



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—Neamhcheartaithe
(OFFICIAL REPORT—Unrevised)

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DÁIL ÉIREANN

Dé Céadaoin, 16 Meán Fómhair 2026

Wednesday, 16 September 2026

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

Paidir agus Machnamh.

Prayer and Reflection.

Gnó na Dála - Business of Dáil

An Ceann Comhairle: Before we commence business, I want to take this opportunity to welcome you all back to the Dáil today and I hope you have had an opportunity for some rest over the summer break. As we begin a new Dáil term and reflecting on developments over the past year, I want to emphasise our shared responsibility to ensure that Leinster House is a safe, respectful and professional workplace for everyone. Robust debate and political disagreement are essential to parliamentary democracy. They must, however, be conducted in a manner that respects the dignity, safety and well-being of all Members, all staff and all those who engage with the work of the Houses. Each of us has a part to play in upholding the standards expected of this institution and ensuring that any concerns are treated seriously and addressed appropriately. I look forward to working constructively with all Members during the year ahead.

Ceisteanna ó Cheannairí - Leaders' Questions

An Ceann Comhairle: We will now proceed with the business. For the first Leaders' Questions of the session, I call Deputy Mary Lou McDonald.

Deputy Mary Lou McDonald: RTÉ has reported very serious allegations and tonight four Garda whistleblowers will speak publicly on them for the very first time. They will detail how the process for reporting and investigating wrongdoing within the Garda has been repeatedly undermined by senior management, including former Garda Commissioner, Drew Harris. A process was established in the aftermath of scandals that rocked An Garda Síochána more than a decade ago, in particular the treatment of sergeant Maurice McCabe. At that time, we were promised a fresh start. However, the Garda whistleblowers on tonight's programme say that instead of being protected, whistleblowers are targeted, penalised and vilified by those at the very top for making disclosures of wrongdoing. Protected disclosures made by these

whistleblowers include the dangerous storage, movement and handling of firearms, defective ammunition and the issuing of defective holsters - all of which put gardaí at risk.

Those speaking out are senior members of An Garda Síochána. They include Dr. Donal Corcoran, the person who was in charge of the Garda protected disclosures office; Ms Rose Sweeney, a case manager; and Detective Superintendent Brian O'Reilly, head of the Garda Technical Bureau. What is absolutely astonishing here is that the very person running the protected disclosures office, Dr. Corcoran, and another charged with managing protected disclosures cases, Ms Sweeney, were themselves forced to make a protected disclosure. The question is: why? They state they did so because of the wrongdoing they observed and the absolute hostility they encountered in the Garda culture. They too became whistleblowers, and they too were targeted and penalised. Ms Sweeney says that she was repeatedly pressured to close files prematurely. Dr. Corcoran says that after he made his protected disclosure he was targeted and forced out of his job, reassigned a different role, sent to an office on the other side of the building, given no real work and left to spend his day staring at the four walls.

Why was Donal Corcoran so ruthlessly targeted and penalised? On whose order was Donal Corcoran removed from his job? Who repeatedly pressured Ms Sweeney to close files prematurely, and why? Why has this culture of hostility among the most senior management towards Garda whistleblowers been allowed to grow and go unchallenged?

Members of the Garda go to work every day to protect us and they in turn deserve to be protected when they step forward to blow the whistle on wrongdoing. However, instead of being supported they are being destroyed. Following the disgusting treatment of Maurice McCabe we were assured things would change but more than a decade on, we learn that hostility towards whistleblowers and towards accountability at the highest echelons of the Garda is as bad as ever.

Did any member of Government know about this? What action will the Taoiseach take to establish precisely what happened and what is currently going on within the Garda protected disclosures system?

The Taoiseach: First of all, I have not seen the programme yet and I did not hear any of the material on radio this morning; I did not get the opportunity. The first thing I will do is get an opportunity to see the programme itself. I will not see it live tonight. I am at a function this evening but I hope to get an opportunity. I will get to see it. It is difficult to pre-empt seeing the entirety of it. Deputy McDonald is asking me to comment before the programme airs. That is problematic - day one. The second point is that there is, as the Deputy knows well, comprehensive legislation governing whistleblowers and there are robust structures, policies and procedures in place across the criminal justice system - indeed, across the entire governmental system. That is to ensure the effective management of protected disclosures and to provide support to people making disclosures under the Protected Disclosures Act 2014, which was amended in 2022. Those Acts were part of the then Government's comprehensive approach to strengthening protections available to whistleblowers, including members of An Garda Síochána. Under the Acts and the legislation, as the Deputy knows, Garda members and staff may confidentially disclose allegations of wrongdoing within An Garda Síochána to An Garda Síochána or to Fiosrú, and An Garda Síochána and Fiosrú are operationally independent and both bodies have their own protected disclosures mechanisms in place.

The Deputy's questions at the end were fairly loaded as if she was suggesting someone politically might have ordered. I hope she was not. I am not clear what she was saying by putting those questions. We are not operationally involved in protected disclosures. Government Ministers are not either. There is a very distinct mechanism in place and both An Garda Síochána and Fiosrú have their own protected disclosures mechanisms. The Act also affords protection to persons making protected disclosures.

Again, part of that protection rightly prioritises the confidentiality of the process, which is central to the efficacy of the process. There is a real paradox here now in that the very people within An Garda Síochána, or within the management and so on, are actually not in a position to comment specifically because protected disclosures have been served. That is something, because the Oireachtas passed this. There was never any issue about this and about the confidential nature of it as a protection for those who might wish to make a protected disclosure in any area of public administration.

Again, I will look at the programme. In the first instance, a new protected disclosures unit was established by the Garda Commissioner in January of 2025 within the Garda professional standards unit. My understanding is that was undertaken to strengthen the arrangements in place for investigating protected disclosures; strengthen in terms of personnel and exclusive control. By that I mean rather than having part-time people overseeing protective disclosures that there be a dedicated unit with a dedicated lead person in respect of it.

I am given to understand from An Garda Síochána and the Department of justice that An Garda Síochána encourages and supports employees in disclosing wrongdoing. Any allegations that have been made under the Protected Disclosures Act to An Garda Síochána are treated seriously and are examined for any potential discipline or criminal matters that may arise, so there is a process under way already.

Is rud an-tábhachtach é seo. I dtús báire, caithfidh mé an clár a fheiceáil.

Deputy Mary Lou McDonald: Although the programme has not yet aired, certainly the central kernel of the issue has been published by RTÉ. In fact, there is extensive material in the public domain on the core issues - not the detail perhaps but the core issues at play here - so I am surprised that the Taoiseach or somebody around him has not briefed him on that. Be that as it may, the nub of this is simply this. Tonight, the very person, Dr. Donal Corcoran, who was in charge of running the protected disclosures office will tell a story of how he and others experienced and observed consistent undermining of the independence of the office and active interference at the most senior levels, to the extent that he and another colleague were forced to become whistleblowers themselves and when they did that, they too were targeted and penalised.

Neither of those two who worked in this office are still in the jobs that they held. As Taoiseach, you need to establish the facts around it. I ask in good faith because I want to know and because we deserve to know-----

An Ceann Comhairle: The Taoiseach will respond.

Deputy Mary Lou McDonald: -----did anybody in Government know that this was going on?

The Taoiseach: Did anyone in Government know what was going on?

An Ceann Comhairle: It is rhetorical.

The Taoiseach: The specific allegations with respect of those who have made protected disclosures - I cannot interfere in a protected disclosure.

Deputy Mary Lou McDonald: That is not what the Taoiseach is being asked.

An Ceann Comhairle: It was rhetorical, Deputy.

The Taoiseach: I cannot interfere.

Deputy Mary Lou McDonald: That is not what he is being asked, but anyway.

The Taoiseach: The Deputy knows that. The Deputy has asked me to override, just now, the entire whistleblowers Act. That is what she has done.

Deputy Mary Lou McDonald: No, I have not.

The Taoiseach: What is she asking me, so?

Deputy Mary Lou McDonald: I have asked-----

The Taoiseach: The Deputy is trying to make it political-----

Deputy Mary Lou McDonald: -----that Donal Corcoran-----

The Taoiseach: She is trying to land it-----

An Ceann Comhairle: Deputy.

Deputy Mary Lou McDonald: -----and Rose Sweeney-----

The Taoiseach: as she always does.

Deputy Mary Lou McDonald: -----resigned

An Ceann Comhairle: Deputy, please.

The Taoiseach: The Deputy is interfering again and interrupting me. This is what she always does. I think the first thing we should do-----

Deputy Máire Devine: Would the Taoiseach answer the question?

The Taoiseach: With the greatest of respect, if we had a bit more whistleblowing in Sinn Féin a long time ago, we would have all been better off.

(Interruptions)

The Taoiseach: But could I just make the point, I think the first thing that has to happen----

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Deputy Mary Lou McDonald: That is a pretty disgraceful comment to make.

The Taoiseach: No, sorry, it is not actually, but the first thing I want to say is we need to watch the programme this evening. I will watch it in its entirety. That is the first thing. I worked with previous whistleblowers. I worked with Maurice McCabe extensively, but I think it is important. It is also important to get a response from An Garda Síochána. What is An Garda Síochána's response to the programme this evening? That has to happen.

Deputy Máire Devine: The Taoiseach is tasked with more than watching a TV programme. He is the Taoiseach.

An Ceann Comhairle: Deputy.

Deputy Cian O'Callaghan: Is mian liom cúpla ceist a chur ar an Taoiseach faoi ghéarchéim an chostais mhaireachtála. Mar is eol dó, tá neart daoine ar fud na hÉireann ag streachailt le costais laethúla na tíre seo. Is deacair an rud é dóibh iad féin a bheathú nó na soilse a choinneáil ar siúl.

Eight energy companies have put up their prices in recent weeks. These increases will add hundreds of euro to people's energy bills, which are already the highest in Europe. We all know that Donald Trump and his disastrous war are to blame for rising prices but there are things the Taoiseach can do.

Why is it that Irish households are expected to shoulder the entire burden of these skyrocketing costs, especially when the profits of energy companies are booming? They have never been healthier. Just yesterday, the ESB announced its profits for the first six months of the year. They were up nearly €100 million. Today, we learned that its CEO is in line for a salary boost of a staggering €161,000, an increase of 51%. Energy companies are making enormous profits while pensioners go cold.

Instead of allowing this blatant and scandalous profiteering, the Government could introduce a windfall tax on their excess profits. The Taoiseach could take a stand by telling energy companies the burden of paying for these costs will not be borne by Irish households and that the people of this country, who are already paying the highest electricity prices in

Europe, will not be bled dry. A windfall tax would push energy companies into reducing prices by threatening to take their entire excess profits. This would directly help households that are really struggling.

My questions are very straightforward and I would appreciate straightforward answers. Does the Taoiseach agree that it is immoral for these companies to be making such eye-watering profits? Will he introduce a windfall tax on their excess profits?

The Taoiseach: The energy crisis is fundamentally a global, external situation in terms of war in the Middle East, particularly the war in Iran and now the situation in Yemen with the Houthis gaining control of key ports and potentially a key waterway. It is compounding what has happened in respect of the Ukraine crisis and the massive increase in inflation and energy prices that arose from that.

In the first instance, the scale of the Government's response has been very significant, at about €1.4 billion to date. No windfall tax will come near that. Let us be very clear and straight about that. I think our last windfall tax, which was introduced during the Ukrainian crisis, might have brought in €200 million or more. I can get the precise figure for Deputy O'Callaghan. That is not without implications across the sector as well. There are a number of factors we have to take on board in respect of that.

The budget and the measures we have taken are and have been targeted in particular at low-income groups. The Parliamentary Budget Office, in its review, will say that even the measures taken in respect of diesel and petrol were proportionally better for lower income groups in our society. Add to that the changes we made to the fuel allowance and the child support payments, which were record increases, in the last budget. Furthermore, there was the expansion of the free fuel allowance in terms of the number of people who benefit from it. We have had energy supports through the Minister for Climate, Environment and Energy, Deputy Darragh O'Brien, which have hit about 640,000 families in terms of getting their prices down long term because of installation of solar or various other retrofitting measures. That has been quite impactful and there will be more on that front.

In the forthcoming budget, the cost of living will be the central focus of the Government, particularly in terms of the income tax system and reducing the tax burden on people, the home heating situation and further supports for energy efficiency measures, retrofitting and so on. We will keep all taxation measures under review.

I accept that in times of crisis the supply chain, be it wholesale or retail, can inflate, or there can be price increases that are more the responsibility of the supply chain than the actual crisis itself.

Some work has been done on that in the UK. Our focus now, coming into the budget, is to have a range of supports to try to protect people. We will also look at childcare and the disability sector in terms of easing the burden. However, I think it has to be targeted and focused on those who are enduring the most of what is undoubtedly a significant hike in energy prices more generally.

An Ceann Comhairle: I thank the Taoiseach. Excuse me, I was distracted. I call Deputy O'Callaghan.

Deputy Ken O'Flynn: That is unusual.

Deputy Cian O'Callaghan: The vast majority of what this Government has done has not been targeted. The Taoiseach is kidding himself if he thinks that.

I asked the Taoiseach two very straightforward questions. I asked him to give his view as to whether it is immoral for energy companies to be booking record windfall profits off the backs of people who are struggling with the energy crisis. Does he think that is immoral? Does he have any view on it? Does he have anything to say about that? It is a straightforward question.

Keeping things under review is no good. Households are struggling now. We have put forward a proposal for a windfall tax, the aim of which is to reduce energy bills because companies could no longer pocket and keep excess profits under the proposal. That would create an incentive for them to reduce energy prices and bring down people's bills directly. It is a very straightforward proposal. It can and should be done. It has been done previously. Will the Government do it? Will it take action as quickly as possible to reduce people's energy bills by introducing a windfall tax? I have asked two very straightforward questions.

The Taoiseach: Of course it is immoral to exploit any emergency such as that we are experiencing right now. It is absolutely immoral for any part of the supply chain, be it a wholesaler, retailer or anybody else, to exploit the international crisis to extract more from people. In respect-----

Deputy Cian O'Callaghan: So, will the Taoiseach act?

The Taoiseach: Take it handy. There is no evidence that putting on a windfall tax would reduce any prices. We did it during the last crisis and prices did not reduce. However, its merit is in bringing some revenue back to the Government in terms of any windfall gains that were made. It does not have wide prevalence in respect of who in this country we could hit. We are not blessed with massive oil or energy companies. We also have issues around refining and so on, which we have to be careful about, frankly, on the supply side. It is easy to come up with simplistic things. I accept that we did a windfall tax the last time. Revenue of €200 million or more came in. It did not bring down prices but it at least gave the Government back some revenue. We are keeping that under review. It is something that has not been ruled in or out.

Deputy Ivana Bacik: After the controversy surrounding the treatment of Garda whistleblower Maurice McCabe a decade ago, a new Garda protected disclosures system was developed to protect whistleblowers and to ensure that where concerns are raised, they are followed up. An "RTÉ Investigates" programme from Rita O'Reilly, which will air tonight, will outline that these systems are not working as intended and, worse, that the people who bravely exposed institutional failures are being penalised and even purged. Just last week, Deputy Alan Kelly and I met the courageous whistleblowers involved and heard their stories directly. Many of their revelations relate to the question of serious failings within Garda firearms practices. In particular, there are serious issues with defective gun holsters. Horrifyingly, the issues with holsters arose in the capital murder of Detective Garda Colm

Horkan in June 2020 and the serious injury to another garda just days before that. Other serious failings relate to the storage and processing of guns and ammunition. These alarming matters were ignored by senior Garda management for a long time. Amid these appalling practices, as we know, there were people who blew the whistle, brave individuals who put their careers on the line to expose the truth. They will speak for themselves on RTÉ this evening.

Earlier today, we heard the voices of Dr. Donal Corcoran and Detective Superintendent Brian O'Reilly, two of the whistleblowers, on "Morning Ireland". The detective superintendent said that those who came forward were silenced. Tonight's revelations will highlight the need for the Government, and in particular the justice Minister and the previous justice Minister, to respond to a series of important questions about the integrity of the governance system within our national police force and institutional failings. I know that the Taoiseach has not seen tonight's programme, but the Labour Party has been raising these questions for years and to date, we have had no answers. The current justice Minister had to correct the record, having given Deputy Kelly false information about when precisely his Department became aware of allegations about bad firearms practices in the Garda. Just last year, the Minister, Deputy Jim O'Callaghan, said that the Department of Justice was not on notice of defective gun holsters until November 2022.

In fact, it was more than two years before that, in August 2020, that the justice Department was first alerted to these concerns, as the Minister then acknowledged in written correspondence with Deputy Kelly. At different times, he gave three different responses to Deputy Kelly, and the difference in dates matters. We will hear more tonight, clearly, about how badly whistleblowers were treated and about the entire reconfiguration of the protected disclosures unit in response to the allegations made. We heard Dr. Corcoran say this morning that the Garda is now in a worse position than it was in the time of Maurice McCabe. Clearly, there are serious outstanding questions for the office of the Garda Commissioner, and both the current and former Commissioners. There are also serious questions for the Taoiseach about ministerial knowledge and Government inaction. Precisely what did this justice Minister and the previous Minister do when alerted to the defective gun holster issue? What did the Taoiseach do when a protected disclosure was made to him on this back in 2022?

The Taoiseach: The Deputy knows what happens when a protected disclosure is made. It does not go to the officeholder. It does not go to a Minister and it does not go to An Taoiseach. The Deputy knows that well. Why try to distort it? Let us get to the truth here; that is fine. It is reprehensible for any whistleblower to be intimidated or punished. I have no time for any of that. If the Deputy is serious about and honest in what she is saying, she should not be asking me questions that she knows well the answer to.

Deputy Máire Devine: Oh dear.

The Taoiseach: That is dishonest politics.

Deputy George Lawlor: Bí curamach.

The Taoiseach: I have not seen the programme and I have not met the whistleblowers. The Deputy has.

(Interruptions)

The Taoiseach: Of course, and here we go again. Let us change the legislation because it is not tenable that we - all of you, with Government - put into law that we have to have confidentiality around the process. That gets broken in certain ways, whatever way you want and people might feel so frustrated that they have to.

Deputy Alan Kelly: You dealt with McCabe.

The Taoiseach: I did and the legislation was changed subsequently. Whoever was in the Dáil in 2022 amended the legislation. It seems to me to be an untenable framework now where, on one hand, if a protected disclosure goes in, it is meant to be dealt with independently and separately from Government, which I think is proper actually. It is proper that there is not political interference one way or the other in a protected disclosure. There is not political interference or intervention, nor can or should there be.

In the first instance, I want to see the programme this evening. With the greatest respect to everybody, at the very least what should be required is that everybody look at the entirety of what has been alleged and also hear the response to the entirety of what has been alleged. That is fair. I believe that one or two of these cases might have ended up in the courts already and that process might have come to a different conclusion.

From my perspective, we have to change the entire system now. It is very difficult for Government to respond to loaded questions as to who knew what, when and where when we amended the legislation in respect of how these protected disclosures are to be dealt with in respect of confidentiality and all of that. That is a problem. The Oireachtas should now deal with that from here on in. We need to develop a different system, it seems to me. Some people want confidentiality.

Deputy Ivana Bacik: I am disappointed, frankly, to hear the Taoiseach's dismissal of these very serious issues. There are grave public safety concerns here. A Winchester sawn-off shotgun disappeared from Garda custody for 13 years. A protected disclosure was made in relation to that. This is in the public domain already. It referred to assertions against the Commissioner, Drew Harris. At that time, as the Taoiseach knows, the Garda Commissioner had to notify the justice Minister of this issue, as was required under the then section 41 of the Garda Síochána Act, now section 36 of the amended Act. Of course there was ministerial responsibility here. The questions we have to ask, from the Labour Party, clearly relate to ministerial accountability and oversight of the process as legislated for.

It is Kafkaesque and GUBU-esque if those who are in charge of protected disclosures within An Garda Síochána - who have to be independent, absolutely, under legislation - are being victimised and even purged by the senior leadership of An Garda Síochána. That is a matter of concern for the serving Minister of the day.

An Ceann Comhairle: The Taoiseach to respond.

Deputy Ivana Bacik: Undoubtedly we will hear more tonight and we will return to this, but there are very serious matters and serious questions for the Taoiseach's Government.

The Taoiseach: There absolutely are serious questions but, again, you have to differentiate clearly with regard to a protected disclosure. If a person makes a protected disclosure, it has to be investigated. Would the Deputy accept that? If it has to be investigated, Ministers cannot interfere-----

Deputy Ivana Bacik: In accordance with-----

The Taoiseach: Ministers cannot interfere in the investigation of the protected disclosure. What the Deputy is really implicating and insinuating here is that Ministers should. She is basically saying Ministers should interfere.

Deputy Alan Kelly: No.

The Taoiseach: Yes, the Deputies are. They are basically saying that the Minister should find-----

(Interruptions)

Deputy Alan Kelly: If the Garda Commissioner is involved, Ministers have a role.

The Taoiseach: If the Deputies allow me to finish, what they are saying is the Minister should find out what is going on-----

Deputy Alan Kelly: It is in the legislation.

The Taoiseach: Again, Deputy Kelly, shouting does not get you everywhere.

Deputy Alan Kelly: I am not shouting. Read the legislation. Tighten up your argument.

The Taoiseach: You tend to shout almost to prove the veracity of your case or your position.

An Ceann Comhairle: Deputy, please.

The Taoiseach: Deputy Bacik is the leader.

An Ceann Comhairle: Thank you, Taoiseach.

The Taoiseach: There are legitimate issues of accountability, yes, in respect of issues that fall to An Garda Síochána, its management and all of that but not in terms of protected disclosures. That is the point I was trying to make.

Deputy Peadar Tóibín: There is a growing number of people who support full Irish independence. Polls show that the majority in this State believe that the people who live on the island of Ireland should make decisions over what happens on the island of Ireland. Brexit has shown that London neither cares nor knows much about the North of Ireland.

Irish independence and Irish self-determination are in touching distance of this generation. The North was purposely designed with an inbuilt two-thirds unionist majority to safeguard British rule but today, according to election results, not one of the Six Counties has a unionist majority.

Unity offers an amazing opportunity. I authored an Oireachtas report for the enterprise committee a number of years ago and I spoke to about 100 people from different backgrounds, including people from businesses, trade unions and civic organisations. Many of them were from different constitutional backgrounds but all of them agreed that if we fund, plan and deliver services together, they will be better services and they will cost less.

An example of this is the healthcare service. Catherine Sherry was married with three children and she lived just north of the Border. She was diagnosed with lymphoma in September 2024 at the age of 42. Treatment was not available to her in the North of Ireland. It was available in Dublin but she was not allowed to access it. Despite the fact that she was extremely weak, she was forced to go to London for treatment for long periods of time away from her family and she died in London, away from her family.

We should have a very simple policy of treating people in the closest hospital they need in this country. It would be of benefit to all people in this country. The Taoiseach should not tell me that we have, at this stage, cross-Border healthcare. It is minute and glacial. It is not as transformative as what unity would bring.

The Taoiseach is becoming increasingly isolated on the issue of Irish unity. He spent the weekend back-peddalling and downplaying the significance of Trump's statement. The Taoiseach is out of kilter with the Dáil-----

A Deputy: That is not true.

Deputy Peadar Tóibín: -----with his Government partners and also with his own party. Indeed, Fianna Fáil supporters came into our Aontú tent at the ploughing yesterday and stated that they were angry and frustrated with the fact that Micheál Martin is gutting such a core value of Fianna Fáil.

The Taoiseach has given many excuses as to why not to proceed with a unity campaign. At one stage he said that we have to have reconciliation first before it should be considered. What evidence has the Taoiseach got that reconciliation is more likely in a six-county state under British rule? Reconciliation happened far faster in the South than it did in the Six Counties.

At the Taoiseach's next meeting with Andy Burnham, will he raise a key issue: that the mechanism for decision on the referendum for Irish unity will be made clear to the people of the North of Ireland, whom it affects? The Good Friday Agreement was about the North determining its own future. Surely they should know what that mechanism is.

The Taoiseach: First of all, I am a member of a party and for me and my party, Irish unity is not a slogan or a campaign.

Deputy Pa Daly: It is not a priority.

An Ceann Comhairle: The Taoiseach, uninterrupted.

The Taoiseach: It is a very precious aspiration that has informed the foundation of my party-

Deputy Máire Devine: Sitting on the fence.

The Taoiseach: -----and sustains us to this day.

Deputy Mary Butler: Hear, hear.

The Taoiseach: I do not take lectures from Deputy Tóibín or anybody else.

Deputy Máire Devine: Oh.

The Taoiseach: The party he is a former member of did more to divide this country and damage the prospect of Irish unity for over 30 years. Deputy Tóibín endorsed that violent campaign for years.

Deputy Peadar Tóibín: That is not correct.

The Taoiseach: That is true.

An Ceann Comhairle: Will the Deputy allow the answer, please?

The Taoiseach: Unity is about building trust. It is about building understanding with those who do not share our aspiration.

It means grinding out the hard yards of reconciliation. I do not dismiss reconciliation like the Deputy does. It is important that we work at it and do it. It means acknowledging and atoning for wrong done in the past. That has not been done yet. The only people doing that are state actors.

Deputy Máire Devine: The Good Friday Agreement.

An Ceann Comhairle: Deputy, your party has had its question.

The Taoiseach: The British and Irish Governments have had the inquiries, but others have not come to the table in terms of atoning and saying what you did was wrong and so on. That has to happen. It means developing our shared understanding-----

Deputy Donna McGettigan: You have forgotten the people of the North.

The Taoiseach: -----of what it means to live on this island and how we share it into the future, and sometimes it means absorbing and ignoring the abuse of those who prefer to use it as a slogan.

I support unity. I am satisfied with the work we are doing to develop the potential for unity on this island. The Government and I have established the most dynamic and consequential North-South investment, development and research programme in the island's history. We have secured a budget of €2 billion. As of today, we have allocated more than €1 billion of our shared island fund to projects that actually change things, that bring people together and that give us a greater insight into the reality of life on our island than at any time since partition.

The Good Friday Agreement was not just about self-determination for one political tradition. There were three sets of relationships to the Good Friday Agreement: British-Irish, North-South and the two traditions within the North. The British and Irish Governments anchored that peace process. I was in government when we signed off on the Good Friday Agreement.

Deputy Cathy Bennett: A long time ago.

The Taoiseach: The British and Irish Governments working in lockstep was critical. Northern Ireland was never embroiled in the politics of the union, in terms of Wales or Scotland or anything else like that, because we always asserted the exceptionalism of Northern Ireland because of partition. We always did that. If we embroil it in the union, strategically what will happen is the Westminster Government will look at everything in Northern Ireland through the prism of the union, through the prism of Scotland and Wales. What happened over the last two days is a strategic error. It is a real strategic error all for the sake of a photocall and a press opportunity.

An Ceann Comhairle: Thank you, Taoiseach.

Deputy Máire Devine: You are rattling in your boots. You cannot lead.

The Taoiseach: That is not advancing unity in this country.

Deputy Pádraig Mac Lochlainn: You are out of step and soon you will be out of time. Next year you will be gone, fortunately.

An Ceann Comhairle: Excuse me, Deputy Tóibín is on his feet.

Deputy Peadar Tóibín: Go raibh maith agat. The Taoiseach often strategically tries to make this debate one between him and Sinn Féin. I think he tries to do that to narrow the appeal of the issue. However, all the parties on this side of the Chamber support Irish unity.

Deputy Naoise Ó Cearúil: And on this side.

Deputy Peadar Tóibín: Here is the key issue. At the heart of the Good Friday Agreement is the idea the people of the North of Ireland would determine their future. Right now they have no idea how that can happen. The secretary of state for the North of Ireland recently said that this was an obscure mechanism and that he would not put detail in relation to how that mechanism can be exercised. Why is it that people who have the right to vote are being denied the understanding of what makes that vote likely to happen? Why is it that the Taoiseach will not even ask that question of Andy Burnham? Why is it that he has said he will meet Andy Burnham but he will not raise the issue of the mechanism for a referendum? The best poll in the North of Ireland is the election. Stormont should be the body to decide whether there is a referendum or not. That is the most defining view of the people of the North.

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

Deputy Peadar Tóibín: Will he raise it with Andy Burnham?

The Taoiseach: There are two things. The Deputy has limited in his commentary the level of engagement North and South on health. I do not know whether he has been to Altnagelvin and the cancer centre or the cardiac centre. I have met people from-----

Deputy Peadar Tóibín: That is 25 years in the making.

An Ceann Comhairle: Sorry, Deputy, uninterrupted.

The Taoiseach: It is very significant for people living in Donegal-----

Deputy Peadar Tóibín: Not much has changed.

An Ceann Comhairle: Deputy Tóibín.

The Taoiseach: The Deputy has just dismissed it. It is a very significant investment by the Republic in the cancer centre in the North and also in cardiac care so that if a person in Donegal needs heart treatment immediately, they can get it in 20 minutes if they live on the Inishowen Peninsula.

Deputy Peadar Tóibín: Patients are still likely to go to Galway.

The Taoiseach: Likewise, the Deputy talked about reconciliation. I witnessed the marvel of Comhaltas in Belfast this summer. I went there. I went to east Belfast to witness the loyalist pipe bands participating in the Fleadh Cheoil.

Deputy Peadar Tóibín: Will the Taoiseach ask Andy Burnham?

An Ceann Comhairle: Deputy, that is unacceptable.

Deputy Peadar Tóibín: I have asked him twice and he will not answer.

An Ceann Comhairle: Deputy, please.

The Taoiseach: Let us not dismiss the prospect of reconciliation-----

Deputy Peadar Tóibín: Why will he not answer the question?

The Taoiseach: -----as a never-never, as the Deputy seems to be asserting. I will meet Prime Minister Burnham. Legacy will be on the agenda, which would be a real, substantive breakthrough-----

An Ceann Comhairle: The time is up. We now move to Other Members' Questions.

The Taoiseach: -----for the people who have lost family members-----

An Ceann Comhairle: Thank you, Taoiseach.

The Taoiseach: -----because of the violence over that 30-year period.

An Ceann Comhairle: We now move to Other Members' Questions and I call Deputy-----

The Taoiseach: I will also raise reform of the institutions of the Good Friday Agreement and we will discuss the British-Irish situation more generally then.

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

Ceisteanna ó na Comhaltaí Eile - Other Members' Questions

Deputy Shane Moynihan: Is ábhar imní agus buartha é líon na ndaoine atá ag cailliúint a gcuid saolta ar bhóithre na hÉireann. Tá mé ag caint ní hamháin faoi líon na ndaoine atá ag cailliúint a gcuid saolta, ach freisin faoi líon na ndaoine atá á ngortú go trom agus iad ag úsáid bóithre na hÉireann.

Road deaths and serious injuries continue to devastate families and communities across Ireland, in particular on rural and regional roads. Unsafe behaviour remains a significant

contributor. Strong visible enforcement, as we have often discussed in the House, is one of the most effective ways of changing driver behaviour and improving compliance. While the Government has made welcome progress through the national safety camera strategy, the expansion of average speed cameras and the development of a more co-ordinated approach to technology-based enforcement are now things we need to seriously consider. If we are serious about reducing fatalities and serious injuries, we need to be more ambitious about how we use technology to make our roads safer.

Technology such as automatic number plate recognition cameras, average speed cameras, red light cameras and automated traffic enforcement systems have enormous potential to improve compliance, save lives and prevent serious injuries. The challenge that has been outlined by senior Garda officers to the transport committee this year is that significant Garda resources are still required to review and process any camera-detected offences, creating bottlenecks that can limit the scale and speed of enforcement. We should streamline those processes, reduce unnecessary administration and ensure that Garda time is focused on front-line roads policing and tackling the most dangerous of drivers. As part of that, we should examine a greater role for local authorities and other authorised bodies in enforcing traffic management measures, HGV restrictions and other road safety regulations, where appropriate.

The other side of this coin is that technology also has a preventative role. Many countries now use wrong-way driver detection systems that can identify vehicles entering motorways in the wrong direction, trigger immediate warnings and alert emergency services before lives are lost. We should continue expanding proven measures while embracing new technologies that can identify risks, prevent collisions and save lives. Above all else, we should remove the barriers that exist in our systems and processes, and where those barriers are legislative, we should change that legislation to make sure Garda time is focused on tackling dangerous drivers as opposed to doing back-office work in processing offences.

If technology can help us to prevent those deaths, improve compliance and free up Garda resources, we should not allow outdated systems, legislation or administrative processes to stand in the way. Today, I ask for the support of the Taoiseach. Ireland now needs a more ambitious programme of technology-enabled road safety enforcement and intervention. Will he work with me and other colleagues to bring forward the legislative and administrative changes as they are identified to ensure that these technologies are deployed at pace and scale to save lives and reduce serious injuries on our roads?

The Taoiseach: I thank the Deputy for raising this issue in his evidence-based, researched and informed way. Clearly, all of our thoughts are with the victims and the families of all of those who have lost their lives on our roads across the country in recent times. My understanding is that to date, we have had 134 fatalities this year, 13 more than for the same period last year. This is a very serious issue. The nature of the accidents and fatalities on our roads is also changing. The manner in which certain events are happening on our roads is not static, such as people driving the wrong way down a motorway.

The Deputy is absolutely correct. We have to tackle this through a combination of additional gardaí and personnel but also far greater use of technology to deal with road safety. My understanding is that the Garda is taking this particularly seriously. It has increased capacity through the roll-out of apps on mobile devices and the deployment of high-performance

unmarked cars, motorbikes, lorry tractor cabs and so on. On 1 January of this year, An Garda Síochána introduced 390 new safety camera zones, including 55 community request safety cameras zones, bringing the total to 1,900 nationwide.

The Government recognises the significant potential of connected and autonomous vehicles and intelligent transport systems, ITS, technologies to improve road safety outcomes. We are taking practical steps to create the legislative, regulatory and digital foundations needed to support the safe deployment of connected and automated mobility and ITS technologies. The Government will continue to support the deployment of co-operative intelligent transport systems, which enable vehicles, infrastructure and traffic management systems to exchange critical safety information in real time.

The Deputy is correct. All of these technologies can improve road safety by providing advance warning of hazards and incidents, improving protection for vulnerable road users, supporting more effective traffic management and enhancing vehicle awareness of road and traffic conditions.

In March, the Government used a legislative framework, a statutory instrument, to facilitate the deployment of level 2 connected and automated vehicle technologies. It is an important milestone in preparing Ireland for the safe introduction of increasingly advanced vehicle automation technologies. On 26 June, the Minister signed the declaration of intent on automated vehicles, alongside 17 other EU member states, on testing and deployment. We are looking at rolling this out in the context of Europe-wide development. As I said recently in public, I believe that not everyone fully gets the degree to which technology can substantially change how we do road safety in this country.

Deputy Shane Moynihan: Gabhaim buíochas leis an Taoiseach as na freagraí sin. Cuirim fáilte roimh an méid atá leagtha amach aige i dtaobh na gcéimeanna atá á dtógáil le déileáil le sábháilteacht ar ár mbóithre. As the Taoiseach mentioned, the number of fatalities this year alone is the highest it has been in the last ten years. There is now urgency and a need for political priority to be centred on this issue. While fatalities are one side of it, there is another side that is not reported all that often, which is that in our cities and towns near misses or serious collisions involving vulnerable road users are a very real issue. I speak as a cyclist. Any cyclist moving around Dublin will see that there are issues with driver behaviour, in particular, and also, if we are frank, cyclist behaviour.

My ask today is whether we can explore whether local authorities, which already have the power to issue parking fines, can be incorporated into the processing of offences that are collected by cameras, so valuable Garda resources are not stuck in the back office processing offences, but local authorities are allowed to do that processing in a much more automated way. We need to change and shift driver behaviour and, as the Taoiseach said, technology is a key determinant in doing that.

The Taoiseach: Gabhaim buíochas leis an Teachta. Ar dtús, adhmhaim go bhfuil agus go mbeidh ról faoi leith ag an teicneolaíocht maidir leis na bóithre agus daoine a bheith níos sábháilte ar na bóithre. Táimid sásta i bhfad níos mó áiseanna a chur ar fáil ionas go mbeimid in ann an teicneolaíocht sin a thabhairt isteach. Mar aon leis sin, tá géarghá go ndéanfaimid gach aon iarracht ar an togra seo.

On the role of local authorities, I would be cautious to a certain extent in terms of the legal framework covering all of that and capacity. However, it should be explored. The new community safety partnerships are a step in the direction of stronger community engagement with policing more generally. I would have to reflect on and explore that a bit more in terms of whether you would be better giving this to local authorities or keeping it with An Garda Síochána. However, I do believe we need more gardaí. Thankfully, since Covid, we have been ramping up the numbers of gardaí going through Templemore on a cycle-by-cycle basis.

An Ceann Comhairle: I thank the Taoiseach. That concludes Other Members' Questions.

The Taoiseach: We will get to 15,000 very shortly. We are at about 14,750 at the moment.

An Ceann Comhairle: I thank the Taoiseach. His time is up.

An tOrd Gnó - Order of Business

An Ceann Comhairle: In accordance with Standing Order 35, I call on the Chief Whip, Deputy Mary Butler, to move the arrangements for this week's business.

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

Wednesday's business shall be:

— Motion re Withdrawal of the Mineral Oil Tax (Emergency Cost of Living Reduction) Bill 2026 (*without debate*)

— Garda Síochána (Powers) Bill 2026 [*Seanad*] (Second Stage) (*to conclude at the end of the first speaking round; not to exceed 3 hours and 34 minutes*)

Wednesday's private members' business shall be the Motion re Neutrality and Triple Lock, selected by Sinn Féin.

Thursday's business shall be:

— National Vehicle and Driver File, Road Traffic and Roads Bill 2026 (Second Stage) (*to conclude at the end of the first speaking round; not to exceed 3 hours and 34 minutes*)

Thursday's private members' business shall be the Motion re €500 electricity credits for households funded by an electricity consumption levy on data centres, selected by the Independent and Parties Technical Group.

Proposed Arrangements for this week's business:

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

1. notwithstanding anything in Standing Orders:

(a) the Order of Business and Questions on Policy or Legislation shall be taken immediately following Other Members' Questions;

(b) private members' business may be taken later than 6.12 p.m. and shall in any event be taken following proceedings on the Garda Síochána (Powers) Bill 2026 [*Seanad*];

(c) Parliamentary Questions to a Minister pursuant to Standing Order 47(1) shall not be taken; and

(d) topical issues shall be taken on the conclusion of private members' business;

2. the proceedings on the Motion re Withdrawal of the Mineral Oil Tax (Emergency Cost of Living Reduction) Bill 2026 shall be taken without debate; and

3. the proceedings on the Second Stage of the Garda Síochána (Powers) Bill 2026 [*Seanad*] shall, if not previously concluded, be brought to a conclusion at the end of the first speaking round and the following arrangements shall apply:

(a) the first-round speeches shall be in accordance with the table below (to be read across);

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

(c) members may share time.

	Gov	SF	SD	Gov	SF
Mins	20	20	20	12	4
	Lab	Gov	SF	IPTG	Gov
Mins	20	12	4	20	12
	SF	ITG	Gov	SF	OM
Mins	4	20	12	4	20
Total: 3 hours 24 mins					

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

1. notwithstanding anything in Standing Orders:

(a) no motion for a Committee report pursuant to Standing Order 111 or private member's Bill pursuant to Standing Order 169 shall be taken;

(b) private members' business pursuant to Standing Order 168(1) shall be taken for 2 hours following proceedings on the National Vehicle and Driver File, Road Traffic and Roads Bill 2026; and

(c) topical issues shall be taken on the conclusion of private members' business, and the Dáil shall adjourn on the conclusion of topical issues; and

2. the proceedings on the Second Stage of the National Vehicle and Driver File, Road Traffic and Roads Bill 2026 shall, if not previously concluded, be brought to a conclusion at the end of the first speaking round and the following arrangements shall apply:

(a) the first-round speeches shall be in accordance with the table below (to be read across);

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

(c) members may share time.

	Gov	SF	SD	Gov	SF
Mins	20	20	20	12	4
	Lab	Gov	SF	IPTG	Gov
Mins	20	12	4	20	12
	SF	ITG	Gov	SF	OM
Mins	4	20	12	4	20
Total: 3 hours 24 mins					

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

Deputy Pádraig Mac Lochlainn: They are not.

The conversation on Irish unity is alive in Ireland and abroad, but preparations have to be made and the Government needs to lead out on those. I am asking for statements on preparation for Irish unity to take place at the earliest opportunity.

Deputy Gary Gannon: None of us has yet seen the "RTÉ Investigates" programme that is to air tonight but each of us in the Chamber, given what has already been revealed, will know that profound questions are going to be asked tomorrow about the structures that were created by this Dáil ten years ago and updated in 2022. Are we really to believe that the Minister for Justice will not make himself available tomorrow to give a statement to this Dáil and answer questions about the shocking revelations that will be aired tonight on "RTÉ Investigates"?

Deputy Ged Nash: The last public sector pay deal expired in June and, to date, the Minister, Deputy Chambers, has not created conditions to allow talks on a potential successor pay agreement. The Government is sleepwalking into public sector strikes and public sector action that will take place over the next few weeks.

When will the Government set down a meaningful frame to allow for public sector trade unions to engage on a potential successor public pay deal? We have yet to have a debate on this issue and the last deal expired in June.

Deputy Roderic O'Gorman: We need to have a debate on the hikes in public transport fares that were announced in the last two weeks. The Minister for Transport needs to explain why he thinks it is acceptable, in the middle of a cost-of-living crisis, for fares for bus and train

users to be raised by an average of 15%. These fare rises do not have to happen. An extra €70 million invested in the National Transport Authority, NTA, this year would ensure it does not have to go through. This is a political call by Fianna Fáil and Fine Gael and it should be debated before the budget is agreed.

Deputy Michael Collins: It has been 23 days since the drug Skyclarys was approved for roll-out to Friedreich's ataxia patients. To date, not one patient has been contacted in regard to how they can receive this life-changing drug. Can we have a debate in the Dáil today to clear that matter up?

Deputy Mary Butler: I have listened to the five requests from the Opposition benches. The Government time this week is allocated to two important pieces of legislation. The Minister, Deputy O'Callaghan, will take the Garda Síochána (Powers) Bill 2026 this afternoon and tomorrow the Minister of State, Deputy Canney, will take the National Vehicle and Driver File, Road Traffic and Roads Bill 2026, Second Stage, for over three and a half hours. The Opposition is entitled to put down whatever it wants under its own Private Members' business and has had two opportunities this week. The Order of Business stands.

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

The Dáil divided: Tá, 83; Níl, 63; 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.	
Brophy, Colm.	Byrne, Joanna.	
Burke, Colm.	Clarke, Sorca.	
Burke, Peter.	Collins, Michael.	
Butler, Mary.	Conway-Walsh, Rose.	
Butterly, Paula.	Coppinger, Ruth.	
Buttimer, Jerry.	Cronin, Réada.	
Byrne, Malcolm.	Crowe, Seán.	
Cahill, Michael.	Cullinane, David.	
Callaghan, Catherine.	Cummins, Jen.	
Carrigy, Micheál.	Daly, Pa.	
Carroll MacNeill, Jennifer.	Devine, Máire.	
Chambers, Jack.	Donnelly, Paul.	
Cleere, Peter 'Chap'.	Ellis, Dessie.	
Clendennen, John.	Ennis, Daniel.	
Collins, Niall.	Farrelly, Aidan.	
Connolly, John.	Farrell, Mairéad.	
Cooney, Joe.	Gannon, Gary.	
Crowe, Cathal.	Gibney, Sinéad.	
Cummins, John.	Gould, Thomas.	
Currie, Emer.	Graves, Ann.	

Daly, Martin.	Guirke, Johnny.	
Dempsey, Aisling.	Hayes, Eoin.	
Devlin, Cormac.	Healy-Rae, Danny.	
Dillon, Alan.	Healy, Seamus.	
Dolan, Albert.	Hearne, Rory.	
Dooley, Timmy.	Kelly, Alan.	
Feighan, Frankie.	Kerrane, Claire.	
Fleming, Sean.	Lawlor, George.	
Foley, Norma.	Mac Lochlainn, Pádraig.	
Geoghegan, James.	McDonald, Mary Lou.	
Harkin, Marian.	McGettigan, Donna.	
Healy-Rae, Michael.	Murphy, Paul.	
Heneghan, Barry.	Mythen, Johnny.	
Heydon, Martin.	Nash, Ged.	
Higgins, Emer.	Ní Raghallaigh, Shónagh.	
Keogh, Keira.	Nolan, Carol.	
Kyne, Seán.	O'Callaghan, Cian.	
Lahart, John.	O'Flynn, Ken.	
Lawless, James.	O'Gorman, Roderic.	
Lowry, Michael.	O'Hara, Louis.	
Martin, Micheál.	O'Reilly, Louise.	
Maxwell, David.	O'Rourke, Darren.	
McAuliffe, Paul.	Ó Broin, Eoin.	
McCarthy, Noel.	Ó Laoghaire, Donnchadh.	
McConalogue, Charlie.	Ó Murchú, Ruairí.	
McEntee, Helen.	Ó Snodaigh, Aengus.	
McGrath, Mattie.	Ó Súilleabháin, Fionntán.	
McGrath, Séamus.	Quaide, Liam.	
McGreehan, Erin.	Quinlivan, Maurice.	
Moran, Kevin Boxer.	Rice, Pádraig.	
Moynihan, Michael.	Sheehan, Conor.	
Moynihan, Shane.	Sherlock, Marie.	
Murnane O'Connor, Jennifer.	Tóibín, Peadar.	
Murphy, Michael.	Wall, Mark.	
Neville, Joe.	Ward, Charles.	
O'Brien, Darragh.	Ward, Mark.	
O'Callaghan, Jim.	Whitmore, Jennifer.	
O'Connell, Maeve.		
O'Connor, James.		
O'Dea, Willie.		
O'Donnell, Kieran.		
O'Donovan, Patrick.		
O'Meara, Ryan.		
O'Shea, John Paul.		
O'Sullivan, Christopher.		
O'Sullivan, Pádraig.		
Ó Cearúil, Naoise.		
Ó Fearghail, Seán.		

Ó Muirí, Naoise.		
Richmond, Neale.		
Roche, Peter.		
Scanlon, Eamon.		
Smith, Brendan.		
Smyth, Niamh.		
Timmins, Edward.		
Toole, Gillian.		
Ward, Barry.		

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

Question declared carried.

Deputy Mary Lou McDonald: The Orange Order has applied to march down the Garvaghy Road on 27 September. This reopens an issue that caused years of deep confrontation, fear and trauma for the Garvaghy Road community - a community, by the way, that enjoys the right to live free from sectarian harassment. For 28 years, the Garvaghy Road has been free from an unwanted march. This hard-won progress cannot be put at risk. I have written to the Taoiseach on this matter, as has Upper Bann MLA and minister, John O'Dowd, and the Garvaghy Road Residents Coalition. We appreciate the Taoiseach cannot interfere with an independent statutory process but we are asking him to listen to the community directly. Can he either travel to the Garvaghy Road prior to 27 September or, perhaps more realistically, receive the Garvaghy Road residents in Dublin before 27 September to engage directly with them?

The Taoiseach: It is fair to say that Northern Ireland has made enormous progress on parades over the past decades. We have to avoid any return to the divisions of the past. I am aware of the decision of the High Court in Northern Ireland, of the Parades Commission ruling on the Drumcree march application and of the review announced by the Secretary of State for Northern Ireland. It is important to recall the High Court's decision was based on procedural grounds and is not an approval for the parade to take place. I understand Portadown lodge has now notified the Parades Commission of its intention to hold a march passing through the Garvaghy Road on 27 September. I received a letter this morning from the Garvaghy Road Residents Coalition. The Government is continuing to monitor this situation. We are very conscious of the concerns of the residents. I have a strong personal recollection of the very traumatic, difficult history of this issue. This is a matter we will keep under constant review.

An Ceann Comhairle: I do not wish to delay proceedings but I wish to welcome the huge group of students we have from Risskov Gymnasium in Denmark. They are most welcome. I call Deputy Rory Hearne.

Deputy Mary Lou McDonald: Taoiseach, will you meet them? My question was not answered.

An Ceann Comhairle: Deputy Rory Hearne, your question is up.

Deputy Mary Lou McDonald: My question was not answered.

An Ceann Comhairle: I cannot direct the answer. Deputy Hearne is on his feet.

Deputy Mary Lou McDonald: It is a simple "Yes" or "No". Will the Taoiseach meet the residents?

An Ceann Comhairle: Deputy Hearne is on his feet. Please, Deputy Hearne, proceed.

Deputy Rory Hearne: When does the Taoiseach want to answer?

Deputy Mary Butler: The Taoiseach has answered.

Deputy Rory Hearne: Fine. The Central Bank report out today highlights that the length of time it takes to build a home has doubled in the past ten years. It used to take two years but now it takes four. The Taoiseach's policies created this housing disaster and this report shows that they continue to make it worse. We saw during the summer house prices and rents way beyond what any normal person can afford.

Why will the Government not take an emergency response to this disaster? Why will it not implement the common-sense proposals that the Social Democrats have proposed shifting away from the market and investor fund policies and instead get the State to directly build what it did successfully in the past through councils and through setting up a State construction company that could build thousands of genuinely affordable homes across the country? Can the Taoiseach see that the Government's policies are not working and that we need a major shift?

The Taoiseach: First of all, the Central Bank report was from 2019 until the present day. The very measures the Central Bank highlighted are the ones we have taken over the past year and a half, in particular, and before that in terms of accelerating our planning process - all of which the Deputy opposed. Everything that the Central Bank has articulated needs to happen the Deputy has opposed. Regarding environmental assessments and apartment guidelines - you name it - the Deputy has opposed it all.

Deputy Rory Hearne: That is not true.

The Taoiseach: Yes, the Deputy has. As for the Deputy's State construction company, that would take years now. A total of 80% of all housing now is funded by the State in one form or another or as a State investment process.

Deputy Rory Hearne: Developers and investors-----

The Taoiseach: We built a record number of social housing units last year - 9,000 plus. This year, we will build more again. Over the past five years, if we look at the numbers of social

houses that have been built, they have been very significant, and we have facilitated and funded that, apart altogether from affordable housing and so on. The Deputy never acknowledged that. There is significant momentum compared with where we were five years ago. We are the fastest in Europe in terms of house construction.

An Ceann Comhairle: Taoiseach, we have to stick to time. Thank you. Deputy Bacik, please.

The Taoiseach: I would look forward to Deputy's support if we take other measures to accelerate-----

An Ceann Comhairle: Taoiseach, we have to stick to our time.

The Taoiseach: -----planning and housing-----

An Ceann Comhairle: I call Deputy Bacik.

Deputy Ivana Bacik: The National Transport Authority's, NTA, plans to increase public transport fares by an average of 15% have come as a hammer blow to commuters already struggling with the cost-of-living crisis. Fares for some will rise by up to 35%. Certain cohorts of students have been excluded from student fare rates. These changes will disproportionately affect those on lower incomes coming at a time when housing, grocery and energy costs remain intolerably high and rising. This change also follows price hikes for parents of children using school transport. It comes after a summer when droughts and floods across Ireland and Europe have reminded us of the need to ensure that we take action to slash carbon emissions, reduce reliance on fossil fuels and encourage public and active travel. The Government has been curiously silent. It has let the NTA take the hit for railroading through these plans. If the Government can find €400 million to subsidise diesel, it has the power and resources to make public transport affordable. The Labour Party is asking whether the Government give commuters a break and stop this fare hike.

The Taoiseach: In fairness, we have been out talking about this and so has the Minister. Ireland has maintained an effective eight-year fare freeze alongside targeted measures like the young adult card, free travel for under nines and the 90-minute fare, which is support that compares favourably with international practice. We have to balance affordability with a financially sustainable transport system that is able to fund service improvements, network expansion and fleet investment. We have to do all of that. Most European countries rely on a mix taxpayer funding and passenger revenue. We have delivered one of the most significant fare reforms in decades through the 90-minute fare and youth discounts. Now, we have identified 140 new service initiatives and capacity enhancements in the 2027 budget submission that the NTA has submitted to the Department of Transport. This will be the biggest year on year service enhancement in many years. It is a balance between making sure that we have a sustainable transport system into the future and that we get more services on an annual basis.

Deputy Ivana Bacik: It is the wrong direction of travel.

An Ceann Comhairle: I call Deputy Ward.

Deputy Charles Ward: Will the Government amend the remediation of dwellings Act 2022 to provide a State-led rebuilding option for vulnerable homeowners who cannot negotiate or navigate the scheme? Will the Government consider a public body or a State construction company taking responsible for rebuilding homes where people do not have the physical, financial or emotional capacity to do so? I have a constituent in Donegal who is an elderly man living with dementia. His wife has since passed away. He is now facing the impossible task of negotiating engineers, contractors, finances and building. He is one example of where people are stuck. He is 82 years old. He has worked all his life. He has contributed to society. He has done everything that is expected of him. Instead of living life in the last years in comfort, he is trapped in a nightmare where he cannot go forward. Does the Taoiseach accept that vulnerable and elderly people in these circumstances urgently need the State to provide a practical route to a safe home? They do not have the ability to do it themselves. They need help.

A Deputy: Hear, hear.

The Taoiseach: Certainly, I will refer this to the Minister for housing. Regarding the defective concrete block scheme, there has been very significant progress. Approximately 3,500 applications have been received, 1,289 applicants have commenced remediation works, 527 homes have completed remediation and 1,462 have submitted remedial works. We have spent about €322 million on the scheme so far. In relation to supports, of course people should get support in facilitating them in accessing the scheme, particularly those who are vulnerable and elderly. There have been ongoing amendments and so on in respect of the Act and the legislative framework that governs the defective block programme. I will talk to the Minister in respect of the issues the Deputy raised.

An Ceann Comhairle: I call Deputy Collins.

Deputy Michael Collins: I have raised the issue of Friedreich's ataxia sufferers with the Taoiseach on numerous occasions in this Chamber for well over a year. There is a need to approve the drug Skyclarys for people like Emily Felix, Paudie Coady and Emma O'Shea - the latter of whom the Taoiseach visited when he was in west Cork. She has asked me to convey her thanks to the Taoiseach for doing this. The huge fight these sufferers have had to go through to have the drug Skyclarys approved by the State leaves many unanswered questions on how the rare drugs review group works in Ireland but, more alarmingly, Skyclarys has been cleared to be rolled by the State 23 days ago. To this day, no Friedreich's ataxia sufferer has been contacted by the HSE or otherwise as to when or how the drug is to be administered. Twenty-three days of these people's lives is like five years. In God's earthly name, is it not time to bring this suffering at an end? Will the HSE announce immediately a clear timeline for all 199 patients to be contacted with timelines for the roll-out of a life-changing drug for them? Can the Taoiseach tell us today when this will happen?

The Taoiseach: I appreciate the Deputy's interest in this issue. I was very pleased with the decision of the HSE senior management to approve the reimbursement of Skyclarys for patients over 16 years of age with Friedreich's ataxia following substantive engagement and negotiations with the company. The company did come to the table with a significant new offer in respect of the drug itself. The HSE has advised that it is working to have reimbursement under the high tech arrangements in place from 1 October. For the treatment of Friedreich's ataxia in adults and adolescents aged 16 years and older, the prescribing will be restricted to designated approved consultants with experience of treating patients with Friedreich's ataxia. Biogen - the product supplier - has confirmed that it expects to have commercial stock available in Ireland from late September 2026.

An Ceann Comhairle: Thank you, Taoiseach.

The Taoiseach: That is crucial, obviously. It was crucial that the stocks would be in the country.

An Ceann Comhairle: Thank you. I call Deputy Dempsey.

The Taoiseach: The HSE is now working through processes required-----

An Ceann Comhairle: Taoiseach-----

The Taoiseach: -----to enable the relevant specialists to register with the high tech-----

An Ceann Comhairle: Taoiseach, we have to stick to time.

The Taoiseach: I apologise but it is a significant issue that everyone in the House is concerned about. I pay tribute to the families.

Deputy Aisling Dempsey: I have had many parents contact me over the past few weeks about school bus places and the stress that is causing them. We have had the school bus transport review. The recommendations in it include changing the rules about the nearest school, the distance and all of the things we need to do. We have given ourselves until 2030 to do it but I do not believe we will at the rate we are proceeding at the moment. We need to use the resources that are in front of us locally. That includes the Local Link. For example, in Athboy, we have a tradition there of pupils attending a school in Navan, which obviously is not their nearest school. A small tweak to that bus timetable for the Local Link would make that possible for those students. I ask the Taoiseach to engage with the Minister on that if he can.

The Taoiseach: At this time of the year, the school transport issue causes a significant degree of stress and so on. Notwithstanding that, we are transporting far more children now. There are about 180,000 students being transported. It was a key part of the original free school initiative of Donogh O'Malley. Transport was key to it in rural Ireland, in particular. There is continuing expansion and additional resources. However, there are significant challenges in terms of students attending schools that are not the nearest school and so on. I take the Deputy's

point on the Local Link. We need to look at how we can integrate existing services into the school transport service. I will talk to the Minister about that.

Deputy John Clendennen: Over a short number of weeks, we will see over 300,000 people descend on Offaly for the Tullamore Show and, right now, the National Ploughing Championships. The Taoiseach has visited both events and has seen at first hand how well the Tullamore Show committee and the National Ploughing Association have organised them. I also acknowledge the role of An Garda Síochána. There is a model in the National Convention Centre here in Dublin and the Cork event centre, which is in the pipeline. There is also an opportunity to have a midlands event centre catering for outdoor and indoor events. Now is an opportunity to look at this. It would be in line with Fáilte Ireland's corporate strategy for spreading regional growth to build a stronger year-round nationwide sector. Will the Government consider conducting a feasibility study to explore the potential for such a facility, which would bring employment, economic development and much-needed jobs? Offaly is best placed to fill that need.

The Taoiseach: I thank the Deputy for raising this issue. I was at the Tullamore Show and the ploughing championships, and the Fianna Fáil think-in was in Tullamore as well. It is all happening. I also went to Tullamore D.E.W. distillery, which has received €150 million in private sector investment in its extraordinary facility, which is linked to the farming community of the midlands and provides significant employment in the area. Offaly, Laois and the entire area is also becoming a potentially very significant energy hub, particularly for onshore wind, battery storage and so on. There is also rewilding and the placement of national parks potentially in the future, which is something I will look at. The Deputy talked about a possible new convention centre. Obviously, that would have to be fundamentally done by the private sector. The State has had a sort of a hit-and-miss engagement. The National Convention Centre took ages and it was complex.

An Ceann Comhairle: I call Deputy O'Reilly.

The Taoiseach: We have seen that the event centre in Cork has taken a considerable length of time.

An Ceann Comhairle: The Deputy is on her feet.

Deputy John Clendennen: Could there be a study?

An Ceann Comhairle: No. Deputy O'Reilly is on her feet.

Deputy Louise O'Reilly: I gave a commitment to my constituents that I would raise this issue at the first opportunity I got when the Dáil resumed, and that is today. Last year, constituents of mine who live in Skerries and get the train from Skerries and Balbriggan were taken out of the Dublin commuter zone. That added hundreds of euro to the average daily commute. Now, we learn that the Government is proposing to hike the fares even further, by 15%. For some people that will cost an extra €150 to €250 a year, and that is just for the joy

and pleasure of squashing onto overcrowded trains and waiting for overcrowded buses. The transport system for north County Dublin needs investment but that should not require additional money from hard-pressed commuters who are paying through the nose as it is. Will the Taoiseach intervene and ask the Minister for Transport to halt these hikes and look at real investment in the transport system for commuters in north County Dublin?

The Taoiseach: As I said earlier, we have an effective eight-year fare freeze alongside targeted measures in terms of public transport. We have the-----

Deputy Louise O'Reilly: No, prices went up. That is not true.

An Ceann Comhairle: The Deputy cannot interrupt.

The Taoiseach: -----young adult card, free travel for under-nines and a 90-minute fare. For most of the year, I have been taking questions from Deputies, all of whom want additional services, be that additional bus or train services, better facilities and so on. We have to have a sustainable basis for funding extensive enhancement and expansion of public transport into the future. That is the balance that has to be struck in this case.

Deputy Jen Cummins: The Irish Men's Sheds Association has been contacting its members around the country to let them know that funding for 2025-26 will now not proceed. The association has been told that funding may proceed in 2027. The Taoiseach has been around as a politician for a very long time and I am sure he has visited many men's sheds. They are set up to help with men's mental health, their social, emotional and psychological well-being, friendships and social cohesion. They rely on this very small grant in many cases to remain open, and that is now being challenged. September is suicide prevention month. October is mental health month. Movember is in November. Christmas brings up a lot of things for people. I could go on about the months during which we will seek to make sure that mental health is preserved and minded in everybody, particularly men who account for almost 78% of deaths by suicide. Will the Government reinstate this funding and explain why it needed to be challenged in the first place?

The Taoiseach: I think a bit of a mistake has been made here. There is no threat to the funding for men's sheds. Government has been very supportive of men's sheds. I met quite a number of participants at the ploughing championships yesterday and they acknowledged that the Government has been particularly supportive of men's sheds. I have opened a good few of them and have been to them, particularly in Carrigaline in my constituency. They do a broad range of work, including in woodwork, construction materials, art, sculpture and so on. However, the Minister is reforming the grant application to reduce the burden because many men's sheds said the process of applying for grants was too burdensome. There will be a simplified grant application and the Minister will revert to people. I think people may have misread the situation. There is no such intention and no threat to the funding.

Deputy Barry Ward: In April 2022, I was pleased to support the cut in public transport fares in the aftermath of Covid by between 20% and 50%, depending on what kind of ticket

passengers were using. At that time, the rationale was expressed that lower fares made public transport more attractive and more accessible and, therefore, more people used it. That is obviously desirable. It now seems that the Government is suggesting that is not the case or that there is not an evidence-based approach that suggests that lower fares allow more people to use public transport. The reality is that there are ancillary benefits to more people using public transport, such as reductions in emissions and congestion, etc. What is the evidence base for this decision that will lead to a significant increase of 15% in public transport fares? Is this something we could mitigate in some other way?

The Taoiseach: That was not the consideration. The more fundamental point is Government expenditure ceilings, which are set by the Minister for Finance and the Minister for public expenditure. Every Department has to operate within those ceilings. Most Deputies want us to expand services. Deputy Ward is correct insofar as the numbers of people on public transport have grown exponentially, which is a great thing. Then others - correctly, by the way - want more services. We need more services. One of the bigger issues this year has been the demand from Deputies representing their constituencies for more services across the board. Some 140 additional services will be announced for 2027. It is not an easy choice. I would prefer if we never had to increase fares but we are doing so. This year, the budget will be about €8.5 billion and about €7 billion of that will be public expenditure. However, there are ceilings to it and Ministers have to operate and make choices on how to do things.

Deputy Réada Cronin: There is huge concern in north Kildare about two monstrous data centres that are planned for outside Naas, all to feed the insatiable need for AI. Data centres already consume a huge amount of discounted electricity, while homes and small businesses are paying increasingly high energy bills. Before we broke for the summer, and indeed at a meeting in Naas two weeks ago, people's main concerns were around our grid infrastructure, water, the humming noise from these data centres and the increasing costs to subsidise AI. However, in the last couple of weeks, the CEOs of the top three AI companies have been ringing the alarm bells on AI. While this all sounds very sci-fi - "Terminator 7" nearly - it is unusual for venture capitalists to look for states to bring in some guardrails. I do not know if this is hyperbole or if it is the stock market, but the Government must pull the plug on these data centres and starve the beast of the data. There is an explosion-----

An Ceann Comhairle: I call the Taoiseach to respond.

Deputy Réada Cronin: -----in data centres all around Kildare. We need to reassess where we are going.

An Ceann Comhairle: Deputy, your time is up. The Taoiseach to respond, please.

Deputy Réada Cronin: We must protect our grid and reassess the impact of AI. What is the Government going to do about this?

The Taoiseach: I will say two things. AI is here to stay-----

Deputy Réada Cronin: I know.

The Taoiseach: -----but at least within Europe, we have the European Union AI Act which has been in force since August. That is the first European Union-wide risk-based legal framework for AI, banning unacceptable uses and imposing stringent requirements on high-risk systems. I urge a note of caution that those who were driving this for the last four or five years are now saying "Hang on a second".

Deputy Réada Cronin: It is unusual.

The Taoiseach: It is, but they have developed the market fairly significantly. I am not saying. I believe in regulation. Europe is the most regulated; the US is not.

The second point I make is that we have effectively had a moratorium on data centres for four or five years in Ireland. That gets lost in all of the debate.

Yes, prior to that we had a significant growth, but data centres are an integral part of the ICT industry. We just cannot neatly separate them out as people are endeavouring to do.

Deputy Sorca Clarke: Recent ESRI research shows that child poverty has risen sharply. After housing costs, some 260,000 children are living below the poverty line. I want the Taoiseach to picture a classroom with 30 children and I want him to imagine seven of those kids. That is the equivalent proportion of children who are now living below the poverty line in this State. It would take 5,000 52-seater buses to fit all of those kids. That would stretch from Leinster House to Glendalough.

I know that the Taoiseach is going to come back to me and talk about hot school meals and they are welcome, but a hot school meal does not lift a child or a family out of poverty. It does not pay their rent or heat their home. I know that the Taoiseach is going to talk about the strong economy, but that is not going to put a coat on a single child's back this winter. What specific measures will the Government take in budget 2027 to tackle child poverty and to lift children and families out of deprivation?

The Taoiseach: I want to make one fundamental point. The methodology used in that is open to question, in my view. Anyone below 60% of the median income is adjudged to be in poverty. I do not necessarily go along with the relative poverty approach. Consistent poverty and deprivation is a more accurate measure.

The Deputy spoke about DEIS. DEIS does not get measured.

Deputy Sorca Clarke: I did not mention DEIS.

The Taoiseach: I apologise; the Deputy referred to a school classroom. In DEIS schools, there are much-reduced pupil-teacher ratios. She was quite dismissive of the hot school meals not being measured-----

Deputy Sorca Clarke: No, I was not.

The Taoiseach: That is €1,100 to a parent with one child. It is €1,700. That is not to be dismissed. It does not get factored into those surveys. Free schoolbooks were not. To me, preventing poverty is, first of all, about guaranteeing children access to education, food and good, regular hot meals, and also ensuring that their families have supportive incomes, which we do through the social protection system, and we have substantially increased the child support payments, with record increases. They were not incremental, as the researchers described them. It was actually a record level of increase.

Deputy Michael Healy-Rae: I thank the Taoiseach; the Minister, Deputy Carroll MacNeill; the Ministers of State, Deputies Butler, Buttimer and Moran; and all of the other people who took time out from their busy schedules during the summer to come to County Kerry. Those meetings, those groups and delegations they met, were not photo opportunities; they were about work and about business in Kerry. I am grateful for all of that time, and I appreciate it.

As a retailer of fuel over many years, I have seen the broadsheets' projections for the next few days on what fuel is going to cost retailers and it is stark. I have a suggestion. As the Taoiseach knows, we had a fuel subsidy scheme in the Department of agriculture. Not all of that has been drawn down. The money is there. It is in a box. It is there, sidelined for this issue. The scheme has now been shut. I have met many people over a number of weeks. Could that scheme be opened again for farmers and contractors to avail of it - people who were not in time and for different reasons did not get it?

The Taoiseach: I thank the Deputy for his kind comments in respect of my visit to Kerry during August to meet various groups, particularly in the disability sector, and the schools and so on. We learned a lot from that about policy and how to approach issues.

The Government is looking at the entire energy question in the round, in respect of what is the most effective way to reduce the pressures for people. The food production system is important for food security, as is the haulage system because it gets goods to the markets. It gets them through ports. The economy depends on an efficient haulage system and it is also puts food on the shelves of supermarkets, etc.

We are looking at everything in the round regarding what is the most effective targeted way to help people. Through the social protection system, we want to target those on the lowest incomes, particularly children in families with very low incomes. We will look at all options in respect of this. The fact that many did not avail of that scheme suggests that we need to look at it.

Deputy Ken O'Flynn: The taxpayer pays for a special rapporteur on racial equality and racism. The job is to bring communities together. Instead, the person holding that office has told the Irish people that her group has "inherited this island" and will define its future. Let me be blunt: that office is funded by the public to reduce division instead of inflaming it. If another State appointee had made those comments, this House would be in uproar and answers would be demanded straight away. Does the Government still have confidence in Dr. Ebun Joseph as a special rapporteur, and does he agree with her comments regarding the Irish language? She said:

Please, please, please, let it go. We need teachers who do not have to speak Irish. Please, please, you know, like stop it.

Does the Taoiseach believe that those remarks are compatible with the office that Dr. Joseph holds at this particular time? Irish people are entitled to equality and they are entitled to respect, in particular where there is funding.

The Taoiseach: The Irish Government could not accept any diminution of the status of the Irish language. In fact, we are doing the opposite. We are supporting the Irish language in all aspects of policy, through the language Act and the fact that the language is constitutionally the official language of the State and is a core part of the school curriculum, both primary and post primary.

I will have to look at those remarks in the context in which they were said, and I will discuss the issue then with the relevant Minister because the post is an important one in terms of dealing with racism, which is pernicious and too prevalent in our society. We have to deal with racism, but it has no connection to the Irish language or anything like that. We need an inclusive, harmonious society.

Deputy Richard Boyd Barrett: What do bravery and principle and honouring this country's traditions of opposition to colonialism look like? They look like the actions of Aaron Rowe and Beoga and other artists who at considerable costs to themselves have dropped out of Ed Sheeran's US tour in solidarity with the people of Palestine.

Aaron Rowe, who is from Monkstown Farm in my area and whom I am proud to say I know, said:

I need to be true to myself and my ancestors who resisted colonisation and fought for a freedom that I enjoy today in Ireland. Free Palestine.

Is there not a lesson for this Government in the principled, selfless decision of Aaron, Beoga and the other artists to take this action in solidarity with Palestine in relation to the Irish football game against Israel and the Government's continued failure to show the kind of principle and courage that we have seen from these artists in calling for that game to be boycotted in solidarity with the people of Palestine?

The Taoiseach: First, I disagree fundamentally with the Deputy's characterisation of the Government's position on Palestine. We have been very principled in relation to Palestine, both at European Union and at international level and in terms of our policies and allocations of resources. We stood up for UNRWA when it mattered most for that organisation in terms of doubling down on the funds we allocated when it was under threat from some EU member states at the time in the EU Commission. We have intervened in the South African case in respect of genocide before the ICJ. We have recognised the Palestinian state. At every international forum, we have raised the issue of Palestine and we also seek solutions in respect of a two-state solution in terms of trying to get humanitarian aid in to Gaza and, indeed, to stop----

Deputy Richard Boyd Barrett: These artists are-----

The Taoiseach: -----the settlements and the violence by terrorist settlers against Palestinians in their homeland in the West Bank.

An Ceann Comhairle: Time is up. We are significantly over time.

Road Traffic (Amendment) (Jax's Law) Bill 2026: First Stage

An Ceann Comhairle: We are now into two Private Members' Bills, the first of which is the Road Traffic (Amendment) (Jax's Law) Bill 2026, being introduced by Deputies Barry Ward and Emer Currie.

Before Deputy Ward takes to his feet, I offer my heartfelt welcome to Nathan Murphy and Saoirse Aylward, who are from County Wexford. They are accompanied by Colleen Langan. They are most welcome to hear the introduction of the Bill.

Deputy Barry Ward: I move:

That leave be granted to introduce the Road Traffic (Amendment) (Jax's Law) Bill 2026.

Earlier this year, Deputy Emer Currie and I met with two women who had direct experience of losing a pregnancy as a result of the criminal activity of another person, namely, dangerous or careless driving as the case may be. This Bill is named for Jax, a baby who was never born. His mother and father, as the Ceann Comhairle mentioned, Saoirse Aylward and Nathan Murphy, are in the Gallery, as is Colleen Langan, whose aunt, Roisin Connolly, née Langan, was killed in 2010.

Saoirse suffered her accident in 2024, so there is a 14-year period during which this issue existed without any solution.

What is that issue? At the moment, dangerous and careless driving are essentially minor road traffic offences. They are prosecuted in the District Court. Careless driving carries no custodial penalty, but they carry very limited penalties generally, except where death or serious injury is caused by that dangerous or careless driving, in which case there is an option for the Director of Public Prosecutions, DPP, to accelerate those matters and raise them to the Circuit Court to prosecute them on indictment, with much bigger penalties and much bigger tariffs available to the court.

However, if somebody is in an accident as a result of careless or dangerous driving and a pregnancy is lost as a result of that accident, that is not viewed as a circumstance that makes that offence more serious. It was identified to us earlier this year that this is a gap in the law and we agree. Not only do we agree but so do over 75 Members of this House who have co-sponsored this Bill with us. I am not aware of any other Bill that has ever come before this House that has been sponsored by as many people. I applaud the fact that there is a cross-party consensus on this from every party and group in this House, who have supported this provision as a sensible measure, not to reopen a debate on ancillary issues but to acknowledge there is a gap in the law whereby it does not recognise the serious consequences a loss of pregnancy causes to an individual, a family and a wider group of people. That is a real problem.

With the Bill, we are striving to do something straightforward. We are trying to amend the road traffic law in a small way to acknowledge that statistics are not kept on pregnancies lost and that there is no real legal recognition or acknowledgement of the fact that when they are lost, it is a serious consequence for the person involved and it should be marked as a much more serious offence.

Deputy Emer Currie: Deputy Ward and I are moving this Bill today, but it would not be before the House without Saoirse Aylward's extraordinary strength and determination. Saoirse was 31 weeks pregnant when she lost Jax as a result of a road collision. She was preparing for his arrival, had chosen his name, had charted his progress at hospital appointments and listened to his heartbeat, and then she had to say goodbye to her baby boy. My words cannot do justice to what Saoirse has been through, but I know that having lost her son she felt retraumatised by the justice system because while Saoirse was recognised as a victim of that collision, the loss of Jax was not.

At the moment when Saoirse and her family looked to the law for justice, the law was silent, but Saoirse Aylward was not. She has fought for Jax and every family who have found or could find themselves facing the same devastating circumstances. Careless or dangerous driving can be prosecuted on indictment when it results in death or serious bodily harm. This Bill would extend that to where such driving results in the loss of a pregnancy of at least 23 weeks' gestation or a foetus of at least 400 g. That change matters. Prosecution on indictment means these cases can be treated as serious criminal offences in the Circuit Criminal Court, with the wider sentencing powers that brings. This Bill would also allow the Minister to direct the Road Safety Authority, RSA, to collect and publish statistics on pregnancies lost as a result of a road traffic collision - losses that currently go unrecorded.

Saoirse and Jax's dad, Nathan, are here today alongside Susan Gray of PARC Road Safety Group, who supports victims and their families in navigating the system after a devastating loss, and Colleen Langan, who continues to campaign for justice for her aunt. Saoirse refused to accept the silence of the law and today this House has the opportunity to answer her. The Minister of State, Deputy Canney, is listening and responding positively. I hope we can now work together to deliver the change that Saoirse has fought for and justice for Jax.

An Ceann Comhairle: Is the Bill being opposed?

Minister of State at the Department of the Taoiseach (Deputy Mary Butler): It is not opposed.

Question put and agreed to.

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

Question put and agreed to.

Electricity Regulation (Amendment) (No. 3) Bill 2026: First Stage

Deputy Pa Daly: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Electricity Regulation Act 1999 and, for that purpose, to make further and better provision for the prioritisation of applications under section 34 for connection to, or use of, the transmission or distribution system for electricity, and to provide for related matters.

An Ceann Comhairle: I thank the Deputy, who is sharing time, five minutes in total.

Deputy Pa Daly: Thank you, a Cheann Comhairle. Before I start, I welcome Saoirse, Nathan and Jax's family. Deputy Johnny Mythen has kept me up to date about the previous Bill and I look forward to supporting it on its passage through the Dáil. Before I turn to this Bill, I would like to thank Maeve Gleeson in the Office of Parliamentary Legal Advisers, OPLA, and Muireann Meehan Speed in my office for all their help in preparing it.

When grid capacity is limited, as it is at the moment, the delivery of homes, public infrastructure and essential services should be prioritised. This is the simple principle underpinning the grid prioritisation framework Bill. The Government's *laissez-faire* approach to data centres and other large energy users must end. It is clear the State needs a more strategic approach to allocating scarce grid capacity, as was recommended by the European Commission in December of last year. The urgency of this issue was re-enforced today by the Central Bank, which highlighted that constraints in essential infrastructure, including energy networks, act as a major barrier to housing delivery. At a time when families are locked out of home ownership and housing demand continues to grow, it is unacceptable that access to critical infrastructure-

An Ceann Comhairle: You are sharing time, Deputy.

Deputy Pa Daly: I am sharing time. I will finish on this. This Bill recognises that electricity infrastructure is a strategic national asset and I commend this Bill to the House.

Deputy Réada Cronin: Gabhaim buíochas leis an gCeann Comhairle. Over the recess, my office was inundated with appeals from worried constituents about two monstrous data centres in Naas. Not only are these data centres creating nuisance with sound and stature, but they are eating away at critical infrastructure of water and energy. Yet, we are expecting the people of Naas to pay increased energy prices to subsidise these monstrosities. It is clear to people that the Government has placed the development of these data centres above the needs of their families.

Our legislation is simple. It provides the necessary guardrails to ensure that critical infrastructure is prioritised for families and workers. The legislation is consistent with the recommendations of the European Commission, and it provides much-needed security to homes around Ireland that their needs will not come last. We have done more than enough of our fair share for data centres to store the banking, health and other data that businesses need. What we now need in Naas are homes, not more data centres for AI.

Deputy Rose Conway-Walsh: I want to thank my colleague Deputy Pa Daly and Muireann Meehan Speed in his office for their work on this Bill. It is critically important. What it does

is very simple. It prioritises the needs in local communities and areas. It seeks to strike a balance in regard to what is critical infrastructure for small and medium businesses that are really dependent on energy and also in terms of the housing that is needed to house employees in areas.

It is about getting that balance and addressing what is needed here because businesses cannot expand without electricity and cannot attract and retain workers if those workers have nowhere affordable to live. This does speak to the underinvestment in the grid and in electricity and how energy is really exposed in this situation. There has to be a rapid upgrading of the grid as well. However, we cannot continue to allow data centres to take priority over these homes and over workers, who sustain our economy and communities. The Bill seeks to put public interest first, ensuring that scarce grid capacity is prioritised for housing and essential infrastructure. It is a practical Bill that I hope the Government will support. It makes absolute sense. It is urgent given the pressure that is being put on the affordability and availability of energy to homes and small businesses.

An Ceann Comhairle: Is the Bill being opposed?

Minister of State at the Department of the Taoiseach (Deputy Mary Butler): It is not opposed.

Question put and agreed to.

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

Question put and agreed to.

Withdrawal of the Mineral Oil Tax (Emergency Cost of Living Reduction) Bill 2026: Motion [Private Members]

Deputy Pádraig Mac Lochlainn: I move:

That leave be granted to withdraw the Mineral Oil Tax (Emergency Cost of Living Reduction) Bill 2026.

Question put and agreed to.

Ceisteanna - Questions

Cabinet Committees

1. **Deputy Séamus McGrath** asked the Taoiseach when the Cabinet Committee on Housing will meet next. [64344/26]

2. **Deputy Ryan O'Meara** asked the Taoiseach when the Cabinet Committee on Housing will next meet. [64294/26]

3. **Deputy Paul McAuliffe** asked the Taoiseach when the Cabinet Committee on Housing will next meet. [64265/26]

4. **Deputy Peadar Tóibín** asked the Taoiseach when the Cabinet Committee on Housing will next meet. [64827/26]

5. **Deputy Paul Lawless** asked the Taoiseach when the Cabinet Committee on Housing will next meet. [64905/26]

6. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on housing will next meet. [65085/26]

The Taoiseach: I propose to take Questions Nos. 1 to 6, inclusive, together.

The Cabinet committee on housing last met on Monday, 14 September. The committee will next meet on Thursday, 22 October. The committee works to ensure a cross-government approach to the implementation of our commitments regarding housing policy. Housing supply has increased significantly over the past number of years, with recent home completions data showing almost 17,000 new homes built in the first half of 2026. This is a rise of 11% on the same period in 2025 and the highest number of half-year completions since the series began 15 years ago. We are also seeing the highest number of people buying their first home in well over a decade, with almost 12,600 first-time buyer mortgages drawn down in the first half of this year. Many of these households were supported by Government-backed measures, such as the first home and help-to-buy schemes.

Clearly, the measures we have implemented, backed by unprecedented State investment, are working. The housing activation office is now established. A core team of civil servants and experts seconded from Uisce Éireann, ESB Networks, the National Transport Authority, Transport Infrastructure Ireland and the local government sector have been brought together to progress the work of the office. It is headed by a deputy secretary general for housing activation. The office actively engages with key stakeholders, including all 31 local authorities, utility and infrastructure providers, industry and others to ensure that barriers to the delivery of public infrastructure projects required to enable housing development are addressed in a co-ordinated way.

The Government has made available the highest ever commitment of Exchequer funding for housing of €28 billion up to 2030, along with additional funding through State vehicles including the Land Development Agency, LDA, the Housing Finance Agency, Home Building Finance Ireland, the first home scheme and the Irish Strategic Investment Fund.

Under the national housing plan, the role and remit of the LDA has been expanded. This includes a wider geographical remit and a focus on starter homes, mixed tenure of more social and private housing delivery, and infrastructure-led delivery. Through various delivery channels, the LDA has delivered almost 3,000 homes and is working on a pipeline of a further 25,000 homes on over 40 sites, with projects at every stage from design through to construction.

All 31 local authorities across the country have been tasked with ensuring that more than enough land is zoned to meet the needs of our citizens. The process is well under way, with the majority of local authorities having either fully or partially concluded the process.

To ensure that this land is activated for housing quickly, we are co-ordinating wider infrastructure investment through the housing activation office, which is now managing a multi-annual €1 billion housing investment fund. This is the largest ever investment in housing-enabling infrastructure. Over 80 infrastructure projects have been funded under the programme to directly enable the delivery of 86,000 new homes and provide the potential for a further 113,000 homes.

Our commitment to large-scale projects, such as MetroLink, has housing delivery as a core priority. Earlier today, we approved the next phase of work on this generational project, with main tendering due to kick off shortly. This project will enable tens of thousands of extra homes along its route.

Additional information not given on the floor of the House

Government's response to the viability challenge in Delivering Homes, Building Communities is multifaceted. It involves measures to decrease the delivery costs, such as the VAT reduction on the sale of new apartments and introducing greater flexibility to the size and mix of apartment developments through the ongoing development of new design standards for apartments. It involves the new rent framework which will help to boost investment in the supply of homes for rent and provide greater certainty to the wider residential market. The actions to support the delivery of apartments in Delivering Homes, Building Communities have the potential to result in significant cost savings in the range of €88,000 to €160,000 per apartment.

Last July, reforms to planning exemptions regulations took effect, giving homeowners the freedom to adapt their homes to changing needs and make decisions in relation to their own living space. We now have the highest social housing build per annum on record and have also allocated over €370 million to the second-hand social housing acquisition programme, which includes much-needed funding to support households to exit long-term homeless accommodation.

We are working to reform our housing system so that it delivers sustainably over the long term. This means effective State investment across a broad range of schemes and agencies, alongside large-scale private sector investment. Only by getting this balance right will we be able to deliver at the scale and ambition needed. Private investment alongside public investment is the only way to deliver the scale of housing needed. It is, therefore, critical that Ireland achieves a stable and predictable policy environment to attract and retain private capital, in line with the programme for Government commitment, including from international sources. Our plan is working and we are seeing the results. I am confident that we can build on our success to date by continuing to focus on delivery, making sure it is both scaled and sustainable into the future.

An Ceann Comhairle: There are only six Deputies, so I will propose at least two minutes each for the response. Deputy Paul Murphy wishes to come in. It has been precluded but only

where the number of Members who have asked the questions would not be allowed in. I think Deputy Murphy will be allowed in today. I may not be in the Chair when that happens.

Deputy Séamus McGrath: I thank the Taoiseach for the update on the progress made on housing. I will raise one specific issue relating to the qualifying income limits for social housing. It is the intention of the Government to increase these limits. I want to raise the issue to ensure that happens as quickly as possible. As the Taoiseach knows, the limits were last changed in 2023, which was three years ago. There are currently three bands ranging from €30,000, €35,000 and €40,000 in terms of qualifying limits. In the past three years, wage growth has increased cumulatively by 15%. Even if we were to stand still, we need to increase those limits by 15%. I would strongly argue that we need to be more decisive than that. We need a seismic shift to help to narrow the gap between those who fall just outside the social housing limits and those who are in a position to afford accommodation in their own right. That gap is growing. One of the measures available to the Government is to increase the qualifying limits for social housing. We must ensure that social housing is available to working people on modest incomes. At present, that is not necessarily the case. The Government must ensure that happens. We cannot have a situation whereby the qualifying limits act as a disincentive to work, as is the situation at present. Each Member of this House is aware of discussions he or she has had with constituents, who spoke about cutting back their working hours in order to keep their incomes under the limits. I ask the Taoiseach to ensure this happens quickly. It is important. We need to narrow the gap in terms of the affordability of housing for individuals and families across the country.

Deputy Ryan O'Meara: I raise the concerns and annoyance of the thousands of people whom I represent in Newport, Ballina and Birdhill and who faced a disastrous summer in the context of water quality, a lack of drinking water and boil water notices as a result of Uisce Éireann's ill-handling of communications and a lack of clarity from Uisce Éireann on exactly what was happening. We are talking about thousands of households, or customers, as Uisce Éireann calls them. These are thousands of people whom I represent. On numerous occasions, the water was cut off and stopped in two large towns and a village. There has been boil water notice after boil water notice. The most recent update I got from Uisce Éireann was that the last boil water notice was because of heavy rainfall. As we go into winter in Ireland, I am worried if that is what Uisce Éireann thinks is causing a boil water notice for thousands of people.

My main criticism and critique is of the communication and the information provided. All of us in this House struggle to get accurate information from Uisce Éireann. I cannot advise my constituents or even keep them safe under boil water notices if the accurate information is not coming from Uisce Éireann. What are the Government's plans to make Uisce Éireann more accountable to this House and more accountable to us, as public representatives, when we ask it direct questions to ensure we get answers that are accurate in a timely manner? Uisce Éireann will get more than €12 billion from this Government between now and 2030 for infrastructure investment. The very least that we deserve from that, outside of an adequate water and wastewater network, are proper responses, timely updates and accurate information.

Deputy Peadar Tóibín: For years, Aontú has been in this Chamber arguing about the fact that Ireland has the slowest planning, procurement, licensing, tendering and judicial review processes in the whole of Europe. This housing crisis has dragged on for nearly ten years at this stage. One of the main contributing factors has been that what the Government controlled was absolutely dysfunctional and was not working. We were singular in making that critique of the Government.

The Central Bank today issued a report which confirms the concerns that we in Aontú have raised repeatedly in this Chamber. The time it takes to build a house in this country has doubled in ten years. It used to take two years to build a house in this country but it now takes four years. It stands to reason that that action alone reduces the capacity of the Government and the country to build houses. How come this Government has tied up the whole process in red tape and bureaucracy, with the effect of making it more difficult to build homes in those periods? Why has the Government allowed the situation to become so dysfunctional? It is so frustrating. The aspect of building homes that the Government controls has been made more difficult and longer to achieve by the Government itself. That has led to people being homeless. It has led to people not being able to buy homes. It has led to increases in the prices of those homes. Will the Government go further to ensure that we again reduce the length of time it takes to build a home in this country by making its end of the responsibility more efficient?

4 o'clock

Deputy Peter 'Chap' Cleere: I was very saddened this morning to hear of the very sad and untimely passing of Eamonn Langton. Eamonn was a very successful businessman, a staunch Kilkenny man and a passionate GAA supporter. The Langton name and the Langton establishment are synonymous with everything that is good about Kilkenny. Recently he was made a freeman of the city. It was such a fitting tribute that he was able to be there with all his family and friends. A great Gael passed away this morning. We are thinking of him and all his family at this very sad time. I acknowledge that the Taoiseach wrote him a letter after he was made a freeman of the city. That was the last time I spoke to him and he was so appreciative of that formal acknowledgement of his contribution from the Taoiseach and leader of the country.

I will raise the issue of the vacant and derelict property grant. It is a very successful grant, which provides between €50,000 and €70,000 every year. There have been 20,000 applications nationally, with about €346 million paid out, so it is a really effective scheme we have going. About €3 million has been paid out in full in Carlow for 184 applications and for about 440 applications in Kilkenny with €9 million paid out. I have two asks here, which would be great. When it was originally introduced in 2022, the scheme paid €30,000 for a vacant property and €50,000 for a derelict one. This was increased in 2023 to €50,000 for a vacant property and €70,000 for a derelict property. Will the Government consider increasing that in the upcoming budget to significantly higher levels, considering the increased expenses and costs in construction at the moment? Also, is it possible from a technical perspective to introduce a partial drawdown stage? At the moment, people can only draw down the funding once the works are completed in full. Given the amount of funding involved, it would be appropriate if, for example, there were a possibility halfway through that people could draw down a certain portion of the funding to ease the challenges that many families and individuals are facing when availing of these grants.

Deputy Richard Boyd Barrett: I have asked the Taoiseach repeatedly about the social housing income thresholds. We have had promise after promise that something is going to be done about them. Every single week, pretty much, people are coming to me who find that they have been on a housing list for five, ten or 15 years, all that time waiting, and then because their pay marginally increases, they go over the threshold and all the time is gone. They are left in limbo but their income is not enough to be able to get cost-rental or affordable housing. It is so unfair. At the beginning of 2023, when the Government last raised the limits - it had to be pushed on that as well - the average industrial wage allowed a person to qualify for social housing. Now, with the average industrial wage, a person is over the threshold. It is absolutely unfair. It looks to me like a strategy to get people off the list and maybe even to do away with social housing as we know it and replace it with a higher rent scheme. If it is not, let us see the Government raise the limits. Will it be done before the budget? When will it be done? By how much will it be raised? What will the Government do about the time lost by people who have been thrown off the list over the past three years and have been left in limbo? I would like the Taoiseach to answer those questions.

I would also like to ask the Taoiseach about the three- and four-bedroom issue in social housing developments. One of the major reasons family homelessness and child homelessness are rising, which is absolutely unacceptable, child homelessness in particular, even though there is an uptick in social housing delivery - mostly, it has to be said, through private developers, not through direct construction - is because local authorities are not building three- and four-bedroom houses. In my area, there are no four-bedroom houses planned in future developments over the next number of years and the percentage of three-bedroom houses is abysmal. Something has to be done about delivering three- and four-bedroom local authority houses in order to address child and family homelessness.

Deputy Paul Murphy: At this very moment, council tenants from Mac Uilliam are outside South Dublin County Council offices, together with activists from the local Community Action Tenants Union, CATU, branch, protesting because they are at their wits' end about the maintenance issues and the serious problems of disrepair in their homes. They do not want to be at this point. They have tried everything in terms of engaging with the council, including individually doing representations. I have been inside their homes and the conditions are utterly unacceptable for anyone to have to live in 2026. We are talking about massive amounts of mould and damp and kids being brought up in this scenario. We are talking about windows and doors being broken all over the place, which obviously creates an inconvenience for people but also a serious fire hazard for people being able to get out in the event of a fire. We are talking about lighting inside and outside the blocks being broken and heating being a repeated problem. We are talking about a big problem with rats, in terms of public health, and in certain areas of the estate there are big problems with a smell of sewage coming from the ground, which is an ongoing problem that we have been raising for years. They are now outside the council offices, forced to protest because they have been let down and have not even been given clear timelines by the council about when these issues will be repaired.

Does the Taoiseach think it is acceptable that council tenants who are now being asked to pay a big increase in rent have accommodation like this in 2026? Does he agree that the council needs to have meaningful engagement with these tenants and needs to provide a clear, short timeline to repair all the key issues they are raising?

Deputy Pádraig O'Sullivan: When I last raised the issue of Carrignavar the Ceann Comhairle was in the Chair as well, so I do appreciate the time. Like Deputy O'Meara, I want to talk about Irish Water and its inability to deliver infrastructure at the rate that is needed. I point consistently to Glenville, Carrignavar and Knockraha in my constituency. The story is kind of the same. We are providing record investment in Irish Water and we are seeing very little return. Of the 37 projects identified by Cork County Council, about four years ago at this stage, six were allocated funding. The vast majority of them have not even been initiated and, as I said, this malaise continues.

I got excited when I found out that we were reintroducing developer-led infrastructure. I said, "Jesus, we might have a chance at getting a house in Carrignavar some time in the next decade." Unfortunately, like the announcement about Glenville a couple of weeks ago, the only thing that is happening is that because the existing plants are so deficient, and in the case of Carrignavar three times overloaded, the plan is to introduce a modular wastewater treatment plant, which will essentially make them compliant with the existing waste they are treating at the moment. From what I have been told, it will not, in all likelihood, allow for any expansion.

These communities, which are small villages within ten minutes of the city centre, are facing being locked out of development at any meaningful level for next decade. Irish Water is telling us it takes on average seven years to deliver a new treatment plant by the time it goes through all the necessary procurement, environmental assessments and so on. We need to get real with ourselves and have a reality check. We need to ask ourselves whether that is acceptable in this day and age. I have not even got on to Knockraha because I am out of time but I would appreciate some glimmer of hope that those villages will be able to progress and develop in the future.

The Taoiseach: In the first instance, Deputy Séamus McGrath raised the issue of qualifying income thresholds for social housing. To make the point more generally, we built 9,000 social houses last year and we will go higher this year. Deputy Boyd Barrett suggests that we want to get rid of social housing but we are building record levels of it. We are building more per annum now than we have done since the State was founded. Let us at least accept that. You can give out about the methodology if you want all-State construction, but we are getting it done. In any event, I would say to Deputy McGrath that one of the issues is that, legislatively, eligibility for social housing has been coupled with the housing assistance payment, HAP. That is an issue but we can deal with that too. I believe we need to increase the income thresholds. There are many working people who cannot avail of social housing right now, who should be able to. The gap between a certain cohort and those who can afford to get mortgages to buy is significant. There is a cohort of people who should have the option of being entitled to social housing.

Deputy O'Meara referred to the wastewater treatment plants in Newport, Birdhill and Ballina and the issue of boil water notices and poor quality water.

We had Irish Water in. We said to it, at a Cabinet subcommittee, that Deputies in the House are not happy with the level of communication. It said it created a unit within its structure, allegedly, to deal with Oireachtas Members and public representatives. We will go back to Irish Water again following today's session but we made it very clear to it that, up to now, it has not been what is required. It is a fundamental duty of Irish Water to communicate

proactively with people with regard to shortages, boil water notices and so on. It has established a unit for communications. I will go back to it in respect of what the Deputy said to me.

In regard to Deputy Tóibín's comment about the Central Bank report, I will make the point that Ireland's homebuilding is the fastest in Europe. We have 7.2 completions per 1,000 people, whereas the European average sits at just three. The United Kingdom is behind that again at 2.4 per 1,000 people. Housing completions rose by 40% between 2022 and 2026 and we are one of only five European countries where building rose, while in the rest of the Continent it declined. Ireland has the highest direct spending in Europe on housing by a wide margin when scaled for GDP or GNI. Some €9 billion in capital funding is committed to finance social and affordable homes. Twenty-one thousand mortgages were drawn down in the first half of 2026, up 5% on the same period last year. Nine thousand new-build social homes were completed, the highest number in any given year since the foundation of the State. Employment in the residential construction sector is up 14%. Notices of termination are down 49% from quarter 1 of 2026. Registered tenancies have increased. I could go on.

Notwithstanding the Central Bank report, I will say to everyone in the House that we would appreciate their support. Deputy Tóibín may have supported the rural planning guidelines that we introduced to reduce the planning burden; others did not. The apartment guidelines were amended. Lots in the House opposed that, and the exemptions to back gardens and so on to facilitate the building of modular units. That is all designed to deal with what the Central Bank has reported. Accelerated delivery of infrastructure by the Minister, Deputy Jack Chambers, and the critical infrastructure legislation are all designed to prioritise the delivery of infrastructure that can lead to house completions. We want to accelerate planning. We have maybe not doubled but substantially increased resources to An Coimisiún Pleanála and other regulatory bodies to get decisions faster. We will continue to do that.

I join with Deputy 'Chap' Cleere, first of all, in extending sympathies on the death of Eamonn Langton. It is particularly sad news. He was a freeman of the Deputy's city. I know the Deputy and he were very close. Ar dheis Dé go raibh a anam dílis. On the Deputy's ambitions for the budget, I will say two things. We had a substantial increase to grants at that time, as the Deputy said, from €30,000 to €50,000 and €50,000 to €70,000, in respect of vacancy and dereliction.

An Cathaoirleach Gníomhach (Deputy Marie Sherlock): Thank you, Taoiseach.

The Taoiseach: I take the Deputy's point about the partial drawdown of the grant and I will go back to the Minister in respect of that. I will take on board what the Deputy is saying in regard to the budget more generally.

Can I deal with the others?

An Cathaoirleach Gníomhach (Deputy Marie Sherlock): Yes.

The Taoiseach: There is Deputy Boyd Barrett. I dealt with that, I think, with regard to social housing.

Deputy Richard Boyd Barrett: When? Can the Taoiseach tell us when?

The Taoiseach: When what?

Deputy Richard Boyd Barrett: When is the Government going to bring up the limits?

The Taoiseach: I just dealt with it.

Deputy Richard Boyd Barrett: The Taoiseach did not tell us a date.

The Taoiseach: The Minister is working on it. It is not that simple.

Deputy Richard Boyd Barrett: We got that answer the last time.

The Taoiseach: The Deputy did not acknowledge that we built 9,000 houses and we are building-----

Deputy Richard Boyd Barrett: The Minister is not working very hard at it.

The Taoiseach: In response to Deputy Paul Murphy, again, I do not have the full background to that issue. It is obviously a matter for South Dublin County Council and those conditions are not satisfactory. The council should deal with it.

In respect of Deputy Pádraig O'Sullivan's point about Uisce Éireann, I will again engage with it in respect of Carrignavar and Glenville. The developer-led initiative is meant to be new schemes as well, in certain towns around the country. It is initially on nature-based solutions but we are pushing to get not just nature-based but other provision as well. That has to happen. Uisce Éireann has got a lot of resources and it has to deliver.

An Cathaoirleach Gníomhach (Deputy Marie Sherlock): I will refrain from abusing my position to appeal to the Taoiseach to work on Carrignavar.

Cabinet Committees

7. **Deputy Albert Dolan** asked the Taoiseach when the Cabinet Committee on justice, migration and social affairs will meet next. [64288/26]

8. **Deputy Pádraig O'Sullivan** asked the Taoiseach when the Cabinet Committee on justice, migration and social affairs will meet next. [64345/26]

9. **Deputy Tom Brabazon** asked the Taoiseach when the Cabinet Committee on justice, migration and social affairs will next meet. [64291/26]

10. **Deputy Paul McAuliffe** asked the Taoiseach when the Cabinet Committee on justice, migration and social affairs will next meet. [64266/26]

11. **Deputy Darren O'Rourke** asked the Taoiseach when the Cabinet Committee on justice, migration and social affairs will next meet. [64814/26]

12. **Deputy Louis O'Hara** asked the Taoiseach when the Cabinet Committee on justice, migration and social affairs will meet next. [64832/26]

13. **Deputy Mark Ward** asked the Taoiseach when the Cabinet Committee on justice, migration and social affairs will next meet. [65610/26]

An Cathaoirleach Gníomhach (Deputy Marie Sherlock): With the agreement of the House, I propose that each Member be allocated two minutes each. Is that agreed?

Deputy Richard Boyd Barrett: Can I get in as well?

An Cathaoirleach Gníomhach (Deputy Marie Sherlock): Yes. We can have 1 minute, 45 seconds each.

The Taoiseach: We are very tolerant people here.

Deputy Richard Boyd Barrett: I am a regular.

The Taoiseach: We are very generous.

I propose to take Questions Nos. 7 to 13, inclusive, together.

The Cabinet committee on justice, migration and social affairs oversees the implementation of programme for Government commitments that are in relation to matters under those areas. It covers a range of policy areas, including domestic, sexual and gender-based violence, policing and justice reform, migration and initiatives tackling local-area disadvantage.

Getting more gardaí on our streets to prevent and detect crime is the Government's first priority, and the Government has allocated over €2.74 billion to the Garda Vote this year, the largest allocation ever. The Government welcomes the progress made by An Garda Síochána with respect to recruitment in recent years. It is expected that the number of gardaí will soon exceed the previous record high of 14,758 in March 2020 and the number of gardaí will reach 15,000 in the near future. Recruitment into An Garda Síochána is continuing apace. Groups of around 200 new gardaí are now regularly entering and attesting from the Garda College approximately every three months. Five hundred and sixty-six probationer gardaí have been assigned to stations around the country already in 2026, with two more attestations due to take place before the end of the year.

The 2025 programme for Government contains a commitment to continue to implement a firmer migration system that, among other things, protects the integrity of our immigration framework. Last November, the Government approved a package of policy and legislative reforms to strengthen Ireland's migration and asylum system, ensuring it is rules-based, efficient and more closely aligned with those of other EU member states.

The Cabinet committee was established in February 2025 following the appointment of the new Government in January. Its first meeting was on 10 April 2025 and it met most recently on Monday, 14 September. The next meeting will be scheduled in due course. In addition to meetings of the Cabinet committee, I have regular engagements with Ministers at Cabinet and individually to discuss issues relating to their Departments.

Deputy Albert Dolan: A huge amount of work has been done by An Garda Síochána to recruit new members. Understandably, after each attestation, the gardaí are allocated to different stations right across the country. My huge problem with that is that in the last three attestations, Galway received, in total across the over 700 gardaí that were allocated, only four gardaí. That is not four gardaí for one town in Galway or one small village; that is for the entirety of County Galway, the city and Connemara. It is a huge area that received only four gardaí.

I wrote to the Commissioner on 24 July to highlight this matter because I was really frustrated by it. What it worked out at was that in Galway, we were receiving one garda per 64,000 of population. That was our allocation. I welcome the recent reallocation of 28 additional gardaí to the high-visibility policing efforts now taking place in Galway city. From speaking to the community gardaí in Galway city centre, they are seeing hugely positive results from this high-visibility policing. It is working in Galway city.

Galway needs to be focused on and given a greater allocation moving forward. That means that stations in Athenry, Gort, Loughrea, Headford, Portumna and Tuam would see an increased allocation, that we would start to see that flow not just into Galway city but throughout the county, and that people would see higher visibility from the gardaí in the county because there would be the resources to do so. What consideration will be given to the fact that Galway has had such an underallocation of gardaí from recent attestations?

Deputy Pádraig O'Sullivan: I raise an issue in relation to migration, our deportation process and how it works. I have been in here six and a half years. I have never once objected to an international protection accommodation service, IPAS, centre. I have never once come in here and spoken about migration, if the truth be told. I feel obliged to say that before I make my suggestion or criticism.

At present, when somebody is given a deportation order to leave the country - 4,700 were given in 2025 and approximately 434 of those were enforced - the vast majority of those people in this country who are issued such a notice are expected to voluntarily return themselves.

To be fair, I would say that happens in the majority of the cases I have come across and it is what gardaí and people involved with migration are telling me. However, there is a third cohort of people who are termed "otherwise confirmed". Essentially, those people volunteer the information to the authorities before they leave. However, from speaking with gardaí, a number of people go unaccounted for and a vast amount of the State's time is spent looking for those people. We do not know if they have actually left. My observation is that the Garda's powers and resources are better utilised enforcing the deportation orders and the laws we have, rather than finding out whether somebody has left the country. Gardaí find themselves seeking out people who might have left six months previously as they have no way of tracing that. Next week, at our policy meeting with the Minister for Justice, who has done a good job since taking

over, I will raise with him the issue of traceability and what we are going to do to ensure the people who are served with notices are actually leaving. I would love to say they will leave of their own volition, but in cases where they are not how are we going to trace that in future?

Deputy Tom Brabazon: Yesterday, the Garda Representative Association told the justice committee that gardaí need greater clarity on the pursuit policy, proper pursuit training, stronger legal protections and adequate roads policing resources. My constituents certainly want to see our gardaí supported in order that they can carry out their duty. I have previously raised the introduction of a separate driving licence for gardaí and a statutory indemnity for gardaí carrying out their role reasonably. What measures will the Government introduce to address these concerns and ensure gardaí are properly equipped and protected when carrying out their duties?

Deputy Peter 'Chap' Cleere: Everyone has the right to be safe and to feel safe in their homes and communities. Across the country, communities are dealing with the scourge of crime and antisocial behaviour. The Government is committed to building stronger, safer communities and significant funding has been put into resourcing An Garda Síochána. There has been an additional €500 million over the last five years. As the Taoiseach said, by the end of this year, for the first time ever, we will have about 15,000 gardaí serving the State. It will be the highest figure since the foundation of the State. I want to see a greater geographical spread of the new resources that are coming on board. Two attestations will take place towards the end of the year. While I welcome the additional gardaí who have been stationed in Cork, Dublin and Limerick, I would like to see a greater geographical spread around the country, in particular, in my constituency. People who live in rural Ireland want to feel safe every bit as much as people living in the cities. I look at stations in places like Graiguenamanagh, Goresbridge, Thomastown, across to Bennetsbridge, down to Callan and Mooncoin and over to Borris and Bagenalstown. We need additional gardaí in all these places because people are telling me they want to see gardaí with their boots on, on the street, on the beat and engaging with the community. We have put fantastic resources into the Garda but we just need a greater geographical spread. I implore the Taoiseach to use his influence to try to get a greater rural spread with the additional gardaí.

Deputy Louis O'Hara: I too raise Garda numbers. Only four of 566 new Garda recruits this year have been allocated to Galway and all four went to Galway city. In recent weeks, there was an announcement of 28 new gardaí for Galway city and Salthill but none for stations in county towns like Athenry, Loughrea, Gort and Tuam. These are stations that have not seen any meaningful increase in Garda numbers in years. Assurances have been given that rural towns and villages will see an increased allocation but it has not happened. Across County Galway, there are ongoing issues with rural crime and antisocial and criminal behaviour in towns and villages. This is causing an awful lot of misery for people and I am being contacted regularly by residents about serious issues and by people who do not feel safe because of the lack of a Garda presence in our areas. Athenry, which is a growing town of 5,000 people, does not even have a full-time Garda station or Garda presence. It is totally unacceptable. When are stations in rural east Galway going to see increased allocations to ensure we have an adequate Garda presence in our communities?

Deputy Mark Ward: Yesterday at the justice committee, we heard that not one garda in the State is trained in pursuit driving. We heard this from the AGSI, the GRA and Garda management. In 2026, I find this absolutely shocking. From speaking to members of the public after yesterday's meeting, they also find it absolutely shocking. During the meeting, one of the Garda representatives pulled out a policy document from 1988 which stated Garda members were to get pursuit training. Since Ray Houghton put the ball in the England net that year, we have not seen one garda trained in pursuit in this country. The Government said it was going to prioritise pursuit training after the M9 tragedy but we heard yesterday that by the end of this year, only six gardaí in the State will have completed pursuit training. How did we get to a situation where, in 2026, not one garda in the State is trained to pursue a vehicle that is fleeing or refusing to stop for gardaí? It is a simple question and the public want to know the answer to it.

Deputy Richard Boyd Barrett: Last year, 122 students from Palestine, many of them coming from the horror of Gaza, were accepted into universities and colleges here to study and were given the visas to do that. Only 22 of those visa applications were refused. This year, 39 were granted and 103 refused. It is clear from the testimony of the colleges, universities, student unions and so on that something has changed, which is quite incredible, in the refusal of visas to people fleeing the most horrific conditions in Gaza. These students have been accepted by the third level institutions and in most cases the fees are not an issue, meaning there is no real cost for the State at all. They come through either sanctuary programmes or sponsors. I was talking to a young Palestinian woman whose two siblings were refused. They have an American sponsor paying the fees, so there is no cost but they are still being refused. This looks like a sort of performative cruelty by the Department of justice. It is asking questions like whether the students can provide bank statements from the last couple of years from Gaza. Gaza has been bombed to bits and subjected to a genocide. The Department has asked the students whether they can prove they are going to return to Gaza. The people of Palestine and Gaza want to go home. Their problem is they are being bombed to bits by Israel and the world allows it to happen. When they are coming here to study, having been accepted by third level institutions, and given their numbers are tiny, could we show a bit of humanity and decency by allowing them to come here to study and giving them visas?

Deputy Louis O'Hara: Hear, hear.

Deputy Richard Boyd Barrett: Will the Taoiseach ask the Minister, Deputy O'Callaghan, to do that?

Deputy Michael Cahill: I also raise Garda numbers in towns and villages, this time in Kerry. I am referring not just to Killarney and Tralee but to Castleisland, Dingle, Kenmare, Killorglin and Cahersiveen. In one particular area, Portmagee, there was always a garda until a few years ago. I have made representations on that.

The other issue I wish to raise is drink spiking. It is becoming very common across the world, but also here, including in the Taoiseach's county. I am aware of cases there. I was approached recently by a prominent businessman in Killarney whose daughter had her drink spiked. He said only for the fact that he was working in the town, he would not have got to her

in time. These incidents are leading to sexual assaults in most cases. Deputy Séamus McGrath and I will sit down shortly with the Minister for justice in regard to a Private Members' Bill. I hope the Taoiseach, the Government and our colleagues will support it.

The Taoiseach: I thank the Deputies for the range of questions that has been asked. We began with Deputy Dolan and there was another question later about Galway. Deputy Dolan made a very strong case for Galway county, particularly east Galway. As I said, Garda numbers have increased dramatically since Covid. There are 200 gardaí being attested every three months now. It seems the Commissioner has concentrated on getting big cities done first, and Dublin was the first of these. It got a very significant tranche for the high-visibility policing initiative. There was also Cork and Limerick.

I will speak to the Minister and Commissioner in respect of Galway. It is an operational issue for the Garda, first and foremost. He understands the desire of the Government for wide coverage and so forth. That seems a low number. In reference to the figure of 28 mentioned by the Deputy, did that relate to Galway?

Deputy Albert Dolan: They were repatriated outside Galway.

The Taoiseach: That is an extra 28 for Galway.

Deputy Albert Dolan: For the city.

The Taoiseach: It was four for the county and 28 for the city. That is good. I take the Deputy's point. The towns he mentioned are large, including Athenry, Gort and so on. Deputy Cleere gave us a strong sense of the towns in Kilkenny. I take the point. Rural Ireland has its unique crime issues and people feel vulnerable if there is a sense that there is not a sufficient Garda presence. It is a budget priority to continue the momentum in terms of Garda recruitment for 2027.

Deputy O'Sullivan made an interesting point on the migration question. He essentially said there should be better follow-up in terms of deportations. In 2025, about 4,700 deportation orders were signed, an increase of 96% compared to 2024. Up to 24 July, 2,650 deportation orders had been signed this year. The number of deportation orders signed to 4 September 2026 has increased by 12% on 2025. In 2025, 2,111 people departed from the State under various mechanisms.

I will speak to the Minister in respect of the voluntary return issue. It is a more effective and efficient way of doing it because deportations are significant in themselves. There has been an increase of about 80% in the number of deportations that have occurred compared to 2024. The Deputy's fundamental point is that we know the figures. People have nothing to live on if they hang around, and therefore there is an incentive to move on. I will speak to the Minister about tightening up the number of voluntary deportations. There has been a sea-change in the number of deportation orders that have been signed and planes have taken off with people on them.

We have to have a firm and fair migration system and people have to know that the rules are enforced. There is a faster application process. We are speeding up the appeals process. The asylum pact is working. Migration numbers generally are down about 40% this year across Europe. A lot of Deputies opposite voted against the European Union asylum and migration pact. It is working and is effective, in particular in terms of returns.

In response to Deputy Brabazon, the Minister indicated a commitment to changing legislation in respect of gardaí so that they would not lose their driving licence in the course of doing their duties or have their lives undermined by being dragged before the courts in the line of duty. That is a significant issue that the Minister is pursuing. Pursuit is dangerous and that is why gardaí need training. I acknowledge we need far more training than is in place. It is not today or yesterday that gardaí have been aware of these issues in terms of pursuing people. It is very dangerous because it can lead to further accidents and deaths. The training will happen. Further protocols are required.

Deputy Shane Moynihan referred on Leaders' Questions to technology being deployed effectively. That is also very important. The Minister is considering a change in the law in respect of what Deputy Brabazon said in respect of protecting gardaí.

I dealt with Deputy Cleere's issue in terms of better geographic spread around the country. Kilkenny is keen-----

Deputy Peter 'Chap' Cleere: And Carlow.

The Taoiseach: Tuigim, tuigim, tuigim. I have dealt with the issues in respect of Galway city.

Deputy Mark Ward referred to pursuit training. It was a very good goal by Houghton in 1988. I take the Deputy's point. We must also be mindful of the fact that a lot has happened in the past four or five years in An Garda Síochána, in terms of recruitment activities and so on. There needs to be more focused training and so on, and there will be. Work is already under way with senior gardaí in colleges in the UK who are endeavouring to share expertise with UK police in terms of training and pursuit operations.

Deputy Cahill provided a long list of Kerry towns that could do with gardaí. I will take on board what he said about Portmagee.

The spiking of drinks is a horrendous and heinous crime and the Deputy is correct that there can be horrific consequences in terms of sexual assault. We would be supportive of a Private Members' Bill in that respect. The Deputy is pursuing that with Deputy McGrath. I will engage with the Minister.

Garda Síochána (Powers) Bill 2026 [Seanad]: Second Stage

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): I move: "That the Bill be now read a Second Time".

I am very pleased to introduce this Bill to the House, following its passage through Seanad Éireann. In fact, we had five days of debate in the Upper House during which the Bill was very carefully considered and debated. As a result of the debate, a number of amendments were agreed. I too agreed to them and I will bring them forward on Committee Stage. I will discuss those amendments presently. I look forward to hearing the contributions of colleagues as we continue our consideration of the Bill.

This is important and necessary legislation. It responds directly to developments in constitutional, European and human rights law, and reflects the Government's commitment to ensuring that Garda powers are exercised within a clear, modern and legally robust statutory framework. Much of the commentary surrounding this Bill has focused on journalistic privilege, which it addresses carefully. However, the Bill serves a much broader purpose.

Electronic devices now feature in almost every serious criminal investigation and the number seized by An Garda Síochána reflects their growing importance. These devices can contain vital evidence and that evidence must not be placed beyond reach because of uncertainty over lawful access for gardaí under judicially approved search warrants. In organised crime investigations, gardaí increasingly encounter sophisticated technology. Recent cases have involved satellite phones, GPS devices, radios and other digital equipment, all of which can be central to co-ordinating criminal enterprises. Criminals use such technology to conceal and facilitate serious offences and gardaí must be able to seize and access the information it contains lawfully, subject, of course, to appropriate safeguards.

Technology is also becoming an increasingly important tool for gardaí. Body-worn cameras, drones, biometric analysis and other digital technologies can support gardaí in preventing and investigating crime. This Bill strengthens the statutory framework governing the digital powers of gardaí, providing greater clarity around how information and evidence encountered in the course of investigations can be accessed and used.

The Bill is not simply about phone messages. It also covers laptops and other digital storage devices that may contain evidence critical to prosecutions, including in cases involving child sexual abuse material.

Ensuring lawful and timely access to such evidence is essential to effective criminal investigations.

Ultimately, this Bill promotes clarity, fairness and the proper administration of justice. It provides a modern statutory framework for Garda powers and helps ensure that evidence obtained lawfully, under appropriate judicial oversight, can be relied on in court. It reflects this Government's commitment, including mine, to equipping An Garda Síochána to protect the public, while fully respecting fundamental rights.

The general scheme of the Bill was published in June 2021, with the aim of codifying Garda powers, including powers of arrest and detention. Since then, a number of significant Supreme Court decisions, most notably in the cases of Corcoran and Quirke, have identified deficiencies in the existing law governing search warrants, particularly in relation to electronic devices and privileged material. These judgments highlighted gaps in statutory safeguards and judicial oversight, as well as legal uncertainty for gardaí and individuals whose rights may be affected by the exercise of these powers.

On the advice of the Attorney General, the Government decided to expedite those elements of the wider codification project where there was an urgent need for greater legal certainty. This Bill, therefore, focuses in particular on search, stop and search, access to electronic devices, and custody safeguards.

At its core, this Bill places Garda powers on a clear statutory footing, with appropriate judicial oversight and safeguards, reflecting the modern reality that evidence is increasingly digital. It does not expand powers without appropriate limits. Instead, it places existing powers on a more constitutionally secure basis and introduces safeguards where none previously existed.

This balance is particularly important for digital evidence. Much of the existing law was developed when evidence was physical and relatively easy to identify and separate. Today, a single device may contain vast quantities of highly sensitive information. The Bill recognises this reality by distinguishing between the seizure of a device, the preservation or capture of data, the screening of material for privilege and the forensic examination of digital content. By ensuring that each of these steps is subject to appropriate authorisation and judicial oversight, the Bill introduces clarity where the law was previously uncertain, while maintaining the necessary balance between criminal investigations and the protection of fundamental rights.

The Bill must also be understood in the context of wider legal developments. The Supreme Court decisions in *Corcoran* and *Quirke*, together with judgments of the Court of Justice of the European Union, including in *Landeck*, underscore the need for a transparent, rights-compliant regime for access to digital data, information systems and access codes.

It is precisely at the intersection of digital evidence and privileged material that urgent legislative reform was required. The Bill has been drafted with these judgments to the fore, ensuring compliance with both constitutional and EU law while safeguarding fundamental rights. In that regard, it is instructive to note that in the Supreme Court decision in the *Corcoran* case, the court stated the deficiencies in section 10 of the Criminal Justice (Miscellaneous Provisions) Act 1997 required urgent legislative intervention.

I want to briefly address concerns raised by journalists and representative bodies regarding Part 3, which implements the Supreme Court's findings in *Corcoran*. A free press and the protection of journalistic sources are fundamental pillars of our democracy, and these protections have been carefully considered in the drafting of the Bill. Part 3 responds directly to the Supreme Court's finding that the existing framework was deficient and to its call for urgent legislative action. It replaces that framework with a clear, structured process centred on independent judicial oversight. Where material may be subject to privilege, the court must be made aware of this, and any determination as to the examination of privileged material is subject to judicial approval. The Bill, therefore, strengthens the protection of journalistic privilege while ensuring that any interference with that privilege is necessary, proportionate and subject to appropriate safeguards.

Protections for journalists sit within a broader framework of safeguards that apply to all search and seizure powers under the Bill. Garda actions are subject to judicial oversight, ensuring that searches, including those involving electronic devices, are lawful, proportionate and consistent with fundamental rights.

Search warrant applications must be grounded in information presented to a District Court judge, and the seizure or examination of electronic devices requires appropriate court authorisation.

For the first time, the Bill also provides a comprehensive statutory framework for the treatment of privileged material. Legal professional privilege is absolute. Other forms of privilege, including journalistic, public interest and sacerdotal privilege, are subject to clear procedures for identification and resolution, either by agreement or judicial determination.

The Bill recognises the importance of privacy, due process and data protection in a democratic society. At the same time, these rights must be balanced with the public interest in the effective investigation and prosecution of serious crime. This Bill strikes that balance by ensuring that gardaí can investigate serious offences effectively, while intrusive powers are exercised only where necessary and proportionate, and subject to independent oversight.

I will now turn to the structure of the Bill, which comprises six Parts and 41 sections. I will highlight its principal provisions, focusing on Parts introducing new or significantly reformed statutory frameworks.

Part 1 contains standard preliminary and general provisions, including the Short Title, commencement and interpretation. It introduces definitions of "electronic device" and "information system" to ensure the legislation remains adaptable to technological developments. It also defines terms such as "seize", "capture" and "digital forensic examination", covering processes for examining seized digital data. It also provides for the repeal of existing search warrant powers, replaced by the new standardised framework set out in the Bill.

Part 2 provides a consolidated statutory basis for Garda stop and search powers. Section 9 allows a member to stop and search a person or vehicle where there are reasonable grounds to suspect possession of a "relevant article", a term defined in section 7 to cover unlawfully obtained items, prohibited substances, weapons and other restricted articles.

Section 10 allows vehicle searches where serious offences, including specified terrorist offences, are suspected, and for gathering evidence of those offences.

The Part sets out clear procedural safeguards. Section 12 requires that persons be informed, in accessible language, of the reason for the search and its statutory basis, while section 13 requires a written record of searches and provides a right to a copy of that record.

Section 14 confines the use of force to what is reasonably necessary, in line with established legal standards, and section 15 creates offences relating to obstruction, failure to comply with lawful requirements, or providing false identifying details.

Part 3 is a central element of the Bill and establishes a comprehensive and consolidated framework for the application for, and execution of, search warrants by gardaí. While other statutory bodies will amend their powers separately, this Part provides the core template for modern search warrant law.

Section 17 provides for applications to a District Court judge where there are reasonable grounds to suspect that evidence of an indictable offence, or a specified summary offence, as

listed in Schedule 2, may be found at a place. Where privileged material is suspected, all known information concerning its nature and relevance must be disclosed to the court.

Section 18 sets out the powers under a search warrant, including entry, search, seizure and the use of reasonable force. Section 19 regulates the search and examination of electronic devices and information systems. It allows the court to determine the scope of authorisation granted for a device. This may include capturing data for preservation, screening where privileged material is suspected or a digital forensic examination for investigative purposes.

Section 20 provides for the limited and exceptional circumstances in which the court may authorise the forensic examination of material subject to privilege other than legal professional privilege, where this is strictly necessary and proportionate in critical cases. Section 21 strengthens the rights of occupiers of searched premises by requiring that they be informed of the search, shown a copy of the warrant and provided with a written notice in accessible language. It also establishes a mechanism to ensure this information is provided where the occupier is not present during the search.

Sections 22 and 23 allow gardaí to seize material containing both items they may lawfully take and items they may not if on-site separation is impractical, and establish procedures for its handling, storage, recording and return. Sections 24 and 25 establish a clear process for the determination of privileged material by the High Court, requiring parties to apply within a defined 14-day timeframe, while also encouraging consultation and agreement between the parties where possible.

Section 26 allows for applications to extend the validity of a warrant where necessary, while section 27 provides for tightly circumscribed powers to conduct a search without prior judicial authorisation in urgent circumstances.

Section 28 creates offences for providing false information, obstruction, or non-compliance with lawful requirements.

Part 4 provides a statutory framework for accessing electronic devices and information systems lawfully seized under Parts 2 or 3. It ensures that any examination of digital data is subject to judicial authorisation and confined to what is necessary and proportionate, whether following a stop and search or a search warrant. This Part enables a member of An Garda Síochána to apply to a District Court judge where there are reasonable grounds to suspect that evidence of an indictable or specified summary offence may be on a device or system. Court authorisations may specify the form of access, including privilege screening or digital forensic examination. The Part also contains provisions governing the scope, operation and legal effect of such authorisations, together with related offences.

Part 5 introduces a modernised and strengthened framework governing the treatment of persons in Garda custody. It gives effect to Directive 2013/48/EU and addresses key recommendations of the Advisory Committee on the Interviewing of Suspects in Garda Custody. Sections 30 to 33 clarify and consolidate the rights of persons in custody to consult a solicitor and to have a solicitor present during interview. They provide clear statutory definitions, establish the requirement for private consultation, whether in person or by telephone, and place duties on custody officers to explain these rights and the implications of waiver. Section 34 sets out the limited and exceptional circumstances in which a Garda inspector may authorise an interview to proceed before a detained person has exercised their

right to consult a solicitor or have one present, for example to prevent harm or the destruction of evidence. Any such authorisation must be documented and formally notified to the person concerned.

Section 35 sets out how a person in custody, other than a child, may waive entitlements or consent to interview without a legal representative, and how such decisions are recorded. Solicitors play a vital role in making these rights meaningful in practice and I want to see solicitors available to provide timely and independent advice and representation to their clients, both in Garda stations and in our courts. Sections 36 and 37 extend these protections, with appropriate modifications, to all persons in custody and provide for custody records to be maintained electronically.

Section 38 introduces mandatory electronic recording of interviews for serious offences listed in Schedule 3, with optional recording for other interviews. This represents a significant modernisation, reducing reliance on handwritten notes and enhancing transparency, accuracy and efficiency.

Part 6 contains miscellaneous but important provisions. Section 39 places the obligation to administer a caution on a clear statutory footing, setting out when a caution must be given, including on arrest, prior to interview, or on charging a person. It requires that the caution be administered strictly in its prescribed form while clarifying that statements made before a caution can be given remain admissible, provided the caution is administered as soon as possible thereafter. Section 40 amends section 9 of the Criminal Law Act 1976 to apply explicitly that provision to misconduct by members of An Garda Síochána, thereby supporting accountability and ensuring legislative clarity. Section 41 amends section 50 of the Criminal Justice Act 2007 by revising its wording and expanding the list of offences to which it applies.

I want to briefly flag matters I intend to bring forward on Committee Stage. To ensure coherence and avoid duplication, amendments will be required to repeal existing search warrant provisions across various enactments, fully aligning them with the new framework of this Bill. Arising from the debate in the Seanad and the contributions from Senators, I am proposing an amendment to section 8, to ensure that the power to require provision of information can only be exercised in a public place or where a member is lawfully present. Two further technical amendments are proposed to section 11(4) to remove possible duplication with section 15 covering offences and the addition of "place" to the details to be recorded in a record of a search, under section 13.

Additional amendments may be required to the custody provisions in Part 5, including but not limited to notification to consular authorities; and depending on the outcome of the pending Davis appeal, on the statutory interpretation of the term "accompanied by", when executing a search warrant.

Additional technical amendments may follow, including finalising the Schedules of offences, and clarifying the recording and management of material seized under search warrants. These measures will ensure the legislation operates effectively in practice. All amendments are subject to further drafting consideration.

This Bill represents a targeted and expedited phase of the broader Garda powers reform project, focusing on areas where urgent constitutional and legal clarity is required, particularly search, stop and search, access to electronic devices and custody safeguards. Other elements

of the project, including reforms relating to arrest and detention, will be progressed separately in due course.

I also want to emphasise the practical importance of this legislation. Gardaí now routinely handle investigations involving multiple electronic devices, vast quantities of digital data, and complex issues of privilege and access. Without a clear statutory framework this creates uncertainty for gardaí, for the courts, and for individuals whose rights are engaged.

This Bill provides clarity, certainty and safeguards and it ensures that evidence gathered in good faith, under judicial supervision, can withstand constitutional scrutiny. I am firmly of the view that the powers provided for in this Bill are proportionate to the challenges faced by An Garda Síochána, and that the safeguards contained within it reflect the values of our constitutional order. I commend the Bill to the House and I look forward to hearing what colleagues have to say in respect of the proposed legislation.

Deputy Mark Ward: Sinn Féin welcomes the fact the Garda Síochána (Powers) Bill 2026 codifies Garda use of powers of stop and search, arrest, searches, seizures and detention. This was proposed by the Commission on the Future of Policing in 2018 and should not have taken this long to be implemented. The debate on this Bill is taking place at a time of new revelations in relation to the treatment of whistleblowers in An Garda Síochána due to be aired on "Prime Time" tonight.

The Commission on the Future of Policing in Ireland, which recommended the codification of stop and search powers being implemented in this Bill, was established in the aftermath of the controversies and crisis that emerged within An Garda Síochána, including the handling of whistleblower allegations made by Maurice McCabe. It is deeply disappointing that here we are now, so many years later, and we still have some serious questions to answer about whistleblowing, potential wrongdoing and accountability within the Garda. We need clear answers from the Minister for justice regarding how protected disclosures are being managed within An Garda Síochána. I have no doubt that after tonight's programme, the Minister will be under more pressure to answer these questions because public confidence depends on robust safeguards, transparency and accountability and it is essential that any shortcomings are identified and rectified without delay. These current revelations relating to the handling of whistleblowing again highlight the need to ensure there are proper oversight and accountability of An Garda Síochána.

The new oversight structures that resulted from the Commission on the Future of Policing became operational in 2025, including the Policing and Community Safety Authority Ireland and Fiosrú. It is important these oversight bodies focus on strengthening Garda accountability, improving transparency in misconduct investigations and ensuring robust protections and competence for whistleblowers making protected disclosures.

On the issue of stop and searches, I would like to know what the Minister will do to make sure some demographics, some people in our communities, are not targeted more than others. I bring this point up from personal experience. I grew up in north Clondalkin on the Neilstown Road and over the years, even as a child and as a young adult, I was stopped. It was commonplace for my peers and me to be stopped and searched by gardaí when just going about our business walking down the road and going to the shops for our parents. I put it to the Minister that I would more likely be stopped on the Neilstown Road even today than I would

be in the leafy suburbs of Dublin 4. I know what this is like. It erodes communities' trust in An Garda Síochána and it did erode my trust in gardaí over the years but my work in the community since then and as a Teachta Dála has allowed for that trust to be built back up. We have some really good community gardaí in my area of Clondalkin but we need to have more to keep our communities safe.

The Policing and Community Safety Authority of Ireland has already raised significant concerns about Garda staff levels. It raised concerns about the lack of effective performance management systems for gardaí and Garda staff. It had concerns about inconsistencies across divisions in regard to the handling of reports of domestic violence. It will be important that the Policing and Community Safety Authority of Ireland monitors the use of stop and search powers as well as the expansion of powers of arrest as provided for in this Bill.

5 o'clock

Sinn Féin has significant issues with the failures of this Bill to explicitly recognise the rights of journalists to protect sources. During its passage through the Seanad, I do not believe the Minister adequately addressed the extensive concerns about the implications of this Bill for the ability of journalists to do their job, including holding those in power to account. We submitted amendments in the Seanad to ensure there is a court hearing to determine whether a journalist's privilege applies before a search for can be granted. This is the case in many other jurisdictions, including in the North, but the Government voted against these amendments. The District Court should be empowered to take journalistic privilege into account when considering a Garda application for a search warrant rather than after the application has been granted. The Bill needs to explicitly recognise the rights of journalists to protect sources. This is arguably required to bring the law into line with the 2023 decision in *Emmett Corcoran v. the Attorney General* where the Supreme Court judge, Mr. Justice Gerard Hogan, stated that the general "protection of sources is integral to free press". The fact that this is not explicitly included in this legislation could be described as chilling and I am sure there are journalists who are watching today who would agree with this.

The Minister needs to address the extensive concerns about the implications of this Bill for the ability of journalists to do their jobs, including holding those in power to account. The principle matters more than ever. Many of the significant revelations in public life emerge because individuals are willing to provide information to a journalist in the public interest. Arguably, tonight's "RTÉ Investigates" is testimony to that. If those sources believe their identity can be uncovered through search warrants or the seizure of devices without sufficient safeguards, they may remain silent. The result will be fewer disclosures, less accountability and weaker democratic scrutiny.

I want to speak on the issue of high-visibility policing and in particular in the area of Saggart. As the Minister is aware, the community of Saggart has seen a huge population increase over the past number of years. Any areas that have seen an increase in population like Saggart has will see pressure on existing facilities, including on gardaí. People have a right to feel safe in their community and an increased Garda presence makes a community feel safe. Residents of Saggart were extremely disappointed that they were not included in the recent roll-out of high-visibility policing. I raised this with the Minister previously. Not having this rolled out in Saggart was really a lost opportunity on behalf of the Government and the Garda. What the residents of Saggart are looking for is a safe, well-managed environment for

everybody to enjoy and they are calling for high-visibility policing for Saggart and surrounding areas. I ask that consideration be given to this in order to finally deliver for a community who feel their pleas have been largely ignored.

While we welcome the codification and clarification of Garda powers contained in this Bill, the issues raised in relation to protection of journalistic sources need to be addressed. I hope the Minister will accept amendments in this regard when the Bill is on Committee Stage.

Deputy Donnchadh Ó Laoghaire: This is an important area in terms of ensuring the legislation is properly weighted because, clearly, the power to stop and search is an important one. It is important gardaí have that capacity but it is also important the context of it and the manner in which it is used are clearly codified. This was one of the issues that arose out of the Commission on the Future of Policing in Ireland. It was recommended in 2018. I was part of drafting our submissions to that particular process, the outcome of which being that some things we agreed with and some we did not. While there were certainly a lot of positive things recommended in it, not all of them have been acted on.

On the legislation previously, there were provisions in over a dozen pieces of legislation. This clarifies two clear powers to stop and search, which is important. It is important the proper balance is applied here. I will briefly make reference to the programme that will be broadcast on RTÉ tonight. I think we will all be watching carefully to see the details of that. What has emerged so far is very worrying. These are people who were acting in public interest and who were marginalised. That is a huge concern. I hope it is a huge concern for the Minister. The reality is that the vast majority of gardaí are working night and day to do the best they can both for An Garda Síochána and, more importantly, the public as a whole. Unfortunately, in instances such as this, there are concerns in relation to cultural issues as to whether dissent is properly encouraged and people raising concerns are properly encouraged. I hope the Minister will respond appropriately to that and that the Táoiseach will do so as well.

There is bit to go on the Commission on the Future of Policing in Ireland. The joint policing committees were replaced by the community safety partnerships. They have a bit to go. The model that exists in the North is more robust. There is more of a dynamic of communities ensuring accountability from police. Obviously, the context is different but there is still that dynamic. My experience of the community safety partnerships so far is that they are a positive forum but it is more of an information sharing. That information is coming from the Garda to the public and to the media. All that is helpful but I am not sure there is that same level of holding to account and that can be built on. I do not think there is any constraint to that in the legislation and more can be done. There is this issue that motions can come into it and they can be dispersed to a local area. While that is appropriate in some instances, it can mean that the meeting itself does not end up discussing the actual day-to-day operational stuff that could perhaps be beneficial.

That brings me to the issue of local policing. I appreciate the Minister is, I am sure, going to say these are operational matters and it will be for the Garda Commissioner to decide. Hopefully, with legislation such as this, these debates are listened to in Phoenix Park as well. Before Christmas I welcomed the large allocation of gardaí that came to Cork. It was a break from a long trend of very small cohorts coming from Templemore. One, two or three gardaí were coming to the Cork city division. In reality, between Cork city and county - we are talking

about 10% of the State's population - very often we were only getting two, five or six gardaí across the county as a whole. It was totally inadequate. In the Mahon-Blackrock Garda station, there are 17 gardaí. In 2012, there were 22 while in 2009, there were 31. There has not been any big increase in the neighbouring stations in Anglesea Street or Douglas but we have seen a reduction from 31 gardaí to 17 in that area. That is completely unacceptable.

I would also like to highlight that the large cohort coming out of Templemore since has not been very significant in terms of gardaí allocation to Cork. That was part of the high-visibility policing operation. That has had a bit of success in the city centre but it needs to be expanded in the area just beyond the city centre, in the north inner city and south inner city. We are experiencing issues that need to be addressed in places like the South Parish, Greenmount, Douglas Street and Turners Cross. I know the local Garda management is very conscious of that. In any debate on these issues, I always take the opportunity to emphasise the value of local community policing. In fairness to the Cork city division, successive chief superintendents there have valued it very strongly and even in times of recession have tried to protect the community policing element. It is crucially important and that needs to be the approach right across the State. Building trust and a relationship, particularly between young people and gardaí, is crucial. It is crucial to preventing crime as well as tackling it and that is why it is important that we continue to invest in community policing.

Deputy David Cullinane: I welcome the fact this Bill codifies Garda use of powers to stop and search, arrests, searches and seizures and detention. The point was made that it should not have taken eight years to get here but we are here and I want to welcome those elements of the Bill. Accountability in An Garda Síochána is really important so when we discuss Garda powers, it is also really important that we discuss oversight and accountability of An Garda Síochána. Some of those points have been raised already by my colleague but those points are really important.

It was also the case that the Policing and Community Safety Authority, PCSA, assessment of An Garda Síochána's performance published in December highlighted what it called "significant concerns" about the recruitment and retention of gardaí and Garda staff. Those concerns are well-founded and have been rehearsed and debated in this Chamber many times.

The issue of the protection of journalistic privilege has also been raised and I echo that. This Bill fails to explicitly recognise the right of journalists to refuse to reveal confidential sources. We believe the Bill needs to explicitly recognise the right of journalists to protect sources, which is arguably required to bring the law into line with the Supreme Court judgment mentioned earlier.

I raise a number of local policing issues because obviously Garda resources are really important. We talk a lot in this Chamber about the changing nature of politics, sometimes what is happening in the streets, and the impact that can have on politicians. However, we have also seen the impact it can have on An Garda Síochána. For example, we saw riots in Dublin and we have seen examples elsewhere of very difficult situations for members of An Garda Síochána and we have to make sure they are properly supported. Visibility and numbers are very important. My colleague talked about additional Garda numbers for County Cork. There were five additional gardaí for Waterford city and county. Bear in mind there was a demand for additional resources in places like Dungarvan, Lismore and Cappoquin but also in

Waterford city. At the most recent meeting of the joint policing committee, the chief superintendent said that not one of those five additional posts will translate into community gardaí or gardaí on the beat. That is a concern. Visibility in areas is really important which I am sure the Minister accepts.

At all times we have to make sure we are equipping the gardaí to do their job. Many issues have arisen over the past couple of months. Some of them have already been raised and I am not going to go over them again. I am conscious of making sure we protect members of An Garda Síochána but I am also conscious that we have to protect the public. The public deserve to feel safe in their communities and they want Garda visibility. Sometimes they do not see it or sometimes it is not what it should be. That is not the fault of individual gardaí but it is a product of the legacy issues of recruitment and retention which have not been dealt with in my view. We still need to deal with those issues.

I will finish by raising the local issue in Waterford where, unfortunately, of the five additional gardaí we got, it was confirmed that not one will be a community garda working on the beat. I do not think that is acceptable.

Deputy Gary Gannon: I am very happy to speak on this Bill as it has been a long time coming. I have no doubt about the need to consolidate Garda powers, which are scattered across different pieces of legislation, and to put clear rules around the exercise of those powers. There are positive provisions here. The statutory right to know why one is being stopped and searched is, of course, important, as is entitlement to have a solicitor present during an interview.

However, this legislation also deals with some of the most intrusive powers we have given to the State. It is about stopping, searching and detaining people and accessing their phones and computers. It is potentially about accessing extremely sensitive and privileged information. Therefore, it is entirely reasonable that we spend time getting the safeguards right.

This Bill has a very long history. The general scheme was published 2021 and it went to pre-legislative scrutiny in 2022. However, it is also important to acknowledge that what is before us is not simply that general scheme finally arriving in the Dáil five years later. The original theme was much broader. It contained 68 heads across seven parts and dealt with wider codification of search, arrest and detention. It also contained a dedicated part on the protection of fundamental rights. That makes proper parliamentary scrutiny all the more important.

Some of the concerns we are discussing today are not new at all. One of the recommendations to come directly from pre-legislative scrutiny was that ethnicity should be recorded during "stop and search" so we can build a proper data set on who is being subjected to these powers and how appropriate they are. That recommendation is not in the Bill before us. If amendments are brought forward on Committee Stage, I hope we do not get the usual response from the Minister that Opposition Members are trying to hold up legislation that has already taken too long. Some of these questions have been sitting there for years.

I followed Seanad debates on the Bill closely and there was very important scrutiny there. Senators were not trying to prevent gardaí from having the powers they need but they were trying to make the legislation better. I intend to bring amendments forward on Committee

Stage on a number of the issues I am raising and I hope the Minister will engage with them in the spirit intended.

One issue I am particularly concerned with is the protection of journalists and their sources. I have read some excellent briefings as a result of thorough research by civil liberties groups and they have identified a fundamental problem with how this Bill is structured. Under section 29, a garda can go to the District Court and seek an authorisation in relation to a device that has already been lawfully seized. That authorisation can allow gardaí to capture data and carry out privileged screening or a digital forensic examination. The journalist is not there nor is the solicitor. Nobody is there to argue the other side of this. Section 24 allows the High Court to determine whether material is actually privileged. That sounds like a safeguard but the problem is when it happens. By the time they get to the High Court, the material may already have been screened or examined by a garda. How does one protect the identity of a source after information identifying that source has already been seen? If a journalist is speaking to a whistleblower - a topic I imagine we will all be thinking about later today and tomorrow - the person's name is in his or her phone and there are messages between them and there are emails. There may be documents stored on the device which are accessible through it. That material is assessed and subsequently goes before the High Court. The High Court might ultimately decide it is privileged and the material might have to be deleted but the information has already been seen. One cannot unsee it at that point. That matters far beyond the individual journalist involved.

People come forward to journalists because they believe their identity can be protected. Sometimes they are exposing wrongdoing in powerful organisations or institutions and sometimes they are taking a considerable personal or professional risk in doing so. We began to write this speech yesterday when scrutinising the Bill but those last sentences are far more important today given what we are about to hear on "RTÉ Investigates" this evening. If those people cannot have confidence in source protection some simply will not come forward.

There is another way of doing this and we only have to look north of the Border to see that. The procedure in Northern Ireland is such that where potentially privileged journalistic material can be dealt with through an all-parties process before police are permitted to access it, the journalist and his or her legal representatives can be heard by the court, which considers the seriousness of the offence, the evidential importance of the material, whether other ways of obtaining the evidence have been exhausted and whether granting access is in the public interest. It seems to be a much more sensible sequence to decide whether the material can be accessed and then allow access rather than allowing it and then subsequently deciding whether it should have been protected after the fact. There were amendments in the Seanad that attempted to address this but they were not accepted. I intend to return to this on Committee Stage because the answer could simply be that there is a High Court safeguard somewhere further down the process. The question is whether that safeguard comes early enough to mean anything at all.

To turn to stop and search, if we are putting these powers on a consolidated statutory footing, we should also put in place the means to know how they are actually being used. This is where the failure to implement the recommendations from pre-legislative scrutiny becomes particularly difficult to understand. Stop and search records should include relevant demographic information, subject to appropriate data protection safeguards, and it should be

published. Why are we still having to argue for this a full five years later? Without that information, we simply do not know who is being stopped, whether particular ethnic groups are being stopped disproportionately, whether Travellers are being particularly affected or whether young people in particular working-class communities encounter these powers considerably more often than other young people in more affluent areas. I am not saying we should simply assume that is happening. That is my entire point; we need the data. However, testimony we get from young people in particular in communities I represent says that they are already faced with these sequences. If somebody believes there is widespread racial profiling, we should be able to have the evidence. If An Garda Síochána says these powers are being exercised fairly and proportionately across different communities, the data should be capable of demonstrating that fact. I was particularly struck by what happened when this issue came up on Committee Stage in the Seanad. An amendment was brought forward dealing with recording information, including race, ethnicity and nationality, in respect of stop and search. It was initially ruled out of order on the basis that it could impose a charge on the Exchequer with potential charges to police using leading systems effectively, PULSE, forming part of the issue. That is absolutely outrageous. We are recording stop and search anyway. All we are talking about is what information goes into that record. Recording ethnicity has already been recommended through the pre-legislative scrutiny process and that is exactly why I have difficulty when legitimate amendments are portrayed as attempts to delay legislation rather than simply improve it. Of course legislation has to move but the purpose of our Parliament is not to see how quickly we can get a Bill from one end to the other.

The final and perhaps most important area I want to address is that of drugs use. I chaired the Oireachtas Joint Committee on Drugs Use this year and spent a considerable amount of time engaging with people who use drugs for a variety of reasons as well as people working in addiction services, academics, gardaí and communities which have lived through the consequences of drug policy for decades.

While personal possession is already criminalised under section 3 of the Misuse of Drugs Act, we cannot pretend for a second that provisions of this Bill have nothing to do with the criminalisation of people for drug use - they absolutely do. Controlled drugs are brought within the definition of a "relevant article" for the purpose of the stop-and-search framework. We are consolidating within this new Garda powers framework the policing mechanisms dealing with enforcement of that existing criminal offence. That distinction matters but so does the reality. The work we have been doing on drugs policy has been moving in a very different direction. We have spent years talking about moving towards a health-led response. Our committee recommended the repeal of section 3 of the Misuse of Drugs Act. The Minister's policy talks of a health-led approach. This Bill does not criminalise possession but does consolidate the architecture through which that criminalisation operates. That makes the absence of proper demographic information even more concerning.

Drug use does not belong to one social class or postcode. People use drugs in affluent communities and in disadvantaged communities alike, but that does not mean everybody has the same experience of being policed for it. If a young person in one part of Dublin is repeatedly stopped and searched for suspected possession while somebody doing exactly the same thing elsewhere almost never encounters a Garda stop and search, that obviously matters. We need to know whether that is happening; if it is not, we should have the information to demonstrate that too. If the State retains the criminal offence of personal possession and gives

gardaí powers to stop and search people in connection with it, we should at minimum be capable of examining which communities are experiencing those powers. Otherwise, we will know even less about who is carrying the burden of our continued policy of criminalisation.

There are many other issues in the Bill that will need detailed consideration on Committee Stage. It is striking that the 2021 general scheme was presented by the Government as having a strong focus on human rights and contained a dedicated part on fundamental rights, while those express human rights provisions are absent from the Bill before us. That deserves an explanation and I hope the Minister gives one in his response.

There are three things I particularly ask the Minister to consider: look again at journalistic privilege and the model operating in Northern Ireland; accept the principle that if the State is to be given stop-and-search powers, we should collect enough demographic information to know how those powers are being used; and look at the provisions concerning controlled drugs in the context of the direction we claim to be taking on national drugs policy - that is the Minister's direction, not mine. Gardaí need clear powers and the public needs effective policing, but neither of those things is undermined by safeguards or appropriate access to facts; they are strengthened by them.

We will table amendments on Committee Stage on these issues. Some will deal with concerns raised since the Bill was substantially reshaped. Others will deal with recommendations that have effectively been sitting on the table since pre-legislative scrutiny. Either way, I hope the response from Government will not simply be that the Bill has taken long enough and needs to pass. It has clearly been altered substantially since being introduced.

I will touch on some aspects of the Minister's contribution. There is one I was not going to bring up but the Minister played the music - the issue of solicitors. The Minister said he hoped to have enough solicitors in our District Court. I would argue strongly that that is on him. The Minister and I differ completely when it comes to the reform needed. I disagree with the measures he has taken and I find the narrative that has been building really challenging. The absence of evidence supporting the measures he has taken is quite striking, but we are where we are. The Law Society has written to the Minister asking him to engage with a mediator. No harm can come from talking. I hope the Minister revisits that and that we find a solution to this. The impacts in the courts are clear for everybody to see. By no measure is our Courts Service working effectively.

The Minister said something in the summer that is also relevant to this Bill and to stop-and-search powers. After the tragedy on the M9, he gave an interview to *thejournal.ie* and spoke about 1,000 young people in the State being outside the recourse of the Garda youth diversion programme. I agree with him to a point but he lost me when he did not say what we would do about that. The 2018 Greentown report also talked about 1,000 young people in the State who were being groomed into criminality. I would say there is significant overlap between those two cohorts. We have also had considerable debate on parental responsibility and whether parents should be punished for the crimes of their children. Whatever the Minister's view on that, we have to accept there are in this State complex issues related to generational poverty and trauma which have been well discussed. There are also children being groomed into criminality. The effects are seen on our streets in the unsightly elements of young people selling drugs on scooters. We will not be able to slowly police our way out of that. I would love to be part of the conversation with the Minister on the new youth justice strategy. There are good

examples in the Belvedere Youth Club in town of working with children between the ages of seven and nine. I would love to talk to the Minister further about that. This is something I would like us to work together on.

Deputy Jen Cummins: Like my colleague, Deputy Gannon, I welcome aspects of this Bill. It is important that gardaí are able to police our communities in the most effective way possible and that things are clear as to how communities will be policed and how their safety will be affected. To that end, I was at a safety forum meeting in my constituency on Monday and tonight I will be at another one. For years, the conversation has been that communities like mine in Dublin South-Central want more gardaí, particularly gardaí with powers to do what they need to do to ensure the laws are being upheld. E-scooters were mentioned on Monday and will be mentioned tonight as well. Gardaí need to be able to pursue people on e-scooters who are speeding and doing all those things. People in my constituency want more community guards and juvenile liaison officers. Those gardaí are fundamentally important to ensuring we live in a safe community.

It is important there be a human rights element to anything that is happening with regard to policing and it is important when the laws this Bill proposes come into place that the person being stopped and searched understands exactly what that means, and not only at the time it happens. I have not been arrested but if I were, I am sure my senses would be heightened and I probably would not hear what the garda says to me. We need public engagement on what it means. If you are being stopped and searched, you need to know what your rights are, what the gardaí can do and how your human rights are protected. For years I was a youth worker. We had things we were able to explain to young people: "If you are stopped, these are your rights." It is important that be protected for young people and adults; I am talking about young people because I have a background of working with them, particularly young people at risk. In addition to what is being proposed, I ask that an information campaign be undertaken to ensure people know their rights.

It has already been covered but journalists' sources are really important. Most people in the House will be watching "RTÉ Investigates" tonight with Rita O'Reilly's report. It is important journalists' sources continue to be protected and that journalists remain independent and allowed do the things they are supposed to be able to do.

There is over-policing in certain areas. I would love to see appropriate policing in working-class areas. On one hand, there are not enough guards; on the other, there is stop and search. As other Deputies have said, people have been stopped and searched because of where they live, how they look, etc. The profiling of people being stopped and searched is important. We need to listen to groups and ethnic minorities who have raised this concern. When collecting data about people - whether that is where they live, how they look or where they come from - the data should be collected for a specific reason and it should be outlined clearly why it is being collected and what is being done with it. We will be able to use the data, if that is the way we collect it, to make sure there is not racial profiling going on, but it needs to be made explicit why it is being collected and for what.

With regard to the community that I live in, I was on the radio recently discussing the provision in relation to parental responsibility that is being considered under the juvenile justice

system. That already exists under the Child Care Act. Parents are already obliged to do that, but it is not necessarily enforced. It is not necessarily the first thing that happens.

I am also very concerned about the young people who are involved in the criminal justice system. As I have said before in this House, I worked in the school completion programme for almost two decades. Over that period, we lost children from education because they were groomed into criminal behaviour by adults. I recall, while working in that area, that Fagin's law was introduced. I thought it would be fantastic. There have only been a handful of convictions. A handful of convictions or charges is not good enough because the problem is so widespread. I worked with thousands of children and we lost hundreds of children in the communities I worked in because they were groomed into criminal behaviour. We need to use the laws in place to stop that sort of thing going on. The Minister mentioned the special care places for children in the summer. Thousands of young people are not being supported. There are 26 special care places and only 15 of those beds are available in the springtime.

We know what the problems are. We need to ramp up the support that is in place because for young people, it can be somewhere where they can find solace from the chaos going on in their lives, which leads to further chaos. However, if they are not being supported, they will continue in that. As has been said lately, their parents are not able to support them, so we need to ramp up supports. The rights of the child are important in this, as are the rights of all people of all ages with regard to policing.

Deputy Tom Brabazon: As the House will know, the Commission on the Future of Policing in Ireland recommended the consolidation and modernisation of Garda powers to search, arrest and detain persons. Underpinning those recommendations was the need to ensure public confidence in our policing system, which is fundamental to a healthy and functioning democratic society. The measures contained in this Bill are, therefore, most welcome as they help to ensure that policing powers are exercised clearly, legally and in relation to fundamental rights. Importantly, the Bill also provides greater legal certainty to members of An Garda Síochána in carrying out their duties. Gardaí need to know clearly what powers are available to them and when and how those powers can be exercised. The Bill provides a much clearer statutory framework in that regard.

The use of electronic devices in serious crime has increased significantly over recent years. We see this in the number of devices that gardaí are seizing. Criminals are using these devices to conceal their activities and to communicate instantly with other criminals. We have to make sure that gardaí have the power to access this information in a clear and lawful way. The Bill brings important clarity in that regard by distinguishing between the seizure of a device, the capture of data, the screening of material for privilege and a full digital forensic examination. This will give gardaí much greater clarity as to what they are legally entitled to do at each stage of an investigation, all the while ensuring that the appropriate judicial safeguards remain in place.

The Bill also brings forward measures to ensure that Garda powers to stop and search are applied consistently and are clearly understood by members of the public. It provides a clear statutory basis for the exercise of those powers where reasonable grounds exist, while also requiring that individuals are informed of the basis for the search and that a formal record is maintained.

Clear rules are of benefit to everybody, and they make sure that gardaí can do their jobs effectively. Most importantly, they protect the rights of the individual and they provide greater certainty as to how policing powers should be exercised. I commend the Minister and his Department on this legislation. I look forward to further scrutiny on Committee Stage.

Deputy Cormac Devlin: I welcome the opportunity to contribute to this debate. I commend the Minister and his officials on bringing forward this Bill. I believe it is his 24th Bill so far this year, which is quite remarkable.

This legislation updates and modernises Garda powers around stop and search, entry and search, and the treatment of people in custody, bringing it all together under one single Act. It follows on from the 2018 recommendations of the Commission on the Future of Policing and is another programme for Government commitment being delivered by the Minister. The Bill is also a response to recent legal judgments. In *Corcoran v. the Commissioner* 2023, the Supreme Court upheld the protection of journalistic sources as a cornerstone of a free press and called for urgent legislative action. In *Quirke*, the court recognised that a phone or a computer is a separate digital space, and in *Landeck*, the Court of Justice of the European Union set out what is required before a device is examined. This Bill answers all three of those.

The Bill also introduces important safeguards. No device may be examined without judicial authorisation. A judge must be satisfied that access is necessary and proportionate and may refuse. Where privileged material arises, it is the High Court that decides and legal professional privilege remains absolute.

The safeguards elsewhere in the Bill are new and worth noting. For the first time, for instance, a person who is stopped and searched must be told in plain language why they are being searched and under what provision. A record must be made of every search and the person can obtain such a copy. The right to a solicitor before and during interviews will be placed on a statutory footing and a child cannot waive it. These are real protections that do not exist in statute today.

The Bill is part of a wider body of work. I welcome the Minister's focus on the issue that my constituents raise most with me, namely, the number of gardaí on the ground in our community. A record budget of €2.74 billion was allocated this year to support policing. The target of 5,000 additional gardaí is being pursued through continuous recruitment, with 206 gardaí attesting in July alone, the highest level since 2019. The high-visibility policing plan has been extended to DMR East - my own area - which is welcome. Forty-five new gardaí have been assigned to the Dún Laoghaire-Rathdown area.

On the ground, people have noticed an increased Garda presence in our towns and villages, and indeed in our community. They also noticed last month that gardaí in DMR East seized over €100,000 worth of drugs, along with cash and scrambler bikes in an intelligence-led operation. That is precisely the power this Bill is putting on a more secure footing. I commend our local Garda team, led by Chief Superintendent David Kennedy, Superintendents Brian Halligan, Gordon Woulfe and Denis Whelan, as well as Detective Superintendent Brian O'Keeffe, all the inspectors, sergeants and specialist units and, of course, the gardaí working in our community on their efforts to keep people safe.

The Minister will be aware the population of Dún Laoghaire-Rathdown has increased significantly since 2020, with new housing in Cherrywood, Carrickmines and Woodbrook. While the recent allocation is very welcome, more gardaí will be required. The Minister will also be aware of my ongoing raising of the issue of a new Garda station required in the new town of Cherrywood, one of the fastest growing communities in the State, which is located along the M50 and provides excellent access to operate specialist units from.

I look forward to continuing to work with the Minister as he makes further progress on policing and tackling antisocial and criminal behaviour in our communities.

Deputy Thomas Gould: I raise an issue related to journalism, in particular local journalists in my area, in *The Echo* and *Cork Independent*, who I have worked with over the years. They deliver local, relevant and topical issues and news in Cork city. I have worked with them on confidential sources and people who come forward at the risk of their livelihoods because they believe the public has a right to know. I hope this Bill will not damage the relationship journalists have confidential sources. We have to be able to protect journalists and their right to be able to hold people in power to account. That is important.

I will raise a number of serious issues that arose in Cork over the summer. We had homes petrol bombed, we had shootings and we had vicious attacks using knives and other deadly equipment. We had a case where the house of a woman and her two young children was petrol bombed for no reason because criminals - and that is too good of a word for them - petrol bombed the wrong house. This woman was distraught. Her two young children were in bed when the petrol bomb was hopped off the house. Gardaí and forensic officers were there. The gardaí in Cork are doing their best but the problem is the allocation of gardaí and resources.

This woman now lives in fear that her house and her children will be under attack again. I have said at meetings in Cork with the Garda Síochána that petrol bombing should be a crime of its own. It should not be included with arson. If you petrol bomb a person's house, that is attempted murder. There is no other way out of it. We have seen families and people die because of people petrol bombing homes. Why is it not a separate offence and why does it not carry a much heavier sentence?

These drug gangs are getting away scot-free. We know these drug gangs are in Dublin and Limerick. We have the same vicious gangs in Cork and we have communities right across Cork who are living in fear. I am asking the Minister for help for those communities. Tragically, a number of young people have died by suicide over the summer - over a half of dozen in the past couple of years - because of drug intimidation, drug debt and the fear that these vicious drug dealers are bringing to communities. What is being done about it? To me, it is attempted murder that these young people took their lives because of the intimidation. How are these dealers being tackled?

I want to send a clear message to the gardaí. We know they are doing their best but the Minister is not doing his best. This Government is not doing its best because it is failing the Garda and failing communities who are living in fear while these criminals are attacking people in broad daylight in Cork city. They think they can get away with it. I will give a couple of figures before I finish up. Only six gardaí were trained in pursuit this year. It should not take people to die for the Government to act. For eight years, there has been a report there. For eight years, Fianna Fáil and Fine Gael have refused to act or have delayed acting. Cork has

lost six Garda staff this year. We only got five probationary staff, one for the north side that I represent. From June to July, Cork saw a reduction of one Garda on roads policing and one community Garda. To give the Minister other figures, in 11 years Ballincollig has only got one probationary garda, Blarney has got only one, and Watercourse Road has got only one. There are 701 gardaí in Cork city at the moment. That is fewer than in 2020 and 19 fewer than at the end of 2025.

We need more gardaí on the street. We need communities to feel safe. I have listened to the Minister's party colleagues saying how great it is for them. It might be great for them but it is not great in Cork because we need more gardaí.

Deputy Alan Kelly: Before we get into the Bill, and trust me I am not going to go on about this for long, obviously, we all know about the programme tonight. It is absolutely impossible for the Minister not to come in here next week to answer questions on this on behalf of the Government, the previous Minister for justice, the Department of justice and An Garda Síochána. I am glad he is nodding. That request will be going in and I ask the Minister to do that because it will be necessary. I am glad to see the Minister seems to be agreeing. I encourage him to sit down with his Department and to go through absolutely everything. I hope he has heard what I said. He should go through everything. I have had enough experience of answers coming from his Department that have been incorrect. He has apologised to me here twice on some very sensitive information. He cannot say he has not been told because I have raised many of the issues, although not all because not all will be covered by this programme, directly with the Minister, separate from anything to do with protective disclosures, and I have tabled hundreds of parliamentary questions. Finally on this issue, I believe there was an absolute lack of knowledge in this Chamber today on the part of the Government in relation to aspects of protected disclosures legislation and it was cringeworthy.

This Bill is a very important one and it is long in the making. As the Minister will be aware, it was published in 2021 and it went through pre-legislative scrutiny in the justice committee in the same year and a report was published in 2022. I support a lot of what is in this Bill but I also have a lot of concerns which I will go into in a while. The concerns are well-meaning and they run on from some of the issues raised by other Deputies but not only those. The Bill has changed considerably since the general scheme. Some of the changes relate to the narrowing of the scope that has taken place, with the Bill now focusing more squarely on powers of search with provisions relating to arrest largely absent. Some changes, as the Minister made clear, are responding to some Supreme Court decisions in the Quirke and Corcoran cases and EU obligations arising from the Landeck judgment. Those precedents have arisen in the years since 2021 and it is right that the Government addressed the legislative issues they highlighted.

Other changes and omissions are concerning, however. The statutory codes of practice which were at the heart of the general scheme are nowhere to be found. The same is true for Part 2 of the general scheme on the protection of fundamental rights. We are talking about very serious questions here where the State may infringe on the rights of privacy and of data protection. What happens when the imperative of public safety and the investigation of crimes come up against the individual and constitutional freedoms that underpin our whole democracy? That is why the Government's approach here is concerning in some aspects. Notwithstanding the merits or otherwise of the Bill's provisions, by disregarding the protections

of those fundamental rights that prefaced the general scheme, it risks giving the impression that those rights have been deprioritised or discarded in the drafting of this legislation, and that is concerning. It is giving the wrong impression.

The ten recommendations made by the justice committee in the report on pre-legislative scrutiny have largely not been implemented. Will the Minister go through the recommendations one by one as to why not? The committee recommended that the provisions be amended to provide more limited circumstances in which gardaí can compel individuals to provide their phones and personal data to gardaí as part of a search warrant. This has not happened. In fact, the opposite is the case. It raised serious concerns of the provisions around senior gardaí, rather than District Court judges, to issue search warrants in urgent circumstances and recommended the provisions be removed. Again, this has not happened and this is concerning. Not being able to get hold of a District Court judge in a timely manner does not seem to merit giving the powers we are giving and allowing here. The actual issue is not necessarily with the gardaí at that rank having to say they believed search warrants are needed but it puts other gardaí at longer ranks in difficult circumstances from time to time, as the Minister will appreciate. That is what the real concern is here. It is about the gardaí at lower ranks who have to deal with these issues.

The committee also recommended that consideration be given to the possibility of introducing sanctions for illegal searches to ensure gardaí are aware of and compliant with their obligations, and to safeguard the fundamental rights of citizens. Not only has this not happened but the entire part dealing with fundamental rights has been removed. We have long moved on but I have raised the issue "bikegate". That farmer's buildings were searched without a warrant. What has happened since? Has that ever been looked into? The famous "bikegate" caused all the controversy and cost the Exchequer a lot of money. There was no warrant. Has there been any consequence? We all know the answer to that. That farmer never had the chance to look for compensation or recompense. Not that he actually wanted any financial compensation but he never had the chance because it was outside statute. It was outside statute because he did not know about the fact that there was no warrant in the first place. That is a complete anomaly which the Minister might address at some stage.

How can statute run out for somebody whose premises were illegally searched because they did not know about it? The legislation needs to be looked at because the timeframe is from the time of the search, not from the time when the individual found out that there was no warrant. I ask the Minister to look at that. It is an anomaly that affected this gentleman whom I met. He is a very decent man.

The committee looked closely at the codes of practice to be provided for and recommended that they be transparent, publicly available, drafted with public consultation and accompanied by a data protection impact assessment. The decision not to include statutory codes of practice in the Bill is simply baffling. The Minister's press release announcing the publication of this Bill last Christmas noted that "the Commission on the Future of Policing recommended that police powers of search, arrest and detention should be codified and supported by statutory codes of practice". Where are those statutory codes of practice? They are nowhere to be seen. Why? I do not know.

It is worth reflecting on the words in the report from the Commission on the Future of Policing, which was published in 2018. It stated:

The purpose of policing is to protect the human rights of all members of society to live free from violence, abuse, crime and fear. The justification for police powers to arrest, search or detain, and thereby to curtail the rights of some individuals in certain circumstances, is rooted in the duty of the police to serve and protect society as a whole. Police have to exercise these powers appropriately, effectively and with fairness to everyone.

This is precisely why clear and effective codes of practice, placed on a statutory footing, are so important. It is why the report went on to recommend that legislation defining police powers of arrest, search and detention be codified with statutory codes of practice. While the Minister may tell us that codes of practice will come down the line later, why has the opportunity to put them on a firm statutory footing not been taken in this Bill? Passing this legislation without that provision risks putting the cart before the horse.

I watched, and was also very taken by, Senator McDowell's contribution in the Seanad in relation to this legislation. I note the Minister is now bringing forward some amendments based on some of the comments made there. The Minister is open to changes. I acknowledge that. It is not the first time I have said that. He has done so in the past too, so I want him to think about these matters.

I also note that while the stated aim of the legislation, as expressed in the Minister's press release, is to consolidate the existing Garda search powers, that is not exactly what the Bill technically does. As section 4 makes clear, the powers in the Bill are additional to whatever statutory powers the gardaí might already have. That is not consolidation; it is extra.

This is an important distinction as it seems to show that the Government is talking out of both sides of its mouth. The lack of clarity raises real risks, and I am going to get into those. The Bill also clarifies the powers available to gardaí to stop and search members of the public, including requiring that a written record be made of such a search. I welcome that.

The issues with stop and search as a police policy are well documented. Research by our near neighbours has consistently found that ethnic minorities are disproportionately targeted and the tactic widens the gap between the police and the diverse communities they serve. One study in 2014 found that people of colour were four times more likely to be the subject of stop and search than white people. It also found that the practice was one of the least effective ways of tackling knife crime compared to other methods of monitoring diversion and community-led deterrents, such as having more police on the streets.

Those concerns were why the justice committee recommended in 2022 that under this Bill, ethnicity be recorded during stop and search in order to build a comprehensive data set of the ethnicity of people searched by An Garda Síochána. The Bill before us does not do that either. Why?

I am now getting in to a deeply concerning area in relation to journalistic privilege and privilege in general. Following the Corcoran judgment, the Government is now requiring that An Garda Síochána must make clear to a judge when it anticipates that privileged material will be found in the course of a search. However, the determination of whether privilege applies will only be made by the High Court after - that is a critical word - a device has been seized. What happens in the silo between the device being seized and the determination being made? Does An Garda Síochána just look at it, as in literally just look at it, without going into it? How will the Minister guarantee that is what will happen? You cannot unsee something you have

seen. If officers see privileged information, which they are not entitled to see, post a determination by a High Court judge, what happens? If there is to be a criminal case, will that not be jeopardised? How will the Minister deal with this?

Why are we dealing with these issues *ex parte* and not *inter partes*, where both sides can go before the judge as they do in Northern Ireland? It seems wrong that this is the case. *Inter partes* hearings will at least allow the journalist involved, or the person with the privilege involved, to make their case. Again, I fail to see in this legislation how devices that are taken are not going to be looked at by An Garda Síochána prior to a determination by a High Court judge. I do not believe that is realistic or even practical.

We then have the issue of whistleblowers. I will walk out of this House and meet a number of the whistleblowers who are on the television programme tonight. I will walk straight out of here and meet them again, having met them many times. Just say they talk to or meet a journalist or they give something to a journalist out of public concern. What is the difference between members of An Garda Síochána - I am not saying this will happen but it could, potentially - going and searching for that documentation because they know the journalist has it and then, in the vacuum before it goes before a High Court judge for an *ex parte* hearing, looking at that? What is the difference between intelligence gathering for other reasons as opposed to doing it for the right reasons? What happens to that privilege? What happens to the privilege the journalist has? How can we guarantee that the actions will be done for the right reasons? Legislation has to reflect and protect privilege and it has to protect in the circumstances I have just outlined. This legislation, as drafted, has holes in it which mean it will not do that, and I have just outlined an example.

Where are we on the whole issue of data searching regarding the use of other forms of searching for phones, electronic devices, etc., which have not or will not go before a judge? We all know that we now live in a world where the Border does not exist, electronically speaking. There are now technologies out there that will intercept communications going to electronic devices without ever appearing on this island. In fact, the Minister acknowledged in the past that we have a weakness in this area. He said it and I acknowledged that publicly because I agree with him. We were very lucky that it did not fall down in relation to a high-profile case in this country a few years back. It was a criminal case, and the Minister is aware of what I am talking about.

6 o'clock

On the searching of all electronic devices, which I obviously believe in under the right circumstances, in the last number of years, given what we now know happened in Northern Ireland in relation to journalists, has there ever been a case of intelligence gathering or other methods whereby organisations from outside the State were used to source information on electronic devices in this State? Will the Minister ask that? Somebody needs to ask it, given the way the world is now. Obviously, it would not be legal, because we have a process here for how such searches take place. I want the Minister to ask this question of An Garda Síochána and I will come back to him on it. Has there ever been a scenario where any outside organisations, intelligence agencies or countries have, in any way, to the knowledge of anyone in the Department of justice or An Garda Síochána, garnered or intercepted - use whatever word you like - any electronic information belonging to anyone in this country with the knowledge of any apparatus of this State? It is a very interesting question.

Privilege is not defined here. I am taking it from the Minister that, given the legislation brought into this House previously by Brendan Howlin and enhanced by others, while we are talking about journalistic privilege and the concerns I have expressed, I presume Oireachtas privilege is protected. I presume Oireachtas papers, while people are Members of the Oireachtas, are protected. Will the Minister guarantee that in his reply? We are talking about journalistic privilege, but I note Oireachtas privilege is not covered in this. I went through it. There are actually very few definitions. Will the Minister give us a guarantee that is covered? That is a layer above again. The people here are the elected people.

Together with these new powers in the Bill to compel individuals to handover PIN codes and passwords for devices, it is understandable that groups like the National Union of Journalists have had concerns. We need a lot of clarity on the issues I have raised, particularly towards the end. It is worth remembering the words of Mr. Justice Gerald Hogan in his judgment in relation to privilege and journalistic privilege.

This long-awaited Bill is a mixed bag of welcome measures but also issues I have deep concerns about. I expect the Minister will have to make amendments to this legislation throughout this process. I also do not expect it to be a quick process because there are very technical and legalistic issues that we will have to discuss in detail at committee level and throughout this process.

Deputy Shane Moynihan: Is mór agam é labhairt ar an mBille seo, Bille a cuirfidh le nua-aoisiú An Gharda Síochána agus a chinnteoidh go bhfuil na cumhachtaí atá aige oiriúnach don lá atá inniu ann.

I welcome this Bill as a programme for Government commitment and as a very important step for An Garda Síochána and the way in which its members do their work, the context surrounding the way they do their work and the legislative framework underpinning it, in terms of modernising them and keeping pace with working practices and procedures in other spheres.

The first thing I want to address relates to Part 5 of the Bill, which is about the electronic recording of interviews. This is something I have been speaking about for a while during my time in this House. There are cumbersome procedures with regard to the taking of witness statements and the interviewing of suspects that require members of An Garda Síochána to write down by hand that which is uttered in an interview and then to recount that back to the individual who is being interviewed and to check that the transcription by hand has been done. We do not train gardaí to be transcribers or stenographers, so I would like clarification on whether this Bill will allow provision for the use of AI transcription services, for example, to transcribe the notes of what is said to minimise that writing time and, more importantly, to maximise the amount of time gardaí spend on front-line policing as opposed to a task that could be performed by a machine.

My next point relates to Part 2 of the Bill and the requirement to record searches. Again, like all the things we ask members of An Garda Síochána to do, if this requirement is introduced, I would urge that a technological solution be found to make it easy on an app, mobile device or computer to record the detail of that search very quickly as opposed to having to do it on a paper-based file, and to allow immediate connectivity with the PULSE electronic system.

I also urge that the requirements and powers being given to An Garda Síochána under Part 2 of the Bill be used to deal with illegally held vehicles, such as e-scooters and e-bikes. Pending the registration requirements that I hope the Minister for Transport will introduce, that will be another tool in the toolbox of An Garda Síochána to take illegally held e-scooters and e-bikes off our streets.

Turning to Part 3 of the Bill, one thing we have heard and which the Minister will have heard of in his constituency as well is the prevalence of vape shops and the public's suspicion that in many cases some of these shops could be used for laundering money, as a front for organised crime or, more heinously, providing illegal narcotic substances in a different form to younger persons and minors in particular. The context within which vape shops are operating in our streets, towns and villages in our country is one where many people do have this suspicion around them. We must make sure that gardaí will have the power under this Bill to undertake a search of such a premises where they have anecdotal suspicion that drugs or money laundering is happening as a front for a particular premises.

Finally, on Part 5 of the Bill, I welcome the updating of the custody arrangements for people who are taken into Garda custody. I think this also presents us with an opportunity to look at how we manage custody more generally. Models they apply in the PSNI and in England and Wales allow for the introduction of custody suites, where officers on the beat in a patrol area can leave the suspects who have been arrested in a large centre that does not require multiple Garda officers to be there. It requires a custody sergeant to take custody of all those people but would minimise the need to scatter to different Garda stations around the area. I am thinking about locations like Ronanstown Garda station in my area, which would be a perfect location for such a custody suite, to make sure we are providing custody at scale. Again, this is all about freeing up garda time. If a garda is doing a task not necessarily linked to front-line policing, how do we minimise the administrative nature of that task and replace it with something else? I hope the Minister takes those considerations on board.

Deputy Paula Butterly: I welcome the opportunity to speak on the Garda Síochána Bill, which represents an important step in ensuring that our policing laws are fit for purpose in a modern Ireland. The Bill seeks to provide a clear framework for Garda stop-and-search powers, the execution of search warrants, the handling of electronic evidence and the rights of persons in custody.

As a TD for County Louth, I hear every day from constituents who want to feel safe in their homes and in their communities. They want to know that An Garda Síochána has the tools necessary to tackle organised crime, drug dealing, online exploitation, antisocial behaviour and the many challenges that have evolved in recent years. At the same time, however, they expect those powers to be exercised fairly, proportionately and with respect for individual rights. That balance is actually here in the heart of this legislation. One of the significant aspects of the Bill is that it brings together powers that have developed over many decades and places them within a more coherent statutory framework. That is good for the Garda, for the courts and for the public. Clear laws lead to greater transparency, greater accountability and greater public confidence.

The Minister and I know well that criminality has changed dramatically in the last few years. In truth, I admire the Garda's ability to react to such a variety of situations and challenges daily.

Much of the evidence required in investigations is now stored on phones, laptops and online systems. Criminal gangs are increasingly sophisticated and often operate across multiple jurisdictions. It is therefore essential that An Garda Síochána has modern powers to gather evidence and investigate serious offences effectively. The provisions dealing with electronic devices and digital evidence recognise that reality. However, effective policing and civil liberties are not competing objectives. In fact, they depend on one another.

Public trust in An Garda Síochána is one of the great strengths of our policing model. It is therefore welcome that this Bill includes safeguards relating to access to legal representation, the recording of procedures, judicial oversight and protections surrounding legally privileged material.

These measures help to ensure that individuals' rights are protected while also supporting robust criminal investigation. As someone who engages regularly with community groups, victims of crime and local residents across County Louth, I know that people want strong action against those who make life a pure misery for others. They want gardaí to be visible, supported and empowered to intervene where criminal activity is taking place, but they also want those reassurances that decisions are being made fairly and consistently. Legislation such as this will help to provide those reassurances by setting out clear rules and procedures.

It is important to recognise the professionalism of An Garda Síochána. Every day, its members make difficult decision in challenging circumstances. They deserve legislation that is clear, modern and practical. Equally, communities deserve confidence that these powers are accompanied by appropriate safeguards.

While careful scrutiny of any expansion or clarification of Garda powers is entirely appropriate, and while aspects of the Bill may be refined through the legislative process, the overall objective is one that I support. This legislation reflects recommendations aimed at modernising policing powers and creating a more accessible legal framework for both gardaí and the public.

I share the concerns of my colleagues about vape shops. There is a proliferation of them across County Louth. We see young people queuing outside at lunchtime during their school break. We do not know what they are buying or what those shops are selling. We need to ensure that the Garda has the power to search these premises.

Ultimately, this Bill is about protecting communities, supporting effective policing and safeguarding people's rights. Those are objectives that should unite all of us in this House. For those reasons, I welcome the Bill.

Deputy Seamus Healy: I welcome the opportunity to speak on this Bill. It has been long in the making, going back to recommendations originally made as far back as 2018. Of course, the implementation of Garda powers requires a modern, properly staffed, properly resourced and properly funded Garda organisation with a fit-for-purpose structure. Unfortunately, that is not the situation in Clonmel and south Tipperary. Clonmel is entitled to, and demands, its fair share of gardaí. The Government has reduced Garda numbers in Clonmel by 11. Today, Clonmel has 11 fewer gardaí than it had in 2024. It is a town of 20,000 people. It is a small city, with a hinterland of another up to 20,000 people, including in Kilsheelan, Lisronagh, Kilcash, Ballypatrick, Fethard, Clerihan, Marlfield and, indeed, parts of County Waterford.

The acceptable and reasonable standard unit size for operations in such an area is ten. I understand that Clonmel Garda station is operating units of four. As a result, Garda high-visibility policing, foot patrols and gardaí on the beat are non-existent. Gardaí are being sent to respond to incidents on their own, placing them in dangerous and serious situations. Such incidents have been reported to me.

There are unacceptable levels of understaffing in Clonmel and in the Clonmel district. Eleven Garda stations in Tipperary have no dedicated garda. One of those is Kilsheelan Garda station, which is covered by Clonmel. Part-time Garda stations are also on the increase. Carrick-on-Suir is an example. It is also under the Clonmel district. The Government has been prioritising Dublin and Cork at the expense of towns such as Clonmel and Carrick-on-Suir. That has to stop.

The new Garda districts, introduced a number of years ago by the former Garda Commissioner, have been an unmitigated disaster. That initiative has presided over a reduction in front-line Garda numbers. It has devastated the community Garda operation. The numbers do not lie. In 2010, there were 1,082 community gardaí. In July 2026, there were 591.

I have been involved in community organisations almost all my life and certainly for the past nearly 50 years. In every area of Clonmel, there were community gardaí with responsibility for particular districts. It was the same throughout the country. We knew who those gardaí were and met them regularly. We met them at our community association meetings. We had their telephone numbers. They had their fingers on the button in all areas. They worked with young people and the various community and sporting organisations in the area. They were an absolute godsend to communities. The few community gardaí who are available now are overworked and stressed out. It is time that we get back to community policing and replace the 591 community gardaí we have lost over recent years.

Roads policing is another area that has been completely undermined. The figures are ominous. In 2009, we had 1,046 road policing gardaí. In July 2026, there were 638, which is 400 fewer. The national ratio of gardaí to road kilometres is 1:150 km. In south Tipperary, and Tipperary generally, it is 1:250 km.

Garda numbers in Clonmel and the Clonmel district are unacceptably low. I ask the Minister to immediately reappoint the 11 gardaí we have lost over the past two years and following that to increase the numbers exponentially so that the Garda presence in the town and district can be increased to a proper level to support the gardaí themselves and the community generally.

Deputy Catherine Callaghan: I welcome the opportunity to speak today in favour of this Bill. At the heart of the Bill are the people we represent. The public expects to be safe in their communities. They expect the Garda to have the powers necessary to tackle crime and expect those powers to be exercised fairly, transparently and with proper safeguards. This Bill helps to achieve that balance.

For too long, Garda powers have been spread across a range of laws developed over many decades. That has created unnecessary complexity for gardaí, legal practitioners and the public alike. This Bill brings those powers together into one modern and coherent framework, making the law clearer and more accessible for everyone.

The public have a right to feel safe in their homes, towns and villages, and in their daily lives. They also have a right to know that when they come into contact with the criminal justice system, their rights will be protected. That is why the safeguards contained in this legislation are so important. While the Bill gives the Garda clearer powers to tackle crime, it also strengthens protections for ordinary citizens.

Anyone who finds themselves in Garda custody will now have a clear, statutory right to have a solicitor present during questioning. The Bill also requires interviews to be electronically recorded and provides enhanced protections for children and vulnerable persons. These measures strengthen public confidence in the justice system and help ensure fair treatment for all. The legislation also improves accountability. For the first time, gardaí will be required to keep a formal record of stop-and-search actions. While we all acknowledge that the vast majority of gardaí carry out their duties professionally every day, these measures provide reassurance both to the public and to Garda members themselves.

The Bill also reflects the reality of modern crime. Criminals increasingly use digital technology, encrypted communications and electronic devices. The law must keep pace if gardaí are to effectively investigate serious crime and protect the public from those who seek to exploit new technologies for criminal purposes. We know that gardaí are increasingly faced with dangerous situations on our roads, including incidents involving organised crime and reckless driving. While legislation provides the legal framework, it is equally important that Garda members receive the specialist training required to respond safely and effectively in these circumstances. Just as the public have a right to feel safe in their communities, gardaí have a right to feel protected and supported as they carry out their duties on our behalf. Those who put themselves in harm's way to protect others deserve the training, resources and legal protections necessary to do their jobs safely and effectively.

Of course, there are aspects of the Bill that have generated debate, including issues around journalistic privilege, privacy and the stop-and-search procedures. Those are important discussions and they should continue as the legislation progresses. However, the central objective of this Bill is clear. It is about creating a policing framework that works for the public. It is about supporting gardaí in keeping our communities safe. It is about protecting individual rights while ensuring those who engage in criminal activity can be effectively investigated and brought before the courts. As legislators, our responsibility is to ensure that the law keeps pace with a changing society. I believe this Bill does that. It modernises Garda powers, strengthens safeguards and ultimately serves the interests of the law-abiding public. For those reasons, I am happy to support the Garda Síochána (Powers) Bill 2026.

Deputy Barry Ward: Broadly speaking, I welcome the Bill. I have heard what other Members have said about it, and I have some sympathy with the idea that it is a modernisation of Garda powers. It is necessary for us in the context of how technology and possession change to have regard to what powers gardaí need to do the job they need to do. For example, in the case of legislation that had previously been introduced to empower gardaí to demand passwords and access to those phones and things like that, I have misgivings about them but I also recognise the need for them. The reality at the moment is that gardaí have a very difficult job to do.

However, I also think that the power to stop somebody and search them on the street is a hugely significant one. Obviously, people are protected constitutionally from the abuse of that power. That is also a protection they enjoy. My concern is that there are definitely times when gardaí exercise this power capriciously. There are definitely times that in my own experience in the criminal courts, particularly on the defence side, I have seen situations where I was pretty sure that gardaí had exercised those powers inappropriately. You will often see people being searched around the city or elsewhere. It does not require a great deal, for example, for a garda to conduct a search under section 23 of the Misuse of Drugs Act 1977. The reasonable suspicion point is very easily overcome by a garda who wants to do so.

What is proposed in this Bill is problematic from the point of view that it empowers the gardaí to conduct a search of an individual if they have the relevant article that is described in the Act. The relevant article is really anything nefarious, something that is suspected to have been stolen or something more serious, such as a weapon or something else. That is a significant power, and it is not clear to me that the Bill defines with clarity what the basis of that reasonable suspicion is. There is a great deal of case law on this, and this is a matter that has been tested by the courts time and again as to what constitutes reasonable suspicion. When I was in the District Court doing drink-driving cases, we had what we used to call the Templemore Four, namely, unsteady on their feet, smell of alcohol on the breath, slurred speech and not fully focused sight. I felt, rightly or wrongly, when I was defending drink-driving cases that one or all of these would be trotted out as a basis on which the garda had decided to administer a roadside breath test because he or she needed to have a reasonable suspicion to administer that test. Similarly, in relation to people who are stopped on the street and suspected of being in possession of drugs contrary to the provisions of the Misuse of Drugs Act, the garda needs only to have a reasonable suspicion before conducting a search under section 23. It is a significant power that is not tempered by what is provided for in this Bill. Again, that reasonable suspicion has been corralled a little bit by the courts. I do not really think the extent to which a garda being able to say, "Well, I believed he had the stolen item in his pocket and, therefore, I conducted a search", impinges on a person's individual liberty is a sufficient basis for a garda to conduct a search, so I have misgivings about this.

Having said that, I recognise that there are provisions in the Bill that go quite a long way towards requiring gardaí to essentially back up their suspicion. The recording, for example, of the circumstances around the offence is really important. I note the ICCL has said it does not think that the details the Bill suggests would be recorded are sufficient. Again, I do not necessarily agree with that criticism. What I do have a concern about is if, for example, I am a garda on patrol and I stop somebody, conduct a search and put into my notebook all the details that I am supposed to under the Act, well and good, but what happens if I do it at the end of the shift? What happens if I do it two days later? What happens if I do it two days before the court case? There is no way for anybody to control when that is done or how it is done. For example, in this modern day of technology, when gardaí have more technology at their disposal, is there not a way in which we could timestamp that entry so that we could prove it is contemporaneous with the search, and therefore could be a more reliable evidentiary source if that search were ever challenged? There is the notion that a garda could do it retrospectively. There is nothing in the Act that says it must be made in the official Garda notebook, for example. It would be helpful if you could go through the book and see if the entries on either side of it were

chronological with it, which would indicate that it had been made at the time. In the absence of that, I wonder whether there are sufficient controls in relation to that search.

I say this conscious of the fact that, broadly speaking, it is important to have this legislation. The search-and-seizure powers do need to be updated. I do not think they take cognisance of modern technology in terms of some of the things that people involved in criminal activity can hide and the ways in which they can hide them. We have to be very careful and I know that is not a very politically savvy thing to say, because at the end of the day most people think of an accused person and really the gardaí should get what they need to get to ensure that they catch the people who are doing the thing that is wrong. I have sympathy with that view but we have to think of this as what if it is me or a person who is wrongly accused. What if that person has their rights infringed? That can be quite pervasive in the impact it has on society, people's relationship with the Garda, the faith in the system and the individual liberties of people, which are so important within our system. Gardaí enjoy a position where they are trusted by communities. They have good relationships with the people they police and that is a really important thing to preserve. If we push this too far, then the danger is that we will have a situation where gardaí start to trample on that relationship, start to lose the confidence of the people they are policing, and cause people to lose faith that they are exercising their powers in the way that they should and that they are doing it according to the law.

In short, I am saying there is a little bit of one and a little bit of the other. I am wondering if on Committee Stage we could consider some kind of an amendment, particularly in relation to the recording of the details of the search, that might breed greater confidence in the evidence that would ultimately be given by a garda in the event that a search is challenged. That might say to the ordinary person on the street who might be the subject of one of these searches, "Here's your safeguard. Here's something you can rely on to ensure that the garda is doing his or her job in the way that he or she should." I will happily work with the Minister on whatever amendment he thinks might do that, if there is some way in which we can just strengthen that power.

I recognise the job gardaí have to do is extraordinarily difficult. The gathering of evidence is no mean feat, yet they are expected time and time again to come to court with the requisite amount of evidence to prove beyond a reasonable doubt that somebody has committed an offence. It might be plain as the nose on their face because they were there but they have to find an evidential way by which to demonstrate it in court. I fully recognise the difficulties they face in that regard. I want us in this House to help them and to give them the tools and the equipment they need but I also want to safeguard the confidence the public has in our criminal justice system.

Deputy Ruairí Ó Murchú: I had the privilege of being in Dundalk District Court this morning to hear incredibly warm and deserved tributes to the late solicitor and senior counsel, James MacGuill, who died unexpectedly on 6 September. James, as many will know, was a titan of the legal profession, not just in Louth or the State but across Europe. In many ways, he was passionate about the rule of law but he also rewrote the rules himself at times with cases he brought to the highest courts in the State and Europe, which meant that legislation had to be changed. He is a terrible loss first and foremost to his family but also to his many friends in the legal profession and further afield. I extend my deepest sympathies to them on this terrible loss.

While I was at the District Court today, I saw the impact of the current row between solicitors and the Minister for justice over the changes to criminal legal aid. I saw that the many talented solicitors who grace the District Court in Dundalk were only dealing with custody cases, all the other cases being adjourned to 18 November or even January. Yet, the Minister for justice is telling the public that the criminal courts are functioning effectively. It was clear to see they are not. Behind each of these numbers is a defendant without representation, a victim whose wait for justice keeps getting put back, gardaí wanting to bring a case to a conclusion and many others who are directly impacted.

The figures that show the collapse of the criminal legal aid certs issued from July 2025 to July 2026 are stark. In Dundalk, in July 2025 there were 329 certificates issued and this July, just 19 were issued, representing a 94.2% drop, which is huge. These figures are replicated at district courts around the State. What is needed is proper engagement and for solicitors and the Minister for justice to get around a table and sort this out.

An Leas-Cheann Comhairle: What part of the Bill is that?

Deputy Ruairí Ó Murchú: The irony is not lost on solicitors and the public that this was the first piece of legislation to come before the Dáil in the new term. This Bill places on statutory footing the existing right of people in custody to consult a solicitor before and during interview and provides for electronic recording of interviews by gardaí where, previously, everything that was said in a Garda interview had to be handwritten. The Minister now faces, because of this strike, solicitors not attending at Garda stations any more. There needs to be urgent engagement with solicitors' representatives. I have seen for myself how the system is not working at the moment.

We all agree there was a necessity to codify for stop-and-search, arrests, searches, seizures and detention. We know there were these 12 pieces of legislation, and from time to time we could probably make arguments in regard to how they were used. Should providing gardaí with the powers they need have happened in a shorter time? Yes. Do we also need to make sure we have enough powers in regard to oversight and accountability? We will all see with "RTÉ Investigates" later whether there are major failings in relation to whistleblowers and I call on the Minister to deal with this issue. We would be very worried in relation to any loss of journalistic privilege and the protection of sources.

It goes without saying that the Garda needs the powers to be able to operate, with the vast amounts of criminality we have talked about, whether that is organised crime, disorganised crime or the grooming of children. We know that we need a huge amount of work to be done in relation to youth diversion alongside community policing.

The other thing I will bring up - it is not the first time I have brought it up - is that the Garda sometimes becomes the body that has to deal with mental health issues, particularly outside of office hours. There is a need for guidelines and protocols, and to look properly at the Mental Health Act. At times, gardaí are arresting people to protect these people from themselves and in many cases, GPs, as they read the Mental Health Act, do not believe these people need taking in. I have dealt with multiple issues in the past while, some of which took weeks to deal with, and I think there is an anomaly that should be dealt with by the Minister, and a number of other

Ministers, particularly the Minister with powers in relation to mental health, around correcting this.

Deputy Michael Collins: Independent Ireland knows full well that crime has changed. Criminals are using mobile phones, computers and new technology, and the law has to keep up. I said many times in this House that giving gardaí powers is only part of the answer. We need gardaí on the ground as well. In rural Ireland, particularly in west Cork, people have seen Garda stations close and Garda resources stretched. I raised the fear that rural crime causes, particularly for elderly people and those living alone, and I have called for greater support for community alerts and other measures to protect them.

I have also repeatedly raised the tragic case of Sophie Toscan du Plantier, who was murdered near Schull in 1996. In 2023, I asked that every necessary resource be given to the Garda serious crime review team and to the local Garda investigation unit based in Bantry. That case alone shows why gardaí need the proper powers, technology and resources to investigate serious crime but there must be safeguards as well. A person's mobile phone can contain their whole private life. If gardaí can require passwords, personal identification numbers, PINs, or biometric access there must be clear rules and proper oversight. I am also concerned about somebody being deemed to have given up their rights to a solicitor. If a person has given up such an important right it should be clear that they understand what they are doing.

While I am talking about solicitors, the previous speaker has similarly spoken about the free legal aid situation that is out there at the present time. It is an issue that cannot continue the way it is. It causes serious concern to quite a lot of people, including my constituents and constituents throughout the country. I plead with the Minister. Sometimes if we all stand off, nothing really happens until we sit around the table and try to get to the bottom of the problem. It cannot continue the way it is.

We can pass all the laws we like but without enough gardaí, vehicles or resources, those laws cannot protect our communities. Independent Ireland's position is simple: back our gardaí and give them the tools to tackle criminals, but protect the rights of ordinary, law-abiding people at the same time. People are worried and upset. They are worried about their safety and well-being out there. I visited a county in the past few days and I met with different families. I asked where their kids were going to schools. They said, "Up the road there", and they pointed out where it was. I said that it was brilliant they could walk to and from school but they said, "No way. There is no way we would allow our children walk to and from school because of the dangers that are there". People are concerned and that is very basic. Maybe I still had the mindset that kids walk to school. In this situation - I am not going to name the county because it does not reflect the general well-being of the people there - they were genuine parents telling me they were concerned about their children. I did not ask from who or what but it is a situation that is a worrying factor out there for quite a lot of people.

We in Independent Ireland have been very strong on our policies with regard to getting tough on crime. We are talking about people who are seriously assaulting people out there; people who are hardened criminals and thieves. There needs to be a stronger law to make sure those who are attacking people, taking their personal property or even hurting them, face the ultimate powers of the Garda and the law. That is not happening in the courts at the moment with the free legal aid crisis that is going on. We need to make sure it does. We need to make

sure people out there are protected and that they know that the criminal who comes into their house, steals their property or hurts somebody will serve a serious sentence and not be back out there on the streets within weeks of a crime. It is not good enough and it is a worrying factor in this country.

Deputy Ken O'Flynn: While modernising police legislation sounds reasonable on paper, this Bill fails to strike the essential balance between public safety and fundamental human rights. It dramatically expands invasive powers such as stop-and-search and seizure of electronic devices without introducing necessary binding legislation with safeguards.

Crucially, it lacks mandatory requirements to record ethnic or demographic data during those stops. Without this data we cannot properly monitor or prevent the biometric profiling or disproportionate targeting of an ethnic minority or minority communities.

Let us look beyond the text of the Bill. We in this House cannot ignore internal Garda culture, a culture that has deeply tested the public trust over the last number of years, and the question of the very integrity of the Garda institution itself. Following Rita O'Reilly's "Morning Ireland" interview I am obliged as a Member of this House to ask the critical questions before I can support the expanding of any policing powers. When GSOC was informed on 9 September 2019 that Garda leather holsters made by Declan Clancy Saddlery were not fit for purpose, what action did it take and what action did the Minister's Department take? In November 2022, when the then Minister for Justice, Deputy McEntee, the Taoiseach, Tánaiste and the Comptroller and Auditor General were sent detailed protected disclosures concerning the holsters from the saddlery, the Garda armoury and the tragic murder of Detective Garda Colm Horkan, what steps were taken concerning the grave wrongdoings in those disclosures? Those documents, which were in the possession of the Minister, the Taoiseach and the Tánaiste, show there were cover-ups and orchestrated delays that were outlined specifically in those documents.

Furthermore, since 5 March 2026 I have asked both oral and written parliamentary questions seeking for details of the date on which the Government agreed to exercise its collective will on the dismissal of Mr. John Barrett, executive director of human resources and people development in An Garda Síochána. I have received no answer to date, despite the commitment of the Tánaiste to come back to me within a week to reply. I have since written to the Tánaiste, and to members of this Cabinet and the previous Cabinet to inform me about this. One member of the previous Cabinet wrote back and everyone else has ignored those letters, but I tell the Minister those letters are not going away and they are a matter of public record. I am sending these letters because this is not a trivial administration matter. I remind this House the dismissal of a senior civil servant is governed by the statutory framework established under section 5 of the Civil Service Regulation Act 1956, as amended. The failure to provide transparency and accountability on when and how the Government exercised its collective authority in relation to this dismissal raises serious questions and concerns due process, constitutional rights and the protection of the public and senior civil servants. In my view and that of many practising law, this amounts to a breach of human rights and must be properly examined in the context of constitutionality, statutory regulations and government dismissals.

This is a growing list of internal disclosures and unanswered parliamentary questions and shows a lack of transparent processes within the Garda and the Department of justice. It makes

it impossible to ignore that there is a systemic flaw in the culture of An Garda Síochána. We cannot blindly grant sweeping new powers under this Bill while the existing framework for accountability, human rights, data collection and the basic institutional integrity is consistently failing this House and this State and falling short. Before we grant An Garda Síochána greater powers, this Government must first demonstrate those powers are exercised within a framework of transparency and accountability and in a way that has respect for fundamental human rights. I urge Members to vote against the Bill.

Others have mentioned this but while the Minister is here, I implore him to interact with the Law Society. Nobody likes to lose face and nobody likes to lose a battle, but we have people being released from courts having been told “Off you go” as they have no solicitor. We have people turning up to courts and waiting for appointments. They have taken time off work and whatever else. They have no free legal aid available to them. This cannot go on. The Minister has had months of ignoring the Law Society and ignoring solicitors across the country. I would have thought somebody like him, with an understanding of the law, would have engaged. I accept he has written back, a month or two later, to the Law Society, but the Minister has to engage. Only by shaking hands and only by sitting at a table and negotiating will he achieve anything. As a new Member of this House I do not need to teach him how to suck eggs. He is very capable and is one of the more capable Ministers on the Front Bench, but by not entering negotiations, talking to people, shaking the hand of the enemy and sitting down he will not achieve anything. I think the Minister knows that deep down so I appeal to him to get around the negotiating table and talk to the Law Society and to solicitors. Let us build a bridge and get over it.

Deputy Paul Nicholas Gogarty: Some of us have just received messages that Deputy Michael Healy-Rae is in hospital following an alleged assault. I put on record my best wishes for him in his recovery and my absolute condemnation - no matter what viewpoint people have - of attacks on politicians male or female. I condemn it wholeheartedly and wish him a speedy recovery.

I broadly welcome the passage of the Bill through the Seanad. It takes the long-overdue step of streamlining stop-and-search procedures, digital device warrants and integrating the European Union's human rights directives into our domestic laws. However, during the Seanad debates Senator McDowell warned, for example, that we cannot compromise the basic human rights of people in terms of shielding journalistic privilege from digital searches. We have to look after people's basic human rights. Civil liberties watchdogs like the Irish Council for Civil Liberties demanded accountability through the mandatory recording requirements during police stops of people's background and ethnicity to ensure people were not being targeted.

There is sometimes a fair accusation that police forces throughout the world can and do engage in profiling and targeting, whether of people in disadvantaged areas or those from particular ethnic backgrounds or nationalities. By the same token – this is another reason I regret it is not being covered here and I hope it will be by other means – sometimes it is also useful to be able to determine the nationality of people arrested for offences. We had some, to an extent discredited, reportage in England, for example, suggesting one or two nationalities were up to 22 times more likely to be arrested for sexual offences. When that was brought down it ended up being 3.5 to 14 times more likely than the English average, so even allowing for racial profiling and targeting of particular nationalities, there are questions raised in terms

of cultural norms in certain backgrounds that are applicable when people have concerns about large concentrations of people from those backgrounds in particular areas. This raises the issue of education, training and monitoring. There is a win-win situation there for those who think the immigrant population is more likely to assault people, which it is not, and for those who want to ensure gardaí do not go around targeting people willy-nilly, which in general they do not. However, you have to have scrutiny and monitoring to look at these issues and ensure everything has been covered.

That is one angle.

Another angle to the passing of the Bill is the resourcing of measures in a situation where gardaí are already under-resourced. When it comes to logging and entering information, through what system is it logged? I said 20 years ago and on previous occasions in the Chamber that the PULSE system was outdated before it even came into operation. What is the post-PULSE plan for the new data input we will need? Will any kind of new system be rolled out?

Ultimately, it boils down to the actual numbers on the ground. As I said a while back - there have been a few new recruits since - we do not have any more gardaí on the ground per head of population than 2008 because of retirements. In my community recently a boy was beaten up and his bike robbed, and gardaí had still not come to take a statement two days later. People were told there was only one car between two Garda stations and, unfortunately, gardaí could not come to them.

The Minister gave some positive information some time back regarding some of the backlogs that impact Garda time. For example, in respect of an antisocial behaviour order a Garda of the rank of sergeant or above has to go to court. Gardaí have to be witnesses in the court system. I would like some confirmation on whether video statements can be used more frequently and how that is progressing. As well as trying to increase Garda numbers, we need to make more efficient usage of Garda time. A bunch of kids under 12 were trying to rob bikes in a local school, which I mentioned in the Chamber some time ago, but when gardaí were called their response was that they were sorry but the car was at the courts at that moment. That is not an acceptable type of response. We cannot blame gardaí for it because they do not have the resources, vehicles or staffing. Equally, public faith in the service has gone. I will come back to this, as I have in regard to consequences for antisocial behaviour among those aged under 18 as well as those aged over 18 down the line. People are getting away with stuff day in and day out. It takes many incidents, perhaps 13 or 14, before people are brought into the system. We need resourcing for juvenile liaison services and additional gardaí.

I am digressing from the specific wording in the Bill for the simple reason that I find myself with a few minutes of extra time. I wanted to elaborate on this as this is the first opportunity after the recess to point out that the attacks have begun again. People are still two abreast on scooters and are robbing bikes with masks on. They are attacking people and getting away with it, or at least they are being seen to be getting away with it because it is six or eight months before they come into the system. We need a faster response. I look forward to the additional legislation on e-scooters.

If we do not have the resources to employ more gardaí or the system cannot catch up fast enough in terms of recruitment numbers, we have to free up Garda time. The use of smarter technology and AI in a safe context and the ability to work remotely in a better way could be

integrated into the courts system. That is a discussion the Minister will have to have and I acknowledge the liberty the courts have. We need to free up time for gardaí on the ground to respond to crises. We need more community gardaí to try to anticipate things that happen.

Generally, I broadly welcome the Bill. I would have liked to have seen some more civil liberties protection and information on where people can get rid of misinformation. I also would have liked the Bill to put in place checks and balances to deal with situations where certain nationalities do not respect women in the same way as most people would like.

Deputy Carol Nolan: I want to begin by wishing my colleague Deputy Michael Healy-Rae well. I understand he was subjected to an unprovoked assault earlier today. I wish to condemn that in the strongest possible terms. As I said, I wish him well.

Tá áthas orm labhairt ar an mBille cumhachta a bhaineann leis An Garda Síochána. I begin by acknowledging the extraordinary work carried out every day by front-line members of An Garda Síochána. They are the men and women who respond to domestic violence calls at 3 a.m., deal with antisocial behaviour in our towns, deal with very dangerous situations every day of the week, see dangerous e-scooters and scramblers on footpaths and forest trails, and stand between communities and real harm. I have met many gardaí and sat with them in my constituency offices in Tullamore and Birr. I listened to their concerns. Recently, I met Chief Superintendent Lonergan and Inspector Collins following the horrific tragedy in Edenderry when Tadhg Farrell and Mary Holt lost their lives. Their lives were taken from them in what could be called murder. Their commitment and the commitment of An Garda Síochána to Offaly is unquestionable.

What is questionable, however, is whether senior management and the Government are giving them the resources, support and leadership they badly need. That is the context in which we debate the Garda Síochána (Powers) Bill 2026. The Bill deals with high level reforms, digital evidence, search warrants, stop-and-search powers and custody rights, all of which are, of course, important and matter. However, concerns have been raised by the ICCL around definitions, safeguards and the sequencing of judicial oversight. These concerns are worth paying attention to. We should also ensure that the powers are clear, proportionate and workable.

Let me be blunt. Communities across Offaly are not talking to me about sections 7 or 29. Rather, they speak to me every day about visibility, response times and whether An Garda Síochána will answer the phone when they ring about domestic violence, farm trespassing, which is becoming a massive issue in many rural communities - Offaly is no different- or antisocial behaviour in their estates. As I said, the Garda do tremendous work, and I commend it on its work in Offaly, but gardaí are stretched because they are trying to cover many rural areas. It is high time that we got proper resources.

I acknowledge that Garda numbers have slightly increased in Offaly, by about 2%, but that is since 2021, which is unacceptable especially with an increase in population. We are still dealing with stations which need guaranteed opening hours, rural areas that need patrols and towns that need boots on the ground. The Government can talk about €2.48 billion in Garda funding, but if communities do not see it and do not see gardaí on their streets, that funding is not delivering what people need. I ask the Minister to prioritise County Offaly in terms of

additional gardaí and resources, to work with the Commissioner and ensure that we have proper resources in budget 2027.

We cannot ignore the wider issues in senior management. Almost 100 gardaí have been suspended with no timely resolution. Whistleblowers have raised concerns about internal units. Rank-and-file members have expressed deep alarm. Those issues, as well as resources, have to be worked on and resolved as soon as possible. While I welcome aspects of the Bill, I will continue to insist that the legislation alone will not restore public confidence. What will restore public confidence is gardaí being present, supported and properly led. We need the policing model of gardaí on the ground. There have to be community gardaí; they are too few and far between. As I said, they are doing their best, but they are stretched in County Offaly. I hope budget 2027 will prioritise the need for gardaí in Offaly to be resourced and additional numbers.

Deputy Mattie McGrath: I would also like to send good wishes to our esteemed colleague and hard-working Deputy Michael Healy-Rae. I wish him well in St. Vincent's this evening after an episode that should not happen to any politician, male or female. It is a timely reminder to all of us. We wish him a speedy recovery and wish his wife and family well.

I am delighted to be able to speak on the Bill. This legislation is badly needed, but we need to have balance between what the public needs and requires.

7 o'clock

No police force in the world can support, manage and survive without the support of the public. That has been the case since the inception of the State and the setting up of the Garda Síochána. However, there are many issues related to the Bill that we are not happy with.

I recently met Superintendent Hallahan in Clonmel with my daughter, Councillor Máirín McGrath, and Councillor Niall Dennehy, and also met Superintendent Eddie Golden in the other part of south Tipperary. My point relates to Clonmel, Carrick-on-Suir, Cahir, Cashel, Rosegreen, Fethard and all such areas. I wish well Garda Phillip Ryan, who has retired after a long career of dedicated professional service in Clogheen Garda station. Clogheen is another area left without a garda. I also wish well and offer my ongoing support to Garda John Walsh and the other man beaten and attacked while out on his own dealing with dangerous criminals. Gardaí face that every day of the week. I support and salute the front-line gardaí who have to deal with all kinds of issues and measures.

However, I have become critical of the management of the Garda, because I believe they are not bringing the message back to the Commissioner and the assistant commissioners up the line. The amalgamation of the Tipperary and Clare divisions was a disaster. I said that at the time. I opposed it and I continue to oppose it. We got a sop of a chief superintendent appointed. Yes, we did. The chief superintendent is not based in Tipperary. He might be based there in name but he is covering the whole region. That policy is a disaster. All the policies are. Now we are told increasingly that you cannot ring your local Garda station and that you have to ring 999, which service dispatches the local car. It could be 100 miles away. It is the same as what we have with the HSE and the ambulance service. All is not well in the Garda and we need many more reforms. We need more men on the ground, more resources and proper accountability.

We then had the litany of disasters over the decades. Long before the Minister was even born, I would say, a man was murdered at a wedding in Offaly, Fr. Molloy. We have had many such cases. There is the woman from Carrickmacross, County Monaghan, whose son was killed on the road by a criminal who should not have been at large. She fought a gallant case and I understand it cost her nearly €200,000 to fight it. She is such a brave woman. There are many other cases across the country of people who cannot get justice.

I was a victim of it myself in Dungarvan Garda station many years ago. That kind of rot must be rooted out and there must be fairness and respect for people. A businessman in Cork was physically abused by gardaí when he was on his combine harvester. They came to arrest him with a team of men you would not have going into a riot situation. There were 11, I believe. They tore him off his combine. Surely to God, a man who was never in trouble with the law could be dealt with better than that. It is before the courts, so I cannot say any more than that.

There are incidents of bullying and intimidation. A young man, a Rossiter chap, was killed in the Garda station in Clonmel many years ago. We have had huge brutality issues in Dungarvan Garda station over the years, so all is not well in the system. I have supported the gardaí all my life and we depend on them, and I still support them, but the rot must be addressed.

I met an inspector who recently retired from a different division altogether. He concurred with what I thought. There are cliques and things that go up along the line, with orders to behave or do whatever. That is not healthy. All is not well in the Garda Síochána.

I want to turn to the situation with solicitors at the moment. I know the situation with legal aid has been totally abused. The principle of three strikes and you are out should be applied here. The situation whereby people cannot get solicitors now is not acceptable. Regarding the strike, I support the Minister in trying to have-----

An Ceann Comhairle: The Deputy's remarks should be relevant to this Bill.

Deputy Mattie McGrath: Sorry, it is all relevant to this Bill, very much relevant. I thought the Ceann Comhairle was calling me on time. My remarks are very relevant because it is all in the one category. I know the Minister is doing his best. I thank him for coming to Clonmel to turn the sod and progress our new Garda station there. It is now about having people to fill it who will be able to respond to calls. Gardaí go on duty and may have 12, 15 or 20 calls to reply to. It is just so frustrating for them. It is hard on them.

We have some great gardaí in Clonmel and Cahir, my area, and the vast majority of them do tremendous work. On their own, it is not safe any more, unfortunately, especially for female gardaí. I wish Garda Fiona well. She is out sick at the moment. She is a community garda in Clonmel who does tremendous work there with a small team and a small amount of resources.

An Ceann Comhairle: Now the Deputy's time is up. I thank him. I call Deputy Danny Healy-Rae.

Deputy Danny Healy-Rae: I thank the Ceann Comhairle. I, too, am very disappointed with the news that my brother was assaulted going out the road in the car. It is not on. He was just

doing his work, or going wherever he was going. He was stopped on the road and someone hit him through the window. It is not good enough. I hope he will be all right. I hope his family will be all right. It is something that is hurting me as much as anyone else. These things should not happen to public representatives. We get elected to help the people and not to hurt them. If we cannot do right by everyone, it is tough. We cannot please everyone. We are doing our best, and it is unfair to hit a fellow through the window without him being able to defend himself. I hope he will be all right before morning and that he will be out again tomorrow.

I appreciate this Bill but I have a few concerns. The Minister mentioned electronic devices that are being used to store information. The Garda needs to get at them. It must be allowed to get that information.

The scourge of drugs is driving people mad. It has families finished when one person gets hooked on these drugs. Sisters, brothers, fathers and mothers are driven around the bend when something happens to their son or daughter. This is happening. The work the gardaí are doing and the amount of drugs they are seizing are amazing. There is certainly a lot. We appreciate every day that we hear of drugs worth millions being seized, but there are more coming in. They are coming in along our coast.

The Government took down our Garda stations. I am not saying the current Minister did so, but previous Governments dismantled the Garda service we had. There are people coming into communities now and nobody knows who they are. They have that advantage over the system. Before, a local garda knew who everyone was in every part of the parish. We are missing that now. It needs to be rectified because the information local gardaí got on the ground was never wrong. They had knowledge of all the people. We have lost that.

The Minister mentioned drones for searching places. I hope a search warrant will still have to be initiated to allow a drone to search, in the same way that the superintendent had to request a search warrant in the District Court. That used to be the way before. We cannot have people saying people's rights were intruded upon. The recognised way was always to have the superintendent look for a search warrant for his team. That will be maintained. Will it be the same for drones? I am worried about drones going over people's private property.

We have to move with the times and the gardaí have to be allowed to do their job. They have to get all the modern technology to deal with the advances criminals are making with their technology and devices. I appreciate the Minister's work on this. We have to apprehend the criminals, who are doing massive damage to young people and families right around Ireland, including rural towns and villages. The problem is rife everywhere and we must all work together to ensure these fellows are rooted out and their activity is minimised to the maximum extent.

Deputy Barry Heneghan: Ba mhaith liom chomh maith a thabhairt don Teachta Michael Healy-Rae agus a deartháir, atá anseo anois, my support. I wish Michael a speedy recovery. The Healy-Rae brothers have been nothing but welcoming to me since I was elected to this House and I see how hard they work. It is not fair that any public representative, male or female, should face violence, and my thoughts are with Michael's family.

I welcome the Bill.

I never stop telling the Minister that my dad was a garda, my grandfather was a garda and my great grandfather was garda. I thank the Minister and the Department staff involved in preparing this legislation and bringing it before this House. For me, this debate is about giving gardaí the tools they need to protect people.

I have spoken in-depth about how I believe CCTV footage could be used more intelligently, like in other countries, in conjunction with the councils to protect people and to protect high-risk areas, particularly playgrounds, playing pitches and community facilities, and that we should give gardaí those powers. I am happy this Bill gives gardaí other powers. I welcome the practical purpose of the Bill. I understand that other aspect is something that will be looked at in a future Bill.

Gardaí need clear, modern legislation that allows them to investigate crime effectively. I welcome the in-depth work that has been done to secure evidence properly. I welcome the framework for stop and search warrants and the handling of evidence. This is particularly evident and needed in my constituency. As the Minister will know, evidence is increasingly held on phones, computers and other electronic devices. Having these rules is proactive and I believe we are finally addressing a problem rather than being reactive and it helps gardaí to conduct effective investigations.

I welcome protections around legal privileged material. I listened to one of the Deputies speak about parliamentary privilege and I would like to know if that will be addressed in the Minister's closing speech. I mention the clear powers and proper safeguards around accountability.

Alongside these reforms, can we enable gardaí and local authorities, as I mentioned, to respond quickly through a targeted CCTV programme in areas? It is not acceptable for my constituents to be told that the gardaí and the council cannot use CCTV due to GDPR. However, when I have emailed both Garda officials and council officials regarding the use of CCTV, they both told me it is enabled. This has been mentioned in the recording devices Act 2023. Nevertheless, it is relevant to the wider question of equipping gardaí to protect our communities across our country. I would like to see a streamlined process with the Garda. It would also help with the proper installation and maintenance of community facilities. We, as public representatives, fight very hard. We work with council staff and to see community facilities destroyed is not acceptable.

I would like to see better recruitment. If gardaí, nurses and teachers, who are critical workers, were given incentives to address the high rents in Dublin, it would really incentivise people into the roles. I am the youngest of my dad's five kids and I do not think someone entering the Garda could do that economically now. Given the wages, it is not viable and if we are to encourage people to join An Garda Síochána, we need to encourage them by financial means. This is something that should be addressed.

Visible community policing has definitely stepped up since the Minister took up this role and I commend him on that. I have continuously said that I would like to see more in north Dublin. This on the beat garda presence is one of the biggest impacts this Government has had and it is something I hear repeatedly on the doorsteps. However, I still see antisocial behaviour across my constituency and I still hear people say the recent garda dispatch numbers were not

proportionate in terms of the northside and southside. I am not having a jab at the Minister. I would like for that to be increased in the next roll-out.

I welcome the Bill and the work behind it but I ask that we give gardaí better supports when they join An Garda Síochána, better supports when they in An Garda Síochána and better supports when they leave An Garda Síochána. Our community deserves better and our gardaí deserve better.

Deputy John McGuinness: I welcome the legislation and assure the Minister that anything that strengthens the hand of the Garda force should be supported by this House and will be supported by me. As we pass this new legislation, or bring it through the House, we have to look at the impact of it on the day to day workings of an individual Garda member. We can identify the crimes and we can identify where we want to see improvements in the force but we have to continually remind ourselves that every time we ask a garda or gardaí to do something that will require resources, support, training and ongoing care in terms of their employment.

My own opinion is that we are not giving enough resources to the gardai. We are not empowering them to implement every piece of legislation we pass here to the extent they should and could. We are leaving members of the force in a very vulnerable position when they are asked to do something, by way of legislation we in this House have passed, without the consideration of how they implement the piece of justice or the action that is required. That is where the problem in this legislation will commence.

Maybe it is time we looked at reforming the structure of An Garda Síochána and at the processes within that structure. We need a modern force with all of the technology that is demanded of that force and with all of the protection necessary for each individual garda to carry out his or her duties in line with the legislation.

Earlier, comments were made about community gardaí and we need more of those gardaí, certainly in Kilkenny. They were a great asset to building up trust and a relationship with local communities. A lot of those community gardaí have now been given other duties. That is causing a lot of difficulty in terms of the direct contact communities have with the local Garda force.

Reference was made to drugs and to a detective or a garda on the beat tracking down those who are selling drugs within our communities and causing havoc right across the country. In Kilkenny and Carlow, it is no different. They are plagued by drugs on every street corner. Every young person has direct access to any amount of drugs. While the Garda shuts down one element of that transaction, another one opens. I know that in Kilkenny city, for example, drugs are freely traded in our local graveyard because it is close to the source. The public demands and deserves much better than to see this type of transaction going on, generally in a local community. It certainly should not be taking place in a graveyard, and it is common knowledge.

The divisional areas, with respect to the drugs squad, the number of gardaí, how superintendents are appointed and so on, need to be reviewed. The basic employment of gardaí in terms of their pay structures and possibility for promotion within the force needs to be examined. An officer class within the Garda may be necessary in that type of structure.

I do not know whether the number of volunteers within the Garda is going up or down. I am not sure but I see fewer of them involved in the force itself. I thought they were a good development. All of this is linked to the courts too. We can have all of the devices, intelligence and technology we need but if we do not have the courts supporting the Garda in sending criminals to prison for the full period of time, then we will have criminals coming back onto our streets far earlier than they should for a crime that has caused huge concern in the community in the first place.

A lot of the trust in the Garda has been lost because of what happened in the past and because issues from the past were not dealt with appropriately. I think of Sergeant Maurice McCabe, who went through a process that took a huge time to get to the point of it being proven that he was right in the first place. Earlier in this debate, we heard mention of John Barrett who was dismissed from the force. I do not know the date that was put before Cabinet. I do not know what the process was thereafter, but it is interesting that none of us can find that information. Meanwhile, a man for whom I have great respect, who appeared before the Committee of Public Accounts, is trying to clear his name and to ensure the wrongs that were done to him while he was a member of the force, and a very good one, are dealt with. We have other whistleblowers who submitted protected disclosures that have not been dealt with.

When members of the public see the television programme tonight or read interviews in the newspaper or when various other incidents are covered in the media generally, it does not help that they are not dealt with openly and in a transparent fashion in an effort to continue to build trust. If one goes back to the case of Martin Kenirons and that whole investigation, one wonders why a member of the force who could have substantiated everything that detective said was not interviewed. It is the job of this House to point out when something goes wrong and point out what members of the public are saying and what worries them. Policing worries them and the laws of the State, including the Bill we are passing, trouble them. They will support the force, but they are not prepared to let the likes of the cases of Martin Kenirons and John Barrett slip any more.

I ask the Minister, as a step to build trust and show that we mean business through the gardaí, in terms of our support for them, to ensure the outstanding issues and protected disclosures are brought to the fore and dealt with in a very public fashion. That is the least that can be expected in terms of the people I have just mentioned. I would love to hear the Minister indicate what his intentions are in relation to all of this in his closing remarks and, likewise, in relation to local authorities and the complaints they receive when gardaí are called to disputes between tenants or disputes that emerge on the streets of our estates when the decent folk in those estates want to maintain law and order. They are trying to support the gardaí and when the gardaí arrive, they should have all of the equipment and manpower necessary to ensure the laws are upheld and people can feel safe in their own homes. I mention in particular older people because an awful lot of older people are living in cities and, indeed, in rural Ireland. They are on their own. I would love to see the structure of the Garda stations around rural Ireland and Carlow-Kilkenny being examined to see whether we can improve what we have at present.

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): Before responding to the substance of the debate, I will refer to two distinct issues that were raised by Deputies during the course of the debate. First of all, I join Deputy Ó'Murchú in expressing my condolences to the family, friends and colleagues of the solicitor, James MacGuill, who

died recently. James was one of the finest solicitors in the country. He was a formidable opponent and he was fearless in representing his clients. Anyone who had the privilege to do a case with James MacGuill, as I did, or indeed against him, would know of his full commitment to his client. He really was a fine example of a hard-working, diligent, conscientious solicitor. He was also very entertaining and engaging company. I will miss the mischief I always experienced when we engaged with each other.

Second, during the course of this debate, I got an update from An Garda Síochána in respect of the incident concerning our colleague and friend, Deputy Michael Healy-Rae. I express my best wishes to him and wish him a speedy recovery. Any attack upon a Member of the Oireachtas because he or she is a Member of the Oireachtas is an attack on democracy. We should all resolutely stand together in this House in condemning any such attacks. People are entitled to have different views politically but what we will not tolerate is people being targeted or violence being used against them simply because they do not share the same political views as others.

I will now deal with the substance of the debate. This was a very well-informed debate from colleagues. I listened very closely to four hours of debate. I do not have the time to go through the individual comments made by the vast number of Deputies who spoke but I will refer to a number of matters in their generality.

I think every person who spoke welcomed the fact that we are codifying Garda powers. I welcome the fact there is broad agreement and a broad welcome for that. We all support An Garda Síochána in this House but it is important to acknowledge that gardaí have very considerable powers. It is important that we set out in legislation what those powers are. Historically, those powers were generated or developed through the common law or, indeed, very sparse legislative instruments. As time has gone on, it is important that the Irish public are aware that if they want to find out what powers a member of An Garda Síochána has, they will be able to look to a piece of legislation to identify that. This legislation will go a long way towards having a codification of some of those powers.

I also welcome the fact that colleagues have recognised that there are areas in respect of Garda powers that deserve to be further debated here. As I said, we had a very good debate on this legislation in Seanad Éireann over a period of five days. As I indicated in the Seanad, I am prepared to accept amendments that were brought forward in the Seanad. They will be brought forward here on Committee Stage and I have no doubt colleagues here will put forward recommendations in amendments.

A number of colleagues referred to the issue of the "RTÉ Investigates" programme tonight. I have not seen it. I regret to say that because Deputy Carthy and I are due to be in the Dáil in about two and a half hours from now, I may not get to see it. I will, hopefully, have an opportunity to look at it in advance of tomorrow. Let us all approach it without a sense of prejudice. Let us just look at the programme and see what is in it. If there are issues that I need to explain or answer, I will be only too happy to do so.

Another issue that was mentioned consistently in the debate was that of oversight of An Garda Síochána. We have very vigorous oversight of An Garda Síochána when we look at the statutory agencies that are in place. First of all, the Commissioner frequently reports to me and, in fact, is obliged to report to me and keep me apprised of important developments.

Second, there is the new authority, the Policing and Community Safety Authority, to which the Commissioner and senior gardaí must report. There is Fiosrú, which investigates allegations of Garda malpractice and is responsible for investigating protected disclosures that are made within An Garda Síochána. Then there is the internal Garda board. We have, therefore, put in place a very detailed architecture for Garda accountability, which is very effective and does work in respect of it.

When it comes to protected disclosures, we have detailed legislation in place. In an organisation the size of An Garda Síochána, which has at present 14,700 sworn members and around 3,500 staff, we are going to get protected disclosures.

It happens in very many of the large State entities. We should not be fearful about the fact that protected disclosures are made. In fact, it is a sign the legislation is working.

Turning to some of the other issues that were consistently raised, I welcome Deputies saying they want more gardaí in their communities. In other countries, a lot of communities do not want members of the police force in their societies and communities. Every Deputy here who spoke about the numbers of An Garda Síochána said they want more representation in their communities. That is a very positive sign. The good news is recruitment to An Garda Síochána is going very well. We are at, as I said, approximately 14,700 sworn members of the force. By the end of this year, we will be at, or very close to, 15,000 members and will have the largest Garda force ever. The most important thing, however, is that when we have all of these gardaí, we do not want them stuck in stations. We want to see a very significant proportion out on the streets. We want to see high-visibility policing. That is my political priority when it comes to the Garda. The Commissioner fully supports that objective. I commend Deputy Ó Laoghaire on recognising the large number of gardaí who went to Cork before Christmas. We now have high-visibility policing in Dublin, Cork, Limerick and Galway. I want to see that rolled out to as many of the large areas and towns as possible and in rural Ireland as well. We all have to be conscious that we cannot have a garda on every street corner but what I would like to see, and what I know everyone in this House wants to see, is the presence of gardaí in the community. That gives a great sense of safety and comfort to members of those communities.

Another issue raised was that of journalistic privilege. A number of Deputies said we need to take this legislation carefully and slowly. I also have to take into account that part of the reason this legislation is being brought forward relates to the very significant decisions given by the Supreme Court in the case of Emmett Corcoran and indeed the Quirke decision as well. This legislation is providing protection to privilege. If we look at section 10 of the Criminal Justice (Miscellaneous Provisions) Act 1997, I am very concerned about the constitutionality of that provision as it is. The reason I am concerned about it is that, as anyone who reads objectively the judgments of Mr. Justice Collins and Mr. Justice Hogan in the Corcoran decision will know, there is a question mark over section 10. It needs to be amended rapidly because, in fairness to the case taken by Emmett Corcoran, who objected to the fact that the Garda had sought access to his information and did not bring to the attention of the District Court, from which they were seeking a search warrant, the fact that Mr. Corcoran was a journalist working for *The Democrat* newspaper. The Supreme Court has said there is a legislative urgency to changing this. We need to ensure that section is changed. The proposal I have put in will be very effective and robust and will mean that if a garda is seeking a search warrant against a solicitor or journalist, he or she will know there is a possibility that there

could be privileged material there. Under section 17 of the Bill, that detail will have to be brought to the attention of the District Court judge, who will then have knowledge that the warrant has been sought in respect of a journalist, a solicitor or even a TD, as some contributors mentioned in the context of Oireachtas privilege. That is very different from where it is now. More important than that, however, is that the legislation then provides that there is a mechanism for an *inter partes* hearing for the court to determine whether the material is privileged and deserves to be protected. Obviously, we cannot have a situation where somebody stands up and says, “There's privileged material on that phone and you can't search it.” There needs to be an independent assessment and that is what is contained within this. That is important.

There was a lot of commentary about stop-and-search powers and the recording of ethnicity. I am happy to discuss this on Committee Stage but it is important to note that the policy I have is to introduce a unique identifier, which will achieve that objective.

An Ceann Comhairle: I have just learned of the assault on Deputy Healy-Rae. I am deeply shocked, to say the least. I hope his injuries are not too serious and I wish the Deputy, on behalf of all his friends here and the Members, a speedy recovery. I wish his family well, as I am sure they are deeply concerned. I know that the people of County Kerry, whom he represents in Dáil Éireann, will share a deep concern for his well-being.

Earlier today, I addressed the Dáil on the record about our shared responsibility to uphold the dignity, safety and well-being of Members and staff and all of those who engage with work here in the Houses of the Oireachtas. This is a very serious and deeply disturbing development. I condemn and abhor all violence, particularly towards elected representatives. My thoughts are with Michael Healy-Rae and his family.

Question put and agreed to.

Garda Síochána (Powers) Bill 2026 [Seanad]: Referral to Select Committee

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

That the Bill be referred to the Select Committee on Justice, Home Affairs and Migration pursuant to Standing Orders 103(2)(b) and 188(1).

Question put and agreed to.

Neutrality and Triple Lock: Motion [Private Members]

An Ceann Comhairle: I call on Deputy Ó Laoghaire to move the motion. He is sharing his time.

Deputy Donnchadh Ó Laoghaire: I move:

That Dáil Éireann:

recognises that:

— Ireland's proud tradition of military neutrality, and affirms the State's neutrality and non-alignment with military blocs to be a cornerstone of an independent Irish foreign policy;

— our neutrality, the "Triple Lock" neutrality protection system, have served us well, allowing Ireland to play a constructive role in international affairs, contributing to nuclear non-proliferation, disarmament, humanitarianism and United Nations (UN) peacekeeping missions;

— the distinguished service of Irish peacekeepers deployed around the world, and the contribution of every Irish man and woman who has served on such missions throughout the decades; and

— nothing in the "Triple Lock" prevents us from investing properly in our Defence Forces and that it is the decisions of successive Fianna Fáil and Fine Gael Government that has led to the neglect of our Defence Forces;

notes that:

— the destabilising effect of conflicts that are contributing to global and regional instability, including, but not limited to, Russia's illegal invasion of Ukraine, the continued Israeli occupation of Gaza and settler violence in the West Bank, the US and Israeli war with Iran, the Sudanese war, and urges an end to acts of aggression in all conflicts, and for the primacy of international law to be respected by all nations;

— Ireland's neutrality is an asset in an unpredictable international environment where major powers have undermined and disregarded international law;

— no provision of Ireland's current "Triple Lock" system prevents the evacuation of Irish citizens from conflict-torn regions, participation in appropriate training, and nor does it prevent Ireland's participation in humanitarian missions;

— the failure by successive governments to adequately invest in Ireland's Defence Forces and in our defence capabilities, leaving the State exposed to numerous threats;

— this Government has chosen to make Ireland reliant, and dependent, on foreign militaries to shore up Irish defence vulnerabilities, as seen by recent arrangements relating to security for engagements held as part of Ireland's presidency of the Council of the European Union, including the presence of British ships off the Irish coast;

— concerning reports that the Minister for Defence has directed officials to progress Irish participation in the British-led Joint Expeditionary Force Plus (JEF+), which will mean deeper military alignment with Britain and other NATO states; and

— concerning comments by the Minister for Defence which indicate that Ireland could participate in overseas deployments that do not support a UN resolution, and that she is potentially making arrangements for same; and

agrees that:

— our "Triple Lock" neutrality protection is a core component of Ireland's foreign policy and is underpinned by assurances provided to the Irish people by successive Irish

Governments in advance of multiple European referendums, such as the Nice and Lisbon referendums;

— Ireland should be strong on defence and strong on neutrality and that this must be achieved by properly resourcing our Defence Forces, rebuilding our Naval Service, strengthen air and maritime surveillance, and developing radar capabilities;

— participation in the JEF+ would be a departure from the position of military non-alignment and the Government must come clean on what discussions have taken place with the British Government in relation to this;

— Ireland should be open to international co-operation to meet genuine security threats, but that co-operation is not the same thing as military alignment, and that participation in any military alliance, including any British-led military framework, would end our neutrality as we know it;

— Ireland should engage with partners as a militarily neutral state, while investing seriously in our own capacity to defend our airspace, territorial waters and critical infrastructure; and

— any move to alter the "Triple Lock" represents a step towards the complete abandonment of Ireland's policy of military neutrality, and participation in military alliances, as evidenced by the Government's intention to participate in the JEF+; and

calls on the Government:

— not to become a party to the British-led JEF+ military partnership;

— to call a referendum on its proposals to scrap the "Triple Lock"; and

— to accept that the "Triple Lock" is a core component of Ireland's independent foreign policy and is underpinned by assurances provided to the Irish people by successive Irish Governments in advance of multiple European referendums, such as the Nice and Lisbon referendums.

Before I begin, I want to take the opportunity to express my concern in relation to Deputy Michael Healy-Rae and to condemn what has happened to him. It is appalling. I extend my best wishes to his family and hope he makes a strong recovery.

Neutrality is a strength for Ireland and represents how best Ireland can play a useful role in the world. The motion we bring forward is calling on the Government not to end the triple lock. The motion recognises the profound instability in the world: Russia's illegal invasion of Ukraine, the continued Israeli occupation of Gaza and settler violence in the West Bank, the US and Israeli war with Iran, and the Sudanese war. Such conflicts will directly impact on the energy bills of workers and families this winter, but the response to this volatility should not be to cast aside the protections we have. The world we live in is not a reason to change, it is all the more reason to ensure we keep an independent foreign policy. The Taoiseach himself has said in the past that the triple lock is a cornerstone of an independent foreign policy.

The Irish people have a deep connection with neutrality and a strong understanding of Ireland's place in the world. They understand that Ireland is a small country with an outsized influence on the world. We have achieved that through the strength of our own peace process, our commitment to international law and the strength of our diplomats. It has been achieved

by the huge credibility of our brave peacekeepers, who deserve our utmost respect and thanks. We have that credibility because of our history as a colony under imperialism. That is why we are moving a motion on this issue in the Dáil this evening, to protect our neutrality and safeguard the triple lock. These two pillars have allowed us to be a powerful voice for peace in an uncertain and volatile world.

It is not difficult to see that in the future an Irish government could come under immense pressure to participate in deployments - of what kind, we do not know - and we will no longer have the protection of a policy that commits us to serving in UN missions. Indeed, as far as the Minister is concerned, it is a done deal. The Bill has not been voted on or debated in the Dáil, yet she has already given assurances internationally about what Ireland will do once the triple lock is dismantled. She has said we can be assured that Ireland will be part of a CSDP mission in Lebanon. To me, it is a contempt for the Oireachtas that it is a *fait accompli*, and it does not augur well for what comes after the triple lock if, effectively, she takes it upon herself to speak on behalf of the Oireachtas rather than the Government. The Minister has gone further than any proposal we have seen by proposing to sign up to become an observer member of the Joint Expeditionary Force, JEF+. The JEF is a British-led, effectively military alliance involving nine other NATO member states, and we propose to become an observer member, according to the Minister. According to the British Parliament's own website, and the JEF is situated in the Britain:

For all JEF Participant Nations, NATO is the foundation of collective security in the Euro-Atlantic area. The JEF, from its inception, has been designed to complement both NATO and Participant Nations' own response capabilities. The JEF needs to be ready to respond in scenarios ranging from below the threshold of NATO's Article 5 through to full-spectrum interventions during times of crisis or conflict, operating seamlessly with NATO.

This is the organisation we propose to become associated with. Instead of investing properly and adequately in our defence capabilities, the Government has chosen to make Ireland more reliant and dependent, as we have seen in recent weeks, on foreign militaries to shore up defence vulnerabilities. The Irish people expect a government that is strong on defence and neutrality. That should be achieved by properly resourcing our Defence Forces, particularly rebuilding our Naval Service; strengthening maritime surveillance; and developing proper radar capabilities. Participation in a joint expeditionary force-plus, as an observer or otherwise, would be a departure from the position of military non-alignment.

This is why we are moving our motion on this issue: to safeguard our neutrality, to call on the Government to come clean on its plans to join this military framework as an associate and to safeguard our triple lock, which has allowed us to be a voice for peace in an uncertain and volatile world. I am sure we will hear many of the same arguments and that the Minister will talk about sovereignty. Under our Constitution, it is the people who are sovereign. If Government Members are so certain of their position on this, and given Governments sought and gave reassurances to the Irish people during repeated referendums on the basis of the triple lock, then they should put it to the people - but they will not, because they know well what answer they would receive.

Deputy Seán Crowe: What is the purpose of Irish foreign policy if not to serve the interests of Irish people and stand up independently in the world? For generations, this State has

maintained a policy of military neutrality. That policy has not weakened our voice internationally; it has strengthened it. Neutrality has given Ireland the space to speak for peace, for disarmament, for humanitarian action and for the importance of respect for international law. Ireland's Defence Forces have served with distinction under the United Nations across the world. Neutrality certainly does not prevent this State from properly funding the Defence Forces. For years, successive Fianna Fáil and Fine Gael Governments have failed to provide the Defence Forces with the resources they need. We now hear the false argument that neutrality is somehow responsible for weaknesses in our defence capacity. If we want a State capable of protecting and serving its people, then we must invest in it, rebuild the Naval Service, strengthen air and maritime surveillance, protect our territorial waters, airspace and critical infrastructure, and be strong on defence and neutrality. There is no contradiction between those positions. Genuine independence requires both.

We are living through a period of profound international instability. Russia's illegal invasion of Ukraine has brought war back to the heart of Europe. We have witnessed horrific suffering in Gaza, Yemen and the wider Middle East. Sudan continues to endure devastating conflict. In such circumstances, the answer cannot be for Ireland to abandon the independent foreign policy that has served us for decades. We must ensure Ireland remains militarily neutral, independently minded and willing to speak for peace even when that voice is inconvenient to the powerful.

If the Government intends to deepen Ireland's military relationship with Britain and with NATO states, then it should come before this House and explain exactly what is being discussed. The triple lock is not some technical obstacle to be quietly removed; it is part of the framework underpinning Ireland's military neutrality. Successive Governments gave assurances on neutrality in the context of European referendums, including Nice and Lisbon. Those commitments should mean something.

Neutrality does not mean indifference. It means independence. It means Ireland making its own decisions. It means defending our country while refusing to become part of military blocs. It means standing for peace, humanitarianism and international law. We should not surrender that independence. Retain the triple lock, invest in our Defence Forces and protect our neutrality.

Deputy Rose Conway-Walsh: I too want to condemn the attack on Michael Healy-Rae, say how appalled I am about it and send my good wishes to him for a good recovery and to his family.

Mar Chathaoirleach ar an gComhchoiste um Chosaint agus Slándáil Náisiúnta, tá an-áthas orm inniu labhairt faoin nglas triarach. The Government needs to be honest with the Irish people about the triple lock. Its amendment to our motion states that the triple lock is not a determination or expression of neutrality. However, it is a safeguard and it underpins promises made to the Irish people during the second Nice and Lisbon referendums that Ireland would remain militarily neutral. Removing that safeguard raises fundamental questions about the future of our neutrality. If the Minister wants to persist with efforts to dismantle the triple lock, she needs to put it to the people in a referendum.

I commend the brave men and women of our Defence Forces, particularly those who have served as peacekeepers in some of the world's most volatile regions. As Chair of the defence

and national security committee, I visited the Curragh last week. I sincerely thank the personnel there who showed me around. I saw the consequences of decades of underinvestment by successive Governments. We finally and rightly are investing in military procurement but our barracks are still crumbling. Is it any wonder recruitment and retention remain such serious challenges? This is where the Government's focus should be regarding defence.

Military neutrality does not mean military weakness. A neutral country needs credible, properly resourced defence forces and the triple lock is not a barrier to any of this. It is also not a blanket ban on overseas activity. It does not prevent our personnel travelling abroad to participate in military training, undertaking humanitarian missions, responding to disasters or emergencies or taking part in official ceremonies overseas. Neutrality is part of our national identity. It has served us well as an independent State. I believe the overwhelming majority of people want it to be protected. Instead of dismantling a safeguard of our neutrality, give people their say. Have a referendum.

Deputy Thomas Gould: There is some irony in the debate tonight. This week President Donald Trump visited Ireland. Uachtarán na hÉireann, Catherine Connolly, made it clear the Irish people reject the normalisation of war and genocide. Our President is brave. She is a believer in peace and she stands up for what is right. A short while later, our Taoiseach met with President Trump and never used the word "genocide" for what is happening in the Gaza Strip and the West Bank, but still the Government wants to send Irish men and women to fight in foreign wars by getting rid of the triple lock. Where is the bravery in that? We saw real bravery from our President. We saw real bravery last weekend from Macklemore, who stood up and said, "Free Palestine". For that, they tried to cancel him, but you cannot cancel an idea. You cannot cancel justice and belief. He and Aaron Rowe, Beoga and all those other people stood together and said they would not be silenced for calling out genocide. Aaron Rowe's haunting "John's Song" could not be more relevant to what we are talking about today. It is about a young man fighting in a war he does not want to be in. It finishes with this:

Well, John, he never came home

He died at 21

They couldn't find his body in the morgue

But there's a headstone up in Thiepval

And it's scribed as Private Geoghegan

Son of Hugh and Ellen of Inchicore

We do not want Johns. We do not want headstones, graves and letters for working-class Irish men and women fighting in foreign wars. We serve neither king nor kaiser, but Ireland.

Deputy Mairéad Farrell: What the Minister and her Government colleagues Micheál Martin and Simon Harris are doing to Irish neutrality is eroding it bit by bit. They might not say it explicitly but we can hear it in their words. They use language to change our position regarding neutrality. We can see it in the amendment they tabled tonight. Previously, Government talked about "neutrality"; now it always talks about "military neutrality". It is a small change, but a

change. Previously, Micheál Martin said the triple lock was core to Irish neutrality; now, the Government says in this amendment that the triple lock is not a determination or an expression of our neutrality. Both cannot be true, so who is lying? I would like the Minister to address that in her closing remarks. She can couch in words her attempts to dismantle our neutrality but Irish people know what neutrality means to them locally and on an international stage.

Irish neutrality and having an independent foreign policy are strengths. They are valued and supported by the Irish people. On the international stage, neutrality has underpinned our contribution to peacekeeping and diplomacy. It has never been a weakness. Attempts to dismantle the triple lock have been talked about by this Government and those who made up the previous Government, but now there is a rush to push it through. Why is that? You would be forgiven for thinking, as most people probably do, that it is a bit of a coincidence that there is now this just as we are starting back and we are also in the middle of our EU Presidency.

It seems far more than a coincidence. We have to be frank about it. The Government has acted like it is embarrassed by our neutrality, but our neutrality is nothing to be embarrassed about. It is outrageous that this Government is doing all in its power to undermine and erode it. To be clear, I firmly believe that is what the Government is doing. I am not here giving a speech to attack the Government. I am here to say to the Government, "Do not break a promise that you gave to the Irish people in several referendums. Do not go back and dismantle the triple lock." Micheál Martin was right when he said it was core to our neutrality. If the Government is so confident that the triple lock must go, then put it to the people.

Deputy Louise O'Reilly: I thank my party colleague Deputy Ó Laoghaire for bringing forward this important motion this evening. Let us be honest about what the Minister is trying to do and wants to do on what some might call the down low and in secrecy when people are not looking, but we will always shine a light on her actions. We in Sinn Féin will oppose any attempts to undermine our neutrality. The Minister underestimates the support for this position at her peril. We are proud of our peacekeepers and the role they play in international conflict resolution. Instead of trying to dismantle the triple lock - neutrality protection - it would serve the Government better to invest in our Defence Forces. The greatest asset that we have in our Defence Forces is the men and women who put on the uniform. If the Minister values them, then give them the equipment they need, bring them into the European working time directive and ensure they have the protections other workers have. If she does not believe that this issue is important, then I invite her to put it to the people. If she thinks that she is right - she is not but if she is so convinced - then put it to the people in a referendum. Let the people have their say.

If we needed any more reminding of how much peace means to us as Irish people, we only have to look at the fallout from what is happening with the Ed Sheeran tour. By dropping Macklemore because he stood up for decency and peace, that has set in train repercussions that are being felt all over the world. Irish men and women are standing up with Beoga and Aaron Rowe and saying very clearly, "We value peace, we value decency and we as Irish people value our role in peace and conflict resolution."

Deputy Mairéad Farrell: Hear, hear.

Deputy Louise O'Reilly: The outpouring of support for these artists right across the world tells us that we want to be on the right side of history. We want a government that values that peace. Our neutrality is important. We will stand up for it at every single turn. If the Minister is so convinced of her position, put it to the people and let us have our say.

Deputy Donna McGettigan: I thank my party colleague Deputy Ó Laoghaire for bringing this forward. The blue beret is a symbol of Irish neutrality and peace. It shows that the wearer is an impartial protector of innocent civilians, not a combatant in somebody else's war. We are proud of our neutrality, and we are proud of every Irish man and woman who has served under the blue flag of the UN, keeping the peace in some of the most dangerous places. Since 1958, not a day has passed without an Irish soldier deployed under a UN flag somewhere in the world. That is our tradition and contribution. It is something that we are rightly proud of.

To be clear, any fundamental change to Ireland's foreign and defence policy must have the consent of the Irish people because the Government cannot ask this country to simply trust it. Can we trust the Minister to stand up to powerful figures like Ursula von der Leyen? The Minister cannot be trusted to defend Irish neutrality when it comes to the military use of a civilian airport in Shannon Airport, and now she wants to dismantle the triple lock. Why? Because once that safeguard gone, she is handing future governments a blank cheque, *carte blanche*, to deploy Irish troops into international situations without the same protections and safeguards that have existed up until now. Decades of neglect mean that we need to absolutely invest in our Defence Forces, in the equipment and conditions they need to do their job safely, but the Government cannot allow this to be used as a smoke screen to undermine neutrality.

The triple lock is not an obstacle to Ireland playing its part in the world. It is a protection, and it is part of what has allowed Ireland to maintain its proud tradition of independent, impartial peacekeeping. The evidence points to strong public support for retaining these protections. If the Minister is so certain that the Irish people support dismantling the triple lock, put it to them. Do not make this decision over their heads, because Irish neutrality belongs to the people. Any government that wants to dismantle that should have the courage to ask the people of Ireland for their consent.

Minister for Defence (Deputy Helen McEntee): I move amendment No. 1:

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

notes that:

- the Government reiterates Ireland's longstanding policy of military neutrality;
- Ireland's policy of military neutrality is characterised by non-membership of military alliances or common or mutual defence arrangements, and this policy choice has been practised by successive Governments since the Second World War;
- the Government reaffirms its commitment to this policy and reiterates that it has no plans to either join a military alliance or enter into a mutual defence arrangement;
- in light of the above commitment, the Government does not believe a national referendum on enshrining neutrality into the Constitution is necessary; and

— amending the Triple Lock legislation in relation to the deployment of our Defence Forces to peacekeeping missions will have no impact on this policy of military neutrality, and that no other European Union (EU) Member State, including other neutral Member States, allow permanent Security Council members to bind their hands in the way that the Triple Lock effectively does for Ireland;

recognises that:

— Ireland's long-standing policy of military neutrality, and our strong tradition of participation in international peace support and crisis management operations over many decades;

— members of Ireland's Defence Forces continue to contribute bravely to peacekeeping and crisis management efforts, particularly in the Middle East, as well as elsewhere in the world;

— the multilateral system remains our strongest protection and the State's most important security asset;

— Ireland's contributions to conflict resolution and peacebuilding, and work for human rights and development, and our efforts to promote disarmament and the elimination of weapons of mass destruction, are internationally renowned;

— nevertheless, as a highly globalised country, Ireland cannot rely on our geographic isolation for our security, nor isolate ourselves from world events and should co-operate with neighbours on matters of security including in the maritime domain;

— the importance of parliamentary safeguards and national oversight in ensuring Irish military deployments are in line with our policy of military neutrality, and that they are decided solely by the elected representatives of the people of Ireland; and

— the Government is committed to continued increased investment in defence, with a view to achieving a significantly enhanced capability by 2028, and that the Government has already significantly increased our national defence spending in the past few years, by 43 per cent since 2020, marking the largest increase in Defence funding in the history of the Irish State;

acknowledges that:

— the Government is committed to supporting the global multilateral system, to vocally defending international law, particularly international humanitarian law, and human rights;

— in common with other partners in Europe, Ireland finds itself in an increasingly contested, dynamic and volatile international security environment, marked by violence and conflict in our immediate neighbourhood, including Russia's war of aggression in Ukraine, and conflicts in the Middle East and Africa;

— Ireland needs to be agile in how we respond to the new geopolitical environment that we find ourselves in;

— Ireland should be open to international co-operation to meet genuine security threats and learning from other countries to counter these threats;

— Ireland, therefore, should not find itself unable to respond to Peace Support and Crisis Management Operations that align with the United Nations (UN) Charter and International Law, due to a veto by permanent member(s) of the UN Security Council; and

— this legislation will remove the power of UN Security Council permanent members to veto our national sovereign decisions regarding our participation in peace keeping missions organised by reputable organisations such as the EU and the Organisation for Security and Co-operation in Europe (OSCE) which will also allow for the deployment of Defence Forces personnel overseas in other overseas roles such as the crisis management evacuation of Irish citizens.

At the outset, I join colleagues in offering my best wishes to Deputy Michael Healy-Rae and wish him a speedy recovery. I condemn the appalling act of violence.

I want to begin by thanking our Defence Forces. I thank those who serve at home, but in particular in the context of tonight's debate, those who serve overseas. We are all extremely proud of our Defence Forces and of the sacrifices made by them and their families in the service of peace. For decades, Irish peacekeepers have made life more bearable for some of the most vulnerable people in some of the most challenging environments in the world. They have brought hope, stability and safety. Their work is a practical expression of our values. It is a tradition that everyone in Ireland is immensely proud of, and it is one we have a responsibility to protect. However, that tradition is under threat, and I will explain how because it is very clear from the Opposition that all they intend to do this evening is muddy the waters. I am also very conscious that there are people who will watch or read this debate and look at this issue as it progresses.

The triple lock is the legal mechanism governing the deployment of our Defence Forces on peacekeeping missions. It is not enshrined in our Constitution. It is a legal mechanism that was agreed in this House. To deploy our peacekeepers, our troops, under these current arrangement, three things are required, namely, a UN Security Council mandate, Government or Cabinet approval and Dáil approval. For those who are unaware of the UN Security Council and its role, this is the main body within the UN responsible for maintaining international peace and security. Within that, there are five permanent members of the Security Council, namely, Russia, China, the US, the UK and France, all of which can use a veto - a block, essentially - to prevent the Security Council from taking decisions. This includes those related to both new and ongoing peace missions. In practice, even the threat of a veto, as we are seeing happen, by a permanent member, rather than its actual use, is often enough to prevent the council from taking action.

This is exactly what has been happening for the past number of years. No new peacekeeping mission has been agreed since 2014. They have not been voted on simply because of the threat of a veto. Now, the opposite is happening. Ongoing operations, some of which we have been involved in for decades, are not being renewed. Two recent examples are Operation Irini and, of course, UNIFIL in Lebanon, which we all know about. I will explain both of those in a moment. That is the crux of why we are here. It is not because of the EU Presidency or any other reason.

What does this mean for Ireland - the structure, the triple lock that I have just outlined? I have outlined it because I have spoken to so many people who are still asking, "What is the

triple lock? How does it work? What does the council do? What does this mean?" For Ireland, it essentially means that the Security Council and effectively five member states that are permanent - Russia, China, the US, the UK and France - hold an effective veto over where we send our troops. There is an irony in some of what I have heard here this evening. We know that Members of the Opposition were out protesting at the weekend against Trump's visit and his policies and actions, yet with this motion, they are very happy for the US to continue to have a say in where we send our troops.

8 o'clock

The Opposition talks about us not being part of partnerships and not working with other countries on maritime security or cybersecurity - something we have been doing from some time now, and contributing to, not just benefiting from - yet it believes other countries should dictate where we send our troops. I commend Macklemore and the actions he is taking, but if we are talking about a future peace mission in Gaza that does not have a UN Security Council mandate, our troops cannot participate. We cannot then take our words and put them into action. There is an irony to what is being said here. It is completely contradictory. We are a sovereign country. We should never allow any other country to decide where we send our peacekeepers, but unfortunately this is already happening. That reason and no other is why the triple lock needs to be reformed.

In May, the UN mandate underpinning Operation Irini, a naval mission in the Mediterranean tasked with enforcing the United Nations arms embargo on Libya, was not renewed. Our four defence personnel had to withdraw immediately - they could not stay - but the EU mission continued and 23 other countries stayed. Ireland alone had to leave because of our legal requirement to have UN Security Council approval. Our participation had Government approval. We were contributing. I met three of those personnel because I happened to be in Italy at the time. Not only were they devastated at what they were losing to feed back into our Defence Forces, but what they have contributed over those six years has been significant, yet our outdated law required us to withdraw.

While many people many not have heard of Operation Irini, every single person in this country knows the role we have played as peacekeepers in Lebanon. This is one of the main reasons behind this and its timing. In Lebanon, UNIFIL's operations are due to end on 31 December this year. Why? It is because the UN mandate was not renewed because one of the permanent members did not allow a renewed mandate. After almost five decades of service - 1978 was when our troops were first on the ground - we will no longer be able to contribute to peacekeeping in the Lebanon in the way we have done for many years if the triple lock is not reformed. Yes, the EU is currently working on a new mission in Lebanon, a proposal that Ireland put forward with other countries. When I said that we will be present if a new mission is agreed, we will contribute in some way shape or form but what shape that takes will be determined by whether the triple lock is reformed. Any mission would always have to be consistent with the principles of the UN Charter, international law and the advice of our Defence Forces. While nothing has been agreed, if the current proposal were to go ahead and the triple lock were in place, our participation in this peacekeeping mission would be limited to providing office appointments and training teams. A training mission would then ironically require armed force protection, something that we currently provide on the ground in Lebanon. This is something that our soldiers are trained for but they would not be able to provide it under

the current limitations of the triple lock. I ask the Members opposite to please make this sense. It does not make sense.

I have spoken with so many soldiers in my role, particularly those deploying to Lebanon who told me directly that the opportunity to serve their country overseas and provide this type of service and support is the reason they joined the Defence Forces. If we are to keep things as they are, we would not contribute beyond a handful of personnel training other soldiers and would require other countries' soldiers to provide protection to our trainers. Please, make this make sense. Leaving the triple lock in place would mean having to walk away from our Defence Forces' proud tradition in the Lebanon. It would mean walking away from the peacekeeping efforts which have strengthened our neutrality, not weakened it. I do not believe this is what the people want. The Opposition knows this is the consequence of what it is advocating for, so it needs to be clear in saying if it is what they want.

I want to be very clear on another matter that is being completely conflated here. This Government will preserve Ireland's military neutrality, as every Government has done since the foundation of the State. It is important to our citizens, as the Members have all rightly said. It is important to me as a citizen and as Minister and it is important to this Government too. We share the public's commitment to neutrality. We share that commitment to not joining a military alliance. It is this commitment, rather than the triple lock, that is the basis of our neutrality. We are very clear on that. It has always been clear. We have not suddenly changed things. Our commitment to not joining a military alliance is the basis of our neutrality, not the triple lock. The triple lock is a legal mechanism introduced through these Houses which governs how we deploy our Defence Forces on peacekeeping missions.

We were a neutral country before the triple lock was introduced and we will remain a neutral country no matter what. However, the world has changed. There is no point in saying we should not change just because the world is changing around us. We need to respect and acknowledge the fact that the world is changing. The world has changed since the triple lock was introduced. It was introduced at a time when the UN Security Council was operating effectively but - we have to be honest here - that is no longer the case. To those who say we should reform the UN Security Council and try to reform the UN, I fully agree. The United Nations remains central to our foreign policy. We relentlessly defend its charter, we support its work and we press for those reforms of the Security Council. We are, in fact, known as one of the strongest defenders by the UN of the UN and its objectives, but we all have to be realistic here. Protecting the UN and standing up for multilateralism has nothing to do with allowing other countries to dictate where our forces can serve. That is exactly what is going to happen. It is what is happening already. No other country in the world has this mechanism. We talk about neutral countries. We are a neutral country. That will not change. No other country in the world allows China, Russia, the US, France or the UK to dictate where they send or keep their peacekeeping troops. We need to recognise that. The Opposition needs to recognise that because it is simply trying to muddy the waters.

A genuine commitment to multilateralism and helping some of the most vulnerable people on Earth requires us taking concrete action. It takes us into the real world in which we live. It requires action that allows us to defend our principles and our values, not just in words. We cannot claim to defend international law while retaining rules that force us to abandon vulnerable people and communities in Lebanon. People who depend on peacekeepers need

more than words and expressions of solidarity; they need countries that act. We cannot praise the work of our peacekeepers while refusing to address the barriers that prevent them from serving not in the future, but now. We cannot remain static when the world is changing around us.

This motion is clear. If we maintain the triple lock, even if it means our peacekeeping troops' contribution to Lebanon effectively comes to an end, it means that we are contributing less to the world. We should protect our proud peacekeeping tradition and we will always protect our proud tradition of neutrality. That is why I am commending the Government's countermotion to the House.

Deputy Joanna Byrne: Ireland has lost 88 personnel from the Irish Defence Forces while serving on UN peacekeeping missions since 1958. Among other places, they went to Congo, Cyprus, and, most famously, Lebanon. They all went wearing the blue beret to protect civilians and to preserve peace. They went assured they were upholding international law and in service of the rules-based order. They did not go as part of wars of aggression. They went with a clear mission statement and clear guidelines: to protect the people and to protect the peace. I am very proud of my own godson, Seán, who has just returned this summer from his own stint in Lebanon.

The age of countries formally declaring war on each other is long gone. Putin's special military operation is heading towards its fifth year. The USA never officially declared war on Iraq or Afghanistan but it invaded, killed, occupied for decades and then withdrew. Where there are no clear and definitive laws like the triple lock that must be followed and have the backing of the people, spurious reasons and lies can be used to deploy troops abroad in wars of aggression. The evidence of this is in the tens of thousands of dead Ukrainians, Iraqis and Afghans. This country does not want to be part of any bloc, be it NATO in the West or the Russian sphere of influence in the East that launched these wars. Ireland and the Irish people want this country to remain militarily neutral. If the Minister does not believe that to be the case, as has been said here many times this evening, she should let the people have a referendum to decide because Irish neutrality belongs to the Irish people. She should stop making vague, ambiguous statements about military threats she thinks this country faces. She should state it clearly and address it here. It would serve her better to invest in our Defence Forces and our Defence Forces personnel to ensure they have the numbers, training and equipment to defend this country and to play their part in UN-mandated peacekeeping operations as they have for decades. She should not push Ireland to join the teams of military alliances that do not respect international law or rules-based order because that is where she is trying to drag this country. I urge her to support this motion to protect our neutrality and to safeguard the triple lock. In a world of Ed Sheerans, be a Macklemore; put humanity and peace ahead of war.

Deputy Louis O'Hara: The triple lock neutrality protection is a core part of our independent foreign policy. For decades, our military neutrality and the triple lock have served this State exceptionally well. They have allowed Ireland to play a respected constructive role in international affairs, giving Ireland a strong global reputation for peacekeeping, protecting human rights and supporting disarmament. Our neutrality matters more than ever as global

conflicts grow and major powers ignore international law, yet the Government is determined to tear it down.

Let us be very clear - scrapping the triple lock would represent a massive step towards abandoning Ireland's military neutrality entirely. It opens the door for deeper involvement in foreign military alliances and allows future governments to deploy troops without a UN mandate, exposing Ireland to immense outside pressure and aligning us with the rising tide of militarisation across the European Union.

The triple lock is not just a policy. It was an explicit promise and assurance given to the Irish people by successive Governments during the Nice and Lisbon treaty referendums. To strip away this safeguard now without consulting the Irish people is an attack on our sovereignty and on our democratic process.

The Minister says that this is not about our neutrality. Micheál Martin once said that the triple lock was at the core of our neutrality, so what has changed since? The reality is that nothing has changed. Opinion poll after opinion poll has demonstrated that the Irish people deeply value our military neutrality and want to keep the triple lock intact. Even the backbenchers in government know that this is the wrong move. If the Government is so confident in its position, why hide from the electorate? What not put it to a referendum? That is one thing that the Minister did not address when she spoke. That is the very least that should be required for a decision of this magnitude, but the Government will not do it because it knows the answer it will get, and it knows that the Irish people want to maintain the triple lock and our neutrality. The Government is not serving the interests of the Irish people with this move. It should listen to the people and let the public have their say on the triple lock.

Deputy Sorca Clarke: There are many aspects to this debate that I find deeply concerning but there is one that really irks me. Neutrality does not mean being defenceless, a fact that this and previous Governments have deliberately blurred. The triple block is about circumstances where Defence Forces personnel can be deployed overseas: UN mandate, Government decision and Dáil approval for significant deployments. It does not stop Ireland defending our airspace. It does not stop us from protecting our territorial waters or our critical infrastructure and nor does it stop investment in radar, cybersecurity or maritime surveillance. It certainly did not cause the decades of underinvestment in our Defence Forces. The responsibility for that lies squarely with successive Fianna Fáil and Fine Gael Governments.

If the Government is genuinely concerned about Ireland's security, then deal with the known and emerging vulnerabilities that we have. Properly resource our Defence Forces. Retain our skilled personnel that we train. Rebuild our Naval Service. Develop the air, maritime, radar and cyber capabilities that every modern nation needs.

Neutrality also does not mean being isolationist, yet at a time when the Government is considering deeper involvement with other military structures, removing a safeguard like the triple lock that governs overseas deployment deserves far more scrutiny than what the Government appears willing to give it. I find that incredibly telling. The triple lock has not prevented generations of Irish peacekeepers serving with distinction around the world. It has not prevented humanitarian missions or the evacuation of Irish citizens. Does the Minister know what has prevented the evacuation of Irish citizens? It is our Defence Forces not having

the capability to get to that country to get our citizens out. It is also not what has left those massive gaps in our national defence. Again, that is Fianna Fáil and Fine Gael.

If the Government wants to fundamentally alter the safeguards around our neutrality, then it should stand up, put on the big boy and girl pants and ask the people of Ireland. Put it to a referendum.

Deputy Maurice Quinlivan: Neutrality and our triple lock have served us well and should continue to do so. The Irish people are proud of our history of neutrality, diplomacy and peacekeeping. We are particularly proud of our Defence Forces and the role they have played as peacekeepers in some of the most dangerous conflict zones in the world. In deployments in Europe, Africa and Lebanon, they have done us all proud.

I am opposed to the steps being taken by Fianna Fáil and Fine Gael to end the triple lock on our neutrality protection. Moves to end our triple lock requirements are being made by this Government at a time of growing international conflict and at a time when pressures are being deployed across Europe to increase military spending. This is not a time for us to weaken our traditions of neutrality and the triple lock requirements for the deployment of Irish men and women to conflict zones.

Our neutrality is fundamental to our foreign policy and an extremely important aspect of that is the checks required under the triple lock system. Our neutrality and the reputation of our Defence Forces abroad are part of the reasons the Irish passport is one of the most respected across the globe, allowing us access to 186 countries. Generally, our Defence Forces can operate in conflict zones where other militaries attached to defence pacts cannot do so. This is because of our neutrality and the professionalism of our peacekeepers, and has allowed us to assist in both current and post-humanitarian missions.

I will remind the Minister of some of the text of the Seville declarations from June 2002 after Ireland rejected the Nice treaty in 2001.

Ireland reiterates that the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under the European security and defence policy, requires (a) the authorisation of the operation by the Security Council or the General Assembly of the United Nations, (b) the agreement of the Irish Government and (c) the approval of Dáil Éireann, in accordance with Irish law.

This was won because of two referendums that were initially defeated and these words we came back with need to be protected.

Deputy Cathy Bennett: Many people are deeply concerned regarding the Government's proposal to remove the triple lock neutrality protection, and with good reason. This insincere amendment brought forward by the Government cuts to the heart of why, as it is wholly at odds with reality, Government policy and the Government's own statements.

The Minister says that gutting the triple lock will not have any impact on the policy of military neutrality. As she is the Minister for Defence and the Minister for foreign affairs, I ask her to look at the Department of foreign affair's website, which clearly states that our EU partners understand our policy of military neutrality through the protocol attached to the Lisbon

treaty. That protocol is the triple lock codified. The Minister's amendment states that the triple lock is not a determination or an expression of our neutrality. Why then is the aforementioned reference to it listed on the Department's website under the heading "neutrality". Of course, An Taoiseach famously said in 2013 that the triple lock was at the core of our neutrality. An Taoiseach and the Minister for foreign affairs, representing the parties of Fianna Fáil and Fine Gael, which are joined at the hip, should have confidence in their proposal, put it before the Irish people and call for a referendum. It is the very least that they can do. They should also correct the record and account for whether they are telling the truth because these statements are contradictory to what is on the Government's website. It cannot be both and the Irish people deserve honesty from their Government.

Deputy Sinéad Gibney: I thank Sinn Féin for bringing forward this vital motion. This is the most important issue that will be discussed in the Dáil in the coming months, and it is crucial that we have honest conversations about it.

The Minister used the phrase "muddy the waters" throughout her speech. All of the mud that flows into the water of this debate is coming from the Government's side of the House. All of the disconnect from reality is emanating from the Government's benches. Every time that I contribute on this issue, I have to start with the disconnect that is most prescient, which is that the Government continues to hold that the removal of the triple lock - its legislation is removal, not reform - will allow it to maintain a position of neutrality. That is not a feasible argument. It is not viable, and it is not a starting point by which we can have any kind of reasonable debate, so we must call that out immediately.

One of the things that I want to focus on, which is highlighted in this motion, is the neglect of the Defence Forces. Other colleagues have mentioned it. Again, one side of the House is responsible for the neglect of the Defence Forces, and it is the current Government and its parties in successive Governments. It is not the fault of the triple lock. It is certainly not the fault of the Opposition that the Defence Forces are in the state that they are in now. We support the level of funding that will allow us to build back up retention and recruitment, deal with the cultural issues that we have heard about from the Women of Honour, and get ourselves back to the capacity that we need to be at to have our naval fleet up and running, have sonar running and have the radar capacity that we need. It is the Government that is responsible.

At this stage of the debate, I am beginning to think that this is from the Thatcherite playbook of run it into the ground so that the Government can then fix it as it sees fit, except this time it is not the privatisation of a water company. Rather, it is the removal of neutrality as a core principle of our foreign policy that it is trying to ram through.

That is the reality we are dealing with and we have to call out the disingenuous way the Minister is polluting the waters of this debate.

I would like to check the time because I thought I had four minutes.

An Cathaoirleach Gníomhach (Deputy Keira Keogh): The Deputy has one minute and 40 seconds left.

Deputy Sinéad Gibney: The other part of this I really have to call out is the Minister's depiction of Europe because I have continuously called out that we are on a path toward militarisation in Europe. I have attended two events this week where representatives of the Government have said that Europe is the most important peace project in the history of the world, which I fully agree with, but it is not right now because of what is happening, including increased spending on defence and restructuring of financial frameworks towards defence spending.

There was a headline today on *thejournal.ie* that said, "Ireland losing out financially as Europe ramps up defence spending, minister admits". That is referring to the Minister for Defence's colleague, Deputy Thomas Byrne. I agree with it but his response is not to bring our neutral stance to Europe to criticise that. His is to say that we need to foster and develop that industry here. That is not in line with our policy of neutrality, and that is not what the Irish people want. I want to support indigenous business but not to create bullets that are going to kill people across the world-----

Deputy Helen McEntee: That is not what we are doing.

Deputy Sinéad Gibney: ----- or drones. He said it is not all about weapons, it is about drones.

Deputy Helen McEntee: Talk facts now. Talk facts.

Deputy Sinéad Gibney: As if drone warfare has not been the scourge of the Middle East for the past number of decades.

Deputy Helen McEntee: The Deputy just said bullets. There is a big difference between drones and bullets.

Deputy Sinéad Gibney: Exactly, but that is what I am saying.

Deputy Richard Boyd Barrett: Not these days.

Deputy Sinéad Gibney: They all kill people. Regardless, it is not where we need to be. We need to be fostering an indigenous Irish business sector that is not creating weapons or anything adjacent to weapons. This is what I am trying to say. The Minister is denying the reality that this is what is happening, that there is a military industrial complex and that multiple economies in Europe are propped up entirely or partially by arms development. As long as she continues to deny that, everything she says is disingenuous. She is the one who is muddying the waters.

Deputy Gary Gannon: It was an interesting line the Minister kept referring to in her contribution as she patronisingly looked across to the Opposition and said, "Make that make sense." I want to talk her through some things that potentially will not make sense but let us see if I am misinforming the House about any one part of it.

In June 2001, Irish voters rejected the Nice treaty. Most of the concerns raised during that campaign referred to neutrality and a fear among the population of increased participation in military campaigns. In June 2002, we had the Seville declaration, which I very rarely hear any member of Government talk about. After that European Council meeting, the Irish Government issued its national declaration on neutrality. In that declaration that the Government gave as a solemn promise to the Irish people. We brought forward the triple lock as a guarantee in advance of the second Nice referendum. That referendum then passed based on the guarantees that were given in the Seville declaration. I hope that makes sense.

That was further compounded in 2006 with the Defence (Amendment) Act, which consolidated the rules and made specific reference to the triple lock, which was brought forward in advance, again, of the Lisbon treaty, which was in the first case rejected by the Irish people again because of participation in increased military alignments and campaigns, but those fears were once again assuaged in the second referendum precisely because of reference to the triple lock.

It does not make sense to me that any government would not see itself as a custodian of the promises that were made to the people less than a mere 20 years ago in our adult lifetimes. I voted in 2009 based on those commitments given. The crux of the issue is that we actually gave the triple lock as a promise to the Irish people. If the Minister feels there are strong arguments for it to be changed, surely it is incumbent on her to go back to the Irish people and ask for approval and consent. In the absence of that, this just seems not to be just a promise broken but it brings us down a very dark path.

The Minister might say that the world has changed but these commitments were given after 2001. The world very much changed in 2001 yet Irish people were still very much opposed to and rejected the idea of participation in military conflicts without the security of the triple lock. That is where there is an element of not just muddying the waters but actually just giving up on the responsibilities of a promise that was given.

One of the first motions that the Social Democrats and Deputy Gibney tabled at the beginning of this Dáil was to ask for a referendum. We used the slogan: "Put it to the people." If the Minister believes her arguments are strong, why would she fear having them endorsed by the Irish people? It was those very same arguments that gave the commitment and confidence to them to pass two referendums. This is an antidemocratic position. It was fortified during the summer when I heard Fianna Fáil backbenchers talking about their concerns about the removal of the triple lock in full knowledge that those they would be whipped in here to vote for it. That is my fear. We are heading into very dark times but it is precisely our neutrality and our strengths of conviction on the UN that has given us our special place in the world.

There is also this belief that it is our triple lock and our neutrality that undermines our capacity to have defensive resilience when it comes to improving our Defence forces, including our Naval Service and radar capacity. That is actually just a Government failure. There is nobody across this House who would not see increased investment as something we would all support but this just has an element of shadiness to it.

Two referendums passed because of a commitment given on the triple lock. That Seville declaration matters. It has to carry weight. The Minister is a custodian of that promise and the

fact that the Government is changing this by forcing backbenchers, some against their will, to vote for it is precisely the reason we need it. That is why I and the Social Democrats are strongly advocating that the Minister simply asks the question of the Irish people. Do those commitments no longer stand given what the Minister believes is a change in world dynamics that is somehow different from the chaos that followed 2001? Outside of that, it is actually just sleeven politics, which enables a scenario where there is simply no trust because the Government is breaking a promise.

Deputy Rory Hearne: I want to continue where my two colleagues left off and highlight that the Minister's tone was quite condescending. She said, "Make it make sense", as if what we were saying was unfounded, was ridiculous and it was quite demeaning coming from a Minister. When she talks about things that make sense, it was the Taoiseach she voted for who said in 2013 that the triple lock was "core" to our neutrality. Make that make sense. Yet, she just bats it away. We know, as the opinion polls show, that 71% of the people agree that Ireland's neutrality should be added to the Constitution. People are very clear. They value it. They want our neutrality maintained and that was the promise that the Minister and others made and committed to the Irish people.

She also talks about defending peace and international law, and for things to make sense. What does not make sense is putting in place an occupied territories Bill that does not include services. Make that make sense, when she is not actually putting in place and following the genocide law that should be applied to Israel. However, she is not prepared to do that.

Ireland has a long history of standing up for peace and against war. Tá stair fhada ag Éire agus í ag seasamh ar son na síochána agus i gcoinne an chogaidh. Ba cheart dúinn a bheith bródúil as ár neodracht thar na mblianta. We should be and we are proud of our history of neutrality. We should, as a country, be continuing to push for peace and not militarisation by working and supporting the United Nations and pushing the European Union and other institutions to resolve conflicts through negotiation, to respect the human rights of everyone, but we are not. We are moving along with the militarisation agenda, the ramping up of military spending.

Let us be very clear about who is pushing this. In 2015, the NATO secretary general, Mark Rutte spoke to the European Parliament's committee on foreign affairs. He said very clearly that he wanted the European Union to be spending more on defence. We know Trump wants the European Union to be spending more on defence. What is the push at a EU level to be spending more on defence and creating a European military industrial complex? Who benefits and who loses? Mark Rutte made it very clear. He said:

...spending more on defence means spending less on other priorities ... On average, European countries easily spend up to a quarter of their national income on pensions, health and social security systems, and we need only a small fraction of that money to make defence much stronger ... We ... need to quickly ramp up the production of crucial assets and capabilities, including ships, tanks, jets, ammunition, satellites and drones.

This is not what Ireland should be promoting. We should be investing in our people's well-being and the health and housing of people across Europe, not weapons of death, and retaining our neutrality is central to that.

Deputy Conor Sheehan: Tá an-áthas orm labhairt faoin rún seo anocht. Tugaim féin agus Páirtí an Lucht Oibre tacaíocht don rún seo. Táim an-bhródúil as ár dtraidisiún maidir leis an neodracht sa tír seo. Nuair a fhéachaim ar Aerfort na Sionainne agus ar an méid atá ag tarlú le blianta anuas maidir leis, ba cheart go gcuirfeadh sé náire ar an Rialtas.

It is clear that there is widespread support for our tradition of military neutrality. One need only to look at an opinion poll to see that. My concern around the triple lock does not relate so much to what this Government might do to lift the triple lock but to what any potential future government might do once we have removed the guardrails. We have seen this. We have seen a real shift towards militarism in the European Union. I would almost describe there being permanent fear-driven rhetoric, particularly from the Commission and the Commission President. As a party, we are deeply committed to our military neutrality. We have never wavered over that. As far back as 2002, the Labour Party proposed wording on a constitutional amendment to enshrine neutrality in our Constitution.

As the motion before us states, the world of the 2020s is less stable, more violent and much more unpredictable than we have seen in any of our lifetimes. We are all too familiar with that reality. We can look at the brutal and imperialistic invasion of Ukraine by Russia, the genocidal assault on Gaza by Israel, the horrific civil war and the illegal and nonsensical attacks on Iran by America and Israel. It was not lost on me last Saturday when the American President was here that some of the people who frequently, and quite rightly, stand up in this House and complain about diesel costing more than €2 per litre lined up early last Saturday morning to welcome the man who is the cause of diesel costing more than €2 per litre.

Deputy Richard Boyd Barrett: Quite right.

Deputy Conor Sheehan: This country should not be politically neutral in the face of illegal wars, whether they occur in the Middle East or Ukraine. I do not believe we ever have been. However, in this more unstable, unpredictable, dangerous and violent world, our military neutrality is more important than ever. It has deep support among the Irish people. Every opinion poll states that. It has been a centrepiece of our foreign policy since the Second World War. It has enabled us to play a unique role on the world stage. It has been an act of neutrality. It has allowed this small European country to contribute to international peace through diplomacy, the promotion of international law, humanitarian action and peacekeeping. It has not just been a moral good; it has also been successful strategically in that it has kept us safe while empowering us to play an important international role.

The success of our peacekeepers and the high regard in which they have been held internationally is because of our neutrality. It gives legitimacy and protection to our troops overseas, who wear the blue beret of the UN and carry the approval of the international community and international law. That is why I believe the maintenance of the triple lock is essential. Removing it in the absence of a constitutional provision on neutrality will leave our military neutrality hanging on the whims of any government of any day, and that is my concern.

Even if we take the Government at its word that the move to scrap the triple lock will have no impact on our neutrality, there must be a cognition that a potential future government, in the years and decades ahead, perhaps at a time beyond which any of us will still be standing here,

will have free rein over our neutrality. That is probably why the Taoiseach himself in a previous life described the triple lock as "the core of our neutrality".

When the Government argues that the world is a more dangerous place, I agree. That is pretty obvious. However, I do not agree with the Government's proposed answer, which is to scrap the triple lock, chip away at our neutrality and open the door to military alliances. I am concerned about the proposed arrangement to act as a tailored partner or shadow member of the Joint Expeditionary Force Plus, JEF+. I can see how that is like an extension of NATO. It brings us further into the realm of militarism. In a more dangerous world, with international law being undermined in so many different theatres, our neutrality and the credibility it gives us is so important. Now is the time to double down on that, and on diplomatic and multilateral approaches, and to fall in behind the fundamental principle of international law. That is why I do not believe that rowing in behind militarism and embracing a world that is sorting itself into rival blocs will keep us safer.

Let us have a proper debate on the UN and its flaws. We in the Labour Party accept that there are flaws and that they are deep. Let us have that discussion and spell out how best we can help to organise the reform of the institution. I do not believe we have had that debate.

We should also be clear that the biggest danger to our national security is the persistent failure over many years of successive Governments to properly resource our Defence Forces and national security infrastructure. Look at the spending of 0.2% of GDP. Look at the depleted Naval Service. We in the Labour Party are deeply committed, as I said, to neutrality. However, we are clear that it cannot mean passivity with respect to our defence capabilities. There is no contradiction between neutrality and properly investing in and resourcing our Defence Forces. On the contrary, our military neutrality must be protected and our sovereignty safeguarded through investment in our own defence. Our persistent failure to do that for many years has left us in a position of reliance on our neighbours in Britain, France and elsewhere to fulfil what should be some fairly basic functions of national defence. Those of us on this side of the neutrality debate need to be clear that those failures to resource our own defences do not enhance our neutrality but leave it more vulnerable.

I am glad that the motion mentions the Defence Forces because they are in crisis. In February this year, numbers in the Defence Forces stood at 20% below its establishment strength of 9,739. The immediate priority needs to be a workforce strategy to meet the current agreed strength of 9,600 and in the medium term, we believe we need to grow that by a further 2,000. It is no wonder that recruitment and retention is such a chronic issue. The housing crisis permeates the Defence Forces, as it does all sectors of society. There has been continued failure on pay and conditions and the non-implementation of the working time directive. That is where the priority should lie.

We need to see proper investment in capabilities that will allow our defence forces to meet the threats of today. These threats include maritime threats to undersea cables or energy interconnectors, drone threats on and off our shoreline, and attacks in cyberspace. We in the Labour Party have repeatedly said that we would prioritise the purchase of maritime drones and primary radar. We would increase funding of the National Cyber Security Centre by 50% because continued outsourcing of our defence leaves us more vulnerable.

Of course our relationship with friendly states such as France and Britain should extend to properly managed and resourced intelligence sharing, joint monitoring and the protection of critical infrastructure. That practical co-operation will and should continue. Anyone suggesting we can operate in isolation is ignorant of the scale of the challenge we face. However, regardless of whether we are talking about JEF+ or any prospective European defence pact, co-operation cannot be allowed to become a cover for mission creep. We will never accept any drift toward a binding military alliance that would destroy our independent foreign policy. It would be unacceptable to us and, I believe, unacceptable to the Irish people. If our neutrality was ever undermined in that way, it is not something that the people of this country would protect.

I am very happy to speak in support of this motion tonight. If the Government is so confident in relation to lifting the triple lock - if those in government really believe that is the right thing to do and they believe they can win the argument on lifting or amending it - let us actually have a public debate on it. Let us have a referendum on it. Let us actually put the question to the people.

An Cathaoirleach Gníomhach (Deputy Keira Keogh): Deputies from the Independent and Parties Technical Group are sharing time. I call Deputy Ward.

Deputy Charles Ward: I thank Deputy Ó Laoghaire and his colleagues in Sinn Féin for bringing forward this motion. I have said before and I will say again that it has never been more important to maintain our neutrality than it is right now. From Gaza to Ukraine, and from Sudan to the escalating tensions in Iran and the wider Middle East, we are facing an era of overlapping conflict, instability and displacement. Humanitarian crisis has now become the norm. The disabling effects of these conflicts are contributing greatly to global and regional instability, and we are now seeing it in Ireland. Ireland's independent, trusted, neutral voice is now vital. We have a unique opportunity to facilitate and advocate for peace in the unpredictable international environment we are currently going through. We can be the peacekeepers. We can have a voice, but if we continue on the path that the Government is taking, we will not. Abandoning neutrality only serves to facilitate wars. It does nothing to support victims of conflict.

According to the International Committee of the Red Cross, approximately 130 armed conflicts are raging today, which is twice as many as 15 years ago. Wars are lasting longer and growing more complex. Drones and bullets have one thing in common: they do not discriminate; they kill. Millions of people have had their lives shattered by conflict. Instead of supporting all efforts towards peace and resolution for these people, this Government and successive Fianna Fáil and Fine Gael Governments have instead chosen to erode Irish neutrality bit by bit and to cheapen it over the years. I am disgusted by this Government's determination to remove the triple lock by the end of the year as part of the Defence (Amendment) Bill 2026. It is shameful to do this without consulting the people of Ireland, who are very proud supporters of the triple lock and who feel profoundly betrayed that their voice is not being heard. It is also a departure from the values of the Taoiseach and Fianna Fáil and the commitments they made just six years ago. The party's 2020 manifesto stated, "Fianna Fáil reaffirms its commitment to the retention of the triple lock." Well, how quickly that changed. It did not take long for Fianna

Fáil to completely abandon its commitments after a few years in government, although I can hardly be surprised at the shape and the way things are going.

The Irish people do not want to get rid of the triple lock. They have long valued and supported the policy of neutrality. This is an issue of national importance. I urge the Minister to ensure the public has a say. I urge her to stand firm on Ireland's neutrality, a position which has been shaped by our anticolonial history and is a source of real pride. The people have the right to have their voice heard. Let the people have their vote, because the Minister knows what the result will be.

Deputy Seamus Healy: I welcome and support this motion brought forward by Sinn Féin in support of the triple lock and neutrality. There are no Fianna Fáil TDs here, but the fact of the matter is that Fianna Fáil TDs have the power to stop the abolition of the triple lock. The triple lock is Fianna Fáil. The triple lock is Fianna Fáil history. Éamon de Valera, a founder member of Fianna Fáil, a Fianna Fáil Taoiseach and a Fianna Fáil President put "the [peaceful] settlement of international disputes by international arbitration or judicial determination" into Article 29 of Bunreacht na hÉireann. Éamon de Valera declared Irish neutrality in 1939. Bertie Ahern, a Fianna Fáil Taoiseach, put the triple lock into the Nice II treaty. Brian Cowen, a Fianna Fáil Taoiseach, put the triple lock into the Lisbon II treaty. Bertie Ahern now says he is opposed to the abolition of the triple lock. Éamon Ó Cuív, a former Fianna Fáil Minister and a former deputy leader of Fianna Fáil, says he is opposed to the abolition of the triple lock. Willie O'Dea, a former Fianna Fáil Minister, says he is opposed to the abolition of the triple lock. I am told that 20 Fianna Fáil TDs say they are opposed to the abolition of the triple lock. Even the current Taoiseach said in 2013 that the triple lock is "the core of [Irish] neutrality". Are Fianna Fáil TDs going to stand up and be counted? Are they going to stand up for their own history? Are Fianna Fáil TDs going to decide if the triple lock stays or goes? They have the power to do that. Remember, the triple lock has been endorsed by the sovereign Irish people in two referendums and has been included as a solemn declaration in the Nice and Lisbon treaties. The triple lock has served us well. I call on all Fianna Fáil TDs to come into this House next week - they have a week to mull over this - and vote against the Government counter-motion. They will be voting for Fianna Fáil history if they do so.

Deputy Richard Boyd Barrett: This whole debate, to my mind, turns on what you say neutrality is. Irish neutrality is not about being indifferent. It is not about not taking sides. It is about never standing with empires and always standing with the oppressed and those who resist empires. This tradition goes back to Wolfe Tone, the first person to enunciate the idea of Irish neutrality, and to James Connolly, Constance Markievicz and Pearse who set up the Irish Neutrality League in 1914 at the outbreak of the First World War to oppose both sides in that war and to say, "Neither king nor kaiser." Who do I trust with that tradition of neutrality? That is the real tradition, and that is the tradition that people in this country support. I trust Aaron Rowe and Beoga, the Irish artists and musicians who in a selfless, brave and courageous act decided to drop out of Ed Sheeran's US tour in solidarity with the people of Palestine. It is worth noting the words Aaron Rowe used to explain his decision. He said he was doing it to honour this country's tradition of opposition to colonisation, oppression, genocide, enforced famine and occupation. Now that is a real understanding of what Irish neutrality means. It is about opposition to empires, oppression and colonisation and standing with those who oppose

it. Now, do I trust the Irish Government in that regard, with what it says is its commitment to Irish neutrality? No, I do not.

The most recent evidence is the visit of Donald Trump to this country. Donald Trump, in a speech in the US Embassy that nobody seems to have focused on, waxed lyrical about the use of American weapons systems and arms in Venezuela, an illegal attack on a sovereign nation. He was absolutely explicit; it was disgusting. He boasted about the use of American weapons to illegally attack that country and then talked about all the oil. He said the US was getting along great with the people and Venezuela was so happy now; the big oil companies are moving in and starting to drill. He was absolutely explicit, saying that the US uses its weapons to attack countries and take their oil, but the Government invited him into this country, rolled out the red carpet for him and treated him as if he was not an imperial monster, although the Government is happy to say that about Putin, who is an imperial monster.

An Cathaoirleach Gníomhach (Deputy Keira Keogh): The Deputy is sharing time with Deputy Stanley.

Deputy Richard Boyd Barrett: I am sorry; I did not realise Deputy Stanley was here.

Deputy Brian Stanley: The Deputy is okay. I refer to the fact that we are here having to put down motions like this to try to counter the moves being taken by the Government. It is a sad day that this has to happen. As a member of the defence and national security committee, we have been around this and it is clear what is being mooted here by the Government.

Neutrality was never more important, given the instability in the world, the level of conflict and the warmongering by imperial powers and former imperial powers. Despite being a relatively small country, neutrality has given us credibility internationally. We have played a positive role diplomatically and, from a military point of view, in peacekeeping, etc. Being neutral and having the triple lock does not prevent us in any way from deploying our Defence Forces personnel overseas on rescue missions or for humanitarian purposes. The Minister confirmed that to me in the committee just a few short months ago. This can be done without a UN mandate and does not limit the number we need to deploy.

The triple lock is key to our neutral status. Solemn national declarations were attached to both the Lisbon and Nice treaties by the then Fianna Fáil Government to get both treaties passed on the second attempt, which was successful from the Government's point of view. Now, the Government is proposing to tear them up. This is a denial of democracy and a slap in the face for the Irish people. If Fianna Fáil and Fine Gael want to abolish the triple lock, then put it to a referendum of the people because they voted on this twice.

Fianna Fáil and Fine Gael have consistently worked to undermine our neutrality. We hear pronouncements that we are not members of NATO but the NATO chiefs are quite happy because they know we have joined so many partnerships and alliances at this stage that we are there all but in name. That has happened over the past two decades. Of course we should have sensible co-operation, particularly with neighbouring states. That has to happen and it can be done by neutral states but entering into alliances is a different matter.

The latest moves to undermine our neutrality were reported comments by the Minister that Ireland could engage in overseas deployments that did not have UN approval. Also, the Minister needs to confirm reports that she has directed officials to plan for Irish participation in the British-led joint expeditionary forces. The Government needs to come out and clarify that. Any such proposal should be brought before the Dáil.

Instead of ever closer involvement in all sorts of alliances at a regional level, the Government should work with other neutral states and unaligned states, of which there are dozens, to establish the primacy of multilateralism and re-establish and strengthen the UN. Ireland, as a neutral country, should not be bound tightly to those imperial powers and former imperial powers that have made huge attempts to undermine the United Nations and all attempts at peace and multilateralism. The Government's position is that the Dáil and Cabinet would still have a say. The Minister knows what will happen.

An Cathaoirleach Gníomhach (Deputy Keira Keogh): Go raibh maith agat, Deputy. Your time is up.

Deputy Brian Stanley: The TDs on the Fianna Fáil and Fine Gael benches will be whipped to vote by the decision of the 15 members of the Cabinet and that is democracy out the window. If the Government is going to do away with neutrality, it needs to bring it before the people.

Deputy Peadar Tóibín: Ireland has had a proud history of neutrality for many long years. A record built on our own peace process, the missionaries who helped build hospitals and schools around the world, our role as a UN peacekeeping country, our campaign for nuclear non-proliferation, and our support for decolonisation across the world gives us, internationally, a recognised reputation as an honest broker. That is very hard to achieve and it is also a very unique reputation. Our history of neutrality goes back many years, as has been mentioned - back to Wolfe Tone, Daniel O'Connell and James Connolly. They all advocated neutrality to strengthen Irish independence and self-determination and also to prevent militarism.

We should be using that reputation as a catalyst for peace. We should be actively neutral and courageous in our non-aggressive engagement around the world. Look at Norway, for example. Norway created the Oslo peace accord. It used its position in such a manner as to bring two warring factions to the table to see if they could create peace.

Small countries have long been sceptical of military blocs. Military blocs develop their military actions just to advance their own national interests and economic objectives. When a small country joins a military bloc, it usually has very little say over the decisions that are made by that military bloc, yet it has to populate those armies with its young men and women. So, too, would it be with Ireland if we joined a military bloc. We would have to send our children to wars and we would have very little say over the development of those wars.

It is important to remember as well that in world affairs, war is often packaged as peace. "Peace" is often a euphemism. Some 600,000 people were killed in the Iraq war in the name of peace. The US war in Iraq was a perfect example of this. The whole issue with war is that the first casualty of it is often the truth. I am old enough to remember the statements of the American Government that there were weapons of mass destruction in Iraq. On that basis, that

country went to war with Iraq and it led to the destruction of hundreds of thousands of lives and decades of damaging instability in the region.

Every week, we hear of a drone incursion in some part of the EU. Every week, we are told it is believed that Russia is behind those drone incursions but we are never given any evidence of this. It may well be the case that Russia is behind those actions but one thing we have learned from Iraq is that if we are to make decisions on policy, those decisions should be made on evidence, yet the Government has provided no evidence. In fact, I will show the actions of the EU. In 2022, serious explosions damaged the Nord Stream pipeline, causing gas leaks into the Baltic Sea. The EU leadership was very strong in pointing its finger at Russia in regard to that. Today, the investigations have led to the arrests of a number of Ukrainian operatives in relation to it. That highlights even more the necessity for evidence to be used as the basis for policy. The EU war drums are getting louder. The EU hawks are currently beating the war drums and the Government is very happy to dance to their particular tune.

In relation to our own defences, two weeks ago, I think we witnessed one of the lowest points of this Government with regard to defence. I ask Deputies to picture this for a second: the Minister talking tough on defence, while at the same time, a Royal Navy ship and helicopters were used to provide security for the EU ministers' meeting she was having. It is incredible. You could not better juxtapose two images that spoke more about the fact that this Government has done nothing to protect this country in regard to our military over the past while. If the Minister put a beret on, she would have appeared like Comical Ali - a situation where she was talking tough on defence but depending on another country to provide military support to defend this country. If the Government had any self-awareness, it would have been mortified by that situation, but it does not.

When Fine Gael came to power in 2011, the strength of the Irish Defence Forces was 9,650. It is now 7,767. The navy had eight functional ships; now it has fewer than four. Fine Gael is the biggest threat to Irish security by far.

9 o'clock

Unless we get serious about it, this Government is in big danger of leading to our security being breached.

An Cathaoirleach Gníomhach (Deputy Conor Sheehan): The Deputy is over time.

Deputy Peadar Tóibín: I thought I had more time than that, but I bow to the Cathaoirleach Gníomhach.

An Cathaoirleach Gníomhach (Deputy Conor Sheehan): Deputy Gogarty is due to be next, though Deputy O'Flynn is not here.

Deputy Paul Nicholas Gogarty: I do not mind letting Deputy Tóibín continue because I think Deputy O'Flynn might not be coming. I will give Deputy Tóibín another minute.

Deputy Peadar Tóibín: Gabhaim buíochas leis an Teachta faoi sin.

The cyberattack is another example. In the year the country suffered a cyberattack on our health service, the press department of the Department of the Taoiseach received more funding than the National Cyber Security Centre. That led to €100 million in costs and many people's healthcare services being significantly disrupted.

The triple lock is part of the Nice II referendum. Every house in the country had a leaflet put in their door. If this Government wants to change the triple lock, it has a moral and democratic responsibility to go to the people in relation to that decision.

Deputy Paul Nicholas Gogarty: As others have said, neutrality has been part of who we are for centuries. Since the 1960s our nonaligned stance has allowed us to act as a moral honest broker, an advocate for peace and a supporter of proper humanitarian legal systems on the world stage. As an Independent TD, I believe we must protect that legacy but real neutrality is not free and being militarily neutral does not mean you do not take sides when evil things are being done, as they are in Gaza, in Ukraine and in other conflicts around the world, and as they were in previous conflicts. These conflicts are ones we have not supported or contributed to, except by searching for peace or through brave Irish men and women trying to keep the peace.

Neutrality cannot mean isolation and it cannot mean being completely defenceless. For too long, successive governments and some Opposition parties have used neutrality as a convenient excuse to neglect our armed forces. We cannot protect our sovereign territory, our international waters or indeed our economic zone with platitudes. We must look at the reality of modern security threats. I am thinking of subsea cable monitoring and the boats that are hanging over, which could clip them in 30 minutes, the ongoing cyberwarfare, the trolls online trying to discredit our democratic system, the misinformation being spread and the ability to take out whole grids. That is a power belonging to some of the nefarious state and non-state operators. These and other sinister actions, like the explosions on the Ukrainian border recently, impact directly on Ireland whether we like it or not, so we have to invest seriously in our defence. We have to properly resource our Defence Forces, rebuild our Naval Service in particular and develop decent radar capabilities and proper deterrence against attacks. Obviously we are not going to be able to compete against an overwhelming military force and we would likely have to get into a war of attrition and a guerilla-type campaign but we should not be easily intimidated in our airspace, in our waters or on our land. If we do not invest in defending this critical infrastructure, it does not mean we are being neutral, it just means we are being vulnerable. As we have seen in media reports we are often relying, for this EU Presidency period, on foreign militaries to bail us out, using little tweaks so as not to breach our Constitution.

There is an argument that being neutral also means we have to engage internationally with other forces when our security is threatened. If we are looking for this *quid pro quo* where our security depends on co-operation with other countries while we are not part of an aggressive military alliance and not taking sides in any operations, we need to get involved in some types of missions. Historically that meant the UN missions which are tied up now due to the Security Council dysfunction I will refer to in a moment. Taking the joint expeditionary force that was referenced, we have to be very cautious about these types of arrangements but I cannot blindly condemn it when it is going to give us intelligence-sharing to monitor our seas and we have an observer status, which is not joining an alliance. We can co-operate with countries and take part in certain types of operations while maintaining our neutral stance. That is possible but

caveats have to be spelt out in terms of where we draw the line and a lot of us in Opposition groupings, including me, are cynical about whether that alliance is always going to be adhered to.

I agree we need to safeguard neutrality while becoming militarily self-reliant. However, crucially and with respect to this motion in particular, we need to fix how we authorise our troops' deployment as peacekeepers because, as I have said here before, the triple lock is broken. It served us well in the past but now it is just a concept because the third lock, which is the United Nations Security Council, is not fixable any time soon. It is very ironic that our sovereign foreign policy is currently vetoed by autocracies and global powers with their own geopolitical agendas which are aggressive in some cases, such as with Russia, or suspicious as with China, and then there is the United States. These countries should not be holding a veto over where Irish peacekeepers, with their proud history of nonaggression and fighting for peace, can deploy. Leaving our defence policy at the mercy of a dysfunctional Security Council does not protect our neutrality; it gives away our sovereignty. However, I agree with my colleagues in opposition that we need a triple lock, though the question is what type. I am open to suggestion but my view is we should replace the UN veto with a requirement for an 80% supermajority in the Dáil and Seanad so four fifths of the Houses must agree before deploying troops. That is another lock that would ensure the government of the day could not abuse our military or casually drag us into foreign conflicts. It would need an overwhelming cross-party consensus. I also believe that if some of our EU partners like Poland or the Baltic states were ever attacked aggressively by the likes of Russia, I do not think we can or should be neutral. That is my opinion, respecting our historical context.

Deputy Carol Nolan: Tá áthas orm labhairt ar an rún seo agus beidh mé ag tacú an rún seo atá os ár gcomhair. Ireland's military neutrality is not some relic of the past but a living, vital expression of our sovereignty and our democratic independence and it is being dismantled right in front of our eyes. The announcement on the removal of the triple lock was not just mishandled; it was a watershed moment when one of the most far-reaching changes to Irish foreign policy in decades was confirmed. Let us call it what it is: the death rattle of neutrality as a meaningful concept. The Government has set a process in motion that Ireland will come to deeply regret if the path is followed.

I broadly support the Sinn Féin motion because it recognises something fundamental, which is that neutrality and the triple lock have served us well and allowed Ireland to play a constructive role in disarmament, humanitarianism and of course peacekeeping. Instead of strengthening those traditions and conditions, the Government is dragging Ireland into deeper and deeper military alignment from the European peace facility, where costs have gone through the roof.

In April 1939, Éamon de Valera made it very clear that he would keep Ireland out of any war that occurred in Europe. Our current Taoiseach, Micheál Martin, needs to adopt the same true and strong leadership that Éamon de Valera adopted in 1939. It is particularly shocking and hard to accept that the Taoiseach would follow along and dismantle our triple lock. Earlier this year, I asked the Minister for Defence to confirm that EU defence investments must fully respect national competencies and Ireland's specific choices regarding neutrality. The Minister responded that national security remains the sole responsibility of each member state and that Ireland's neutrality must be safeguarded, yet everything the Government is doing is

contradicting that assurance. I will say it plainly here tonight: no more funding for Ukraine or any other military initiative should proceed without a Dáil vote. I want to be clear on that. On that matter of principle, I did not attend when we had President Zelenskyy here. It is wrong.

Deputy Mattie McGrath: My position on this has also been very clear. Our neutrality must be sacrosanct. It is sacrosanct as far as I am concerned. It is not something that should be weakened, chipped away at or in any way undermined. For a long time, the Taoiseach has held roadshows where he handpicked chairs for his own crowd of NGOs and other people on the bandwagon around the country. He got his answer. If he has to change this, he has to go to the people. As Deputy Nolan said, we had good leadership from a previous esteemed leader of Fianna Fáil. The Minister of State, Deputy Dooley, is from the same county, Contae an Chláir. De Valera stood solid. We must stand solid here.

I too did not attend when President Zelenskyy addressed us. The Minister for Foreign Affairs and Trade recently gave him another €12 million. It is like confetti or giving children at first communions pocket money. There is no accountability in terms of where that money goes. We have to stand by our neutrality.

I wholeheartedly compliment our Defence Forces on their service abroad, going back to the Congo and in many different war zones. They are held in high esteem and I salute them. It might be better for the Taoiseach to recognise and support the men of Jadotville who did not get proper support or recognition, even though he promised in opposition that he would do so. He steadfastly refuses to meet them or do anything for them.

This is a no-go area. If our neutrality has to be changed, it has to be put to the people. The Taoiseach is frightened of the people because of the results of past referendums when the Government tried to remove something from the Constitution. Our neutrality is sacrosanct and has to remain so, and I want it kept so.

Deputy Danny Healy-Rae: I am glad to have a chance to speak. Neutrality is paramount for the people of Ireland. We still thank former Taoiseach, De Valera who told certain countries where to go when they were looking for Ireland to join the Second World War. The Taoiseach, Deputy Martin, said in 2013 that the triple lock was at the core of our neutrality. I do not understand how he can come in here and say the opposite at this time. I heard what the Minister said about changing times and all of that.

The facts are that if we want to change our neutrality, the Government should go to the people. What is it afraid of? The Taoiseach told the people in previous referendums that the triple lock would remain in place and that there were treaties. He promised that the triple lock would stay more recently than 2013. If the Government wants to change this, it should go to the people. What is it afraid of? The people will not bite.

A couple of months ago, the Government gave €2 million to Ukraine, I believe to keep the war going. The Government did not tell Members how much it was giving. The Government asked its backbenchers to vote for it as part of a €90 billion European fund to help Ukraine. That was just to keep the war going. The Government had no control over the money. The Government said it was a loan. When will it be paid back? The Government is not being honest with the people. There is no hope that that money will ever be paid back. We should

use the money for European funds for our Defence Forces because they can protect us. No one can stop us going abroad with our Defence Forces. We are a sovereign State. We need to stand our ground and not try to cod the people.

Deputy Maeve O'Connell: I want to state clearly that reforming the triple lock is the right thing for Ireland, Irish neutrality, the men and women of the Defence Forces, our peacekeepers and Irish security and sovereignty. The determination to secure Irish sovereignty is how we are all here today and how we are elected to this Chamber and represent an independent country. I am disappointed by how disingenuously the Opposition persistently frames this discussion.

The Minister clearly articulated the proposed legislation from the Government. Its purpose is to remove the ability of the five permanent members of the UN Security Council from preventing the Government and Dáil from deciding where and when to send our peacekeepers. This is about giving this and future Dáileanna a greater say. It is about taking back and increasing our sovereignty. Why is the Opposition persisting in opposing greater Irish sovereignty? That is a question that it does not address.

Why is the Labour Party, which protested the visit of the President of the United States to our shores last weekend, equally determined to continue to allow the US to determine where we can send our peacekeepers? Why is Sinn Féin, which yesterday signed an agreement calling for greater independence from the UK, equally calling for our persistent dependence on the UK to determine where and when we can send our peacekeepers? Deputy Tóibín, who was in the Chamber earlier, quoted polls showing that a majority in the State believes the people who live on the island of Ireland should make decisions on what happens on the island of Ireland. Why does that decision-making not include decisions on where and when we send our peacekeepers?

I know the job of the Opposition is to oppose Government, but it could not even manage a few days, a day or even a few hours without contradicting itself. I commend the Minister on her consistency, intelligence and good sense in proposing the removal of this impediment to our independence and sovereignty.

Deputy Catherine Callaghan: Before anything else, let us be clear about what is being debated here. Neutrality and the triple lock are not the same thing. Too often, they are spoken about as if they are interchangeable but they are not. We are all entitled to our opinions in this House, and that is healthy, but we are not entitled to our own facts. A claim does not become fact through repetition.

No matter how often it is asserted by Sinn Féin that the triple lock is somehow a neutrality protection mechanism, it is not. No matter how many times Sinn Féin says changing the triple lock is the same as abandoning our neutrality, it is not. Ireland's neutrality is a policy of the State. It is a sovereign choice about how Ireland engages with the world and, in particular, our decision not to join a military alliance. The triple lock, by contrast, is a legal mechanism governing the overseas deployment of members of the Defence Forces. It requires a UN mandate and Government and Dáil approval before certain deployments can take place.

The triple lock did not make Ireland neutral and it is not what keeps Ireland neutral. Ireland's neutrality is a long-standing policy of the State. Ireland was neutral before the triple lock was

introduced and it will remain neutral regardless of how the mechanism is amended. As someone who has served in Óglaigh na hÉireann and as a UN peacekeeper in Lebanon, I know the extraordinary contribution Irish peacekeepers make around the world and the esteem in which they are held internationally. I can see very clearly that the question before us is not whether Ireland should remain neutral - it should and it will. Rather, the question is whether Ireland should decide where Irish peacekeepers serve. Neutrality is not what is at risk of being eroded, sovereignty is.

The Opposition sees a threat to neutrality where none exists, whereas I see a real threat to the sovereignty if Ireland cannot, and is not permitted to, decide for itself where its peacekeepers serve. I believe that by amending the triple lock we preserve our neutrality and reaffirm our sovereignty at the same time. Neutrality and sovereignty are not competing values. By amending the triple lock, we protect both.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Timmy Dooley): I welcome the opportunity to respond and reflect on the contributions made by Members on the other side of the House. In these discussions, much has been said about military neutrality, the triple lock and Ireland's engagement with international partners. The central question before us is whether reforming the triple lock and strengthening practical security co-operation amounts to abandoning military neutrality. The Government's position is clear. It does not.

I know for some it might suit them to try to confuse, and I understand the politics of Opposition. This is an important issue for all member states and one on which we should try to leave politics aside. Ireland has a proud and respected tradition of peacekeeping, international engagement and support for the UN. Generations of Defence Forces personnel have served overseas with distinction, often in difficult and dangerous circumstances, making an outstanding contribution to international peace and security.

Our commitment to those values remains as strong today as ever. Some have lost their lives. Others have been maimed and injured in the protection and preservation of life in other, more difficult, circumstances. We owe them a huge debt of gratitude. Their memory and families are not served well by the kind of approach taken by some, which is to play politics with this.

I fully recognise the deep public attachment to Ireland's policy of military neutrality and the genuine concerns that many people have regarding proposals affecting our security and defence arrangements. However, it is important to distinguish, as others have, between military neutrality and the triple lock mechanism. They are not the same thing. Let me be absolutely clear: Ireland's long-standing policy of military neutrality remains unchanged. Ireland is not a member of a military alliance nor does it participate in mutual defence arrangements. The Government has no plans, none whatsoever, to alter that position. The programme for Government explicitly commits to preserving and protecting Ireland's policy of military neutrality, and the proposed Defence (Amendment) Bill does nothing to change that commitment.

The motion proposes that reform of the triple lock is synonymous with abandoning neutrality. The triple lock is a legislative mechanism governing the deployment of Defence Forces personnel overseas. I take issue with my good friend Deputy Danny Healy-Rae, who suggested somehow that we are sovereign and can send our troops where we wish. In fact, the

passage of this legislation will allow us to do that and it will take from the hands of members of the Security Council who have a fundamentally different view of world order right now. One cannot have it both ways, quite frankly.

The triple lock is a legislative mechanism governing the deployment of Defence Forces personnel overseas. Military neutrality, by contrast, is a policy choice relating to military alliances and collective defence arrangements. Reforming one does not alter the other. Neither should military neutrality be interpreted as requiring Ireland to isolate itself from international partners. Ireland has long co-operated with other countries, the EU and international organisations on matters affecting our shared security interests. We do so because many of the threats we face today do not respect borders.

We can all agree that the world has changed significantly in recent years. I reflect on a number of others who have sought to draw on the work of the late Éamon de Valera. I have the honour of representing the county where he was first elected. I respond to the charges that have been made against the Taoiseach to the effect that he has failed to follow in the tradition of de Valera. It is quite the opposite. De Valera governed for the future based on the circumstances he found himself in. Comments attributed to the Taoiseach in 2013 reflected appropriately the context in which the associated conversations and discussions were had and the comments made. Things changed fundamentally in 2014 when Russia invaded Ukraine and began the annexation of Crimea. We do not need to remind ourselves, because it is to the fore, of the extent to which the lack of defence at the time and what was almost the turning of a blind eye emboldened Russia to a point where, in 2022, it went for full-scale invasion. The world has changed dramatically since then and it does require fresh thinking.

Ireland has long co-operated with other countries, the EU and international organisations on matters affecting our shared security interests. We do so because many of the threats we face today do not respect borders. I challenge my good friend Deputy Mattie McGrath when he asserts that we have given, at every beck and call, funding to Ukraine. I am reminded by the Minister that Ukraine spends €135 million daily defending against Russia. It is not just defending its own territory or its own people; it is defending the EU.

Through contacts we all have in those countries that flank Ukraine to the west, we are reminded every day, especially by those member states within the European Union, particularly Estonia and Poland, of the level of hybrid war now being waged and the efforts by Russia to undermine the resolve of the EU. Playing into the kind of rhetoric we have heard here tonight fails to recognise that this is a fundamentally different landscape to which we have to respond. We need to do so in a way that recognises the threat to us.

We saw an element of the shadow fleet off the west coast of Ireland in the past number of days, which further compounded the challenges we faced in protecting the President of the US. We did protect him. I recognise the tremendous work that was done by the Garda and our military personnel in ensuring the threats were minimised, identified and defended against. There is now an entirely different landscape from what we looked at in the 1940s, 1950s, 1960s and, I would say, the early noughties. The challenges are great and we have a responsibility to move forward in terms of the financial supports we provide to defend ourselves. We also have to beef up our own defence systems and become self-sufficient as part of a wider community. Defending ourselves, and defending our neighbours and like-minded member states, can in no

way be seen, in my humble opinion anyway, as undermining our principal policy of military neutrality.

We were asked by a number of Deputies to put it to the people, but what is the question we are to ask them? Is it to allow us to exclude the wishes of China and Russia in the first instance on the Security Council in respect of whether we would deploy a peacekeeping mission to Ukraine in the event of hostilities coming to an end and the creation of some kind of security barrier or buffer zone? Is that the question? It seems to me that it is. The people I talk to daily would have no problem supporting that kind of question. Nowhere would it be suggested that we would end military neutrality, because that is not what is at the core of the proposition tonight. I fail to understand the extent to which the effort has been made to confuse two very separate issues.

We can all agree that the world has changed significantly. War on the European Continent, growing geopolitical instability, cyber threats, hybrid attacks and risks to critical infrastructure all require practical responses and co-operation with trusted partners. Such co-operation does not constitute military alignment and certainly does not undermine military neutrality.

We have discussed this and debated it through various referendums as part of our membership of the EU and various changes to its constitutional architecture over recent years. The Irish people have always shown support for the continuation of military neutrality, and that is reflected in the programme for Government. It is reflected quite clearly in the proposal that will come from the Government in due course.

Much has been made and said during this debate about the Joint Expeditionary Force, JEF, and the associated JEF+ framework. JEF is not a military alliance and it creates no mutual defence obligations. JEF+ provides opportunities for non-member states to engage voluntarily on issues of shared concern. Let us not leave aside the phrases "shared concern" and "voluntarily". Any Irish participation would be entirely voluntary and determined by the Government. I suspect that, if it is to be determined by the Government, it would also require the wishes of this House to be taken into account. Again, it is not as if there has been a usurpation of the wishes of the Irish people in any malign way here.

Engagement provides opportunities to learn from partners, improve our understanding of emerging security challenges and strengthen awareness of issues that directly affect Ireland, particularly in the maritime domain and in relation to critical undersea infrastructure. Engagement of this nature reflects the practical reality of modern security challenges.

Ireland remains committed to military neutrality, multilateralism, peacekeeping and the international rules-based order. Those principles have not changed, but what has changed is the world around us. For those reasons, I believe that the Government's counter-motion represents the more balanced, responsible and forward-looking approach. I commend it to the House.

Deputy Réada Cronin: Irish neutrality is a strength, not a weakness. Ní laige í neodracht na hÉireann. It is not outdated. It is not something to be sneered at. For generations, Irish Governments acknowledged that we played a proud, neutral and independent role in the world, upholding international law without joining military alliances.

The triple lock is not something Fianna Fáil and Fine Gael should dismantle without the stated consent, via referendum, of the Irish people, but they are afraid of the answer they might get. The Government argues that the UN requirement prevents Ireland from participating in peacekeeping missions. I heard the Minister's attempt earlier to throw sand in the eyes of the people in her speech, implying that removing the UN requirement would make Ireland more sovereign.

Removing it risks making us available to military alliances and the strategic interests of larger states because the UN aspect of the triple lock is hugely significant. Irish Defence Forces members wearing the blue beret provide a critical stabilising role in conflict zones. Their presence there saves lives, ensuring fragile peace agreements endure. Warring factions and civilians alike recognise them as neutral, invited and not forced upon a population. There is no peace to keep unless both sides want it. They are there by international consent and that carries a moral and legal authority. Removing the UN part of the triple lock weakens the protection our Defence Forces' blue helmets have and it allows any Irish Government to send out troops to an international military operation simply because a powerful ally could require it.

We know the UN needs reform but rather than getting active on that, the Government wants our proud tradition of peacekeeping to be sold to the highest bidder. I ask Fianna Fáil TDs, in particular, when did the party that used to pride itself on Irish sovereignty become so eager to surrender it? There is something deeply cynical about Fianna Fáil weakening that safeguard. It is yet another betrayal of its republican tradition. In the midst of a housing and cost-of-living crisis, why are we being encouraged towards NATO-style militarisation spending? If this Government wants to change Ireland's neutrality, let us be honest with the Irish people and put it to a referendum. Do not dismantle it by stealth. Irish neutrality belongs to the Irish people and Irish sovereignty is not the Government's to give away. Is mór an náire sibh.

Deputy Ruairí Ó Murchú: I think Aaron Rowe summed up Irish history quite well and I commend him for the stance he has taken:

But as Irish people we know all too well about genocide, forced famine and violent occupation.... I need to be true to myself and my ancestors who resisted colonisation, and fought for a freedom that I enjoy today in Ireland.

He spoke about that as he stood on the side of right in relation to Gaza and the rights of the Palestinian people. That is the history we have and it has been followed by a proud history of military neutrality. We believe in that neutrality and in non-alignment. That is not being in the pocket or in hock to military blocs. We know what it is to have suffered under "might is right". Unfortunately, that is the world we live in at the minute.

Neutrality and the triple lock have served us well, as have the tens of thousands of Irish men and women who have served as UN peacekeepers. Some of them have made the ultimate sacrifice and I think of Michael McNeela, Seán Rooney and many others.

Look at the world we live in at the moment. Conflicts abound, whether we are talking about Russia's illegal invasion of Ukraine, the continued genocidal Israeli occupation of Gaza, the settler violence and land grabs in the West Bank, the US and Israeli war with Iran, the Israeli onslaught on Lebanon, and the Sudanese war. It is in this unpredictable environment that the

Government proposes to take a step away from multilateralism and international co-operation, and it intends do that by, as a first step, abandoning the triple lock.

We have all seen polls and spoken to people in our communities. We know where the Irish people stand solidly in relation to neutrality. The Government wants to state that this is only about the triple lock and it is literally a formula. It is a first step on a journey that is about moving away from our idea of independent foreign policy and military non-alignment. It is not good enough. If this Government was brave enough, it would put it to a vote. It is as simple as that. This is not good enough.

Deputy Pearse Doherty: Military neutrality is a key expression of Irish independence. It means engaging with the world while retaining the freedom to make our own decisions on foreign policy and defence. In a more dangerous world, that independence matters more than ever. When powerful states disregard international law, which has increasingly been the case, Ireland can provide that independent voice for peace, diplomacy and multilateralism.

The triple lock is part of that approach and the proposal by Fine Gael and Fianna Fáil to dismantle it cannot be viewed in isolation. It comes alongside deeper military co-operation with NATO states and a wider shift in Irish defence policy that we have all witnessed here.

Defence co-operation should not mean military alignment and neutrality does not mean being defenceless, yet Fianna Fáil and Fine Gael now argue that dismantling the triple lock is necessary to strengthen Ireland's defence. What a brass neck. The deficiencies in our Defence Forces were not created by the triple lock. They were the result of decades of political choices by those same parties: Fine Gael and Fianna Fáil. The triple lock never prevented investment in radar, maritime surveillance, cybersecurity or our Naval Service. Indeed, Ireland needs properly staffed and equipped Defence Forces capable of protecting our land, seas, airspace and critical infrastructure. The answer is to invest in those capabilities, not dismantle the triple lock.

Meanwhile, we have Micheál Martin repeatedly pointing to the dysfunction at the UN Security Council as if this was justification for removing the UN requirement. Think about that just for a minute. At the very moment when powerful states are weakening the United Nations, Micheál Martin's answer is for Ireland to further weaken the UN. The plain truth is that this Government's proposal moves Irish foreign and defence policy away from a UN-centred approach and towards deeper co-operation with military powers and blocs that operate in their own interests, not those of Ireland. If Fine Gael and Fianna Fáil want to make such a fundamental change as they are proposing, then they should put it to the people, have the courage of their convictions, hold a referendum and let the people decide. I have no doubt they will give the Government its answer.

Deputy Pádraig Mac Lochlainn: The Irish people cherish our tradition of military neutrality. It was part of our independence and identity as a people who were colonised and who suffered at the hands of oppressors. It gave us the moral weight to engage in the defence of human rights in the pursuit of conflict resolution and the honourable service of our Defence Forces in peacekeeping around the world. Irish people are deeply proud of that tradition.

I remember well when the Lisbon treaty was debated in 2008. Irish people rejected that treaty, and as the Minister knows, they also rejected the Nice treaty at the first ask. After the rejection of the Lisbon treaty, the then Government of Fianna Fáil, of course supported by Fine Gael, came forward with a solemn national declaration, an assurance to the Irish people because what heavily influenced their vote in 2008 was the loss of our cherished tradition of neutrality. The then Government gave a solemn declaration, so for the current Government to walk away from it and remove the key element of the triple lock is essentially saying that the Government wants the power to send our troops into military alliances that our people have rejected in referendums.

The only honourable option, if the Government wants to take that path, is to put it to the Irish people in a referendum. I have heard Fianna Fáil and Fine Gael Ministers and other TDs here tonight protesting that they also cherish our tradition of neutrality and that there is nothing to see here, nothing to worry about, that everything is okay and that nothing has changed. If the Government is confident in that position, it is very simple: it must put this to the Irish people in a referendum. The Minister can nod her head if she wishes but she knows that her party and Fianna Fáil made a solemn declaration to the Irish people to get them to vote for the Lisbon treaty on the second ask. For the Government to dishonour that declaration is reprehensible. It is shameful and the Minister knows it. It is deeply wrong. If the Government believes, and is confident in the approach it is taking, that it is not in defiance of our traditional position of neutrality, put it to the Irish people in a referendum. That is what our motion calls for and the Government needs to support it.

Amendment put.

An Cathaoirleach Gníomhach (Deputy Conor Sheehan): In accordance with Standing Order 85(2), the division is postponed until the next weekly division time.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Cathaoirleach Gníomhach (Deputy Conor Sheehan): 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 John Paul O'Shea - To discuss the waiting list for orthopaedic procedures in the South Infirmary Victoria University Hospital in Cork.

Deputy Michael Cahill - To discuss measures to tackle the huge increases in energy prices.

Deputy Malcolm Byrne - To discuss the need for improvements to the Dublin to Rosslare rail line.

Deputy Gary Gannon - To discuss the staffing crisis in child and adolescent mental health services, CAMHS, in the Dublin North-West region.

Deputy David Cullinane - To discuss staffing shortages at Waterford south city children's disability network team, CDNT.

Deputy Pat Buckley - To discuss flood prevention measures in east Cork.

Deputy Jen Cummins - To discuss the decision on the men's shed grant for 2025-26.

Deputy Shane Moynihan - To discuss supports for children with dyslexia and additional literacy needs.

Deputy Sorca Clarke - To discuss the 70 bus service from Athlone-Mullingar.

Deputy Joanna Byrne - To discuss funding to WALK for the continuation of peer ability programmes in County Louth.

Deputy Louis O'Hara - To discuss the high cost of mandatory digital devices for children attending school.

Deputy Darren O'Rourke - To discuss the need for modular accommodation at a school in County Meath.

Deputy Brian Stanley - To discuss the new measures regarding modular homes.

Deputy Donnchadh Ó Laoghaire - To discuss matters relating to the ownership of Loughbeg beach, Ringaskiddy, County Cork.

Deputy Cathy Bennett - To discuss the school transport scheme.

Deputy Matt Carthy - To discuss the ongoing dispute in relation to criminal legal aid.

Deputies Louise O'Reilly, Richard Boyd Barrett and Paul Murphy - To discuss proposed increases to public transport fares.

Deputy Thomas Gould - To discuss the proposed closure of Sarsfield Court dementia unit.

Deputy Sinéad Gibney - To discuss online safety and the regulation of social media platforms.

Deputy Ruairí Ó Murchú - To discuss the difficulty in obtaining an involuntary committal for mental health services.

The matters raised by Deputies John Paul O'Shea, Gary Gannon, Joanna Byrne, Brian Stanley and Matt Carthy have been selected for discussion.

Saincheisteanna Tráthúla - Topical Issue Debate

Deputy John Paul O'Shea: I am raising this issue tonight because I continue to hear from people across County Cork who are waiting far too long simply to be seen by an orthopaedic consultant at South Infirmary Victoria University Hospital, SIVUH. The scale of this problem is extremely concerning. The most recent figures provided to me showed that 7,444 patients are waiting for an outpatient orthopaedic appointment at SIVUH. Let us pause for a moment to consider what that figure actually means. Almost 7,500 people are waiting for an assessment by a specialist. Many of these people are living with significant pain, reduced mobility and a deterioration in their quality of life while they wait. I want to give one specific example from my constituency.

John is a young man who has been on the urgent outpatient waiting list for an orthopaedic consultant since February 2025. He has been waiting for well over a year and he still cannot

get an appointment. He is not someone who has been categorised as "routine"; he has been classified as "urgent". The situation has become so difficult for him that his pain is now having a serious impact on his daily life. In May this year, because of the severity of his pain, he was referred to a pain management consultant but surprise, surprise, he cannot get an appointment for that either. We, therefore, have a young man who has been waiting since February 2025 to see an orthopaedic consultant despite being categorised as urgent. His pain has become so severe that he requires a specialist referral and now he is waiting again. That is exactly what I mean when I say that behind every waiting list figure is a person. John is not a number. He is a young man who wants to get on with his life, who wants to work, who wants to be active and who wants to have his condition properly assessed and treated. Instead, he is stuck in a system where one waiting list leads to another. I am sure many other people in Cork are in a similar position.

I have been contacted by constituents waiting for hip and knee assessments. I have heard from older people whose mobility and independence are being affected. I have heard from people whose conditions are impacting on their ability to work and to carry out normal day-to-day activities. Perhaps most concerning, I have been contacted about patients who have been categorised as urgent yet still cannot get an indicative date for when they will be seen. This is extremely difficult for patients and their families to understand. If a patient is told by their GP that they need an urgent orthopaedic assessment, they quite reasonably expect that the health service would find a pathway to deal with that urgency. Instead, people are waiting and being left in limbo. They do not know when they will be seen. They do not know when they will receive a diagnosis. They do not know when they might begin treatment and all the while, they are living with pain.

The SIVUH plays a hugely important role in Cork and I want to put on the record my appreciation for all the doctors, nurses, consultants and all the staff working there. The staff are not the problem; the problem is capacity. We have to acknowledge that demand for orthopaedic services has increased significantly. We have an ageing population, people are living longer and they rightly want to remain active and independent for as long as possible but the current level of capacity is clearly not meeting the demand. We cannot simply accept that thousands of people in Cork should remain on an orthopaedic waiting list for months or, in some cases, years. I have been raising this issue directly with hospital management and HSE South West for many months. I welcome the fact that the options are being explored but almost 12 months later, we have no options presented to us. I would really like an update on this matter.

Minister of State at the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Frankie Feighan): I thank the Deputy for raising this issue and for giving me the opportunity to provide an update to the House on this important matter on behalf of the Minister for Health, Deputy Carroll MacNeill.

I acknowledge the importance of addressing the long waiting lists. Many patients are still waiting too long for hospital appointments and treatments and the Government is conscious of the burden that this places on patients and their families as the Deputy rightly outlined. The Government has invested significantly in South Infirmity Victoria University Hospital and its budget has increased from €62.5 million in 2020 to over €102.5 million in 2026, an increase of 64%. Staffing at the hospital has also grown by 33.6% since 2020 and significant capital

projects have been completed in recent years, including the refurbishment of two theatres to facilitate the relocation of ophthalmic surgery from Cork University Hospital to the infirmary in 2022. These investments contribute to allow more capacity for more activity in SIVUH.

There has been an 8% decrease in the orthopaedic inpatient and day case waiting list when compared to the same period last year. Currently, 330 patients are waiting for a procedure. However, there is a 10% increase in orthopaedic outpatient waiting list when compared to the same period last year. Overall outpatient referrals at the hospital have increased by over 4% across all specialties in the first six months of 2026 when compared with the same period last year. Therefore, while capacity has increased, the referral rate is also increasing.

There are multiple streams through which this is being addressed.nwAWAAACAAACAAIDwAPANwAAAABAJsA5gAAANwA3AABAAkAA
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The Waiting Time Action Plan 2026 embodies the Government's commitment to reducing waiting times for these patients and patients everywhere. Under the National Treatment Purchase Fund, outsourcing initiatives are ongoing for suitable patients, focusing specifically on those patients waiting the longest. Some 800 patients have been offered this option so far in 2026. This involves a full package of care, including both outpatient review and procedure.

Physiotherapy-led musculoskeletal clinics are run for suitable patients on the orthopaedic outpatient waiting list. Here patients are seen and treated by a physiotherapist while they remain on the outpatient waiting list to see a consultant. Additional weekend clinics are being run to address the longest-waiting patients. Four weekend sessions have taken place in the last three

weeks.nwAWAAAACAACAAIADwAPANwAAAABAJsA5gAAANwA3AABAkAAANu
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Infirmary Victoria University Hospital is also running evening clinics to address the longest-
waiting patients in relation to upper limbs. From this Friday, 18 September, additional theatre
capacity will also become operational at the hospital. This has been supported through
additional funding for an existing theatre to facilitate additional sessions each week. The
theatre will run from 8 a.m. to 5 p.m. initially and once the full complement of staff is in place,
the extended day will commence with theatre schedules running until 10.30 p.m.

The Cork surgical hub is anticipated to be operational by the end of this month. The hub is part of Government's commitment to increasing elective care capacity through a national

network of surgical hubs to meet medium-term demand. With an initial focus on the longest waiting patients, this surgical hub will have a significant impact on waiting lists through the delivery of additional activity for high-volume, low complexity day cases across 12 specialties, including orthopaedics. Once fully operational, each new surgical hub is expected to deliver additional annual activity of up to 18,500 outpatient appointments.

Deputy John Paul O'Shea: I thank the Minister of State for his response and for his engagement on this issue. I very much welcome the commitments made, particularly in relation to the additional theatre capacity, which will be available from this Friday and the opening of the Cork surgical hub in a number of weeks. I want to emphasise that for patients waiting for orthopaedic care in Cork, action is what is required now. We have almost 7,500 people waiting for an outpatient orthopaedic appointment. These are simply not numbers on a spreadsheet. They are living with pain, reduced mobility and uncertainty about when they will finally be seen.

I referred earlier to the case of John, a young man in my constituency who has been on the urgent outpatient waiting list since 2025. He still cannot get a date to see an orthopaedic consultant and his pain has become so severe that he was referred to a pain management consultant in May this year, and he cannot get an appointment for that either. That is not acceptable and it is not an acceptable patient journey.

I reiterate that I have been raising this directly with hospital management and I have been told repeatedly that options are being explored to increase capacity in waiting times. Almost 12 months later, however, we are still waiting for those options to translate into action.

I appreciate what the Minister of State said about the additional theatre capacity that will be put in place from this week, and also the opening of the Cork surgical hub in a couple of weeks. However, additional clinics are required so let us provide them. If additional consultant capacity is required let us address that. If additional diagnostic capacity is a barrier let us deal with that. Patients cannot be expected to wait indefinitely. I ask the Minister of State to ensure that the HSE South West and hospital management put forward a clear timeframe to reduce this waiting list with measurable targets and provide regular updates.

Deputy Frankie Feighan: I thank the Deputy for raising this matter and take this opportunity to confirm that the Government is absolutely committed to further strengthening orthopaedic services for all patients in line with Sláintecare. This is illustrated, as the Deputy will probably agree, in the significant funding increase South Infirmity Victoria University Hospital Cork has received over the past number of years. Additionally, the Waiting Time Action Plan 2026 and surgical hub programme demonstrate the Government's commitment to reducing waiting times and increasing care capacity for patients in the region and nationwide. Under the waiting time action plan, outsourced initiatives are in place for suitable patients waiting the longest on South Infirmity Victoria University Hospital's outpatient waiting list.

To support timely access to orthopaedic services the hospital is running additional clinics at the weekends and evenings and where clinically suitable, patients are offered physiotherapy services while awaiting appointments with a consultant.

Lastly, additional theatre capacity will shortly become operational and will further allow for additional sessions each week. I assure the Deputy that the Government, HSE and the HSE South West region remain committed to improving the service for patients of the regions. I understand the Deputy has been engaging directly with the Minister's office and the Minister on this case and I am happy to follow up with the Minister and her office to ask them to engage directly with him again. I thank him for his great work and vigilance in trying to ensure people get the best possible care in his constituency and hospital. I assure the Deputy that the HSE and South Infirmary Victoria University Hospital are committed to reducing waiting times for orthopaedic services. The delivery of high-quality patient-centred care is best practice and remains at the centre of all hospital activity.

Mental Health Services

Deputy Gary Gannon: I want to raise the vacancies in CAMHS services and occupational therapy posts in Dublin North-West. We are going to be talking about vacancies in services but it is important to recognise that behind every one of those services is a child waiting, a parent fretting with concern and a situation that is long past untenable that is having a detrimental impact upon children the length and breadth of this country. In particular, how many occupational therapy posts are vacant in CAMHS Dublin North City and West? I am open to correction but I believe the number is four.

The Minister of State has been in this Chamber a lot longer than I have and one of the things I have found most difficult during my time is each time I have to see a parent bring a child into the Gallery, or a representative regardless of party or whether they are an Independent, and stand and talk about the individual service that is not being given to the child which they should be able to take for granted. They talk about a vindication of a right, be it a wheelchair, access to a school place or therapy that can improve the life of that child.

I am going to speak about one individual child and I find it regrettable that his mother Niamh has had to give me permission to come to the Dáil Chamber and speak about her pain and the lack of dignity afforded to her child by the State. The child's name is Tom. He is nine years of age. Tom has autism, dyspraxia and ADHD. He has significant sensory and emotional regulation needs. His mother has done absolutely everything we constantly ask parents to do. Tom was referred to CAMHS in March 2025 but it was October, seven months later, before there was any engagement at all from CAMHS. Since then, his mother Niamh has engaged with CAMHS and pursued an assessment of need. She brought her child to the hospital when things became so difficult that he needed urgent care to keep him safe. She has been imploring each of us as public representatives in the area for help, and not only that, but has advocated, organised and brought collections of other parents together in Dublin Central and around the country to better advocate for services across the board. Throughout all of this, occupational therapy was identified as something that could help her son, Tom.

In July, I thought we finally had made some progress. The HSE wrote directly to me about Tom and told me very clearly "this young person has been offered an appointment for occupational therapy intervention in CAMHS." In August, after Tom's assessment of need had been completed and occupational therapy recommended, his mother was told the occupational therapist in CAMHS North Great George's St was on long-term leave. There was no certainty on when that person would return so we wrote to the HSE again. His mother was brought in

for a meeting last week and told that the occupational therapist is expected to return at the end of September. However, here is the part I find difficult to understand. Even if the occupational therapist returns at the end of September, all that is currently on the table for Tom is another assessment, not occupational therapy. It is just an assessment to determine what, if any, intervention can afterwards be provided. Tom and his mother have done everything asked of them. They were told a service would be provided. They have now been brought back in and told they are going to need another assessment for a service they do not know will actually materialise. Too often in this State an assessment of need becomes an assessment of things that simply are not available to a child who needs them badly.

I want to ask the Minister about CAMHS, occupational services in Dublin North-West. He might have some information for me, and I might talk to him about how we can help Tom.

Deputy Frankie Feighan: I thank the Deputy for raising this very important issue, and for raising the case of Tom, who is nine years of age, and of his mother, Niamh, who has sought assistance and help from the Deputy and many others.

It is a priority for the Minister and Government to ensure that children who need mental health services can access them and access them on time. We recognise the impact that vacancies can have on service delivery. The Minister of State, Deputy Butler, has made clear that filling approved CAMHS posts must remain a priority across all regional health areas. The Government continues to invest significantly in youth mental health services. Under Budget 2026, the Minister secured an additional 94 posts for youth mental health initiatives covering crisis response, early intervention, specialist services and inpatient care. Over the past three budgets, 2024-26, the Minister of State, Deputy Butler, has allocated a total of 220 development posts to child and youth mental health services, representing 34% of all new development posts approved during that period. National community CAMHS staffing has continued to increase. Staffing stood at 730 plus seven clinical whole-time-equivalents, WTEs at the end of 2025, and had risen to 749.5 clinical WTEs by June 2026.

There are five Community CAMHS teams within the IHA area of Dublin North City and West which cover the districts of Cabra, Ballymun and Finglas, north inner city and Clontarf, Blanchardstown and Blakestown. These community CAMHS teams are experiencing significant increases in the volume of referrals received to the service coupled with increasing case complexity. For context, the volume of referrals to the five community CAMHS teams serving the integrated health area, IHA, of Dublin North City and West increased by 72% between 2021 and 2026. These five CAMHS teams have recorded 12,258 attended appointments in 2026 so far serving an open caseload of 1,173, including 491 new cases. The overall staffing level for the five CAMHS teams currently stands at 58.7 WTEs. The five CAMHS teams are currently carrying eight unfilled posts, all of which have been approved through the IHA Dublin North City and West employment control committee and are at later stages of further approval.

The HSE has acknowledged that recruitment remains challenging in a highly competitive international market for healthcare professionals, particularly for specialist mental health, psychology, occupational therapy and intellectual disability roles.

10 o'clock

In response to workforce challenges, the national office for child and youth mental health, established by the Minister of State, Deputy Butler, published its youth mental health action plan in February 2025. A key commitment in the plan is the development of a comprehensive recruitment and retention strategy for youth mental health services. The Minister of State has engaged directly with regional health areas on the need to increase activity and innovation in youth mental health services and has written to regional executive officers requesting that recruitment to approved CAMHS posts be prioritised. Particular attention has been given to ensuring multidisciplinary teams can recruit across the range of disciplines required to provide comprehensive care.

Deputy Gary Gannon: We hear about numbers, facts, figures and commitments of Government. I do not believe anybody wakes up in the morning and intends to do bad or ill; I believe everyone has the very best of intentions. However, when I hear that recruitment remains challenging, I think to myself that what is unimaginably challenging is for a mother - I used the example of Niamh because she gave me permission to do so - seeing her child's development impacted by the absence of a post. Are we doing everything in our power to fill those posts? What are the gaps? When will they be filled?

The Minister of State spoke of an increase in demand. That reflects well on society. We are more conscious of the complexities in a child's development which require therapeutic interventions. These are choices that can be made. Do we need to pay more? Do we need to develop more education pathways for people into CAMHS? The situation at the moment is not tenable. We are watching the erosion of children while parents are making themselves legal experts and experts in therapy. They are organising among themselves. They are providing education to their children in very difficult circumstances. All the while the State is saying that things remain challenging. I cannot believe we will go into a budget in a couple of weeks' time with tax cuts on the table while we have such need among children in this country. They are asking for the basic necessity of access to therapy so they can live their lives in a way regulated to the needs of the society we are asking them to live in. It is a gross shame on us collectively as a State that this remains the situation. I hope we can find a solution for Tom and for as many children who need therapy as possible.

Deputy Frankie Feighan: As the Deputy outlined, recruitment is challenging. We hope a solution can be found for Tom and his mother and for many children in that situation. The Government remains committed to strengthening CAMHS through sustained investment and improved workforce planning and targeted recruitment so that vacancies are reduced and children and young people can access the care they need as quickly as possible. The ambition to expand child and youth mental health services is delivering for children and young people. Budget 2026 continued the investment in early intervention with new services across the country. The programme for Government commits to a new model of care and pathway for primary care psychology for young people, which is in development. The aim is to intervene sooner and reduce the need for CAMHS intervention. This year will also see the establishment of a new specialist CAMHS eating disorder team and two new specialist CAMHS mental health with intellectual disability teams, and an increase in CAMHS inpatient capacity by 18 beds.

This is not all about new resources. The Minister of State, Deputy Butler, completed a national tour of over 20 CAMHS teams and identified a series of necessary reforms to improve

access to CAMHS, including a new dedicated ADHD pathway which is in development. The HSE is implementing a single point of access for children's primary care disability and mental health services, which will reduce inappropriate referrals and place the burden on services rather than families having to navigate a complex system. A no-wrong-door approach is also being trialled in youth mental health services in Donegal, Dublin and Galway to connect young people with services that can meet their needs if they are not deemed to meet the threshold for specialist CAMHS care. These developments, coupled with the existing wide range of HSE youth mental health services, will ensure children and their families can access care supports that make a real difference to achieving recovery.

Special Educational Needs

Deputy Joanna Byrne: The WALK peer model is the cornerstone of the Government's WALK peer ability programme for young people with special educational needs. The programme was developed as a supported transition model in 2013 with the aim of bridging the gap between leaving special school and successfully transitioning to further education, training or employment. This unique model has been supporting young people in my constituency of Louth for many years. It has faced down potential closure on more than one occasion and it manages on piecemeal annual funding. In spite of all these obstacles, it has thrived and grown. We have heard multiple Ministers and Governments tell this Chamber that inclusion will be at the heart of everything they do in breaking down barriers to ensure everyone is provided with opportunities to reach their potential. Clearly, this does not apply to young people in my constituency; it certainly does not extend to students in Drogheda, who are set to lose the vital WALK peer ability programme due to the Government cutting the funding this December.

Inara is a young autistic girl who is thriving in Ballymakenny College in Drogheda with the support of the WALK peer programme. Her parents told me that WALK peer brought her from darkness into light and that it is the reason she stopped crying going to school. She is in sixth year and they are now at their wits' end, having been told she may lose this support. They are very worried about what will happen when she leaves school without the programme's support. This cruel decision has far-reaching consequences for Inara and many other young people. The Government has decided young people in Louth and beyond will not have this vital support beyond December. It has decided to end this lifeline for young people with additional needs, with no commitment to even finishing out the academic year. The decision to end the WALK peer supported transitions programme in our schools is wrong, the failure to continue providing vital post-school careers and employment facilitator supports to these young people is wrong and the decision to essentially disregard the findings and recommendations of the PASTEL report is wrong. This programme is not merely an educational piece to be led by educators. As the Ministers well know, the WALK peer careers and employment facilitators play a vital and unique role. They co-ordinate and support the student, family, school, further education or training provider and prospective employers, while ensuring a person-centred pathway.

Who decided young people with disabilities or additional needs in school like Ballymakenny College do not deserve to know what will happen to their programme beyond December? What rationale was used to justify abandoning an evidence-led model that makes a meaningful difference to the lives of young people with additional needs who already face so

many barriers? Will the Minister of State and the Government put their money where their mouth is in the upcoming budget and support the submission made by WALK to fund this vital support into the future? Will they give a commitment to parents and young people in Drogheda and beyond that the programme will be funded for this entire academic year and that young people like Inara will not be abandoned? Will they urgently engage with WALK to discuss the future of the WALK peer model in a meaningful way and explore how it can complement, integrate and guide the work Government does when it comes to the national transitions policy?

I am sickened to my stomach to even have to raise this here tonight. As cruel blows go, this latest stroke by Fianna Fáil and Fine Gael, targeting some of our most vulnerable young people, is the lowest of the low. To give a lifeline to somebody who desperately needs it and then snatch it back is just rotten to the core.

Deputy Frankie Feighan: I thank the Deputy for the question. The programme for Government includes a number of commitments relevant to students attending special schools. These include the development and strengthening of bridges from special schools into employment. This is a priority commitment for the Government, as seen in the National Human Rights Strategy for Disabled People 2025-2030. An interdepartmental steering group co-chaired by the Department of Education and Youth, the Department of Children, Disability and Equality and the Department of Further and Higher Education, Research, Innovation and Science has been established to oversee this work. A priority action for the group is the development of a national policy on transitions. This work is ongoing and a report is expected by the end of this year. Over the past four years, the Department of Education and Youth, in partnership with the National Council of Special Education, NCSE, and Walkinstown Association for People with an Intellectual Disability, or WALK, has been testing two different approaches to a transitions support model. A teacher-led programme has been operating in 41 special schools as part of the Department's response to the comprehensive employment strategy for disabled people.

The WALK peer ability transitions programme, to which the Deputy refers in the question, is currently supporting ten schools, including seven special schools and three post-primary schools in Dublin, Louth, Cork, Cavan and Westmeath. This programme is delivered by careers and employment facilitators who work directly with students in their final two years of school but also support the students for a further three years post-school. Both pilot programmes finished in June. Both programmes have been externally evaluated and were the subject of very positive feedback from all the participant schools and stakeholders more broadly. Both evaluations recommended the expansion of a transitions type model of support to students.

In relation to the WALK peer model specifically, funding of €2 million has been provided through the Dormant Accounts Fund, DAF, over the past four years to support the programme in the ten schools. The programme is fully funded until December 2026. To provide a continuum of support until June 2027 for students supported by WALK who left school in 2026, the Department has submitted an application through the DAF 2027 for additional funding and a decision is expected shortly. In addition, a number of Departments have received a submission from WALK to extend and expand the programme over the next four years. While the outcomes of the programme are positive, the scalability of the model to all special schools over the next number of years is limited relatively and the scalability of the teacher-led CES transitions model. Based on the outcomes of both pilot programmes and subject to the total

funding available, the Minister, Deputy Naughton, and the Minister of State, Deputy Moynihan, announced a new transitions support service for all special schools in June this year. The purpose of the new service is to support young people with disabilities as they prepare to move from school into further education, training, employment and other post-school opportunities and pathways. In addition, the focus of schools' work can be on supporting transitions into the school. The service is being rolled out to all special schools from this month and will be managed by the NCSE. The service provides each special school with 34 transition support teaching days per year. This flexible allocation will allow schools to deliver transition support at the times it is needed most throughout the school year.

Again, I thank the Deputy for raising this very important issue.

Deputy Joanna Byrne: I note that the Minister of State spoke about giving people the best possible care and services they require. I hope it is not lost on the Minister of State that WALK peer has dramatically changed the lives of young people with special educational needs in my constituency and other counties. Countless young people have availed of the programme. In most cases, it has literally been a lifeline for young persons and their families. The recent PASTEL report from DCU undertaken by Dr. Scanlon provides compelling evidence that the WALK peer supported transition model is a high-impact, cost-efficient and policy-aligned model for improving outcomes for young people with disabilities. Maybe if the Department of education had attended the launch in DCU last November to which it was invited, it might know that itself and it might not have made the decision to cut this funding. If the Government is serious about developing its national transition policy in the context of the national human rights strategy for disabled people, then it has to get more serious about engaging with WALK and about integrating or complementing the WALK peer model into this planning.

As a TD who meets families of young people with disabilities and additional needs on a regular basis, I can tell the Minister of State that many of these families are oblivious and frankly are not remotely interested in lofty policy documents or interagency reports. What they know is that they have had to battle to access services for their children from a young age. That battle is constant. From assessment of need to special school places and SNA provision, the list goes on. This Government decision is another slap in the face to these families and an absolute insult to young people with disabilities or additional needs who rely on the WALK peer programme. This decision can and must be scrapped. I again ask the Minister of State to take it back to his colleagues.

I have three main asks of him tonight, namely, to commit to interim funding beyond December to ensure that the programme runs for the entire academic year that they are currently availing of the supports at the moment, scrap the winding-up of the programme and provide funding to continue the project as set out in the WALK submission to the Government and urgently meet with WALK to meaningfully discuss the future of the programme with a particular focus on the post-school needs of young people currently in the programme. For an Aire, I have pages and pages of other testimonies from parents who are suffering the same worry at this time.

Deputy Frankie Feighan: The Deputy wants the best possible outcome. That is what we all want. In relation to the WALK peer model specifically, the Deputy wants more funding. I will bring her views back to the Minister.

The provision of transition supports for students in school is a key priority for the Government and the Department. As I outlined, there is a commitment, as the Deputy said, under the National Human Rights Strategy for Disabled People 2025-2030. The first programme plan of action 2025 will see the work within the Government and with others to improve retention rates and progression for disabled children and young people as they deal with transitions within education. Both pilot programmes have identified the need for a transition support model for students with a disability and recognise the importance of interagency collaboration. Both programmes have been welcomed by participant schools and widely considered as hugely beneficial to the sector. The provision of time and staffing to schools has afforded them the opportunity to work directly with the students in their final years in school to develop individualised transition plans. Reports from schools suggest that a dedicated transition planning programme relates directly to better outcomes for students. The new transition programme will build on the pilots and should be seen as a first step in providing transition support to students in special schools.

Again, I thank the Deputy for raising this issues. I will bring her concerns, ideas and views back to the Minister.

Housing Policy

Deputy Brian Stanley: The issue that I am raising relates to back yard dwellings and the new regulations that were announced over the summer. Regarding the regulations, back yard dwellings may work in a certain number of limited cases. I am not going to come in here and knock them, but it is only a certain limited number. There are already issues arising regarding the size of a dwelling, with the main one being that they are counted as class 3A buildings. One is allowed to build 45 sq. m, but if there is an existing small garden shed, garage, greenhouse, small store and so on, they are all counted within the 45 sq. m. However, the dwelling cannot be below 32 sq. m. A dwelling of 45 sq. m gives enough space for one or two people but 32 sq. m would be very small. If someone wanted to built one at 38 sq. m, the fact they had a small shed already would rule that out. If there is a small shed of 14 sq. m, for example, on the site, which would be a very small garden shed like one would have in Leitrim, Sligo, Laois or wherever, one cannot meet the minimum size of 32 sq. m. The way the regulations are framed, it is not possible to have a dwelling and a shed, greenhouse or store. I would say there are none going through in the Minister of State's county. There are certainly none going through in Laois at the moment.

This is regardless of the size of the back garden, yard or site. I am dealing with a case where the owner has a site comprising 1.4 acres. In fact, it is nearly a field. It is a huge site. However, there is already a 15 sq. m small fuel shed on it. The fact that there is a 15 sq. m small shed on it means that the owner cannot put in a modular dwelling for an elderly relative on that site. Does the Minister of State get what I am saying to him? If we take the 15 sq. m from the 45 sq m., that leaves 30 sq. m, so they cannot put anything into it. I am dealing with another case where the owner has 0.6 acre - almost two thirds of an acre - but there is a garage on the site. It is a single-car garage, as is common in almost every rural dwelling around the country. That cannot be done there. I estimate that for 80% of homes and premises in the likes of Laois or most mixed counties where there are towns and rural areas, it will not work. It will be the shed or the dwelling.

A number of other issues arise, such as where there are existing entrances onto regional and national secondary roads. What happens where a house has been given planning permission in previous years and there is an entrance onto a national secondary route or a regional road? There is the issue of water running off roofs. This is going to be an issue where there are neighbouring dwellings. There is the distance from the next-door neighbour. This will become an issue in more urban areas. I live in a housing estate, for example. If there was a modular building put in the garden each side of me at 0.6 metres from the house, that is two ft from my house.

That will become an issue and needs to be revisited. This is the key issue. There is no inspection by the local authority. There is simply a requirement to notify the local authority with a minimum of 14 day's notice. The memo from the Department to the local councils states that this provides the basis for each planning authority to report to the Minister for housing on a regular basis about the uptake of the measure. That is what it is for. It is only to report to the Minister how many has been done, but there is no site assessment or nothing is being done with these. There are a number issues there that need to be sorted out.

An Cathaoirleach Gníomhach (Deputy Conor Sheehan): Thank you, Deputy. You are over time.

Deputy Brian Stanley: It can work for a limited number of dwellings but there are problems there. I raise these sincerely and I am appealing to the Minister of State and to the senior Minister to resolve this.

Deputy Frankie Feighan: I thank the Deputy for raising this matter and giving me the opportunity to update Members on this important measure, which was signed into law during the summer recess following the approval of the Houses of the Oireachtas at the end of last term. I am taking this Topical Issue on behalf of the Minister for Housing, Local Government and Heritage, Deputy James Browne. The Deputy has asked some very technical questions. I do not have the answers but I will certainly endeavour to get those answers for him.

On 27 July 2026, a suite of exempted development regulations came into effect to expand the exemptions available to homeowners to maintain and improve existing residential dwellings. The central purpose across all the changes that have been introduced is to facilitate the efficient use of residential space through enhancements, expansion or adaptation over the different stages of the life cycle while also lifting a regulatory burden on both the citizen and the planning authorities. The revised exempted development regulations include a new class 3A, which allows for the construction, erection or placing of a detached house in the rear garden of a principal house, subject to certain conditions and limitations, as set out in SI 340 of 2026. It should be noted that planning legislation does not specify the method of construction and, therefore, class 3A is referred to as a detached house in the rear garden of a principal house and not specified as a modular home. I can confirm that all relevant building control legislation shall apply to such structures, including building regulations such as fire safety and building control regulations.

On 28 July, the Department published guidance on the application of building regulations and building control regulations, highlighting the principal matters, including fire safety, that

needed to be considered when building an auxiliary dwelling in the rear garden of an existing dwelling house. This material highlighted that the performance requirements of the building regulations for a new dwelling would apply to such structures and confirmed that the key building control procedures that would apply included the requirement for certification by appropriate qualified professionals. A planning circular was also issued to the planning authorities at the end of July with guidance on the expected operation of the measure. Those who wish to utilise the planning exemption must notify the relevant planning authorities at least 14 days before they commence the work on the development, as set out in condition No. 16 of class 3A. The regulations also require that the planning authorities will report to the Minister on the notifications received regarding the use of class 3A. This will provide a basis to review the uptake and operation of this measure over time, as is appropriate for such a new measure.

The Deputy raised some interesting issues regarding garden sheds and whether they would be taken into consideration when looking for a new modular development in the back garden. These are areas to which I do not have the answers but I will certainly be glad to raise them with the Minister on the Deputy's behalf.

Deputy Brian Stanley: To summarise it, the key issue is fairly straightforward. If you take any county outside the Pale, very few houses would not have some structure there already, such as a garage, greenhouse, store or whatever. That is the problem. It is going to be a shed or it will be the cabin or modular development. I know they do not have to be modular and can be a different type of self-contained structure. They will work in certain cases and I welcome that, but they are not moving at the moment. There is no one moving on them because of these problems. The big message I want the Minister of State to take back to the senior Minister and to the senior officials in the Department, because this has not been thought through properly, is that by bundling existing sheds and greenhouses in class 3 structures in with the new class 3A, you are taking up so much of the 45 sq. m that you cannot have the cabin. That is the problem. You cannot have the backyard dwelling. That is one thing that needs to be sorted out.

The second thing that needs to be sorted out is the size of the site. The Minister of State gets it. He is from a rural area, so he understands what 1.4 acres is. It is massive. It is a small field. However, despite the fact that the existing dwelling on the site has been there a long time and is serviced by town water and town sewerage, people cannot move on it. They cannot put the small modular or backyard cabin on this site for the elderly relative because there is an existing fuel shed of 15 sq. m. The 15 sq. m leaves them with 30 sq. m., but the minimum they can be is 32 sq. m, so it is game over for them. That needs to be taken into account. The way the measure is constructed at the moment is not practical.

The Minister of State is saying that these dwellings will require certification and be subject to building regulations, but who is going to inspect them? All people have to do is notify the local authority 14 or 15 days before they are going to put it in there and that is it. That is a problem.

An Cathaoirleach Gníomhach (Deputy Conor Sheehan): Thank you, Deputy. You are over time.

Deputy Brian Stanley: With regard to housing estates, there is the proximity to existing dwellings on tight housing estates with small backyards. Those are the three things I ask the Minister of State to bring back for me.

Deputy Frankie Feighan: As with all new legislation, time must be given to allow for the operational implementation of the new measures across the 31 planning authorities. Where any individual has concerns about the use of any exemption, they can engage with the relevant planning authority prior to submitting their notification to use a class 3A exemption. It is a matter for the planning authority to investigate any concerns raised on a case-by-case basis and determine if enforcement proceedings are or are not required, as the case may be.

Under section 30 of the Planning and Development Act 2000, the Minister for Housing, Local Government and Heritage "shall not exercise any power or control in relation to any particular case with which a planning authority or [An Commission Pleanála] is or may be concerned." The Minister is specifically prevented from interfering in individual cases, which is most important to maintain the independence of the planning authority and the commission.

I know the Deputy is not talking about any particular case but he has come up with some interesting views regarding existing sheds and greenhouses and how they may not be taken into consideration in the development of these modular homes, the size of the sites at 1.4 acres, and there not being enough space in housing estates. It is new legislation. I would say that a lot of the issues the Deputy has raised have been teased out, but I am happy to bring them back to the Minister and discuss them with him.

I thank the Deputy for raising these important issues.

Legal Aid

Deputy Matt Carthy: I thank the Minister for Justice, Home Affairs and Migration for making himself available for this Topical Issue. It is an example his colleagues in Cabinet would do well to follow but I commend him for doing so. I also wish to take the opportunity to put on record my best wishes to Deputy Michael Healy-Rae following the disgraceful attack on him earlier.

I am sure the Minister came away from the "RTÉ Investigates" programme like myself. There were seriously concerning revelations in respect of protected disclosures. This Topical Issue is not to discuss that, but that will be a big test for him as Minister. For public confidence in An Garda Síochána and the accountability and structures that were put in place following previous scandals, the public need and deserve to know that they are operating effectively. I am sure we will be discussing that.

Regarding the criminal legal aid dispute, it is appropriate that on the first day back, however late, we are getting an opportunity to discuss this matter. The Minister has said that the courts are operating effectively despite the ongoing dispute within the criminal legal aid scheme. That is not the reality. As recently as today, Judge John Hughes in the District Court has warned us all. He sent a very strong warning that people were going to get hurt if this was not resolved.

Despite the picture that the Minister has tried to paint, there is chaos in our courts as result of the dispute and the withdrawal of many criminal legal aid practitioners. The dispute has

caused widespread adjournments. It has delayed trials and sentencing hearings and created growing case backlogs. It has restricted access to legal representation for many defendants, and it has undermined the efficient operation of the courts. It has done the exact opposite of the Minister's stated objectives, and I know from a number of conversations that it has caused serious distress for many victims who are seeking justice. We know that *habeas corpus* applications have increased, as some applicants who did not have legal representation have challenged the legality of their detention and sought release from custody.

Garda interviews conducted without a solicitor raise concerns and will undoubtedly lead to legal challenges around fair procedures, informed legal advice, the admissibility of evidence and the protection of suspects' rights, and the risk of convictions being challenged.

I do not know, and maybe the Minister can confirm, whether he is aware of the reports that the dispute has contributed to significant numbers of defendants actually failing to attend court because in many cases they rely on the solicitors for information. It was reported that more than 25 bench warrants were issued by a single judge in just under two hours in Dublin District Court when around three quarters of listed defendants failed to appear at just one court sitting.

The Minister's approach has been one of arrogance. There has been a failure to engage properly and that is at the root of the reason this dispute is ongoing. I have a number of questions that I want to put to him. Does he accept that criminal legal aid is a fundamental part of ensuring access to justice and the right to a fair trial? How many Garda interviews have taken place without a solicitor present because a legal aid solicitor was not available? Can he confirm how many *habeas corpus* applications have been before the High Court since 1 July and how much this has cost the State? Is he concerned that some people are held on remand who should not be, while others are being released on bail as a result of *habeas corpus* applications, when that is probably not appropriate? How many adjournments have resulted from the ongoing dispute?

Deputy Jim O'Callaghan: I thank the Deputy for putting down this important Topical Issue. Of course, I am here to answer it. I am the Minister for justice, and it is a very important issue that he has raised.

I have great respect for not just solicitors and barristers, but for everyone who operates within the legal system. I worked as a barrister for 30 years. On every case I did, I worked with solicitors, so I am fully aware of the central role played by the legal profession in the effective administration of justice and that is particularly so in the area of administration of criminal justice.

To answer the question the Deputy put directly to me, I fully accept that the criminal legal aid scheme is fundamental to upholding the constitutional and human right to a legal defence. I want the Deputy to know as well that the only reason I have introduced these reforms is to try to make the system more effective and efficient while ensuring that those accused of crimes are provided with legal representation.

The reform of the criminal legal aid fee structure in the District Court does not affect the ability of solicitors to engage in criminal legal aid work. The changes I have introduced are changes to the payment structure in the District Court but the advantage of having a forum such as this is that I am able to get across other aspects that do not get much attention.

On 1 July, I introduced an 8% increase for practitioners who are operating in the criminal legal aid payment area and that is for practitioners in the Circuit Criminal Court, Central Criminal Court and the appeal courts. This represents the total restoration of the criminal legal aid fees that were cut under FEMPI and that had not been reinstated by previous Ministers, but that I reinstated.

In terms of where we are at present, I accept that there are different issues in different parts of the country. Dublin is problematic, but the Deputy has to accept that in other parts of the country, the scheme has been accepted by solicitors. More than 600 solicitors remain on the criminal legal aid panel as criminal cases continue to be dealt with in the courts and, just as a sign of it, 24 solicitors who resigned from the panel have reapplied to be reinstated and have been reinstated to the panel. Since 1 July when the new system came in, approximately 1,430 new certificates for legal aid in the District Court have issued. Under this system, for cases in the District Court, regardless of the number of appearances, a set fee of €520 was payable to solicitors, replacing the appearance-based sliding scale fee. The structure provides for a full separate set fee for each defendant in court on a given day and removes the link between payments and the number of appearances or legal aid certificates granted.

One of the factors we have to look at, and the Deputy is an intelligent person who looks at data, is that the volume of cases in the District Court has decreased in recent years, yet expenditure on legal aid in the District Court has more than doubled from €19 million in 2015 to €41 million in 2025. It was for that reason that the Department conducted the review of 350,000 District Court cases that took place in 2022 and 2023. That review established that when there is criminal legal aid, those cases take, on average, 313 days in the District Court and without it, 133 days, so while cases with criminal legal aid took significantly longer than those without, the outcomes were similar.

The reforms aim to address the structural issues identified during this review, such as excessive adjournments resulting from the payment per appearance model, and to deliver a reformed criminal legal aid system that works for everyone. I am not suggesting that the Deputy is solely focusing on the interests of solicitors but my priority when I look at this is what is in the best interests of court users and the public. When it comes to trying to introduce reforms and efficiencies in the District Court, I have to look at the payment structure that I have put in place. If that structure is incentivising adjournments and delays, I am responsible for that and I have to do something about it.

Deputy Matt Carthy: I never pretend to have a better understanding of the court system than the Minister, as somebody who has practised. As he said, I just look at the facts before me. Even if we were to accept the bona fides of the his rationale for introducing this system, and he says the primary reason is a more effective and efficient court service. Nobody could argue that we have a more effective court system as a result of these changes brought in. The court system is in disarray.

The secondary reason is the costs, the excessive costs, as the Minister called them. I have concern that the flat rate model will actually lead to increased costs because, as by his admission, many people will get substantially more for some cases than they would have previously.

However, we have to accept the reality and the reality, as I know it, is that in July of last year, there were 10,000 plus criminal legal aid certificates. In July of this year, that number was 702. There is no way the Minister can attribute, as he suggested, that to be the result of the lack of adjournments or more efficiencies. That is a result of solicitors refusing to engage.

The area that I have a little bit of knowledge about, because the justice committee, which I Chair, has carried out extensive work on it, is the criminal legal aid scheme, which, again, is an absolute disarray in many parts-----

Deputy Jim O'Callaghan: It is the civil.

Deputy Matt Carthy: -----of the State. I apologise, I meant the civil legal aid scheme, which saw a 60% reduction that has been attributed to the fee model that was applied there. The Minister has repeatedly stated that he has a responsibility to address the excessive adjournments, and I agree with that.

However, he follows it by saying the excessive adjournments resulting from the pay structure. Yet, he has provided zero evidence that it is actually solicitors or their want to get additional payments that is actually the cause of a significant minority, never mind a majority, of the adjournments

I appeal to the Minister in the strongest possible terms. I know there is a political benefit for him in this in terms of being seen to face down solicitors.

They probably have about as much sympathy among the public as politicians, and I think they will accept that. They carry out a critically important piece of work. Let us forget about solicitors, however, because people who are seeking access to justice, including victims, need to be assured that our court services are operating. Right now, they are not. It is the Minister's imperative, in my view, to engage with the stakeholders and engage constructively to bring this matter to a resolution as speedily as possible.

Deputy Jim O'Callaghan: The Law Society produced a very good report earlier this year. One of the issues identified in the report, Justice Indicators, is that criminal cases in Ireland take considerably longer than criminal cases in the rest of Europe. In terms of the process of trying to speed up the administration of justice, there are very few levers I have. However, I genuinely believe one of the levers I have is the mechanism of payment. If I have in place a mechanism of payment that incentivises adjournments and delays, that is necessarily going to happen.

The Deputy mentioned that in July there were only 700 or so certificates, I think he said. The solicitors across the board were on strike in July. The new data we have since the courts opened on 1 September show that about 1,430 new certificates for legal aid have issued since then and around 700 of them have issued in the past two weeks or so. That is a significant commitment.

Deputy Matt Carthy: What was the corresponding figure last year?

Deputy Jim O'Callaghan: Every Friday I see the list coming in. It is happening across the country that the criminal legal aid system is operating within the District Courts. I appreciate there is an issue in respect of Dublin.

The Deputy said that I might not receive political benefit in this. There is no political benefit in this for me by having a row with solicitors. I do not want to have a row with solicitors. I want to have an effective criminal justice system operating and I want to do something more about civil legal aid as well. I am sure Deputy Carthy will keep me to account in respect of that. The only reason I am introducing this new model is that I genuinely believe that this is going to improve efficiency within the court. If we look at the data we have at present, we see that 75% of the cases that have concluded since 1 July concluded within one day. So there is a huge advantage in having a flat fee, which is a generous flat fee of €520. When somebody is before the courts and it can be dealt with promptly, let us deal with it promptly.

I have engaged with The Law Society. I very much respect the work it does. I sent a letter to its president yesterday. I will continue to engage with them and I have said in respect-----

Deputy Matt Carthy: You sent a letter saying you would not engage with them.

Deputy Jim O'Callaghan: I have changed before and I said in the letter yesterday that when it comes to the issues such as the Children's Court, once I get the data if it looks like I need to change it, then I will change it.

Cuireadh an Dáil ar athló ar 10.43 p.m. go dtí 8.47 a.m., Déardaoin, an 17 Meán Fómhair 2026.

The Dáil adjourned at 10.43 p.m. until 8.47 a.m. on Thursday, 17 September 2026.