise Ó Cearúil: It was an excellent evening in the French Embassy last night, particularly with Michel Barnier, the Taoiseach and the ambassador. Notwithstanding that, further to the Taoiseach's meeting with Prime Minister Sánchez, it is exciting that there will be an Ireland-Spain joint action plan. When does the Taoiseach plan on finalising this? I know he mentioned that it will include trade, investment and education. When can we start acting on an action plan?

Deputy Eoin Hayes: I congratulate the Spanish on their victory last night at the World Cup.

I welcome the Taoiseach's report. In Spain the price per MW hour for electricity is €14 and in Ireland it is nearly ten times higher, at €130. Pedro Sánchez has been more vociferous in his criticism of inaction against Israel than this Government has been. He passed an occupied territories Bill before Ireland did so, including a ban on advertisement of services. He has

denied the US access to Spanish territory for operations in the Persian Gulf. My question is simple. What could the Taoiseach learn from the Spanish Premier and from left wing politics?

Deputy Brendan Smith: I welcome the Taoiseach's engagement over recent months with his counterparts in relation to Ireland's Presidency of the European Union. I am glad that he discussed with the Spanish Prime Minister the multi-annual financial framework. Within that multi-annual financial framework, the proposal by the European Commission in respect of CAP is totally inadequate. We have to have a properly funded CAP. In my experience, the Spaniards were always good supporters of the Common Agricultural Policy and having it properly funded. The Common Agricultural Policy was the first common policy of the European Union. By and large it has been very successful. Its aim has been to ensure a secure supply of safe food for the citizens of Europe. There are many challenges for our farming sector, for our food sector and also for our rural communities, and there will be huge challenges ahead as well. Under no circumstances can Ireland tolerate or countenance a reduction in CAP funding. It is very important that the Taoiseach enrol the support of all like-minded Heads of Government in relation to the need to ensure that we have a properly and adequately funded CAP post 2027 which is critical for our country.

Deputy Jennifer Whitmore: More than 1,000 people died in Spain due to heat-related causes in June of this year alone. By early July, Spain had 14 major forest fires and 50,000 ha of land had been burned. Across Europe, more than 10,000 excess deaths associated with the recent heatwave were recorded in a single week. These warnings have to be taken seriously. I am really worried that, rather than using his time at the helm of the EU over the next six months to bring Europe together and really fight against climate and nature breakdown, it would appear that the Taoiseach is either going to ignore the issue or indeed to row back on climate action and sustainability measures. Can he not see the shortsightedness in that?

Deputy Malcolm Byrne: The Taoiseach is right that the bilateral relationship between Ireland and Spain is very important, as is our partnership in the EU. Following on from that point, my sister lives in Seville and every summer she travels back. She takes the ferry from Bilbao to Rosslare with my two young nieces. The challenge is because of heat. It is becoming increasingly difficult to live in parts of Spain where temperatures regularly exceed 40°C during the summer months. I fully expect that more tourists will come to Ireland to escape continental heat. While it is very pleasant here, the impact of climate change has to remain at the top of the EU's agenda. I would like the Taoiseach's assurances that that will be the case.

Deputy Paul Murphy: I raise the case of Fergie Chambers, an American activist and heir to the Cox family fortune, who has spent millions of euro supporting progressive causes, in particular assisting Palestinian people. On Friday, he was arrested in Ibiza on foot of an extradition request from US authorities. According to the indictment, he has been charged with international money-laundering, riot and conspiracy to riot. It alleges that he transferred approximately €7.5 million out of the country in order to seek opportunities to provide material support to Hamas. In reality this is money spent on humanitarian projects. It is an example of the long reach of the US Administration and an attempt to crack down on any pro-Palestinian solidarity, for which he potentially faces a sentence of up to 20 years in prison. Will the

Taoiseach call on the Spanish authorities to stand up to Trump and refuse to extradite Fergie Chambers?

Deputy Barry Heneghan: Anois sa choiste fuinnimh táimid ag caint faoi plug-in solar. In 2024 there was a consultation done by the Department in which Bord Gáis Energy said that plug-in solar systems should be mounted on roofs where possible and hardwired into a dedicated circuit. The whole reason for plug-in solar is for people living in apartments who do not have access to rooftops to be able to install a system that costs €500 and has a payback period of two years. If there was a Government grant, it could be less. When a semi-State company gives a submission to a consultation process, does the Department send back a reply if it is misleading the Department, as Bord Gáis Energy did in the 2024 consultation?

Deputy Ruairí Ó Murchú: It has been quite a good week for Pedro Sánchez and Spain. Regarding his interactions with the Spanish Prime Minister and others, the Taoiseach mentioned discussions on the EU-Israel Association Agreement. I think we can all agree that the European Union has been disgraceful in facilitating this beneficial deal for Israel at a time when it is engaged in increased illegal settlements, ensuring there is no possibility of a two-state solution. That is before dealing with the genocidal mania over the last number of years. Do we see this as viable? Has there been enough interaction, enough of a lobby across Europe, to see movement from those that have given far too much support to the Israelis in recent time? I ask the Taoiseach to give an update on that.

The Taoiseach: I thank all the Deputies for their comments. At the outset, I congratulate Spain on an emphatic win last evening against France, our nearest neighbour in the European Union. I attended the French Embassy last evening and wished them the best. Thankfully there was not a Spanish function afterwards but they did spectacularly well and we eagerly look forward to the final.

Deputy Daly raised the issue of the memorandum of understanding on the electricity interconnector. In my discussions with Prime Minister Sánchez, we discussed this. The Minister, Deputy O'Brien, earlier had discussions with his counterpart. The first interconnector between France and Ireland should land next year and that will be a significant factor in helping our energy situation. Ultimately, given the very strong penetration of renewables in Spain, it makes sense that we would have a connection there. It will cost a lot and there is a lot of work to be done in teasing it out.

Part of our European Presidency is to get approval for the European grids package that has been approved by the Commission. Interconnection across the European Union is absolutely key in reducing dependency on fossil fuels and avoiding the kinds of crises that we have repeatedly seen if there is a war in a given part of the world which then leads to massive inflationary pressures as well as security-of-supply issues.

This is something we are taking seriously and we want to progress with Spain. The Deputy is correct that the economic relationship is very strong and Spain is growing economically as well.

In response to Deputy Naoise Ó Cearúil, the joint action plan will be comprehensive, covering all aspects of our bilateral relations, including trade, energy, cultural and people-to-

people relationships. We have an extraordinary historic relationship with Spain, particularly because back in earlier centuries we were Catholic countries and Spain came to our assistance when our neighbours invaded and put their governments in charge, etc. When I was there last, I was struck by the tip of the iceberg that we can explore in terms of that cultural and historic relationship. There is a lot more we can mine in respect of that, and particularly archives and so on that we could access and enable people in Ireland to access more generally. The action plan will be very comprehensive and similar to ones that we have with other countries.

I think Deputy Hayes was being a bit petty, if that is the word I am looking for, in what he said about Spain. Well, using the word "petty" might be a bit uncharitable today. It is more a Spain is more vociferous than us kind of thing. We have worked very well together on the Middle East. It is a very serious issue. I have worked well with Pedro Sánchez. He is a very constructive leader and he is a strong leader at the European Union table as well. He does not pull back from advancing his views across the board. Spain has military bases that the US has used; not in this war but the one prior to it. We have to bear that in mind. Spain is a member of NATO. We are not members of NATO, and I do not think anyone is asking that we would follow Spain or learn lessons from Spain in that regard. I do not think that is what Deputy Hayes meant.

Deputy Eoin Hayes: Certainly not.

The Taoiseach: Exactly, but we can always learn. I am always open to learning. Every day is a new day.

On the electricity charge, the issue there was the preponderance of renewables in Spain and on the Iberian Peninsula which they did during the Covid crisis because they felt gas was completely distorting their price, given the fact that they were overwhelmingly renewable. They got a carve-out from gas being the determinant price-maker in their situation. They have had challenges with renewables in terms of the grid overall. The Deputy will recall the major outage recently, or some time back, for which there was never a full explanation, but it is important to bear it in mind. We will continue to work with Spain on the Middle East in particular, particularly now in Lebanon when it looks like UNIFIL will expire and that will create serious issues for south Lebanon. We will not be in a position to replenish that unless there are changes to the triple lock. We will not be in a position to send any troops, any CSDP mission from the European Union, for example, which could be used to support the Lebanese armed forces in terms of training and so on, or to keep a monitoring role in south Lebanon. There are discussions under way by other member states in respect of that at the moment.

Regarding Deputy Brendan Smith's question, absolutely there are issues. In our discussions we are the honest broker now, but in all those meetings I have had I would say there is a preponderance of view wanting retention and strengthening of CAP, and also cohesion. A lot of the countries on the eastern flank in particular are strong on cohesion, but they also want defence now in, or protection of the eastern flank because they feel their situation is existential in respect of Russia. In the Baltics, in particular, and Poland and also obviously some of the Nordics, they genuinely believe Russia is coming for them next. The problem will be to try to get agreement on a budget. It is like endeavouring to reconcile the irreconcilable. Even though we are net contributors we are not looking for a cut in the overall budget because we believe Europe has to be ambitious in terms of making sure we can grow our economy, making sure

we can avail of the digital transformation of AI and making sure we can do the decarbonisation of European economy and society. That will cost. That will need investment. Some countries want to cut the overall budget. Some want to increase. Some want to reduce the competitiveness funds and try to get more for CAP and cohesion. A lot of people support CAP and cohesion. The challenge at the moment is there is more demand for a limited budget. Our view is that, overall, the European Union budget is about 1% of European GDP. It is not a huge sum in the overall context of output within the European Union. Europe has a lot of ambitions and different member states have a lot of ambitions, but you have to have a budget to realise those ambitions. A lot of people have spoken favourably about the Common Agricultural Policy being a key part of our security architecture in terms of food security for Europe. That came across strongly from quite a number of member states. We have to factor in food security. It was very interesting in the early stages of the Ukraine war, with the whole issue about grain and the Black Sea grain initiative, there was a real fear that would have repercussions across Africa - sub-Saharan Africa in particular - and could cause famine in those locations.

An Ceann Comhairle: There are five more questions from Deputies.

Deputy Brendan Smith: Food security is very important.

An Ceann Comhairle: I know that, and I am very hungry.

(Interruptions)

The Taoiseach: I did not realise there were five more.

In response to Deputy Whitmore, there will be no retreating or withdrawal from climate change during our Presidency. The Minister, Deputy O'Brien, is very committed to this. He will be taking a leadership role in respect of Europe's presentation at COP. There have been different perspectives across the European Union. People in some member states want to reform and revise the EU ETS, for example. However, the evidence is overwhelming, as the Deputy very articulately narrated, in terms of what is happening in Spain. It is quite shocking in terms of the number of people dying because of excess heat, the forest fires, the hectares of land burned - all of which, by the way, is having a compounding effect on climate. These are not without consequence in terms of climate.

Deputy Malcolm Byrne was at one with Deputy Whitmore. He said we can enjoy the weather here but it is in Ireland now. The levels of heat we are experiencing are unprecedented. We are breaking heat records in Ireland. We had a terrible fire in Crosshaven in my own constituency on Monday evening. We have to be very vigilant. We need to invest more in adaptation because climate change is here. It is happening. It is having real-life impacts as we speak, and we do have to deal with that. Deputy Byrne illustrated this when he related how his sister leaves Seville in the summer to get out of the heat. It is extremely difficult. We are not retreating from it in terms of the European Presidency. It will be top of the agenda.

In response to Deputy Paul Murphy, I am not familiar with the specific case of Fergie Chambers. We do know the Spanish authorities are resilient. I have no doubt the Spanish Government will take a fair and honourable approach to the case the Deputy has raised. I am

not familiar with the background to it, if I am honest, so therefore I cannot comment in any great detail on it.

Deputy Heneghan referred to plug-in solar. He is plugged in himself on that issue; there is no doubt about that.

An Ceann Comhairle: Most of the time.

The Taoiseach: He has raised it with great consistency. I have raised it with the Minister, Deputy O'Brien, who keeps telling me the Department is on the case. There are some issues in respect of making sure of safety and so on in houses. I will check that with Bord Gáis. The Deputy was saying it was misleading. I do not think Bord Gáis would deliberate mislead but I will point out the point he has made to it.

On Deputy Ó Murchú's question on the Middle East, I think I dealt with this earlier. It is difficult to get unanimity. It is difficult to get agreement even in qualified majority voting, QMV, on this, but we are working on the occupied territories. We would like to see, at Foreign Affairs Council level, an agreement, or a majority at least, to vote in favour of banning trade with the occupied territories as a significant signal to Israel. The economic impact of this is not huge but at least it sends a signal in terms of European member states being very annoyed, frustrated and angry at what is going on in Gaza, Lebanon and the West Bank.

Urban Development

15. **Deputy Séamus McGrath** asked the Taoiseach when the Cork city task force will be established. [24952/26]

16. **Deputy Pádraig O'Sullivan** asked the Taoiseach when the Cork city task force will be established. [24953/26]

17. **Deputy Paul McAuliffe** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [24954/26]

18. **Deputy Tom Brabazon** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [24955/26]

19. **Deputy Mark Ward** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [49325/26]

20. **Deputy Jennifer Whitmore** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [49337/26]

21. **Deputy Liam Quaide** asked the Taoiseach when the Cork city task force will be established. [50817/26]

22. **Deputy Peadar Tóibín** asked the Taoiseach when the Cork city task force will be established. [50895/26]

23. **Deputy Peadar Tóibín** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [50896/26]

24. **Deputy Cormac Devlin** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [51116/26]

25. **Deputy Shane Moynihan** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [51126/26]

26. **Deputy Ruairí Ó Murchú** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [51499/26]

27. **Deputy Jen Cummins** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [51503/26]

28. **Deputy Barry Heneghan** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [51513/26]

29. **Deputy Roderic O'Gorman** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [53273/26]

30. **Deputy Sinéad Gibney** asked the Taoiseach for an update on the implementation of the Dublin city task force report. [53689/26]

The Taoiseach: I propose to take Questions Nos. 15 to 30, inclusive, together.

This will be a long answer because there is one task group and one futures group. In May 2024, the Government appointed a task force to take a holistic view of the measures required to rejuvenate Dublin city centre, north and south, making it a more thriving, attractive, and safe cityscape, and a desirable location to live, work, do business and visit.

Following the task force's report and recommendations, as agreed by Government, the Department of the Taoiseach convened an interdepartmental group to develop the recommendations.

The group produced a report with a ten-year roadmap for delivery and comprehensive implementation plan. Central to this will be: a special purpose vehicle to drive delivery and to support the specific capital developments relevant to the project. Dublin City Council is progressing the establishment of this new legal entity, in line with the timelines laid out in the roadmap; a ten-year integrated area strategy for Dublin city centre to optimise funding and investment and tackle vacancy and dereliction; and accelerated delivery of landmark capital projects in the city centre through additional funding in the urban regeneration and development fund, URDF, under the national development plan, NDP, review; and

redevelopment of the GPO complex as an ambitious and historic flagship project, which will be managed by the OPW.

The roadmap for delivery of the Dublin city task force also creates an enabling environment designed to build confidence with business, landowners and investors to get involved in achieving a new vision for Dublin city centre and to drive private sector investment.

An oversight board, comprising all of the relevant Departments and agencies, has been established to oversee and provide strategic direction for delivery of the roadmap. It is chaired by the Department of the Taoiseach. The board has been meeting regularly since its establishment in July.

The Government recently agreed to the assignment of Mr. Robert Watt as CEO-designate of the SPV being established by Dublin City Council to drive implementation of the roadmap. The newly appointed interim advisory board to the SPV met on 15 June. In line with the roadmap, Dublin City Council has recruited staff for an interim programme management unit, which will drive delivery while work is advancing to set up the SPV.

The Government agreed the process to redevelop Dublin's iconic General Post Office complex last month. Its ownership will transfer to the Office of Public Works from the Department of Culture, Communications and Sport. The OPW will prepare design proposals, which will be subject to Government approval. Before that happens, a wide-ranging public consultation process will begin later this year to seek the views of all stakeholders.

The Department of the Taoiseach will chair a steering group which will guide and oversee the non-statutory public consultation and engagement process.

Concurrently, as part of the consultation and engagement process, a temporary meanwhile use proposal will also be developed. Changes to the living city initiative announced as part of budget 2026 will also support regeneration and efforts to tackle vacancy and dereliction in cities: Cork, Dublin, Galway, Kilkenny, Limerick and Waterford, and from 8 April 2026, also in the following towns: Athlone, Drogheda, Dundalk, Letterkenny, and Sligo.

An Ceann Comhairle: The Taoiseach's time is up.

The Taoiseach: Can I talk about Cork at all? Give me one minute on Cork.

An Ceann Comhairle: No, that is the end of Cork.

The Taoiseach: Give me one minute on Cork.

An Ceann Comhairle: The Deputies will, I am sure.

The Taoiseach: A dedicated body, to be known as The Cork City Futures Group, will work to unlock the city's full economic, cultural and academic potential, alongside further investment, innovation and infrastructure. I think people are familiar with the terms of reference. The group is comprised of members representing academia, business, An Garda Síochána, the arts and culture sector, tourism, transport and the community and voluntary

sector. Mr. Brendan Tuohy, who is a former secretary general, has been appointed as the independent chair. They have met at least four times and are due to publish an interim report shortly.

Additional information not given on the floor of the House

The programme for Government commits to applying the Dublin city task force model to other cities, towns and regions in need of revitalisation, starting with Cork city. At the beginning of April, the Government approved the establishment of the Cork city futures group to guide development of Cork city for the future.

The following terms of reference were approved: review the Cork City Centre Development and Operations Action Plan 2025-2030 and report back to Government on progress, barriers to progress, and to identify what needs to be done at local or national level to ensure action plan delivery; make recommendations to Government on how Cork city can fully realise its potential for sustained foreign direct investment, domestic business development and innovation, and serve as a regional hub aligning educational and intellectual property assets with local and international enterprise; to maximise Cork city's potential as a university city given the strength of UCC and MTU; assess how the city can bolster the wider economic and social development of the hinterland, the region and nationally; consideration of how Cork city's arts and culture offering could be strengthened as part of the national offering.

On 23 June, Government approved the preliminary business case, PBC, for the Cork city docklands enabling infrastructure investment programme. The PBC was reviewed by the major projects advisory group and KPMG, as well as the approving authority, which is the Department of Housing, Local Government and Heritage, as required under the relevant external assurance process. When URDF funding for the project was originally approved in 2021, a construction cost estimate of €595 million was provided. The programme now has a total estimated cost of €1.063 billion. The price increase in the meantime has been generated by a combination of tender price inflation and the development of the design of some individual sub-projects, in particular the eastern gateway bridge project. An increased contingency allowance has also been included in the new estimate and another key driver of the increase.

The costs associated with the progression of the programme will be carefully monitored by the approving authority directly as well as through strengthened governance arrangements, such as the addition of additional key stakeholders to the steering group for the project. There will be regular reports to Government on developments in both Dublin city and Cork city initiatives.

An Ceann Comhairle: I would say Deputy McGrath will do a fair job on Cork.

Deputy Séamus McGrath: I thank the Taoiseach for the update about the Cork city futures group. As he mentioned, transport is a key theme within that reference. As the Taoiseach probably knows, I have been calling for a strategic integrated transportation office to be established in Cork. It is critically important that we have all the State agencies under one roof, such as Transport Infrastructure Ireland, TII, the National Transport Authority, NTA, Irish Rail, Bus Éireann and the local authorities, driving the key projects for Cork. As the Taoiseach knows, we have multi-billion euro projects in the pipeline, including BusConnects, Luas Cork,

the commuter rail projects, as well as road and sustainable travel projects. We need to see delivery at the earliest possible opportunity. To do that, we need local decision-making in a powerful transportation office established in Cork which can engage with the relevant stakeholders at a local level. The Minister, Deputy O'Brien, seems positive about this idea. I ask the Taoiseach to try to support it. I am sure he would, given that it is Cork. An additional point relates to Cork Airport. It has issues with its transportation and connectivity. Having a locally based, integrated transportation office would also assist in ensuring that Cork Airport gets the transport services it deserves.

Deputy Tom Brabazon: I welcome what the Taoiseach said in respect of the Dublin city task force. Us Dubs agree that the city centre certainly requires a lot of TLC. Speaking with many constituents in Dublin Bay North, they have fond memories of travelling into town to go shopping in the Talbot Street area. However, over recent years, they have begun to feel that the area is becoming unwelcoming due to litter, vagrancy, drug-taking and an overall menacing feel to the area. This has a knock-on effect on local businesses and ratepayers where there is reduced footfall. That also reduces passive surveillance in the area. As a northsider, I am very proud of our city, its culture and its history. However, I cannot but agree with the sentiments expressed by many of my constituents. Areas in the north side of the city have seen increased Garda patrols but we need to see much more. We need to see areas like Talbot Street cleaned of litter, antisocial behaviour to be rooted out, and open drug-taking dealt with.

Deputy Mark Ward: I thank the Taoiseach for his update on the future of the GPO. As he knows, the GPO is a historic building in the centre of our capital city. It is where our Republic was declared. It was the central location of the Easter Rising. I know the Cabinet committee met to discuss the future plans for this historic building. I welcome that there will be a public consultation on the future use of the GPO but I want to know what the Government will do to make sure that this consultation process is accessible to everybody. Will the Government consider Moore Street and the potential historical quarter that surrounds the GPO and Moore Street as part of that future consultation about the GPO? As the Taoiseach knows, our republican history is important and it simply cannot be paved over.

Deputy Jennifer Whitmore: In 2024, 1,000 incidents of antisocial behaviour were recorded on Dublin Bus. That was nearly double the figure recorded just a few years earlier. Unfortunately, this is not just limited to Dublin. We are also seeing instances of this in my constituency, Wicklow, on Go-Ahead services. I have constituents who are unable to take some routes because of the antisocial behaviour that is happening, particularly on the top level of some of these buses. There is drug-taking, harassment and fighting. We do not want a situation where people are afraid or uncomfortable to take public transport. I know the Taoiseach plans a transport security force. What is the progress update on that? When will it be rolled out? Will it be for areas outside Dublin such as Wicklow?

Deputy Peadar Tóibín: Lonely Planet said recently that-----

The Taoiseach: Who?

Deputy Peadar Tóibín: Lonely Planet. It did a review of Dublin and stated, "Once Dublin's grand boulevard, O'Connell St has struggled with decline". It stated that vacant buildings, derelict upper floors and long-stalled redevelopments leave this part looking neglected while retail has shifted elsewhere and been replaced by fast food shops that dilute its character. Moore Street, right beside it, was promised to be redeveloped by 2016, and here we are ten years later. It is a site of drinking, drug-taking, urination and defecation. It is part of the national monuments battlefield sites. Is there a move by the Government to buy Moore Street from Hammerson in a similar fashion to how it bought the Carlton site on O'Connell Street? That is my first question.

My second question is about Cork. Cork is now one of the most congested cities in the world. A global study by TomTom indicated that it is the 38th most congested city globally, behind cities such as London, Toronto and Rome. The task force indicated that the Cork Luas system would be built. That Luas system is in planning and that planning is taking a long while. Can the Taoiseach give an update on when exactly the Cork Luas system will be built so that people can actually get around the city of Cork in a timely fashion?

Deputy Shane Moynihan: I thank the Taoiseach for his update, especially with regard to the Dublin city task force. This week, the Garda Commissioner has been in front of two Oireachtas committees, speaking about the issue of e-scooters, and has given his thoughts about the enforcement side of things.

2 o'clock

I was pleased to hear this morning that the Garda Commissioner is also of the view that e-scooters are propagating drug supply lines in my constituency and are devastating communities across the country. Whatever course of action the Government takes, and I have views on either a total ban or a registration and licensing system, it is clear to me that gardaí will need training in the enforcement and tactical interventions that they will need to undertake to enforce whatever ban or system being put in place, as in taking someone from a scooter or pursuing that scooter.

The Garda Commissioner also asked us to support any sort of legislative requirements required to back An Garda Síochána when it needs to make those tactical interventions. If we are to make reports like the Dublin city task force's successful, encouraging Dublin to be a safer place, dealing with e-scooters being used unsafely and illegally has to be at the heart of that. I ask the Taoiseach to support any legislative requirements to back gardaí in doing their job.

Deputy Ruairí Ó Murchú: I have often spoken about the need for multi-agency action to be taken in relation to dealing with the issues of security, safety, antisocial behaviour and criminal activity in real terms, whether in Dublin, Dundalk or anywhere else. I agree with what Deputy Moynihan said. We were all taken by Grace Lynch's parents in relation to the issue scramblers. We heard from the Garda Commissioner about the fact An Garda Síochána would need a framework to operate in, even if it had the training, the drones and all the other pieces. A particular issue needs to be dealt with. Grace's mother, Siobhán, spoke about the fact threats had been made to her on TikTok. She spoke about the need for a greater reaction from An Garda Síochána. It is a particular issue that would need to be brought up with the social media companies.

Deputy Barry Heneghan: I refer to the hundreds of vacant spaces over shops in Dublin, the capital city in which I grew up. I welcome the above-the-shop grant but could we re-examine it in terms of microcompanies or SMEs availing of that grant? It can be difficult for them to avail of the above-the-shop grant. The jump between what can be given for the first, the second and the third floors is not acceptable. If we are trying to bring people into the city for passive surveillance and into a liveable city, we need to examine making it easier for people to convert vacant above-the-shop spaces, especially if they are going to do three floors at the same time. It makes more sense. The builder is already there. It is something that should be re-examined.

The Taoiseach: Deputy Séamus McGrath raised the issue of the need for a strategic integration transport office in Cork. There are multi-billion euro projects on the go at the moment. The biggest one is the docklands. On 23 June, the Government approved a preliminary business case for the Cork city docklands enabling an infrastructure investment programme. That was reviewed by the major projects advisory group in KPMG, as well as the approving authority, which is the Department of housing. Construction cost estimates, when URDF funding was originally approved in 2021, was about €595 million. The programme now has a total estimated cost of €1 billion plus. It is a combination of tender price inflation and development of the design of some individual subprojects, that is, when you get down to designing these projects. That is the eastern gateway bridge project, in particular. An increased contingency allowance has also been included.

We need strategic co-ordination. I would be slightly worried if we set up a new office to run it all. I do not think that is what Deputy McGrath is proposing. We could be there for another couple of years. To be fair, there has been a fair degree of co-ordination in Cork city in the docklands. The LDA and Cork City Council are working well together in terms of housing and residential developments in the city and in the docklands, in particular.

I take Deputy McGrath's point about Cork Airport. There is a need to factor Cork Airport more into some of the proposals in terms of access and egress. There are a lot of queues near the Kinsale roundabout. Different voluntary groups had been formed. We have been asking. The NTA, in particular, should have a presence in Cork with TII and others. Working from the same office would make a lot of sense and a lot of complementarity would be developed in terms of the relationship between BusConnects and Cork Luas and so on.

Deputy Tóibín raised issues in terms of Cork. I would point out that the Cork Luas project is not in planning. It has been in public consultation. There are a lot of issues around that. This is communicating with the public. Sports clubs have articulated real concerns about the proposed route. We have to get the route right first and we have to get it agreed. That public consultation has ended but issues have arisen arising from that consultation. It will be some time before it gets into planning but we are committed to it because it is an important project.

In terms of the congestion of the city, big improvements have been made, in particular in the city centre. A lot of traffic bypasses it. Historically, because of the link road system, we were far ahead of other cities. We have to do a northern area distributor road, a northern ring road and so on. If BusConnects and Cork Luas happen, that will be radical and impactful in terms of the congestion question.

Deputy Brabazon raised the Dublin city task force. He articulated what a lot of people are saying to me that some time ago, people looked forward to shop in the city centre. He said there was a menacing feel about the place. I accept we have to deal with antisocial behaviour on the streets. Open drug taking should not be accepted. It should not be something that is normalised. We need to clean up areas within the city centre. Security and a visible police presence is vital to that.

The transformation of O'Connell Street is key to all of this. The purchase of the Hammerson site will unlock a lot, not just for the metro but the wider possibilities in terms of the redevelopment of O'Connell Street, which is a fantastic boulevard. As Deputy Tóibín said, Lonely Planet described it as such. It has never reached its potential as a major street. Because of the task force, we are on the cusp of doing something significant now, particularly in terms of the GPO.

Deputy Mark Ward raised the issue of the GPO. The Government was always going to do a public consultation. I think that public consultation will be accessible to everyone. It is important because the GPO site is a huge site. It is not just the front building and so on. We need to concentrate on that and get it right. We are also working on Moore Street. A lot of work is under way by the OPW, particularly as it is designated under the National Monuments Act.

Deputy Peadar Tóibín: Will the Government buy Moore Street-----

The Taoiseach: Deputy Whitmore has now left the Chamber. I understand she probably has another committee to go to. I take her point on antisocial behaviour on buses, particularly Dublin Bus. That is a serious issue. We do not want situations where people are afraid to go on a bus, or are discouraged from doing so, because of antisocial behaviour. I will talk to the Minister for Transport in respect of where we are in terms of security on our buses and the proposals for that.

Deputy Tóibín raised Lonely Planet and O'Connell Street. I think I have dealt with that. I also mentioned the Moore Street situation. We do not talk about any potential purchases and so on in advance, even if we were considering it, because these are commercially sensitive issues. TII took a big decision in terms of land required for the metro but additional land that will facilitate the construction of the metro and that will ultimately be part of a wider refurbishment and rejuvenation of O'Connell Street.

I take Deputy Shane Moynihan's point about e-scooters. The Deputy stated that he has an open mind regarding between regulation and an outright ban. There is a real issue in respect of how the use of these scooters has evolved and how there was no regulatory framework in place when they arrived some years ago. People did not anticipate the uses that they are now being put to by drug gangs and for other criminal activity. The latter is proving very problematic for An Garda Síochána, as the Garda Commissioner has told the Deputy. There will be legislation to support An Garda Síochána. I do not like gardaí being investigated on the basis of their pursuing someone in the line of duty. There can be issues arising from that, but they should not suffer in their civilian lives subsequently. Do not get me wrong, there are issues around pursuit. It is not the only answer, particularly as it creates its own dangers down the line. Pursuit can lead to death and injury, so we have to be careful of the health and safety of

gardaí as well as that of the general public when pursuit operations happen. I will convene a meeting with relevant Ministers on this next week in order to focus on the issue the Deputy has raised.

I fully support what Deputy Ó Murchú said about inter-agency action. Such action is absolutely essential. I also met Siobhán and Martin Lynch. I was appalled by what they have had to endure online. They already suffered the most traumatic of shocks in their lives when they lost their daughter, but then to have very callous people post online about them in the way they have done is beyond human comprehension. What is wrong with people? What is wrong with our society that individuals can do that to a family that has suffered and endured so much? This is something we need to reflect on as a society more generally.

Deputy Ruairí Ó Murchú: Also the social media companies.

The Taoiseach: The social media companies as well, absolutely.

Deputy Heneghan referred to the living city initiative. This initiative, in the context of the changes that have been made to it, is a game-changer. The old living city initiative seemed to be something that civil servants in a certain Department created to make sure that it would not have any impact. They succeeded, because it did not have an impact. In the most recent budget, we dramatically enhanced what is available to people living in city centres. We have extended the initiative to Drogheda, Athlone and elsewhere. I am told there will be significant progress arising out of what we did in the budget last year. I pushed very hard for it. I do not understand the conservatism that has existed in officialdom for far too long on this matter. We need to provide every incentive we can in order to encourage people to live in our cities and towns.

An Ceann Comhairle: That was the final Taoiseach's questions until we come back in September. I thank the Taoiseach for his co-operation with all the Members. I wish him a very successful recess, particularly as he will be very busy with EU Presidency business and his normal business.

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

Written Answers are published on the Oireachtas website.

Cuireadh an Dáil ar fionraí ar 2.13 p.m. agus cuireadh tús leis arís ar 3.13 p.m.

Sitting suspended at 2.13 p.m. and resumed at 3.13 p.m.

Civil Law (Miscellaneous Provisions) Act 2022 (Section 9(2)) (Amount of Financial Contribution) Order 2025 (Revocation) Order 2026: Motion

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

That Dáil Éireann approves the following Order in draft:

Civil Law (Miscellaneous Provisions) Act 2022 (Section 9(2)) (Amount of Financial Contribution) Order 2025 (Revocation) Order 2026,

a copy of which was laid in draft form before Dáil Éireann on 2nd July, 2026.

I thank the Leas-Cheann Comhairle and Deputies for meeting to discuss this motion concerning the order I propose to make, in conjunction with the Minister of State, Deputy Brophy, to reduce the monthly financial contribution payable under the accommodation recognition payment, ARP, scheme to €400 from September 2026. The ARP scheme was introduced in July 2022 to recognise the generosity of members of the public who opened their houses, whether in their entirety or through the provision of a room, at their own expense to provide shelter to people displaced by the Ukraine war. The Department of Social Protection administers the scheme on my behalf. The scheme currently involves a tax-free monthly payment of €600 to hosts per eligible property used to accommodate people granted temporary protection from Ukraine.

The motion before the House arises on foot of a Government decision of 26 May last in respect of the phased reduction of the ARP from €600 to €400 from 1 September next, with a view to ending the scheme entirely at the end of March 2027. As the payment is made monthly in arrears, the first payment at the reduced rate will be made in October.

The ARP scheme is provided for under Part 2 of the Civil Law (Miscellaneous Provisions) Act 2022. Section 9 of that Act enables me to make an order amending the amount payable under the scheme, with the consent of the Minister for Social Protection and the Minister for public expenditure and reform. I have consulted both Ministers, who have expressed support for the proposed reduction in the rate. The Act of 2022 also provides that the draft order laid before the Houses of the Oireachtas cannot be made law until a resolution approving the order has been passed by each House.

The ARP scheme was introduced as an emergency measure at a time of exceptional need, when the demand for accommodation for those seeking refuge from Ukraine outstripped the availability of accommodation. The scheme has been a lifeline for people from Ukraine displaced by the conflict, given high rental market rates and scarcity of rental accommodation. It has introduced a stream of accommodation that would not otherwise have been available, and it has allowed my Department to move away from a reliance on State-contracted accommodation in the tourism sector. Since July 2022, the scheme has supported more than 29,000 hosts providing accommodation to approximately 66,500 people granted temporary protection. There are currently over 41,000 people with temporary protection accommodated with the support of the scheme. I thank the hosts who have opened their homes, the Irish Red Cross, the International Organization for Migration, their partners and the Irish public, who have shown unwavering solidarity with the people of Ukraine.

The scheme's payment rate is not, nor has it ever been, linked to the actual cost incurred by the person providing the accommodation. It is a recognition of the valued contribution of those who host. The payment is not intended to substitute rent, nor is it available where a rental agreement is in place. It is also not aligned with market rental rates. The rate has previously been amended twice. It was increased from €400 to €800 on 1 December 2022 to coincide with the introduction of the offer a home scheme. This measure was invaluable in generating emergency accommodation from a stock of holiday homes and largely unused vacant properties. The rate was subsequently reduced to €600 from 1 June last year to address concerns about the scheme's potential impact on the rental market. Other measures were also

taken earlier this year to limit eligibility for the scheme to preclude properties registered with the Residential Tenancies Board with a view to safeguarding rental accommodation for tenants.

The draft order before the House would have the effect of revoking the previous order amending the monthly contribution rate and restoring the rate to the original value of €400 specified in the 2022 Act when it commenced.

I note the amendment Deputy Carthy has tabled. That will be addressed later.

I recognise the concerns raised by Members of this House in previous debates about the equity of the scheme, which is not available to other cohorts. To that end, my colleague the Minister of State, Deputy Brophy, and I had signalled plans to phase out the scheme when the scheme's extension until 2027 was considered by the Houses in March. This remains our position.

Minister of State at the Department of Justice, Home Affairs and Migration (Deputy Colm Brophy): The Minister has outlined very clearly our intention in relation to this matter. We have always been very clear that the ARP would be a temporary provision. It was introduced in 2022 as a response to a crisis, always with the view that it would be phased out. That remains the case. The planned closure date for the scheme is March of next year. As the Minister indicated, we have engaged in a number of processes with a view to looking at the longer term situation for Ukrainian people who are in our country, who have made a home for themselves here and who we want to continue to encourage to participate in Ireland in every way.

The measure before the House will enable that. However, we believe the time for the temporary scheme has come to an end. Therefore, March 2027 remains the date for bringing it to an end.

It is important to look at the ARP in the context of what is happening here. We are reducing the payment back to the original rate in order to fulfil the original intention. We thank the people for the generosity they showed in opening their homes to Ukrainians who came to live with us here in Ireland. The latter is part of Ireland's ongoing support for Ukraine as it endures the totally unacceptable war of aggression being waged against it by Russia. We want a situation whereby people will have the ability to share their homes with Ukrainians. Other measures are in place in this regard, including the rent a room scheme. People can continue to have arrangements with Ukrainians if they so wish. What we are bringing to a close is the temporary nature of the ARP. It is important, as the Minister has mentioned, to recognise and thank all of the people who participated in the scheme, and to recognise the work of the Irish Red Cross and the many people who have made the scheme a success. We recognise that there are difficulties with schemes, and that is why this one has been under constant review. It is also why we have taken the decision to see the approval of the Dáil to reduce the payment to €400 and why we put other measures in place.

It is important to recognise that Ukrainian people play an incredible role at so many levels within our society. They have come here, endeared themselves to the Irish people and made a great contribution to our country in a few short years. What we want to work towards is a solution which recognises that contribution and which examines how, in the longer term, we can work with the Ukrainian people in our country and with the Government of Ukraine in

order to ensure that a pathway exists for them to either continue to live here or, if they so choose, to return home. All of the necessary supports in that regard will be put in place by the Government. Deputies' approval for the motion is important, particularly as it will lead to a more equitable and better outcome for everybody, including Ukrainians in our country.

Deputy Matt Carthy: I move amendment No. 1:

To insert after "on 2nd July, 2026":

"and:

further calls on the Government to provide that the Accommodation Recognition Payment (ARP) scheme shall apply only to:

- existing recipients with respect to the beneficiaries of temporary protection currently benefitting from the scheme where those beneficiaries of temporary protection have satisfied a means test similar to those applicable for other housing assistance payments;
- new applications who propose to host a beneficiary of temporary protection in their property which is also their own primary residence and who have not availed of the Rent-a-Room Scheme in the previous 24 months; ensuring that the ARP does not further distort the rental sector; and
- recipients who are not in receipt of any additional or 'top-up' payments from a beneficiary of temporary protection."

The Minister and Minister of State know that Sinn Féin and I have been raising serious concerns about the Ukrainian ARP scheme for a long time. It is interesting that the Minister of State suggests that the motion is about returning to the original intention behind the scheme. That is a tacit acknowledgement that there was a move away from the original intention. After the Russian invasion of Ukraine and the onset of war, there was an enormous and generous response from the Irish people, particularly those who opened their homes and their spare rooms to Ukrainians fleeing the war. Those people absolutely deserve to be commended.

When the ARP scheme was brought before the House, there was absolutely unanimous support for it. However, Government moved away from the original intention behind that scheme, at one stage increasing the payment to €800 per month. That was a tax-free payment given directly to landlords, with no means test applied. This meant that a person who was on more wages than someone who was in desperate need of housing could benefit from the scheme when the latter could not. The exclusionary nature of the scheme, available to Ukrainians fleeing war but not to anybody from anywhere else in the world, including Irish citizens in this State, led to heightened division in communities all over the country. We in Sinn Féin repeatedly brought people's concerns to the attention of the Government, but we were repeatedly ignored. Likewise, it ignored the concerns repeatedly brought to its attention regarding the impact this was having on the private rental market in certain areas. For several years, the Government refused point-blank to acknowledge that this was having an impact on the private rental market until the Department of housing's reports highlighted out what was already blatantly obvious. The scheme was being utilised by landlords to receive tax-free payments in respect of which they could demand top-up payments from tenants or residents but with none of the obligations that would apply in respect of other tenants in a dwelling.

It took a huge amount of effort and wherewithal to drag the Government to a place where it finally and reluctantly acknowledged that there were serious problems with this scheme. That is why we have seen the backtracking that has taken place over the past number of months, and the ultimate decision to bring the scheme to an end on 31 March 2027. What we still do not have is clarity as to what impact Government decisions will now have regarding private rental accommodation and the wider situation relating to housing. The truth is that after March of next year, there will be thousands of Ukrainians who will be moved from either ARP accommodation or State accommodation. Once again, in an all too familiar story, we will end up with a belated and, probably, knee-jerk response.

The Government completely ignored the unfairness at the heart of this scheme regarding the putting in place of a housing support for one cohort, the members of which, nobody disputes, were in need of housing, but that was not available to any other cohort. It put in place non-means-tested housing assistance. That was deeply unfair and led to the heightened division which we have seen over the past number of years and which have been exploited by some nasty actors.

Let us imagine a situation where two people on a factory floor whose earnings are the same are in need of housing. One is left to languish on a local authority housing list or, perhaps, does not even get on that list and is forced to deal with the private rental market in circumstances where they are extorted. The other person, who earns the same wages and who, perhaps, has the same housing needs, because they were born in a particular place on the planet, has access to a housing support to which no means test applies and for which the landlord is getting a tax-free payment in respect of which a top-up can be paid. That is clearly a roadmap to create division and dissent. It is absolutely unforgivable. Everybody recognises and accepts that there was an emergency situation in 2022 and that there was a need to be nimble and introduce measures quickly. However, to allow that to continue for five years is inexcusable. That is why we have brought forward similar amendments on several occasions suggesting that a means test be introduced in order to ensure fairness. The Government rejected those amendments.

Let us bring it back to the original intention. This payment should be for people who are accommodating, in their own homes, people fleeing war. Everybody accepts that is a good initiative which should be supported. In fact, that type of initiative should be expanded to other people in need of housing. Every time our amendments have been brought forward, the Government has rejected them and denied the existence of any of the issues at the heart of them. To their shame, other Opposition parties have also objected and refused to support the amendments to which I refer and called me all sorts of names for having the audacity to look for a bit of fairness and transparency in respect of all this.

This scheme will end in March next year. We still do not have transparency regarding the number of dwellings that were utilised in the context of this scheme and that should and could have been available on the private rental market. That is the litmus test. In its documentation and reports, the Department of housing has acknowledged that this scheme had an impact on the private rental market, yet Government has consistently refused to divulge exactly how big that impact has been. That points to a fear on the part of the Government that if the figures were divulged, it would be seen to have used taxpayers' money to create a significant distortion,

especially in areas where rents in the private rental market would traditionally have been lower. People have been denied housing as a result of this scheme. That is unacceptable.

I say to those Opposition parties that have taken the opportunity to attack Sinn Féin every time the ARP comes up that they should read the Government's report, namely the regulatory impact analysis relating to the Residential Tenancies (Miscellaneous Provisions) Bill 2026.

That set out very clearly what Sinn Féin has said time and time again in relation to the ARP scheme, namely, that it is having a negative impact on the private rental sector. That is beyond doubt. Dragging this out and then creating another cliff edge in March of next year will affect thousands of people whom we do not yet know how they are going to be housed and whether the Government is going to introduce something else that will further distort the private rental sector or the housing market. I ask the Minister and the Minister of State to learn from their mistakes and engage with all Members of this House and the appropriate committees before the very last minute, as has been standard up until now.

An Leas-Cheann Comhairle: Before I call Deputy Gannon, I welcome the Spangle Hill Men's Shed group, who are visiting Dáil Éireann today with Deputy O'Flynn.

Deputy Gary Gannon: The Social Democrats will be opposing this motion and the amendment. The motion is not simply an administrative change, but a decision to reduce the accommodation recognition payment from €600 to €400 per month. I believe that is the wrong decision, not because this scheme should exist forever, but because reducing the payment now will make an already difficult situation significantly worse for people fleeing war, for hosts, for our housing system, and ultimately for all of us in the State.

I spoke on this issue in the House last year when we debated the extension of the scheme and my view has not changed. This is a scheme that actually does work. It is one of the few parts of our response to the war in Ukraine that has genuinely delivered. It is a rarity for me to come into the Chamber and acknowledge a Government scheme that works, but reducing it has the potential to have an impact that goes very significantly towards creating further hardships for people. Since it was introduced, it has accommodated more than 66,500 people fleeing the war in Ukraine. Today, over 41,000 people are living in more than 23,000 homes supported by this payment. Almost half of those living in Ireland under temporary protection are accommodated through this scheme. That is not a small programme. It is one of the central pillars of Ireland's humanitarian response.

Only a few months ago, I hosted a briefing with the Irish Red Cross and I heard directly from people who have built lives here through hosted accommodation. People who had fled war arrived carrying trauma and they slowly managed to rebuild some sense of normality. I remember one mother telling us that her daughter had arrived here as a toddler and she was now settled in school. She speaks with a little Dublin accent. That is no small thing, because that is what integration looks like. It is homes, communities, friendships and kids speaking with little Dublin accents.

Hosted accommodation gives people something emergency accommodation never can. It gives people stability, continuity and dignity. It also makes financial sense. Hosted accommodation is dramatically cheaper than State-provided accommodation. The Irish Red

Cross estimates that this scheme costs the State around €11 per person per night, compared with approximately €48 per night for full-board State accommodation or otherwise in private accommodation. That is not only the more humane option, but also the more cost-effective one, yet today we are debating a proposal that risks pulling the rug from underneath thousands of those families.

The Irish Red Cross could not be clearer. It says that reducing this payment is likely to lead to a significant reduction in the number of people willing to continue hosting. In fact, since the Government made this cut, the Red Cross said it had already seen an increase in hosting arrangements coming to an end. This is not theoretical any more. The Irish Red Cross also warns that 86% of hosts say that this payment is important for them to continue their hosting arrangements. If those arrangements collapse, we are potentially talking about 35,000 people looking for somewhere else to live, but any number of them is going to create strain on the system.

We know what will happen next. People do not suddenly find affordable rental homes. They do not suddenly qualify for HAP. They do not suddenly move into social housing. They enter into an accommodation system that is already buckling under the weight of unprecedented demand. A simple question should be asked. Where exactly are those 35,000 people supposed to go? The alternatives very clearly do not exist. People under temporary protection cannot simply access HAP or homeless services in a way that many people assume. Rent supplement remains extremely restrictive. The Irish Red Cross found that only 16% of those who applied for rent supplement were successful and only 20% of people who tried to access the private rental market managed to do so. They are astonishingly low figures, but they tell us something very important: that this is not a transition plan or a displacement plan. The Government cannot reduce one of the only accommodation schemes that is working while pretending that realistic alternatives already exist.

This is a scheme that works. This is a scheme that has people in homes. One of the reasons I will continue to support this scheme is because I do not like to be hypocritical in how I present myself when I come into Dáil Éireann. This is a scheme that has, at different times, paid €800, then €600 and now, potentially, €400 to people in homes. I have often come in here and lambasted the fact that we monetise poverty and oppression too often in this State. We transfer a huge amount of money to private operators who open up accommodation in office blocks or elsewhere for people in emergency situations. That is not a scenario I want. I believe there has to be a transition plan but I do not believe I can come in here and advocate against this without presenting what I would do differently. This system works. The only analysis we can rely on is from the Irish Red Cross, which has surveyed host families and people who avail of the accommodation recognition payment, and it has found that it works. It works in the communities in which people are placed. It would be grossly hypocritical for me to come in here and present an argument that was not based on available data, albeit from the Irish Red Cross, in the absence of any from the Minister. To end this scheme now risks placing huge strain on an already overstretched emergency accommodation system, the homeless system and a rental market that is in chaos. All of these things are potentially what awaits us here because of the reduction in this payment. We understand the cost of living. People in this country are struggling to pay their ESB bills and to put food on the table. To reduce that fee by another €200 means we are simply expecting people to continue having people from Ukraine living in

their homes. That is an expectation that is going to be too heavy for many. What we are doing here is reckless. I will be voting against the motion.

Deputy Alan Kelly: This is kind of like a repeat speech from when we previously discussed this issue. The motion is erroneous and mean spirited. The real question for the country is where these people are going to go. The options are not there. It would be one thing to say we would do this if the options were there but we are going to be throwing tens of thousands of people into a situation where there are very few options. In many cases, there will be no options. As we all know, the private rental market is a mess. It is not going to be feasible or possible for these people to be accommodated in it.

We will obviously be voting against the motion as well as the amendment that has been put down. The temporary protection orders have worked. The only data that we have available, as has previously been said, is from the Irish Red Cross. It shows that they have worked. I do not see why, in the spirit of where we are and after everything we have said about the war in Ukraine, we are actually going to go and take this away now. It is downright hypocritical to do this on the one hand and, on the other, to embrace the Ukrainian President and speak in the manner in which we do. Why are we making this change for something that is pretty low - €600? Why are we deciding that we want to get rid of this and phase it out? We are a non-militarily aligned country. We are a country that does not participate in wars. We are neutral, but we are not neutral when it comes to our views on this war. We have also said quite clearly that we would support the Ukrainian people. In that capacity, surely this is the manner in which we should do it.

We need to embrace the fact that many Ukrainians are participating in Irish life and contributing so much here in Ireland in many various ways - economically, socially, educationally, etc. From the perspective of it being the right thing to do, phasing this out now and doing it in this manner is quite mean spirited. It lacks consistency in terms of what the Government is saying about the war in Ukraine. It certainly goes against all available data that we have at this moment in time.

Deputy Paul Murphy: I oppose this new cut to the accommodation recognition payment. This is the second cut to the payment, which was previously cut from €800 to €600, and now the Government wants to cut it further to €400. The Irish Red Cross has written to all of us outlining the devastating impact this cut will have not only on the 41,072 people who rely on it to keep a roof over their heads but, potentially, on the wider migration and accommodation systems in this country. Already since the Government announced its intention to cut the ARP, an increasing number of hosting arrangements are ending. A Red Cross survey of hosts found that the current rate of €600 was important for 86% of them to continue hosting. If even a fraction of that 86% stop hosting because they simply cannot afford it any more, what will it mean? It will mean thousands or tens of thousands of newly homeless people, overwhelmingly women, children and families. These people will not have the right to emergency accommodation. Very many of them will have no choice but to go on the streets. This will be the consequence of the decision. Is this what the Government wants? Is it what Sinn Féin wants? Sinn Féin's contribution to this debate, not just today but every time we have discussed it, has simply been to say to go after the Ukrainians harder and make it even more difficult for them to access accommodation than the Government wants to make it.

Sinn Féin's amendment also manufactures a non-existing conflict between the ARP and the rent-a-room scheme by saying that ARP hosts must not have availed of the scheme in the past two years. A landlord can earn €1,166 a month tax free under the rent-a-room scheme compared to €600 now and €400 in the future through the ARP. Nobody who is solely motivated by money would choose the ARP over the rent-a-room scheme. It is not competing with the private rental market. The vast majority of hosts are hosting people in their own homes out of humanitarian concern and humanitarian motivation. With this cut, many of them simply will not be able to do it any more.

The only other option open to many Ukrainians forced out of their homes as a result of this cut will be to apply for international protection. What happens if tens of thousands of people do this? The system will become even more overwhelmed. That is what happened in France when over 11,000 applications for international protection were made by Ukrainians last year. Is this what the Government wants? Is this what Sinn Féin wants? They might not but they seem prepared to take the risk that this is what is going to happen for the perceived political gain of being seen to be hard on immigration and hard on Ukrainians in particular.

It is a glaring contradiction for the Government in particular, with it hosting President Zelenskyy in Dublin, talking about doing everything we can for the Ukrainian people and praising them on the one hand and, on the other, turfing tens of thousands of Ukrainians out onto the streets. The temporary protection transition scheme, due to open for applications in September, is to be limited to households earning at least €29,432 a year that somehow manage to pay for accommodation privately out of this. ARP recipients are not eligible. With average rents at €21,060 a year, this would be some achievement when the median wage of Ukrainian workers according to the Central Statistics Office, CSO, is less than €30,000.

Deputy Roderic O'Gorman: Our relationship with Ukraine is becoming increasingly hot and cold. Government spokespeople continue the line about the country standing resolutely behind Ukraine, yet it looks like we are selling alumina to the Russian war machine. During his recent visit, I was worried that certain Ministers had been physically attached to President Zelenskyy, they were standing so close to him in the pictures, yet we are offering Ukraine our best broken-down armoured cars. Now we have a situation whereby we are systematically cutting the supports for Ukrainian civilians living here.

This is not to say our level of support should not taper. There is a case for tapering but my concern is about making the changes to the accommodation recognition payment to make it less attractive while at the same time ending the remaining State-provided hotel accommodation. We have the cumulation of these two changes at a time when we know there are already wide pressures across the private rental accommodation. It is this combination I am particularly concerned about.

We know that the ARP works. It supports 41,000 of the Ukrainians living in our country, which is about 50% of them. It works with regard to the central goal of providing accommodation to those who need it. It works by providing this accommodation at a far more reasonable price. It is about €11 per night for a Ukrainian supported using the ARP versus €48 for those using full State accommodation. It is also effective in promoting integration. The whole idea of the hosting model has enabled Ukrainians living with Irish families to get a better sense of Ireland and be better linked to education, job opportunities, community and sport. It

has, as Deputy Murphy has said, kept Ukrainians out of the international protection system. I have argued throughout the time Ukrainians have been here that it would be a huge mistake to direct Ukrainians to the international protection system, which we all know is already under huge strain, because it could not cope with the numbers that would be affected. There is national support for the ARP. The most recent polling done earlier this year showed 68% or 67% of Irish people still agreed with supporting Ukrainians through it.

There is another point that we should bear in mind when we listen to the media. We know that this is an ongoing war and in recent months it has appeared in some elements that Ukraine is doing better, but Ukraine is still a dangerous place for civilians. About 250 civilians were killed in the month of April, with more than 1,000 injured. Ukraine is still a dangerous place and it is not easy for people to bring themselves, vulnerable family members and children back to what is still a war zone. For this reason, at a time when we have a system that works and we are cutting away another part of our State support through direct State accommodation, it is wrong to bring this proposal forward and I will oppose it on behalf of the Green Party.

Deputy Peadar Tóibín: The Irish people are a generous and decent people and have been over the past number of years, with the provision of supports to people from Ukraine who are fleeing the war. This is right and just. The war unleashed on Ukraine is absolutely wrong.

Aontú will support the reduction in the rate of payment under the scheme. The scheme that was created was uneven, unfair and discriminatory for those seeking accommodation or housing. It created a two-tier support system, which is unfair. This two-tier support system has threatened cohesion. It has caused anger and pushback among the general public.

There have been reports of Facebook pages where Ukrainian nationals have posted messages looking for homes where they say they can afford the rent and they can pay an additional tax-free €600 on top of what the asking price is. Landlords are rational and they will make economic decisions to best suit themselves. Landlords have been more inclined to take on Ukrainian tenants over Irish tenants in recent years. This system is discriminatory. It gives an advantage to guests in the country over the people who have lived here for most of their lives.

The fact that this is not being means tested is extraordinary. That we can have two people living on the same street and on the same wages but one of them is getting a further subsidy from the Government is shocking. The fact that many in this Chamber do not understand this is also shocking. We can have a Ukrainian family on a six-figure salary who can get the subsidy and a neighbour on a five-figure salary who cannot. I am very disappointed to see that the Government, the Social Democrats, the Labour Party, the Green Party and People Before Profit will vote against an amendment that wants to means test the payment, as an amendment also did on the previous occasion, and put it on a level footing with other housing assistance payments.

Most parties will also vote against the proposal to protect rent-a-room tenants from eviction. It has been reported again that some landlords who wanted to take rent from the ARP scheme made way for that scheme by removing certain tenants in the rent-a-room scheme, which was also wrong. There is a disconnect in the Chamber among some of the parties in relation to these supports.

The housing crisis is the Government's fault. The lack of supply is the Government's fault. Anyone who sat the leaving certificate economics paper just a few weeks ago will know that demand also has a role. It determines what rents are, the price of houses, etc. It is physics and maths and not ideology. We need to get to a situation where we equalise supply with demand. This means the Government building more homes but it also means making sure demand is not too much. To make sure we do not have a pull factor, it is important the services and the provision in this country are equal to those in other European countries, so there is fair distribution of people from Ukraine who need help.

Deputy Paul Nicholas Gogarty: We took in the Ukrainians as part of a Europe-wide collective effort. We might have been perceived as being more generous than some countries precisely because of our military neutrality. We are not giving weapons to Ukraine to defend itself against Russia, so we did have to go above and beyond. I think that is only right and fair.

A lot of the Ukrainians who have come here have settled. Some of them have got jobs. I do take the point about means-testing in terms of increased contributions within the confines of the ARP payment, for example. There was the original €800. If people have a job and can contribute €200, I think it makes a lot of sense. I do not think cutting it, however, sends out the right message. On the one hand, we are inviting President Zelenskyy to Ireland for the European Presidency, with all the pomp and ceremony, and then we are trying to keep Aughinish Alumina on the sidelines. We are saying *slava Ukraini* and then basically treating them like dirt. We have an obligation and responsibility to help people, so let us live up to that. I do not think this motion is dealing with the particular circumstances. Ukraine is the first step. The next step will be the Baltics, and the step after that will be Poland. We have to show solidarity in that specific geographic context.

I also mention a separate issue in my constituency. A lot of Ukrainians were staying at the Citywest location. A good portion of these people have disabilities. It now seems they are being sent to the four corners of Ireland. This is in a context where kids have been going to the local schools, people have built up links with local communities, learned the language and are making a contribution. I want to read some excerpts from a letter written by the Ukrainians in Citywest. It stated:

Many Ukrainian people in Ireland are now facing a new and deeply worrying stage in their lives. After fleeing war, rebuilding their lives from nothing, finding work, placing children in schools, accessing medical care, and becoming part of local communities, they are now being told that State-provided accommodation is changing.

This issue is not simply about hotels or accommodation centres. It is about whether people who have already integrated into Irish society will be allowed to keep the stability they have worked so hard to build.

Many Ukrainians in Ireland are working, paying taxes, studying, raising children, supporting family members with disabilities, using local services and contributing to Irish society. For these families, [forced] relocation to another county is not just a change of address. It can mean losing access to work, schools, colleges, doctors, disability services, transport links and community support.

The letter continued:

We are not asking for indefinite hotel accommodation. We are asking for a fair, humane, disability-sensitive and employment-sensitive transition.

The current approach risks causing disproportionate harm to working people, families with children in education, people with autism, PTSD, anxiety, disabilities or complex medical needs, and vulnerable adults already connected with HSE and disability services.

For a disability [related] person, shared toilets, shared corridors, noisy communal spaces and high-density accommodation are not minor inconveniences. They are ... real barriers to basic daily life, [like] using the toilet, washing, eating, sleeping, leaving the room, attending appointments or going to work or college.

The letter also stated that, "Any relocation decision must therefore include an individual assessment of disability-related needs, employment, education, transport, medical care and service continuity." We bring people in and then we put them in a difficult position. This is not the right way to go about it. We could ask the average Ukrainian about this. I met a Ukrainian citizen who moved to Adamstown some years before the war. Some Ukrainians have been living and working in Ireland. The vast majority, however, did not ask to come here. They did not ask to have to stay here so long. We do have this attitude that Ukrainians are basically skiving when they could go back to their own big country. This is what is on social media. Ukraine, however, has a war effort it is trying to sustain, and we need to show solidarity and continue to try to help them as best we can.

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): I thank colleagues for their contributions. What is apparent from them is that there is a divergence of opinion not just between the Government and the Opposition but throughout the House when it comes to how we respond to this issue. In a way, I think this reflects the complexity of the issue. It is sometimes healthy that there are diverging views around this House and issues are not just presented in a binary way.

There are, however, two points on which I think there is general agreement in this House. The first is that the Irish people have been very generous in their response to the plight faced by Ukrainian people since the illegal invasion of Ukraine by Russia in 2022. One of the obligations under the temporary protection directive is that we provide access to the means of accommodation. There was no requirement on Ireland to provide accommodation for people who came to Ireland claiming temporary protection. We decided, however, that we would go beyond what was set out in the temporary protection directive and that we would, in fact, pay for and provide accommodation for people arriving from Ukraine after 2022. I think that was a very generous step to be taken by the Government on behalf of the Irish people. Everybody in this House agreed in respect of that decision.

I also think, however, that we need to be aware that the cost of doing this is very significant. If we look back to 2024, for instance, the cost to the State of temporary protection accommodation was in the region of €1.16 billion. That was just in one year, in 2024. If we look at the accommodation recognition payment that we are debating here, since that was introduced back in June 2022 and up to June 2026, a period of four years, the cost of this has been €496 million, which is €0.5 billion. The point I am making is that the response of the Irish people has been very generous. I think there is agreement on this point.

The second thing I suspect there will be agreement on in this House is that I certainly did not expect in February 2022 - maybe other people here did have the foresight to realise this - that the war would be ongoing four and a half years later. It is very significant in terms of the fact that temporary protection was introduced later in 2022 and it is still ongoing. There is a debate in Europe now as to what will happen in respect of temporary protection. I do think, however, that the length of the war has had an impact. It must have an impact in terms of Government policy. I thank Deputy Gannon for recognising the effectiveness of the Government.

The ARP introduced has been a very effective measure. The last time we debated this topic, there were concerns here regarding moving it from €800 to €600 and that this change was going to significantly undermine it. I do not believe it has. I think it has continued effectively. What we are doing now is reducing it back to the originally intended €400, with notice that come next year, it will be removed completely.

It is important to note that many of the people availing of the ARP are diligent people who are able to work and who are working. They also have very good relationships with the persons providing the accommodation. All those factors together indicate to me that there will be mechanisms for people either to stay in that accommodation with their own private arrangement or to secure accommodation elsewhere. The question that has been put out there is where they are going to get accommodation. It is instructive to note that a lot of people are still coming into Ireland each month under the temporary protection directive. They apply for temporary protection but many of them do not look for accommodation because they have a network here that enables them to receive accommodation.

I will turn to Deputy Carthy's amendment, which I cannot accept. His amendment, in short, is about the need to introduce means testing. This is a payment, as I said, made to the owner of the property. It is not a payment made to the Ukrainian people. It would be highly unorthodox to means-test the person not receiving the payment. As we have also indicated here, the scheme is going to end next year, so we would expend a lot of bureaucratic and administrative time in setting up a means-testing mechanism that is not necessary and would not be of use next year. I cannot, therefore, accept the amendment.

Deputy Tóibín spoke about an amendment. I do not know if he has an amendment before the House but if he does, and it is as he indicated, I cannot accept it either. I thank everyone very much.

Amendment put:

The Dáil divided: Tá, 39; Níl, 99; Staon, 0.		
Tá	Níl	Staon
Bennett, Cathy.	Ahern, Ciarán.	
Brady, John.	Aird, William.	
Buckley, Pat.	Ardagh, Catherine.	
Byrne, Joanna.	Bacik, Ivana.	
Carthy, Matt.	Boland, Grace.	
Clarke, Sorca.	Boyd Barrett, Richard.	
Conway-Walsh, Rose.	Brabazon, Tom.	
Cronin, Réada.	Brennan, Shay.	
Crowe, Seán.	Brophy, Colm.	

Cullinane, David.	Browne, James.	
Devine, Máire.	Burke, Colm.	
Doherty, Pearse.	Butler, Mary.	
Donnelly, Paul.	Butterly, Paula.	
Ellis, Dessie.	Buttimer, Jerry.	
Farrell, Mairéad.	Byrne, Malcolm.	
Gould, Thomas.	Cahill, Michael.	
Graves, Ann.	Cairns, Holly.	
Guirke, Johnny.	Callaghan, Catherine.	
Kenny, Martin.	Calleary, Dara.	
Kerrane, Claire.	Carrigy, Micheál.	
Lawless, Paul.	Carroll MacNeill, Jennifer.	
Mac Lochlainn, Pádraig.	Chambers, Jack.	
McGettigan, Donna.	Cleere, Peter 'Chap'.	
McGuinness, Conor D.	Clendennen, John.	
Mitchell, Denise.	Connolly, John.	
Mythen, Johnny.	Coppinger, Ruth.	
Newsome Drennan, Natasha.	Crowe, Cathal.	
Ní Raghallaigh, Shónagh.	Cummins, Jen.	
O'Hara, Louis.	Currie, Emer.	
O'Reilly, Louise.	Daly, Martin.	
O'Rourke, Darren.	Dempsey, Aisling.	
Ó Broin, Eoin.	Devlin, Cormac.	
Ó Laoghaire, Donnchadh.	Dillon, Alan.	
Ó Murchú, Ruairí.	Dolan, Albert.	
Ó Snodaigh, Aengus.	Dooley, Timmy.	
Ó Súilleabháin, Fionntán.	Ennis, Daniel.	
Quinlivan, Maurice.	Farrelly, Aidan.	
Tóibín, Peadar.	Feighan, Frankie.	
Ward, Mark.	Fleming, Sean.	
	Foley, Norma.	
	Gallagher, Pat the Cope.	
	Gannon, Gary.	
	Geoghegan, James.	
	Gibney, Sinéad.	
	Gogarty, Paul Nicholas.	
	Grealish, Noel.	
	Harkin, Marian.	
	Hayes, Eoin.	
	Healy, Seamus.	
	Hearne, Rory.	
	Heneghan, Barry.	
	Higgins, Emer.	
	Kelly, Alan.	
	Kenny, Eoghan.	
	Keogh, Keira.	
	Kyne, Seán.	
	Lahart, John.	

	Lawless, James.	
	Lawlor, George.	
	Lowry, Michael.	
	Maxwell, David.	
	McAuliffe, Paul.	
	McCarthy, Noel.	
	McConalogue, Charlie.	
	McCormack, Tony.	
	McGrath, Séamus.	
	McGreehan, Erin.	
	Moran, Kevin Boxer.	
	Moynihan, Michael.	
	Moynihan, Shane.	
	Murnane O'Connor, Jennifer.	
	Murphy, Michael.	
	Murphy, Paul.	
	Nash, Ged.	
	Naughton, Hildegard.	
	Neville, Joe.	
	O'Callaghan, Cian.	
	O'Callaghan, Jim.	
	O'Connell, Maeve.	
	O'Dea, Willie.	
	O'Donnell, Kieran.	
	O'Donoghue, Robert.	
	O'Gorman, Roderic.	
	O'Meara, Ryan.	
	O'Shea, John Paul.	
	O'Sullivan, Christopher.	
	O'Sullivan, Pádraig.	
	Ó Cearúil, Naoise.	
	Ó Muirí, Naoise.	
	Quaide, Liam.	
	Rice, Pádraig.	
	Roche, Peter.	
	Scanlon, Eamon.	
	Sheehan, Conor.	
	Sherlock, Marie.	
	Smith, Brendan.	
	Timmins, Edward.	
	Wall, Mark.	
	Whitmore, Jennifer.	

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

Amendment declared lost.

Question put:

The Dáil divided: Tá, 114; Níl, 28; Staon, 0.		
Tá	Níl	Staon
Aird, William.	Ahern, Ciarán.	
Ardagh, Catherine.	Bacik, Ivana.	
Bennett, Cathy.	Boyd Barrett, Richard.	
Boland, Grace.	Cairns, Holly.	
Brabazon, Tom.	Coppinger, Ruth.	
Brady, John.	Cummins, Jen.	
Brennan, Shay.	Ennis, Daniel.	
Brophy, Colm.	Farrelly, Aidan.	
Browne, James.	Gannon, Gary.	
Buckley, Pat.	Gibney, Sinéad.	
Burke, Colm.	Gogarty, Paul Nicholas.	
Butler, Mary.	Hayes, Eoin.	
Butterly, Paula.	Healy, Seamus.	
Buttimer, Jerry.	Hearne, Rory.	
Byrne, Joanna.	Kelly, Alan.	
Byrne, Malcolm.	Kenny, Eoghan.	
Cahill, Michael.	Lawlor, George.	
Callaghan, Catherine.	Murphy, Paul.	
Calleary, Dara.	Nash, Ged.	
Carrigy, Micheál.	O'Callaghan, Cian.	
Carroll MacNeill, Jennifer.	O'Donoghue, Robert.	
Carthy, Matt.	O'Gorman, Roderic.	
Chambers, Jack.	Quaide, Liam.	
Clarke, Sorca.	Rice, Pádraig.	
Cleere, Peter 'Chap'.	Sheehan, Conor.	
Clendennen, John.	Sherlock, Marie.	
Collins, Niall.	Wall, Mark.	
Connolly, John.	Whitmore, Jennifer.	
Conway-Walsh, Rose.		
Cooney, Joe.		
Cronin, Réada.		
Crowe, Cathal.		
Crowe, Seán.		
Cullinane, David.		
Currie, Emer.		
Daly, Martin.		
Dempsey, Aisling.		
Devine, Máire.		
Devlin, Cormac.		
Dillon, Alan.		
Doherty, Pearse.		
Dolan, Albert.		
Donnelly, Paul.		
Dooley, Timmy.		
Ellis, Dessie.		

Farrell, Mairéad.		
Feighan, Frankie.		
Fleming, Sean.		
Foley, Norma.		
Gallagher, Pat the Cope.		
Geoghegan, James.		
Gould, Thomas.		
Graves, Ann.		
Grealish, Noel.		
Guirke, Johnny.		
Harkin, Marian.		
Heneghan, Barry.		
Higgins, Emer.		
Kenny, Martin.		
Keogh, Keira.		
Kerrane, Claire.		
Kyne, Seán.		
Lahart, John.		
Lawless, James.		
Lawless, Paul.		
Lowry, Michael.		
Mac Lochlainn, Pádraig.		
Maxwell, David.		
McAuliffe, Paul.		
McCarthy, Noel.		
McConalogue, Charlie.		
McCormack, Tony.		
McGettigan, Donna.		
McGrath, Séamus.		
McGreehan, Erin.		
McGuinness, Conor D.		
Mitchell, Denise.		
Moran, Kevin Boxer.		
Moynihan, Michael.		
Moynihan, Shane.		
Murnane O'Connor, Jennifer.		
Murphy, Michael.		
Mythen, Johnny.		
Naughton, Hildegard.		
Neville, Joe.		
Newsome Drennan, Natasha.		
Ní Raghallaigh, Shónagh.		
O'Callaghan, Jim.		
O'Connell, Maeve.		
O'Dea, Willie.		
O'Donnell, Kieran.		
O'Hara, Louis.		
O'Meara, Ryan.		

O'Reilly, Louise.		
O'Rourke, Darren.		
O'Shea, John Paul.		
O'Sullivan, Christopher.		
O'Sullivan, Pádraig.		
Ó Broin, Eoin.		
Ó Cearúil, Naoise.		
Ó Laoghaire, Donnchadh.		
Ó Muirí, Naoise.		
Ó Murchú, Ruairí.		
Ó Snodaigh, Aengus.		
Ó Súilleabháin, Fionntán.		
Quinlivan, Maurice.		
Roche, Peter.		
Scanlon, Eamon.		
Smith, Brendan.		
Smyth, Niamh.		
Timmins, Edward.		
Tóibín, Peadar.		
Troy, Robert.		
Ward, Mark.		

Tellers: Tá, Deputies Mary Butler and Emer Currie; Níl, Deputies Paul Murphy and Gary Gannon.

Question declared carried.

Domestic Violence Judgments Register Bill 2026 [Seanad]: Committee Stage

An Ceann Comhairle: I welcome our special visitors to the Public Gallery. We are joined by members of the family of the late Jennie Poole, in whose memory this Bill is named: her brother, Jason Poole; her parents, Jackie and Joe; her siblings, David and Clare; and her precious children, Nevaeh and Zack. They are most welcome to sit here for the final stages of Jennie's law. We welcome and thank them.

SECTION 1

An Ceann Comhairle: Amendments Nos. 1 and 9 to 12, inclusive, are related and may be discussed together.

Deputy Gary Gannon: I move amendment No. 1:

In page 3, line 24, to delete “convicted on indictment” and substitute “convicted, whether on indictment or summarily,”.

I welcome Jennie's family. It is an honour for us to have you here. My amendment relates to section 1. This amendment is straightforward but important. As drafted, the Bill excludes

convictions dealt with summarily in the District Court yet many domestic violence offences, including the offences of coercive control, assault causing harm and breaching a protection order, can be prosecuted either summarily or on indictment. Whether a case proceeds in one court or another should not determine whether a victim can benefit from the protections of this register. Women's Aid specifically highlighted this issue during pre-legislative scrutiny. This amendment seeks to address that gap.

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): I too welcome the family of Jennifer Poole. The Ceann Comhairle has identified them individually. I specifically highlight Jason Poole, who has been steadfast in his support for this legislation. That has been hugely important to me in trying to advance this legislation through the Houses of the Oireachtas. I also acknowledge the role played by all colleagues in this House. We are all aware of the background to Jennie's law and its origins in the brutal and senseless murder of a young woman. That was outlined during yesterday's debate. I really welcome the fact that Deputies from across the political spectrum support and have welcomed this legislation. I recognise that the role of Committee Stage is to allow colleagues to propose amendments they think would improve the legislation. I would not like Jennifer's family to think that what is happening here is in any way unorthodox. It is part of the legislative process. It is important that colleagues put forward proposals to test me and to see whether the legislation can be improved.

We are looking at a group of amendments, Nos. 1 and 9 to 12, inclusive. Deputy Gannon's amendment, No. 1, asks me to include within the legislation a provision applying the legislation not only to convictions on indictment, that is, convictions in cases heard by the Central Criminal Court or the Circuit Criminal Court, but also to summary convictions. On page 5 of the Bill, the Oireachtas has set out a schedule of offences that should trigger the operation of Jennie's law. It obviously applies in cases of murder, manslaughter, rape, rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990, sexual assault or aggravated sexual assault. All of these charges can only arise on indictment. Deputy Gannon's amendment has relevance to the proposed section 40A(11)(g) because some of the offences under the Non-Fatal Offences Against the Person Act can be tried summarily. Such offences include those under sections 3, 3A, 5, 10, 13 and 15 of that Act.

Deputy Gannon wants to broaden the ambit of this legislation so that it does not just include convictions on indictment but also includes summary convictions. So that people are aware, summary convictions are convictions of a minor nature that take place in the Circuit Court. With the greatest of respect to Deputy Gannon, I am not going to accept these amendments. The inclusion of summary offences would be problematic. It would lead the District Court, a court of summary jurisdiction, to start delivering judgments in respect of summary convictions that have been put in place. I agree with Deputy Gannon that any form of violence against women or other offence, even if of a minor nature, is a warning signal and something people need to be very concerned about. However, I also have to recognise what I am doing in this legislation and what Jennie's law is about. It represents a new departure insofar as it gives a statutory power to the criminal courts in relation to delivering a judgment to be put on the register. That is not a practice in the courts at present. Sometimes, the sentencing judgment in a sentencing hearing will be printed up by the Central Criminal Court or the Circuit Criminal Court and then made available.

As this is novel legislation, its parameters have been very carefully drawn. It is important for me to be cautious in how I introduce this. Let us see how it develops. It may be the case that I will be back here in a year saying that Deputy Gannon's proposals were a good idea and that the provisions should be extended. I would not rule out expanding the remit of the legislation in the future.

However, I deliberately adopted a measured approach in designing its scope in order to ensure that it can be implemented and can withstand any potential legal challenge. We need to be aware that there will be legal challenges to this because just as there are people who are very strong in supporting this Bill and who want to see it on the Statute Book, there are others who will be vehemently opposed to it, particularly those who are convicted of the offences outlined in the legislation.

Deputy Carthy has a number of amendments in this group by means of which he is seeking to include a section 2 offence, which is a more minor assault offence. I refer to amendments Nos. 9 to 11, inclusive. In amendment No. 10, the Deputy is seeking to include reference to section 33 of the Domestic Violence Act in the context of an offence committed by somebody who contravenes a protection, safety or barring order. I am not going to accept that amendment because I want to start off with convictions on indictment in order that we can bed down the legislation and see how it operates.

Deputy Gannon's amendment No. 12 seeks to include references to section 4 of the Harassment, Harmful Communications and Related Offences Act 2020 and also section 33 of the Domestic Violence Act. For the reasons already outlined, I do not propose to accept the amendment because I want to limit it to what is there at present, namely convictions on indictment, because that is the safest way to start with this legislation. As already stated, however, I am open to looking at this down the road. The great thing about legislation is that once it is put place, we can come back and improve it in the future. When I am starting off with something novel, however, I have to be cautious.

Deputy Gary Gannon: I vehemently support this Bill, but we cannot ignore the fact that, as matters currently stand, there are cases involving coercive control, assault causing harm and breaches of protection orders that can come before the District Court and that can be prosecuted summarily or upon indictment. The despicable people who engage in such behaviour and who are found guilty in an Irish court will not feature on this register. Therefore, when the Minister talks about the safest way of advancing the legislation, I am obliged to ask for whom is it safest? Women's Aid has already told us that this is an omission from the Bill that will create exceptions whereby violent men will be excluded from appearing on registers. It is incumbent upon us to listen to Women's Aid. It would be safer still for the Minister to accept amendment No. 1, which seeks to add the offences to which I refer. In terms of amendment No. 11, which I neglected to speak to earlier, what we are talking about are behaviours such as stalking and harassment. It would be important for those to be included. I again encourage the Minister to accept amendment No.1 in order to include the offences to which I refer.

Deputy Matt Carthy: As I mentioned on Second Stage, I welcome the fact that this Bill has progressed as speedily as it has. I have commended the Minister and his officials on prioritising what is a singular piece of legislation. It is a huge testimony to the family of Jennifer Poole, particularly Jason, because they have convinced the entirety of political opinion in this House

of the merits of this measure. That is a phenomenal achievement on their part. I want to say to them that they have done Jennifer proud by being able to do so much.

The Minister mentioned that the great thing about legislation is that once it is introduced, it can be amended at a later stage. However, he will know that the process in this regard is not simple. The key is always that when we have got to the point where legislation with such widespread political support has been introduced, we need to get it right.

Amendments Nos. 9 10 and 12 are in my name. Amendment No. 9 proposes the following:

In page 5, between lines 21 and 22, to insert the following:

“(ai) section 2, where the offence is committed against a spouse, civil partner, cohabitant or person in an intimate relationship;”.

The reason for this amendment is that there is a genuine concern that the ambit of the legislation is too narrow and will not capture the bulk of domestic violence offences. As has been mentioned, Women's Aid has warned that many domestic violence-related offences under the Non-Fatal Offences Against the Person Act are prosecuted summarily in the District Court and, therefore, would not be captured by the proposed register. We also know that many domestic charges are reduced to lesser offences through plea bargaining. I refer, for example, to a section 3 offence being reduced to a section 2 assault. This was the situation in one very high-profile case recently. Under the Bill, where a section 2 assault is committed against an intimate partner, it would result in that person not being included on the register when, in fact, we know that the offence is, most likely, part of a pattern of domestic violence and abuse. I again appeal to the Minister, even at this late stage, to accept the amendment and create an offence under section 2 where a crime is committed against a spouse, civil partner, cohabitant or person living in an intimate relationship in order that we might get to the core of this. If the Minister is not willing to accept the amendment, I ask him to provide assurances, insofar as it is possible, that the Director of Public Prosecutions, DPP, will take into account the fact that any plea bargaining reducing a section 3 charge to a section 2 charge in a case of domestic violence would allow an offender to evade inclusion on the domestic violence register. This should be a caveat for the DPP in his or her consideration of plea bargains that might not have been in place heretofore.

Amendment No. 10 reads, "In page 5, line 31, after “section 2” to insert “or section 3”." Section 3 criminalises recording, sharing or publishing an intimate image without consent where it seriously interferes with a person's privacy or causes alarm, distress or harm to them. For what I consider logical reasons, this should also be added to the list of offences.

Amendment No. 12 states:

In page 5, between lines 32 and 33, to insert the following:

“(j) an offence under section 33 of the Domestic Violence Act 2018.”.

This amendment adds a breach of a domestic violence order, as the Minister said, to the list of offences that will lead to people being included on the domestic violence register. This makes absolute sense. It will be a real omission if it is not included, particularly if we genuinely want this to be a domestic violence judgment register. One of the fears relating to this legislation, which has been mentioned here and in the Seanad, is that somebody might seek to

look at the register. If somebody is going to look at this register, it means that there are concerns. If they look and see that somebody's name is not on it, that might give them a sense of unfounded relief. The Minister was at pains, and rightly so, to say that this is what it is and that it should not be taken as an absolute guarantee of anything. However, if somebody has been convicted of domestic violence offences, either summarily or in the context of a section 3 conviction, and is not included in the register, then the truth of the matter is that the register is not going to be as fulsome as it should be. This is the crucial point. We must bear in mind that the vast majority of domestic violence offences and abuses never make their way to court. Most of them never result in a complaint. When complaints are made, most of them never see a file being sent to the DPP. Even when that happens, most of them never actually make it to court. The vast majority of cases involving sexual or gender-based violence or domestic abuse will never actually come before a court. When they do, even the most minor of offences are generally just the tip of the iceberg. If somebody is the subject of a summary conviction for domestic violence abuse, in the majority of, not all, cases, that is just a small signal of a pattern of abuse.

Margaret Loftus made this point very passionately when she spoke at the justice committee's launch of the report on gender-based violence last week. She made the point that when a woman, in the majority cases we are talking about women, goes to a Garda station to make a complaint about domestic violence you can virtually bet your life that it is not the first instance of domestic violence that she has encountered. It is usually after a prolonged period of abuse that somebody will get the wherewithal, the courage and the support necessary to bring that to the attention of the Garda. When somebody has managed to get to the point where they are making a complaint to the Garda and if the gardaí looking at the evidence see the merit of bringing a charge against the individual and they bring that to court and it results in a conviction, then absolutely there should be no question but that should be recorded in this register.

I again appeal to the Minister. Let us get this right. Let us not depend on a future Minister or a future Oireachtas to fix this at a later stage. Let us actually ensure that we live up to the spirit of this legislation, which has come about from the campaign and work of Jason and the Poole family, by ensuring it is as comprehensive as possible. I again ask the Minister to consider these amendments even at this late stage.

Deputy Paul McAuliffe: I echo what the Minister said about the support across the House for the domestic violence register. That is really important because the model that we have landed on has been able to attract support. It is important to say that many people had very significant concerns about the idea of a domestic violence register. In some cases, they were very well-meaning people, including those representing people in domestic violence cases. In other cases, they were people involved in the legal profession and people involved in civil society. I appreciate the unanimity that we have landed on in the House. It took some time to get here. In considering these amendments, it is worth understanding why we have landed on the model that we have.

I take a moment to welcome the Poole family to the Chamber in such large numbers. They are incredibly welcome, particularly Jason who has been the driving force behind this all the way through. When Jason first came to us about this, he always spoke about the most serious

crimes. It was important that was the focus of what we were trying to do from the very beginning because, as we know, Jennie was the subject of an offence at the most serious level.

It is important to remember who Jennie was. Jennie was a 24-year-old mother, a wonderful mother to Zach and Nevaeh. She was a healthcare worker in our community. She was a much-loved member of her camogie team in Erin's Isle. In many ways, she represented the very best of our community. We all know what happened on 17 April 2021. I spoke about it yesterday. I certainly do not intend to speak about it today because that man has taken enough from the Poole family without my reliving it here today.

There was so much hurt. The hurt centred on the fact that behind that tragedy, Jennie was not aware that her ex-partner had a previous conviction. Not only was she not aware but she did not even have a mechanism to find out that he had a previous conviction. That tragedy was further compounded because it was not until the court case that Jennie's family realised that conviction was there.

In trying to pursue Jennie's law, as Jason eventually called it, he came to me with a list of ten different areas, some of which the Minister has moved on in terms of access rights for a parent or a partner who's involved in a murder and so on. On this specific issue, the idea of granting access, we always knew there would be problems in establishing a register, similar to the sex offenders register. I acknowledge the work of Senator Fiona O'Loughlin, whose original Bill used that type of model because that is where we first thought we could progress it.

All the other issues around people's privacy and GDPR started to become the blockages as to why this could not be done. I acknowledge that under a different Minister the Department of justice was extremely opposed to this Bill. The replies that come from the Minister, often written by the departmental officials, were extremely opposed to how this Bill could be introduced. The mechanism the Minister has used - it is very simple mechanism - is the reason we have got here. That is why I want to speak to the amendments.

Essentially, the mechanism is that justice should be done in public but because journalists are no longer present in our courts all the time, that can often go unreported. The simplicity of that is that justice should be done in public. As already happens in civil cases, for the very first time the Minister has now found a way for judgments in criminal cases to be reported on the Courts Service website. It has never been done before for other offences. For the first time, that moves us away from all the issues of privacy and it moves us into a very simple sphere that justice should be done in public and, therefore, if a decision of the court is public, it is already a matter of public record and all we are doing is publishing that on the website. When we do that, we are inevitably balancing the independence of the Judiciary. That is why there is some discretion in the legislation because, of course, there is a separation of powers. In striking that balance, the Minister is trying to acknowledge that.

There were also concerns over expanding it beyond the current number of offences, which this group of amendments seeks to do, including murder, manslaughter, rape, strangulation, coercive control and so on. The reason for that was that in some cases those representing victims of domestic violence were fearful that it would put people off seeking a barring order, for example. In the initial stages there was talk about all of that being included in it. The

Minister has limited it to the most serious offences, the fatal end of things, for a reason. Some of it is based on the concerns of people who represent people involved in domestic violence.

I just put the details of the process on the record because that is why we landed on this. It is not because we decided to limit certain elements of this. It is because we are juggling that balance between the Judiciary and the powers of this House. For the first time, criminal judgments will be published on a website. It is this model and not the other model of, for example, a sex offender's register which involves a different methodology and process. I say that to the Deputies who tabled these amendments because they might not have been aware of how we landed where we are.

I will not speak again on the other amendments. I acknowledge how far we have come. I acknowledge the Poole family. This law will be transformative in helping people across Ireland who are in a relationship to discover whether their partner had a domestic violence conviction. In her life as a mother, as a care worker and as a club member, Jennie gave so much to the community where she lived. She stood for everything that is so positive about our community. It is fitting that even in the tragedy that she and her family have experienced, she has continued to inspire this House to pass Jennie's law. I commend the Minister on his work and I commend the Bill to the House.

Deputy Paul Nicholas Gogarty: Yesterday I thanked the Minister for using the Seanad route to get this legislation through so it could be passed before the summer recess. That confirms the Minister's own acknowledgement of the urgency of getting this legislation passed.

There is a balance between the urgency of getting something passed, but also the urgency of getting something passed that is going to impact as well as it could. That is why I support amendment No. 1 and the other suite of amendments because we are not going far enough. In essence, we need to challenge and push things out. If something needs to be tweaked afterwards, that is the better option rather than being very conservative starting out. If we look at the District Court situation, for example in terms of summary convictions, we are talking about convictions of up to 12 months. If I was a woman or if it was my daughter or any family member, and I found out that someone had a conviction of up to 12 months for violently assaulting someone, giving them a black eye or damaging their eye socket, I would want to know about it. These types of incidents start very incrementally. They start off with one thing. It gradually escalates. The violence becomes the norm. The coercive control is brought into it. It is not usually a situation where someone starts off in a controlling relationship as the essence of extreme violence. It works up to that situation. Therefore, you do have to nip it in the bud, so to speak. I am not a legal expert on this but I have been raising issues on the related *in camera* rule and the need to remove it, because that is going to act as a chilling effect on people reporting cases in the first place. However, anything that encourages reporting has to be welcomed. If we look at where violations of court orders happen, they happen in the District Courts above and beyond. Regarding the type of domestic violence incidences, the vast majority of them are within the District Court as well. We can move beyond that and say we will start off with the most serious cases but the most serious cases are arising because people go away with the less serious cases. These are often people with multiple, sometimes different, convictions in multiple relationships. We are talking about individuals whose violence is not confined to a single relationship. They always blame their partner at the time but these are people with a propensity for violence and that violence is acted out not just on partners but on

other people in society as well. If it is not dealt with it right from the outset it is going to create more problems.

I see there are some issues in relation to, for example, starting with the District Court cases in that there might be a risk of retaliation because people know their name is going to be listed. I acknowledge this is a risk. We are having a different level of argument about the three-year process and the right to have their name removed from the register; that is a later discussion, and I believe five years would be more sufficient. At any stage, if they behave themselves, people will have their names taken off the register. However, the types of offences that should go onto the register in the first place should be violent assaults such as giving a partner a black eye. To me, that is sufficient to show that person cannot be trusted. If a relationship breaks up and there is a new partner, they have an absolute right to know about that because next time it could be a broken eye socket or the use of a weapon. We have to deal with it there and then rather than let someone get away with it. Another point is that in a lot of the convictions in the court people do not serve anywhere near the actual sentence they are given. They are out and about, with no real consequences and then they feel a sense of impunity. We have to nip it in the bud. There will be a lot of legal opposition to various aspects of this legislation in any event, so let us just throw the whole lot in - unless what the Minister is really saying is that there is resourcing issues in terms of the District Court's capacity. That is a valid concern as well, but at some stage we have to draw the line and say this is the sort of offence that is not acceptable in any civilised society. You are not allowed to violently attack your partner. We can have nuances and definitions but whacking your partner violently to me is the line we draw. If that is in the remit of the District Court, so be it. It needs to be put on the record to protect the partner and to protect future people.

Deputy Jim O'Callaghan: I thank colleagues for their contribution. I believe the legislation I presented is the correct way to go. I know colleagues are well-intentioned in what they are seeking to do but let us recall what was the motivation for this legislation. The motivation was the case of the murder of Jennifer Poole. Had the previous convictions of the person who murdered her been publicly available that would have had an impact upon her. This mechanism, the statutory scheme I am putting in place, would have covered his convictions. His convictions, which were serious convictions, would be covered by this. I do not believe it is appropriate to go down the route of including a whole other variety of convictions from the District Court. If we look at the convictions in this legislation that will trigger the mechanism for disclosure, we see that it includes a vast array of offences. As I said earlier on, obviously it covers murder, manslaughter, rape, rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990, sexual assault or aggravated sexual assault, but then it also covers non-fatal strangulation causing harm, non-fatal strangulation causing serious harm, assault causing harm, assault causing serious harm, threats to kill, harassment, endangerment, false imprisonment, coercive control and the spreading of intimate images. There is a whole variety of convictions there that will trigger the statutory scheme under this. I want to be respectful to Deputies Gannon and Carthy but if we go down the route of putting in District Court summary convictions this is going to become unmanageable. It is appropriate to leave this on indictable offences, convictions on indictment and then the discretionary mechanism is available to the court. I say with great respect to Deputies Gannon and Carthy that it is not a good idea to include a vast array of offences. It will undermine the effectiveness of the scheme.

Amendment put and declared lost.

An Leas-Cheann Comhairle: Amendments Nos. 2 to 4, inclusive, are related and will be discussed together.

Deputy Matt Carthy: I move amendment No. 2:

In page 3, line 29, after “subsection (4)” to insert “and (4A)”.

Amendments Nos. 2 and 4 are in my own name and I also record my support for amendment No. 3 in the name of Deputy Gannon. Amendment No. 2 may appear to be technical and inserts “and (4A)” after subsection (4). Amendment No. 4 proposes to insert in page 4, between lines 7 and 8, the following:

“(4A) For the purposes of subsection (2)(d), the court shall be satisfied that—

- (a) the consent of the victim is freely and voluntarily given,
- (b) the victim has been provided with sufficient information and access to appropriate supports, including from specialist domestic violence services, to enable informed and safe decision-making, and
- (c) such consent may be withdrawn at any time prior to the inclusion of the judgment in the Register.”.

To give the logic for these amendments, Safe Ireland has argued for the provisions in amendments Nos. 2 and 4 to be included in this legislation. These amendments are about ensuring victims are properly protected when deciding whether a judgment should be included on the register. We know a conviction does not always bring an end to abuse. Many victims continue to experience intimidation, harassment and coercive control long after court proceedings have been concluded. Therefore, victims should also have the right to withdraw their consent at any point before publication of this register and that decision should be fully respected. The objective is simple. It is to ensure that victims can make fully informed decisions in a way that prioritises their safety and well-being at all times. That is a sentiment that is widely shared. Deputy Gannon's amendment essentially puts in a provision that in the event of somebody being deceased the family should be consulted and I fully support that.

5 o'clock

Deputy Gary Gannon: I will equally be supporting Deputy Carthy's amendments. My amendment seeks to recognise that, where a victim has tragically died, he or she can no longer express a view on whether a judgment should appear on the register. The Bill currently leaves that decision entirely to the court. Our amendment simply requires the court, where appropriate, to consult the victim's family before reaching that decision. It does not give families a veto, nor does it remove the court's discretion. It simply ensures that, in these most difficult cases, those closest to the victims have an opportunity to be heard before a decision is made.

Deputy Jim O'Callaghan: I thank Deputies Carthy and Gannon for their amendments. Deputy Gannon's amendment seeks to cover a situation where the victim is deceased, so it is either a case of murder or manslaughter. In that instance, the provision as it is at present, in subsection (4), states, "In relation to subsection (2)(d), where the victim is deceased, it shall be at the discretion of the court as to whether a judgment is to be included in the Register." When it comes to a court case where somebody has been convicted of murder or manslaughter, obviously there will be an opportunity for a victim impact statement for the family members. Family will always be able to express their view. However, putting specifically into statute, as Deputy Gannon has suggested, that there has to be consultation with the family of the victim is difficult from the point of view of a court. The court is the one that is exercising its discretion as to whether the judgment should be published. Deputy Gannon's amendment states, "the court shall, after consultation with the family". It is unusual in legislation to talk about a court having consultation with the family. I know the purpose of it but there is a mechanism for the family to be heard. I think it would be inappropriate to include that in the Bill. As well as that, families are not always unified in their approach to a particular issue. We need to be much more specific in respect of what "family" means. Where the family of a deceased victim has views on whether a judgment should be included in the register, attention will of course be paid to those views by the judge, and that is something that the judge will be able to consider.

I now turn to Deputy Carthy's amendments Nos. 2 and 4. These relate to the victim's consent, ensuring that it is freely and voluntarily given. They specify that the court must be satisfied that the victim has been provided with sufficient information and access to appropriate supports, including from specialist domestic violence services, to enable them to make that decision. I am not going to accept these amendments either. We all agree that specialist domestic violence services are indispensable, and they are available. Colleagues will be aware that I provide a huge amount of funding to Cuan, which in turn provides it to those agencies. It is important to point out that these organisations make a valuable contribution. However, that recognition does not mean that every aspect of their work should be written into legislation. The amendments proposed raise significant practical concerns. It is simply not clear how a court could determine whether a victim had received "sufficient information and access to appropriate supports", nor is there an objective standard for what constitutes informed and safe decision-making. I understand the intentions but I think the language is too vague and subjective and would create uncertainty rather than the clarity that we all want.

Amendment put and declared lost.

Deputy Gary Gannon: I move amendment No. 3:

In page 4, lines 5 to 7, to delete all words from and including "it" in line 5 down to and including line 7 and substitute the following:

"the court shall, after consultation with the family of the victim where appropriate, determine whether a judgment is to be included in the Register."

Amendment put and declared lost.

Deputy Matt Carthy: I move amendment No. 4:

In page 4, between lines 7 and 8, to insert the following:

“(4A) For the purposes of subsection (2)(d), the court shall be satisfied that—

- (a) the consent of the victim is freely and voluntarily given,
- (b) the victim has been provided with sufficient information and access to appropriate supports, including from specialist domestic violence services, to enable informed and safe decision-making, and
- (c) such consent may be withdrawn at any time prior to the inclusion of the judgment in the Register.”.

Amendment put and declared lost.

An Leas-Cheann Comhairle: Amendments Nos. 5 to 8, inclusive, are related, and will be discussed together.

Deputy Matt Carthy: I move amendment No. 5:

In page 4, line 33, to delete “3 years” and substitute “5 years”.

All of these amendments are linked and are the critical amendments that we will be discussing this evening. Amendments Nos. 5, 6 and 7 are fairly simple in their wording. They are to substitute the words “5 years” where “3 years” is currently in place. Amendment No. 8 inserts the following section 9A on page 5:

Notwithstanding subsection (9), the court may, in making an order under subsection (2), specify that a longer period shall apply before an application for removal may be made, having regard to—

- (a) the nature and seriousness of the offence, and
- (b) the need to protect the safety and wellbeing of the victim and, where relevant, any children or dependents.”.

Amendment No. 8 is the second option for the Minister if he is of a mind to reject amendments Nos. 5, 6 and 7. Bearing in mind that, as a result of the Government's position on the previous amendments, the bar to be included on this register is incredibly high under the Bill as it stands, somebody who is on the register that we are discussing has committed offences of a very serious nature. For all of the reasons I outlined earlier, I believe that the vast majority of abusers will never see their names published on this register. Therefore, to have such a high bar and then to allow a three-year mechanism whereby a person who has reached that bar and ended up on the register can apply to have his or her name removed from it is far too short. When you consider that, to be on the register, the crimes are way beyond what any reasonable person would want any of their loved ones to be exposed to in a relationship, certainly without them knowing.

The key part of this is that being included on the domestic violence register is not actually an additional punishment. We talked about early convictions. If somebody has been convicted of a public order offence at the age of 19, 20, 21 or whatever, depending on the profile of the situation, if he or she happened to be in a local District or Circuit Court and the local newspaper was in place, everybody can find that information out very quickly, because it is going to be

googlable forever. There is a right to be forgotten and all of that, but generally speaking, that will be common knowledge forever. It is not an additional punishment to be included on the register. As has been said, this is just about having a mechanism whereby the constitutional dictat that justice should be done in public is actually made available. This is not an additional punishment. It is actually a protection for others. If we agree with that premise, which I think was the central point of the Deputy opposite, Paul McAuliffe, regarding the rationale for the approach that has been taken, then there is no rationale for allowing people to have themselves removed after only three years following a prosecution.

This is the amendment, above all, that I appeal to the Minister to accept because the logic stands. There is an argument that five years is too short, but I table it with regard to the legislation and understanding that this is just an application. Amendment No. 8 is a secondary position that seeks to allow a longer period for removal in some instances. That should be considered with regard to offences at the most serious end of the spectrum, obviously including murder, manslaughter and rape.

People would be surprised to learn - after all the effort that has gone into this and the campaigning by the Poole family with the Minister and his Department - that we would have a situation where there is a register in place, narrow as it is, but after three years, somebody on the register can apply to be taken off it. In my mind, that is far too short. Five years is much more reasonable. Above all, my appeal to the Minister is to accept amendment No. 5.

Deputy Jim O'Callaghan: I thank Deputy Carthy for putting down this amendment. I will start by disagreeing with him, however. I disagree with him when he says that the bar is incredibly high for the triggering of this statutory scheme. That is not correct. If the Deputy looks at the legislation, he will see 17 offences will trigger the scheme. Seventeen pieces of legislation or 17 convictions that will trigger it. These are convictions that are happening in Circuit Criminal Courts, and, to a lesser extent, Central Criminal Courts, on a continuous basis. It is not correct to say that the bar is incredibly high.

The issue here is that if somebody receives one of these convictions, and the scheme is triggered and the judgment is published on the register, if that person gets a term of imprisonment, they cannot apply for it to be removed. The default position is that the judgment stays on the register. There is nothing in the scheme to remove the judgment from the register. The only way that the scheme affects that is that it allows a person, three years after they have been released from prison, to bring an application to have their name removed. That means that they have to go into open court and bring the application. They have to satisfy a judge that it is appropriate that they be removed. It may be the case that the judge will refuse the relief that they are seeking. In order to do that, they will have to set out some convincing evidence to the court that will satisfy it that it believes this person is no longer the threat that resulted in them being put on the register in the first place.

What Deputy Carthy's amendment proposes is that we say that they cannot bring the application until five years. In practical terms, the court will have to be satisfied in any event, based on evidence that is put before it, that the person is no longer a threat. I know it is not something we are discussing here, and others mentioned this when legislation was mooted, but I have to give consideration to the possibility of rehabilitation. I know that is not something that is relevant in very many cases but I have to give consideration, as Minister, to the

possibility of rehabilitation. I have to have regard for proportionality in the context of this Bill. This is new legislation. I have no doubt it will be challenged, and I have to be able to convince a court, if it is being challenged, that this legislation weighs up conflicting interests and recognises there is a mechanism for somebody who has reformed himself to get off the register. It allows that to be done either three years after he is released from prison or, if he is not imprisoned, three years after the conviction.

To be absolutely clear, the expiry of the three-year period does not entitle a person to get off the register. Most people will stay on this indefinitely. The only time a person can get off it is if they bring an application which is successful. What happens at present is that I am allowing them, after three years, to make an application. The final decision, and the responsibility for ensuring it is the right one, rests with the court.

Deputy Matt Carthy: I will make a couple of ripostes. In terms of the bar being set high and the logic behind using that phrase, I am sure the Minister will accept, and he probably knows this better than anybody in the Chamber, that it is an indisputable fact that the vast majority of cases of abuse are never reported. That has been well-documented. The vast majority of reported abuses never result in court cases at all. The majority that result in court cases do not subsequently result in a conviction for one of the 17 offences the Minister has outlined. When I say that the bar is high, it is not to suggest that it is incredibly narrow but it is a high bar. I hope the Minister will take that on board.

In respect of the point around rehabilitation, the aforementioned young fella or young woman who had a public order offence and happened to end up in a court when their local journalist was in attendance are statistically much more likely to have rehabilitated themselves than someone who has committed a sexual offence but they are in the local paper. It is published. They can do nothing about it. That is just the outworkings of justice happening publicly. I understand the Minister's rationale for saying that there has to be a point of appeal or a legal mechanism by which somebody can ask for their name to be withdrawn. I have very little sympathy for them, to be quite frank, and I hope that any court in which such an application comes before it will have very little sympathy but the point is around when that avenue should become available. Three years after such a conviction is far too short. From speaking to campaigners on this issue, this is a position that is held. That is why I would make the argument strongly that five years - arguably too short in itself - is much more reasonable.

Deputy Gary Gannon: I had not intended to speak but I fully support Deputy Carthy's amendment. When the Minister mentioned the possibility of rehabilitation, it raised my antennae because I am somebody who fundamentally believes in rehabilitation. We talk about it in this House all the time. I do not believe going onto this register is the punishment. Going onto this register is to send a warning to any potential partner in the future, which is why the rehabilitation of the perpetrator is not to the fore of my concerns here at all. In fact, more to the point, a person who is seeking to remove themselves after three years and potentially not having a conversation about such horrific past behaviour seems like an attempt to deceive. I think three years is far too short. I do not think rehabilitation comes into this register. It is a completely separate issue and is an allowance for future deception. Five years is too short, to be honest, but three years certainly is.

Deputy Alan Kelly: I agree with my colleagues. I believe five years is too short, to be honest. I find that no argument has been made for the three years at all. It seems incredibly short. The idea that a person who commits such an offence can apply for this after three years does not sit well with me. I do not think it would sit well with the majority of Members in this House. I note the Minister's choice of words regarding rehabilitation. I understand where he is coming from in relation to his position as the Minister for justice but it is a separate discussion. It is not related to the time period of three years in any way, shape or form. In this spirit of collegiality, the Minister should consider this amendment and accept it. I know it is very unusual and it would not change anything substantive but it would be a longer timeframe, which would certainly be far more palatable to us all.

Deputy Paul McAuliffe: I welcome the clarification that it is three years after the sentence has been served. If someone has served a seven- or eight-year sentence under one of the 17 offences, they would not be able to apply for the removal until they get to year ten or 11. I welcome that clarification. The idea that someone comes off three years after the conviction is not the case; it is three years after the sentence has concluded. It is interesting that the Minister used the word "rehabilitation" and that it struck a chord in this House because, if I recall, that was the wording used during pre-legislative scrutiny by the Law Society. That gives us an insight into how a court might assess this legislation if it comes before it.

The Law Society's argument in that discussion was that the sentence was the punishment and that an additional burden being put on the person who had committed the offence could be seen by a court as being unreasonable.

I am with members of the Opposition here. Whether it is ten, 15 or 20 years, I have no problem with the time but what I am concerned about is that, were the Minister to extend it now, we could find ourselves in 18 months' time having no Jennie's law at all. A court could strike out this law because it did not have regard to a principle that nobody in this House might have sympathy for but that the court assessing the law inevitably would, namely, the balancing of the two rights. Having fought for so long to have this law in place in respect of the 17 offences we are speaking about, we could end up not having it at all. If there is room for it to be extended, I would not oppose that but I want to be very careful that we have something robust that stands up so that we do not end up with no register at all.

Deputy Jim O'Callaghan: I thank colleagues for their contributions. As Deputies know, I have no difficulty accepting amendments from colleagues in this House if I believe they are correct and beneficial to the legislation. I have done it before and will do it again. I hear what Deputy Kelly says but collegiality does not come into it. We can be very collegial but when it comes to legislation, I cannot just decide that I want to be friendly with people in the House and, so, I will accept the amendment.

Deputy Alan Kelly: That is not what I meant, to be fair.

Deputy Jim O'Callaghan: I know, but collegiality is not a reason to accept an amendment.

Deputy Alan Kelly: I understand that but that is not what I meant.

Deputy Jim O'Callaghan: Deputy McAuliffe mentioned something. There was a difficult passage between me getting into office and me introducing this legislation into the Houses of the Oireachtas-----

Deputy Alan Kelly: I appreciate that.

Deputy Jim O'Callaghan: -----and it involved getting a lot of different views and advices. I remember a lot of coverage a year ago where lots of groups were opposed to this and it was all about the issues that could arise in respect of it. I have managed to get a balancing area - a landing area - that has the support of the House, which is the most significant thing, and has also enabled me to get advice from the Attorney General telling me that we can proceed with this. As Deputy McAuliffe mentioned a few moments ago, what I do not want to do is find that, when a judge is deciding whether to add somebody's judgment to the register, they say that the person will not be able to bring an application for five years after their conviction or after they are released. It is a question of balancing it. The most important thing is for us to get this up and running and it to be effective. As Deputy McAuliffe said, it would reduce its effectiveness if it was the case that it was moved out to five years after release from prison. You could have been in prison for ten years and then you would have to wait for five years.

On Deputy Gannon's comments, the point I was making about rehabilitation was that going on the register was obviously not a form of punishment, but we have to recognise that an individual may be reformed and may have changed from the person they were when they committed the offence that led to them being put on the register. If a court was satisfied that the person had gone through treatment and reformed themselves - maybe there were major addiction issues or other issues in their lives that they had overcome and there was evidence to a court to suggest that the threat that had been there when they were put on the register was no longer there - that is a factor that I have to give some recognition to - not a huge amount, but some. It is important in terms of balancing the conflicting interests in the legislation.

Amendment put:

The Committee divided: Tá, 61; Níl, 80; Staon, 0.		
Tá	Níl	Staon
Ahern, Ciarán.	Aird, William.	
Bacik, Ivana.	Ardagh, Catherine.	
Bennett, Cathy.	Boland, Grace.	
Brady, John.	Brabazon, Tom.	
Buckley, Pat.	Brennan, Brian.	
Byrne, Joanna.	Brennan, Shay.	
Cairns, Holly.	Brophy, Colm.	
Carthy, Matt.	Browne, James.	
Clarke, Sorca.	Burke, Colm.	
Conway-Walsh, Rose.	Butler, Mary.	
Cronin, Réada.	Butterly, Paula.	
Crowe, Seán.	Buttimer, Jerry.	
Cummins, Jen.	Byrne, Malcolm.	
Daly, Pa.	Cahill, Michael.	
Devine, Máire.	Callaghan, Catherine.	

Donnelly, Paul.	Calleary, Dara.	
Ellis, Dessie.	Carrigy, Micheál.	
Ennis, Daniel.	Carroll MacNeill, Jennifer.	
Farrelly, Aidan.	Chambers, Jack.	
Farrell, Mairéad.	Cleere, Peter 'Chap'.	
Gannon, Gary.	Clendennen, John.	
Gibney, Sinéad.	Collins, Niall.	
Gould, Thomas.	Connolly, John.	
Graves, Ann.	Cooney, Joe.	
Guirke, Johnny.	Crowe, Cathal.	
Hayes, Eoin.	Cummins, John.	
Healy, Seamus.	Currie, Emer.	
Hearne, Rory.	Daly, Martin.	
Kelly, Alan.	Dempsey, Aisling.	
Kenny, Eoghan.	Devlin, Cormac.	
Kenny, Martin.	Dillon, Alan.	
Kerrane, Claire.	Dolan, Albert.	
Lawless, Paul.	Dooley, Timmy.	
Lawlor, George.	Feighan, Frankie.	
Mac Lochlainn, Pádraig.	Fleming, Sean.	
McGettigan, Donna.	Foley, Norma.	
McGuinness, Conor D.	Gallagher, Pat the Cope.	
Mitchell, Denise.	Geoghegan, James.	
Mythen, Johnny.	Grealish, Noel.	
Nash, Ged.	Harkin, Marian.	
Newsome Drennan, Natasha.	Healy-Rae, Michael.	
Ní Raghallaigh, Shónagh.	Heneghan, Barry.	
O'Callaghan, Cian.	Higgins, Emer.	
O'Donoghue, Robert.	Keogh, Keira.	
O'Hara, Louis.	Kyne, Seán.	
O'Reilly, Louise.	Lahart, John.	
O'Rourke, Darren.	Lawless, James.	
Ó Broin, Eoin.	Lowry, Michael.	
Ó Laoghaire, Donnchadh.	Maxwell, David.	
Ó Murchú, Ruairí.	McAuliffe, Paul.	
Ó Súilleabháin, Fionntán.	McCarthy, Noel.	
Quaide, Liam.	McConalogue, Charlie.	
Quinlivan, Maurice.	McCormack, Tony.	
Rice, Pádraig.	McGrath, Séamus.	
Sheehan, Conor.	McGreehan, Erin.	
Sherlock, Marie.	Moran, Kevin Boxer.	
Stanley, Brian.	Moynihan, Michael.	
Tóibín, Peadar.	Moynihan, Shane.	
Wall, Mark.	Murnane O'Connor, Jennifer.	
Ward, Mark.	Murphy, Michael.	
Whitmore, Jennifer.	Naughton, Hildegard.	
	Neville, Joe.	
	Nolan, Carol.	

	O'Callaghan, Jim.	
	O'Connell, Maeve.	
	O'Connor, James.	
	O'Dea, Willie.	
	O'Donnell, Kieran.	
	O'Meara, Ryan.	
	O'Shea, John Paul.	
	O'Sullivan, Christopher.	
	Ó Cearúil, Naoise.	
	Ó Muirí, Naoise.	
	Roche, Peter.	
	Scanlon, Eamon.	
	Smith, Brendan.	
	Smyth, Niamh.	
	Timmins, Edward.	
	Toole, Gillian.	
	Troy, Robert.	

Tellers: Tá, Deputies Matt Carthy and Gary Gannon; Níl, Deputies Mary Butler and Emer Currie.

Amendment declared lost.

An Leas-Cheann Comhairle: For the information of Members, the Poole family are in the Public Gallery. The Ceann Comhairle has already extended a welcome to the family, but I want to bring it to the attention of the Chamber, now that there are so many of us here, that they are here. They have achieved a lot. I acknowledge their presence. Thank you for your patience as you watch the debate.

Members rose and applauded.

Teachtaireacht ón Seanad - Message from Seanad

An Leas-Cheann Comhairle: Seanad Éireann has passed the Regulation of Artificial Intelligence Bill 2026 without amendment.

Domestic Violence Judgments Register Bill 2026 [Seanad]: Committee Stage (Resumed) and Remaining Stages

SECTION 1

An Leas-Cheann Comhairle: I extend a welcome to former councillor Walter Lacey who is in the Public Gallery with visitors, friends and family. They are welcome to Leinster House and I hope they enjoy their evening.

Deputy Matt Carthy: I move amendment No. 6:

In page 4, line 37, to delete “3 years” and substitute “5 years”.

Amendment put and declared lost.

Deputy Matt Carthy: I move amendment No. 7:

In page 5, line 3, to delete “3 years” and substitute “5 years”.

Amendment put and declared lost.

Deputy Matt Carthy: I move amendment No. 8:

In page 5, between lines 6 and 7, to insert the following:

“(9A) Notwithstanding subsection (9), the court may, in making an order under subsection (2), specify that a longer period shall apply before an application for removal may be made, having regard to—

(a) the nature and seriousness of the offence, and

(b) the need to protect the safety and wellbeing of the victim and, where relevant, any children or dependents.”.

Amendment put and declared lost.

Deputy Matt Carthy: I move amendment No. 9:

In page 5, between lines 21 and 22, to insert the following:

“(ai) section 2, where the offence is committed against a spouse, civil partner, cohabitant or person in an intimate relationship;”.

Amendment put and declared lost.

Deputy Matt Carthy: I move amendment No. 10:

In page 5, line 31, after “section 2” to insert “or section 3”.

Amendment put and declared lost.

Deputy Gary Gannon: I move amendment No. 11:

In page 5, between lines 32 and 33, to insert the following:

“(j) an offence under section 10 of the Non-Fatal Offences against the Person Act 1997 (harassment and stalking);

(k) an offence under section 4 of the Harassment, Harmful Communications and Related Offences Act 2020;

(l) an offence under section 33 of the Domestic Violence Act 2018.”.

Amendment put and declared lost.

Deputy Matt Carthy: I move amendment No. 12:

In page 5, between lines 32 and 33, to insert the following:

“(j) an offence under section 33 of the Domestic Violence Act 2018.”.

Amendment put and declared lost.

Deputy Gary Gannon: I move amendment No. 13:

In page 6, between lines 7 and 8, to insert the following:

“(c) is a dependant, including a child, of a person referred to in paragraph (a) or (b).”.

This amendment recognises a simple reality. Domestic abuse often extends beyond an intimate partner to children and other dependants. As drafted, the Bill only protects victims who are the spouse, former spouse or intimate partner of the offender. Women's Aid identified this as a significant gap during pre-legislative scrutiny, noting that convictions for serious offences against a partner's child could fall outside of the register. This amendment addresses that omission by ensuring dependants, including children, are also covered. It better reflects the reality of domestic abuse and strengthens the protection purposes of the register.

Deputy Jim O'Callaghan: I thank the Deputy for his amendment. The legislation we are discussing today is proposing to insert a new section into the Domestic Violence Act 2018. This will be the section referred to as the domestic violence register of judgments. That means this part of the legislation has to be consistent with the Domestic Violence Act 2018 in general. That Act already refers to relevant persons in the offence of coercive control and in specifying the circumstances in which a relationship should be treated as an aggravating factor in offending. In both cases, the Oireachtas deliberately confined the definition to a current or former spouse or intimate partner. I have deliberately adopted this language in the provisions in this part of the legislation in order to ensure consistency within the legislation as this definition is now being embedded in case law, operational guidance and front-line practice. If I were to accept Deputy Gannon's amendment, which would introduce a broader definition into the Bill, it would undermine the coherence of existing provisions. It would mean that the same term appearing within the same legislative framework would carry two different meanings in two different areas. That is not good practice and would risk confusion. That is why I think it important that we maintain a single, stable definition of relevant person across the Domestic Violence Act and legislation. I know Deputy Gannon's concern is in respect of children of people who are victims of domestic violence. However, for the purpose of the operation of the 2018 Act as a whole and for this new provision, it is important to limit it as we have in the legislation, which is to intimate partner, spouse or civil partner.

Deputy Gary Gannon: I disagree with the Minister completely. I think perpetrators of domestic violence are callous. If someone seriously assaults or abuses their partner's child, that behaviour is highly relevant to whether future partners should know about their history. Without this amendment, those convictions could fall outside the register simply because the victim was a child rather than an adult partner. The Minister is obviously not going to accept the amendment, but his is a flawed approach because I think this information is highly relevant to the type of register we are talking about here.

Amendment put and declared lost.

Deputy Gary Gannon: I move amendment No. 14:

In page 6, between lines 9 and 10, to insert the following:

“(14) The Minister shall, not later than 3 years after the commencement of this section, conduct a review of the operation of the Register and lay a report of that review before each House of the Oireachtas, including anonymised information on the operation of the Register, applications for removal and the offences recorded.”.”.

This amendment would introduce a statutory review of the register after three years. The domestic violence judgments register will be a new scheme. It is only right that the Oireachtas should have the opportunity to assess whether it is working as intended. I am looking for a review after three years.

Deputy Jim O’Callaghan: There will be a post-enactment review after one year under Dáil Standing Orders and the Standing Orders of the Seanad. That will be done. I am conscious people will be raising the issue here with me. I will not accept the amendment but there will be a requirement for me to come back to produce a post-enactment report within 12 months.

Amendment, by leave, withdrawn.

Deputy Matt Carthy: I move amendment No. 15:

In page 6, between lines 9 and 10, to insert the following:

“(14) The Courts Service shall ensure that, when the Register is made available to the public—

(a) a statement is included to the effect that the absence of a person’s name from the Register does not indicate that such person does not pose a risk or has not previously engaged in domestic violence or abuse, and

(b) information is provided directing users to appropriate support services, including national and local domestic violence support services.”.”.

This is to ensure that the register is accompanied by clear safeguards to ensure, as has been discussed by a number of Members from across the House, that those who consult the register do not consider absence from the register as meaning an absence of risk. It is also to ensure that the register does not have the effect of giving people who may be at risk a false sense of safety. It is safe to assume that most people who are consulting this register will have a concern for their well-being or somebody else's. Regardless of whether this amendment becomes standard practice or not, I hope it will be a standard practice that when the register is consulted, clear guidance toward support services will be provided. We have a lot of organisations that do incredible work with victims of domestic violence. They are overwhelmed and need more resources, but they want to help people who need help. In some instances, the number of people who do not know the level of support available to them is phenomenal. This would be an appropriate avenue to which to direct people who might benefit from such support services.

Deputy Jim O'Callaghan: Deputy Carthy makes a very important point. It is important that people do not assume that someone has no domestic violence convictions simply because their name does not appear on the register of judgments. That is a point that has to be emphasised.

While I cannot accept the amendment, this is because the level of operational detail proposed is not suitable for primary legislation. Embedding such granular requirements in statute could actually limit flexibility and create unnecessary constraints as the system develops. However, in this context, in light of Deputy Carthy's amendment and other concerns, officials in my Department and the Courts Service have already discussed the provision of warnings, explanatory notes and clear signposting to domestic violence support services. I assure Deputies that this information will be prominently displayed for anyone accessing the register. The effect of what Deputy Carthy seeks to do will be embedded in the register when it is up and running in the Courts Service.

An Leas-Cheann Comhairle: Is Deputy Carthy pressing the amendment?

Deputy Matt Carthy: I welcome that statement from the Minister and on that basis I will withdraw the amendment.

Amendment, by leave, withdrawn.

Deputy Matt Carthy: I move amendment No. 16:

In page 6, between lines 9 and 10, to insert the following:

“(14) In deciding whether to make an order under subsection (2), the court shall have regard to—

(a) the safety and wellbeing of the victim, including any risk of intimidation, retaliation or further harm, and

(b) the safety and welfare of any children or dependents connected to the victim or the convicted person.”.”.

Again, this is just to insert subsection (14) in page 6. It provides that in deciding whether to make an order under subsection (2), the court shall have regard to the safety and well-being of the victim, including any risk of intimidation, retaliation or further harm, as well as the safety and welfare of any children or dependants connected to the victim or the convicted person. The amendment simply seeks to place victim safety at the heart of the court's decision-making, requiring consideration of any risk of intimidation or further harm, as well as the welfare of the affected children and dependants to be at the heart of it. It is certainly at the heart of the rationale for this legislation. I just want to suggest that it be included.

Deputy Jim O'Callaghan: Again, it is an important point that Deputy Carthy makes but it is also important to note that the court will have discretion to decide whether a judgment should be included in the register. Those factors that are set out in Deputy Carthy's amendment will certainly be given consideration by a judge in exercising that discretion. Any judge exercising that discretion will access all of the circumstances of the case, including the situation of the offender, the victim and any child connected to the matter. Issues of safety and welfare will be

central to that assessment. Domestic violence cases often involve ongoing risks and complex dynamics. The court's responsibility is to ensure that victims and children are protected from further harm. In fairness, judges do this on a daily basis. They routinely evaluate risks and the courts are aware of the sensitivities involved in domestic violence cases. The judicial studies committee delivers specialised workshops on topics such as this in order to train judges on how they should exercise their discretion. For these reasons, notwithstanding the point it makes, I do not believe the amendment is necessary.

Amendment, by leave, withdrawn.

Section 1 agreed to.

Sections 2 to 5, inclusive, agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

Question proposed: "That the Bill do now pass."

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): I thank the Leas-Cheann Comhairle in the first instance for presiding over these Stages of the legislation. I am very pleased that this legislation has been enacted. I want to thank a few people very briefly. I thank Deputy McAuliffe for introducing me to Jason Poole. I thank Senator O'Loughlin for her work on this issue in the Seanad. I thank colleagues in this House for their support on this legislation. I thank officials in my Department for their tireless work in respect of ensuring that we navigate this legislation through the Houses and get the drafts as appropriately as possible to ensure that they balance all the conflicting rights we have spoken about. I thank Jason Poole and the Poole family and commend them on their resilience and determination in wanting to leave a permanent memorial to their beloved Jennie. That memorial is very evident in this legislation, which will be on our Statute Book for very many years. I commend them on and thank them for their great public service in advocating for this law.

Deputy Alan Kelly: Hear, hear.

Deputy Matt Carthy: Hear, hear.

Question put and agreed to.

Guardianship of Infants and Child Care (Amendment) Bill 2026: From the Seanad

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

An Leas-Cheann Comhairle: Amendments Nos. 1 to 5 are related and may be discussed together. Is that agreed? Agreed.

Seanad amendment No. 1:

Section 3: In page 9, line 11, to delete "references" and substitute "a reference".

Deputy Jim O'Callaghan: The first four amendments in this group are minor drafting corrections. They corrected the wording in four places so that the Bill reads consistently. It is changing the word "references" to "a reference". They make no change to the substance or effect of the Bill.

The fifth amendment was, again, a technical amendment ensuring that we apply the provisions of the 1991 Act relating to the appointment of a guardian *ad litem* to proceedings heard under the new Part. The only substantive change was that the new drafting ensured that the guardian *ad litem* can be reappointed both where there is a review of an order, as set out in the order itself, and where a review of the order takes place under the proposed new section 12E. This amendment applies the rules of that service to the new proceedings and makes clear how they work in this context.

Deputy Matt Carthy: There are a number of amendments coming from the Seanad and I do not oppose any of them. I seek your indulgence, a Leas-Cheann Comhairle, to make a number of points at this stage rather than going back and forth. As I outlined on different Stages of the Bill, we fully support the legislation to restrict guardianship rights in a situation where a person has murdered a child's other guardian. I again commend David French, the brother of Valerie, who this law will be named after, on everything he has done to ensure that this legislation is enacted to protect the best interests of children. The interests of children have been paramount to David and his family. This is particularly important when one parent has been killed by another parent. The insights David French gave to the justice committee were invaluable, in particular during the pre-legislative scrutiny process on this legislation and the impact it would have had on his family and the welfare of his nephews if it had been in place previously.

6 o'clock

Mr. French shone a light on the reality of what many families face following a killing where children are involved. I know this has been a long and difficult campaign for him and his family. During previous debates on the Bill, the Minister said that such cases are, fortunately, not too common. The truth is, as we have seen with recent violent deaths of women, that they might not be too common but, on the other hand, there are too many of them. The number of women killed in violent circumstances this year has to be a matter of huge concern for these Houses.

I had hoped that the Minister would have accepted some of our amendments, particularly in respect of the application by Tusla to the court for every case following a conviction. A conviction for the murder or manslaughter of a co-guardian should be sufficient grounds for a review, ensuring consistency and prioritising the child's welfare. I had also tabled an amendment to ensure the family of the guardian who has been killed was made a notice party in these proceedings. They should have a clear right, considering their legitimate interest and the child's welfare. This role should be recognised, respected and reflected in the process.

I hope I am proved wrong, but I reiterate that I have concerns regarding the discretion being given to Tusla in dealing with convictions that will happen before the legislation is commenced. We have missed a trick in terms of ensuring that other parties would be able to have their voices heard in these instances.

Many people were astounded to discover that somebody, in most instances it will be a man, who has killed the mother of his children automatically retains guardianship rights. It is quite mind-boggling that this has been the case for so long. The truth of the matter is that it would have remained the case were it not for David French and the campaign he undertook when dealing with what must be unbelievable and unimaginable grief and trauma having lost a loved one in such violent circumstances. The work he has done is a huge credit to him. We have also just seen this with the Poole family and so many other families. In both instances, children were left behind. The families still found within themselves the strength and courage to invest their time in changing the law, not necessarily for their own benefit but for the benefit of others who might be in that position. We are so fortunate as a country that we produce people like this.

We are fortunate that we have a democratic system in which families in this situation can have access to their elected representatives and, ultimately, the Minister. We can then see legislative change being brought forward. It takes longer than we would like but it happens much quicker than it would in other jurisdictions where the same accessibility to the democratic process is not there. We have many what I consider to be bad days in this House, but, for all of the reasons I have outlined reasons, today is a good day. Certainly, when the Bill is finally passed, it will be a good day for Irish democracy and, hopefully, another small step in terms of the measures being taken to protect those families who have lost loved ones through violent deaths and the ongoing work being done to address the scourge of domestic, gender-based and sexual violence, especially against women.

Seanad amendment agreed to.

Seanad amendment No. 2:

Section 3: In page 9, line 12, to delete "references" and substitute "a reference".

Seanad amendment agreed to.

Seanad amendment No. 3:

Section 3: In page 9, line 15, to delete "references" and substitute "a reference".

Seanad amendment agreed to.

Seanad amendment No. 4:

Section 3: In page 9, line 16, to delete "references" and substitute "a reference".

Seanad amendment agreed to.

Seanad amendment No. 5:

Section 3: In page 9, to delete lines 18 to 40 and substitute the following:

"(c) section 35H of the Act of 1991 shall apply to the cessation of appointment and re-appointment of a guardian *ad litem* for the child concerned in proceedings under this Part as that section applies to the cessation of appointment and re-appointment of a guardian *ad litem* under section 35C(1) of that Act pursuant to an order under section 35B(3) of that Act, subject to the following modifications:

(i) in subsection (2), paragraph (a) shall not apply and a reference in any of paragraphs (b) to (f) of that subsection to the determination by the District Court of an application under that Act shall be construed as a reference to the determination by the court of an application under section 12C, 12D or 12E, as may be appropriate, of this Act, and

(ii) in subsection (3), the reference to an order made by a court under section 35B(3) of that Act directing that proceedings in which the order has been made are to be kept under review shall be construed as a reference to a condition for a review of the order concerned imposed by the court in an order made under section 12C or 12D, as the case may be;

(d) a reference in Part VA of the Act of 1991 to the performance by guardians *ad litem* of functions conferred on them by or under that Act shall be construed as including a reference to the performance by guardians *ad litem* of functions conferred on them under this Part or by or under Part VA of the Act of 1991 as applied by this section."

Seanad amendment agreed to.

An Ceann Comhairle: Seanad amendments Nos. 6 to 8, inclusive, are related and will be discussed together.

Seanad amendment No. 6:

Section 3: In page 10, to delete lines 2 to 5 and substitute the following:

"12G.(1) The District Court and the Circuit Court, on appeal from the District Court, shall have jurisdiction to hear and determine proceedings under this Part."

Deputy Jim O'Callaghan: The policy intention behind the new section 12G is that the proceedings to which it refers will be heard primarily in the District Court. When the relevant provisions of the Family Courts Act 2024 are commenced, these proceedings will be heard in the family district court. The intention is the same as in the Bill as initiated, but I am advised that this form of words will better accomplish the goal.

Seanad amendment agreed to.

Seanad amendment No. 7:

Section 3: In page 10, lines 9 to 13, to delete all words from and including "or," in line 9 down to and including line 13.

Seanad amendment agreed to.

Seanad amendment No. 8:

Section 3: In page 10, between lines 13 and 14, to insert the following:

"(3) On and after the commencement of section 73 of the Family Courts Act 2024, a reference in this section to—

(a) the District Court shall be construed as a reference to the Family District Court,

- (b) the Circuit Court shall be construed as a reference to the Family Circuit Court,
- (c) a judge of the District Court shall be construed as a reference to a judge of the Family District Court, and
- (d) a District Court district shall be construed as a reference to a Family District Court district."

Seanad amendment agreed to.

Seanad amendments reported.

Deputy Jim O'Callaghan: I recognise the presence of David French and of Valerie French's family. I commend and thank them and acknowledge the enormous work they did in campaigning for this. This change to the law was recommended in a report on familicide back in 2023. David French absorbed it, ran with it and campaigned for it. I met him in a television studio in January 2025. I gave him a commitment that I would seek to change the law through the Houses of the Oireachtas and now this is done. I commend him and the family of Valerie French for their fortitude and commitment to public service by seeking this change in the law.

An Ceann Comhairle: That is well endorsed. I thank the Minister.

Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Bill 2026: From the Seanad

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): Before we start, a number of typographical errors that have been identified in the Bill, as amended by the Seanad. Pursuant to Standing Order 203, I request the Ceann Comhairle to direct the Clerk to make the following corrections of a typographical nature to the Bill.

In Seanad amendments Nos. 46, 57, 68, 84 and 85, in respect of the inserted subsection (6)(b) of section 68, subsection (1) of section 79, subsection (2) of section 90, item 19 of Schedule 2 and item 1 of Schedule 3, respectively, I ask that the Clerk be directed to change the word "listed" to "specified" wherever it occurs.

In Seanad amendment No. 46, in respect of the inserted subsection (6) of section 68, I ask that the Clerk be directed to insert a closing bracket after the term "arrival time".

In Seanad amendment No. 52, in respect of the inserted subsection (5) of section 74, I ask that the Clerk be directed to insert the word "shall" in between the word "staff" and the term "be accountable". It will now read "the member of staff shall be accountable".

In Seanad amendment No. 57, in respect of the inserted subsection (1) of section 79, I ask that the Clerk be directed to remove the comma after the term "Schedule 4".

In Seanad amendment No. 68, in respect of the inserted subsection (3)(a)(1) of section 90, I ask that the Clerk be directed to insert the term "purpose of" after the term "necessary for the". It will now read, "the transfer of the data to the competent authority is necessary for the purpose of preventing, detecting, investigating".

In Seanad amendment No.71, in respect of the inserted subsection (8) of section 93, I ask that the Clerk be directed to change the cross-referenced subsection from "subsection (4)" to "subsection (5)". It will now read "where the Independent Authority revokes an authorisation under subsection (5)"

An Ceann Comhairle: I will direct the Clerk to make those changes.

Deputy Jim O'Callaghan: I thank the Ceann Comhairle.

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

An Ceann Comhairle: Seanad amendments Nos. 1, 2 and 81 are related and will be discussed together.

Seanad amendment No. 1:

Section 1: In page 8, line 34, to delete "*Part*" and substitute the following:

"subsection (1) and this subsection, sections 4(b)(i), 43, 69(b) (insofar as it relates to the Courts Service), 70 and 74 and Parts 3, 3 and"

Deputy Jim O'Callaghan: Amendments Nos. 1, 2 and 81 have been grouped and I will speak to them together. Amendments Nos. 1 and 2 relate to the commencement of the Bill and amend section 1(4), which provides for said commencement. Currently, provision is made for all provisions to be commenced by ministerial order, with certain listed exceptions which are to come into effect on enactment.

Amendments Nos. 1 and 2 amend section 1(4) to provide for the following provisions of the Bill as passed by Dáil Éireann, to come into effect on enactment: subsections (1) and (4) of section 1, section 4(b)(i), section 43, section 69, insofar as it relates to the Courts Service, section 70, section 74 and Parts 3 and 4, along with the Part to be inserted that amends the Wireless Telegraphy Act 1926.

I will now turn to amendment No. 81. This relates to section 69 of the Bill as passed by Dáil Éireann, which amends Schedule 5 to the Social Welfare Consolidation Act 2005 to add the Courts Service to the Schedule. Other operational criminal justice agencies such as the Irish Prison Service, the Probation Service and Forensic Science Ireland, being under the direct aegis of my Department, are already specified bodies under the Schedule. The Legal Aid Board is also a specified body.

Amendment No. 81 proposes to further amend Schedule 5 to the 2005 Act in order to add the Director of Public Prosecutions, DPP, as a specified body and to remove the current restriction on An Garda Síochána, whereby it is a specified body only in relation to its own members. Critically, this amendment will also facilitate the development of a unique identifier across the criminal justice system. I think this is something that is going to be very beneficial.

Deputy Matt Carthy: It is quite phenomenal that we are dealing with such a number of amendments from the Seanad. I reiterate a point I have made on every Stage of this Bill. Before the Minister gets overly sensitive, I absolutely accept that miscellaneous Bills have their

place, particularly when we are dealing with minor technical matters or matters that are in some way related. There are important provisions in this legislation that I welcome.

The extensive range of unrelated issues dealt with, without what I consider to be appropriate levels of scrutiny, has done a huge disservice to many of the good aspects being dealt with in the legislation. The truth of the matter is that there are good provisions in this Bill that just did not get the level of scrutiny warranted. When this legislation is made law, major aspects of it will not have been dealt with during pre-legislative scrutiny and were only touched upon on Committee and Report Stages.

A great deal of the debate on this Bill was taken up by the issue of counselling notes. It has been proven by that debate that this issue should have been a stand-alone matter. It rightly consumed most of the discussion on Committee and Report Stages. Yet we still did not have enough time to tease out amendments to improve what the Minister has in this Bill, including the more serious concern that these provisions will allow the practice of the defence of an alleged offender in sexual violence trials to continue to be able to seek the disclosure of counselling notes under the provision of the interests of justice.

It is appropriate that we commend all those victims and survivors who engaged with us throughout the consideration of this Bill and who laid out in stark terms the impact of this practice. We will see in practice how curtailed it becomes as a result, but it has to be said that the manner in which this issue has been dealt with has compounded some of the trauma outlined. I know that many people had hoped that the Minister would, even at a later stage, introduce a full ban on the disclosure of counselling notes. There will be a huge amount of scrutiny. I hope that the Minister is right that, in reality, when it comes to the practice of the courts, we will actually see a fundamental change in their approach in dealing with this matter.

In terms of the legislation, as well as the breadth of the issues covered in the Bill, the other problem is the number of amendments the Minister has introduced on every Stage on new and unrelated matters that just have not been discussed in this House at all and will not get discussed here because of guillotines being applied and the Minister refusing to allow the justice committee to deal with this legislation in an appropriate way. I know the Minister is eager and anxious to get laws passed, and, in one way, that is commendable. I do, however, have a fundamental problem with the whole notion of scrutiny having been thrown out.

I must say that the additions in respect of aid to the civil power remain the most inexplicable, because this is a defence matter. It necessitated a change to the Title of the Bill, never mind anything else. It also necessitated the Minister for Defence appearing before the justice committee. I do not know how the said Minister deals with things in her own sectoral committee, but I have never seen a more ill-prepared Minister in the justice committee, or a Minister unable to answer what should have been basic questions that were put to her.

Deputy Alan Kelly: Hear, hear.

Deputy Matt Carthy: The questions put to her on that day at the justice committee still have not been answered. We still do not know the rationale for the changes, the way they were brought about and the urgency with which they were brought about. I just do not think it is

appropriate that such new matters were brought into the Bill on every Stage, including during the Stages in the committee and in the Dáil.

I hope the Minister will reflect on all of that over the summer. It is for these reasons that I have opposed the Bill at every stage. It was primarily because of the approach taken to counselling notes, but also the approach taken to the Bill as a whole. This is the reason why I will be voting against the final passage of the legislation. I just want to put that on the record because, notwithstanding that, there are some extremely important legislative changes in this Bill that I do support. Had the Minister taken a different approach, I think he would have had unanimous support in these Houses on every Stage, which should have been the way of doing things when we are dealing with issues that, in many cases, have been long campaigned for. I am thinking of the issue of the retrospective disregarding of convictions for gay men, and other extremely important issues that have come about as a result of decades of campaigning. They should not have been put into a Bill that has become divisive as a result of the political decisions made concerning how this legislation would be pushed through the House.

Deputy Alan Kelly: I will not be opposing any amendments. Most of them are very technical, and a few of them are on significant issues.

As I said previously, I believe in miscellaneous Bills. I brought them in myself. I have no issue with them, but this is one of the most mental Bills I have ever seen. The Minister laughed the last time I said that, and he is laughing this time. In fairness to him, I got what he said last time. We are getting to the summer break, so spirits are high and all of that. We could equally be here criticising the Minister for not doing stuff. Here we are on the second-last evening before the recess, and we are going through four different Bills. This is commendable on the part of the Minister, his officials, the Department, and all of that.

This Bill, though, is so mental regarding the number of areas it covers. I have never, in my time in here, nearly 20 years, seen legislation so mental as regards the breadth and depth of issues. It is an A to Z of issues. Many of them could have been Bills on their own, while some of them could have been grouped together. The depth and breadth of issues here, however, is phenomenal. A few more have been thrown into this evening. There is also the matter of the structure by which so many amendments were being brought forward on different Stages. At times, it was actually quite difficult even to follow, which is never good, to be fair. I have said all this before, so I am not going to repeat it. I would not like to see this happening consistently.

Having said all that, however, we will support the Bill. It is commendable that this House has finally dealt with a number of areas in the legislation. I acknowledge what the Minister said about my colleague, Senator Laura Harmon. She came to the Minister in relation to the sex-for-rent issue. I have to acknowledge the fact that the Minister has always commended her on this issue. She has always been a strong campaigner on this issue given her history of involvement in student politics. I also acknowledge the National Women's Council of Ireland, NWCI, Women's Aid, the Irish Council for International Students, ICOS, and the Rape Crisis Centre. I must acknowledge Ann Murphy of *The Examiner* too.

In relation to LGBT and the issue of historical convictions, my colleague, Deputy Ged Nash, has worked on this issue for over a decade, which the Minister has acknowledged as well, along with other colleagues in this House. It is a very important and historic night. It was thought

that this would happen later, but so many people I know will be so thankful for and welcoming of this aspect of the legislation.

They will be in with us later tonight.

The issue in relation to counselling notes is one we really had to have so much discussion about. It was a very difficult discussion. It was very intricate and very tricky. The test of time will apply. The jury is out - pardon the pun - in relation to this issue. I hope we have done the public the best service we can in relation to that issue. I am not going to rehash all the components because it came down to one or two words in the end; I just hope we are.

As regards the aid to civil powers, the fact that has come in under this measure and the timing of it is a very strange development as regards how this Bill was brought forward. I would not like to see that again because it made very little sense as regards the timing and how the other Minister participated in a Bill brought forward by the Minister for justice.

In the Labour Party, having gone through all the amendments, most are very technical. We will not oppose the amendments and will support the Bill.

Deputy Gary Gannon: A couple of weeks back in this Chamber, when discussing the previous Stage of this Bill, I looked up the Gallery. In the Gallery there were campaigners who campaigned for decades, some of whom were friends of mine, for the removal of historical convictions for gay men. In another part of the Gallery were women who had to come before a committee and relive their trauma and ask for change when it comes to the use of counselling notes in rape cases.

I do not believe it is good practice. I understand the concept of a miscellaneous Bill but where there are issues of such unimaginable importance being discussed in the same legislation, it creates confusion. The confusion for us is immaterial but that does not matter. We can catch up but for advocacy groups and campaigners, it leaves them in a very different situation. I do not believe for a second it is good practice.

Within this Bill there are issues pertaining to the use of pepper spray and incapacitant spray in prisons. It is an area I feel deeply passionate about. I did not get any chance to really scrutinise those aspects of this Bill on any of the Stages.

There is the issue of aid to civil powers which was quite bizarre when it was brought to the justice committee with the Minister for Defence there. I appreciate the Minister is in a hurry but his hurry should not disregard parliamentary norms and the idea of scrutiny. There are many great aspects in this Bill, which I will vote for, but we should not do business like this. A lot of things are going on. We are into our third hour discussing issues in relation to District Court and Circuit Court without even mentioning that there is chaos reigning as we speak. I will support this Bill.

Seanad amendment agreed to.

Seanad amendment No. 2:

Section 1: In page 8, line 34, to delete “and *section 69*”.

Seanad amendment agreed to.

An Ceann Comhairle: Amendments Nos. 3 to 8, inclusive, and 87 are related and may be discussed together, by agreement.

Seanad amendment No. 3:

Section 6: In page 11, between lines 9 and 10, to insert the following:

“PART 3

Amendment of Wireless Telegraphy Act 1926

Definition (*Part 3*)

6.In this Part, “Act of 1926” means the Wireless Telegraphy Act 1926.”.

Deputy Jim O’Callaghan: These amendments relate to the authority of An Garda Síochána to deploy radio frequency jammers to counteract drones. I am advised that these legislative amendments are necessary to confirm that An Garda Síochána has the legal powers where necessary and proportionate to deal with dangerous or hostile drone activity through the use of what are called “radio frequency jammers”.

Amendments Nos. 3 and 4 are technical in nature and simply deal with references to the Wireless Telegraphy Act 1926 and the Policing, Security and Community Safety Act 2024.

Amendment No. 5 amends section 3(6) of the 1926 Act to ensure that the general prohibition on the possession of wireless telegraphy apparatus without a licence from ComReg does not apply to a radio frequency jammer kept by An Garda Síochána for the purpose of working or using it in accordance with the proposed new sections 12(1B) and 12B(1B) of the 1926 Act.

Amendments No. 7 and 8 are consequential in nature. At present, sections 12 and 12B of the 1926 Act provide for offences and monetary penalties for the use of wireless telegraphy apparatus to interfere with other such apparatus which would at present apply to An Garda Síochána if it used this equipment.

Amendment No. 87 amends the Long Title of the Bill to reference the amendments to the Wireless Telegraphy Act 1926.

Seanad amendment agreed to.

Seanad amendment No. 4:

Section 6: In page 11, between lines 9 and 10, to insert the following:

“Amendment of section 2 of Act of 1926

7.Section 2 of the Act of 1926 is amended by the insertion of the following definition:

“ ‘Act of 2024’ means the Policing, Security and Community Safety Act 2024;”.”.

Seanad amendment agreed to.

Seanad amendment No. 5:

Section 6: In page 11, between lines 9 and 10, to insert the following:

“Amendment of section 3(6) of Act of 1926

8. Section 3(6) of the Act of 1926 is amended by the insertion of the following paragraph after paragraph (a):

“(aa) a radio frequency jammer kept by or in the possession of An Garda Síochána or a member of An Garda Síochána for the purposes of working or using such radio frequency jammer in accordance with section 12(1B) and 12B(1B),”.

Seanad amendment agreed to.

Seanad amendment No. 6:

Section 6: In page 11, between lines 9 and 10, to insert the following:

“Commission and An Garda Síochána to agree memorandum of understanding on information sharing

9. The Act of 1926 is amended by the insertion of the following section after section 3:

“**3B.** (1) The Commission, having regard to its function under section 10(1)(b) of the Communications Regulation Act 2002, and the Garda Commissioner, having regard to the function of An Garda Síochána referred to in section 9 of the Act of 2024, may agree a memorandum of understanding concerning the sharing between them of information on radio frequency jammers—

(a) kept by, or in the possession of, An Garda Síochána or a member of An Garda Síochána, and

(b) worked or used by a member of An Garda Síochána to interfere with the working of or otherwise injuriously affect any UAS.

(2) Without prejudice to the generality of subsection (1), the Commission and the Garda Commissioner may agree that the memorandum of understanding referred to in that subsection provide for the sharing between them of information relating to any of the following:

(a) the procurement, storage, calibration, testing and maintenance of radio frequency jammers by An Garda Síochána;

(b) standard operating procedures internal to An Garda Síochána relating to the use of radio frequency jammers;

(c) the types of radio frequency jammers kept or used by An Garda Síochána, including the radio frequencies used by the radio frequency jammers and the power limits of the radio frequency jammers;

(d) instances of the use of radio frequency jammers by An Garda Síochána.

(3) Without prejudice to subsection (1), the Commission and the Garda Commissioner shall agree a memorandum of understanding referred to in that subsection within the period of two months beginning on the date on which this section comes into operation.

(4) Where a memorandum of understanding is not agreed in accordance with subsection (3)—

(a) the Commission shall notify the Minister for Culture, Communications and Sport, and

(b) the Garda Commissioner shall notify the Minister for Justice, Home Affairs and Migration,

of that fact.

(5) The Commission and the Garda Commissioner shall keep under review the operation of a memorandum of understanding agreed under this section and may agree such amendments to, or revocations of, the memorandum as appear to them to be necessary or desirable.”.”.

Seanad amendment agreed to.

Seanad amendment No. 7:

Section 6: In page 11, between lines 9 and 10, to insert the following:

“Amendment of section 12 of Act of 1926

10. Section 12 of the Act of 1926 is amended—

(a) in subsection (1), by the substitution of “Subject to subsections (1A) and (1B)” for “Subject to subsection (1A)”, and

(b) by the insertion of the following subsection after subsection (1A):

“(1B) It shall be lawful for a member of An Garda Síochána to work or use a radio frequency jammer to interfere with the working of or otherwise injuriously affect any UAS where the member reasonably believes such work or use to be necessary for the purposes of carrying out the function of An Garda Síochána referred to in section 9 of the Act of 2024.”.”.

Seanad amendment agreed to.

Seanad amendment No. 8:

Section 6: In page 11, between lines 9 and 10, to insert the following:

“Amendment of section 12B of Act of 1926

11. Section 12B of the Act of 1926 is amended—

(a) in subsection (1), by the substitution of “Subject to subsections (1A) and (1B)” for “Subject to subsection (1A)”, and

(b) by the insertion of the following subsection after subsection (1A):

“(1B) Subsection (1) shall not apply to the use by a member of An Garda Síochána of a radio frequency jammer for the purpose of interfering with a UAS where that member reasonably believes such use to be necessary for the purposes of carrying out the function of An Garda Síochána referred to in section 9 of the Act of 2024.”.”.

Seanad amendment agreed to.

An Ceann Comhairle: Seanad amendments Nos. 9 to 18, inclusive, are related and may be discussed together.

Seanad amendment No. 9:

Section 6: In page 11, to delete lines 12 to 31, and substitute the following:

“Amendment of section 67 of Courts of Justice Act 1936

6.(1) Subject to subsection (2), section 67 of the Act of 1936 is amended—

(a) in subsection (2), by the substitution of “8 nominated members” for “10 nominated members”,

(b) in subsection (3)(a), by the deletion of the words “who shall be the chairperson of the Committee,”,

(c) in subsection (4), by the substitution of the following paragraphs for paragraphs (a) and (aa):

“(a) 1 shall be an ordinary judge of the Supreme Court nominated by the Chief Justice;

(aa) 1 shall be an ordinary judge of the Court of Appeal nominated by the President of the Court of Appeal;”,

(d) by the insertion of the following subsection after subsection (4):

“(4A) The Chief Justice shall be the chairperson of the Committee and—

(a) shall nominate another judge who is a member of the Committee to act as chairperson during the period a person is acting in his or her place as a member of the Committee under subsection (9), and

(b) may, at any other time, nominate another member of the Committee to act as chairperson during such period or on such occasion or occasions as are specified in the nomination concerned.”,

(e) in subsection (9), by the substitution of the following paragraph for paragraph (a):

“(a) in the case of the Chief Justice, an ordinary judge of the Supreme Court, Court of Appeal or High Court,”,

and

(f) by the insertion of the following subsection after subsection (11):

“(12) The Chief Justice may revoke a nomination made by him or her under subsection (4A) at any time and, where that revocation relates to a nomination referred to in paragraph (a) of that subsection, the Chief Justice shall make another nomination under that paragraph if the revocation takes effect during the period referred to in that subsection.”.

(2) Notwithstanding the amendments to section 67 of the Act of 1936 effected by *subsection (1)(a) and (c)*, an ordinary judge of the Supreme Court or an ordinary judge

of the Court of Appeal who is, immediately prior to the date of coming into operation of this section, a nominated member of the Superior Courts Rules Committee under subsection (4) of that section 67 shall, on and after that date, subject to subsection (5) of that section, remain a nominated member of that Committee.

(3) It is hereby confirmed that, on the date on which it came into operation, section 20 of the Civil Law (Miscellaneous Provisions) Act 2008, in amending section 67 of the Act of 1936, had the effect of inserting, after subsection (1) of that section, the relevant subsections in substitution for subsections (4), (7), (8), (9) and (10) of that section as it stood immediately before that date.

(4) In subsection (3), “relevant subsections” means, in relation to the amendment of section 67 of the Act of 1936 by section 20 of the Civil Law (Miscellaneous Provisions) Act 2008, the subsections numbered (2) to (11) that are expressed by the said section 20 to be substituted for subsections (2) to (10) of that section of the Act of 1936.

(5) In this section, “Act of 1936” means the Courts of Justice Act 1936.”.

Seanad amendment agreed to.

Deputy Jim O’Callaghan: These amendments relate to the non-judicial role of the Chief Justice.

Amendment No. 9 deals with section 6 of the Bill as passed by the Dáil. It amends section 67 of the Courts of Justice Act 1936, which provides for the superior courts rules committee to allow the Chief Justice to nominate an ordinary judge of the Supreme Court. These changes are being introduced to reduce the non-judicial workload of the Chief Justice and the respective courts.

Amendments Nos. 10 to 18, inclusive, amend section 8 of the Bill as passed by the Dáil which amends sections 12 and 44 of the Judicial Council Act 2019 in relation to the membership of the board of the Judicial Council and the judicial conduct committee.

The proposed further amendments provide for the revocation at any time of a nomination to act as chair of the board or the judicial conduct committee and for a cessation of effect of nominations for a judge performing the functions of the Chief Justice.

Seanad amendment agreed to.

Seanad amendment No. 10:

Section 8: In page 12, line 26, to delete “nominate” and substitute “nominate in writing”.

Seanad amendment agreed to.

Seanad amendment No. 11:

Section 8: In page 12, line 29, to delete “nominate” and substitute “nominate in writing”.

Seanad amendment agreed to.

Seanad amendment No. 12:

Section 8: In page 12, line 31, to delete “,” and substitute the following:

“(2C) The Chief Justice may, at any time, revoke a nomination made under subsection (2B) and, where that revocation relates to a nomination referred to in paragraph (a) of that subsection, the Chief Justice shall make another nomination under that paragraph if the revocation takes effect during the period or on such occasion or occasions referred to in subsection (2A).”,.”.

Seanad amendment agreed to.

Seanad amendment No. 13:

Section 8: In page 12, to delete line 38 and substitute the following:

“(b) in section 13, by the insertion of the following subsection after subsection (1):

“(1A) A nomination under section 12(2A) shall—

(a) cease to have effect upon—

(i) the expiration of the period or the passing of the occasion or occasions, as the case may be, specified in the nomination, or

(ii) the revocation of the nomination by the Chief Justice,

(b) where the Chief Justice ceases to hold judicial office, cease to have effect upon such cessation,

(c) where the judge in respect of whom the nomination was made ceases to hold judicial office, cease to have effect upon such cessation, or

(d) where the judge, in respect of whom the nomination was made, by notice in writing given or sent to the Chief Justice indicates that he or she does not wish to continue to perform the functions concerned, cease to have effect upon the receipt of that notice by the Chief Justice.”,

and”.

Seanad amendment agreed to.

Seanad amendment No. 14:

Section 8: In page 13, line 19, to delete “nominate” and substitute “nominate in writing”.

Seanad amendment agreed to.

Seanad amendment No. 15:

Section 8: In page 13, line 23, to delete “nominate” and substitute “nominate in writing”.

Seanad amendment agreed to.

Seanad amendment No. 16:

In page 13, line 26, to delete “,” and substitute the following:

“(2C) The Chief Justice may, at any time, revoke a nomination made under subsection (2B) and, where that revocation relates to a nomination

referred to in paragraph (a) of that subsection, the Chief Justice shall make another nomination under that paragraph if the revocation takes effect during the period or on such occasion or occasions referred to in subsection (2A).”.

Seanad amendment agreed to.

Seanad amendment No. 17:

Section 8: In page 13, line 33, to delete the period after “be,” ” and substitute a comma.

Seanad amendment agreed to.

Seanad amendment No. 18:

In page 13, after line 33, to insert the following:

“and

(c) in section 46, by the insertion of the following subsection after subsection (1):

“(1A) A nomination under section 44(2A) shall—

(a) cease to have effect upon—

(i) the expiration of the period or the passing of the occasion or occasions, as the case may be, specified in the nomination, or

(ii) the revocation of the nomination by the Chief Justice,

(b) where the Chief Justice ceases to hold judicial office, cease to have effect upon such cessation,

(c) where the judge in respect of whom the nomination was made ceases to hold judicial office, cease to have effect upon such cessation, or

(d) where the judge, in respect of whom the nomination was made, by notice in writing given or sent to the Chief Justice indicates that he or she does not wish to continue to perform the functions concerned, cease to have effect upon the receipt of that notice by the Chief Justice.”.

Seanad amendment agreed to.

An Ceann Comhairle: Seanad amendments Nos. 19, 29, 88 and 90 are related and may be discussed together.

Seanad amendment No. 19:

Section 16: In page 19, between lines 9 and 10, to insert the following:

“Amendment of section 10 of Misuse of Drugs Act 1984

16. Section 10 of the Misuse of Drugs Act 1984 is amended—

(a) in subsection (1), by the substitution of “FSI” for “Forensic Science Ireland of the Department of Justice”, and

(b) by the insertion of the following subsections after subsection (1):

“(2) In any proceedings for an offence under section 3 of the Principal Act, the production of a certificate—

(a) purporting to be signed by an approved member of An Garda Síochána,

(b) relating to an examination, inspection or test, as the case may be, by way of an approved category of applicable drug test, carried out by the member, of a relevant controlled drug or other substance, product or preparation, and

(c) specifying—

(i) the approved category of applicable drug test concerned, and

(ii) the relevant controlled drug or other substance, product or preparation concerned,

shall, until the contrary is proved, be evidence of any fact thereby stated without proof of any signature thereon or that any such signature is that of the member.

(3) The Minister for Justice, Home Affairs and Migration, having consulted with the Director of FSI, may by order prescribe a controlled drug for the purposes of paragraph (d) of the definition of relevant controlled drug in subsection (6) where he or she is satisfied that it is appropriate to do so, having regard to—

(a) the availability of an examination, inspection or test that is capable of being carried out on a substance, product or preparation in a place other than a laboratory with the purpose of ascertaining whether the controlled drug is present in the substance, product or preparation, and

(b) the efficacy, accuracy, usability and safety of any such examination, inspection or test.

(4) The Director of FSI may, where he or she is satisfied that it is appropriate to do so, having regard to the efficacy, accuracy, usability and safety of a category of applicable drug test, certify, in writing, the category as an approved category of applicable drug test for the purposes of subsection (2).

(5) The Director of FSI may, where he or she is satisfied that a member of An Garda Síochána—

(a) has undertaken appropriate training, provided by FSI, on the administration of applicable drug tests, and

(b) is competent in such administration, certify, in writing, the member as an approved member of An Garda Síochána for the purposes of subsection (2).

(6) In this section—

‘applicable drug test’ means an examination, inspection or test that is capable of being carried out on a substance, product or preparation in a place other than a laboratory with the purpose of ascertaining whether a relevant controlled drug is present in the substance, product or preparation;

‘approved category of applicable drug test’ means an applicable drug test certified under subsection (4);

‘approved member of An Garda Síochána’ means a member of An Garda Síochána certified under subsection (5);

‘Director’, in relation to FSI, has the same meaning as it has in the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014;

‘FSI’ means Forensic Science Ireland of the Department of Justice, Home Affairs and Migration;

‘member’, in relation to An Garda Síochána, has the same meaning as it has in the Policing, Security and Community Safety Act 2024 (other than in Part 6 of that Act);

‘relevant controlled drug’ means—

(a) cannabis,

(b) cannabis resin,

(c) cocaine, or

(d) any other controlled drug prescribed under subsection (3) for the purposes of this definition.”.”.

Deputy Jim O’Callaghan: Amendment No. 19 inserts a new section into the Bill to amend section 10 of the Misuse of Drugs Act 1984. It inserts new subsections (2) to (6) into section 10 to provide a statutory basis for the admissibility of certificates of results of Garda-administered presumptive drug testing, PDT. It introduces a legal presumption in favour of the evidential value of such certificates subject to rebuttal evidence.

Amendment No. 29 inserts a new section into the Bill to amend section 154 of the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014 to allow the director of Forensic Science Ireland to delegate his or her functions under the amended section 10 of the 1984 Act to appropriate officers of FSI.

Amendments Nos. 88 and 90 amend the Long Title consequential on the addition of these amendments.

Seanad amendment agreed to.

Seanad amendment No. 20:

Section 17: In page 24, to delete lines 1 to 14.

An Ceann Comhairle: Seanad amendments Nos. 20 to 23, inclusive, and 89 are related and may be discussed together.

Deputy Jim O'Callaghan: These amendments, in fairness to Deputy Carthy, arise as a result of an amendment he tabled on Committee Stage and Report Stage in the Dáil. I accepted his amendment, which inserts a new section into the Criminal Justice Act 1993 to provide that where a person is convicted of any indictable offence, character evidence for sentencing purposes must be given on oath or by affidavit. That amendment was included as section 17 of the Bill as passed by the Dáil. The purpose of amendments Nos. 20, 21 and 22 is to tighten up the drafting and address a number of drafting and consequential matters arising.

Amendment No. 20 deletes the existing section 23 of the Bill as passed by the Dáil and amendment No. 22 inserts in its place a new stand-alone provision, which is substantively the same, but is more precisely drafted and contains a transitional provision. Amendment No. 21, therefore, repeals that provision to prevent duplication on the Statute Book.

Amendment No. 23 inserts a new Part into the Bill to amend the Criminal Justice (Public Order) Act 1994 to address a specific public order issue, which is the deliberate use of face coverings for intimidatory purposes in public places, and particularly at protests. I stress that this is not a ban on face coverings, nor a ban on wearing face coverings at protests, nor does it create a general power for An Garda Síochána to require a person wearing a face covering in public to remove it. It is a limited addition to the public order framework, which may be exercised only in specific circumstances. The amendment provides that, where a member of An Garda Síochána suspects with reasonable cause that a person is acting in circumstances that give rise to a reasonable apprehension about public safety or for the maintenance of public peace and that the person is wearing the face covering with intent to intimidate another person or in a manner likely to intimidate another person, the garda may direct that person to desist from the conduct, remove the face covering and leave the vicinity. An offence only arises where a person "without lawful authority or reasonable excuse" fails to comply with that Garda direction. It will still be the case that people will be able to wear face masks for religious and cultural reasons and, even at a protest, people will still be able to wear a face mask. They may not want people to know they are there. The only time this public order offence would be triggered is in circumstances where a person is seeking to intimidate other people or it is likely a person's behaviour will intimidate them.

Amendment No. 89 amends the Long Title.

Deputy Matt Carthy: I thank the Minister for accepting my amendment on character references in trials. Unfortunately, we did not get to the amendment on Committee Stage. Reading back on the report, if I had been eating cornflakes, I would have nearly choked on them, such was my surprise that the Minister had accepted my amendment. I thank him for and commend him on doing so because it is a significant change to the law. It is a simple change, but will be helpful to victims and their families in their pursuit of justice.

The use of character references on sentencing in Irish courts has long been controversial and, in some cases, it has compounded the trauma of victims and their families. There has been an ongoing debate about the weight given to character references. Some judges have argued that they do not carry huge weight in determining the outcome of sentencing. That is debatable

and certainly not an excuse for allowing what was a flawed system to continue. I have spoken to many people who were devastated as character references came out. Particularly where guilty pleas apply, as someone pleads guilty the whole details of the case might not be divulged to the court and might not be made public. Then a character reference is read out at a sentencing hearing in public talking about how great the individual might have been.

There have been serious questions about the accuracy of some of the character references given in public. I have also heard about a case - this was particularly concerning - where people supplied character references but did not realise that they were for a court case, or knew it was for a court case but did not know what crimes applied. Then there were questions around the veracity because they were written documents.

An important and welcome change was introduced in respect of sexual offences cases. In such cases, in recent years, references have had to be given on oath or under affidavit and, crucially, can be cross-examined in court. It made sense that this be the case for all indictable offences. It made little sense to have a higher standard in respect of character references in some cases than in others, particularly when they can relate to very serious crimes, including unlawful killings.

I was clear. My impetus for tabling this amendment came from dealing with people who had been in a court that was dealing with the unlawful killing of their loved one and, at the end of the case, someone said this individual was a great person. The sense those families had was that the character references played a role in downplaying the seriousness of the offence or the impact on the victim because they focused on the offender's reputation.

I met one victim in respect of whom a sentence for coercive control had been secured. The conviction was welcome and difficult, as can be imagined, and then an employer talked about how great the convicted person was at showing up to work on time, always left the place tidy and got on well with all their colleagues. None of that could possibly have had any implication in whether a person was engaged in coercively controlling their partner behind closed doors. I do not know. In fairness, the sentence in that case was reflective of the seriousness of the crime, but at the same time, it was difficult for the victim to hear that being read out. It transpired in that case - it was one of the cases I mentioned, as I contacted the employer involved - that the employer had no idea what the charge being dealt with was and the employer was subsequently embarrassed about it. In that instance, if people know that they are providing a reference they have to give under oath or by affidavit and that they could be cross-examined, we can be damn sure that employers would make sure they knew what they were giving a reference for beforehand.

I am pleased that will now change as a result of the Minister accepting this amendment. I support the Seanad amendment. It is set out in a clear way how this will apply. It is a major step forward for fairness and accountability in our courts and for victims who have been traumatised by the existing system, so I thank the Minister.

Deputy Ruth Coppinger: I will deal with two of the amendments in a moment, but first I add my voice to those who have already made the point about the *modus operandi* of how this Bill was developed and evolved with the adding of extra issues again and again. The last night, on the counselling notes issue, every Opposition party recognised it should have been dealt with as a separate issue because of its importance to survivors and because it was the Minister's

first Bill on court processes. He has introduced other legislation, including Jennie's law and the law about the children of victims of femicide or murder, which I welcome. However, the way survivors were treated needs to be raised again. The last night we were here, we had approximately 40 minutes for the entire debate and, because we worked together, we at least maximised that time. However, survivors left here upset that night. They continued and followed the Bill to the Seanad, which was a slightly more positive experience because they at least heard the arguments we had been articulating, which probably got more time there. That made them feel somewhat better. However, particularly that night, they saw that one amendment was voted on and that they were just not listened to. This should not happen again, particularly with an issue of such importance.

I will raise two issues. The first is face coverings at protests. I have been at protests where people wore face coverings.

During the Covid pandemic, that was obviously a normal thing to do. The Debenhams workers were on strike throughout the pandemic, having been sacked by a multinational. We always encouraged people to wear face coverings, even when outside. However, there are people who wear face coverings not just for religious or cultural reasons, but for medical reasons. I know disabled activists who will not attend any event unless they can wear a mask. The Minister may say they will be protected in that but he knows that things like this can be abused. I am just not sure why he has included this provision in relation to protests. It may need a bit more explanation but here we are on the second last night of the Dáil term. I do not support what the Minister has included. It is something that needs a lot more debate. We all know that some people can cover their faces to intimidate others. I accept that but this is being introduced with 50 other issues in this Bill.

I will make a point about character references. I obviously support the amendment but we do have to return to this whole issue of character references in trials. On the one hand, I know the Minister would say that people have a right to a fair trial and that this is part of the very important constitutional right to a fair trial. That is a bit ironic because we also have non-jury courts. How do those things balance each other or even match? We say that the use of counselling notes and character references must be allowed and yet we can have non-jury trials. This is something that should be examined.

The upcoming Oireachtas committee may be able to examine it in more detail because these references are a real problem with regard to gender-based violence, given particular dynamics that pertain to gender-based and sexual violence. Most people who are given these references are not experts. A constituent contacted me who was the victim of sexual assault. Their brother was convicted of this but got a suspended sentence. This constituent believes that is because references were read out as the very last word in that trial. This man was convicted but then, all of a sudden, these references were read out. The references were from the father of the wife of the perpetrator. How is this person an expert in the dynamics of child sexual abuse? My constituent believes that this had an impact on the judge. We also know from several studies that men - women can obviously also commit gender-based violence but male violence is mainly the issue - who perpetrate domestic violence, coercive control or sexual violence are arch-manipulators. They are exceptionally skilled at deceiving people. They put one face on in public and another face on in private. There is a real problem with character references in these cases. It really is something that needs to be looked at. It has caused huge offence.

There is another thing the Minister could clear up. We were told that the Government had already changed the law so that a person had to be in court and ready to give, under oath-----

Deputy Jim O'Callaghan: That is for sexual offences.

Deputy Ruth Coppinger: That did not happen in the recently reported case involving a former Fianna Fáil TD. He was not called up to testify.

Deputy Jim O'Callaghan: It predated the legislation.

An Ceann Comhairle: The Minister will have an opportunity to come back in.

Deputy Ruth Coppinger: I am just asking why it did not happen in that case. Was it because it was about parole? Is there a difference in that case?

An Ceann Comhairle: I ask the Deputy to stick to the amendment.

Deputy Ruth Coppinger: It does not seem to have been fully applied. We definitely need to discuss this topic again.

Deputy Jim O'Callaghan: I presume that was because the offence in that case predated the new legislation brought in requiring oral evidence in respect of references in cases of sexual offences. As a result of the amendment, this provision will now cover all indictable offences.

Seanad amendment agreed to.

Seanad amendment No. 21:

Section 19: In page 24, between lines 19 and 20, to insert the following:

“Repeal of Chapter 3 of Part 2 of Criminal Law (Sexual Offences and Human Trafficking) Act 2024 and transitional provision

19.(1) Chapter 3 of Part 2 of the Criminal Law (Sexual Offences and Human Trafficking) Act 2024 is repealed.

(2) Notwithstanding the repeal effected by subsection (1), the said Chapter 3 shall continue to have effect in respect of a person convicted of a specified offence referred to in that Chapter where the conviction occurred before the date of the coming into operation of this section.”.

Seanad amendment agreed to.

Seanad amendment No. 22:

Section 19: In page 24, between lines 19 and 20, to insert the following:

“Vouching of character of persons convicted of certain offences

20.(1) Subject to *subsection (2)*, where a person is convicted of an indictable offence and he or she intends to adduce evidence of his or her character for the purpose of the determination by the court of the sentence to be imposed on him or her for the offence, such evidence shall—

- (a) where the evidence is to be given orally before the court, be given on oath, or
- (b) otherwise be given by affidavit.

(2) *Subsection (1)* shall apply only in respect of a person who is convicted of an offence referred to in that subsection on or after the date of the coming into operation of this section.”.

Seanad amendment agreed to.

Seanad amendment No. 23:

Section 19: In page 24, between lines 19 and 20, to insert the following:

“PART 8

AMENDMENT OF CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994

Amendment of Criminal Justice (Public Order) Act 1994

21. The Criminal Justice (Public Order) Act 1994 is amended—

- (a) by the insertion of the following section after section 8B:

“Failure to comply with direction of member of An Garda Síochána to remove face covering

8C.(1) Where a member of An Garda Síochána finds a person in a public place wearing a face covering on his or her face and suspects, with reasonable cause, that such person is—

- (a) without lawful authority or reasonable excuse, acting in a manner which consists of loitering in a public place in circumstances, which may include the company of other persons, that give rise to a reasonable apprehension for the safety of persons or the safety of property or for the maintenance of public peace, and
- (b) wearing the face covering on his or her face—
 - (i) with intent to intimidate another person, or
 - (ii) in a manner that is likely to intimidate another person,

the member may direct the person wearing the face covering so suspected to do any or all of the following:

- (I) desist from acting in such a manner;
- (II) remove the face covering from his or her face;

(III) leave immediately the vicinity of the place concerned in a peaceable or orderly manner.

(2) It shall be an offence for any person, without lawful authority or reasonable excuse, to fail to comply with a direction given by a member of An Garda Síochána under this section.

(3) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding €1,000 or to imprisonment for a term not exceeding 6 months or to both.

(4) In this section, ‘face covering’ means an article of any type, which, when worn by a person, covers the person’s face or part of the person’s face.”,

and

(b) in section 24(5), by the substitution of “8, 8C, 9A” for “8, 9A”.”.

Seanad amendment agreed to.

An Ceann Comhairle: Seanad amendments Nos. 24 to 27, inclusive, are related and may be discussed together.

Seanad amendment No. 24:

Section 34: In page 31, line 9, to delete “subsection (1A)” and substitute “subsection (1B)”.

Deputy Jim O’Callaghan: Amendments Nos. 24 to 27, inclusive, have been grouped. They relate to Part 11 of the Bill, which concerns the International Criminal Court. They are of a minor and very technical nature.

Seanad amendment agreed to.

Seanad amendment No. 25:

Section 34: In page 31, line 13, to delete “the crime” and substitute “subject to subsection (1A), the crime”.

Seanad amendment agreed to.

Seanad amendment No. 26:

Section 34: In page 31, to delete lines 20 to 26 and substitute the following:

“(b) by the insertion of the following subsections after subsection (1):

“(1A) For the purposes of paragraph (d) of the definition of crime within the jurisdiction of the International Criminal Court, the reference to Article 8 *bis* in the definition of crime of aggression shall not be construed as a reference to that Article as amended by a relevant amendment.

(1B) In this Act, a reference to a crime within the jurisdiction of the International Criminal Court shall be construed as including any act in respect of which a person who commits such an act is by virtue of Article 25, 27 or 28 criminally responsible

for any of the acts referred to in paragraphs (a) to (f) of the definition of crime within the jurisdiction of the International Criminal Court in subsection (1).”.”.

Seanad amendment agreed to.

Seanad amendment No. 27:

Section 40: In page 33, line 9, to delete “proceedings” and substitute “proceedings for an offence”.

Seanad amendment agreed to.

Seanad amendment No. 28:

Section 44: In page 35, to delete lines 17 to 22.

Seanad amendment agreed to.

Seanad amendment No. 29:

Section 45: In page 35, between lines 22 and 23, to insert the following:

“Amendment of section 154 of Criminal Justice (Forensic Evidence and DNA Database System) Act 2014

45.

Section 154 of the Criminal Justice (Forensic Evidence and DNA Database System) Act 2014 is amended—

(a) in subsection (1), by the substitution of “under this Act or under section 10 of the Misuse of Drugs Act 1984” for “under this Act”, and

(b) in subsection (4), by the substitution of “under a provision of this Act or under section 10 of the Misuse of Drugs Act 1984” for “under a provision of this Act”.”.

Seanad amendment agreed to.

An Ceann Comhairle: Amendments Nos. 30 to 42, inclusive, are related and may be discussed together.

Seanad amendment No. 30:

Section 57: In page 48, line 10, to delete “proposes” and substitute “has decided”.

Deputy Jim O’Callaghan: These are the amendments in respect of the disregard section of the Bill, which is Part 15. Amendments Nos. 30 to 36, inclusive, and 39 to 41, inclusive, are minor textual amendments to make certain terms and references clearer and more precise. The purpose of the remaining amendments is to make the provisions relating to the revocation of a disregard clearer and more robust, including certain procedural steps that could otherwise be regarded as implicit.

Amendment No. 37 inserts a new section obliging a relevant public body to make the Minister aware if it becomes aware of information indicating that a disregard may have been granted on foot of false or misleading information.

Amendment No. 38 amends section 60 of the Bill as passed by the Dáil to broaden the matters to which the Minister must have regard before forming an initial view that a disregard should be revoked.

Amendment No. 42 inserts a new subsection into section 61 in order to make express provision for the Minister to proceed with revoking a disregard where the applicant has not requested a review of the proposed revocation within the allotted timeframe or the Minister reasonably considers such a request to be frivolous, vexatious or otherwise unfounded.

Seanad amendment agreed to.

Seanad amendment No. 31:

Section 57: In page 48, line 13, to delete “proposed refusal” and substitute “decision”.

Seanad amendment agreed to.

Seanad amendment No. 32:

Section 59: In page 50, line 18, to delete “in accordance with” and substitute “made under”.

Seanad amendment agreed to.

Seanad amendment No. 33:

Section 59: In page 50, line 19, to delete “a proposed refusal under *section*”.

Seanad amendment agreed to.

Seanad amendment No. 34:

Section 59: In page 50, line 33, after “decision” to insert “made”.

Seanad amendment agreed to.

Seanad amendment No. 35:

Section 59: In page 50, line 36, to delete “proposed refusal” and substitute “decision made”.

Seanad amendment agreed to.

Seanad amendment No. 36:

Section 59: In page 51, line 4, to delete “proposed refusal to issue a certificate of disregard” and substitute “decision made”.

Seanad amendment agreed to.

Seanad amendment No. 37:

Section 60: In page 51, between lines 22 and 23, to insert the following:

“Public body obligation to bring certain information to attention of Minister

60. Where, having been notified of the issuance of a certificate of disregard in respect of a relevant person under *section 63(3)(a)*, a public body subsequently becomes aware of information which might reasonably be grounds for a belief that the application upon which the certificate of disregard was granted included, or was supported by, false or misleading information or documentation, the public body shall, as soon as practicable, bring such information to the attention of the Minister.”.

Seanad amendment agreed to.

Seanad amendment No. 38:

Section 60: In page 51, to delete lines 26 to 28 and substitute the following:

“(a) having received information, under *section 60* or otherwise, which causes him or her to reasonably believe—

(i) that an application upon which the certificate of disregard was granted included, or was supported by, false or misleading information or documentation, and

(ii) that, in all the circumstances, it is likely that the independent person would not have recommended that a certificate of disregard be issued in respect of the relevant conviction or other determination concerned had the application not included, or had it not been supported by, such false or misleading information or documentation,

and”.

Seanad amendment agreed to.

Seanad amendment No. 39:

Section 60: In page 52, line 37, to delete “should”.

Seanad amendment agreed to.

Seanad amendment No. 40:

Section 60: In page 52, line 39, after “had” to insert “it”.

Seanad amendment agreed to.

Seanad amendment No. 41:

Section 61: In page 53, line 21, after “applicant a notice” to insert “revoking the certificate”.

Seanad amendment agreed to.

Seanad amendment No. 42:

Section 61: In page 53, between lines 26 and 27, to insert the following:

“(2) Where, in relation to a notification made under *section 60(1)*, the Minister has not received a request in accordance with *section 60(3)*, or where he or she has received such a request but reasonably considers it to be frivolous, vexatious or otherwise manifestly unfounded, the Minister shall issue to the applicant a notice of revocation and any such notice shall be accompanied by reasons in writing for the decision to revoke the certificate of disregard concerned.”.

Seanad amendment agreed to.

An Ceann Comhairle: Amendments Nos. 43 to 80, inclusive, 84 to 86, inclusive, and 91 are related and may be discussed together.

Seanad amendment No. 43:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“PART 16

USE OF ELECTRONIC TECHNOLOGY IN CERTAIN COURT PROCEEDINGS

Definitions (*Part 16*)

65. In this Part—

“criminal proceedings” means proceedings against a person for an offence and includes any appeal proceedings related to the offence;

“relevant proceedings” means proceedings under—

- (a) the Extradition Act 1965,
- (b) the Transfer of Sentenced Persons Act 1995,
- (c) Part II of the International War Crimes Tribunals Act 1998,
- (d) the European Arrest Warrant Act 2003,
- (e) the Transfer of Execution of Sentences Act 2005,
- (f) Part 3 of the International Criminal Court Act 2006, or
- (g) Part 3 of the Criminal Justice (Mutual Recognition of Custodial Sentences) Act 2023,

and includes any appeal proceedings related to such proceedings.”.

Deputy Jim O’Callaghan: These amendments concern the use of electronic means. The main body of the amendments relate to passenger name records. I will briefly deal with amendments Nos. 43 to 45. These put in a new Part 17 relating to electronic technology in certain proceedings. Amendment No. 43 inserts a new section defining the types of proceedings in question. Amendments 44 and 45 insert two new sections to provide respectively that court rules may, in relation to such proceedings, make provision for the electronic transmission of documents. These amendments are modelled on equivalent legislation that is already in place in respect of civil proceedings.

I will now turn to amendments Nos. 46 to 80, inclusive, 84 to 86, inclusive, and 91. These relate to passenger name record data. They propose the insertion of a new Part 17. Passenger name record data, PNR data, consists of booking information provided by passengers, which is collected by and held in the airlines’ reservation and departure control systems. This provision is already in place a result of Ireland’s transposition of the PNR directive by way of the 2018 EU PNR data regulations, which established a unit within the Department of justice.

The regulations apply the regime only to what are referred to as extra-EU flights, which is required by the directive. The purpose here is to apply them to internal EU flights as well.

Amendments Nos. 46 to 50, inclusive, insert Chapter 1 of Part 17. They are standard legislative provisions that refer to a definition sections and such other matters.

Amendment Nos. 51 to 56, inclusive, insert Chapter 2. This chapter relates to the Irish passenger information unit, its director, its data protection officer, other staff and its obligations as regards processing and reporting activities.

Amendments Nos. 57 to 59, inclusive, insert Chapter 3. Amendment No. 57 provides for the competent authorities designated under the 2018 regulations to remain so designated. Amendment No. 58 provides that the Minister may designate a person as the “Independent Authority” for the purposes of the State’s PNR regime. Amendment No. 59 sets out the Data Protection Commission’s oversight function as regards this legislation.

Amendments 60 to 62, inclusive, inserts new Chapter 4 of Part 17. The chapter provides for the designation by the PIU of individual intra-EU flights that will be encompassed by the State’s PNR regime. Amendment No. 62 provides for designation of all-intra EU flights unilaterally when the State is faced with a genuine and present or foreseeable terrorist threat, but only on approval by the High Court.

Amendments Nos. 63 to 71, inclusive, deal with the transfer and exchange of PNR data. Amendment No. 63 refers to airlines’ obligations to transfer PNR data to the PIU a day before take-off. Amendments Nos. 64 and 65 refer to the process undertaken by the PIU of assessing the transferred PNR data against serious crime or terrorism watchlists and pre-determined criteria to identify persons of interest due to take the flight or on-board.

Amendments Nos. 66 to 71, inclusive, deal with requests for PNR data held by the PIU from competent authorities in the State, PIUs in other EU countries, Europol and third countries, as well requests by the Irish PIU and other authorities.

Amendments Nos. 72 and 73 deal with the retention periods for PNR data and maintenance of documentation by the PIU.

Amendments Nos. 74 to 80, inclusive, insert chapter 7 of Part 17. It deals with transitional provisions.

Amendments Nos. 84, 85 and 86 insert Schedules 2, 3 and 4 into the Bill. Schedule 2 defines the data categories that make up the PNR data. Schedule 3 lists the competent authorities in the State that can request PNR data.

Amendment No. 91 amends the Long Title consequential on these amendments.

Seanad amendment agreed to.

Seanad amendment No. 44:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Use of electronic means in criminal proceedings and relevant proceedings

66.(1) Notwithstanding any other enactment or rule of law, and without prejudice to any such provision in any enactment or rules of court, rules of court may, in relation to criminal proceedings or relevant proceedings, make provision for—

- (a) the lodgement or filing of a document with, and the making of an application to, a court by transmitting the document or application by electronic means to the court office concerned,
- (b) the issue by or on behalf of a court or court office, by transmitting the document concerned by electronic means, of any of the following:
 - (i) a summons;
 - (ii) a judgment, decree or other order or determination of a court (including any judgment, decree or other order or determination entered in or issuing from a court office);
 - (iii) a warrant;
 - (iv) any other document required under any enactment or rule of law to be issued by or on behalf of a court or court office,

or

- (c) the transmission by or on behalf of a court or court office by electronic means of any other document or information required under any enactment or rule of law to be transmitted by or on behalf of a court or court office.

(2) Where rules of court referred to in *subsection (1)* provide for the transmission of a document by electronic means, such rules may, in addition—

- (a) provide that such transmission be subject to such conditions and exceptions as may be specified in the rules,
- (b) in relation to the transmission of a document referred to in *subsection (1)(a)*, require that—
 - (i) such a document be authenticated, and
 - (ii) the identity of the person transmitting such a document be verified, including by the provision of the personal public service number issued to the person,

in such manner as may be specified in the rules,

- (c) in relation to the transmission of a document referred to in *paragraph (b)* or *(c)* of *subsection (1)*, require that the identity of the person receiving such a document be verified, including by the provision of the personal public service number issued to the person, in such manner as may be specified in the rules, and
- (d) specify whether such transmission is in place of, or is an alternative to, any other method by which such document could be filed, lodged, issued or transmitted, or such application could be made, as the case may be.

(3) Rules of court may provide that, where a document that is required under any enactment or rule of law to be furnished to, or lodged or filed with, a court, is, in accordance with rules of court referred to in *subsection (1)*, furnished to, or lodged or filed with, the court by electronic means—

- (a) a copy of that document transmitted by electronic means and displayed in readable form, or
- (b) a printed version of such a copy,

shall be treated as the original of the document.

(4) References, howsoever expressed, in any enactment or rule of law to—

- (a) the furnishing of a document to a court,
- (b) the lodgement or filing of a document with a court,
- (c) the making of an application to a court,
- (d) the transmission of a document to or by a court, or
- (e) the issue of a document by a court,

shall be construed as including references to the performance of such action by electronic means, where this is provided for in rules of court referred to in *subsection (1)*.

(5) In this section—

“court office” means—

- (a) an office of, or attached to—
 - (i) the Supreme Court,
 - (ii) the Court of Appeal,
 - (iii) the High Court,
 - (iv) the President of the High Court,
 - (v) the Circuit Court, or
 - (vi) the District Court,

or

- (b) an office of the Courts Service designated by the Courts Service for the purpose of receiving documents or applications, or issuing documents, by electronic means for the purposes of any enactment or rule of law;

“personal public service number” has the same meaning as it has in section 262 of the [Social Welfare Consolidation Act 2005].”

Seanad amendment agreed to.

Seanad amendment No. 45:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Statement of truth in criminal proceedings and relevant proceedings

67. (1) Subject to *subsection (2)*, where, in criminal proceedings or relevant proceedings, evidence is to be given on, or a document or information is to be verified by, affidavit or statutory declaration, rules of court may, notwithstanding any other enactment or rule of law, make provision for a statement, which shall be known as a *section 67* statement of truth, to be made and transmitted by electronic means in place of the affidavit or statutory declaration concerned and subject to such conditions and exceptions as may be specified by such rules.

(2) A *section 67* statement of truth—

- (a) may be in electronic form,
- (b) shall contain a statement that the person making the statement of truth has an honest belief that the facts stated therein are true,
- (c) may be signed by the person making it by that person entering his or her name in an electronic format or otherwise electronically as may be permitted by rules of court, and
- (d) shall comply with any other requirements as to its content, verification, authentication or form as may be prescribed by rules of court.

(3) Where rules of court have made provision for the matters referred to in *subsection (1)*, any reference in any enactment to an affidavit or a statutory declaration shall be construed as including a reference to a *section 67* statement of truth which may be made in place of such affidavit or statutory declaration by virtue of that subsection.

(4) Without prejudice to the law as to contempt of court, a person who makes, or causes to be made, a statement in a *section 67* statement of truth without an honest belief as to the truth of that statement shall be guilty of an offence.

(5) A person guilty of an offence under *subsection (4)* shall be liable—

- (a) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months, or both, or
- (b) on conviction on indictment, to a fine not exceeding €250,000 or imprisonment for a term not exceeding 5 years, or both.”.

Seanad amendment agreed to.

Seanad amendment No. 46:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“PART 17

Passenger Name Record Data

Chapter 1

Preliminary and General

Interpretation (*Part 17*)

68.(1) In this Part—

“air carrier” means an air transport provider with a valid operating licence or equivalent permitting it to carry out carriage of passengers by air;

“API data” means advance passenger information and includes the type, number, country of issuance and expiry date of any identity document, nationality, family name, given name, gender, date of birth, airline, flight number, departure date, arrival date, departure port, arrival port, departure time and arrival time;

“competent authority” means an authority—

(a) referred to in *section 79(1)*, or

(b) designated under *section 79(2)*,

that is competent for the prevention, detection, investigation and prosecution of a terrorist offence or serious crime;

“competent authority of another Member State” means an authority of another Member State that is competent for the prevention, detection, investigation and prosecution of—

(a) a terrorist offence (within the meaning of *paragraph (b)* of the definition of that term), or

(b) a serious crime (within the meaning of *paragraph (b)* of the definition of that term);

“competent authority of a third country” means an authority of a third country that is competent for the prevention, detection, investigation and prosecution of a terrorist offence or serious crime under the law of that third country;

“data protection officer” shall be construed in accordance with *section 76(1)*;

“designated intra-EU flight” shall be construed in accordance with *section 69*;

“Directive” means Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime;

“Director” means the Director of the PIU;

“extra-EU flight” means a scheduled or non-scheduled flight by an air carrier flying—

(a) from a third country and planned to land in the State, or

(b) from the State and planned to land in a third country,

including a flight with any stop-overs in another Member State or in a third country;

“Independent Authority” has the meaning assigned to it by *section 80(1)*;

“intra-EU flight” means a scheduled or non-scheduled flight by an air carrier flying—

(a) from a Member State and planned to land in the State, or

(b) from the State and planned to land in one or more than one Member State,

without any stop-overs in the territory of a third country;

“Minister” means the Minister for Justice, Home Affairs and Migration;

“notify” means notify in writing;

“PIU” means the Passenger Information Unit continued in being under *section 73*;

“PIU of another Member State” means the Passenger Information Unit established or designated by that other Member State in accordance with Article 4(1), and cognate words shall be construed accordingly;

“PNR data” means, subject to *subsections (2) to (6)*, the passenger name record data specified in *Schedule 2* collected by an air carrier;

“PNR database” means the database maintained by the PIU for the storage of PNR data;

“prescribed” means prescribed by regulations made by the Minister;

“push method” means the method whereby PNR data is transferred by an air carrier into the PNR database;

“Regulations of 2018” means the European Union (Passenger Name Record Data) Regulations 2018 (S.I. No. 177 of 2018);

“serious crime”—

(a) in *sections 82(2), 88(1), 88(2), 90(1), 90(3), 90(4) and 94(7)*, means—

(i) an offence specified in *Schedule 3* that is punishable by a custodial sentence or a detention order of a maximum period of at least 3 years, or

(ii) such other offence, within the meaning of Article 3(9), as may be prescribed by the Minister,

(b) in *sections 85(9), 89(1), 89(5), 89(8) and 91(1)*, has the same meaning as it has in Article 3(9), and

(c) in *sections 69, 86(1) and 94(1)*, means an offence referred to in *paragraph (a) or (b)*, or both;

“terrorist offence”—

(a) in *sections 82(2), 88(1), 88(2), 90(1)0, 90(3), 90(4) and 94(7)* means—

(i) an offence under—

(I) section 21 or 21A of the Offences against the State Act 1939 (where committed by a terrorist group within the meaning of section 5(1) of the Criminal Justice (Terrorist Offences) Act 2005),

(II) section 6 of the Offences Against the State (Amendment) Act 1998 (where committed by a terrorist group within the meaning of section 5(1) of the Criminal Justice (Terrorist Offences) Act 2005), or

(III) section 6 or 13 of the Criminal Justice (Terrorist Offences) Act 2005, or

(ii) such other offence, within the meaning of Article 3(8), as may be prescribed by the Minister,

(b) in *sections 85(9), 89(1), 89(5), 89(8) and 91(1)* has the same meaning as it has in Article 3(8), and

(c) in *sections 6984(1), 86(1) and 94(1)*, means an offence referred to in *paragraph (a) or (b)*, or both.

(2) A reference in *paragraph 5 of Schedule 2* to address and contact information (telephone number, email address) shall be taken to be a reference to the postal address, telephone number and email address of the air passenger on behalf of whom a reservation for a flight is made.

(3) A reference in *paragraph 6 of Schedule 2* to all forms of payment information, including billing address shall be taken to be a reference to information relating to the payment methods for, and billing of, an air ticket, to the exclusion of any other information not directly related to a flight.

(4) A reference in *paragraph 8 of Schedule 2* to frequent flyer information shall be taken to be a reference only to data relating to the status of the passenger concerned in the context of a customer loyalty programme of a given airline or a given group of airlines as well as the number identifying that passenger as a frequent flyer.

(5) A reference in *paragraph 12 of Schedule 2* to general remarks (including all available information on unaccompanied minors under 18 years, such as name and gender of the minor, age, language(s) spoken, name and contact details of guardian

on departure and relationship to the minor, name and contact details of guardian on arrival and relationship to the minor, departure and arrival agent) shall be taken to be a reference to the following information only:

- (a) the name, gender and age of, and the languages spoken by, unaccompanied minor air passengers under 18 years,
- (b) the name and contact details of the guardian on departure and his or her relationship to the minor,
- (c) the name and contact details of the guardian on arrival and his or her relationship to the minor, and
- (d) the departure and arrival agent.

(6) A reference in *paragraph 18 of Schedule 2* to any advance passenger information (API) data collected (including the type, number, country of issuance and expiry date of any identity document, nationality, family name, given name, gender, date of birth, airline, flight number, departure date, arrival date, departure port, arrival port, departure time and arrival time shall be taken to be a reference to the following information only:

- (a) API data (the type, number, country of issuance and expiry date of any identity document, nationality, family name, given name, gender, date of birth, airline, flight number, departure date, arrival date, departure port, arrival port, departure time and arrival time), and
- (b) API data listed in Regulation 3(2) of the European Communities (Communication of Passenger Data) Regulations 2011 (S.I. No. 597 of 2011).

(7) Unless the context otherwise requires—

- (a) a word or expression that is used in this Part and that is also used in the Directive has the same meaning in this Part that it has in the Directive, and
- (b) a reference in this Part to a numbered Article is a reference to the Article so numbered of that Directive.”.

Seanad amendment agreed to.

Seanad amendment No. 47:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Application (*Part 17*)

69. This Part applies to the use, for the prevention, detection, investigation and prosecution of a terrorist offence or a serious crime, of PNR data of a passenger of—

- (a) an extra-EU flight, and
- (b) an intra-EU flight that is designated under *section 82* or *84* (in this Part referred to as a “designated intra-EU flight”).”.

Seanad amendment agreed to.

Seanad amendment No. 48:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Orders and regulations

70. (1) The Minister may by regulations provide for any matter referred to in this Part as prescribed or to be prescribed.

(2) An order or regulation under this Part may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the order or regulation.

(3) Every order and regulation made by the Minister under this Part shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order or regulation is passed by either such House within the next 21 days on which that House sits after the order or regulation is laid before it, the order or regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.”.

Seanad amendment agreed to.

Seanad amendment No. 49:

Section 65: Subject to *sections 73(1), 74(2), 75(1), 75(2), 75(3), 76(2), 79(1), 86(3) and Chapter 7*, the Regulations of 2018 are revoked.”.

Seanad amendment agreed to.

Seanad amendment No. 50:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Service of notices and documents

72. A notice or other document that is required to be served on or given to a person under this Part shall be served on or given to the person in one of the following ways:

(a) by electronic means, in a case in which the person has given notice in writing to the person serving or giving the notice or document concerned of his or her consent to the notice or document (or notices or documents of a class to which the notice or document belongs) being served on, or given to, him or her in that manner;

(b) by delivering it to the person;

(c) by addressing it to the person and leaving it at the address where the person ordinarily resides or, in a case in which an address for service has been furnished, at that address;

(d) by sending it to the person by post in a prepaid registered letter to the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, to that address.

CHAPTER 2

Passenger Information Unit".

Seanad amendment agreed to.

Seanad amendment No. 51:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Continuation and functions of Passenger Information Unit

73.(1) Notwithstanding the coming into operation of *section 71*, the unit established under Regulation 4(1) of the Regulations of 2018 and known as the Passenger Information Unit (in this Part referred to as the “PIU”) shall continue in being as a unit in the Department of Justice, Home Affairs and Migration, in accordance with the provisions of this Part.

(2) The functions of the PIU shall include:

- (a) the collection of PNR data from air carriers, and the storage and processing of such data;
- (b) the designation of intra-EU flights in accordance with *section 82*;
- (c) the transfer of PNR data, and the result of any processing of such data under *paragraph (a)*, to a competent authority, the PIU or competent authority of another Member State, a competent authority of a third country or Europol;
- (d) the receipt of PNR data, and the result of any processing of such data, from the PIU of another Member State.”.

Seanad amendment agreed to.

Seanad amendment No. 52:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Director of PIU

74. (1) The Minister shall, subject to *subsection (2)*, appoint a person to be the Director of the PIU (in this Part referred to as the “Director”).

(2) A person who, immediately before the coming into operation of *section 71*, stands appointed as Director under Regulation 4(2) of the Regulations of 2018, shall, on such coming into operation, continue to be the Director.

(3) The Director shall manage and control generally the staff, administration and business of the PIU.

(4) The Minister shall nominate a person to perform the functions of the Director during any absence, incapacity or suspension from duty of the Director or during any vacancy in the office of Director.

(5) The Director may delegate in writing any of his or her functions to a member of staff of the PIU and the member of staff be accountable to the Director for the performance of the function so delegated.

(6) The Director may revoke a delegation made by him or her under *subsection (5)*.”.

Seanad amendment agreed to.

Seanad amendment No. 53:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Staff of PIU

75. (1) A person who, immediately before the coming into operation of *section 71*, was a member of staff of the PIU shall, on such coming into operation, continue to be a member of staff of the PIU.

(2) A person who, immediately before the coming into operation of *section 71*, stands seconded to the PIU under an arrangement entered into under Regulation 4(3) of the Regulations of 2018 shall, on such coming into operation, remain seconded to the PIU for the remainder of the period of such secondment, subject to the same terms and conditions as applied to the secondment immediately before such coming into operation.

(3) A person who, immediately before the coming into operation of *section 71*, stands engaged by the PIU under Regulation 4(4) of the Regulations of 2018 for a period of temporary service with the PIU shall, on such coming into operation, continue to be engaged by the PIU for the remainder of that period, subject to the same terms and conditions as applied to the engagement immediately before such coming into operation.

(4) The Director may enter into an arrangement with a competent authority for the secondment of a member of staff of the competent authority to the PIU.

(5) The Director may enter into an arrangement to engage one or more than one person (on contract or otherwise) for a period of temporary service with the PIU.”.

Seanad amendment agreed to.

Seanad amendment No. 54:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Data protection officer

76. (1) Subject to *subsection (2)*, the Director shall appoint a person (in this Part referred to as the “data protection officer”) who shall be responsible for monitoring the processing of PNR data under this Part and for implementing data protection safeguards.

(2) A person who, immediately before the coming into operation of *section 71*, stands appointed as data protection officer under Regulation 14(1) of the Regulations of 2018 shall, on such coming into operation, continue as data protection officer as if he or she had been appointed under this section.

(3) The functions of the data protection officer shall include the following:

- (a) informing the Director and staff of the PIU of their obligations in relation to the processing of PNR data under this Part and advising them in relation to those obligations;
- (b) monitoring compliance by the Director and staff of the PIU with—
 - (i) their obligations under this Part in relation to the processing of PNR data, and
 - (ii) the policies of the PIU as data controller in relation to the protection of personal data, including audit activity;
- (c) providing advice to the Director and staff of the PIU on awareness-raising activities, staff training and the allocation of responsibilities in relation to data protection;
- (d) advising the Director and staff of the PIU in relation to, and monitoring the carrying out of, data protection impact assessments;
- (e) acting as a contact point for persons both within and outside the PIU in respect of issues relating to the processing of PNR data by the PIU.

(4) The PIU shall notify the data protection officer of—

- (a) a transfer of PNR data under *section 88(5), 89(4), 89(11), 91(4), 92(5) or 93(1)* in advance of such transfer taking place, and
- (b) a transfer notified to the PIU in accordance with *section 92(8)*.

(5) Where the data protection officer is informed by the PIU under *subsection (4)(a)* of a transfer of PNR data, the data protection officer shall, after the transfer has taken place, carry out a review of the transfer for the purpose of monitoring compliance by the PIU with the provisions of this Part concerning the processing of PNR data.

(6) The Director shall—

- (a) ensure that the data protection officer is involved in an appropriate and timely manner in all matters relating to the protection of personal data,
- (b) support the data protection officer in performing the functions referred to in *subsection (3)* by providing him or her with access to processing operations and the resources necessary to carry out those functions, and
- (c) assist the data protection officer in maintaining his or her expert knowledge in relation to data protection.”.

Seanad amendment agreed to.

Seanad amendment No. 55:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Director to report statistical information to Minister

77. (1) Subject to *subsection (3)*, the Director shall, on a yearly basis, and not later than 31 May in each year, submit to the Minister a report containing statistical information on PNR data provided to the PIU.

(2) The statistics referred to in *subsection (1)* shall, at a minimum, cover—

(a) the total number of passengers whose PNR data have been collected and exchanged by the PIU, and

(b) the number of passengers identified for further examination by a competent authority or a competent authority of another Member State.

(3) The statistics provided under this Part shall not contain any personal data.”.

Seanad amendment agreed to.

Seanad amendment No. 56:

Section 65: In page 55, between lines 5 and 6, to insert the following:

Processing of PNR data by PIU

78. (1) The PIU shall process PNR data for the purpose of the performance of its functions under this Part—

(a) to the extent necessary and proportionate for that purpose, and

(b) in a manner that does not discriminate against a person on any grounds.

(2) PNR data shall not be processed by the PIU in such a manner as to reveal the race, ethnic origin, political opinions, religion or philosophical beliefs, trade union membership, health, sexual life or sexual orientation of a person.

(3) Where PNR data revealing the information referred to in *subsection (2)* are received by the PIU from an air carrier, they shall be deleted immediately.

(4) Where PNR data collected by the PIU include data other than those specified in *Schedule 2*, such data shall be deleted immediately and permanently upon receipt.

(5) The storage, processing and analysis of PNR data by the PIU shall be carried out exclusively within a secure location or locations within the State.

(6) The PIU shall put in place and implement appropriate technical and organisational measures and procedures to ensure a high level of security for the PNR data appropriate to the risks represented by the processing and nature of such data.

Seanad amendment agreed to.

Seanad amendment No. 57:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Competent authorities

79. (1) Notwithstanding the coming into operation of *section 71*, a competent authority referred to in Regulation 9 of the Regulations of 2018 and listed in *Schedule 4*, shall continue to be a competent authority for the purposes of this Part and the Directive.

(2) Subject to *subsection (3)*, the Minister may by order designate a body as a competent authority for the purposes of this Part.

(3) The Minister shall not make an order under *subsection (2)* in respect of a body for which a Minister of the Government other than the Minister has responsibility and in whom functions, whether statutory or otherwise, in respect of the body are vested, other than with the consent of that Minister of the Government.”.

Seanad amendment agreed to.

Seanad amendment No. 58:

Section 65: In page 55, between lines 5 and 6, to insert the following:

Designation and functions of Independent Authority

80. (1) The Minister may by order designate a person (in this Part referred to as the “Independent Authority”) as the national authority for the purposes of the performance of the functions conferred on it by this Part.

(2) The functions of the Independent Authority shall include—

(a) the review of—

(i) in accordance with *section 83*, the process for designation by the PIU of an intra-EU flight under *section 82*, and

(ii) an authorisation for the transfer of PNR data under *section 93*, and

(b) the approval of—

(i) an application for the transfer of PNR data under *section 88, 89, 91 or 92*, and

(ii) a request for PNR data under *subsection (1) of section 90* to which *subsection (5)* of that section applies.

(3) The Independent Authority shall have all powers necessary or expedient for the performance of its functions under this Part.

(4) The Independent Authority shall be independent in the performance of its functions.”.

Seanad amendment agreed to.

Seanad amendment No. 59:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Data Protection Commission 81. The Data Protection Commission shall be responsible for advising on and monitoring the application of this Part within the State with a view

to protecting fundamental rights in relation to the processing of personal data under this Part.

CHAPTER 4

Designation of intra-EU flights by PIU and Minister”.

Seanad amendment agreed to.

Seanad amendment No. 60:

Section 65: In page 55, between lines 5 and 6, to insert the following:

Designation by PIU of intra-EU flight

82. (1) Subject to *subsection (2)*, the PIU may designate in writing an intra-EU flight for the purposes of this Part for a period not exceeding 6 months from the date of designation.

(2) A designation under *subsection (1)* may only be made where the PIU carries out an assessment and determines, having due regard to the risks to the fundamental rights and freedoms of data subjects which may result from the designation, that—

(a) the designation is necessary and proportionate for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime, and

(b) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air.

(3) The PIU shall, before the expiry of the period of 6 months following the designation of an intra-EU flight under *subsection (1)*, carry out an assessment for the purpose of determining whether the designation of the designated intra-EU flight concerned is, having due regard to the risks to the fundamental rights and freedoms of data subjects which may result from the designation, necessary and proportionate for the purpose referred to in *subsection (2)*.

(4) Where, on the basis of an assessment under *subsection (3)*, the PIU determines that the continued designation of an intra-EU flight is necessary and proportionate for the purpose referred to in that subsection, the PIU may extend the designation of the intra-EU flight concerned for a further period not exceeding 6 months.

(5) Where, on the basis of an assessment under *subsection (3)*, the PIU determines that the continued designation of an intra-EU flight is not necessary and proportionate for the purpose referred to in that subsection, the PIU shall not extend the designation of the intra-EU flight concerned.

(6) Without prejudice to *subsection (3)*, the PIU may, at any time, where it considers it appropriate to do so, carry out an assessment of a designation in force under this section for the purpose referred to in that subsection.

(7) Where, on the basis of an assessment carried out under *subsection (6)*, the PIU determines that the designation of an intra-EU flight is no longer necessary and

proportionate for the purposes for which it was so designated, the PIU shall revoke the designation.”.

Seanad amendment agreed to.

Seanad amendment No. 61:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Review by Independent Authority

83. (1) Subject to *subsection (5)*, the Independent Authority shall conduct a review of the process for designation of an intra-EU flight under *section 82* in order to determine whether the PIU, in carrying out an assessment of an intra-EU flight under *subsection (2), (3)* and, where applicable, *(6)* of that section (in this section referred to as a “relevant assessment”), complied with those provisions.

(2) In conducting a review under *subsection (1)*, the Independent Authority may—

(a) consider the criteria applied by the PIU in determining whether the designation of an intra-EU flight is necessary and proportionate for the purpose referred to in *section 82(2)*, and

(b) examine a relevant assessment carried out in respect of one, or more than one, intra-EU flight designated under *section 82*, whether or not the designation is in force at the time of the review.

(3) Without prejudice to *subsection (4)*, a review under *subsection (1)* shall be conducted—

(a) in respect of the first review, not later than 12 months from the date on which the first intra-EU flight is designated under *section 82* following the coming into operation of this Part, and

(b) once in every 12 month period thereafter.

(4) The Independent Authority may, at any time, conduct a review under *subsection (1)* where it has reasonable grounds for believing that a relevant assessment was not carried out by the PIU in accordance with *section 82*.

(5) Before commencing a review under *subsection (1)*, the Independent Authority shall notify the Director of its proposal to conduct the review, which notice shall specify—

(a) the matters referred to in *subsection (2)* to which the review shall relate,

(b) the date on which the review shall commence, which shall not be earlier than 10 working days from the date on which the notice is given, and

(c) any documents, records or other information within the possession or control of the PIU that are relevant to, or required for, the conduct of the review, including details of the criteria referred to at *subsection (2)(a)*.

(6) The Independent Authority shall, as soon as practicable after the completion of a review under *subsection (1)*, notify the PIU of the outcome of the review.

(7) Where the Independent Authority, having carried out a review under *subsection (1)*, determines that the PIU, in carrying out a relevant assessment, did not comply with the requirements of *section 82*, the Independent Authority may issue a direction in writing to the Director specifying—

(a) the measures which the PIU is required to take in order to comply with the requirements of *section 82* in the carrying out of a relevant assessment under that section, and

(b) the timeframe within which such measures are to be completed.

(8) The Director shall comply with a direction issued under *subsection (7)*.

(9) The Director shall, within the timeframe specified in the direction, notify the Independent Authority of the measures taken by the PIU to comply with the direction.

(10) The Independent Authority may, where it is not satisfied that the Director has complied with a direction under *subsection (7)*, issue such further direction under that subsection as it considers appropriate.

(11) A direction issued under *subsection (7)* may, where the Independent Authority considers it appropriate, require the PIU to revoke a designation of an intra-EU flight that is in force under *section 82* at the time of the issuing of the direction.

(12) The Independent Authority may communicate with the Minister on any matter concerning a review under this section, including where it considers that the PIU has failed to comply with a direction under *subsection (7)*.

(13) The Minister may, where he or she receives a communication under *subsection (12)*, direct the PIU to comply with a direction issued under *subsection (7)* within such timeframe as the Minister may specify.”

Seanad amendment agreed to.

Seanad amendment No. 62:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Application to relevant judge by Minister for designation of all intra-EU flights

84. (1) The Minister may, where he or she is satisfied, on the basis of an assessment conducted in accordance with *subsection (2)*, that there exists a genuine and present or foreseeable threat related to a terrorist offence, make an application to a relevant judge for an order requiring the PIU to designate all intra-EU flights as designated intra-EU flights for such period as may be specified in the order.

(2) Before making an application under *subsection (1)*, the Minister shall assess whether the threat referred to in that subsection exists and, for that purpose, shall—

(a) have regard to the necessity and proportionality of the designation of all intra-EU flights for the purpose of the prevention, detection, investigation and

prosecution of the terrorist offence, taking into account the risks to the fundamental rights and freedoms of data subjects which may result from the designation, and

(b) be satisfied of the existence of an objective link, whether of a direct or an indirect nature, between the offence and the carriage of passengers by air.

(3) An application under *subsection (1)* shall—

(a) be made *ex parte*,

(b) be upon information on oath specifying the grounds on which the order is sought, which information shall include the results of the assessment conducted under *subsection (2)*,

(c) specify the period of time, being a period not exceeding 12 months, for which the designation referred to in *subsection (1)* is, in the view of the Minister, necessary and proportionate for the purposes referred to in *subsection (2)*, and

(d) be heard otherwise than in public.

(4) A relevant judge, as respects an application under *subsection (1)*, may make an order directing the PIU to designate all intra-EU flights as designated intra-EU flights only if satisfied that the making of the order is necessary for, and proportionate to, the purposes referred to in *subsection (2)*.

(5) Where a relevant judge makes an order under *subsection (4)*, that order shall—

(a) require the PIU to designate all intra-EU flights as designated intra-EU flights for such period as is specified in the order, and (b) specify—

(i) the period for which the order shall have effect, and

(ii) any conditions and directions to which the designation is subject.

(6) Where an order is made under *subsection (4)*, the Minister shall, without delay, arrange for—

(a) service of the order on the PIU, and

(b) publication of—

(i) the order in the national media, and

(ii) a notice of the making of the order in *Iris Oifigiúil*.

(7) The President of the High Court shall, at the request of the Minister, designate one or more than one judge of the High Court to perform the functions of a relevant judge under this section, and a reference in this section to a “relevant judge” shall be construed as a reference to a judge so designated.

CHAPTER 5

Transfer and exchange of PNR data”.

Seanad amendment agreed to.

Seanad amendment No. 63:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Obligations of air carriers regarding transfer of PNR data

85. (1) An air carrier shall, in accordance with this section, transfer by the push method to the PNR database all PNR data which it has collected in the normal course of business in respect of passengers to be carried by the air carrier on an extra-EU flight or on a designated intra-EU flight.

(2) Where a flight referred to in *subsection (1)* is code-shared between one or more air carriers, the air carrier which operates the flight shall transfer the PNR data of all passengers on the flight to the PIU in accordance with that subsection.

(3) An air carrier shall, where an extra-EU flight has one or more stop-overs at airports of Member States, transfer the PNR data of all passengers, including those who disembark at the time of a stop-over, to the PIU.

(4) An air carrier shall, where a designated intra-EU flight has one or more stop-overs at airports of Member States, transfer the PNR data of all passengers, including those who disembark at the time of a stop-over, to the PIU.

(5) Where an air carrier collects API data in respect of passengers on an extra-EU flight or a designated intra-EU flight, the air carrier shall, whether or not it retains those data by the same technical means as for other PNR data, transfer that API data to the PIU by the push method and such data shall be considered as PNR data for the purposes of this Part.

(6) Subject to *subsections (7) and (8)*, an air carrier shall transfer the PNR data referred to in *subsection (1)* to the PNR database—

(a) 24 to 48 hours before a scheduled flight departure time, and

(b) immediately after flight closure, that is once the passengers have boarded the aircraft in preparation for departure and it is no longer possible for passengers to board or leave the flight.

(7) An air carrier shall transfer the PNR data referred to in *subsection (1)* to the PNR database—

(a) by electronic means using the common protocols and supported data formats adopted in accordance with Article 16(2), or

(b) in the event of technical failure or difficulty, by any other appropriate means ensuring the same level of technical and organisational security.

(8) An air carrier may limit PNR data transferred under *paragraph (b) of subsection (6)* to an update of the PNR data already transferred under *paragraph (a) of that subsection*.

(9) An air carrier shall, on a case-by-case basis, where requested by the PIU under *section 89(11)(a)*, transfer PNR data to the PIU at times other than those provided for in *subsection (6)*—

(a) where access to that data is necessary in order to respond to a specific and actual threat related to a terrorist offence or serious crime, and

(b) the PIU has determined, in accordance with *section 89(8)*, there is an objective link, whether of a direct or an indirect nature, between the offence or crime referred to in *paragraph (a)* and the carriage of passengers by air.

(10) An air carrier shall use its best endeavours to ensure that any data collected by it that is not PNR data is not transferred to the PIU.

(11) An air carrier that fails to comply with a requirement under this section, other than the requirement under *subsection (10)*, shall be guilty of an offence and shall be liable—

(a) on summary conviction, to a class A fine, or

(b) on conviction on indictment, to a fine not exceeding €250,000.

(12) It shall be a defence for an air carrier charged with an offence under *subsection (11)* to show that it took all reasonable steps to ensure compliance with this section.

(13) Proceedings for an offence under this section may be brought and prosecuted summarily by the Director.

(14) Where an offence under *subsection (11)* is committed by a body corporate and is proved to have been so committed with the consent or connivance of any person, being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in any such capacity, that person shall, as well as the body corporate, be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(15) Where the affairs of a body corporate are managed by its members, *subsection (14)* applies in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director or manager of the body corporate.”.

Seanad amendment agreed to.

Seanad amendment No. 64:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Assessment of passengers by PIU

86. (1) The PIU shall carry out an assessment of PNR data in respect of passengers on—

(a) an extra-EU flight, or

- (b) a designated intra-EU flight, prior to their scheduled arrival in, or departure from, the State for the purpose of identifying persons who require further examination by a competent authority or a competent authority in another Member State and, where relevant, by Europol, to determine whether such persons may be, or may have been, involved in a terrorist offence or serious crime, in respect of which there is an objective link, whether of a direct or an indirect nature, with the carriage of passengers by air.
- (2) Subject to *subsection (3)*, the PIU may determine criteria (in this section referred to as “pre-determined criteria”) to be used in processing PNR data for the purpose of conducting an assessment under *subsection (1)* and, where such criteria are determined, they shall—
 - (a) be targeted, proportionate and specific in nature,
 - (b) be regularly reviewed in consultation with the competent authorities, and
 - (c) not, in any circumstance, be based on the race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sexual life or sexual orientation of a person.
- (3) Notwithstanding the coming into operation of *section 71*, where immediately before the coming into operation of that section, pre-determined criteria referred to in Regulation 5 of the Regulations of 2018 are in use in conducting assessments under that Regulation, those criteria shall be considered to be pre-determined criteria for the purposes of this section until new criteria are established under *subsection (5)*.
- (4) When carrying out an assessment under *subsection (1)*, the PIU may—
 - (a) compare PNR data against databases relevant for the purpose referred to in that subsection, only where such databases are databases containing data on persons or objects sought or under alert, in accordance with European Union, international and national law and the laws of the State applicable to such databases, or
 - (b) process PNR data against pre-determined criteria.
- (5) The PIU may establish pre-determined criteria and may, from time to time, update those criteria.”.

Seanad amendment agreed to.

Seanad amendment No. 65:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transfer of PNR data to another Member State and to competent authority

87. (1) Where the PIU carries out an assessment under *section 86(1)* and identifies a person who requires further examination by a competent authority in another Member State, the PIU shall, subject to *subsection (4)*, transfer the PNR data relating to that person and, where applicable, the result of the processing of such data by it, to the PIU of the Member State concerned for onward transfer to the competent authority in the Member State concerned.

(2) Where the PIU carries out an assessment under *section 86(1)* and identifies a person who requires further examination by a competent authority, the PIU shall, subject to *subsection (4)*, transfer the PNR data relating to that person and, where applicable, the result of the processing of such data by it, to the competent authority concerned.

(3) Where the PIU of another Member State transfers PNR data, or the result of the processing of such data, or both, to the PIU for onward transfer by the PIU to a competent authority, the PIU shall, subject to *subsection (4)*, transfer the data and, where applicable, the result of the processing of such data, to the competent authority that is to carry out further examination of the data.

(4) Where a person referred to in *subsection (1)* or (2) has been identified by the automated processing of PNR data, the PIU shall only transfer the PNR data relating to that person, in accordance with those subsections, where the PIU has carried out a review of the identification by non-automated means and has verified the identification of the person concerned.”.

Seanad amendment agreed to.

Seanad amendment No. 66:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Request by competent authority for PNR data

88.(1) A competent authority is entitled—

- (a) to request, under *subsection (2)*, and receive, under *section 87(2)*, PNR data, and the result of the processing of such data by the PIU, from the PIU, and
- (b) to request, under *section 90(3)*, PNR data, and the result of the processing of such data by the PIU of another Member State, from that PIU,

in order to examine that data and take appropriate action for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime.

(2) Where a request is received by the PIU from a competent authority for PNR data, or the result of the processing of such data by the PIU, or both, the PIU shall, subject to *section 93*, make an application to the Independent Authority for approval to transfer the data requested to the competent authority concerned where on the basis of the request—

(a) the PIU considers there are reasonable grounds for believing that—

- (i) the transfer of the data requested is necessary for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime, and
- (ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,

and

(b) the PIU—

- (i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or
 - (ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.
- (3) An application under *subsection (2)* shall be in writing, submitted by electronic means, and shall contain a copy of the request referred to in that subsection.
- (4) Following receipt of an application under *subsection (2)*, the Independent Authority shall review the application and, as soon as practicable and in any event not later than 96 hours after receiving the application, shall—
- (a) decide, on the basis of the application, whether to approve the transfer of the PNR data, and, where applicable, the result of the processing of such data, and
 - (b) notify the PIU of the decision of the Independent Authority and the reasons for that decision.
- (5) Where, under *subsection (4)*, the Independent Authority approves the transfer of the data requested, the PIU shall, as soon as practicable after receipt of the notification under *paragraph (b)* of that subsection, transfer the data to the competent authority concerned.
- (6) Subject to *subsection (7)*, PNR data, and the result of the processing of such data by the PIU, transferred to a competent authority under *subsection (5)*, may be processed by the competent authority only for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime.
- (7) Where evidence of an offence, other than the one referred to in *subsection (6)*, is detected during the processing of data referred to in that subsection, that subsection shall not affect law enforcement or judicial powers to process that data for purposes relating to that other offence.
- (8) A competent authority shall not take any decision that produces an adverse legal effect on a person or significantly affects the person—
- (a) only by reason of the automated processing of PNR data, or
 - (b) on the basis of the race or ethnic origin, political opinions, religion or philosophical beliefs, trade union membership, health, sexual life or sexual orientation of the person.”.

Seanad amendment agreed to.

Seanad amendment No. 67:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Request from other Member State for PNR data

89. (1) Where a request is received by the PIU from the PIU of another Member State for PNR data, or the result of the processing of such data by the PIU, or both, the PIU shall, subject to *section 93*, make an application to the Independent Authority for approval to transfer the data requested, to the PIU of the other Member State where, on the basis of the request—

(a) the PIU considers there are reasonable grounds for believing that—

(i) the transfer of the data requested is necessary for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime, and

(ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,

and

(b) the PIU—

(i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or

(ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.

(2) An application under *subsection (1)* shall be in writing, submitted by electronic means, and shall contain a copy of the request referred to in that subsection.

(3) Following receipt of an application under *subsection (1)*, the Independent Authority shall review the application and, as soon as practicable and in any event not later than 96 hours after receiving the application, shall—

(a) decide, on the basis of the application, whether to approve the transfer of the PNR data and, where applicable, the result of the processing of such data, and

(b) notify the PIU of the decision of the Independent Authority and the reasons for that decision.

(4) Where, under *subsection (3)*, the Independent Authority approves the transfer of the data requested, the PIU shall, as soon as practicable after receipt of the notification under *paragraph (b)* of that subsection, transfer the data to the PIU of the other Member State.

(5) Where, in the case of an emergency, a competent authority of another Member State submits to the PIU a direct request for PNR data, or the result of the processing of such data by the PIU, or both, the PIU shall, subject to *section 93*, make an application to the Independent Authority for approval to transfer the data requested to the competent authority of the other Member State where, on the basis of the request—

(a) the PIU considers there are reasonable grounds for believing that—

(i) the circumstances set out in the request constitute an emergency and the transfer of the data requested is necessary for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime, and

(ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,

and

(b) the PIU—

(i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or

(ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.

(6) An application under *subsection (5)* shall be in writing, submitted by electronic means, and shall contain a copy of the request referred to in that subsection.

(7) *Subsections (3) and (4)* shall apply to an application under *subsection (5)* as they apply to an application under *subsection (1)*, subject to the modification that a reference in *subsections (3) and (4)* to *subsection (1)* shall be construed as a reference to *subsection (5)*.

(8) Where, in exceptional circumstances, a request is received by the PIU from the PIU of another Member State to obtain PNR data from an air carrier at a time other than that provided for in *section 85(6)*, the PIU shall, subject to *section 93*, make an application to the Independent Authority for approval to transfer the PNR data to the PIU of the Member State concerned where, on the basis of the request—

(a) the PIU considers there are reasonable grounds for believing that—

(i) the transfer of the PNR data requested is necessary for the purpose of responding to a specific and actual threat related to a terrorist offence or serious crime, and

(ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,

and

(b) the PIU—

(i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or

(ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.

(9) An application under *subsection (8)* shall be in writing, submitted by electronic means, and shall contain a copy of the request referred to in that subsection.

(10) Following receipt of an application under *subsection (8)*, the Independent Authority shall review the application and, as soon as practicable and in any event not later than 96 hours after receiving the application, shall—

(a) decide, on the basis of the application, whether to approve the transfer of the PNR data, and

(b) notify the PIU of the decision of the Independent Authority and the reasons for that decision.

(11) Where, under *subsection (10)*, the Independent Authority approves the transfer of the PNR data requested, the PIU shall as soon as practicable after receipt of the notification under *paragraph (b)* of that subsection—

(a) request the air carrier to transfer the PNR data to the PIU in accordance with *section 85(7)*, and

(b) provide the PNR data to the PIU of the Member State concerned.”.

Seanad amendment agreed to.

Seanad amendment No. 68:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Requests by PIU or competent authority to PIU of another Member State for PNR data

90.(1) Subject to *subsection (5)*, the PIU may make a request for PNR data, or the result of the processing of such data by the PIU of another Member State, or both, to that PIU where the PIU considers—

(a) there are reasonable grounds for believing that—

(i) the transfer of the data to the PIU, is necessary for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime, and

(ii) there is an objective link, whether of a direct or an indirect nature between the offence or crime and the carriage of passengers by air,

and

(b) the PIU—

(i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or

(ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.

(2) A request under *subsection (1)* may be for one or more of the PNR data elements listed in *Schedule 2*, as are considered necessary by the PIU for the purpose referred to in that subsection, and shall include the reasons for the request.

(3) In cases of emergency, a competent authority may make a request for PNR data, or the result of the processing of such data by the PIU of another Member State, or both, directly to that PIU, where the competent authority considers—

(a) there are reasonable grounds for believing that—

(i) the circumstances set out in the request constitute an emergency and the transfer of the data to the competent authority is necessary for the preventing, detecting, investigating and prosecuting a terrorist offence or serious crime, and

(ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,

and

(b) the competent authority—

(i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or

(ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.

(4) In exceptional circumstances, the PIU may request the PIU of another Member State to request an air carrier to transfer PNR data to the PIU of that Member State at a time other than the time the air carrier normally transfers PNR data to the PIU of the other Member State concerned, and transmit the data to the PIU, where the PIU considers—

(a) there are reasonable grounds for believing that—

(i) the transfer of the data to the PIU is necessary for the purpose of responding to a specific and actual threat related to a terrorist offence or serious crime, and

(ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,

and

(b) the PIU—

(i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or

(ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.

(5) Where, in the case of a request referred to in *subsection (1)*, it is a requirement in the Member State to which the request referred to in that subsection is made that, before such a request is made to the PIU in that Member State, a court or other independent authority in the requesting Member State provide approval for the transfer of the PNR data, and, where applicable, the result of the processing of such data, the PIU shall make an application to the Independent Authority for approval to have the data transferred to it by the PIU of the other Member State.

(6) An application under *subsection (5)* shall be in writing, submitted by electronic means, and shall contain a copy of the request which the PIU proposes to make to the PIU of the other Member State.

(7) Following receipt of an application under *subsection (5)*, the Independent Authority shall review the application and, as soon as practicable and in any event not later than 96 hours after receiving the application, shall—

(a) decide, on the basis of the application, whether to approve the transfer of the PNR data and, where applicable, the result of the processing of such data, to the PIU, and

(b) notify the PIU of the decision of the Independent Authority and the reasons for that decision.

(8) Where, under *subsection (7)*, the Independent Authority approves the transfer of data by the PIU of the other Member State, the PIU shall, when making a request under *subsection (1)* to which *subsection (5)* applies, notify the PIU of that other Member State of the decision of the Independent Authority.”.

Seanad amendment agreed to.

Seanad amendment No. 69:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Request by Europol to PIU for PNR data

91. (1) Where a request for PNR data, or the result of the processing of such data by the PIU, or both, is received by the PIU from Europol, having been submitted by Europol to the PIU in accordance with Article 10, the PIU shall, subject to *section 93*, make an application to the Independent Authority for approval to transfer the data to Europol where, on the basis of the request—

(a) the PIU considers there are reasonable grounds for believing that—

- (i) the transfer of the data requested will substantially contribute to the prevention, detection or investigation of a terrorist offence or serious crime, and
- (ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,

and

(b) the PIU—

- (i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or
- (ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.

(2) An application under *subsection (1)* shall be in writing, submitted by electronic means, and shall contain a copy of the request referred to in that subsection.

(3) Following receipt of an application under *subsection (1)*, the Independent Authority shall review the application and, as soon as practicable and in any event not later than 96 hours after receiving the application, shall—

- (a) decide, on the basis of the application, whether to approve the transfer of the PNR data and, where applicable, the result of the processing of such data, to Europol, and
- (b) notify the PIU of the decision of the Independent Authority and the reasons for that decision.

(4) Where, under *subsection (3)*, the Independent Authority approves the transfer of the data requested, the PIU shall, as soon as practicable after receipt of the notification under *paragraph (b)* of that subsection, transfer the data to Europol in accordance with Article 10(4).”.

Seanad amendment agreed to.

Seanad amendment No. 70:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transfer of data to competent authority of third country

92. (1) Where a request is received by the PIU from a competent authority of a third country for PNR data, or the result of the processing of such data by the PIU, or both, the PIU may, subject to *section 93*, make an application to the Independent Authority for approval to transfer the data to the competent authority of the third country concerned, where, on the basis of the request—

- (a) the PIU considers there are reasonable grounds for believing that—

- (i) the transfer of the data requested is necessary for the purpose of preventing, detecting, investigating and prosecuting a terrorist offence or serious crime in a Member State or the third country making the request, and
 - (ii) there is an objective link, whether of a direct or an indirect nature, between the offence or crime and the carriage of passengers by air,
 - (b) the PIU is satisfied that the circumstances referred to in *subsection (2)* apply, and
 - (c) the PIU—
 - (i) where the request relates to a request for PNR data relating to a serious crime, has a reasonable suspicion that a person, to whom the PNR data, the subject of the request, relates, is involved in any way with the crime, or
 - (ii) where the request relates to a request for PNR data relating to a terrorist offence, infers that the PNR data, the subject of the request, could contribute effectively to the combatting of the offence.
- (2) The circumstances referred to in *subsection (1)* are that—
- (a) the transfer is consistent with the law of the State in relation to data protection,
 - (b) subject to *subsection (6)*, where the data that are sought in the request under *subsection (1)* were obtained by the PIU from the PIU of another Member State, the other Member State has given its prior consent to the transfer.
- and
- (c) the third country concerned agrees that it will only transfer the PNR data that is the subject of the request to another third country where—
 - (i) such transfer is strictly necessary for the purpose of the prevention, detection, investigation and prosecution of a terrorist offence or serious crime in a Member State or the third country making the request, in respect of which offence or crime there is an objective link, whether of a direct or an indirect nature, with the carriage of passengers by air, and
 - (ii) having received the express written authorisation of the Director.
- (3) An application under *subsection (1)* shall be in writing, submitted by electronic means, and shall contain a copy of the request referred to in that subsection.
- (4) Following receipt of an application under *subsection (1)*, the Independent Authority shall review the application and, as soon as practicable and in any event not later than 96 hours after receiving the application, shall—

(a) decide, on the basis of the application, whether to approve the transfer of the PNR data and, where applicable the result of the processing of such data, and

(b) notify the PIU of the decision of the Independent Authority and the reasons for that decision.

(5) Where, under *subsection (4)*, the Independent Authority, approves the transfer of the data requested, the PIU shall, as soon as practicable after receipt of the notification under *paragraph (b)* of that subsection, transfer the data to the competent authority of the third country.

(6) For the purposes of *subsection (2)(b)*, in exceptional circumstances, the PIU may, where PNR data is obtained by it from another Member State, permit the transfer of that data to a competent authority of a third country without the prior consent of the other Member State from which the PNR data were obtained, only if—

(a) the transfer is essential in order to respond to a specific and actual threat related to a terrorist offence or serious crime in a Member State or third country, and

(b) the prior consent of the Member State concerned cannot be obtained in good time.

(7) Where *subsection (6)* applies in respect of a transfer of data under *subsection (5)*, the PIU shall, without delay, notify the PIU of the Member State from which the PNR data were originally obtained and make a record of the notification.

(8) Where the PIU is notified by a PIU of another Member State that there has been a transfer, by that PIU, to a third country of PNR data—

(a) that was originally obtained from the PIU, and (b) without the prior consent of the PIU, the PIU shall make a record of the notification and shall notify the data protection Officer for the purposes of *section 76(5)*.

(9) PNR data shall be transferred under this section by the PIU to the competent authority of a third country only in accordance with the provisions of this Part and upon ascertaining that the use the recipients intend to make of the PNR data is consistent with the conditions and safeguards contained in this Part.

(10) In this section— “serious crime” means—

(a) where it relates to an offence in a Member State, an offence referred to in *paragraph (b)* of the definition of “serious crime”, and

(b) where it relates to an offence in a third country, an offence in the third country equivalent to that referred to in *paragraph (a)*;

“terrorist offence” means—

(a) where it relates to an offence in a Member State, an offence referred to in *paragraph (b)* of the definition of “terrorist offence”, and

(b) where it relates to an offence in a third country, an offence in the third country equivalent to that referred to in *paragraph (a)*.”.

Seanad amendment agreed to.

Seanad amendment No. 71:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Disclosure of PNR data in case of duly justified urgency

93.(1) Where—

(a) but for this section, the PIU would, in respect of a request under *section 88(2), 89(1), 89(5), 89(8), 91(1) or 92(1)*, otherwise be satisfied to bring an application to the Independent Authority under the subsection concerned for approval to transfer data, and

(b) where the circumstances specified in *subsection (2)* apply in respect of the request,

the Director shall authorise the transfer of the data, or the result of the processing of such data, or both, which is the subject of that request, in accordance with this section.

(2) The circumstances referred to in *subsection (1)* are that the Director is satisfied, on the basis of the request, that it is likely that, before approval for the transfer of the data concerned could be obtained from the Independent Authority under the subsection concerned, the prevention, detection, investigation and prosecution of a terrorist offence or serious crime, to which the request relates, would be impeded.

(3) Where the Director authorises the transfer of PNR data under *subsection (1)*, he or she shall, as soon as practicable, and in any event not later than 24 hours after he or she issues the authorisation, apply to the Independent Authority for review of the authorisation.

(4) An application under *subsection (3)* shall—

(a) be made in writing, and

(b) specify the grounds on which the authorisation under *subsection (1)* was issued.

(5) Following receipt of an application under *subsection (3)*, the Independent Authority, as soon as practicable, and in any event not later than 72 hours after receiving the application shall—

(a) review the grounds for the authorisation issued under *subsection (1)* for the purpose of determining whether it was necessary for, and proportionate to, the purposes for which it was issued,

(b) determine, on the basis of the review carried out under *paragraph (a)*, whether to affirm or revoke the authorisation, and

(c) notify the PIU of its decision and the reasons for that decision.

(6) Where the Independent Authority revokes an authorisation under *subsection (5)*, the notice referred to in *paragraph (c)* of that subsection shall direct the Director to, without delay, notify the person specified in *subsection (7)* that—

- (a) the data transferred pursuant to the authorisation should be deleted, and
- (b) that the use or further use of that data by the person is prohibited.

(7) The person referred to in *subsection (6)* is—

- (a) in the case of a transfer of data to a competent authority pursuant to a request under *section 88(2)*, the competent authority concerned,
- (b) in the case of a transfer of data to the PIU of another Member State pursuant to a request under *section 89(1)* or (8), or a competent authority of another Member State pursuant to a request under *section 89(5)*, the PIU of the Member State or competent authority of the Member State concerned,
- (c) in the case of a transfer of data to Europol pursuant to a request under *section 91(1)*, Europol, and
- (d) in the case of a transfer of data to a competent authority of a third country pursuant to a request under *section 92*, the competent authority of the third country that made the request under that section.

(8) Where the Independent Authority revokes an authorisation under *subsection (4)*, the Authority may, where it considers it appropriate to do so, refer the matter to the Data Protection Commission.

Chapter 6

Retention of PNR data and documentation”.

Seanad amendment agreed to.

Seanad amendment No. 72:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Period of data retention and depersonalisation

94.(1) PNR data transferred by an air carrier or by the PIU of another Member State to the PIU may be retained in the PNR database—

- (a) for an initial period of 6 months from the date of the transfer, and
- (b) after the expiration of the period referred to in *paragraph (a)*, for a further period not exceeding 4 years and 6 months, where—
 - (i) the PIU has determined, having processed the PNR data in accordance with this Part during that initial period of 6 months—
 - (I) that there exists, in respect of the data, objective evidence of a risk related to a terrorist offence or serious crime, and

(II) there is an objective link, whether of a direct or an indirect nature, between the offence or crime referred to in *clause (I)* and the carriage of passengers by air,

and

(ii) the data are depersonalised in accordance with *subsection (3)*.

(2) Where the PIU does not make a determination referred to in *subsection (1)(b)(i)* during the period referred to in that provision in respect of PNR data, the PNR data concerned shall be deleted permanently.

(3) PNR data shall be depersonalised through masking out the following data elements which could serve to identify directly a passenger to whom the PNR data relates:

(a) passenger name or names, including the—

(i) names of other passengers on the passenger name record, and

(ii) number of passengers on the passenger name record travelling together;

(b) address and contact information;

(c) all forms of payment information, including billing address, to the extent that it contains any information which could serve to identify directly the passenger to whom the PNR data relate or any other persons;

(d) frequent flyer information;

(e) any general remarks relating to the PNR data to the extent that they contain any information which could serve to identify directly the passenger to whom the PNR data relate;

(f) any API data that have been collected.

(4) Where an assessment is carried out under *section 86(1)* and the result of that assessment is the identification of a person who requires further examination by a competent authority or a competent authority in another Member State (in this section referred to as a “positive match”), that result shall only be retained by the PIU for as long as is necessary to—

(a) transfer the PNR data relating to that person and, where applicable, the result of the processing of such data by the PIU, to the PIU of the Member State concerned under *section 87(1)*, or

(b) transfer the PNR data relating to that person and, where applicable, the result of the processing of such data by the PIU, to the competent authority concerned under *section 87(2)*.

(5) Where an assessment is carried out under *section 86(1)* by automated processing and results in a positive match, which, following an individual review by non-automated means in accordance with *section 87(4)*, is proven not to be a

positive match (in this section referred to as a “false positive match”), the result of the automated processing and the result of the review by non-automated means may be retained by the PIU, for the purpose of avoiding future false positive matches in respect of the person, for a period not exceeding 6 months from when the PNR data were received by the PIU.

(6) PNR data retained in accordance with *subsection (1)* shall be deleted permanently upon the expiration of the period of 5 years from the date they were transferred to the PIU.

(7) PNR data, or the result of the processing of such data, or both, that have been transferred to a competent authority by the PIU shall be deleted permanently by the competent authority—

(a) upon the expiration of a period of 5 years from the date they were transferred to the competent authority, or

(b) where the data were retained by the competent authority for the purpose of the prevention, detection, investigation and prosecution of a terrorist offence or serious crime and proceedings for such offence are brought against any person, on the day on which final judgment is given in the proceedings,

whichever occurs later.

(8) The Director shall ensure that all PNR data retained by the PIU in accordance with this section are kept securely and that only such persons as are authorised in writing by him or her shall be permitted to have access to such data.”.

Seanad amendment agreed to.

Seanad amendment No. 73:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Maintenance of documentation and retention of records

95.(1) The PIU shall maintain documentation relating to all of its systems and procedures relating to the processing of personal data under this Part, which documentation shall contain at a minimum—

(a) the name and contact details of members of staff of the PIU authorised to process PNR data and, where applicable, levels of access authorised to that data;

(b) details of the requests made to the PIU by competent authorities and PIUs of other Member States under this Part;

(c) details of all requests from, and transfers to, a competent authority of a third country of PNR data, or the result of the processing of such data by the PIU.

(2) The PIU shall keep records of the processing operations involving the collection, consultation, disclosure and erasure of PNR data.

(3) Records kept under *subsection (2)* in relation to the consultation and disclosure of PNR data shall include, in particular, details of—

(a) the purpose, date and time of the processing operation concerned, and

(b) in so far as is possible—

(i) the identity of the staff member of the PIU who consulted or disclosed the PNR data, and

(ii) in the case of data that is disclosed, the identity of the recipients of such data.

(4) Records kept under *subsection (2)* shall be—

(a) used by the PIU solely for the purposes of verification, self-monitoring, ensuring data integrity and security and auditing, and

(b) subject to *subsection (5)*, kept for a period of 5 years.

(5) Where records kept under *subsection (2)* contain PNR data, that PNR data shall be retained in accordance with *section 94*.

(6) The PIU shall, on request of the Data Protection Commission, make available to the Commission all documentation and records required to be maintained under this section.

(7) The Director shall ensure that all documentation created by or on behalf of, and maintained by, the PIU in relation to processing systems and procedures, and all records kept by the PIU in accordance with this section, are kept securely and that only such persons as are authorised in writing by him or her shall be permitted to have access to such documentation or records.

Chapter 7

Transitional provisions: Regulations of 2018”.

Seanad amendment agreed to.

Seanad amendment No. 74:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Interpretation (*Part 17, Chapter 7*)

96.A reference in this Chapter to a numbered Regulation is a reference to that Regulation so numbered in the Regulations of 2018.”.

Seanad amendment agreed to.

Seanad amendment No. 75:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transitional arrangements in relation to assessment of PNR data by PIU

97.(1) Where, before the date of coming into operation of *section 71*, the PIU has commenced but not completed an assessment referred to in Regulation 5(1)(a), the assessment shall, on or after that date, be completed under *section 86* and the provisions of this Part shall apply accordingly to that assessment.

(2) Where—

(a) before the coming into operation of *section 71*, the PIU has carried out an assessment referred to in Regulation 5(1)(a) and has identified a person who requires further examination, and

(b) on that date, the PIU has not transmitted the PNR data or the result of the processing of such data in accordance with Regulation 6(1) or (2),

the assessment shall, on and after that date, be taken to be an assessment carried out under *section 86(1)* and the provisions of this Part shall apply accordingly.”.

Seanad amendment agreed to.

Seanad amendment No. 76:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transitional provisions: transfers of PNR data to the PIU

98.(1) Where—

(a) before the date of coming into operation of *section 71*, an air carrier has transferred to the PIU—

(i) PNR data, in accordance with Regulation 10(1) or (2), or

(ii) API data, in accordance with Regulation 10(3),

and

(b) on that date, an assessment referred to in Regulation 5(1)(a) has not been commenced by the PIU, or has been commenced but has not been completed, the transfer of the data by the air carrier to the PIU shall, on and after that date, be taken to be a transfer—

(i) in the case of PNR data referred to in *subsection (1)(a)(i)*, *section 85(1)*, and

(ii) in the case of API data referred to in *subsection (1)(a)(ii)*, *section 85(5)*,

and the provisions of this Part shall apply accordingly.

(2) Where—

(a) before the date of coming into operation of *section 71*, PNR data relating to a person, or the result of the processing of those data, have been transmitted to the PIU by the PIU of another Member State under Regulation 6(3), and

(b) on that date, the data have not been transmitted by the PIU to the relevant competent authority (within the meaning of the Regulations of 2018),

the data shall, on and after that date, be taken to be data received by the PIU under *section 87(3)* and the provisions of this Part shall apply accordingly.”.

Seanad amendment agreed to.

Seanad amendment No. 77:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transitional provisions: requests to PIU for PNR data

99.(1) Where—

(a) before the date of coming into operation of *section 71*, a request is received by the PIU for PNR data, or the result of the processing of such data, from—

(i) the PIU of another Member State, under paragraph (1) of Regulation 7, or

(ii) a competent authority of another Member State under paragraph (4) of that Regulation,

and

(b) on that date, the PNR data, or the result of the processing of such data, have not been transmitted to the PIU of the other Member State, or the competent authority of the other Member State, as the case may be, on foot of the request,

the request shall, on and after that date, be taken to be—

(i) in the case of a request referred to in *paragraph (a)(i)*, a request received under *section 89(1)*, and

(ii) in the case of a request referred to in *paragraph (a)(ii)*, a request submitted under *section 89(5)*,

and the provisions of this Part shall apply accordingly.

(2) Where—

(a) before the date of coming into operation of *section 71*, a request is received by the PIU for PNR data, or the result of the processing of such data, from—

(i) a PIU of another Member State, under paragraph (2) of Regulation 7, or

(ii) a competent authority of another Member State, under paragraph (5) of that Regulation,

and

(b) on that date, an application has not been made to the District Court under paragraph (2) or paragraph (5), as the case may be, of that Regulation,

the request shall, on and after that date, be taken to be—

(i) in the case of a request referred to in *paragraph (a)(i)*, a request received under *section 89(1)*, and

(ii) in the case of a request referred to in *paragraph (a)(ii)*, a request submitted under *section 89(5)*,

and the provisions of this Part shall apply accordingly.

(3) Where before the date of coming into operation of *section 71*—

(a) a request is received by the PIU for PNR data, or the result of the processing of such data, from—

(i) a PIU of another Member State, under paragraph (2) of Regulation 7, or

(ii) a competent authority of another Member State, under paragraph (5) of that Regulation,

and

(b) an application has been made to the District Court under paragraph (2) or paragraph (5), as the case may be, of that Regulation, but has not been determined by that Court that date,

then on or after that date, that application shall be determined by the District Court in accordance with the Regulations of 2018 and, where the District Court approves the transmission of the data concerned, the PIU shall transfer the full data to the PIU of the other Member State, or the competent authority of the other Member State, as the case may be, in accordance with that Regulation.

(4) Where—

(a) before the date of coming into operation of *section 71*, the transmission of data has been approved by the District Court under paragraph (2) or (5) of Regulation 7, and

(b) on that date, the data have not been transferred under the paragraph concerned following such approval,

then on or after that date, the PIU shall transfer the full data to the PIU of the other Member State, or the competent authority of the other Member State, as the case may be, in accordance with that Regulation.

(5) Where—

(a) before the date of coming into operation of *section 71*, a request is received under paragraph (7) of Regulation 7 by the PIU from the PIU of another Member State to obtain PNR data from an air carrier, and

(b) on that date, the PIU has not requested the air carrier concerned to transfer the requested data to the PIU,

the request shall be taken to be a request under *section 89(8)* and the provisions of this Part shall apply accordingly.

(6) Where—

(a) before the date of coming into operation of *section 71*, a request is received under Regulation 8(1) by the PIU from Europol for PNR data, or the result of the processing of such data, and

(b) on that date, the data have not been transferred to Europol,

the request shall, on and after that date, be taken to be a request received by the PIU under *section 91(1)*, and the provisions of this Part shall apply accordingly.

(7) Where—

(a) before the date of coming into operation of *section 71*, a request is received under paragraph (2) of Regulation 8 by the PIU from Europol for PNR data, or the result of the processing of such data, and

(b) on that date, an application has not been made to the District Court under that Regulation,

the request shall, on and after that date, be taken to be a request received by the PIU under *section 91(1)* and the provisions of this Part shall apply accordingly.

(8) Where—

(a) before the date of coming into operation of *section 71*, a request is received under paragraph (2) of Regulation 8 by the PIU from Europol for PNR data, or the result of the processing of such data, and

(b) on that date, an application has been made to the District Court under that Regulation but has not been determined by that Court,

then, on or after that date, that application shall be determined by the District Court in accordance with the Regulations of 2018, and where the District Court approves the transmission of the data concerned, the PIU shall transmit the full data to Europol in accordance with that Regulation.

(9) Where—

(a) before the date of coming into operation of *section 71*, the transmission of data has been approved by the District Court under paragraph (2) of Regulation 8, and

(b) on that date, the data have not been transmitted under that provision following such approval,

then, on or after that date, the PIU shall transmit the full data to Europol in accordance with that Regulation.

(10) Where—

- (a) before the date of coming into operation of *section 71*, a request is received under paragraph (2) of Regulation 9 by the PIU from a competent authority for PNR data, or the result of the processing of such data, and
- (b) on that date, an application has not been made to the District Court under that Regulation,

the request shall, on and after that date, be taken to be a request made under *section 88(2)* and the provisions of this Part shall apply accordingly.

(11) Where before the coming into operation of *section 71*—

- (a) a request is received under paragraph (2) of Regulation 9 by the PIU from a competent authority for PNR data, or the result of the processing of such data, and
- (b) an application has been made to the District Court under that Regulation but has not been determined by that Court,

then, on or after that date, that application shall be determined by the District Court in accordance with the Regulations of 2018, and where the District Court approves the transmission of the data concerned, disclosure of the full PNR data may be made in accordance with that Regulation.

(12) Where—

- (a) before the date of coming into operation of *section 71*, the transmission of data has been approved by the District Court under paragraph (2) of Regulation 9, and
- (b) on that date, the data have not been disclosed under that provision following such approval,

then, on or after that date, disclosure of the full PNR data may be made in accordance with that Regulation.

(13) Where—

- (a) before the date of coming into operation of *section 71*, a request has been received by the PIU under paragraph (1) of Regulation 16 from a third country for PNR data, or the result of the processing of such data, and
- (b) on that date, the PNR data, or the result of the processing of such data, have not been transmitted to the third country,

the request shall, on and after that date, be taken to be a request received by the PIU under *section 92(1)* and the provisions of this Part shall apply accordingly.

(14) Where—

(a) before the date of coming into operation of *section 71*, a request is received by the PIU under paragraph (2) of Regulation 16 from a third country for PNR data, or the result of the processing of such data, and

(b) on that date, an application has not been made to the District Court under that Regulation,

the request shall, on and after that date, be taken to be a request received by the PIU under *section 92(1)* and the provisions of this Part shall apply accordingly.

(15) Where—

(a) before the date of coming into operation of *section 71*, a request is received by the PIU under paragraph (2) of Regulation 16 from a third country for PNR data, or the result of the processing of such data, and

(b) on that date, an application has been made to the District Court under that Regulation but has not been determined by that Court,

then, on or after that date, that application shall be determined by the District Court in accordance with the Regulations of 2018, and where the District Court approves the transmission of the data concerned, the PIU shall transmit the full data to the third country concerned in accordance with that Regulation.

(16) Where—

(a) before the date of coming into operation of *section 71*, the transmission of data has been approved by the District Court under paragraph (2) of Regulation 16, and

(b) on that date, the data have not been transmitted under that provision following such approval,

then, on or after that date, the PIU shall transmit the full data to the third country concerned in accordance with that Regulation.

(17) Where—

(a) before the date of coming into operation of *section 71*, a transfer of PNR data to a third country has taken place pursuant to paragraph (3) of Regulation 16 without the prior consent of the Member State from which the PNR data were obtained, and

(b) on that date, the PIU has not informed the PIU of the Member State concerned of the transfer,

the PNR data shall, on and after that date, be taken to have been transferred in accordance with *section 92(6)*, and the provisions of this Part shall apply accordingly.”.

Seanad amendment agreed to.

Seanad amendment No. 78:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transitional provisions: requests by PIU for PNR data

100.(1) Where—

(a) before the date of coming into operation of *section 71*, a request is made by the PIU to the PIU of another Member State under paragraph (8) or (10) of Regulation 7, and

(b) on that date, the data requested have not been transferred to the PIU by the PIU of the other Member State concerned,

the request shall, on and after that date, be taken to be—

(i) in the case of a request under paragraph (8) of that Regulation, a request under *section 90(1)*, and

(ii) in the case of a request under paragraph (10) of that Regulation, a request under *section 90(4)*,

and the provisions of this Part shall apply accordingly.

(2) Where—

(a) before the date of coming into operation of *section 71*, a request is made by a competent authority to the PIU of another Member State under paragraph (9) of Regulation 7, and

(b) on that date, the PNR data requested have not been transferred to the competent authority by the PIU of the Member State concerned,

the request shall, on and after that date, be taken to be a request under *section 90(3)*, and the provisions of this Part shall apply accordingly.”.

Seanad amendment agreed to.

Seanad amendment No. 79:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transitional provisions: retention of PNR data

101.(1) PNR data that is, immediately before the date of coming into operation of *section 71*, lawfully retained in a database of the PIU, may, on the coming into operation of that section, continue to be retained under *section 94*, subject to the modifications that, in the case of data continued to be retained pursuant to this section—

(a) a reference in *section 94(1)(a)* to an initial period of 6 months from the date of the transfer shall be taken to be a reference to the balance of an initial period of 6 months from the date of the transfer of the PNR data concerned to the PIU under the Regulations of 2018, and

(b) a reference in *section 94(1)(b)* to a further period not exceeding 4 years and 6 months shall be taken to be a reference to the balance of a period, not exceeding 4 years and 6 months commencing on the date of the expiration of the initial period of 6 months from the date of the transfer of the PNR data under the Regulations of 2018.

(2) PNR data that is, immediately before the date of coming into operation of *section 71*, lawfully retained by a competent authority, in accordance with Regulation 11 shall, on the coming into operation of that section, continue to be retained by that competent authority under *subsection (7) of section 94*, subject to the modification that, in the case of data continued to be retained pursuant to this section, a reference in *paragraph (a)* of that subsection to a period of 5 years shall be taken to be a reference to the balance of the period of 5 years referred to in Regulation 11(3)(a).

(3) Where immediately before the date of coming into operation of *section 71* the result of an assessment of passengers under Regulation 5(1)(a) has been retained for the purpose referred to in that provision, the PIU may, on and after that date, continue to retain that result under *subsection (4) of section 94* for as long as is necessary for the purpose referred to in *paragraphs (a) or (b)*, as the case may be, of that subsection.

(4) Where the result of automated processing has been proven to be negative as referred to in Regulation 11(6) and that result is, immediately before the coming into operation of *section 71*, retained by the PIU in accordance with that provision for a period of less than 6 months, that result may, on the coming into operation of that section, continue to be retained by the PIU under *section 94(5)*—

(a) for the balance of that 6 month period, and

(b) for the purposes referred to in that subsection.”.

Seanad amendment agreed to.

Seanad amendment No. 80:

Section 65: In page 55, between lines 5 and 6, to insert the following:

“Transitional provisions: retention of documentation and records

102.(1) Documentation maintained by the PIU under paragraph (1) of Regulation 12 immediately prior to the date of coming into operation of *section 71* shall, on and after that date, continue to be maintained by the PIU in accordance with *section 95*.

(2) Records that are lawfully kept by the PIU under paragraph (2) of Regulation 12 immediately prior to the date of coming into operation of *section 71* shall, on and after that date, be kept for the balance of the period of 5 years referred to in paragraph (4)(b) of that Regulation in accordance with *section 95*, subject to the modification that, in the case of records continued to be kept pursuant to this section, a reference in *section 95(4)* to a period of 5 years shall be taken to be a

reference to the balance of the period of 5 years referred to in paragraph (4)(b) of Regulation 12.”.

Seanad amendment agreed to.

Seanad amendment No. 81:

Section 69: In page 56, to delete lines 13 and 14 and substitute the following:

“69.Schedule 5 to the []Social Welfare Consolidation Act 2005 is amended in paragraph 1(4) by—

(a) the substitution of “An Garda Síochána,” for “An Garda Síochána and the Defence Forces in respect of their own members,” and

(b) the insertion, after “the Companies Registration Office,” of the following:

“the Courts Service,

the Defence Forces in respect of its own members,

the Director of Public Prosecutions,”.”.

Seanad amendment agreed to.

An Ceann Comhairle: Amendment No. 82 is to be discussed with amendments Nos. 83 and 92. They are related and will be discussed together.

Seanad amendment No. 82:

Section 65: In page 56, between lines 25 and 26, to insert the following:

“Amendment of []Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020

72.The []Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 is amended—

(a) in section 11, by the substitution of the following subsection for subsection (3):

“(3) A direction under subsection (1) or (2) may include such ancillary or consequential directions as the court concerned considers appropriate.”,

(b) in section 20(2)—

(i) in paragraph (b), by the substitution of “in such manner as may be specified in the rules,” for “in such manner as may be specified in the rules, and”, and

(ii) by the insertion of the following paragraph after paragraph (b):

“(ba) in relation to the transmission of a document referred to in paragraph (b) or (c) of subsection (1), require that the identity of the person receiving such a document be verified, including by the provision of the personal public service number (also within the said meaning) issued to the person, in such manner as may be specified in the rules, and”,

and

(c) in section 26, by the substitution of the following subsection for subsection (3):

“(3) A direction under subsection (1) or (2) may include such ancillary or consequential directions as the court concerned considers appropriate.”.

Deputy Jim O’Callaghan: Amendment No. 82 makes a number of technical amendments to the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020. It also repeals two redundant provisions of the 2020 Act.

Amendment No. 83 amends the Criminal Justice (Perjury and Related Offences) Act 2021. It is a purely consequential amendment to take account of the proposed insertion in this Bill of a provision for statements of truth in criminal and international co-operation proceedings.

Amendment No. 92 amends the long title consequential on amendments Nos. 82 and 83.

Seanad amendment agreed to.

Seanad amendment No. 83:

Section 72: In page 56, between lines 25 and 26, to insert the following:

“Amendment of []Criminal Justice (Perjury and Related Offences) Act 2021

73.The []Criminal Justice (Perjury and Related Offences) Act 2021 is amended—

(a) in section 1—

(i) in subsection (1), by the insertion of the following definitions:

“ ‘Act of 2026’ means the *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026*;

‘section 67 statement of truth’ has the same meaning as it has in section 67 of the Act of 2026;”,

and

(ii) in subsection (2), by the substitution of “Section 21(3) of the Act of 2020 and section 67(3) of the Act of 2026” for “Section 21(3) of the Act of 2020”,

(b) in section 2—

(i) in subsection (1)—

(I) in paragraph (b), by the deletion of “or”,

(II) in paragraph (c), by the substitution of “section 21 of the Act of 2020, or” for “section 21 of the Act of 2020”, and

(III) by the insertion of the following paragraph after paragraph (c):

“(d) in a section 67 statement of truth made in place of an affidavit in accordance with section 67 of the Act of 2026,”,

and

(ii) in subsection (2), by the substitution of “paragraph (a), (b), (c) or (d)” for “paragraph (a), (b) or (c)”,

and

(c) in section 6(1), by the insertion of the following paragraph after paragraph (b):

“(ba) a *section 67* statement of truth made in place of a statutory declaration in accordance with *section 67* of the Act of 2026;”.’.

Seanad amendment agreed to.

Seanad amendment No. 84:

Schedule: In page 62, after line 20, to insert the following:

“SCHEDULE 2

Passenger Name Record (PNR) data

1. PNR record locator
2. Date of reservation/issue of ticket
3. Date(s) of intended travel
4. Name(s)
5. Address and contact information (telephone number, email address
6. All forms of payment information, including billing address
7. Complete travel itinerary for specific PNR
8. Frequent flyer information
9. Travel agency/travel agent
10. Travel status of passenger, including confirmations, check in status, no-show or go-show information
11. Split/divided PNR information
12. General remarks (including all available information on unaccompanied minors under 18 years, such as name and gender of the minor, age, language(s) spoken, name and contact details of guardian on departure and relationship to the minor, name and contact details of guardian on arrival and relationship to the minor, departure and arrival agent
13. Ticketing field information, including ticket number, date of ticket, issuance and one-way tickets, automated ticket fare quote fields
14. Seat number and other seat information
15. Code share information

16. All baggage information

17. Number and other names of travellers on the PNR

18. Any advance passenger information (API) data collected (including the type, number, country of issuance and expiry date of any identity document, nationality, family name, given name, gender, date of birth, airline, flight number, departure date, arrival date, departure port, arrival port, departure time and arrival time)

19. All historical changes to the PNR data listed in numbers 1 to 18.”.

Seanad amendment agreed to.

Seanad amendment No. 85:

Schedule: In page 62, after line 20, to insert the following:

“SCHEDULE 3

Serious crime

1. General

An offence under—

sections 2(1), (2), (3), (4) and (6) of the Criminal Law (Jurisdiction) Act 1976 (No. 14 of 1976) to the extent that the offence in the Schedule of that Act related to the alleged offence is one listed in *Schedule 3* of this Act

section 11 of the Criminal Justice (Terrorist Offences) Act 2005 (No. 2 of 2005) to the extent that the offence in Part 1 or Part 2 of Schedule 6 of that Act related to the alleged offence is one listed in *Schedule 3* of this Act

section 71 of the Criminal Justice Act 2006 (No. 26 of 2006) to the extent that it relates to the alleged offence of conspiracy to commit an offence listed in *Schedule 3* of this Act and the offence is one for which a person may be punished by imprisonment for a term of 3 years or more

2. Participation in a criminal organisation

An offence under—

section 21 or 21A of the Offences against the State Act 1939 (No. 13 of 1939)

section 6 of the Offences Against the State (Amendment) Act 1998 (No. 39 of 1998)

section 72 or 73 of the Criminal Justice Act 2006 (No. 26 of 2006)

3. Trafficking in human beings

An offence under—

section 9 of the Criminal Law (Sexual Offences) Act 1993 (No. 20 of 1993)

section 3 of the Child Trafficking and Pornography Act 1998 (No. 22 of 1998)

section 2, 4 or 5 of the Criminal Law (Human Trafficking) Act 2008 (No. 8 of 2008)

section 5 of the Criminal Justice (Public Order) Act 2011 (No. 5 of 2011)

section 38 of the Domestic Violence Act 2018 (No. 6 of 2018)

section 6, 7, 8 or 14 (other than subsection (8)(c) of that section) of the Criminal Justice (Smuggling of Persons) Act 2021 (No. 42 of 2021)

4. Sexual exploitation of children and child pornography

An offence under—

section 6 of the Criminal Law (Sexual Offences) Act 1993 (No. 20 of 1993)

section 2, 3, 4 or 5 of the Sexual Offences (Jurisdiction) Act 1996 (No. 38 of 1996) in so far as it relates to any offence specified in the Schedule of that Act that carries a maximum term of imprisonment of at least 3 years

section 3, 4, 4A, 5, 5A or 6 of the Child Trafficking and Pornography Act 1998 (No. 22 of 1998)

section 249(1) of the Children Act 2001 (No. 24 of 2001)

section 176(2) of the Criminal Justice Act 2006 (No. 26 of 2006)

section 2, 3 or 3A of the Criminal Law (Sexual Offences) Act 2006 (No. 15 of 2006)

section 3, 4, 5, 6, 7, 8 or 42 of the Criminal Law (Sexual Offences) Act 2017 (No. 2 of 2017)

5. Illicit trafficking in narcotic drugs and psychotropic substances

An offence under—

section 3 (other than in the case of a first or second offence as provided for by section 27(1)), 15, 15A, 15B, 17, 19 or 21 (in so far as it relates to any offence specified in section 27 of that Act that carries a maximum term of imprisonment of at least 3 years) of the Misuse of Drugs Act 1977 (No. 12 of 1977)

section 34 of the Criminal Justice Act 1994 (No. 15 of 1994)

section 3(1), 3(2), 4, 5(1), 8(6) or 10(8) of the Criminal Justice (Psychoactive Substances) Act 2010 (No. 22 of 2010)

section 14 of the Customs Act 2015 (No. 18 of 2015)

6. Illicit trafficking in weapons, munitions and explosives

An offence under—

section 4, 5, 31, 40, 43 or 81 of the Explosives Act 1875 (38 & 39 Vict.) c. 17

section 2, 3, 4(1) or 5 of the Explosive Substances Act 1883 (46 & 47 Vict.)
c. 3

section 2, 15, 16 or 17 of the Firearms Act 1925 (No. 17 of 1925)

section 27A or 27B of the Firearms Act 1964 (No. 1 of 1964)

section 4 of the Firearms (Proofing) Act 1968 (No. 20 of 1968)

section 7, 8 or 12 of the Firearms and Offensive Weapons Act 1990 (No. 12
of 1990)

section 3 of the Chemical Weapons Act 1997 (No. 28 of 1997)

section 6 or 9 of the Cluster Munitions and Anti-Personnel Mines Act 2008
(No. 20 of 2008)

section 14 of the Customs Act 2015 (No. 18 of 2015)

7. Corruption

An offence under—

section 5, 6, 7, 9 or 10 of the Criminal Justice (Corruption Offences) Act 2018
(No. 9 of 2018)

section 42A of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No.
50 of 2001)

8. Fraud, including that against the financial interests of the European Union

Conspiracy to defraud

An offence under—

section 119 of the Registration of Title Act 1964 (No. 16 of 1964)

section 2 of the Criminal Damage Act 1991 (No. 31 of 1991)

section 1078 of the Taxes Consolidation Act 1997 (No. 39 of 1997)

section 102 (other than subsections (1) and (2) of that section) of the Finance
Act 1999 (No. 2 of 1999)

section 4, 6, 7, 9, 10, 11, 25, 26, 27, 28, 29, 42, 42A, 42B(3), 45 (in so far as
it relates to an offence under section 42, 42A or 42B(3)) or 51 of the Criminal
Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

section 119 of the Finance Act 2001 (No. 7 of 2001)

section 6 of the Competition Act 2002 (No. 14 of 2002) being an offence
involving an agreement, decision or concerted practice to which section 8(1)
applies

subsection (3) or (4) of section 78 and section 78A of the Finance Act 2005
(No. 5 of 2005)

section 251, 252 (other than an offence under section 252(1)(d)), 253, 254, 255, 262 or 262A of the Social Welfare Consolidation Act 2005 (No. 26 of 2005)

section 17 or 19 of the Criminal Justice Act 2011 (No. 22 of 2011)

section 82, 87(5), 101, 102(3), 102(5), 286, 294, 324, 330, 387, 388, 389, 406, 507, 716, 717, 718, 719, 720(1), 721, 722, 767(4), 776, 876, 877, 878, 1148, 1200 or 1260 of the Companies Act 2014 (No. 38 of 2014)

section 14 of the Customs Act 2015 (No. 18 of 2015)

section 15A of the Assisted Decision-Making (Capacity) Act 2015 (No. 64 of 2015)

section 5 of the Markets in Financial Instruments Act 2018 (No. 25 of 2018)

section 26(1) of the Garda Síochána (Compensation) Act 2022 (No. 33 of 2022)

9. Laundering of the proceeds of crime and counterfeiting of currency, including the euro

An offence under—

section 33, 34, 35, 36, 37 or 38 (in so far as it relates to an offence under section 33, 34, 35, 36 or 37) of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

section 7, 8, 9, 10, 30A, 30B, 33A(3), 36A, 38, 38A, 39, 40C, 54, 57, 57A, 59, 108A or 109A of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (No. 6 of 2010)

10. Computer-related crime / cybercrime

An offence under—

section 2, 3 or 4 of the Criminal Damage Act 1991 (No. 31 of 1991)

section 9 of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

section 2, 3, 4, 5 or 6 of the Criminal Justice (Offences Relating to Information Systems) Act 2017 (No. 11 of 2017)

section 8 of the Criminal Law (Sexual Offences) Act 2017 (No. 2 of 2017)

11. Environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties

An offence under—

section 3 or 4 of the Local Government (Water Pollution) Act 1977 (No. 1 of 1977)

section 32 (other than an offence under subsection (6) where the offence consists of a contravention of regulations under subsection (4) of that section) of the Waste Management Act 1996 (No. 10 of 1996)

section 71B of the Animal Health and Welfare Act 2013 (No. 15 of 2013)

12. Facilitation of unauthorised entry and residence

An offence under—

section 6, 7, 8 or 14 (other than subsection (8)(c) of that section) of the Criminal Justice (Smuggling of Persons) Act 2021 (No. 42 of 2021)

13. Murder, grievous bodily injury

Murder

Manslaughter

An offence under—

section 4, in relation to conspiracy to murder, of the Offences against the Person Act 1861 (24 & 25 Vict.) c.100

section 53 of the Road Traffic Act 1961 (No. 24 of 1961) where the alleged contravention of subsection (1) causes death or serious bodily harm to another person

section 4(a) and (b) of the Criminal Justice Act 1990 (No. 16 of 1990)

section 3A, 4, 4A, 5, 6, 7(1), 8, 12, 13, 13A or 14 of the Non-Fatal Offences against the Person Act 1997 (No. 26 of 1997)

section 2 or 3 of the Criminal Justice (United Nations Convention Against Torture) Act 2000 (No. 11 of 2000)

section 2, 3 or 4 of the Criminal Justice (Female Genital Mutilation) Act 2012 (No. 11 of 2012)

14. Illicit trade in human organs and tissue

An offence under section 2 or 4 of the Criminal Law (Human Trafficking) Act 2008 (No. 8 of 2008)

15. Kidnapping, illegal restraint and hostage-taking

An offence under—

section 15, 16 or 17 of the Non-Fatal Offences against the Person Act 1997 (No. 26 of 1997)

section 9 of the Criminal Justice (Terrorist Offences) Act 2005 (No. 2 of 2005)

section 38 of the Domestic Violence Act 2018 (No. 6 of 2018)

16. Organised and armed robbery

An offence under—

section 26 of the Firearms Act 1964 (No. 1 of 1964)

section 4, 12, 13, 14, 15, 17 or 18 of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

section 71A, 72 or 73 of the Criminal Justice Act 2006 (No. 26 of 2006)

17. Illicit trafficking in cultural goods, including antiques and works of art

An offence under section 4, 12, 13, 14, 15, 17 or 18 of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

18. Counterfeiting and piracy of products

An offence under—

section 92 of the Trade Marks Act 1996 (No. 6 of 1996)

section 140 or 141 of the Copyright and Related Rights Act 2000 (No. 28 of 2000)

section 33, 34, 35, 36, 37 or 38 (in so far as it relates to an offence under section 33, 34, 35, 36 or 37) of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

19. Forgery of administrative documents and trafficking therein

An offence under section 25, 26, 27, 28 or 29 of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

20. Illicit trafficking in hormonal substances and other growth promoters

An offence under—

Regulation 34 of the European Communities (Control of Animal Remedies and their Residues) Regulations 2009 (S. I. No. 183 of 2009)

21. Illicit trafficking in nuclear or radioactive materials

An offence under—

section 38 of the Radiological Protection Act 1991 (No. 9 of 1991)

section 2 of the Biological Weapons Act 2011 (No. 13 of 2011)

22. Rape

An offence under—

section 2, 3 or 4 of the Criminal Law (Rape) (Amendment) Act 1990 (No. 32 of 1990)

section 22 of the Sex Offenders Act 2001 (No. 18 of 2001)

section 21 or 22 of the Criminal Law (Sexual Offences) Act 2017 (No. 2 of 2017)

23. Crimes within the jurisdiction of the International Criminal Court

An offence under section 7, 8 or 11 of the International Criminal Court Act 2006 (No. 30 of 2006)

24. Unlawful seizure of aircraft/ships

An offence under—

section 11 of the Air Navigation and Transport Act 1973 (No. 29 of 1973)

section 3 of the Air Navigation and Transport Act 1975 (No. 9 of 1975)

section 10 of the []Criminal Law (Jurisdiction) Act 1976 (No. 14 of 1976)

section 2 of the Maritime Security Act 2004 (No. 29 of 2004)

25. Sabotage

An offence under—

section 1 of the Treason Act 1939 (No. 10 of 1939)

section 2 of the Criminal Damage Act 1991 (No. 31 of 1991)

section 166, 167 or 168 of the Electoral Reform Act 2022 (No. 30 of 2022)

section 24, 25(8), 26(2) or 29(6) of the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 (No. 4 of 2023)

26. Trafficking in stolen vehicles

An offence under—

section 112(2) (inserted by section 3 of the Road Traffic (Amendment) Act [1984] (No. 16 of 1984)) of the Road Traffic Act 1961 (No. 24 of 1961)

section 10 of the Criminal Law (Jurisdiction) Act 1976 (No. 14 of 1976)

section 4, 14, 17 or 18 of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

27. Industrial espionage

An offence under—

section 4, 9, or 15 of the Criminal Justice (Theft and Fraud Offences) Act 2001 (No. 50 of 2001)

section 2, 3, 4, 5 or 6 of the []Criminal Justice (Offences Relating to Information Systems) Act 2017 (No. 11 of 2017)".

Seanad amendment agreed to.

Seanad amendment No. 86:

Schedule: In page 62, after line 20, to insert the following:

“SCHEDULE 4

Section 78(1)

Competent Authorities

Minister for Justice, Home Affairs and Migration

An Garda Síochána

Office of the Revenue Commissioners

Minister for Social Protection

Permanent Defence Force”.

Seanad amendment agreed to.

Seanad amendment No. 87:

Title: In page 7, line 10, after “peace;” to insert the following:

“to amend the Wireless Telegraphy Act 1926 to enable members of An Garda Síochána to use certain apparatus for wireless telegraphy to interfere with unmanned aircraft systems for the purposes of carrying out the function of An Garda Síochána;”.

Seanad amendment agreed to.

Seanad amendment No. 88:

Title: In page 7, line 20, after “amend” to insert “the Misuse of Drugs Act 1984,”.

Seanad amendment agreed to.

Seanad amendment No. 89:

Title: In page 7, line 21, after “proceedings;” to insert the following:

“to repeal Chapter 3 of Part 2 of the [] [] Criminal Law (Sexual Offences and Human Trafficking) Act 2024 and to make provision in relation to evidence regarding the vouching of character of persons convicted of certain offences; to confer a power on members of An Garda Síochána to direct a person wearing a face covering to engage, or refrain from engaging, in certain matters in certain circumstances, to provide for an offence for failure to comply with such a direction and for those purposes to amend the Criminal Justice (Public Order) Act 1994;”.

Seanad amendment agreed to.

Seanad amendment No. 90:

Title: In page 8, line 4, after “that” to insert “and another”.

Seanad amendment agreed to.

Seanad amendment No. 91:

Title: In page 8, line 13, after “activity;” to insert the following:

“to make provision for the use of electronic means, and the making of statements of truth, in certain proceedings; to give further effect to Directive (EU) 2016/681 on the use of passenger name record (“PNR”) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime; to provide for the continuation of the Passenger Information Unit and for the processing, including retention, of passenger name record data by that Unit and by competent authorities; to provide for the continued designation of intra-EU flights, and the designation of all extra-EU flights, for the purpose of the prevention, detection, investigation and prosecution of terrorist offences and serious crimes; to provide for the designation of an Independent Authority and the conferral of certain functions on that Authority, including the conduct of reviews of the process for the designation of intra-EU flights and the approval of applications for the transfer, to other Member States and third countries, of passenger name record data and for those purposes to provide for the revocation of the European Union (Passenger Name Record Data) Regulations 2018;”.

Seanad amendment agreed to.

Seanad amendment No. 92:

Title: In page 8, line 18, after “2015,” to insert the following:

“the []Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020, the []Criminal Justice (Perjury and Related Offences) Act 2021,”.

Seanad amendment agreed to.

Seanad amendments reported.

An Ceann Comhairle: The agreement to the Seanad amendments is reported to the House and a message will be sent to Seanad Éireann acquainting it accordingly.

7 o'clock

Health (Provision of Contraception Prescribing Service in Retail Pharmacy Businesses) Bill 2026: Committee and Remaining Stages

SECTION 1

An Ceann Comhairle: Amendments Nos. 1 and 2 are related will be discussed together.

Deputy Marie Sherlock: I move amendment No. 1:

In page 3, between lines 13 and 14, to insert the following:

“(a) by the insertion of the following subsection after subsection (1):

“(1A) The Minister shall, not later than 12 months after the coming into operation of this subsection, and every year thereafter, prepare and lay before each House of the Oireachtas a report on progress towards making contraception services available without charge to all women which shall include—

- (a) the number of women who availed of contraception services in the preceding year, by reference to age,
- (b) an assessment of the case for prescribing a further age or class or classes of ages under subsection (5),
- (c) an assessment of the case for making available under this section the contraception services referred to in subsections (1) and (4) by reference to an age that is under the age of 17 years,
- (d) an assessment of the barriers to accessing contraception services experienced by women who are unable to readily demonstrate that they are ordinarily resident in the State or to furnish a personal public service number, including women who are undocumented, women who are applicants for international protection, women experiencing homelessness and women who have experienced domestic, sexual or gender-based violence, and the measures taken or proposed to be taken to remove those barriers, and
- (e) the implementation of such commitments relating to contraception as are contained in any strategy or action plan relating to sexual health published by the Minister and for the time being in force.”.

Amendment No. 1 seeks to ensure a report is prepared not later than 12 months after the coming into operation of the subsection and every year thereafter. It is effectively a report on the performance, of the provisions that we are currently legislating for. Last week, I warmly welcomed this Bill and talked about the huge benefit it will have for women. I also wanted to highlight that there were significant issues with access to our health services for certain women.

A National Women's Council survey found that there are barriers particularly for women who do not have a PPS number, disabled women, Traveller women and LGBTQ+ women. There are cultural prejudices that they do not need contraception and of course geographical barriers. My call is to maintain data on the number of women who are availing of the services, understanding the profile of who is actually accessing the services and also understanding the barriers as set out in that survey and indeed those that we have picked up anecdotally. Many of us who have an interest in women's health have come to understand that in terms of dealing with any marginalised group. I appeal to the Minister to make sure that we have proper data collection to ensure that we get the most out of this legislation.

Pointing to something else, we know there is a big gap in the uptake of the medical card and we have to understand why. The big issue we are trying to highlight here is that while it is fantastic that the legislation will provide for access to contraception via our pharmacies, we need to make sure that we look at who else should be able to access it.

Effectively amendment No. 2 does not change anything but it gives the Minister the power to legislate to lower the age of access to the contraception scheme. It does two things. The scheme currently covers those aged 17 to 36. We in the Labour Party have spoken about the

need to increase that upper age. We know that the Minister can do that by ministerial regulation. We know that women are fertile far beyond their 36th year. If they are able to access services such as termination services regardless of age, we do not see why there should be an age applied. It would cost relatively little. It would cost €5 million per year to increase the age threshold with regard to contraception services. We believe the Minister can do that by ministerial regulation.

However, section 67E of the Health Act 1970 precludes the Minister from legislating for access to contraception services for those under the age of 17. The age of medical consent is 16 and we believe that the contraception scheme should be standardised to 16. Effectively we want to empower the Minister to be able to reduce the age to 16 for the contraception scheme.

Minister for Health (Deputy Jennifer Carroll MacNeill): I thank the Deputy for the amendments and the spirit in which they have been put forward. It is important to be able to have these discussions. I will deal with second one. The Deputy is quite right that ages of consent vary. Medical consent is 16, sexual activity is 17, consent under GDPR is 18, and that can lead to some complexity. It can lead to confusion on the part of young people seeking care and risk aversion on the part of the clinicians treating them. The HSE clinical experts recommend that healthcare professionals need a clear regulatory and legal framework to manage the complex needs of those aged under 17 who present independently away from parents or anything else. There is strong concern about the child protection elements of that.

Though that framework should include training and education as well as child protection and legal protections, it should also provide access to contraception and sexual health services where clinically appropriate in line with international guidance on the rights of the child. However, they do not recommend lowering the age of consent, which I acknowledge is not necessarily what the Deputy is suggesting. They are suggesting that the linking of the two things is problematic and that it does not necessarily increase child protection. They are worried about different behaviours being adopted at earlier and earlier ages and having negative impacts for children. There was a very important piece of research done into sexual activity between children aged 15 to 17. It shows about 25% of 15- to 17-year-olds have had sex but the majority of those were 17 and therefore eligible for the free contraception scheme. I appreciate the point the Deputy is making.

I will go with the clinical guidance on this because I do not want to rush something like that in legislation on this occasion with this amendment. I appreciate the importance of the point the Deputy is making but I also hear the case in relation to child protection more broadly and the protection of those more particularly vulnerable cases who may be presenting independent of parents. I am not in a position and I do not have research that enables me to take a position beyond the clinical expertise at this point in relation to it. I cannot put it any further than that at this time.

On amendment No. 1, I understand exactly why the Deputy is raising it. I am not sure it is necessary in legislation. We can do so much of that through parliamentary questions, the health committee and other things, and we want to do that. It is very important that both the Deputy and the National Women's Council identify the particular barriers that exist for women in certain groups, whether it is, as the Deputy said, to do with PPS numbers, or Traveller, Roma or migrant groups. There are groups that have particular barriers to accessing health. That is

one of the reasons we created the women's health task force, which has a funding stream specifically and additionally for that.

When it came to funding the Health Research Board, HRB, this year, I asked it specifically to support women's research with a €2 million dedicated fund. This was in four areas: menstrual health, endometriosis, the mental health issues postpartum in traumatic birth cases, but in particular the issues around access to health generally for those much more marginalised groups. I say this as a measure of attempted reassurance about our concern for and awareness of those groups in trying to index as many different ways as possible to try to support those groups because I recognise the barriers they face in so many different ways whether it is language, culture, PPS numbers or customs and habits. There are so many different things and we want to provide healthcare for all. I am glad to have the opportunity to discuss it but I am not sure it is necessary for legislation. However, in any other context I will give the Deputy whatever information I can in relation to how we are doing with it.

Deputy Marie Sherlock: I thank the Minister. I feel very strongly that in bringing forward amendment No. 2, and I have listened carefully to the Minister's response, that judgment should not be passed on why a 16-year-old girl might present to a pharmacy seeking contraception. It would be very worrying if the message were to go out that we are trying to control or dissuade behaviours. The history of our State has been trying to control and dissuade behaviours when we know that behaviours are happening. The intent behind this amendment in particular is for vulnerable girls out there who are in a situation where they do not have a supportive family environment but perhaps are being exploited in some other context and need access. I hear what the Minister is saying about child protection but at the end of the day we need to look at the health separate to child protection. It is part of child protection but it also has to be considered separately because it is an immediate need for a young woman who legally remains a child but who may be involved in sexual behaviour at the age of 16.

Of course, we know there are other girls who access contraception not because of needing it for the original use but for other health conditions. We need to be very mindful that we want to create a health service that can afford access to those who are in difficult situations. The vast majority of those under the age of 18 will be going with the consent or knowledge of their parents, but there are definitely females out there, particularly in marginalised communities, who need to access contraception and who do not have the means to be making a doctor's appointment. We believe being able to access it through the caring environment of a pharmacy would be really appropriate.

I ask the Minister to reconsider amendment No. 2. As I say, it does not change anything. It merely empowers the Minister to make a decision armed with greater research and evidence at a future date to legislate to lower the age. It is to standardise with the age of consent of 16 and it is important that the Minister should have that power because she is currently precluded from it as we read the 1970 Act.

Deputy Pádraig Rice: I welcome the Bill. We spend a lot of time inside these Houses talking about other parts of reproductive healthcare and not enough about contraception, so it is really welcome that we are having a focus and discussion on it and are moving forward with changes.

On the point in relation to the eligibility piece, it is important that we expand eligibility as much as possible, and at the older age groups as well. In a reply to a parliamentary question last month, the Minister said that expanding access for 36- for 40-year-olds only costs €5 million per year and that is something that should be considered in terms of increasing the age group upwards as well. The National Women's Council report found that 31% of women experienced barriers in accessing free contraception and age limit was one of the most cited barriers there as well. It is certainly something that should be considered. It is not a huge amount of money. It would increase access and we need to expand the eligibility more broadly.

Deputy Jennifer Carroll MacNeill: If I had all of the money in the world, of course I would simply do these different things but I have to make choices between different things that the Oireachtas wants to spend money on. There are so many requests to spend money. There are never requests to find other things to do with them. Yes, if I had the money, of course, but that would also mean having to make choices around assisted human reproduction or putting more money into menopause clinics. There are so many different things for which we need more money and more positions. I do recognise the calls from the National Women's Council in relation to that. It really is a question of how much money we have for everything.

I am struck by Deputy Sherlock's comments in relation to protection. I am trying to distinguish child protection from all other issues. I hope there would be no girl at this point in the Irish healthcare system who would experience any judgment for presenting to any healthcare professional. That is not the message we are trying to send in any sense whatsoever. I also recognise there are some girls who are in extremely vulnerable situations but those are exactly the girls who also need a child protection response to what is happening to them. Seventeen is the age of consent as legislated by the Oireachtas. It is the age of sexual consent. We have spent a long time with that and there is no proposal to revise that as such. It is not the case that a 15- or 16-year-old girl will be able to go into the pharmacy in the first instance. This Bill provides that the follow-up care and appointments would be in the pharmacy for the additional four and a half years but that she would still have to go to a GP in the first instance.

If a 15-year-old presented to a GP for contraception that raises questions. Is it to manage a different condition, for example, for which there is evidence or concern? We have discussed endometriosis, for example. I do not know. I am not a clinician. I do not want to misrepresent that, but I can see scenarios as the Deputy describes in which that may be relevant. However, if there are broader child protection concerns that doctor also needs to be able to see and spend time with that girl. I am not happy to go against the clinical advice I have on this. The clinical advice I have is that earlier sexual debut is associated with adverse outcomes. It is not just about unplanned pregnancy; it is about other concerns and other protections. That is why we have chosen 17 and not 16. I was here for that debate some time ago. It is logical and aligned to have sexual activity consent age aligned with the age for accessing free contraception. Those things are logical. The Deputy might conversely say that it is logical around medical consent as well and I appreciate that point also. However, on the basis that I have the clinical advice, I do not have a reason to go against that at this point.

Amendment put and declared lost.

Deputy Marie Sherlock: I move amendment No. 2:

In page 3, between lines 17 and 18, to insert the following:

“(b) in subsection (6), by the substitution of “16 years” for “17 years”,.”.

Amendment put and declared lost.

Section 1 agreed to.

SECTION 2

An Leas-Cheann Comhairle: Amendments Nos. 3 to 7, inclusive, and amendment No. 10 are related and may be discussed together.

Deputy Jennifer Carroll MacNeill: I move amendment No. 3:

In page 4, lines 26 and 27, to delete “or medical device”.

We have a number of Government amendments to the Bill which collectively remove a reference to a medical device or devices from the Bill. Our pharmacy regulators, the Pharmaceutical Society of Ireland and the Health Products Regulatory Authority, HPRA, have been able to confirm to me that none of the contraceptives to be included in the pharmacy scheme are classified as medical devices.

Amendments Nos. 3 to 5, inclusive, essentially look to remove the reference to medical devices. Amendment No. 4 removes references to medical devices from the proposed amendments to the Pharmacy Act 2007. To recap, sections 2 and 3 amend the Irish Medicines Board Act 1995 and the Pharmacy Act 2007 in order to support the clinical service and associated training requirements that must be fulfilled to provide the contraception-prescribing service. Those sections ensure that the scheme is clearly enabled and cross-referenced through a refreshed legislative framework supporting pharmacy prescription of contraception.

Amendments Nos. 6 and 7 are to delete the references to medical devices within the Long Title. As I said, both of our regulators have asked that references to medical devices be removed. As stated last week, the current forms of contraception that will be included in the pharmacy prescription services are the contraceptive pill, the patch and the ring. Those are medicinal products and not medical devices. I hope the House is happy with those changes, which are largely technical in nature.

Amendment agreed to.

Deputy Jennifer Carroll MacNeill: I move amendment No. 4:

In page 4, line 27, to delete “or medical devices”.

Amendment agreed to.

Deputy Jennifer Carroll MacNeill: I move amendment No. 5:

In page 4, line 32, to delete “or device or devices”.

Amendment agreed to.

Section 2, as amended, agreed to.

SECTION 3

Deputy Jennifer Carroll MacNeill: I move amendment No. 6:

In page 5, lines 8 to 10, to delete all words from and including “subsection (3A)—” in line 8 down to and including in line 10, and substitute “subsection (3A),”.

Amendment agreed to.

Deputy Jennifer Carroll MacNeill: I move amendment No. 7:

In page 5, lines 15 to 17, to delete all words from and including “subsection (3B)(a)—” in line 15 down to and including line 17, and substitute “subsection (3B)(a),”.

Amendment agreed to.

Section 3, as amended, agreed to.

NEW SECTION

Deputy Pádraig Rice: I move amendment No. 8:

In page 5, between lines 20 and 21, to insert the following:

“Report on prescription-free oral contraceptives

4.The Minister shall, within six months of the passing of this Act, prepare and lay before Dáil Éireann a report on a proposal to allow registered pharmacists to dispense prescription-free oral contraceptives.”.

This is an amendment looking for a report on the provision of prescription-free oral contraceptives. It calls on the Minister, within six months of the passing of the Act, to lay before Dáil Éireann a report on the proposal to allow registered pharmacists to dispense prescription-free oral contraception. While the Bill as printed allows pharmacists to represcribe certain contraceptives, we believe that oral contraceptives should be available prescription-free. The oral contraceptive pill has been around for well over half a century and is one of the safest and most well-studied medicines available. In 2019, the World Health Organization publicly stated that oral contraception should be available without needing prescription. In 2023, the Irish Pharmacy Union, IPU, told the Oireachtas health committee that there is no clinical reason for oral contraceptives to be supplied only on foot of prescription, with proper protocols in place for a very safe and effective healthcare intervention. In 2023, the health committee endorsed the IPU's call and wrote to the previous Minister for Health urging him to allow direct access to oral contraceptives through community pharmacists. Community pharmacists had been providing emergency contraception prescription-free since 2011. There is no clinical reason this should not be extended to oral contraceptives.

Pharmacists are highly trained healthcare professionals. They should be allowed to operate at the top of their licence. They are available in every community and are very accessible. They have private consulting rooms, already used for emergency contraception. If we find that a patient would benefit more from long-acting, reversible contraceptives, the patient can be

referred to the GP by the pharmacist. Accepting this amendment would further alleviate pressures on already overstretched GPs. We know that the report published by the National Women's Council in April found that the survey respondents cited access to GPs as a significant barrier in accessing the free contraceptive scheme, particularly for migrants, people from rural areas and Travellers. It would also be particularly beneficial for those not eligible for the free contraception scheme. It would reduce the cost since they would not have to go to the GP. We are looking for the Minister to consider that issue and produce a report for the Dáil within six months.

Deputy Jennifer Carroll MacNeill: I thank the Deputy. I confess that we were not exactly clear on the nature of the contraceptives overall. Can I just clarify whether the Deputy is referring to progesterone only or combined, or simply the initial access in the pharmacy?

Deputy Pádraig Rice: We are talking about the prescription of oral contraceptives as called for by the World Health Organization, as set out by the Irish Pharmacy Union and as endorsed by the previous health committee. We are looking for a report on that with the detail of the various elements, if more detail is required. It was from that call from the IPU, endorsed by the health committee. The committee previously wrote to the Minister about access to oral contraceptives. There is a letter in the Department from the previous health committee, in 2023, setting out the detail on this. That is the call as endorsed by the IPU. Beyond that, the Minister may consider the report.

Deputy Jennifer Carroll MacNeill: I have better clarity on that now. This Bill is the culmination of a couple of years of work begun by my predecessor on the provision of contraception through pharmacies. That work commenced with consideration of the matter by the expert clinical committee on contraception, which was convened by the HSE. The crucial thing about the recommendations is that we are so pleased to be able to extend the follow-up service to pharmacies but we are not in a position to remove it from the clinical judgment of the GP in the first instance. That initial prescription has to come from a GP because there are so many contraindications for contraception for so many different types of women. I am aware that in some other countries, some contraceptives are given out over the counter, such as a progesterone-only pill. Combined hormonal contraception is recognised as being much more effective than that but it carries additional risk, for example for women with a personal or strong family history of certain conditions like blood clotting, cardiovascular disease and cancer, those who have significantly high blood pressure, those who smoke, or those who are aged over 35. There is a link with a higher risk of adverse effects. There are other contraindications too.

The clinical advice in the draft protocols, which was constructed with advice from our expert clinicians and pharmacy regulators, is looking to see that measurements such as blood pressure and other risk factors are evaluated in person and in the privacy of a consulting room. That is obviously initially with the GP but the follow-up is with the pharmacist. The more structured approach that we are trying to give is about making sure that those protections are in place, that there is the clinical judgment of the GP in the first instance, followed up by the pharmacist, and also that it is not a simple over-the-counter service and there is a consultation or appointment for it.

I do not think this is the case, but the Deputy can imagine a situation where a person is asking for something over the counter and there is a stigma. I am not sure that is the case at all because people have the ability to ask for things in private in pharmacies generally. Having the consultation room set-up, which I know the Deputy is not suggesting we do not have, is important. It is important that we have constructed a scheme which is more dedicated to that privacy and confidentiality structure.

We are not in a position to accept the amendment, again based on the substantial clinical advice which has gone into this from the HSE and the pharmacy regulator. I am and we are trying to expand so much of what our pharmacies can do. The Deputy has great belief in pharmacists and their technical expertise. Obviously, we have established the common condition service. We are now giving them this power too and we would very much like to extend that. When it comes to contraception, that first prescription-based structure followed by a structure that monitors how women are over time, recognising that their health may change in a five-year period, is a clinical structure that is important to maintain.

Deputy Pádraig Rice: It is important that we allow pharmacists to operate at the top of their licence and give them as much power as possible, and alleviate pressures on GPs. As I said, this is recommended by the World Health Organization and endorsed by the previous health committee and the IPU. That is the background to this amendment. Many pharmacists have private spaces where they do consultations about emergency contraception. Those spaces exist. It is one that we can maybe think about and have dialogue and engagement about in future. We can think about how we make the most of pharmacists and take pressure off GPs, while doing so with the best health outcomes.

Deputy Jennifer Carroll MacNeill: Like everything, it is better to start something and develop it rather than wait for something else. We are trying to start so much with pharmacists. It is important to remind everyone about the national condom distribution scheme too, which we are expanding to pharmacies on a phased basis. Obviously condoms are not prescription items and do not have to be covered by this legislation. Pharmacists do not have to prescribe them as such. Free condoms are being made available in pharmacy consulting rooms. Access is being phased into pharmacies in different regions.

By the time we launch that scheme, participating pharmacies will be able to access a free condom supply for their consulting room so they can offer them to people who might need them, which is a good thing. For reasons of patient safety, it is better to begin a scheme like this in a structured way. The scheme expands access more broadly and it achieves the goal of trying to get pharmacies to do more while making life easier for women generally, which I am a big fan of. Let us start this and see how and where it goes. If the clinical advice changes on the operation of this scheme, we can come back to it. Let us start this well and move forward with it.

Amendment put and declared lost.

An Leas-Cheann Comhairle: Amendment No. 9, in the name of Deputy Rice, has been ruled out of order.

Amendment No. 9 not moved.

Section 4 agreed to.

TITLE

Deputy Jennifer Carroll MacNeill: I move amendment No. 10:

In page 3, lines 8 and 9, to delete “medicines, products and devices” and substitute “medicines and products”.

Amendment agreed to.

Title, as amended, agreed to.

An Leas-Cheann Comhairle: Pursuant to Standing Order 194(3), I report specifically to the Dáil that the committee has amended the Title of the Bill.

Bill reported with amendments, received for final consideration and passed.

Double Taxation Relief Orders 2026: Motions

Minister of State at the Department of Finance (Deputy Robert Troy): I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and on Capital) (the Principality of Liechtenstein) Order 2026,

a copy of which was laid before Dáil Éireann on 25th June, 2026

Question put and agreed to.

Minister of State at the Department of Finance (Deputy Robert Troy): I move:

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and Capital Gains) (Sweden) Order 2026,

a copy of which was laid before Dáil Éireann on 25th June, 2026.

Question put and agreed to.

Planning and Development Regulations 2026: Motions

Minister of State at the Department of Housing, Local Government and Heritage (Deputy John Cummins): I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development (Exempted Development (Act of 2000)) Regulations 2026,

Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2026,

Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026,

Planning and Development (Exempted Development (Act of 2000)) (No. 4) Regulations 2026,

Planning and Development (Exempted Development (Act of 2000)) (No. 5) Regulations 2026,

Planning and Development (Exempted Development (Act of 2000)) (No. 6) Regulations 2026, and

Planning and Development (Exempted Development (Act of 2000)) (No. 7) Regulations 2026,

copies of which were laid in draft form before Dáil Éireann on 2nd July and 14th July, 2026.

Question put and agreed to.

Minister of State at the Department of Housing, Local Government and Heritage (Deputy John Cummins): I move:

That Dáil Éireann approves the following Regulations in draft:

Planning and Development (Licensing of Outdoor Events) Regulations 2026,

a copy of which was laid in draft form before Dáil Éireann on 2nd July, 2026.

Question put and agreed to.

Social Housing Passport Bill 2026: Second Stage [Private Members]

The following motion was moved by Deputy Eoin Ó Broin on 9 July 2026: "That the Bill be now read a Second Time."

Debate resumed on amendment No. 1:

To delete all words after "That" and substitute the following:

"Dáil Éireann resolves that the Social Housing Passport Bill 2026 be deemed to be read a second time this day twelve months, to allow for further consideration of the proposals in the Bill."

- (Minister of State at the Department of Housing, Local Government and Heritage, Deputy Christopher O'Sullivan)

An Leas-Cheann Comhairle: I must now deal with a postponed division relating to the Social Housing Passport Bill 2026, taken on Thursday, 9 July 2026. On amendment No. 1, a division was claimed and in accordance with Standing Order 85(2), that division must be taken now.

Amendment put:

The Dáil divided: Tá, 81; Níl, 69; 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.	Buckley, Pat.	
Browne, James.	Byrne, Joanna.	
Burke, Colm.	Cairns, Holly.	
Butler, Mary.	Carthy, Matt.	
Butterly, Paula.	Clarke, Sorca.	
Buttimer, Jerry.	Conway-Walsh, Rose.	
Byrne, Malcolm.	Coppinger, Ruth.	
Cahill, Michael.	Cronin, Réada.	
Callaghan, Catherine.	Crowe, Seán.	
Calleary, Dara.	Cullinane, David.	
Carrigy, Micheál.	Cummins, Jen.	
Carroll MacNeill, Jennifer.	Daly, Pa.	
Chambers, Jack.	Devine, Máire.	
Cleere, Peter 'Chap'.	Donnelly, Paul.	
Clendennen, John.	Ellis, Dessie.	
Collins, Niall.	Ennis, Daniel.	
Connolly, John.	Farrelly, Aidan.	
Cooney, Joe.	Farrell, Mairéad.	
Crowe, Cathal.	Fitzmaurice, Michael.	
Cummins, John.	Gannon, Gary.	
Currie, Emer.	Gibney, Sinéad.	
Daly, Martin.	Gould, Thomas.	
Dempsey, Aisling.	Graves, Ann.	
Devlin, Cormac.	Guirke, Johnny.	
Dillon, Alan.	Hayes, Eoin.	
Dolan, Albert.	Healy, Seamus.	
Dooley, Timmy.	Hearne, Rory.	
Feighan, Frankie.	Kelly, Alan.	
Fleming, Sean.	Kenny, Eoghan.	
Foley, Norma.	Kenny, Martin.	
Gallagher, Pat the Cope.	Kerrane, Claire.	
Geoghegan, James.	Lawless, Paul.	
Grealish, Noel.	Lawlor, George.	
Harkin, Marian.	Mac Lochlainn, Pádraig.	
Healy-Rae, Michael.	McDonald, Mary Lou.	
Heneghan, Barry.	McGettigan, Donna.	
Higgins, Emer.	McGuinness, Conor D.	
Keogh, Keira.	Mitchell, Denise.	
Kyne, Seán.	Murphy, Paul.	
Lahart, John.	Mythen, Johnny.	
Lawless, James.	Nash, Ged.	

Lowry, Michael.	Newsome Drennan, Natasha.	
Martin, Micheál.	Ní Raghallaigh, Shónagh.	
Maxwell, David.	Nolan, Carol.	
McAuliffe, Paul.	O'Callaghan, Cian.	
McCarthy, Noel.	O'Donoghue, Robert.	
McConalogue, Charlie.	O'Gorman, Roderic.	
McCormack, Tony.	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.	
Naughton, Hildegard.	Quinlivan, Maurice.	
Neville, Joe.	Rice, Pádraig.	
O'Connell, Maeve.	Sheehan, Conor.	
O'Connor, James.	Sherlock, Marie.	
O'Dea, Willie.	Tóibín, Peadar.	
O'Donnell, Kieran.	Wall, Mark.	
O'Meara, Ryan.	Ward, Mark.	
O'Shea, John Paul.	Whitmore, Jennifer.	
O'Sullivan, Christopher.		
O'Sullivan, Pádraig.		
Ó Cearúil, Naoise.		
Ó Muirí, Naoise.		
Roche, Peter.		
Scanlon, Eamon.		
Smith, Brendan.		
Smyth, Niamh.		
Stanley, Brian.		
Timmins, Edward.		
Toole, Gillian.		
Troy, Robert.		

Tellers: Tá, Deputies Emer Currie, Mary Butler, Norma Foley and Timmy Dooley; Níl, Deputies Pádraig Mac Lochlainn and Denise Mitchell.

Amendment declared carried.

Motion, as amended, agreed to.

Cuireadh an Dáil ar athló ar 7.51 p.m. go dtí 8.47 a.m., Déardaoin, an 16 Iúil 2026.

The Dáil adjourned at 7.51 p.m. until 8.47 a.m. on Thursday, 16 July 2026.