



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

Gnó an tSeanaid - Business of Seanad . . . . .	192
Nithe i dtosach suíonna - Commencement Matters. . . . .	193
Fire Safety. . . . .	193
Flexible Work Practices. . . . .	195
School Building Projects . . . . .	198
Health Services . . . . .	201
An tOrd Gnó - Order of Business . . . . .	203
Defamation (Amendment) Bill 2024: Second Stage . . . . .	215
3 o'clock . . . . .	236
Pregnancy Loss (Miscellaneous Provisions) Bill 2025: Second Stage . . . . .	236
Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Bill 2025: Second Stage . . . . .	256
Gnó an tSeanaid - Business of Seanad . . . . .	268
Post Office Network: Statements. . . . .	268

## SEANAD ÉIREANN

*Dé Céadaoin, 9 Iúil 2025*

*Wednesday, 9 July 2025*

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

---

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

---

### **Gnó an tSeanaid - Business of Seanad**

**An Cathaoirleach:** I have received notice from the following Senators that they propose to raise the following matters:

Senator Cathal Byrne - The need for the Minister for Agriculture, Food and the Marine to make a statement on the provisions in place for controlled burning on mountains throughout the country, with regard to land management and reducing the risk of wildfire during the dry periods of weather.

Senator Gareth Scahill - The need for the Minister for Rural and Community Development and the Gaeltacht to make a statement on his Department's remote working strategy and the targets for his term.

Senator Nessa Cosgrove - The need for the Minister for Education and Youth to make a statement on the status of an application for a new school building for Scoil Mhuire, Carrick-on-Shannon, County Leitrim.

Senator Robbie Gallagher - The need for the Minister for Health to make a statement on the provision of better diagnostics, financial and community-based care supports for the estimated 137,000 persons living with heart failure in our local communities.

Senator Eileen Lynch - The need for the Minister for Children, Disability and Equality to provide ring-fenced funding for transport services for those in receipt of adult disability day services to transport them to and from their service.

Senator Chris Andrews - The need for the Minister for Agriculture, Food and the Marine to provide an update on his proposals to promote the welfare of greyhounds.

The matters raised by the Senators are suitable for discussion. I have selected those raised by Senators Cathal Byrne, Gareth Scahill, Nessa Cosgrove and Robbie Gallagher and they will be taken now. The other Senators may give notice on another day of the matters they wish to

raise.

## **Nithe i dtosach suíonna - Commencement Matters**

### **Fire Safety**

**An Cathaoirleach:** I thank the Minister for coming to the House.

**Senator Cathal Byrne:** The Minister is most welcome to the Chamber. This is an issue that has been raised with me by local councillors in my home county of Wexford, near Mount Leinster, but also those in Waterford, affecting the Comeragh Mountains. The key issue is that there is a feeling in farming communities that the restrictions in place to control and restrict the controlled burning of scrubland on our mountain ranges, particularly in areas grazed by sheep, are too onerous and that there is not clear communication from the National Parks and Wildlife Service about when the burning can take place and what exactly can be incorporated. In my own of Kiltale, there were quite severe fires about two years ago. Thankfully, no property was damaged and nobody was injured but the key takeaway from that was that the fires that spontaneously broke out would not have happened to the same extent had there been more controlled burning in place by the National Parks and Wildlife Service. This is an opportunity to bring clarity to the situation and confirm what exactly the position is as regards controlled burning. Is it possible for local farmers, particularly in mountain commonage areas, to engage in it?

**Minister for Agriculture, Food and the Marine (Deputy Martin Heydon):** I thank Senator Byrne for raising this really important topic. We are all conscious of the risk due to extreme temperatures in Europe at present. High temperatures bring with them an increased risk of wildfires. We currently do not have the same degree of danger in Ireland but nonetheless, extreme care must be taken, particularly in summer months when rainfall levels are lower, temperatures are higher and more people are enjoying the outdoors. In the forecast for the coming days, we are expecting temperatures to increase and that brings increased risks as well.

The management of uplands and mountain grazing comes with its own unique challenges. As Minister for agriculture, I fully appreciate that the mechanical methods of managing vegetation on low land may not be as practical an option for any upland areas where tractors cannot travel to top or mulch strong vegetation. Controlled burning therefore has a role to play as part of an overall land management package and as part of a toolbox for wildfire prevention. However, burning of any lands needs to be done in the correct manner and in full compliance with national legislation.

Under section 40 of the Wildlife Act 1976, as amended by the Wildlife (Amendment) Act 2000, growing vegetation cannot be burned between 1 March and 31 August of any given year - referred to as the closed period - on any land not yet cultivated. This Act is the responsibility of the Minister for housing. It is an issue I understand from the farmer's perspective but it crosses over to the Department of housing because it has responsibility for the Act. Furthermore, where land has been burned unlawfully between 1 March and 31 August, it is not in a state suitable for grazing or cultivation and therefore is not eligible for area-based payments such as the basic

income support for sustainability, BISS, as it is known formally, or the single farm payment, for the remainder of the year. Where farmers' land has been burned through no fault of their own, an appeals process is in place.

To assist farmers, my Department has produced a prescribed burning code of practice in order to provide guidance to landowners who use controlled burning as a land management tool and a shorter version previously issued to farmers in high fire risk areas throughout the country. Both publications on my Department's website are from the forestry division at Johnstown Castle in the Senator's county of Wexford.

To date in 2025, my Department has issued seven fire danger notices in advance of high-risk weather phases, with the most recent one in May being a condition orange high-risk fire notice. These notices issue guidance based on weather conditions and while of huge importance to landowners, they also give clear information to the general public and forest visitors. That too is really important because we all have a role and responsibility here. As we head into a period of settled weather and increased temperatures, we will, as always, keep conditions under review and, where necessary, issue further notices.

Controlled burning carried out at the correct time of the year in suitable conditions and in a responsible manner has a role to play but extreme care, planning and preparation are needed. Irresponsible use of fire poses risks to life, property and habitats. I encourage farmers in upland areas who are struggling to maintain their lands and fear that a build of vegetation can lead to an increased risk of wildfire to explore alternative means of control with their agricultural adviser.

As with all lands, it is important that the maintenance activities employed by the farmer are designed with the local conditions in mind to ensure the best outcomes for the lands and take account of all the relevant regulatory requirements. The agri-climate rural environment scheme, or ACRES as we know it, and the co-operation project teams are examples of the support that is in place for farmers and commonages to identify the best means not only of controlling vegetation but also improving upland habitats over time.

While landowners need to be cognisant of the risk of wildfires and uncontrolled burning, I emphasise the important role members of the public also have in reducing the danger by ensuring they always take care when out in upland areas that are susceptible to wildfires. Visitors to rural areas should behave responsibly in relation to wildfires and fire risks and report fires promptly to emergency services via 112 where they see fires in the countryside.

**Senator Cathal Byrne:** I thank the Minister for bringing a bit of clarity to this situation because there is a genuine feeling among farmers that attempts are being made to fully prohibit controlled burning. While I recognise that there is a closed period, this fact may not be as well known among farmers as it should be. From speaking to many farmers, particularly those in Kiltale, which is on the Wexford side of Mount Leinster, I know there was a substantial fire in that area. There were also fires in north Wexford near Gorey only a few short weeks ago.

I thank the Minister for his response. I encourage his Department to do a bit more to promote what can be done in this regard. There was a feeling there was a total prohibition on this or that perhaps a total prohibition was coming in. I recognise that that is not the case.

**Deputy Martin Heydon:** Raising awareness is important. The role farmers play with our advisers is important, too. Positive, proactive measures can be taken to not only reduce the risk of wildfires, but also protect habitats and help farmers to farm in a more proactive way.

Uplands and mountain grazing is an exceptionally important part of the agricultural landscape. It requires careful management to ensure the risk of wildfire and associated risks are reduced.

This is an opportune time for the Senator to raise the topic in the House in light of the forecasts of 27°C and 28°C we are potentially seeing for this weekend. In some ways, the work farmers could do during the winter in these spaces is important. They could plan that work out for next winter when they come out of the closed period after the end of August. That work could be planned to ensure risks were reduced for future years. Recent years have shown that Ireland is not immune to the high wildfire risks we see in Europe. We only have to look at Marseille in France last night where a significant wildfire closed the airport and had an impact.

In recent years, we have seen considerable damage caused to forestry, uplands and property due to wildfires. It can also have an impact on farmers' direct payments and livelihoods. Preventative measures, such as controlled burning at the correct time, can assist to reduce vegetation burden. The prescribed code of practice is there. It is important to make farmers aware of that in the Senator's area and the Comeragh Mountains because those alternative means of management should be explored. You plan them now for the off season and carry them out when it is not the closed season. Both landowners and any user of our upland areas need to take care, particularly during the periods of warm weather, to ensure the risk of wildfire is minimised for all of our sakes.

**An Cathaoirleach:** I thank the Minister for coming to Seanad Éireann to answer those questions. We will now be joined by the Minister of State, Deputy Jerry Buttimer, for the next Commencement matter.

### **Flexible Work Practices**

**Senator Gareth Scahill:** I thank the Minister of State for once again gracing us with his presence. He is a great friend to this Chamber. I thank him for always making himself available to us.

I call on the Minister for Rural and Community Development and the Gaeltacht to make a comprehensive statement on the Department's remote working strategy and the specific targets set out for the remainder of this term. This is a vital plea for the future prosperity and sustainability of rural communities, a future that hinges on decisive action and clear accountability. It is building on the framework set out in Our Rural Future 2021-2025. When Our Rural Future was launched in March 2021, it committed to the establishment of a network of 400 remote working hubs nationwide, a key element of the Government's policy to revitalise rural Ireland. By mid-2021, 66 hubs were live. The target rose to more than 200 hubs in 2022. Most recently, Connected Hubs reported approximately 300 hubs as early as 2025, with the 400-hub ambition still the policy as a central target.

A lot of money has been invested in this. Coupling that with the investment in our rural broadband plan, we have made huge strides in delivering vital infrastructure to support these rural communities. The attractiveness of high-paid jobs in this sector has been proven. A remote working survey undertaken by the University of Galway and the Western Development Commission in 2023 had plenty of proof that remote-enabled jobs yielded economic and demographic dividends, especially in rural areas, such as those in west Roscommon where I come from. They secure the prosperity, longevity and sustainability of rural communities. Remote

working fosters survival. It supports town footfall, boasts local economies, reduces commuting and carbon emissions, and sustains services and schools. It also delivers high-paying jobs to rural communities, which will strengthen the long-term economic sustainability of those communities. It is for that particular reason I raise this topic today.

I recently spoke with a number of rural GAA clubs, especially dual clubs, that were struggling to field teams on a weekly basis across all grades. While we are in a housing crisis, we really need to take advantage of the infrastructural developments that we have already invested in in rural Ireland and better promote the quality of life we can deliver in those areas. There is a community benefit to attracting these jobs to the area.

The blueprint is clear and momentum is building. We need measurable targets, firm timeframes and transparency. This is the only way to guarantee that the investment of more than €100 million, the broadband upgrades and the hub network will translate into decent, high-paid jobs, rising rural populations and sustainable communities. I ask the Minister of State to outline his Department's remote working targets for 2025 and beyond, the tools it will use, such as relocation supports, targets and reporting, and how he will hold himself and his Department publicly accountable for delivering on these targets.

**Minister of State at the Department of Rural and Community Development and the Gaeltacht (Deputy Jerry Buttimer):** I thank Senator Scahill for raising this important matter. He is right; it is about putting in place sustainability for rural Ireland and tackling the issues he rightly addressed. It is about ensuring we have a future in rural Ireland that is based on the needs of the people. I am taking this matter on behalf of the Minister, Deputy Calleary.

As the Senator will be aware, we have witnessed profound change in recent years in the area of remote working. As the Minister of State in the Department, I am a firm believer in the benefits that remote working can bring. It is a revolution that is waiting to further happen in rural Ireland, particularly in our rural communities. I am pleased to confirm that the Department of Rural and Community Development and the Gaeltacht continues to support the roll-out of remote working facilities throughout the country.

From a policy point of view, this Government's commitment to remote working is set out in our national remote working strategy, *Making Remote Work*. This policy was published by the then Minister for Enterprise, Trade and Employment four years ago and seeks to ensure that remote working is a permanent feature in the Irish workplace in a way that maximises economic, social and environmental benefits, as the Senator has articulated quite eloquently this morning. It emphasises the importance of adequate infrastructure to avail of remote working opportunities, both at home and in hubs, to ensure that the economic, social and environmental benefits of remote working are maximised. The strategy also commits to creating a conducive environment for remote working and building a remote work policy and guidance framework.

The importance of remote working is also strongly recognised in the national rural development policy, *Our Rural Future*, as the Senator has said. A key focus of *Our Rural Future* is to optimise digital connectivity to support vibrant, sustainable rural communities, ensuring equality of access to digital services. One of the key commitments set out in the policy in this regard was the establishment of a key network of 400 remote working hubs throughout the country by the end of this year. To this end, *Connectedhubs.ie* was launched in mid-2021. I am happy to confirm that there are now 387 hubs live on the network, which continues to grow and expand. Connected Hubs provides workplace solutions for remote workers, entrepreneurs



and businesses. The hubs are more than workplaces; they are vibrant communities designed to create creativity and foster connections. The initiative is managed by the Western Development Commission in conjunction with our Department. I am sure that many Members, particularly Senator Scahill, are well aware of and have experienced at first hand the benefits of these hubs and the high-quality remote working options that are on the Connected Hubs network. It is important to note that the range of funding supports available for the development and establishment of remote working hubs and facilities has been key to the success of this initiative to date. In 2021 and 2022, some €14 million was allocated to a range of hubs across the country under what was termed the “Connected Hubs Call”. This competitive funding stream allowed hubs to apply for funding to increase and improve the facilities they could offer to remote workers. A wide array of improved facilities was delivered under this scheme, including the provision of privacy booths, additional hot-desking facilities and the provision of more own-office facilities. This ensured that the hubs on the network were able to respond to and address the varying needs of remote workers across the country.

Similarly, a range of other schemes operated by our Department has also provided significant levels of funding for the development of remote working facilities in rural communities across the country in recent years. These schemes include the town and village renewal scheme, LEADER and the rural regeneration and development fund.

As Minister of State, I have been fortunate to see many of these high-quality projects first hand as they come to fruition. In June, I was in Mitchelstown and Cobh, where I opened two remote working hubs. Both of them are co-located in the local libraries and will be key assets in each town. The Minister, Deputy Calleary, visited the Station House hub in Hacketstown, which was funded through the town and village renewal scheme.

As the Senator said, it is about bringing the different actors together to offer a variety of services such as hot-desk facilities, enterprise supports and direct access to high-quality education. In this case, this was done in partnership with the South East Technological University. In other parts of the country, it will be done with other third level institutions.

This Government is committed to the concept of remote working. It is now firmly embedded in many of our lives. It is a change in our working world which has brought huge benefits. The Senator raised the GAA and other sporting organisations as an example. It is important that we build on what we have achieved and that we are held to account. I look forward to working with the Senator in the area of west Roscommon to ensure we can enhance the value and offering to people in rural parts of Ireland.

**Senator Gareth Scahill:** I thank the Minister of State. At a time when Ireland has nearly 100% employment, we have the capacity to deliver high-paying, knowledge-based jobs directly into the heart of rural communities. Tens of thousands of remote-working roles are available globally. Ireland is well-positioned to capture a significant share of this market. By establishing the right structures, Ireland could create a fourth pillar of employment, complementing indigenous companies, foreign direct investment and agriculture.

I met a lady on Saturday. She is a Dublin native, but lives in Ballyhaunis in east Mayo. She said she is getting a city wage in a rural community, which means she is in the position of living a much better quality of life through remote working. She thinks it needs to be encouraged a lot more. I spoke to employees of Grow Remote recently. Its co-founder, Tracy Keogh, recently spoke about the programme for Government.

The cross-party group needs to set up an agency responsible for winning a proportion of remote jobs available to the market. If we were to land 10,000 of the available 100,000 jobs, it would mean €130 million for the taxpayer and jobs in the most remote regions of Ireland. It will require structural changes, as we are not currently set up to drive this. Some EU funding structures do not incentivise remote work. We need quick wins to ring-fence remote jobs to the island of Ireland. We have invested heavily in this particular sector. We just need to follow through and support the delivery of these jobs and the investment we have already made in the sector.

**Deputy Jerry Buttimer:** Again, I thank Senator Scahill for his very valuable contribution. The Government is committed to the concept of remote working and is firmly of the view that it is about delivering real benefits in rural communities. As the Senator said, it is about high-paid, knowledge-based jobs and working with people like Tracy in Grow Remote to achieve that fourth pillar he rightly spoke about. We cannot just stop now and say that we have done X; we must continue to ensure we do have these quality jobs, as the Senator has called for. He gave the example of a woman living in Ballyhaunis getting a good wage. That is why the programme for Government commits to further development of the connected hubs network and why we will build on the learnings from the hub initiatives to see how we can raise the potential of the network to expand further in the coming years.

To support the ambition the Senator has spoken about and that the Government has, the Department will publish its first national hub strategy later this year. For the first time, the strategy will chart the vision for the future and further development of the range of remote working enterprise hubs currently in place across the country. It will examine the benefits already delivered and set out a clear set of actions to help us to ensure a sustainable future for these important assets. The shared ambition is to ensure that the benefits of remote working continue to be available to our workforce throughout the country.

As the Senator said, we have seen first-hand how important the remote working revolution has been. The Government is committed to this. There has been a lot of consultation as part of the Our Rural Future roadshow and the feedback is very clear. I was in charge of it. We have made significant strides in the areas of remote working and in facility provision, but we must now work on a rural development policy which will seek to build on this success and ensure we can have further dividends for people in rural Ireland.

I thank the Senator for raising this matter. We will have a further written consultation on Our Rural Future, but I look forward to the Senator engaging with me and the Department to ensure we have a strategy that promotes remote working and sets targets that can deliver for people.

### **School Building Projects**

**Senator Nessa Cosgrove:** My request is very basic and relates to the need for the Minister for education to make a statement on the status of Scoil Mhuire's application for a new school building in Carrick-on-Shannon.

I will give a bit of background information. Scoil Mhuire is the largest primary school in Carrick-on-Shannon, which is a very big and ever-growing town in County Leitrim. The school is located right in the middle of Carrick-on-Shannon and was one of the earliest proponents of



the amalgamation of the two schools. The schools that were amalgamated were an old boys' school built in 1963 and a girls' school that was built in 1953. The schools were amalgamated in 2013.

In 2016, the school put in an application for a much-needed school building. The most glaringly obvious issue there is that there are two different campuses and they are across the road from each other. Not only is it dangerous for children crossing the road, but it also affects school identity and drop-offs. Parents drop children off in the morning to both campuses. We know the Department is aware, because a technical report several years ago from the then Department of Education stated that the school building was substandard. It is very easy to see why. The PE hall is tiny for the number of children who attend the school. The building is really cold and hard to heat.

As the school is very inclusive, the principal and the school's entire staff have welcomed children from a lot of different cultures and backgrounds, who often have additional learning and language needs. These students have needs for which small spaces would be conducive to best accommodate them. Like every school across the country, there are more children with additional needs in the school education system. Again, these children would benefit from having smaller classrooms and environments. To deal with the lack of space, the school is using converted corridors and eating into the PE hall. The PE space was small enough and it now has to be divided. It is real challenge. A promise has been made to build two modular classrooms this summer but the project will have an impact on the play space available and we all know that play is an important holistic need for children.

*11 o'clock*

Leitrim County Council has identified a suitable greenfield site, with which the school is very happy. The four local Deputies are all very supportive of the site and have publicly expressed their support. We now need the Department to indicate the status of the application for the new school building. The application was submitted in 2016 and people want to know when the project will progress to the next stage.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy John Cummins):** I am taking this matter on behalf of the Minister for Education and Youth, Deputy Helen McEntee. I thank the Senator for raising the matter of the status of a new school application for Scoil Mhuire, Carrick-on-Shannon, County Leitrim.

Scoil Mhuire is a co-educational school under Catholic patronage. As the Senator rightly pointed out, it is the result of an amalgamation in September 2013 of the local boys' and girls' national schools. The current staffing at the school is a principal, plus 19 mainstream posts and six special education posts. There are currently 465 pupils enrolled in the school.

The priority in the Department is to ensure the provision of school places to meet the needs of children and young people at primary and post-primary level, including children and young people with special educational needs. Applications from schools for major capital works must be considered in the context of capacity requirements and climate action commitments. The Department's approach is to maximise the usage of existing capacity in schools and manage the progression of the existing pipeline of projects within its allocated capital funding envelope, in line with the Government's infrastructure guidelines.

Maximising existing capacity in schools to meet needs is very important from both a climate

agenda and budgetary perspective. The plan for working this through at a national scale will be informed by the outcome of the energy and condition surveys of all schools, which are currently under way and due for completion by mid-2026. The subsequent analysis of this significant amount of data will take some time but will help determine priorities going forward in respect of retrofit and refurbishment projects. The process may ultimately identify a requirement for the replacement of some accommodation, but this is not expected to be widespread. This overall process is particularly valuable in facilitating a proportionate assessment of a school's accommodation upgrade needs relative to all other schools and allows an effective prioritisation of capital investment.

The programme for Government recognises the importance of strong capital investment in the school building programme and supporting this with enhanced allocations through the national development plan process. Since 2020, the Department of education has invested over €6 billion in our schools throughout the country under the national development plan, involving the completion of over 1,400 school building projects. Government support for this investment, including by way of supplementary capital funding, has delivered real benefits for school communities. A recent Government decision approved €210 million in supplementary capital funding from the Department, which brings the total capital allocation for 2025 to €1.6 billion.

As part of the NDP review process, all Departments, including the Department of Education and Youth, are currently engaging with the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation with respect to NDP allocations for the period 2026 to 2030. It is expected that there will be clarity on these allocations over the course of the summer period. This will allow the Department of Education and Youth to plan its capital programme for the 2026 to 2030 period in line with prioritised needs and reflecting, as appropriate, wider Government priorities. Maximising existing capacity in schools to meet needs is very important. The progression of prioritised individual projects to meet the most urgent needs in the 2026 to 2030 period that cannot be met through existing capacity across schools in the local area will be considered on a rolling basis from autumn onwards after the NDP allocations are finalised.

**Senator Nessa Cosgrove:** There is, therefore, no date or commitment yet. I ask the Minister of State to look favourably on this matter. He mentioned that the impact of climate change is part of the assessment. I will cite an example of how unfair it is when there are two campuses. In 2024, schools were encouraged to apply for solar panels. As there are two school campuses, only one application was accepted but the school still has two electricity bills.

A new Gaelscoil in Carrick-on-Shannon, which is very welcome, was afforded €4.5 million. There is a danger that one school will be completely run down because it has an existing building.

The lights have gone off in the Chamber, which also happened during a committee meeting earlier.

**Acting Chairperson (Senator Cathal Byrne):** It was not me.

**Senator Nessa Cosgrove:** One school will become run down and one will serve an affluent area. Middle-class children will attend one school and Scoil Mhuire will be cynically run down because of the lack of an appropriate school building. Scoil Mhuire submitted an application in 2016. It is the main national school in Carrick-in-Shannon, so a new school building is a

matter of urgency.

**Deputy John Cummins:** The Department is fully aware of the needs of Scoil Mhuire and the local area and the application for a new school building. I assure the Senator that the application will be reviewed further following the outcome of the NDP allocation process.

The Department acknowledges the ongoing discussions concerning a proposed new school building, which the Senator rightly pointed out. It will continue to engage with the patron, local authority and, I am sure, local representatives as part of its ongoing review of school requirements for the whole Carrick-on-Shannon area. I again thank the Senator for raising this matter.

## Health Services

**Senator Robbie Gallagher:** Cuirim fáilte roimh an Aire Stáit. It is estimated that there are 137,000 people in this country living with heart failure. Last week, a cross-party delegation of Senators and Deputies met a group from the Irish Heart Foundation to hear about this condition. The group is calling for greater access to cardiac rehabilitation, psychological support and help to ease the financial hardship caused by this condition.

I thank the two patient champions, as they are known, who spoke at the meeting, namely, Teresa O'Hanlon, who hails from Monaghan and whom I know personally, and Stephen Comerford. I salute them on their efforts, not alone in living with the condition but also in trying to champion the cause of the 137,000 people who live with the condition. I also salute the professionals who attended the meeting.

We know much more about this rapidly growing condition. Heart failure is a chronic disease that occurs when the heart muscle does not pump blood as well as it should. We also know of the disabilities and challenges faced by people living with heart failure in Ireland. The Irish Heart Foundation told us that it is estimated that 30% of heart failure patients are back in hospital within 90 days of discharge and that half of all admissions are due to poor self-care and are, therefore, largely preventable.

It is clear that heart failure patients need more help to address the psychological impact of their condition and the financial hardship that flows from that and to gain greater access to rehabilitation services. This includes incentives like direct access to diagnostics for GPs, integrated care programmes and multidisciplinary support teams in community settings. Allowing GPs to directly refer patients for heart failure diagnostics in community settings, rather than requiring hospital visits for routine checks, can reduce travel time and the associated costs for patients. Community-based services and investment in primary care centres with multidisciplinary teams can improve access and ease pressure on hospitals. Targeted financial aid can help people manage costs associated with medications, transportation and other related expenses. Leverage in digital solutions can improve patient outcomes and quality of life, and self-management and support can empower people to take more control of their health. An integrated approach to heart failure care, which implements these measures, could significantly improve the lives of people living with heart failure and enable them to maintain a better quality of life. As can be clearly seen, this is a condition that is, unfortunately, growing and needs more attention than is currently being given to it by the Department of Health. For the sake of the people suffering from this condition, I hope we can hear some positive news as to what Government will do to address the many physical, psychological and financial challenges these people have to go

through daily.

**Deputy John Cummins:** I thank Senator Gallagher for raising this important Commencement matter, which I am taking on behalf of the Minister for Health. Heart failure is a complex condition that affects thousands of people in Ireland. Many people are unaware that they have heart failure, due to the gradual onset of symptoms, which are often mistaken for normal signs of ageing or attributed to other health conditions. Therefore, heart failure has often progressed significantly by the time a diagnosis is made. Treatment requires co-ordinated multidisciplinary care, as the Senator rightly pointed out, and the Government recognises the significant burden that heart failure can place on individuals, families and the health system, as a whole.

Cardiovascular health is a priority in the programme for Government, which commits to developing a new and more ambitious cardiovascular plan, enhancing patient care and timely access for all regions of the country. The national review of cardiac services was published recently. Its recommendations provide an evidence base for reform of cardiac services and the report is a key enabler of progress. The HSE is currently developing an implementation plan for this.

Ireland has made significant progress in managing heart failure through the heart failure model of care 2021. This aims to standardise care and improve outcomes for patients. The enhanced community care programmes are supporting the development of 30 ambulatory care hubs for chronic disease management in the community and the roll-out of modernised care pathways. The enhanced community care programme has expanded from the nine pilot community healthcare networks in 2019 to 96 now. To date, 27 of the 30 planned community specialist teams, CSTs, for older persons and 26 of the 30 CSTs are in place, with 81% of the planned 3,500 whole-time equivalents recruited.

As part of the enhanced community care programmes, the integrated care programme for chronic disease provides enhanced access to diagnostics and specialist opinion for general practitioners, which sets the foundation for expedited heart failure diagnosis. Ireland is recognised as a world leader in identifying those at high risk of the development of heart failure. An approach to heart failure, STOP-HF, has been developed where a specific blood test determines the impact of risk factors on heart function. It identifies high-risk cohorts and facilitates appropriate management. The chronic disease management programme now encourages GPs to perform the blood test on those at risk of heart failure. STOP-HF has now been adopted in several international guidelines, a testament to the innovation of Irish clinicians. The model of care for integrated cardiac rehabilitation was published in October 2023 and presents best evidence and practice for high-quality, equitable and person-centred cardiac rehabilitation services for those living with heart disease in Ireland. To address gaps in cardiac rehabilitation, 13 staff were funded in 2025 and these posts are currently being recruited for. Funding was also made available for one day per week to provide psychology services, which, as the Senator rightly pointed out, is important as part of the treatment programme, as part of the rehabilitation teams in the 30 new specialist ambulatory care hubs for chronic disease.

The second women's health action plan also places a spotlight on cardiovascular health in women, because they often experience heart failure differently. To support this, the Minister for Health has funded €1.23 million for six projects on women's heart health and, in particular, to improve our understanding of services for heart failure.

**Senator Robbie Gallagher:** I thank the Minister of State for his comprehensive response

9 July 2025

to my question. I acknowledge the great strides being made on heart care in the State. I note the developments regarding this area as well. Unfortunately, as I said earlier, this condition is rapidly on the increase. It affects almost 150,000 people in the country. We need to be aware of it. Those affected have to endure physical constraints daily, and the psychological effects of having to live with that are immeasurable. There are also financial hardships associated with this condition, never mind the treatment of it, as Teresa O'Hanlon outlined in her contribution. This young lady was a schoolteacher who had to give up work because of this condition because she did not have the energy. As long as those three pillars are being addressed and we can see progress, I welcome it and I look forward to continued progress being made on this issue.

**Deputy John Cummins:** I acknowledge that cardiovascular health is a central pillar of health funding as part of budget 2025, which included more than €9 million in full-year costs to support important cardiovascular health initiatives. The budget commits €4 million in additional full-year costs and 45 new posts to reform how we deliver cardiac services. Since 2020, the chronic disease management programme has supported those at the greatest risk, including those with heart failure. The programme includes prevention, targeted case finding and ongoing management, which helps us to identify cardiovascular disease early, manage the condition effectively and slow or halt the disease's progression. As with anything in health, early diagnosis is really important and is key. When we were negotiating the programme for Government, I can recall that this issue got a lot of attention. The line in the programme for Government about timely access to cardiac services across all regions was an important part of those commitments. It will continue to be so as part of the budgetary allocation process going forward.

*Cuireadh an Seanad ar fionraí ar 11.16 a.m. agus cuireadh tús leis arís ar 11.31 a.m.*

*Sitting suspended at 11.16 a.m. and resumed at 11.31 a.m.*

### **An tOrd Gnó - Order of Business**

**An Cathaoirleach:** Before I call on the Leader to outline the Order of Business, I welcome guests of Deputies Michael Fitzmaurice and Ciarán Ahern. They are most welcome. I also welcome guests of Deputy John Connolly and Senator Ollie Crowe: Ms Fiona Frain, Mr. Eoghan Frain and Mr. Tom King. They are most welcome to Seanad Éireann and I thank them for being here today. I call on the Leader to outline the Order of Business.

**Senator Seán Kyne:** The Order of Business is No. 1, Defamation (Amendment) Bill 2024 - Second Stage, to be taken at 1 p.m. and to conclude at 3 p.m, if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed ten minutes, all other Senators not to exceed five minutes, time may be shared, and the Minister to be given not less than ten minutes to reply to the debate; No. 2, Private Members' business, Pregnancy Loss (Miscellaneous Provisions) Bill 2025 - Second Stage, to be taken at 3 p.m., with the time allocated to this debate not to exceed two hours; No. 3, Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Bill 2025, changed from Social Welfare (Bereaved Partner's Pension) Bill 2025 - Second Stage, to be taken at 5 p.m. and to conclude at 6.30 p.m., if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed ten minutes, all other Senators not to exceed four minutes, time may be shared, and the



Minister to be given not less than eight minutes to reply to the debate; and No. 4, statements on the post office network, to be taken at 6.30 p.m. and to conclude at 7.50 p.m., if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed ten minutes, all other Senators not to exceed three minutes, time may be shared, and the Minister to be given not less than ten minutes to reply to the debate.

**Senator Fiona O'Loughlin:** I add my voice to the welcome to our distinguished guests. This is the people's parliament and we are always delighted to have the opportunity to welcome guests to the Chamber.

First, I offer my congratulations to the Blaney family. There was a civic reception held in Donegal last Friday for the Blaney family, of which Niall is a Member of this House and his brother Liam is a member of Donegal County Council, who have given 100 years' continuous service to the people of Donegal and to this country. That absolutely deserves recognition. I have no doubt it was a very proud moment for them and for their mother, Margaret, and all their friends and supporters. Congratulations to the Blaney family on that very significant achievement.

I wish to raise an issue in respect of Cuan and the excellent work it does. On Monday I had the opportunity to bring the Minister, Deputy O'Callaghan to Teach Tearmainn, which is our domestic violence refuge in Kildare. Not only does it serve Kildare and its growing population but also surrounding counties like Laois. Lorraine Rowan and her team do an excellent job. I know that not just from the constant interaction we have but also from feedback from women I refer to them. Cuan has a very good outreach system also and accompaniment to court.

As with anything, it took a long time to get the refuge and the need has grown far beyond the physical premises. Kildare County Council provided two safe houses, which have been very welcome. While there has been a good collaboration, it would be far better if everything was concentrated in the one area for safety, security and other reasons. There is land directly behind, and we hope to negotiate with Kildare County Council about the acquisition. One of the key issues is that at the moment, Kildare is a secondary, not a primary, status area, so it does need to move to that within Cuan. This has been done in other counties such as Offaly and Kerry and that is very welcome. They have been able to progress with expansion plans. It is really important that we look for that and maybe we could have a debate in this House on Cuan and domestic violence.

The LAMA awards have just been announced for 28 February next year. This is the 20th year of the awards and 40th year of the LAMA executive. It is a great opportunity to be able to showcase all the positive things that are happening in collaboration between councils and communities. I urge all of the Members here to support it, to go to the awards, and to encourage the local authorities that we are all familiar with and represent to enter.

**Senator P. J. Murphy:** I rise to speak about the blue badge parking scheme or what would be more correctly referred to as the disabled person's parking permit. This permit allows persons with severe mobility restrictions to park in disabled parking spaces in our towns, villages and cities throughout Ireland and is issued by the Disabled Drivers Association of Ireland or the Irish Wheelchair Association. People must reapply on either an annual or a biennial basis to have this permit renewed. Just last month in the audiovisual room of Leinster House, one of my own constituents, a fellow south Galway man, Pat Flaherty from Gort, who is a user of



the disabled persons parking permit, made a very good point and argument that people who have a permanent disability, a disability from which they will not recover, should not be burdened with the renewal of this permit on either an annual or biennial basis. If the disability is something that is not going to go away and is something the person is going to live with for his or her entire life, there is no reason this permit should not be issued for a period of at least ten years, doing away with the need and the inconvenience of a person to renew this permit. What is a simple job to an able-bodied person such as renewing a permit like this is a much bigger job for somebody who is faced with mobility challenges day to day basis. I call on the issuing bodies of these permits, both the Disabled Drivers Association of Ireland and Irish Wheelchair Association, to look at the issuing of these permits to last for a period of ten years for people who have a permanent mobility disability.

**Senator Victor Boyhan:** I have three items I want to discuss. First is in respect of the Minister for Education and Youth, Deputy McEntee's announcement on the commission yesterday. The second item is the new planning guidelines as espoused by the Government, and the third item is the new security allowances and the related circular to be issued today by the Department of housing and local government.

I will go back to the Minister, Deputy McEntee, first. I warmly welcome the announcement that she will establish, with the Government, a commission of investigation into historical sexual abuse in all of the day and boarding schools. The catch here is sexual abuse. I listened to my colleague, Senator McDowell, on "Drivetime" last night and other commentators in the media yesterday and today. There is a sort of subtlety in that - I want to drive that message home here today - abuse comes in many forms, including sexual, physical and emotional abuse. There should not be a hook that will allow the Government off on the basis that the investigation can only be into sexual abuse. All forms of abuse are abuse. If a child of six is beaten over the head for two years in a school, that child stops learning and his or her emotional development is curtailed. That is abuse. Let us not decouple sexual abuse from emotional or any other form of abuse. That is a message I will continue to drive home. Abuse comes in many forms, as does redress. It is not all about money; it is about healthcare, housing and supports such as psychological supports. We went through all of this last week and we know where it got us and which people stood up to be counted and those who did not. Sometimes it is not what you do, it is what you do not do. That is a message I commit to continue to drive home.

In regard to the Government's apartment guidelines, I support the Government in any effort to enhance the development of our homes but I do not support single-aspect boxes facing north that need heating in summer and winter, or single-aspect apartments facing south that need energy to cool down in the summer. We need to look at that again. I sat in on the housing committee yesterday evening where the Minister, Deputy Browne, made the case that between €50,000 and €100,000 per unit would be saved as a result of this scheme. There is no evidence of that. He was not in a position to furnish such evidence to the committee yesterday. I hope we will tease that out during the ongoing debate.

Finally, I thank the Association of Irish Local Government, the Local Authorities Members Association, the Senators here and the councillors who lobbied hard to see a reasonable and fair increase in the allowances for security. That process has now come to an end. The Minister with overall responsibility for housing, planning and local government has prepared a circular and my full understanding is that it will be issued to everybody this morning. I thank the Minister for seeing that through. I thank all those who advocated to make the case for a better deal for our city and county councillors in regard to the security allowance attached to their work.

**Senator Chris Andrews:** I support the comments of my colleague, Senator Boyhan, with regard to abuse.

Tomorrow in the European Parliament, there will be a vote of no confidence in European Commission President Ursula von der Leyen. Sinn Féin has absolutely no faith in Ursula von der Leyen to act in the interest of Ireland or working people across Europe, or to respect human rights and dignity abroad. Von der Leyen's Commission has stood shoulder to shoulder with Israel as it commits genocide in Gaza, trampling over the EU's self-professed liberal values of equality and human rights. The reality is that Ursula von der Leyen is a one-person wrecking ball of the European ideal. At every turn, von der Leyen has worked to ensure Israel is free from any sort of consequence for the sickening brutality it inflicts on Palestinian people daily. Likewise, Ursula von der Leyen has led the charge for the militarisation of Europe, breaking the EU's own budgetary rules in the process. She is eager to funnel billions to arms companies in foreign wars but does not lift a finger to help those in poverty across Europe or address the climate crisis. Von der Leyen is dead set on centralising power in the European Union to within her own office, expanding the Commission's role far beyond what was intended under the treaties in order to pursue her own ambitions. The issue raised in the censure motion around the Pfizergate scandal is a glaring example of the lack of transparency within von der Leyen's Commission. She is creating a culture where power is highly centralised and the Commission's work is done without the express approval or even knowledge of member states. I hope all of the respective parties' MEPs vote against Ursula von der Leyen tomorrow. A vote for von der Leyen is a vote for Israel, for imperialism and against democracy.

**Senator Patricia Stephenson:** In 2024, the Government made a commitment to bring 30 seriously ill children from Gaza to Ireland for lifesaving treatment. This was a scheme many of us welcomed. However, so far only 12 of those children have arrived here. What is happening to the other children? We have heard there is an issue with their visas. There seems to be some sort of spat between the Department of Health and the Department of justice. How is it that two of our own Departments cannot manage to process emergency visas for siblings of extremely ill children who are living in the catastrophe that is Gaza? Surely this is something that could be sorted out immediately. Do those little children know they are waiting to be evacuated? Do their parents or siblings know? Are they waiting and waiting while starving and in terror of bombs and snipers? We continuously hear from this Government that we need real actions and yet on the other hand the Government cannot sort out visas for these sick children. Particularly devastating is that there have been reports in *The Irish Times* that at least one of those children is now dead. That child died while waiting for our Government as it dithered to get visas sorted. I do not need to tell the Leader how angry I am and how angry people throughout this country are that critically ill children from Gaza who were promised sanctuary and urgent treatment in Ireland were failed. The promise has been broken in the most devastating way. We do not know how many others of those children have died but one is certainly too many. I am fed up with the platitudes, the notion that Ireland is doing better than everyone else and the taking of the moral high ground. What we have actually gotten from this Government is platitudes. The Tánaiste has said we need more than just words, but we cannot manage to process visas for critically ill children who are living in a war zone. We see this pattern: words over action, and process over principle. Children are dying not because we cannot help but we choose not to do so. We choose to delay processing their visas. I feel that, in this way, we are failing and this Government is failing the children of Gaza. There is no other government. There is no abstract Civil Service. It is this Government that has failed to do this.

We see this morning that Palestine GAA is still waiting for visas for children who were supposed to come here in the very near future. Their host families and the volunteers are ready. All of them have been left in limbo. We hear that the Department of justice has not provided any updates as the deadline looms for their visas. I urge the Tánaiste to take up this issue. He needs to make it his personal responsibility to get these visas sorted out both for the group from Palestine GAA and for the children on the sick list who are coming to Ireland for sanctuary. I ask the House that we appeal for this to be done before next week's recess.

**Senator Paul Daly:** At this evening's meeting of the committee on agriculture, various farm bodies will attend to discuss farm safety, mental health and farmers' mental health and well-being. In previous years in the Seanad there were statements on farm safety during Farm Safety Week. I do not know what has moved but last year and again this year Farm Safety Week has fallen during our summer recess. It is a missed opportunity so with that in mind I ask the Leader to include Seanad statements on farm safety in the autumn that, albeit they would not be during Farm Safety Week.

I warmly welcomed the announcement in recent weeks by the Minister, Deputy Heydon, and the Minister of State, Deputy Michael Healy-Rae, that 40 farm safety and well-being projects throughout the country will be funded to the tune of €1.68 million. We cannot stress enough the importance of safety awareness on farms, especially during the summer months. That Farm Safety Week falls during the recess - from 21 July to 25 July - is probably a missed opportunity in that we will not get the opportunity to highlight the issue. With that in mind, I plead with Senators who are able to do so to share on social media as much as possible of the coverage of Farm Safety Week from the very dedicated organisations that cover farming matters. It would be greatly appreciated. The big solution to what is a major problem is awareness, so a simple share on social media could save a life. I plead with Members because the Seanad is not sitting that week - I am saying this for the third time - and therefore we cannot have statements. A little share on social media of all the good stuff on farm safety that will be put up would be greatly appreciated.

**An Cathaoirleach:** I welcome the guests, from Carlow-Kilkenny, of Deputy Catherine Callaghan. They are most welcome to Seanad Éireann. I thank them for being with us today.

**Senator Gareth Scahill:** I rise today following a visit to Ballaghaderreen in west Roscommon last Friday with Deputy Grace Boland for the unveiling of a mural dedicated to her father and his enactment, as Minister for Education in the early 1980s, of the abolition of corporal punishment. It was very poignant on the day to hear it was not a very popular suggestion when he brought it up. However, he did it because, as a politician, he knew it was the right thing to do. It was 15 or 20 years later that we realised the impact of the decision he made. I acknowledge that. I also acknowledge Councillor Micheál Frain and the committee of An Bealach, who are doing great rural regeneration work in Ballaghaderreen and came up with this idea.

While I speak of Ballaghaderreen, I also recognise the mediation that took place over recent weeks with regard to public realm works in the town. The business community stood up for the elder community and their customers and worked out with a mediator an acceptable compromise for public realm design. It is great to see that all parties came to the table, including Councillors Micheál Frain and Liam Callaghan. The mediation was successful and that will now be completed in Ballaghaderreen to enhance the centre of the town.

**Senator Joe Conway:** The latest figures, as of early July, show 743 people have been killed

and 4,891 injured while waiting to get fed in Gaza by the Gaza Humanitarian Foundation, GHF. That foundation, which was founded only last year, is an elusive enough entity. The headquarters were incorporated at an address in Delaware, just two weeks after President Trump took office. When the premises were visited by journalists to search them out, what they found there was a registration agency. The foundation did not physically or legally exist at the address. Despite all that, the US State Department is giving \$30 million to the foundation as of today. The GHF is led by executive chairman and evangelical Johnnie Moore who said the following:

We do not want anybody to die. We are feeding people in the middle of a war. But it is a war of disinformation too, and all too often, the United Nations and other organisations are spreading a war of disinformation about our foundation.

Johnnie Moore, for those who do not know, is a protégé of the televangelist Jerry Falwell Snr., a major figure in the religious right of the 1970s. Falwell brought Moore into his Liberty University in Lynchburg, Virginia, in the early 2000s, when he was just 20 years of age. Moore set about organising student convocations and ended up being the gatekeeper to all Republican politicians and anybody who wanted access to President Trump.

Moore espouses what he calls religious Zionism, which is at the basis of this movement. It adheres to the belief that the restoration of Israel-Palestine to the Jewish people must precede the second coming of the Messiah. The technical term they have for this is premillennial dispensationalism. To them, history is split into distinct eras, and they believe that much suffering will take place before the millennium.

I will have to cut this a little bit short. Not surprisingly, Johnnie Moore is very close to Trump and is co-chair of Trump's advisory group. The relief work, if it was to be done by evangelicals, would easily have been done by established groups such as the World Action Foundation and Samaritan's Purse. It is important that Members of the House are aware - and that it be in the record of the House - that this dubious type of organisation is being used. Many people are dying because of ill-trained security and Israeli forces who are taking them out, as they say, because they are simply looking to be fed.

**Senator Alison Comyn:** I welcome one piece of vital infrastructure in County Meath, although I am shocked another project just a couple of kilometres from County Louth will not be included in the national development plan. There is a widespread welcome for the green light given to the Slane bypass in County Meath. It is much-needed infrastructure that will save time and countless lives. I acknowledge the work done by one of my colleagues, Councillor Wayne Harding, to get it across the line.

There is genuine shock in Ardee, County Louth, that an eastern bypass of this busy town on the N2 is not included in the national development plan. Another one of my colleagues, Councillor John Sheridan, met with the Minister, Deputy Jack Chambers, in Ardee last week to discuss the inclusion of this local infrastructure project in a review of the national development plan. Public submissions were sought during June and the Minister acknowledged he was well aware of the traffic and infrastructure issues in Ardee, and assured him the matter would be taken into consideration. Ardee is a thriving town but the town centre is being choked by lorries and traffic. There is currently no way of bypassing the town. Unfortunately, this has a knock-on effect, with businesses being closed and students being delayed, as well as adding to vacancy and dereliction. This decision should be reviewed. I invite the Minister, Deputy Jack Chambers, to come to the House to debate why this vital of infrastructure for Ardee, County

Louth, has not been included in the NDP.

On a much lighter note, I was delighted to see the progress being made at the Louth GAA stadium yesterday with the Minister of State, Deputy Charlie McConalogue. It is progressing beautifully. It is hoped we will have bottoms on seats in October 2026. Funding for the second phase is vital. I will be keeping the pressure on to make sure that happens. We will welcome as many fans as we can in the coming years.

**Senator Mark Duffy:** I welcome the opportunity we have to make statements on transport this week. I wish to highlight road safety. Sadly, 19 fatalities occurred on Mayo roads last year, which is an astounding figure and a sad and damning statistic. I highlight an issue of safety on the N17 roadway travelling from Charlestown towards Knock Airport. The reason I raise it is that it is the responsibility of Transport Infrastructure Ireland, TII. We need it highlighted in the Seanad to put pressure on for a community that is living in fear. It is the exit onto the Hagfield road and serves St. Attracta's nursing home as well as a local garage and dog kennels. This is an example of TII inaction on a road for which it has responsibility. The road needs to be addressed and made safe. It is a treacherous junction. Along this stretch of the N17 and the N5, there have been many fatalities and accidents. We have motorists and commuters living in fear. I welcome the opportunity I will have to raise the issue later this week with the Minister for Transport because we need to do everything we can to listen to communities and improve road safety.

Before I finish, two weeks ago I raised an issue related to forestry and, in particular, a situation in Ballycastle in north Mayo, where a community is animatedly against proposals by Coillte to plant a forest right next to a GAA ground and a number of residences. The planning for the proposal was approved but we do not have sight of exactly who is the decision-making body. We need answers for the community. I ask the Minister to engage with and meet the Ballycastle community so that a resolution can be found and mediation takes place.

**Senator Joanne Collins:** I wish to address an issue related to the provision of public swimming pools in County Limerick. On the N69, Askeaton swimming pool, which has been closed since 2023, is scheduled to reopen, thankfully, this autumn under the management of Swim Ireland. Other than that, the county has been without a swimming pool for the past two years due to this issue. On the N21, where there is a large population centre of almost 8,000 residents, west Limerick sports complex is run by a not-for-profit enterprise which is looking to begin a partnership with public bodies to develop its facility.

*12 o'clock*

The voluntary committee is running at a profit, which is no mean feat. This surely calls for serious discussions with all levels of the Government to progress its development plans. In the east of the county there is no public or community partnership provision for swimming pools. Swimming pools are an important part of active healthy citizenship. It is a sport that can save lives as well as an important skill for schoolchildren and adult beginners. Swimming pools are an integral part of occupational therapy and for those needing relief from pain or maintaining and rebuilding strength, but time and again we are told that swimming pools are costly and do not make a profit. Libraries do not make a profit, schools do not make a profit and neither do Garda stations or greenways. All of these services are vital to our communities and to society. Swimming pools are the same. Even though they do not make a profit sometimes, they are vital to our communities. County Limerick needs public and publicly supported community swim-



ming pools along the N69, the N21 and the N20 routes as part of investment in our communities and in our future.

**Senator Garret Ahearn:** Irish foster carers play a vital role throughout our country in terms of caring for children and the most vulnerable. There are 3,600 foster carers in the country. Unfortunately, this is a reduction from 4,800 five years ago and there are a number of reasons for this. These 3,600 foster carers look after and protect 5,800 children in care. That is approximately 87% of children who need foster care. The other 13% are in institutions.

The Irish Foster Care Association has launched its pre-budget submission and the new CEO, Corrinne Hasson, who took up the role a number of months ago, has a number of very important plans to increase the number of carers and promote foster care as a very worthwhile service to the State. What we need to do as a Government and as politicians is recognise the contribution that foster carers play. The association's pre-budget submission on fostering for a better future contains a number of requests, one of which is on pensions. Essentially, it is about taking the years of caring for foster children into account when calculating the foster carer's State pension. Family carers will receive this, so foster carers should be included. There is almost an element of foster carers not lobbying or asking for things. There is a paranoia that if they start asking for things, they will be viewed as though they are only doing it to be able to get some money. This is so far from the truth, but because of it, they are very slow to ask to be compensated.

We see the figures and there is a reduction in the number of people becoming foster carers. The work they do saves the State an awful lot of money and gives these vulnerable children the protection they need. I ask the Leader to raise this issue so that foster carers can be treated equally to other carers throughout the country, and that their submission be taken seriously with regard to the budget in October.

**An Cathaoirleach:** Before I call the next speaker, I welcome to the Gallery guests of Deputy O'Donoghue from County Limerick. I welcome Tom and Catherine Lyons and Vicky, Alex, Daniel and Lily, who are from Ardagh. I believe we also have Deputy Fitzmaurice's wife in the Gallery and she is most welcome to Seanad Éireann. She is hiding in the corner.

**Senator Malcolm Noonan:** Correspondence from the European Commission on securing the nitrates derogation for Ireland will have serious ramifications for the wider rural economy and the agricultural sector generally in terms of demonstrating compliance with the habitats directive. While granting derogations to individual farmers, it is on a subcatchment basis. The requirements for maintaining the nitrates derogation will likely lead to stocking rate reductions for some farmers. This will require them to reduce livestock numbers, increase land area or find alternative solutions for slurry management. It could significantly impact farm profitability and competitiveness, particularly for dairy farmers. It may also affect sectors such as beef, sheep and tillage. The changes aim to improve water quality and meet the requirements of the directive but farmers may need to adapt practices and potentially invest in new technologies and infrastructure.

I welcome the most recent EPA report, which shows there has been a reduction in nitrates but phosphates remain persistently high, particularly in my part of the country in the south east. I ask the Minister for agriculture to ensure his and other responsible bodies, namely, the Department of Housing, Local Government and Heritage and the NPWS, are fully optimised to deal with the new requirements to protect farm incomes and our wider rural environment. Farmers may need to increase the amount of land they farm to maintain livestock numbers. It will be



a significant challenge. The nitrates directive and the nitrates action programme are there to protect our water bodies.

We have to turn this tide. We need to retain the derogation. We have seen the potential economic cost of it. In my view, and I have said it here previously, the only game in town is the water action plan and full and swift implementation of the measures contained therein. I attended a farm walk a number of weeks ago in County Laois where farmers from all over the region were learning about the farming for water EIP. This is a €60 million European innovation partnership. It will really be beneficial in terms of farmers participating in it. The resources of the Departments of agriculture and housing will be required to get a grip on what is a seismic shift in the European Commission's approach to this. I have asked a number of times about where the climate and nature fund is. What has happened to it? It was supposed to be put in place to support farmers to implement measures on their farms as part of it. I would welcome statements and an appearance by the relevant Ministers on this matter in the autumn.

**Senator Pauline Tully:** Last week, I received an email about student accommodation from a third level student who was from County Cavan and studying in Dublin. In the email, he stated he had a savings fund that was supposed to cover his housing for the four years he would be studying. He had entered into a year-long rental contract at €1,000 a month. The place was in shambles with broken furniture, and he felt he had very few rights and supports. He then had to move to digs where he had no renter's rights or access to a kitchen and had to commute from Lucan to Dublin city centre. He also could not stay at weekends or leave his things there. The next accommodation was worse. It was more expensive and had hidden fees that he had no knowledge of when he moved in. He had to move back home to County Cavan and now commutes to Dublin. It is a two-hour journey there and a two-hour journey back. This means he misses out on social life and mandatory trips, and his attendance has been heavily impacted.

I have just come from the audiovisual room where the students union at the Technological University of the Shannon presented a report, called "No Room for Learning: Accommodation and Cost of Living Report". Its findings reflect what this student in Cavan says and what students throughout the country state. It makes for stark reading. The majority of those living with their parents are doing so because they have no choice. They are commuting long distances. Those who find somewhere to rent pay extortionate rents and often share rooms with strangers. They are working up to 30 hours a week to support themselves, which is impacting their studies. Almost half of those who took part in the study were not in receipt of any support such as SUSI.

Students are very concerned about accommodation and the cost-of-living measures. They are concerned about the proposed increase to the student contribution by the Minister, Deputy Lawless, to €3,000 from this autumn. Last week, we witnessed what I see as a false argument between two parties in government together, each blaming the other Minister for the situation. I ask that the Ministers come together and sort out this issue. Do not raise the fees. It will have a detrimental effect on our third level student population. The dropout rate is very concerning and this is only going to make it worse.

**Senator Gerard P. Craughwell:** Today is the first opportunity I have had to stand in solidarity with the Bosnia-Herzegovina Association of Ireland to commemorate the genocide at Srebrenica, the 30th anniversary of which passed on 29 June.

In making that statement, I want to recognise what has become for me the normalisation of

the war in Ukraine. Ukraine has slipped down the agenda and is not seen as the genocide that Gaza is, yet there is a significant level of destruction of public buildings in Ukraine. The difference is that in Ukraine the destruction is distributed over a wide geographic area, whereas in Gaza it is concentrated in a central area. In the wars going on in this world at the moment, genocide is being accepted by everybody.

Yesterday, it was sickening to watch Donald Trump warmly welcome a war criminal into the White House, and wine him and dine him and look after him. There is nothing between Putin and Netanyahu. The two of them are committing war crimes daily. Due to the horrific scenes we get from Gaza, Ukraine has dropped off the agenda and what is happening there has become normalised. I ask colleagues to look to Ukraine. It does not matter where people are being murdered. They are being murdered and we should speak out and speak against what is happening and those who would commit such horrendous crimes. I cannot imagine what it must be like to go to bed at night in Kyiv, not knowing if a rocket is going to come through the window of your accommodation block. That was the cry the Israelis had about the Palestinians, that they were firing rockets indiscriminately, and then they went and flattened the place. The same is happening in Ukraine and we need to put that back on the map.

**Senator Rónán Mullen:** We learned in recent days that the UN Committee on the Elimination of Discrimination Against Women, CEDAW, has recommended that we rerun the referendum on Article 41.2 of the Constitution that relates to women in the home. In our Constitution, the State recognises that woman, by her life within the home, gives the State a support without which the common good cannot be achieved and the State pledges to endeavour to ensure that mothers shall not be forced by economic necessity to engage in labour to the neglect of their duties in the home. When the Irish people were asked remove that from the Constitution, they gave a resounding “No”. They did not do so because they thought women should be chained the sink at home. They did so because they value the work done by mothers and fathers in the home. Indeed, our courts have held that the clause relates to fathers’ duties in the home. What does it say about the arrogance and disconnection of self-appointed, or almost self-appointed, supposed human rights experts that their response to a decision by the Irish people about their Constitution is to say that they made the wrong decision and we should see how it could be run again? What would it say about our Government if it were to give any respect to that kind of proposal?

This is the kind of elitist arrogance that brings the UN into disrepute, quite frankly, and which advances the cause of populists. What our Government should be doing is seeking to interrogate what the Irish people meant when they rejected that change and voted to affirm the clause that recognises the special contribution of mothers in the home. What type of policies should we now advance to vindicate the rights of mothers and fathers in the home and help people who want to get off the treadmill of having to bring up kids at home and work outside the home? People are being seen as tools of the economy rather than the economy serving family life. Let us be done with the arrogance of that UN committee and let our Government focus on what the people decided last year and see what policies should be brought forward to respect that decision.

**Senator Seán Kyne:** I thank all Senators for their contributions. Senator O’Loughlin congratulated the Blaney family on 100 years of continuous service to the local authority in Donegal. I congratulate our colleague, Senator Niall Blaney, and hope the family had a good celebration and recognition of their work and service over the past 100 years. Senator O’Loughlin also raised the issue of Cuan and the important work done by refugees in outreach and accompanying

people to court. She asked for a debate on the matter. I will try to arrange that. She also announced the LAMA awards for next February. There is plenty of time for groups and local authorities to prepare in that regard.

Senator P. J. Murphy referred to the blue badge parking scheme and called for changes to the onerous yearly or biennial renewal of those badges. He asked that the issue be raised with the Irish Wheelchair Association and the Disabled Drivers Association of Ireland and I will certainly do that. Perhaps he might get colleagues on the disability committee to raise the matter as an agenda item when they engage in those matters.

Senator Victor Boyhan welcomed the announcement by Government of an investigation into allegations of historical sexual abuse in schools. I understand the terms of reference will be brought before the Houses next week and we will arrange a debate on those matters. I am sure he will raise the need to include emotional and physical abuse as well as sexual abuse in that investigation. He also spoke about his concerns about the changes to the size of apartments in order to reduce costs. I suspect if the size of each apartment in a larger development is reduced, developers would perhaps be able to increase the number of apartments. That may be where the cost savings are coming from, but he has raised concerns and it is hoped we will have an opportunity to discuss the matter. We are taking Second Stage of a housing Bill on Thursday. The Senator also welcomed the lobbying of Members of this House and organisations such as the AILG and LAMA on the changes to be announced today by the Minister, Deputy Browne, on security matters.

Senator Andrews discussed the motion of no confidence in Commission President von der Leyen. That is a matter for MEPs. He linked the ongoing issues there to her views on militarisation of Europe. Following Senator Craughwell's comments on the war in Ukraine, recommendations to increase defence spending are partly linked to that war and the concerns regarding the Baltic countries' defence and security. There is general consensus that in this country we should increase military spending, a point I put to the Senator's colleague, Senator Boylan, at the defence committee last week. We should increase defence spending and look after the welfare of soldiers and the equipment they use. Other countries are more closely geographically located to the threat of Russia and those are the countries that wish to increase spending.

Senator Stephenson, like Senator Andrews yesterday and Senator O'Loughlin on another occasion, referred to visas for children from Gaza. I understand the Government anticipates that 30 children will arrive. The first of those children arrived in May. I will again raise the matter with the Department of justice to see what the delays are.

Senator Paul Daly raised the issue of farm safety week, which is outside of our traditional sitting period. I will include a debate on farm safety in the autumn. Others decide when farm safety week is. I do not know whether it is the best week. Perhaps it should be earlier in the year during calving season, the start of silage making season or whatever. The date has been chosen. I acknowledge it. I was in my mother's home on Sunday and saw an annual remembrance service on RTÉ for those who lost their lives or were injured on farms, including the reading out of all of the names of the deceased on an all-island basis. It was a touching broadcast. I understand it was the tenth anniversary broadcast and was given by the bishop of the Kildare area.

Senator Gareth Scahill spoke about the commemoration of the abolition of corporal punishment by former Minister John Boland. His daughter Grace Boland, now a Deputy, attended

a commemoration in Roscommon, and I acknowledge that. As Senator Scahill rightly said, it was an unpopular decision at the time, perhaps not with the children but with others. However, it has been seen to be the right thing to do. John Boland was ahead of his time in that regard.

Senator Joe Conway spoke about religious Zionism and the relief work in Gaza. We had the defunding or abolition of USAID by the Trump Administration. I am not sure if it has gone through yet, technically. USAID raised critical concerns regarding the ability of key aid groups to protect Palestinians and to deliver food to them. This is a very serious issue. We see Palestinians being targeted as they queue for food. This is part of the unacceptable atrocities that are going on in that part of the world. Senator McDowell raised the matter yesterday. I will try to bring a motion on Gaza to the House before the recess on which we will seek to get cross-party agreement.

Senator Comyn raised the topic of the Slane bypass in County Meath, which we welcome. She is shocked that Ardee is not included in the national development plan. I am not sure if she is taking about the previous plan or the forthcoming one, because there is still an opportunity for it to be included in the next one. I am sure she and others will lobby for the inclusion of Ardee, or at least that the heading for the Department of Transport would allow for capital expenditure in Ardee, subject to planning permission and agreements in that regard. The Senator also welcomed the developments in regard to the Louth GAA stadium.

Senator Duffy raised road safety and road fatalities in Mayo. He mentioned the need for continued investment on the N17 and the N5. I ask him to engage with colleagues on the transport committee on the matter. From time to time we have statements on road safety, which we had earlier in the year. The Senator also raised forestry in Ballycastle, which he has done previously.

Senator Collins raised the need for continued investment in public swimming pools in Limerick, and I am sure elsewhere as well. She accepted that they cost money and they do not make a profit, but they are part of the investment programme of the State and local authorities. Senator Scahill is a big proponent of swimming and he is involved in the Ballaghaderreen outdoor swimming pool. There will be statements on sport next week with the Minister of State, Deputy McConalogue, so the Senators may be able to raise the issue with him at that time.

Senator Ahearn spoke in support of the Irish Foster Care Association and the invaluable work foster carers do for foster children. He spoke about the need for greater recognition and the inclusion of foster carers as part of caring and the calculation of the State pension. I will raise that with the Minister for Finance, Deputy Donohoe, as well.

Senator Noonan spoke about the nitrates derogation and the climate and nature fund. He requested statements on the issue. I will try to arrange that in the autumn. Ireland is now the only country applying for a nitrates derogation. An ongoing body of work is needed in that regard, not just to protect water quality but also in regard to the habitats directive. The Minister, Deputy Heydon, and others will be doing a body of work. I am sure relevant committees will deal with it as well.

Senator Tully raised the issue of student accommodation. I do not disagree with anything she said about the need for better student accommodation and continued investment in universities. If there is more student accommodation on university campuses, that will free up accommodation elsewhere. There has been investment and agreement in regard to technological

9 July 2025

universities, which is part of the programme for Government, in that they will be allowed to borrow for student accommodation.

In terms of the ongoing discussion on student fees, there is a commitment in the programme for Government and budget negotiations will be taking place on them, among a range of other matters in the Department of further and higher education. The Minister, Deputy Lawless, has confirmed that. The budget will be upon us soon enough once we come back.

Senator Craughwell raised the matter of the Srebrenica massacre on its 30-year anniversary. I understand we will have a moment's silence on the matter tomorrow. He also, rightly, expressed concern that the war in Ukraine has, to a degree, fallen off the radar. I understand his concerns in that regard. We will arrange statements or a discussion on Ukraine at a future date.

Senator Mullen spoke about the care referendums that took place last year. The Tánaiste said we will not be rerunning them, but the Senator is right about why exactly they failed. Perhaps there needs to be a body of work done on that. I want to be quite clear that there are no plans to rerun the referendums.

Order of Business agreed to.

*Cuireadh an Seanad ar fionraí ar 12.25 p.m. agus cuireadh tús leis arís ar 1.01 p.m.*

*Sitting suspended at 12.25 p.m. and resumed at 1.01 p.m.*

### **Defamation (Amendment) Bill 2024: Second Stage**

Question proposed: "That the Bill be now read a Second Time."

**Acting Chairperson (Senator Joe Flaherty):** I invite the Minister for justice, Deputy Jim O'Callaghan, to address the Bill.

**Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan):** I thank the Leader of the Seanad for listing this business this afternoon.

As Senators will be aware, I am here to present the Defamation (Amendment) Bill to Seanad Éireann. Those aware of the statutory provisions in respect of defamation will know that when it comes to any legislation governing defamation, we are trying to balance two conflicting constitutional rights. On one hand, we are trying to take into account the right of the individual to his or her good name; and on the other, we are trying to take into account an individual's right to freedom of expression.

In many instances, defamation laws focus on press freedom in Ireland but, as Members of this House will be aware, they go much broader than that. At present, I would have thought the biggest issue in terms of defamation in Ireland is the extent to which people are defamed online by anonymous, unknown individuals. I am pleased to announce this legislation includes a provision which provides a statutory mechanism for somebody to go to the Circuit Court and get an order for the service provider to identify the person who has been defaming them.

Ireland has a very strong media. It is a very free media. I was pleased to see that Ireland is



right at the top of the World Press Freedom Index 2025, at number 7 of the 180 nations listed. That shows the extent to which media freedom operates in Ireland. It is something we sometimes do not take account of and recognise. Long may that freedom continue.

The Bill provides for a range of reforms to address the concerns raised by many stakeholders during the review of the Defamation Act 2009. The 2009 Act was noteworthy and was generated by Senator McDowell when he was in the office I now occupy. The main purposes of the Bill before the Seanad today are to tackle disproportionate awards; to support more consistent and predictable redress in defamation cases; to reduce legal costs and delays; to support easier access to justice for those whose reputations are unjustly attacked and those who are subject to unfounded defamation proceedings; and to provide enhanced protection for responsible public interest journalism.

One of the aspects of the Bill that got considerable attention in the Lower House was the abolition of juries. This aspect of the Bill was in the legislation when it was introduced to the Dáil by my predecessor, the Minister, Deputy McEntee. It was an essential part of the programme for Government that there would be reform of defamation laws in accordance with what the previous Government has done. I think it is the case that if juries in the High Court are abolished, it will and should reduce the incidence of excessive or disproportionate awards. It should reduce costs and delays. It is inevitably the case that when it comes to the hearing of a case with a jury, it will take longer than a case heard by a judge alone. It will also have an impact on the length of hearings.

Once judgments by the High Court are made in respect of defamation awards, there will be an understanding as to the basis upon which the courts are awarding awards and the constituent make-up of them. It is noteworthy that a defamation action in the Circuit Court does not have a jury. In most areas of civil law, we assign responsibility to the Judiciary sitting on its own to determine the actions and outcomes of cases.

I will take Senators through some aspects of the legislation that may be of some interest to them. Section 6 will introduce a “serious harm” test for corporate bodies. It provides that a statement about a body corporate is not defamatory unless it has caused, or is likely to cause, serious harm to its reputation.

The Bill will introduce new statutory defences to defamation. These include a provision in section 8 for a new statutory provision in so-called retail defamation cases. This responds to serious concerns expressed by retailers and the hospitality sector, particularly small and medium businesses, about the increase in unfounded claims of defamation made against them. These claims can arise when individuals are asked to produce proof of payment or told that a particular form of payment cannot be accepted. The defence does not apply in circumstances where a retailer does not act in good faith or publishes the statement disproportionately. This might occur, for example, if the statement is shouted across a crowded venue when it could have been raised discreetly. This will provide a powerful new defence for retailers. I hope they will avail of it. Too many times, I have listened to retailers say they have decided to settle an unmeritorious claim by paying more than €5,000 or €10,000 just to make the claim go away. They have been advised by their lawyers or by individuals in insurance companies that they are better off not taking the risk of proceeding, which simply encourages unmeritorious actions. I hope, after the Oireachtas goes to the trouble of putting this really powerful statutory defence into the new defamation Act, that it will be used by retailers. I also point out that this provision was introduced by my predecessor, the Minister, Deputy McEntee, in August 2024. I have made no



change to it whatsoever. It is exactly the same as when it was introduced. The suggestion that I have, in some respect, tried to change it is completely false.

Provision is also made, in section 13, for a new defence for broadcasters, where a defamatory statement is made during a live broadcast, whether by an invited participant, or unexpectedly by a bystander. That is appropriate.

Members of the House will also be aware that I am introducing a new provision that sets out what is referred to as the section 26 defence of fair and reasonable publication on a matter of public interest. The feedback in respect of the defence that has been there since 1 January 2010 is that it is a very complex defence that publishers and defendants find difficult to avail of. The new legislative and statutory provision this Bill will put in place is much simpler and will assist the use of that defence. I have simplified it. The new defence now requires a defendant to demonstrate that the statement made was in the public interest, that they reasonably believed publishing the statement was in the public interest and that the statement was published in good faith. That is a benefit and an advantage to the legislation.

The Bill also introduces a number of provisions to support early settlement of proceedings. For example, it provides that the court may encourage the parties to avail of alternative dispute resolution, ADR, in certain cases, amend deadlines and make orders to facilitate the effective use of ADR.

The Bill also makes it easier for those who have been subjected to online defamation to seek to identify a person who is defaming them anonymously online. One of the issues with online defamation is that material can be posted anonymously or under a false name, making it hard to identify the publisher of a defamatory statement. Section 22 of the Bill therefore introduces a new section 45 into the 2009 Act, which provides for a statutory jurisdiction for the Circuit Court to grant identification orders where a defamatory statement has been published online by an anonymous poster. At present, these orders can only be obtained in the High Court, where people have to go to get what is referred to as a Norwich Pharmacal order. The statutory provision that I am introducing will make it much easier for individuals who have been defamed online to go to the service provider and to find out the identity of the defamer.

The Bill delivers on the programme for Government commitment to introduce safeguards against strategic lawsuits against public participation, SLAPPs, to prevent the misuse of defamation laws to stifle public interest reporting. I know there has been some concern that not all the detail of the SLAPP directive has been transposed here. It was appropriate that we just transpose the defamation aspect of the SLAPP directive into the Defamation (Amendment) Bill. The other aspects of the SLAPP directive will be transposed in other legislation or through secondary legislation, if possible. We know the impact that SLAPPs can have. Fortunately, they do not exist that much in Ireland. I have not seen examples of SLAPPs. I would be interested to hear if other Members have. Of course, it is all very subjective. One person's SLAPP is another person's constitutional right to respect his or her good name. The protective measures against SLAPPs are contained in section 19 of the Bill. It inserts a new Part 4A into the Act. The sections to be included in the new Part 4A define SLAPP proceedings along with several key concepts associated with them. Senators will have an opportunity to view that.

This is significant and comprehensive legislation that seeks to strike a balance between protecting reputations and safeguarding freedom of speech and public participation. It represents a robust, fair and proportionate response to the challenges of a rapidly evolving and increasingly

complex media landscape. I thank Senators for affording the time. I will listen carefully to their contributions. I apologise that I will not be here to make the closing remarks, because I have to attend another meeting that I think is commencing at 2.30 p.m. or maybe a bit later, so I will have to leave before the end of their contributions. I ask Senators to give careful consideration to the Bill.

**Acting Chairperson (Senator Joe Flaherty):** I thank the Minister for a comprehensive summary of the Bill.

**Senator Robbie Gallagher:** Cuirim fáilte roimh an Aire ar ais go dtí an Teach seo tráth-nóna. The Minister is very welcome back to the House this afternoon. I thank him for his comprehensive outline of the background of the Defamation (Amendment) Bill 2024. As he said, freedom of speech is important and is something that we must protect at all costs. I know journalists are powerful individuals but it is important that they be held to account at the same time. It is imperative that people have a right to respond. I think a balance has been struck well in this Bill.

Defamation and the cost of insurance comprise a big issue. I understand the Alliance for Insurance Reform has written to the Minister about a number of concerns it has taken on board. I know the Minister outlined some of them. There has been significant consultation about this legislation over a period. I am glad that many people have had their say.

This legislation's introduction is overdue. It covers a wide range of headings, all of which are in need of reform. Unfortunately, we have a reputation in this country for defamation that puts us in a league of our own with regard to legal cases. Unfortunately, that has knock-on effects on the insurance premiums that individuals pay. It is important that we strike the right balance. We seem to be out of kilter with our neighbours on this aspect of legislation. The Minister outlined the cost of insurance for small businesses and the claims, which seem to be endless. I hope that this legislation will go some way towards addressing their concerns.

There will be opportunities later for amendments to be introduced. I will not delay the House this afternoon. I welcome the legislation. This debate gives us a chance to get a good look at it. There will be an opportunity for people to bring forward amendments as they see fit. For now, I am happy, on behalf of the Fianna Fáil grouping, to give our full support to this. I thank the Minister for outlining the contents of the Bill in great detail.

**Senator Michael McDowell:** I welcome the Minister and thank him for his attendance. There are many features of this Bill with which I am in complete agreement and there are others on which I am mainly in agreement, subject to some criticisms I might have to make.

One of the principal functions of this legislation, as introduced by the then Minister, Deputy McEntee, was the abolition of juries in the High Court. That is a matter that is strongly supported by the media on the basis that defamation trials in the High Court are apparently very complex and the allegation is made that juries are unpredictable and sometimes overly generous when they award compensation. Those are legitimate points to make but I have one thing to say in respect of juries. Those people in the media who want to get rid of all juries in all defamation actions may find that, in five or ten years' time, they will say that Judge McDowell - though I am over the age, so it is not going to happen - has for the third time held against RTÉ, *The Irish Times* or whatever, that he has for the fourth time disbelieved particular kinds of witnesses, and that it is the fifth time he has come to a controversial view and disbelieved a political figure.

They will ask who appointed him in the first place. All of those questions will be asked. The funny thing about juries is that nobody, or very few people, really asks who those people are and why they came to that view.

The fact is that juries' verdicts are generally accepted but judges' verdicts are going to have to be reasoned. They will have to say when Mr. or Mrs. So-and-so gave evidence, they disbelieved them. Judges will have to say that in certain kinds of cases. They might have to say that they came to the conclusion that a particular person was lying to them. That happens quite frequently in ordinary litigation. When it comes to defamation, particularly serious defamation, we are not getting rid of the High Court's jurisdiction to deal with defamation, but the Circuit Court, as the Minister said, is entitled to deal with defamation where the claim for damages is limited. What we are dealing with here is serious defamation and the Minister is now putting into law the proposition that these matters will always be and can only be decided by a judge sitting alone. I do not think that is going to turn out to be a happy change in our law. I agree with the Irish Council for Civil Liberties, which suggested that a compromise was available on this, which is to say that cases would be determined in the High Court by a judge alone unless a party convinced the court that it would be more appropriate for a jury to deal with it.

We do not allow judges alone to determine serious cases of, for example, Garda assaults on individuals, or indeed assaults generally between individuals, because there is a view, which I subscribe to, that judges tend to become case-weary and in many cases judges tend to take the view that, for example, gardaí or State agencies are to be upheld against unlikely looking individual plaintiffs. I prefer a jury to decide whether gardaí used excessive force, assaulted somebody or are telling the truth about the circumstances. I believe strongly juries are the best way to determine those kinds of matters because again, unlike cases where juries give a verdict, if you get to a Garda assault case you are going to have to say the plaintiff was lying about what happened or gardaí were lying about what happened, and there will be consequences for individual gardaí. By contrast, if a jury hands down a verdict of X against the State it does not point the finger at an individual witness but simply says that person was assaulted, or whatever it may be. The consequences of having reasoned judicial determinations will have to be worked out very carefully. I support the ICCL position, which is that it be the norm that it goes to a judge alone, but let us always preserve the right, especially for the Judiciary, to say this case is so controversial it would be better if 12 people sworn made the decision rather than one individual who is going to have to disbelieve one person and believe another and give reasons they did so. That is an important point. I am not against the notion that there should be judge-only determination, as in the Circuit Court, but I am against the idea that there is no circumstance in which the Judiciary and the public interest would not be served by a jury trial and that is why I support the ICCL's position on this matter.

On section 26, that particular provision was brought in by the Bill I brought before this House in December 2006, which is 19 years ago. Time flies. Its genesis was to deal with the Albert Reynolds decision of the High Court in London about fair and reasonable publication. I said in the course of the debate on that Bill that I did not claim to be infallible, though Senator David Norris queried whether I was or was not. The Minister is right to simplify that section. It is too much of a maze at this stage. It is too difficult to implement and not serving a useful purpose. The serious harm test should apply to all defamation in the Circuit Court and High Court. This business of the wrong photograph being used in a newspaper, the wrong name being given or whatever and therefore somebody feels they are entitled to a minor judicial award of damages should not be the norm. Plaintiffs should be obligated to go to court and establish

that this is a serious imputation on their character, regardless of whether they are corporate. Small things like a store detective asking you whether you paid for something are not serious, unless there are some extraordinary circumstances. The idea that a person can go to court and claim damages and a shopkeeper, business owner, hotelier or whoever has to defend it and incur the costs involved is wrong. The Minister should accept that the serious harm clause applies not simply to companies, as this Bill proposes, but to everybody. Nobody goes to court unless they establish serious consequences arising out of the alleged defamation.

As a technical point on the live broadcast defence, there is no actual definition of “live”, but in some cases broadcasters have a delay and I would want to be sure that delay mechanism does not deprive something of the status of a live broadcast.

I also strongly support the right of people to pursue anonymous posters on social media. It is cowardly. I believe fundamentally in free speech, but if you are going to speak freely and publish it you should be willing to stand over what you say. There has been a coarsening in society and a willingness to damage other people and defame them because of the difficulty of obtaining Norwich Pharmacal orders and of persuading social media service providers to identify the people whose views they are relaying.

With those few words, I welcome most of the Bill. I stand by the reasonable view taken by the ICCL that there should be, in certain circumstances, the right for the Judiciary to order a jury trial where it is in the interests of justice that this should be done and in the interests of the Judiciary that it should be done. You can have all the arguments you like about the amount of damages that should arise from a jury trial in such circumstances, but it is a mistake to abolish it in its entirety.

**Senator Garret Kelleher:** Cuirim fáilte roimh an Aire, an Teachta O’Callaghan, atá ar ais sa Seanad chun an leasú seo don Bhille um Chlúmhilleadh a mhíniú dúinn agus a phlé linn. In broad terms I welcome this amending Bill. As the Minister has outlined, it includes many necessary and progressive provisions that will improve the laws and legal proceedings in the area of defamation. I especially welcome the proposal to include provisions to counteract the possibilities of SLAPPs. These are effectively actions taken with the intent of silencing individuals by burdening them with the costs of legal defence.

However, while acknowledging the steps forward in some of the provisions of the amending Bill before us, I wish to raise concerns expressed to me by ISME about what it considers excessive provisions under current defamation law where the rights and civil liberties of individuals seem to be prioritised over the rights of small business owners, who are currently operating in fear of being accused of defamation in cases where they ask a person in their shop or retail premises whether they have paid for an item they possess. While acknowledging the rights and civil liberties of individuals, it is of crucial importance to acknowledge and protect the rights of our small, medium and large business owners who contribute so much to our local communities and economy throughout the country. The inclusion of a harm test, as is the case in the neighbouring jurisdiction, the United Kingdom, is a positive step forward. It means a statement cannot be judged to be defamatory unless its publication has caused or is likely to cause serious harm to the plaintiff. However, I understand the harm test does not relate to an individual claiming they have been defamed. This seems to be the interpretation of Senator McDowell as well and I would very much appreciate it if this could be clarified in the closing remarks by the Minister or whoever is attending the remainder of the debate.

My colleague, Senator Nelson Murray, has been a strong voice for small businesses in this Seanad term and I fully expect her to speak further on the issue in her contribution. I ask that the issues I raised be addressed in the concluding remarks. I thank the Minister for his acknowledgment of the difficulties faced by retailers in the area of unmeritorious claims, but we also have to acknowledge that business owners must weigh up the risk and consider the possible financial severity of an adverse finding against them. This is something we also need to consider in the whole area of protecting our businesses as well. Other than that I broadly welcome the provisions in the Bill and I thank the Minister for his attendance today.

**Senator Linda Nelson Murray:** I am speaking on behalf of small businesses. It is my thing. From speaking to retailers and in particular to Retail Excellence, which is the body that nominated me for election to the Seanad, defamation is of huge concern. The Minister was gracious to me a few weeks ago when he gave me a few minutes of his time to talk to him about that. I thank him for that. I appreciate it.

Retailers need to be able to ask questions if they suspect someone of stealing. I also appreciate that shoppers need to be protected, but as we have seen, in Ireland, with 5.3 million people living in the country, we have the exact same number of defamation cases as the entire UK. Someone is taking advantage of the situation and I hope this can help to sort that out. People are obviously taking an opportunity in this. In fact, if we were to work out the scale of defamation cases in Ireland by their cost, it adds up to €70 million in legal costs. Ireland continues to record the highest *per capita* rate of defamation litigation in the common law world, at 140% of the volume in England and Wales. Relative to our population, as I said, this means that defamation litigation is 19 times more common in Ireland than in England and Wales. Let us look at the *Adams v. BBC* case. The plaintiff received approximately €100,000 and the legal costs were €3 million. That is very concerning.

Retailers settling cases was mentioned and the Minister and I spoke about this in the past as well. From the point of view of small businesses, the first thing that happens when they know they are potentially being sued is that a letter comes in from a solicitor. The owner's heart skips ten beats and they go into a sweat while their brains try to think about what the situation was, when it happened, what date it was, who was on duty and where the time sheets and CCTV are. Their bodies go into what is almost a spasm of fear. The first thing that happens when that letter comes in is that the insurance excess kicks in. The excess in small businesses can be €2,500, €5,000 or €10,000. That is what happens. When businesses deal with their insurance companies, the small print says the insurance company will work on the case on behalf of the business and it will decide whether to bring the case to court, but often, as we know, cases, including defamation cases, get settled. People settle them because they fear the high cost of going to court. I wish there was a pot of money for businesses to make an example of bringing defamation cases further and taking a stand, but unfortunately it is not possible.

Much of what is included in the Bill is commendable - fair play to the Minister - but there are concerns from business organisations, as I mentioned. The harm test was mentioned by my colleague, Senator McDowell - I was about say Minister McDowell. In various legal and ethical contexts, it assesses whether a specific action could cause harm or injury. It is a crucial element in determining whether a record should be withheld, a referral to a safeguarding body is necessary or an action should be taken. However, the people who bring the cases can sue for defamation, but not the other way around. That needs to be included, as my two colleagues have said.



Defamation cases often involve the serious harm test to determine whether the defamatory statement caused substantial damage to the individual's reputation. The seriousness of the harm is a key factor in determining whether a defamation claim can proceed. Should we introduce a statutory harm test in the definition section, to mirror the one in the UK where a statement is not defamatory unless its publication has caused or is likely to cause serious harm to the reputation of the claimant? Perhaps the transient retail defamation test promised in the draft general scheme could be reintroduced. There is a harm test for the SME, but not for the person alleging defamation.

There is no cap on general damages, which is a bit scary. Perhaps they could be capped at approximately €75,000, allowing special damages to exceed the cap where demonstrable harm exists, in line with European standards and existing Irish precedents. We need to end the abuse of the appeals process. Again, I spoke about the sweat business owners feel, but defendants who succeed in court also face appeals to higher courts, which causes more stress and forces them to settle on actual grounds, even when they are victorious. The recommendation is to restrict rights of appeal in defamation cases.

If we are to proceed with this Bill today - I might be wrong in saying this; I have not checked it with anyone - can we allow for a review in 12 months' time to see how it affects businesses? The objective from my side, which is the business side, is that businesses should feel they can tackle people and not worry about defamation. As I mentioned, there were 3,500 defamation cases in Ireland and 3,500 in the whole of the UK, so it is definitely something we need to sort out. I wonder whether we should be looking at running the SME test on this to see what impact that would have on businesses.

That is my bit. Otherwise, we have made great strides. There has been a lot of improvement and I welcome that we are doing this. I thank the Minister for his time.

**Senator Nicole Ryan:** I thank the Minister for being here. It is good to see him back before the House. I am delighted to contribute to the debate on the Defamation (Amendment) Bill.

Defamation reform is long overdue. The current framework under the 2009 Act has proven to be expensive, slow and in many ways inaccessible, especially for ordinary people trying to defend their names. However, the Bill in its current form gets one major thing fundamentally wrong. That is the proposal to abolish juries from High Court defamation trials. We stand firmly opposed to this move, not because we are resistant to change but because we believe the right to have one's reputation judged by a jury of peers is not just a procedural preference, it is a cornerstone of justice. Removing juries does not fix the problem, it dodges it. We all recognise that defamation trials can result in inconsistent and sometimes excessive awards, but instead of addressing the causes by reforming how damages are assessed, for instance, the Government is proposing to take a sledgehammer to a core principle of our legal system. As others have said, this would leave Ireland a complete outlier among common law jurisdictions. The move is not backed by the legal community. The Law Society, the Bar of Ireland and the Judiciary have all expressed concerns about this shift. The Government's pre-legislative scrutiny report urged against this step, yet we are now being asked to accept a Bill that cuts the voice of the public from some of the most sensitive, high-stakes cases before the courts.

Defamation is not just a false statement. It is about a person's good name, standing, integrity and identity. Who better to adjudicate on whether a reputation has been harmed than a jury of one's peers? We are not blind to the challenges. Delays, costs and procedural complexities



are real, but they are not unique to defamation and they are not caused by juries alone. If delays were reason enough to eliminate fundamental rights, we would be in very dangerous territory. There are solutions that do not require removing juries altogether. Hybrid models exist, for example, where juries determine liability and judges determine quantum. These are used in other jurisdictions and could prove to be a compromise in this.

We support all the other reforms in the Bill, including the stronger provisions to tackle strategic lawsuits against public participation and making mediation more accessible through safeguards to ensure victims of abuse, coercion or control are not retraumatised by mandatory processes. However, we cannot accept a Bill that strips out public participation in a justice process, especially when it comes to reputation. We tabled amendments, including one that would allow a judge to determine whether a jury is appropriate in a given case, rather than having a blanket ban. That is a sensible, middle-ground approach to this.

We do not want to undermine public confidence in our legal system in the name of procedural convenience. This is a chance to get the balance right between protecting reputations, safeguarding public interest journalism and ensuring access to justice for all. I hope the Minister will reflect on this and that we can all work in this House together to get it right.

**Acting Chairperson (Senator Joe Flaherty):** I understand Senator Stephenson is sharing time with Senator Noonan, if that is in order with the House.

**Senator Patricia Stephenson:** Yes. I welcome the opportunity to speak on the Defamation (Amendment) Bill. The Bill is both necessary and overdue and I welcome steps being taken to modernise our defamation laws and rebalance the rights of freedom of expression and the right to a good name and to respond to the rapidly evolving digital environment. However, while I welcome elements of the Bill, it is a missed opportunity in some key respects, particularly in how it protects or fails to protect democratic speech and public interest journalism. I will start with the positives. The provisions to deter strategic lawsuits against public participation, SLAPPs, are a step forward. We know these cases are not about reputation. Often they are about power. They are not brought with the intention of winning but to intimidate and silence. The mechanisms proposed, namely, the early dismissal of unfounded claims, cost protection and declarations of abuse, are welcome and they follow a growing recognition throughout Europe that legal systems must not be weaponised against journalists, activists, human rights defenders or whistleblowers.

The simplified public interest defence, that of fair and reasonable publication, is another positive measure which provides some clarity and protection to responsible reporting. The provisions for correcting online defamation are, in principle, appropriate responses to the new, modern information environment in which we find ourselves. However, there are three areas where I feel the Bill in its current form falls short, and where I believe we need to push for amendments. I will certainly table amendments on the next Stage of the Bill. While this Bill gestures towards the EU anti-SLAPP directive, it does not go far enough. The Minister said there will be other measures put in place later to address that. Perhaps we could put those in this Bill as well.

The Bill limits protection on defamation cases alone. SLAPPs occur under many different legal headings, not just in relation to defamation but also under privacy, data protection and misuse of process. SLAPPs are having a chilling effect on communities. They are preventing local communities and small organisations from expressing their concerns on matters where there is a

clear public interest. This is happening. Perhaps the Minister and I can speak separately about specific cases where this is happening in Ireland. The Irish Council for Civil Liberties, ICCL, has been clear that this Bill must be amended so that it fully transposes the EU directive. If we fail to do so now, we risk failing to meet our obligations by the deadline and, more importantly, we are failing the people who need protection today, when it comes to SLAPPs.

Second, the abolition of juries in court defamation trials raises serious concerns. The arguments of delays and inconsistency have been dealt with in the Higgins case where the Supreme Court laid out clear guidance on how juries should operate in defamation trials. I do not believe the idea that this is a problem is true in actual fact. We have heard from the former High Court judge Bernard Barton. He has spoken about the dangers of removing juries from cases. We must ensure that we listen to someone with that experience and from that position. The Minister previously supported keeping jury trials, only last year, but now we have a different perspective. I apologise if he did so in his opening statement but maybe the Minister could provide clarity on where that change came from.

This Bill is something of a halfway house. It proposes some important changes. However, I do not believe it goes far enough. It does not provide the full defence that our democracy needs against legal intimidation. If we believe in protecting the right to a good name, we must also believe in protecting the right to freedom of speech to hold the powerful to account and be able to speak truth without the risk of financial ruin. We must protect the right to transparency and accountability and the freedom of the media. Journalists and activists must be protected from the chilling effects that we see with SLAPPs. That is occurring in Ireland but we know it is also occurring all around the world. In particular, we are seeing a huge increase in SLAPPs in the past decade in Europe. I support some aspects of the Bill but I believe amendments will be needed on Committee Stage. I will bring amendments forward and I look forward to discussing them with the Minister.

**Senator Malcolm Noonan:** My colleague has spoken more broadly on the provisions of the Bill. I will speak specifically to the EU anti-SLAPP directive. While provisions of the Bill give effect to aspects of the EU anti-SLAPP directive, and its application to domestic defamation cases is welcome, it falls short of transposing the directive's full set of minimum standards and protections, which Ireland is legally required to implement in full by May 2026. The anti-SLAPP provisions in the Bill apply only to defamation proceedings, even though SLAPPs frequently exploit other causes of action, including privacy, copyright and data protection to intimidate and silence public interest speech. The Government has provided no clear explanation of how it intends to extend protections beyond defamation in line with other EU obligations.

The legislation also omits key components of the directive that could have been readily included. These include provision for third-party interventions in support of SLAPP defendants - Article 9; security for damages - Article 10; and reversal of the burden of proof - Article 12. The legislation also fails to incorporate the protections against SLAPPs initiated in non-EU countries - Articles 16 and 17. By failing to incorporate these core safeguards the Irish Government exposes itself to potential infringement proceedings from the European Commission. The Government could and should have drawn on the established international best practices, including the Council of Europe's recommendation on countering the use of SLAPPs. This recommendation includes vital safeguards such as automatic stay of proceedings while an early dismissal motion is being heard, which are designed to protect against abuse of litigation.

As the Bill goes through today, the Cross-Party Group supports organisations calling for the

Houses to make necessary amendments to ensure that Ireland seizes the opportunity to protect freedom of expression. Public participation should be the cornerstone of our democracy.

**Senator Sharon Keogan:** I welcome the Minister into the Chamber again and thank him for coming in so many times to listen to Senators while we scrutinise this legislation. I express my deep concern about the direction the Government is taking with the Defamation (Amendment) Bill 2024. This is not a reform Bill; it is a retreat from fairness, transparency and the rights of ordinary people.

Let us begin with the business community. ISME, which represents small and medium enterprises throughout the country, has called this Bill bad law. It warns that it fails to cap damages, introduce a serious harm threshold and protect retailers from speculative claims. It is not alone. Retailers, hoteliers and shopkeepers are all saying the same thing. This Bill will not reduce litigation abuse; it will entrench it.

Let us talk about SLAPPs, strategic lawsuits against public participation. These are lawsuits designed not to win but to silence, to punish people for speaking out, and they are happening here in Ireland. We have seen journalists dragged through the courts for reporting on corruption. We have seen whistleblowers threatened for exposing wrongdoing and survivors of sexual abuse warned that if they speak publicly, they could be sued. This is not justice; it is intimidation.

This Bill introduces a weak test of “manifestly unfounded”. It does not go far enough. It does not reverse the burden of proof or stay proceedings to prevent legal costs from piling up. It does not empower courts to penalise abusive plaintiffs. The Ireland anti-SLAPPs network and ISME have both called for stronger protections. Why are we ignoring them?

Let me give a hypothetical but all too real example. A woman is assaulted by a powerful man. She does not go to the Garda. She is afraid, ashamed and unsure she will be believed. Years later, she speaks out online. She does not name the man but he sues her anyhow. Under this Bill, unless she can prove the case is manifestly unfounded, she will be dragged through the courts. She will face legal bills, public scrutiny and the very real possibility of financial ruin. That is the reality this Bill fails to confront.

What of the jury? The Irish Council of Civil Liberties, ICCL, the Law Society and retired High Court judge Bernard Barton have all warned against removing juries from defamation trials. Juries are not a relic, they are safeguard. They are the people’s voice in the courtroom. Removing them is not reform, it is regression.

I must raise a question that many are thinking but few are willing to say out loud. Is there a conflict of interest at the heart of this Bill? The Minister, Deputy O’Callaghan, and Attorney General, Rossa Fanning, have both earned substantial sums from defamation litigation. Deputy O’Callaghan, a senior counsel, has represented high-profile clients in major defamation cases.

**Acting Chairperson (Senator Joe Flaherty):** I do not think that is appropriate.

**Senator Sharon Keogan:** This is actual fact and true.

**Acting Chairperson (Senator Joe Flaherty):** That may be but I do not think it is appropriate to this debate.

**Senator Sharon Keogan:** It is. This has to do with the defamation legislation. I am sor-

ry but it is. Mr. Fanning, before becoming Attorney General, was one of the country's most sought-after barristers.

**Acting Chairperson (Senator Joe Flaherty):** I ask the Senator to be mindful of her language.

**Senator Sharon Keogan:** I thank the Acting Chairperson for pointing that out. Before becoming Attorney General. Mr. Fanning was one of the country's most sought-after barristers in commercial and defamation law. While it is of course normal for legislators to follow careers in law before entering politics, we must question the systemic problems that raises. Do we really believe that this Bill, one that preserves high-value litigation by weakening public protections, was crafted with cool, disinterested objectivity by those who have profited most from the current system?

Finally, I want to speak on a broader concern.

**Acting Chairperson (Senator Joe Flaherty):** Senator, I ask you to withdraw that. You have absolutely no proof of what you are saying there. That is a scurrilous comment and I ask you to withdraw it, unless you have proof.

**Senator Sharon Keogan:** What comment would you like to-----

**Acting Chairperson (Senator Joe Flaherty):** The Senator can withdraw it unless she has proof.

**Senator Sharon Keogan:** Proof in relation to what comment?

**Acting Chairperson (Senator Joe Flaherty):** In relation to the architects of the Bill.

**Senator Tom Clonan:** On a point of order, I think there is a clear inference there of a conflict of interest. I think it is unfair-----

**Acting Chairperson (Senator Joe Flaherty):** It is.

**Senator Tom Clonan:** -----and I do not think it behoves this House to introduce that type of argument or narrative here.

**Senator Sharon Keogan:** There are many Members in this House who would come from a legal background, and, indeed, many in the Lower House too.

**Acting Chairperson (Senator Joe Flaherty):** It is not a crime to come from a legal background.

**Senator Sharon Keogan:** Many would have vested interests in this legislation, so I-----

**Acting Chairperson (Senator Joe Flaherty):** I am going to ask you to withdraw that.

**Senator Sharon Keogan:** Right, okay. Thank you. I will consider that withdrawal and-----

**Acting Chairperson (Senator Joe Flaherty):** It is withdrawn, is it?

**Senator Sharon Keogan:** Finally, I want to speak on a broader concern, the erosion of free speech in this country. We have seen the Government hesitate on hate speech laws, failing to provide clarity on what will or will not be criminalised. We have seen proposals to include a so-

9 July 2025

called Kneecap provision in anti-terror legislation, a clause mirroring the very same one being used to persecute Irish artists in the UK, with language so vague it could be used to target half the country for their views. We now see a defamation Bill that fails to protect satire, survivors and the public's right-----

**Acting Chairperson (Senator Joe Flaherty):** The Senator is over her time and she has gone on to different legislation.

**Senator Sharon Keogan:** I have because-----

**Acting Chairperson (Senator Joe Flaherty):** We are dealing with defamation, so I will let one of the Senator's colleagues come in now.

**Senator Sharon Keogan:** Sorry, I might have gone over time, but this is-----

**Acting Chairperson (Senator Joe Flaherty):** You have gone on to the hate speech legislation.

**Senator Sharon Keogan:** No, I am actually talking about this Bill - defamation.

**Acting Chairperson (Senator Joe Flaherty):** You are out of time.

**Senator Sharon Keogan:** If you will allow me-----

**Acting Chairperson (Senator Joe Flaherty):** I call Senator Conway.

**Senator Sharon Keogan:** Sorry, you interrupted me, Chair. Surely that time should be allocated back to me. I am nearly finished.

**Acting Chairperson (Senator Joe Flaherty):** I did afford you additional time, and now it is your colleague, Senator Conway's turn.

**Senator Sharon Keogan:** This is not the Ireland I want to live in. This is not the Ireland I-----

**Acting Chairperson (Senator Joe Flaherty):** Sorry, Senator. There are other Senators in the House.

**Senator Sharon Keogan:** I think-----

**Acting Chairperson (Senator Joe Flaherty):** I call Senator Craughwell before Senator Conway.

**Senator Garret Kelleher:** Were the comments withdrawn? Can this be clarified?

**Senator Sharon Keogan:** Can I-----

**Acting Chairperson (Senator Joe Flaherty):** No, you cannot. You are out of time. I have indulged you long enough and given you plenty of time. I call Senator Craughwell.

**Senator Sharon Keogan:** Thank you, Vice Chair.

**Senator Gerard P. Craughwell:** I welcome the Minister to the House. This is the first time I have addressed him since his elevation. I congratulate him on his new post and I think he is



doing a fine job where he is.

I rise today to speak on behalf of ISME. My lovely speech has been ruined because several people have already adverted to ISME's critique of the Bill. Nonetheless, I feel obliged to put the association's concerns on the record. The first thing raised with me is the no-harm test. This means individuals who have not actually suffered any damage to their reputation can still sue for damages. This opens the door to frivolous and costly litigation, undermining the very purpose of the defamation law. Second, ISME pointed out there is no cap on general damages. Without limits, the risk of exorbitant awards will only serve to chill free speech and encourage legal threats rather than genuine redress. Third, the promise of transient retail defamation tests has been removed and replaced with a qualified privilege. This change will increase legal fees for retailers without offering them any meaningful protection.

Furthermore, the Bill's anti-SLAPP protections are woefully inadequate and do not meet the standards set by the EU anti-SLAPP directive, which Ireland must implement by May 2026. As a result, victims of sexual assault and rape may still be threatened by perpetrators with defamation actions, silencing their voices. The Bill also removes the promised improvements to section 26, which would have protected fair and reasonable publication. There is no protection for comedic or satiric content and no moral hazard for plaintiffs, meaning there is little to deter vexatious claims. It is unfair for the Minister to suggest that businesses should fight retail defamation actions when insurers have subjugated rights and our courts permit appeals without any constraints on the payments of defendants' costs. Let us be clear that this Bill is a sop to the legal industry - this is ISME speaking, not me, I have to say-----

**Deputy Jim O'Callaghan:** I think it is the Senator.

**Senator Gerard P. Craughwell:** -----which benefits from maintaining Ireland's astronomical levels of defamation litigation. Even as claims fell to 289 cases in 2024, this remains higher than the 250 cases in England, as already pointed out. There is no judicial justification for this disparity. The Courts Service's annual report only scratches the surface. Defamation actions generate an estimated €30 million to €50 million in fees each year for a small group of lawyers. By the way, I do not object to people making a living. I am representing the views of ISME here.

There is no justice in this bad law. The Bill is opposed by a wide circle of civil society groups, journalists and media and legal academics. It fails to meet the threshold of reform required by the European Court of Human Rights, risking reputational damage to Ireland and possible enforcement proceedings by the European Commission. It is never too late to do the right thing. If the Bill cannot be amended, it should be opposed. This is the view of ISME. It is not just the view of that association. Several civil society groups have also emailed me in recent days concerning this legislation. I have represented their views to the Minister.

From a personal perspective, I fully support my colleague, Senator McDowell, with respect to jury cases. I would rather be judged by 12 of my peers than by a judge forced to make a decision as to whether he or she believes that I or a particular plaintiff or defendant in a case has lied. I think it is asking a lot of one individual.

I must also say that I am delighted the Minister is bringing forward provisions in this Bill in the area of social media. It is time we tackled the keyboard warriors and those who feel they can say anything they want about anybody they want to and get away with it. In some

cases, they feel in some way safe by not naming an individual, but they say enough to identify the individual in question. I am, therefore, delighted the Minister has brought these elements forward and I hope to see the Bill pass on this basis. I will leave it at that. I thank the Minister for his time.

**Senator Joe Flaherty:** I thank Senator Dee Ryan for taking the Chair to facilitate me contributing. Obviously, I welcome the Bill. As I was sitting in the Chair, I was thinking that if this was 70 or 80 years ago, we would just have been thinking about newspapers. It shows how we have evolved as a society when defamation covers so many aspects of our lives now. I am not quite sure whether this is a good or a bad thing.

I will address a few of the points made, one of which concerns the juries. As a former press man, I would obviously welcome the removal of juries. Many people have suggested the possibility of a hybrid model. We have an eminent Judiciary and exemplary judges, and I would be more than happy that judges can stand over their decisions and defend them. This is a positive step forward in what heretofore has been an extremely challenging scenario for us as a society.

In particular, I welcome the changes in the legislation on online defamation. Unfortunately, these are probably coming 20 years too late. As Senator McDowell said, we have seen a terrible deterioration in and coarsening of society generally. It is particularly prevalent, I fear, among younger people who have grown up in a silo of social media and feel it is okay to say what you like on social media, that everybody is an editor on social media and that social media do not have the same constraints as the printed press or broadcasting media. I welcome these changes, especially those that will allow us to now go to the Circuit Court to get the identification of anybody who posts anonymously online in a derogatory or defaming fashion.

We heard many contributions about the retail sector. As the proud son of a former shop owner, I still have a small retail hat on me, although I am glad I am not in the business of shops anymore. I would have an element of sympathy for what ISME is saying. From my engagement with the Minister, however, I do not feel the association fully comprehends the changes the legislation will make. This is an all-encompassing Bill. I think it has got a significant degree down the road in terms of where we need to go. We now have a provision in section 8 for a new statutory defence in so-called retail defamation cases. I think this is a significant step forward and a response to serious concerns expressed by retailers and the hospitality sector, in particular, as well as many small businesses in related fields as regards the increase in unfounded claims of defamation increasingly made against them.

We obviously appreciate how hard it is for the retail sector. It is very challenging, whether people are working in the retail sector or are employers. I recently saw online a case in County Longford where a security guard accosted someone shoplifting.

*2 o'clock*

Not only had he to deal with the trauma of that situation but he also had to deal with the trauma of someone recording what he was doing, posting it online and then all the vexatious comments berating him for doing his job. The problem with social media is that everyone is a citizen journalist. That is to be welcomed and everybody is entitled to have a place to speak but it is very much a Wild West scenario at this stage.

This is a significant Bill and it has an awful lot of positives. That is what I would say to retailers, based on the conversations I have had with the Minister who has given a very eloquent

insight into the Bill. I know he said he has to leave but I hope he will have time to address the specific concerns raised with regard to retail. From my conversations, I am reassured the Bill will address many of those concerns.

**Senator Joe Conway:** I will address one particular feature of the Bill, namely, the reservations I have about the delegation of defamation to judges only and the bypassing of the constitutional and long-held right of people to be tried by juries of their peers. I want to digress, maybe to add a little bit of levity to what has been a somewhat turgid session at times. When I was a much younger man I spent most of the first 12 years of my teaching life in the capital here and I lived just out the road in Ranelagh, in a place called Cherryfield Avenue.

**Senator Michael McDowell:** Very fashionable.

**Senator Joe Conway:** Yes indeed, and it gets better because just at the top of my road, there resided a lovely man called Mr. Justice Hubert Wine. He is long gone now. In a chat I had with him once he cracked a good joke, I thought. He said one of his defendants said that he had been sentenced by “just a swine”. The sobriquet was anything but appropriate for Mr. Justice Wine because he was an entirely lovely man.

That leads me on to the point I am about to make. Judges are gifted with judiciousness but not with divinity and, as such, they are open to bias, bigotry, caprice and all of those things. If they do not like the colour of your hair, the shape of your face, the colour of your skin, the accent you use or the place you come from, or many other things that are open to bias and caprice, it will almost inevitably impact the way they look on a defendant in a case. The long-held treasured principle in common law areas that people are triable by juries is a magnificent defence and civil right that we should not toss to the wind.

I do not think it is a much of a coincidence but when I was listening to the “Today” programme this morning getting ready to come in here, I heard that in our sister island across the main, the Leveson report was published today. The UK is also talking about doing away with jury trials but, interestingly enough, it has taken a much more measurable thing, namely, bribery and fraud. I was just thinking, as an ordinary layman, that it would be easier to make a judgment on bribery and fraud and on the hard evidence that is likely than it would be on the much more mercurial items that are brought up with regard to defamation and character.

I have that reservation about that measure. I am not even out of time, which is unusual for me, but I want to say, *mar fhocail scoir*, that I really am delighted to see the Minister back in the Seanad again. He is a better attender than most of us, I would say, and I am delighted to see that he holds the House in such respect and that he gives an account of his work and labours, which are long and will hopefully continue to be fruitful.

**Senator Mary Fitzpatrick:** I thank the Acting Chair for allowing me some time. I appreciate the Minister is under time pressures. Like the other Senators, I greatly appreciate his attendance in the House. He is affording us strong attention and I hope the contributions from the Senators merit that.

Many of the other Senators spoke in detail about the Bill. I will focus my comments on an issue that has been aired by others, that is, the effect of defamation crimes on retail. I could talk at length about the cause of defamation, other citizens and other walks of life but I was nominated by RGDATA to contest the Seanad election. I was very privileged to receive its nomination and I am delighted to represent it here. RGDATA represents the small, indigenous,

independent Irish retailer - the SPAR or Centra where we go to buy a bottle of milk, sliced pan or newspaper. These retailers are there early in the morning and late at night. From getting to know them and understanding their business, I know they are people who get up in the morning and go to bed at night thinking about how they are going to sustain their business. They have made a very significant financial and personal investment and commitment, not just to the bricks and mortar of the premises they operate but to the creation of employment for people in our communities and the provision of a service to their communities, with all that entails. For many of them, their margins are so thin that if they did not own the premises, I do not think they would have the margins to continue trading because they have been very directly impacted by increased costs.

This Bill is really important to small retailers because they do not want to spend their time considering legal matters. They are not lawyers or solicitors. They do not want to have to take time out of providing a service to their customers and their community and looking after their employees by engaging in litigation of any manner. However, they are subject to and targets of crime on a regular basis. I know the Minister knows this and I commend him on his engagement with the sector, his establishment and convening of the retail crime forum, and his engagement with it on that. The Minister knows that retail crime is costing €1.6 billion in Ireland and that Ireland has the highest *per capita* cost of retail crime. It is more than €350 per person. This is an enormous cost.

Getting this Bill right is really important. The Minister has heard contributions from others. We will have Committee Stage. I look forward to engaging with the Minister and his officials over the coming weeks to bring the Bill forward because there are an awful lot of very positive innovations in it. I commend the Minister on his work.

**Acting Chairperson (Senator Dee Ryan):** Gabhaim buíochas leis an Seanadóir. Anois, Seanadóir Tom Clonan.

**Senator Tom Clonan:** I did not want to speak.

**Acting Chairperson (Senator Dee Ryan):** Apologies, Senator. If that is all, I ask the Minister-----

**Senator Gareth Scahill:** On a point of order, there was a contribution in which the integrity and impartiality of the Minister was questioned and a Senator was asked to withdraw the comments. I want to clarify whether those comments have been withdrawn.

**Senator Sharon Keogan:** They are on the record of the House now so that is all.

**Acting Chairperson (Senator Dee Ryan):** They are not being withdrawn. I thank the Senator for clarifying.

**Senator Joe Flaherty:** Before the Minister contributes, the Senator did withdraw them when I was in the Chair. That is for clarity. That is also on the record of the House.

**Senator Sharon Keogan:** On a point of order, and for clarity, I did not withdraw the comments. I said I would think about it and rise again if I wanted to withdraw the comments. I had a lot more to say but unfortunately I was cut short and I did not get my five minutes.

**Senator Joe Flaherty:** For clarity, the Senator can check the record. She did say she was withdrawing the comment.

**Acting Chairperson (Senator Dee Ryan):** Senator Keogan has clarified it now.

**Minister for Justice, Home Affairs and Migration (Deputy Jim O’Callaghan):** Gabhaim buíochas le gach Seanadóir as a gcuid óráidí spéisiúla. I thank the Senators for their contributions. I thank Senator Gallagher for indicating his and Fianna Fáil’s support for the legislation before the House.

I then listened very carefully to Senator McDowell, who has great experience in this area, having been the Minister that steered through the Defamation Bill that became the 2009 Act. I assure Senator McDowell that I would never accuse him of having any conflict of interest in respect of how he steered the legislation through the Houses at that time, notwithstanding the fact that he was previously and subsequently a senior counsel.

I also note what Senator McDowell said about how the media may come to regret the change to a judge sitting alone. It is certainly the case that there will be changes as a result of the fact that defamation cases will now be heard by judges sitting alone. It will mean that we will now generate and develop a body of jurisprudence through written reported judgments that will refer to defamation cases and how they have been decided. At present, one will not find any reported judgments about first instance defamation cases because when they are heard in the High Court, they are determined by a jury, an award is given and there is no written outcome from the court. The only time there is a written judgment is if a case is appealed and the Court of Appeal or Supreme Court gives its judgment in respect of it. Therefore, there will be considerably more defamation law and jurisprudence in the area. The Senator is correct that it will make the issue more litigious.

I also note what Senator McDowell said about section 26. It was introduced to give statutory effect to the Reynolds decision. That has happened but it needs to be simplified.

Senator Kelleher mentioned the issue about the serious harm test, which is a legitimate point that was raised by Senators Kelleher and McDowell. My concern about having a serious harm test for every claimant who brings a defamation case is that there will inevitably be interlocutory hearings to determine whether the case is a serious harm case. It will lengthen proceedings. If somebody issues proceedings claiming they have been defamed, and if the defendant puts in a defence stating that it does not meet the serious harm test, there has to be a hearing about it. That will be a hearing in advance of the full hearing. They have this in England and it has made it a more complicated area. There are some advantages in defamation laws at present in this country in that there is a resolution by the hearing of it in front of a jury, or in front of a judge if it is in the Circuit Court, and there is a quick determination. I do not want to make it so complicated that we have the serious harm test hearing, then we have appeal of that, it goes back, and then we have the full hearing. I note what was said but I would be concerned about it.

Senator Nelson Murray referred to how defamation is a huge concern for retailers. I am aware of that. A number of colleagues have raised that issue as well. However, the new statutory provision has been put in to meet the concern of retailers. It is in response, in fairness to many Members in this House and the Lower House, to the campaign that is being waged to ensure we can change our law. It will mean that if a retailer in a shop questions somebody as to whether that person has paid for something, or asks somebody whether they can check something, that will be protected. If a case is taken against a retailer, I would urge retailers to defend the claim. What encourages unmeritorious claims, as I said before, is when people decide, “Ah sure, we will just pay out a small sum of money”. I note what the Senator stated about the



excess but there is a mechanism whereby the client in an insurance-client relationship can put pressure on the insurer to fight the claim. Insurers should be fighting claims as well.

I think it was mentioned by the Senator as well that the general scheme changed, and the transient retail defamation case was addressed in the general scheme. That was before the Bill was introduced in August of last year. I had nothing to do with that. I was not in government at the time. I got a Bill that was introduced by my predecessor, the Minister, Deputy McEntee, and approved by the Government. I have made no changes in the scheme since it was introduced.

I note what Senator Ryan said in respect of juries. I listened carefully in the Lower House when Deputy Carthy was making a point about juries. I will deal with the juries point in due course when I respond to Senator Stephenson's point where she mentioned statements I have made previously.

Senator Stephenson said this is a missed opportunity. She also criticised the fact that the Bill does not transpose other aspects of the SLAPP directive into Irish law. That will be done. Let us remember that this is a defamation Bill. It is appropriate that we just transpose into the defamation Bill those aspects of the SLAPP directive that relate to defamation.

I also heard her talk about the Higgins case. The Higgins case is about setting out what awards of damages in defamation cases should be, regardless of whether it is a judge or a jury making the determination. The important thing about the Higgins case is that it will stand when or if we see the abolition of juries. I have also listened very carefully to what retired judge Mr. Justice Bernard Barton has said in respect of this matter.

Senator Stephenson said that I had previously in the Dáil supported retaining juries in defamation cases. That is correct. I described it as short-sighted. She asked what has changed. What has changed is now I am a member of the Government and I have to abide by and comply with the agreed position of the two parties and Independents that went into government and agreed the programme for Government. When you are in government, or when you are in a political party, as Members of this House will know, you have to compromise. Compromise is an essential part of government.

Senator Noonan also referred to the issue of the SLAPP directive not being fully transposed. I will say the same thing to him: it is a defamation Bill, and I will be bringing forward further legislation to transpose the rest of the SLAPP directive.

Senator Keogan read out what ISME had stated. It is important that we are discussing in this House the issue of the defamation Bill. As I said at the outset, we have to take into account conflicting rights. On one hand, there is the right of the individual to their good name and, on the other, there is the right to freedom of expression. Notwithstanding the background to how any of us get elected into politics, we have to represent what is perceived as being the public good. It is certainly the case that many people believe they have been grievously defamed by people. We do not actually hear too much about those individuals who have been defamed and believe they have to rely on the defamation laws because they are not an organised entity. They are not like ISME or the NUJ. Senator McDowell will be well aware of this. I think of the position of former Sergeant Maurice McCabe, where outrageous allegations were made against him. The only remedy he had in law, outside of the contract of employment dispute he may have had with the Garda, was a defamation claim. People were asking what can be done about this. When people say heinous things that are inaccurate and very damaging about individuals,

they certainly should have a remedy. Not always can everybody have a remedy because there are some defences there. I am conscious that Senator Keogan defamed me in her speech. I have no remedy against that, nor would I wish to take it, because I think politicians should have a thick skin. However, one of the great privileges that Senators and Deputies have is the defence of absolute privilege. We can say what we wish here. Of course, there are limits to that as well. It has consequences. The Senator's allegation that I have a conflict of interest here is not only defamatory; it is incorrect and inaccurate. It has given me good insight into her as a Senator, and I will reflect on that in due course.

I will take on board what Senator Craughwell said. He referred to many parts of the ISME speech and I listened to it very carefully. In respect of the transient retail defamation case, that may have been removed but it has nothing to do with me. We all need to be conscious of the broader public interest, let alone just focusing on representative vested interest groups that come here and ask us to speak on their behalf. It is important that we speak on their behalf but we also must have the broader public interest at large.

I listened carefully to Senator Flatley; sorry, I mean Senator Flaherty. I apologise for confusing him with the famous Irish dancer. I listened carefully to Senator Flaherty. Having the experience of being in the newspaper industry is beneficial here. I can understand why newspapers feel the defamation laws need to be shifted more in order to protect the right to publication. Again, as I said, it is a balancing act. I agree that the new provision in respect of protecting retailers is a strong statutory defence, and I hope it is used.

Senator Joe Conway gave an account of living in Cherryfield Avenue - a very pleasant avenue. I was never aware of Mr. Justice Wine but it sounds like an interesting account of him. He talked about trial by juries. It is important to point out that there is no suggestion of any abolition of juries in the context of criminal prosecutions. In the Circuit Court for a defamation claim, people do not have a jury there. If you want to take a claim, you can take it in the Circuit Court. You can claim damages of up to €75,000. You do not get a jury, but you get a fair hearing from a judge.

Senator Fitzpatrick spoke about small retailers and the retail crime form. I am very conscious of the issue and how it affects retailers, and that is why this statutory provision is contained within the Bill.

I thank the Cathaoirleach for listening to me and Members for their contributions, which I will take on board. I will be back on Committee Stage.

Question put:

The Seanad divided: Tá, 32; Níl, 19.	
Tá	Níl
Ahearn, Garret.	Boyhan, Victor.
Blaney, Niall.	Clonan, Tom.
Boyle, Manus.	Collins, Joanne.
Brady, Paraic.	Conway, Joe.
Byrne, Cathal.	Cosgrove, Nessa.
Byrne, Maria.	Craughwell, Gerard P.
Comyn, Alison.	Flynn, Eileen.

9 July 2025

Costello, Teresa.	Harmon, Laura.
Crowe, Ollie.	Keogan, Sharon.
Curley, Shane.	McCarthy, Aubrey.
Daly, Paul.	McCormack, Maria.
Davitt, Aidan.	McDowell, Michael.
Duffy, Mark.	Mullen, Rónán.
Fitzpatrick, Mary.	Murphy, Conor.
Flaherty, Joe.	Noonan, Malcolm.
Gallagher, Robbie.	O'Reilly, Sarah.
Goldsboro, Imelda.	Ryan, Nicole.
Kelleher, Garret.	Stephenson, Patricia.
Kennelly, Mike.	Tully, Pauline.
Kyne, Seán.	
Lynch, Eileen.	
Murphy, P. J.	
Murphy O'Mahony, Margaret.	
Nelson Murray, Linda.	
Ní Chuilinn, Evanne.	
O'Donovan, Noel.	
O'Loughlin, Fiona.	
O'Reilly, Joe.	
Rabbitte, Anne.	
Ryan, Dee.	
Scahill, Gareth.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Garret Ahearn and Paul Daly; Níl, Senators Nicole Ryan and Conor Murphy.

Question declared carried.

**An Cathaoirleach:** When is it proposed to take Committee Stage?

**Senator Seán Kyne:** Next Tuesday.

**An Cathaoirleach:** Is that agreed? Agreed.

Committee Stage ordered for Tuesday, 15 July 2025.

*Cuireadh an Seanad ar fionraí ar 2.35 p.m. agus cuireadh tús leis arís ar 3.04 p.m.*

*Sitting suspended at 2.35 p.m. and resumed at 3.04 p.m.*

*3 o'clock*

**Pregnancy Loss (Miscellaneous Provisions) Bill 2025: Second Stage**

**An Leas-Chathaoirleach:** I welcome the Minister of State, Deputy O'Donnell.

**Senator Nicole Ryan:** I move: "That the Bill be now read a Second Time."

I will be sharing time with my colleague, Senator McCormack.

**An Leas-Chathaoirleach:** Is that agreed? Agreed.

**Senator Nicole Ryan:** I am holding a copy of my seven-week scan. It is the only evidence I have that my pregnancy ever existed. I am not alone in this. I actually count myself lucky. On 22 March last year, my 31st birthday, I found out that I was pregnant. Whenever any woman finds out that she is pregnant and looks at that positive test, she naturally maps out a life for that child. She maps out his or her future, hopes, dreams, names and all of that. I was very naive about pregnancy and what that entailed because it was my first time. I had gone to the GP and done my check-ups and everything was great. At seven weeks I began to bleed. I did not know what was normal and what was not, so I went back to my GP and was told that it just happens sometimes to some women and if a miscarriage was to happen, there was nothing I could do about that anyway. For me, in my very first pregnancy, I did not even fathom that miscarriage could happen. It did not even enter my stratosphere. I went to the emergency department in CUMH, where I spent about five hours waiting to get an ultrasound scan. The maternity ward in CUMH has women at different stages of pregnancy, and obviously the emergency unit has women who are worried and waiting for scans. I was sitting in that environment. I went for my scan and they told me they could not see anything. They could not see any baby or fluid or sac or anything. I was sent home after being told that I would have to go back to the early pregnancy unit in Cork the following day. The Minister of State can imagine the worry I had when I was sent home. Having been told they could not see anything, I thought I was losing the baby. There was nothing visible.

I was distressed. I could not sleep that night. I spent the whole night crying because I thought this was the worst-case scenario. I went back to CUMH and the early pregnancy unit the following morning and went into the clinic, where I was sitting among women who were also getting various scans. They may have had bad news or good news; I did not know. I remember sitting across from a woman who was crying her eyes out. She was sitting there by herself; there was nobody there with her, and I just thought that could be me next after I went in for that scan. I went in and they did an internal scan and I was shown the heartbeat for the first time. Everything felt amazing. Any woman who has had children knows that first scan and the feeling of, "Oh my God, this is real. This is happening." I was told there was nothing to worry about and I could go home, so I did.

Naturally, as you progress through the pregnancy, people tell you not to tell anybody because the 12-week mark is the safe mark, after which nothing can go wrong. After a woman gets to 12 weeks, she is in the safe zone. I told my closest family members and friends. It is not

inconceivable to become excited and want to buy little gifts as the woman goes through this. I booked my 12-week scan for the Tuesday. On the Sunday before my 12-week scan, I woke up at 5 o'clock in the morning. I had cramps before I went to sleep and when I woke up that morning, I just knew something was wrong. I pulled back my sheets and I was covered in blood. I was alone, so I got into my car and drove myself to CUMH. It was the most torturous drive of my life. I knew deep down what was happening but I begged and pleaded with everybody just to make sure this was not happening.

I went back into CUMH and I sat in the little waiting area. There were mothers coming out with babies, and I was bleeding. I had to go to the bathroom to show them that I was actually miscarrying. They had to see that evidence, which was not the most humane thing to make me do. I had my scan and I was told it did not look like the baby had progressed beyond the seven-week mark. It was not where it should have been. I went home and had to go back to CUMH the next day to get an internal scan to confirm this. That drive home was the worst drive I have ever had. I do not think I have ever had an experience like it. I had to drive back home by myself. I parked my car and I had to call my fiancé and my mother to tell them what was going on, that I was miscarrying.

The following morning I went back to CUMH and got the confirmation. They did the internal scan and told me I was miscarrying. I was given my options. Women in that situation can have D and C, which can be very invasive and can cause tears, or take medical intervention or just let it pass naturally. I chose the option of medical intervention but I was not told anything about what was going to happen when I did that or how it would affect me physically. I was told it was going to be like a bad period. I went home and took my medical intervention. I had to call CUMH because I was not sure if what I was experiencing was normal. Nobody told me I would have enough amniotic fluid that, when the medical intervention worked, my waters would break. Nobody told me that I would pass the pregnancy when I was sitting on the toilet, that I would not know what to do, that I would be distraught, crying and panicking while sitting there, and that all I could do was flush. Nobody told me I would have to go back and be told I had to do it again because there was still residue left. After all of this, I had to go back one last time, when I was told the best time for me to try to get pregnant was right now because I was the most fertile for the first three months after the miscarriage. As a woman who has gone through something like that, the last thing you are thinking of is getting pregnant again. It was horrifying because I did not understand what would happen to me emotionally afterwards; how I would be so envious, how I would not want to leave the house, how everything would be a trigger, how I thought I would go crazy and how I thought I was going crazy. I felt so isolated and so alone in the process. This was the case until I spoke to other women who said they had had a miscarriage too but had never told anybody. This happens an awful lot, more than we understand or more than we have statistics for. Women have been suffering alone for a long time.

This Bill is rooted in lived experience, driven by evidence and shaped by compassion. This is the big thing here. It begins with a simple and powerful truth, which is that every loss matters, no matter what loss it is. We are debating the Bill today and this week we had fresh validation from across the Irish Sea, as on 6 July 2025 the UK Government announced that parents who suffer miscarriages before 24 weeks will be entitled to at least one week's bereavement leave, with full legal rights for mothers and partners in upcoming employment reforms. This follows earlier recommendations by two UK MPs for two weeks of paid leave for miscarriage losses. It is a change that underscores the physical and emotional toll of early pregnancy loss. The shift reflects an evolving understanding that pregnancy loss pre-24 weeks in the UK is not a clinical



event but is very traumatic and deserving of protection. The Bill before the House echoes this with regard to 23 weeks in this country. It proposes paid leave of five days for women and 2.5 days for their partners.

The Bill also proposes a voluntary and confidential pregnancy loss register. This is incredibly important. The State does not recognise losses prior to 23 weeks. People are supposed to just carry on and pretend nothing happened. There are also legal protections in the Bill. Pregnancy loss is one of the most common forms of bereavement but one of the least recognised in society and law. The statistic of one in four women experiencing pregnancy loss is not a true statistic because it does not take into account women who miscarry at home, those who have missed miscarriages and other cases. Behind the statistics are thousands of stories of grief, silence and people returning to work with empty arms and aching hearts because the law makes no space for their pain.

The proposals in the Bill are not radical. They are rooted in best international practice. In England and Scotland parents can receive a formal baby loss certificate for losses before 24 weeks. In New Zealand paid leave after miscarriage is already in place. In Australia workers are entitled to leave following pregnancy loss. In the North of Ireland our Sinn Féin colleagues have pushed for cross-party momentum towards a baby loss certificate scheme to give families the recognition they deserve. We believe the State should afford no less here.

The Bill is built on the findings of ground-breaking Irish research, including the PLACES project and the RE:CURRENT project led by UCC's pregnancy loss research group. The PLACES project highlights the profound impact of pregnancy loss on working lives. Women and partners spoke about the absence of paid leave, the lack of information and the emotional distress of returning to work too soon, often in silence and often unsupported. One of its key recommendations is clear; this is the introduction of medically certified paid statutory leave for pre-viability pregnancy loss. The Bill delivers exactly this. The RE:CURRENT project evaluated services from people experiencing recurrent pregnancy loss and found serious gaps. Only half of maternity units in the country offer specialist clinics for recurrent miscarriage. Psychologist supports are limited or non-existent, and too often the care provided lacks the sensitivity and consistency the loss demands.

The Bill does not fall into the category of "nice to have". The Bill has been informed by countless conversations with advocacy groups such as Féileacáin, the Miscarriage Association, clinicians, researchers and many grieving families. Countless women have been met with coldness when they try again. Some have to beg for investigations. One woman who delivered at 22 weeks was told funerals were only for real people. Another woman who had the ashes of her 22-week-old baby and wanted to take them on a flight was told she could not board with the ashes because she did not have a death certificate. This is what women are suffering today.

I want to be clear to my colleagues and everyone contributing on the Bill that it is not party political. This is not a party political matter. I hope the House will support the Bill. We can improve it, make progress in the Chambers and shape public awareness together. To delay the Bill is to traumatise even more women. Every parent deserves recognition and every loss deserves dignity. Every person navigating grief deserves time, space and care, and all of our support.

**Senator Maria McCormack:** I welcome the work that Senator Ryan and my party, Sinn Féin, have done on this issue. I thank Nicole for sharing her personal and powerful story. It is a story to which, sadly, the one in four women who experience a miscarriage can relate very well.

There are approximately 15,000 miscarriages a year in Ireland.

We know this loss can have a profound emotional impact not only on the woman but also on her partner, friends and family, yet there is little recognition of the grief and pain suffered. We know there are many physical symptoms of grief, such as fatigue, tiredness, loss of appetite, difficulties concentrating and sleeping problems. Then there are the emotional symptoms, including feelings of loneliness, guilt, shock and numbness, anger, an overwhelming sense of sadness and, sometimes, depression. We must never undermine the traumatic experience of a miscarriage and how difficult it can be to talk about it to others. There is the pressure of having to behave normally and to go back to work as if nothing happened.

It is very sad that we do not already have statutory workplace supports in place for this. It feels like yet another example of women's health issues being ignored for too long, and another thing women just have to put up with. This cannot continue. As Senator Ryan has outlined, the Bill before us aims to provide statutory paid leave for individuals suffering pregnancy loss. It also provides for statutory paid leave for partners, which is very important. The Bill ensures dignity, privacy and empathy in the workplace, with confidential notification procedures and protection from employment discrimination.

Another key measure in the Bill is the symbolic recognition that would be provided by a voluntary pregnancy loss register. Initiatives similar to a voluntary pregnancy loss register have been introduced in many places, as Senator Ryan has outlined. England launched a baby loss certificate scheme in 2024. Scotland introduced a memorial book and certificate in 2023 for losses before 24 weeks. Wales is also looking into the scheme. Other jurisdictions, such as Germany and Australia, provide early pregnancy loss certificates. In the North, my Sinn Féin colleagues have brought forward the Deaths, Still-Births and Baby Loss Bill, which is progressing in the Assembly. There is plenty of precedent and no reason we should not have the register here.

The provision of paid leave for women who experience pregnancy loss, including pregnancies under 24 weeks, is also something already established in other countries. With this Bill, we would be bringing Ireland into line with progressive international practices.

Losing a baby during any stage of pregnancy is heartbreaking. Acknowledging this can be greatly important for families and sends a clear message to parents that their love and grief is real and that they are not alone. I hope that the Minister will support the passage of the Bill through the Seanad and that we get cross-party support, so families who go through pregnancy loss can get the supports and acknowledgement they need.

**An Leas-Chathaoirleach:** I welcome the Minister, Deputy Burke, to the Chamber.

**Senator Ollie Crowe:** I move amendment No. 1:

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

- "Seanad Éireann resolves that the Pregnancy Loss (Miscellaneous Provisions) Bill 2025 be read a second time on this day 12 months, to allow sufficient time for the development of Government legislative proposals, in line with the principles of this Private Members' Bill."

I welcome the Minister, Deputy Burke, to the Chamber. I thank Senator Ryan for sharing

her personal story. It is a very heartfelt story and I wish her all the best. Fianna Fáil welcomes the debate and supports the proposal by the Minister for Enterprise, Tourism and Employment for a timed amendment of 12 months to this Private Member's Bill from 9 July 2025 to allow sufficient time for the development of Government legislative proposals in line with the provisions of the Bill.

I am advised the Organisation of Working Time Act is not the correct legislative vehicle to provide for the type of entitlements set out in the Private Member's Bill. Such entitlements are more appropriately covered by family leave provisions such as those in the Parental Leave Acts 1998 to 2019, which include provision for *force majeure* leave. As Members will be aware, the equality and family leaves (miscellaneous provisions) Bill is listed for priority drafting in the Government's legislative programme and consideration could be given to including amendments to provide for statutory leave for pregnancy loss.

This is an issue that affects thousands of families every year and the nature of it means it often does not attract the focus and attention an issue with such widespread impact usually would. As it is so rarely spoken about, it can feel to parents or families it affects that it is rare or unusual when the exact opposite is the case, and it is, sadly, very common. According to the Miscarriage Association of Ireland, one in four pregnancies ends in miscarriage. Often when this happens, very few people are aware, so in addition to the parents mourning this huge loss, it can be very isolating for them too given the vast majority of people in their lives likely know nothing about the massive loss they have just suffered. It can cause a whole range of issues for families and people generally that need to be discussed, and more often.

While it is obviously a challenging topic it is one where supports could really have a transformative impact. As Members will be aware, the report entitled PLACES Pregnancy Loss (under 24 weeks) in Workplaces: Informing policymakers on support mechanisms was commissioned by the then Department of Children, Equality, Disability, Integration and Youth and carried out by University College Cork and the University of Galway. The report was published on 26 January 2024 and made a series of recommendations regarding support for employees who have experienced a miscarriage. These recommendations, which include the provision of statutory leave for miscarriage, are now being considered in the development of Government policy in this area, including any legislative implications.

Members will also be aware the UK is currently examining this issue and has flagged an intention to introduce paid bereavement leave for miscarriage as well as unpaid statutory bereavement leave in some instances as part of a forthcoming employment rights Bill. I understand this is being closely monitored by Department officials. The introduction of any additional form of compassionate or family leave will require detailed legislative provisions on the circumstances in which the leave entitlement would arise and may give rise to consequential amendments to the existing legislation. Development of legislation of this nature will require significant collaboration across a number of Government Departments. I am advised the relevant Departments will, working collaboratively, undertake to progress these matters over the coming months and will consider the development of the appropriate Government legislative proposals in line with the principles of this Private Member's Bill.

While I am certainly supportive of the aims of this Bill generally, neither I nor Fianna Fáil can support it in its current format, but I will be expecting we would see progress in this area in the short term. It is, of course, understandable that an area such as this will require cross-departmental work on the legislation, but I hope and expect we will see the fruits of that labour

in the short term. Following that work, I look forward to seeing legislation before this House that we hope will address the topic.

**Senator Linda Nelson Murray:** First of all, a massive hug to Senator Ryan. You were very brave when you spoke, so well done. It took a lot for you to do that. I really admire you.

David Platt said, “There is a unique pain that comes from preparing a place in your heart for a child that never comes.” I thank Senator Ryan for bringing this Bill to us. It has been a pleasure to discuss this with her over the past couple of weeks. As someone who has suffered miscarriages, including my eldest daughter’s twin, I know what that ache is like for thousands of women across Ireland. Pregnancy loss, including miscarriage and stillbirth, is often not openly discussed due to a combination of factors, including societal discomfort, lack of language to express grief, fear of saying the wrong thing and the belief sharing the news will somehow lessen the pain. Many individuals and couples grieve in private while feeling isolated and unsupported. On that, I think of Senator Ryan’s journey at that time, driving to the hospital, coming back and feeling so alone. Unfortunately, you often hear comments that are not supportive of loss or that are unhelpful or hurtful, like in Senator Ryan’s case and with my numerous miscarriages, such as “At least it was early” or “You can try again” or, in Senator Ryan’s case, “You’re highly fertile now”. These types of judgment only add to the fear of discussing the loss you have experienced. It is frequently the case that a pregnancy loss is treated as something that is silently endured. You grieve through it quietly and then you return to work as if nothing has happened. Miscarriage is a real loss of a baby, but also of a future and a dream.

Miscarriage is surprisingly common, with not just one in four women experiencing it but one in four pregnancies ending in loss. Think of the number of women in Ireland who have had to endure this loss. I also acknowledge that the grieving process is different for everyone and affects people in different ways. This is no right way to grieve or to heal. For some stepping away from work and daily responsibilities helps them to grieve – Senator Ryan and I chatted about that – and to try to regain a sense of control. It was different for me. Work provided a structure for me as something I had to get back into to occupy my mind, because I would go mad if I had to think about it all the time. I went straight back into work, but everyone is different in this and everybody needs to be accommodated. It is not about forgetting the pain, but living alongside the pain. As an employer, I consider it my responsibility to support all our employees, both professionally and personally. We must recognise life does not stop at the door of a building when an employee walks in, and our policies in this case should reflect empathy and a commitment to well-being, especially during one of life’s most painful moments. I hope that, even without this potential Bill, many employers would actively engage with their employees who are suffering this, but we know a lot of them cannot talk to their employers about it.

I am also acutely aware of the costs that come with running a business. We are currently faced with an increase in insurance premiums, sick day pay, minimum wage increases and auto-enrolment, to name a few. However, even with these challenges humanity should prevail. I really feel it should. Nobody should have to go through such a traumatic experience and be expected to keep up appearances in work. In this case a couple of sick days or an expectation to just bounce back is not enough.

I go back to the Bill. It proposes to amend the Organisation of Working Time Act to introduce a statutory entitlement of five days of paid leave for an employee who experiences pregnancy loss and two and a half days’ pay to an employee who is a parent to a pregnancy loss. It also proposes to extend protections under the Unfair Dismissals Acts and provide for

the establishment of a confidential opt-in register of pregnancy loss under the Civil Registration Act, which is something I would like to see. The Organisation of Working Time Act is not the appropriate legislative vehicle to provide for the new proposed entitlements as it is not designed to be the initiator of new policies nor to set out terms and conditions for compassionate leave. Rather, it implements the working time directive by setting out an employee's maximum working hours and associated entitlements to minimum rest periods and annual leave. An amendment to the existing family leave provisions or discrete stand-alone legislation providing for bereavement leave in limited circumstances would form a more suitable legal basis for pregnancy loss-related leave.

It is important to keep in mind anyone hoping to have a baby has made a plan from the moment, as the Senator said, they see that pregnancy test, the moment the pregnancy is known. It is really important to give them time to recover. I thank Senator Ryan. She is doing the right thing. I have no doubt we will get legislation and we will get it right, but it is really important we look at all this in its entirety and I respect the Government's call on wanting time to do that, but I thank the Senator for bringing this forward.

**Senator Sharon Keogan:** I thank Nicole for sharing her personal story. There are many women in this Chamber who could share their stories, too, but today this is about Nicole's story. I want to thank her for introducing this legislation, which marks a significant compassionate step forward in how we as a society and as a legislature recognise the reality of pregnancy loss.

The Bill acknowledges something that many families have known for far too long – that the loss of a pregnancy, whether at six weeks or 16 weeks, is not just a medical event, but a bereavement. It is a moment of grief, heartache, heartbreak and profound emotional impact. It is time the law reflected the truth.

Under this legislation, employees who experience pregnancy loss will be entitled to paid leave of five working days for the person who was pregnant and two and a half days for that person's partner or co-parent. This is a humane and necessary reform. It gives people the space to grieve, recover and be acknowledged for this loss.

The Bill also provides for the creation of a confidential opt-in registry of pregnancy loss. This is a powerful and symbolic measure. It allows parents to formally record the existence of a child who may never have been legally recognised. For many, this will be a source of healing and dignity.

I commend the sponsors of the Bill for their thoughtful and compassionate work. It is a Bill that speaks to the emotional reality of pregnancy loss and it brings our legal framework closer to the lived experience of many families.

However, while I support the Bill wholeheartedly, I must say it does not go far enough. The legislation recognises the loss of a child in early pregnancy as something worthy of leave, recognition and respect but it also unintentionally draws attention to a deeper inconsistency in our laws that we can no longer ignore. Let me remind the House of the Women's Aid 2024 annual report, which revealed that 188 pregnant or postpartum women were supported last year due to intimate partner abuse. These are not just statistics. They are women whose lives and the lives of their unborn children were placed in danger. I have spoken before of a young woman from Dublin who, while 22 weeks pregnant, was stabbed to death by her partner. The court heard he intended to kill her unborn child but no charges were brought for that death. I have spoken



of the 27-year-old mother in Donadee who, at 34 weeks pregnant, was murdered in her home. Two lives were lost but only one victim was recognised in law. These cases are tragic but they also expose a legislative vacuum. While this Bill recognises the emotional loss of pregnancy, our criminal law does not yet recognise the legal loss of an unborn child when the loss is caused by violence.

I am fully aware that this Bill is focused on employment law and civil registration. It amends the Organisation of Working Time Act and related legislation. It does not and cannot create new criminal offences. However, I believe it is entirely appropriate in the context of this debate to highlight the moral logic that underpins this Bill that the loss of pregnancy is a loss of life, of hope and of potential. If we accept that logic in the civil sphere, then we must also begin to ask why our criminal law does not reflect the same truth. If a pregnancy ends in violence due to a violent assault and the unborn child dies, that death is not counted. There is no separate offence, no additional charge or justice for the child. This is not about abortion or interfering with reproductive rights. It is about intentional violence, criminal accountability and ensuring that when a child dies in the womb-----

**Senator Nicole Ryan:** What is the point of reference to this Bill?

**An Leas-Chathaoirleach:** Senator Ryan-----

**Senator Nicole Ryan:** What is the point of reference to this Bill? This Bill is specifically-----

**Senator Sharon Keogan:** I know. I support the Bill. I urge the House to consider what we must do next. We need a broader conversation – one that includes the criminal justice system, the rights of the victim and the recognition of the unborn life in cases of violence.

**An Leas-Chathaoirleach:** Senators Stephenson and Cosgrove are next. I understand they are sharing time.

**Senator Patricia Stephenson:** I thank the Sinn Féin Senators and particularly Senator Ryan for introducing this legislation. I speak in full support of it. It is important to note the bravery Senator Ryan has consistently shown when she has tabled amendments and legislation, and particularly today in sharing her story, because it is not easy and I know it will not be easy for any other Senator here who may be doing the same.

This is a Bill that recognises the very deep emotional, physical and psychological impact of pregnancy loss and the trauma that goes along with it. For too long, this form of grief has been completely unseen in our society. It has been unspoken in our workplaces and our legislation and it is too often absent from our social discourse. Yet, as we have heard, one in four pregnancies ends in loss, a figure that is probably highly underestimated. It affects women in every part of this country. Behind every one of those losses is a woman and her partner who may be suffering in silence, expected to return to work as though nothing had happened. I particularly commend this Bill for including partners and recognising the difficult role they face when affected by pregnancy loss, which is an additional stigma men face when they have to express these things.

From a feminist perspective, this Bill is a powerful acknowledgement that reproductive labour and reproductive grief are very real things, that women's bodies and experiences must no longer be ignored in our labour laws. It is very much a rejection of the old structures that

women are expected to endure quietly and a step towards laws that respect the complexity and cost of female embodiment. Policy should reflect empathy, fairness and the lived realities of people. The Bill aligns with those values by providing paid leave during pregnancy loss and ensuring workers are not forced to pick between their annual leave and financial security and taking time to properly grieve and heal.

I support the Bill's inclusion of an opt-in confidential register so that babies can be officially recognised should parents wish, as this gives dignity to life no matter how short. It is about ensuring that, within the spaces of our records, laws and public life, that pregnancy loss is not invisible.

It is often said that you can tell a lot about a society by how it treats people in their most vulnerable moments. I believe this Bill is very much a litmus test of that, of our compassion and maturity as a legislature, and of how seriously we take reproductive health and care.

I am deeply disappointed that a timed amendment has been put on this Bill. I do not think it reflects any urgency or sincerity. As Senator Ryan has said, this is not a party political issue. This is a women's rights issue. I know it has cross-party support in the Chamber among women and among men as well, so the amendment is really disappointing. It is not a good sign of things to come if a Bill that has so much benefit for women across society has a timed amendment on it. I am very disappointed and concerned that this is the way things will go in the next four years.

**Senator Nessa Cosgrove:** I commend Senators Ryan and Murray on introducing this Bill. I also suffered early miscarriage loss. As Senator Ryan said, every loss matters. No matter what the stage of one's loss, it will place a physical, emotional and psychological trauma on one. Under the current system, women losing a child at under 23 weeks often find themselves having to return to work, many still experiencing very physical symptoms such as bleeding and cramps, which only adds to the emotional and psychological suffering experienced. This leads to employees having to take sick leave or annual leave or to ask employers for discretionary compassionate leave, which ensures added secrecy and often shame. I was told I was grand and to get on with it, it was an early pregnancy loss and I was fine. When people have early pregnancy loss, they actually do think that they should be getting on with it and that they should be able to go back into work.

When women are struggling to cope with the reality, they should be supported. Women should not have to decide whether to take sick leave and pretend they are sick, because they are not sick. They should not have to take annual leave when they are actually grieving, and they should have time and support to be able to do that. They should not have to make impossible choices around how they acknowledge their feelings of grief. Grief does not follow the same pattern or timetable for all people and that needs to be reflected in the legislation. Some people may be able to return to work shortly after loss while others might need to take much longer. The INTO, as a trade union made up largely of women, has been instrumental in bringing issues to national attention. The Labour Party reproductive Bill, which bears many similarities to this Bill, was constructed largely on information and data provided by the PLACES workforce report. I want to commend Senator Ryan for organising a briefing with the UCC pregnancy loss research group, where Professor Keelin O'Donoghue and Dr. Marita Hennessy made very clear what the evidence said we needed to see.

The Organisation of Working Time Act is the perfect place for this amendment. The repro-

ductive Bill that my colleague Deputy Sherlock introduced has passed Second Stage in the Dáil and will go for further scrutiny. I think the Act is the perfect place for it to be. The introduction and maintenance of a voluntary register, which we have spoken about, for the registration of lost pregnancies at any stage of gestation is a significant and welcome development in the recognition of that loss and of each lost child's unique identity. Pregnancy loss is a matter so personal and internally painful to women or a family unit and each experience is so unique that it has perhaps suited society to treat it as a private event. While this may work for some women and families, it does not work for others who feel their loss is unacknowledged in a way that no other form of bereavement would be. I fully support this Bill. I agree with Senator Stephenson that there should be no time delay with this. I urge that it be looked at again. The place for it is within the Organisation of Working Time Act 1997.

**Senator Alice-Mary Higgins:** I join others in commending a very good and necessary Bill, as has been said. It is very good and well drafted legislation, with real nuance and sensitivity in how it approaches the issues, and goes through the kinds of policy points highlighted by groups and academics and addresses every concern section by section and line by line. I know it may seem kind of cold to go to the quality of the legislation, but I think this is really important because it should not be delayed. This is one of the really well-drafted Bills I have seen. It goes through and looks at all the things that matter. It looks at the question of duration by setting an incredibly modest baseline, but with scope for greater leave in terms of five days. It looks at the vital importance of discretion and people being able to seek this leave and being given the proper privacy in respect of when they wish to seek it from their employers.

Crucially, it looks at the protection of employment rights. Sadly, not every employer is compassionate, although many are. The legislation considers the protection of employment rights for persons in terms of this situation and examines creating that space. It is not just about the people who want that space. Sometimes, when people have to take their place in work, especially in respect of the way they often are having to take it now, but simply cannot go to work at a certain time, they are having to seek sick leave or annual leave, which may or may not be granted. People in this situation are in a position of vulnerability. Many employees, many pregnant women, are in that position.

As I said, this is a very well drafted Bill. Frankly, when good legislation comes through, and comes through from the Opposition, the right thing to do is to let it progress. It does not become law as soon as it leaves Second Stage and goes on to Committee Stage. Rather, this facilitates constructive debate. It may well be the case that the legislation might be incorporated into Government legislation, but this is what we have done in the past. We did with legislation from former Senator Bacik and with my colleague, Senator Ruane, and here NDA Bill. Those Bills did end up being incorporated in Government legislation down the line, but what happened was that they were teased out really well by engaging in good faith with the Opposition and the proposals put forward. We need to get back to that kind of constructive co-operation. I am worried about the direction of travel in this Government, where everything is delayed. It seems a case of, "Thank you for your idea; we will think about later, but we are going to stop you in the moment." This sends an unnecessary signal of pausing and stopping those trying to progress these issues.

Turning to the substance of the Bill, I think it is crucial this is properly addressed. The physical and emotional impact on people has been talked about. It is very important to be clear that this Bill is centred on the pregnant woman and their partner. People experience this loss in different ways. For some people, it is the loss of a life, while for others, it is the loss of a

pregnancy and the loss of potential and possibility and a way of thinking of the future. People experience it in different ways. This is why, again, this is good nuance in this Bill. The register, for example, is an opt-in one that people can approach in the way that is right for them. I know people who have experienced this loss in different ways, so there is this opt-in component. The legislation does effectively centre the woman affected and their partner. It is also very good in recognising the question of kinship care and others, where somebody else needs to step in where a parent may actually be lost.

When we look to this Bill, it is really important for those affected that it is not simply concerned with whether the loss comes at nine weeks, 12 weeks or 20 weeks. An extraordinary journey can be taken in those nine, ten, 12 or 20 weeks. For many, too, the loss may be following a journey of years for persons who have undergone IVF and been undertaking a whole journey to try to have children. For some people, this is really coming as part of an intense, long, emotional journey they have taken to get to the point of being pregnant and to move it forward. The hormonal impact is an extraordinary thing even in itself, apart from anything else. It is cruel to suggest that people would have to step into work and cover it over.

We know this has happened for years and years. How many books and stories have we read, when late on, perhaps after years of suffering and knock-on effects in terms of other relationships and inter-family relationships, it is revealed that somebody had a miscarriage? It becomes an underlying thing, rather something society acknowledges happening to women and recognises the need for them to be supported through and given the kind of deeply caring and deeply thoughtful legislative, policy and compassionate supports as set out in this Bill. This is why I really think we should be progressing the legislation. This is the caring and correct thing to do. If the Government wishes to outflank the Bill, because it has much faster ways of moving legislation, so be it. The best way to show it is taking the issue seriously now, though, is by letting this legislation progress and letting us bring it onto Committee Stage to further tease out each individual section of this excellent Bill. This is the thing that will send a powerful signal to the women of Ireland and their families.

**An Leas-Chathaoirleach:** Go raibh maith agat. For the information of Members, Second Stage debate relates to the general principles of the Bill. The debate can relate to what is in the Bill and what can legitimately be included in the legislation. I say that just as a point of information.

**Senator Evanne Ní Chuilinn:** Cuirim fáilte roimh an Aire. Tá muid fíorbhuíoch go bhfuil sé anseo chun an t-ábhar ríthábhachtach seo a phlé. I join my colleagues in commending Senator Ryan on her work on this Bill and for the courage of her convictions that she has taken with this matter and other deeply sensitive and personal issues. It is not an easy thing to do to speak out publicly about something so private and past trauma and pain. I put on the record my appreciation for the Senator's willingness to be a voice and an advocate for herself and our communities.

This is a very sensitive discussion. We have heard from, and will continue to hear, from colleagues across the House about their own personal experience of pregnancy and infant loss. Again, this openness is to be acknowledged. I also believe, though, that these stories show just how many people in Ireland are affected by this kind of grief and tragedy. The World Health Organization, and other organisations, tell us one in four pregnancies ends in miscarriage, for example. The very nature of a miscarriage before 12 weeks, though, is that it is shrouded in secrecy. Many women lose babies in the privacy of their own homes, pregnancies they may

not even have shared news of with their families. I know at least one woman in my life who has lost two pregnancies and not one other soul knows about it. This means healthcare facilities were not informed, and so her losses do not form part of the one in four pregnancy statistic. How many deeply private individuals are there out there who have suffered multiple losses and not reported them to anyone? I firmly believe the statistics we hear are incorrect. They are, of course, gathered and reported in good faith. Due to the nature of these losses, however, I believe the one in four figure we hear to be a misrepresentation.

I wish to speak today on behalf of all the men and women who have suffered pregnancy and infant loss and who have not been able or have not felt able to tell anybody, those who have been in such a vulnerable place to begin with that the loss of a much wanted baby was too heavy a burden to even speak about. Sometimes, even to acknowledge that loss by sharing the news with family or friends is to deepen the wound and to lengthen the time it takes to cope or to move on, in as far as anybody can ever move on from the loss of an infant following a distressing miscarriage or tragic stillbirth. Now try to think of telling this to an employer.

The World Health Organization published a paper recently that stated, “Whatever the circumstances surrounding the loss of a baby, every single woman deserves respectful and dignified healthcare that acknowledges her loss, provides support for any psychological issues she may face, and empowers her to make future decisions about having a child.” This is an important point to raise and discuss regarding this Bill. If you have suffered the loss of an infant, you are not sick, on holidays or on annual leave but you are most certainly not fit to attend work.

When I experienced pregnancy loss I was admitted overnight due to complications so I accessed time off. Sick leave or annual leave in these instances is wholly inappropriate. If you get access to some kind of medical leave, how can one trust an employer will not discriminate against you in the workplace when it comes to career opportunities and progression? If you are negatively affected, how can you be “empowered”, as the World Health Organization advises, to make further decisions about ever having a child?

Assuming the appropriate legislative vehicle is identified, I support the premise of the Bill to introduce five days of paid leave to an employee who experiences pregnancy loss and two and a half days of paid leave to an employee who is parent to a pregnancy loss. I also support the establishment of a confidential opt-in register of pregnancy loss. As Senator Ryan noted, this week the UK put on record its intention to introduce a statutory right to bereavement leave, including for miscarriage. It would be unacceptable for us in Ireland to lag behind and not follow suit as regards what is being done in this area. I stress the right to privacy and compassion, even if it means forcing compassion from line managers, employees or others who do not exhibit it by nature.

I will end with a quote from the WHO: “Pregnancy must be a positive experience for mothers and babies - when that isn’t possible, then women deserve our empathy, respect and support.”

**Senator Tom Clonan:** I thank the Minister for being here. I commend the Pregnancy Loss (Miscellaneous Provisions) Bill 2025 and Senator Ryan and my colleagues in Sinn Féin who co-sponsored the Bill. It is very important and, as has been set out by colleagues, this is the least we can do in marking this loss. The most extraordinary thing we can do as human beings is bring life into the world.



I have been privileged to sit with my colleagues on both sides of the House, as part of the Oireachtas joint initiative on pregnancy loss and loss of an infant, which was started by Senator Ryan. My daughter, Liadain, would be 22 years old now if she had lived. I attended the births of all five of my children. In Liadain's case, it was a completely silent delivery. I was reminded of aspects of that when Senator Ryan was describing those moments, at 12, 14 or 20 weeks. We are all on the same pathway. There is the sudden shock of that loss and then the grieving for the life that would have been. With my little girl, there were many nights I would have lain with my hands on her mum's tummy feeling those little kicks and anticipating what the future might hold. Whether it is a blue line on a pregnancy test, a heartbeat, an echo or a scan, it is a pathway so many of us walk and then to have that loss. Taking my little girl to the little angels plot in Glasnevin Cemetery, the hardest thing in the world to do was to put her in the ground and then turn around and walk away, leaving all of our hopes there in the ground. Her mum's milk had come in for little lips that were no longer, and her little eyes. As with Senator Ryan's little one, all of these little lives were formed and then to be lost in that way.

The very least we can do is not just allow this Bill to pass but promote it and speed it through. I agree the working time Act is the perfect place for this. This is a very well-drafted Bill. In the context of everything all of us have shared here, section 23C(1) makes provision for "5 working days" and "2.5 working days". The Cabinet, with all of its collective skill, decided to delay this Bill by one year. This a trend that is emerging. This House is designed not to be a mirror of the Lower House; it is supposed to challenge the Lower House and complement it. We have come here with our lived experience and poured out our hearts and souls, only for the Government to delay the Bill by a year. In this system, the Government knows very well how many Private Members' business slots Senators will get during the lifetime of a Government. If they are lucky, they will get maybe three or four so to delay this Bill by a year is, I am sorry to say, a negative act. We can do better than that. If it is to become a trend that all initiatives that have cross-party support are dealt with in this manner, by summary delay, one designed to kill the Bill, I think we have a better way of doing politics.

There is nothing in one Bill that could not be achieved within the timeframe it would take to progress the Bill naturally through this House. To invest time and effort in drafting a rationale for this amendment - as I have seen it here and saw last week in regard to other legislation - is dispiriting. We can be better than that. Fundamentally, it sends a very strong signal to the women of Ireland. It struck me when Senator Ryan said that miscarriage and pregnancy loss are the greatest cause of loss and grief and the least acknowledged. Here, we have an opportunity to make a very strong statement to the women and people of Ireland. Amending the Bill in this way is a lost opportunity. I commend Senator Ryan on her moral courage and leadership. We should hold the Government to account on this, this time next year.

**An Leas-Chathaoirleach:** Senators Tully and Collins are sharing time. Is that agreed? Agreed.

**Senator Pauline Tully:** The Pregnancy Loss (Miscellaneous Provisions) Bill 2025 is vital and well-drafted legislation. I commend my colleague, Senator Ryan, on all her work on the Bill and for sharing her personal story. I also commend other Members who have done so. That is not easy.

I come from a family of ten. I am the second youngest and I was an adult before my mother admitted she had a miscarriage on her fifth pregnancy. She lost twins. She and my father talked about it then. I should have had two more siblings. The impact it had on my mother was such

that she did not discuss it after it happened.

I have six sisters and three of them have had miscarriages. To say one in four pregnancies end in miscarriage is a huge underestimation of the numbers affected. I would say it is at least one in four and probably much more, so it affects a huge proportion of the population. As has been said, so many people are just expected to get up and get on with it, go back to work and pretend nothing happened. We talk about the physical effects on the mother but the emotional and psychological effects on both parents are tremendous. People need support and this legislation would go some way to providing that support and understanding.

I have a friend who found out she was pregnant a few months ago. She was delighted but at around 12 weeks, she realised something was wrong. She went to the hospital and it was confirmed she was miscarrying. She was treated with compassion and kindness but she was told she would have to come back in to discuss her options going forward with the consultant. It was a female consultant. When she went back she was treated in a clinical fashion and told, “These are your three options.” There was no warning or proper support. She opted to taking two pills at home, two days apart, to end the pregnancy. She was not warned about what would happen. She took the first pill on the Friday evening and almost immediately went into excruciating pain, spending eight hours on the floor, bleeding. She was not even fit to be moved by ambulance. Luckily, her partner was with her.

*4 o'clock*

She should have been warned about the possible effects. There should have been some pathway for him to get support. He was ringing the hospital but there was no support there whatsoever and no options. They are still traumatised by the whole effects of what happened. We really need to see legislation that supports people by giving them time off work, time to grieve and support to get over the traumatic loss of a pregnancy. I think if you have not been through it yourself, you sometimes do not realise what is involved.

This Bill is so important. I, too, am utterly dismayed by the Government’s amendment to delay this Bill. I do not see a need for that. This Bill is an important piece of legislation that we all support here and it should be allowed to pass.

**Senator Joanne Collins:** I stand in full support of Sinn Féin’s [Pregnancy Loss (Miscellaneous Provisions) Bill 2025], not just as a legislator but as someone who has lived the reality that this Bill seeks to recognise. I commend my colleague, Senator Ryan, on the work she has put into this Bill and the thoughtfulness that is in it.

Miscarriage is common, painful and too often invisible. I know this because I went through it myself. When I miscarried, I was in a job where I did not have the option to leave my post. There was no system, no cover and no policy in place to say you are experiencing loss so you can go and will be supported. So I stayed and miscarried while I worked because there was no other option. That is the silence this Bill seeks to end: the silence in our workplaces, in our systems and in our State. There is another part of that silence that I want to speak to.

The first time my miscarriage was ever formally acknowledged was not at the time it happened but when I became pregnant again with my son. In the maternity hospital, I was asked not how many children I had but how many pregnancies I had. For the first time it struck me that this was not my third pregnancy but actually my fourth. In that quiet question of how many pregnancies, I realised my loss was seen. It was known and counted, not just by me or my fam-

ily but by a system that understood that it did matter because it does matter. This Bill will give people the choice to have that acknowledgement through a certificate, paid leave and data that can finally tell the full story of miscarriage in this country.

As my colleagues have said, one in every four women experience miscarriage, but I truly believe that the number is a lot more. If every women in this Chamber who has stood up so far was to be counted, 99% of us have said we have gone through this. We have never been a policy built around that reality. This Bill is about dignity, fairness and recognition. It is about making space in our systems for the kind of grief that does not get spoken out loud. I support this Bill not just for myself but for every person who has suffered in silence, gone back to work too soon or never seen the loss recognised. This Bill sees them and I am proud to stand here and say that I do too.

**Senator Laura Harmon:** I fully support this Pregnancy Loss (Miscellaneous Provisions) Bill 2025. I commend Senator Nicole Ryan on bringing forward this extremely well thought-out, researched, detailed, compassionate, caring and health-focused Bill to the House today. I thank the Sinn Féin Senators for bringing forward this Bill.

I have been struck by this debate. I was not actually going to speak but it is important to say that representation and diversity really matter in politics. We now have more women in the Seanad than ever. Today, I am the 11th woman to speak on this Bill. I have not experienced pregnancy loss but I have known people who have, including people in my family. This is not just a women's issue. Senator Clonan spoke eloquently spoke of his personal experience of this. It affects people regardless of gender and affects partners regardless of gender, but it has predominantly affected women. This House has a strong record of bringing forward issues in relation to pregnancy, be it in contraception or reproductive rights. We saw Mary Robinson, when she was a Senator decades ago, spearheading the campaign for contraception. We have seen the likes of Ivana Bacik on the abortion issue. It is about a whole spectrum of issues and it is truly extraordinary that we do not have legislation like this in place already. I would argue that we do not have it because, over the years, there was not enough diversity in political representation to bring it forward. This is part of a wider journey of opening doors and opening the conversation on pregnancy, pregnancy loss and the stigma that exists around it, and it is an issue that has been in the dark for a very long time. It is therefore really welcome we are having such an open discussion on it here today. We can see how it affects so many Senators in this room, regardless of their gender.

It is a really important Bill. We know that one in four pregnancies will end in loss. In terms of the Bill itself, this is an issue that needs to be dealt in terms of the working time Act and employment rights. The fact that the Bill makes provision for leave from work is very important and it needs to be recognised. It is a health issue in terms of physical health, emotional health and mental health, and that does need to be recognised. I particularly welcome the fact that the Bill has a provision to register the loss in a confidential manner because this is about acknowledging people, the grief that is experienced, the true loss that is experienced and allowing people to have that recognition. This is crucially important. A total of 51% of the population in Ireland are women and one in four pregnancies will end in loss.

Other Senators have mentioned this but I just wanted to say that there is a trend by the Government of kicking the can down the road when it comes to legislation that comes from this House. It seems that there is a delaying tactic. How many pregnancies will end in loss in the space of 12 months? A full-term pregnancy is nine months. How many pregnancies will end

in loss in the course of the 12 months the Government proposes to delay this? I would argue that it has been delayed long enough. Senator Ryan has been able to draft this well-constructed, well-researched, caring, compassionate and health-led Bill and she has been a Senator for less than six months, but the Minister is saying he needs a whole year to consider how it can be done. That is unacceptable and the Government needs to step up to the mark for women and their partners throughout the country.

**Acting Chairperson (Senator Anne Rabbitte):** Before I call the Minister, I welcome guests of Senator Fiona O'Loughlin in the Gallery. They are a group of ladies from Kildare who are celebrating International Women's Day. You are all very welcome here today. Women are the main topic of what we are discussing.

**Minister for Enterprise, Tourism and Employment (Deputy Peter Burke):** I welcome the opportunity to discuss this Private Members' Bill that addresses the extremely important and sensitive subject of pregnancy loss.

Miscarriage can be a deeply personal loss and is something that is often dealt with privately by mothers and fathers who grieve the loss of joy, excitement and a precious future imagined. I know one in five women or couples can experience pregnancy loss, and it is something that has impacted all of us here, whether directly or through a family or friend.

As many of present for this debate know, sadly, it can be an incredibly difficult reality to face emotionally, physically and mentally, and many require time to mourn this loss or even to begin to heal. Despite how common pregnancy loss is, unfortunately, many people endure this grief in silence, especially in a work environment. While society has made some progress in acknowledging and discussing pregnancy loss, many still find it difficult to speak about it openly. As a result, individuals often navigate this experience without the support of family, friends, colleagues or, indeed, their employer. I know for many here today that it has been a very difficult and challenging thing to discuss. I hope that throughout the debate we are mindful of the spectrum of experiences that exist when it comes to miscarriage, pregnancy and parenthood. Employees should feel safe and supported in sharing their loss with their employers and in seeking the time they need to process their loss and start to recover from it. Currently, we have no provision for leave when it comes to the loss of a pregnancy prior to 24 weeks gestation. The Maternity Protection Acts 1994 to 2004 provide for an employee to be entitled to full maternity leave in the case of a stillbirth after 24 weeks gestation. The Paternity Leave and Benefit Act 2016 also provides for paternity leave in this situation. The Sick Leave Act 2022 provides for a statutory sick pay scheme for all employees who are medically certified as unfit for work. From 1 January 2024, the entitlement to paid sick leave increased to five days.

However, I acknowledge that those experiencing pregnancy loss may not require sick leave, but rather may need time away from work and other daily commitments to recover from what they have been through. Despite existing legislation in this space, I believe there is a need within our legislative framework to better care for working mothers and fathers who go through a pregnancy loss.

Employees should feel that a miscarriage is a loss that they can share with their employers, recognising that they have suffered a bereavement and that they need time and space to process this and to recover. Employees should not feel concerned that an honest conversation about their pregnancy loss will disadvantage them in some way or that they cannot trust their employers to deal with this information in a sensitive and appropriate manner.

I would like to commend the Bill's sponsor, Senator Ryan, for her detailed testimony and for ultimately trying to ensure others get the support and compassion that she did not. I also acknowledge other Senators who spoken on their very personal circumstances. The time and compassion that went into this Bill is appreciated by many, including me. I have had conversations with members of my own party and others. I also know that work has been carried out by the cross-party Oireachtas pregnancy loss group, which I look forward to engaging.

This is a complex policy area and one that requires sensitive consideration and assessment in advance of progressing legislation. I have received advice on this Bill, and my officials are of the view that there are significant policy challenges to the operation of the Bill as it is currently drafted, including the legislative vehicle proposed to carry out the statutory entitlement. Ultimately, an amendment to the working time Act is the wrong channel to address this issue.

On this basis, I propose that the House pass a motion that the Pregnancy Loss (Miscellaneous Provisions) Bill 2025 be deemed to be read a second time this day 12 months so as to allow for sufficient time to develop Government legislative proposals in line with the principles of this Private Members' Bill.

In proposing this motion, I would like to underline that I understand fully the importance of progressing legislation in this area as a priority and I am committed to doing this. Over the coming period, officials in my Department will engage across the Government to develop proposals that include measures proposed in this Private Members' Bill.

I want to explain my genuine reason for proposing this timed amendment. The main legislative vehicle proposed in the Bill - the Organisation of Working Time Act - does not suit the purpose it is being used for. The Act was drawn up to implement the European working time directive. Its aim was to set out legislation only regarding employees' working time, such as an employee's maximum working hours, entitlement to minimum rest periods and an entitlement to a minimum period of paid annual leave. It is a narrow Act, introduced only to implement a specific European directive. The Act was not designed to set out the terms and conditions around the taking of specific or protected forms of leave and does not align with the aim of these amendments. The Act only references protective or compassionate leave arrangements to clarify that they are not to be included in reference periods used to calculate maximum weekly working hours and nightly working hours. Our legal advisers have been clear on this. Should legislation be progressed in this space, stand-alone legislation may provide a more suitable and coherent legal basis.

In terms of the work already carried out, I am informed by officials from the Department of Children, Disability and Equality that they are currently considering the findings of a qualitative research study that examined the workplace experiences of people dealing with pregnancy loss. This study was conducted by researchers from University College Cork and University of Galway. The aim of the project was to examine the workplace experiences of pregnancy loss before 24 weeks gestation and to identify relevant supports. The findings of the report have been presented to the Department of Children, Disability and Equality and to members of the Oireachtas and I understand they are now being considered by officials in that Department in the context of the development of a new national strategy for women and girls. The strategy is at an advanced stage of development. Building on the work undertaken in the consultation phase, the strategy will take a life-cycle approach, calling attention to and addressing the challenges faced by women and girls at the different stages of their lives.



9 July 2025

Alongside this work, officials in my Department are monitoring the development of pregnancy loss legislation in other jurisdictions, particularly in the United Kingdom. It has only been recently announced by the UK Government that families who experience pregnancy loss before 24 weeks are set to become entitled to protected bereavement leave under new amendments to the Employment Rights Bill. While the details of this are yet to emerge following public consultation, my officials will continue to engage with their counterparts in the UK as more clarity develops on proposals, which will offer valuable insights into the policy and legislative work involved.

There are also broader policy questions to address, including the potential implications for the Department of Social Protection in terms of the proposed development of a voluntary register for pregnancy loss to be operated by the General Register Office. While this falls outside my remit, I am informed by the General Register Office that it registers stillbirths that occur within a certain framework. Developing a registration process for loss of pregnancy outside these thresholds would need to be carried out by the Department of Social Protection.

More generally, the Private Members' Bill requires that pay in respect of an employee's pregnancy loss-related leave shall be at the normal weekly rate for one day of employment. The entitlement is proposed at a rate of five working days paid leave to the employee who experiences pregnancy loss and an entitlement of 2.5 working days to an employee who is a parent of a pregnancy loss.

Maternity and paternity benefits are paid by the Department of Social Protection to those who have a certain number of PRSI contributions on their social insurance records and who are in insurable employment up to the first day of their maternity or paternity leave.

The intent of this Bill is at one with my intent. The subject matter is deeply important. I have considered the matter closely and engaged with many colleagues on it, and I fully recognise the need to introduce leave for those who experience pregnancy loss. It is for these reasons that I have tabled a 12-month timed amendment.

I fully recognise the urgency and significance of progressing proposals in this area. However, this additional time will allow my Department and others to thoroughly assess the regulatory and policy implications and engage meaningfully across Government to ensure that the development of Government legislative proposals are well-informed and aligned with the principles set out in this Private Members' Bill. I express my genuine appreciation for all colleagues who tabled this and previous legislation and for continuing a conversation that is very important to have in the Oireachtas.

I commit to working across all parties to introduce proposals to implement leave for pregnancy loss and to doing all I can to bring this topic to the forefront in Seanad Éireann, Dáil Éireann and, indeed, across wider society. While I know many women and parents prefer to deal with pregnancy loss privately, and that is their absolute choice, women should not feel like pregnancy loss in the workplace is a taboo subject and that their suffering and loss must be experienced or acknowledged silently or in a discreet manner. I therefore respectfully ask the House to agree to a motion for a timed amendment in order to address this issue together. We are at our strongest when we are united.

**Acting Chairperson (Senator Anne Rabbitte):** I thank the Minister. I call the proposer, Senator Nicole Ryan.

**Senator Nicole Ryan:** I thank everyone who contributed and who has been supportive of this from the get-go. I appreciate it. There is a lot of work to do and I am sure we can do a lot of work together.

The Minister referred to one in five women and a gestation of 24 weeks. That does not give me a whole pile of hope because it is one in four and the relevant period of gestation has changed to 23 weeks. He also referred to a strategy, but a strategy is only as good as the paper it is printed on if it is not enacted. What the Government is saying to women throughout Ireland right now is that it does not care enough. It really does not care enough. It is just going to throw it down the road and let it die. The Government might come in with something itself. There is no sense of urgency. Women in the Gallery, women I have met and talked to and hundreds of women and their partners who are watching these proceedings have that sinking feeling because they know this cannot progress now. I was not asking for the world. We were not asking for the world. Legislation takes considerable time. There was nothing stopping anybody from letting this move to Committee Stage, where we could have hashed it out. It is a massive trend that every single Bill we in the Opposition bring forward is pushed back. At the very beginning of this term we all stood up and said we wanted to work collaboratively. Where is the collaboration? It is not happening here. In the Minister's closing statement he mentioned he has been engaging with the Oireachtas cross-party pregnancy group. Which group is that? Could I get a point of clarity on that? Is that possible? Is it already an established group within the Oireachtas?

**Deputy Peter Burke:** Yes. I will engage with it. I did not say I have engaged with it.

**Senator Nicole Ryan:** That would be great because many of us here are on that group and that engagement needs to happen.

To the women who took the time to reach out to me, speak to me and share their experiences, their heartbreaking stories, their journeys, words and wisdom, please understand that we hear and we see you. We care and we understand. I promise on the record of the House that in 12 months' time I will resurrect this Bill. Anybody who knows me knows I damn well will. I am really disappointed that the Government has tabled its amendment to delay this legislation. We can see it has been enacted across the water. If it can be done elsewhere, I do not understand the reason for the delay here. Women throughout Ireland will have miscarriages today, tomorrow, next week and every single day of the next 12 months while this Bill is delayed. They are going to suffer the loss, the wait and the silence. That is the most tragic and saddest thing. However, as a cross-party Oireachtas group on pregnancy loss, we will continue to do what we can to raise those voices, even if the Government does not want to do it right now. I thank all the Senators for contributing on this. I really appreciate their support. We all know how important this is. We will plough on and make sure the women of Ireland are heard, regardless of whether the Government cares or not.

Amendment put:

The Seanad divided: Tá, 33; Níl, 17.	
Tá	Níl
Ahearn, Garret.	Andrews, Chris.
Blaney, Niall.	Black, Frances.
Boyle, Manus.	Boyhan, Victor.

9 July 2025

Brady, Paraic.	Clonan, Tom.
Byrne, Cathal.	Collins, Joanne.
Byrne, Maria.	Cosgrove, Nessa.
Comyn, Alison.	Craughwell, Gerard P.
Conway, Martin.	Harmon, Laura.
Costello, Teresa.	Higgins, Alice-Mary.
Crowe, Ollie.	McCarthy, Aubrey.
Curley, Shane.	McCormack, Maria.
Daly, Paul.	Murphy, Conor.
Davitt, Aidan.	Noonan, Malcolm.
Duffy, Mark.	O'Reilly, Sarah.
Fitzpatrick, Mary.	Ryan, Nicole.
Flaherty, Joe.	Stephenson, Patricia.
Gallagher, Robbie.	Tully, Pauline.
Goldsboro, Imelda.	
Kelleher, Garret.	
Kennelly, Mike.	
Kyne, Seán.	
Lynch, Eileen.	
Murphy, P. J.	
Murphy O'Mahony, Margaret.	
Nelson Murray, Linda.	
Ní Chuilinn, Evanne.	
O'Donovan, Noel.	
O'Loughlin, Fiona.	
O'Reilly, Joe.	
Rabbitte, Anne.	
Ryan, Dee.	
Scahill, Gareth.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Garret Ahearn and Paul Daly; Níl, Senators Nicole Ryan and Joanne Collins.

Amendment declared carried.

**An Cathaoirleach:** I welcome Senator Ollie Crowe's friend Mr. Tom Pender from Galway, as well as Ms Jodie Thompson from Florida in the United States. She is most welcome to Seánad Éireann.

Motion, as amended, agreed to.

*Cuireadh an Seanad ar fionraí ar 4.36 p.m. agus cuireadh tús leis arís ar 5 p.m.*

*Sitting suspended at 4.36 p.m. and resumed at 5 p.m.*

## **Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Bill 2025: Second Stage**

Question proposed: "That the Bill be now read a Second Time."

**Minister for Social Protection (Deputy Dara Calleary):** As Senators know, in January 2024 the Supreme Court overturned the Department's decision not to pay the widower's contributory pension to Mr. Johnny O'Meara. At the outset of this debate, and as I have done constantly throughout all of the debates, I want to acknowledge the tremendous loss that Johnny O'Meara and his family have suffered. Johnny's long-term partner and the mother of his three children, Michelle, died in January 2021.

In bringing this legislation forward, I had the privilege of meeting Johnny with Deputy Alan Kelly and heard his story first hand. I was hugely impressed by Johnny's quiet determination and his courage and strength to see this case through all the way to the Supreme Court. Johnny and his children know that this very important change will benefit many other people and will be a testimony to Michelle's memory. I am pleased, therefore, to be able to bring this Bill before Seanad Éireann, which represents the necessary legislative response to implement the Supreme Court decision. This Bill will now expand eligibility for the pension to surviving qualified cohabitants when their partner dies. The Supreme Court found that section 124 of the Social Welfare Consolidation Act 2005 was inconsistent with the Constitution in that it excluded a cohabitant like Johnny O'Meara from the payment because he was not a married or surviving civil partner. This legislation will have a very important impact for hundreds of people directly affected by the death of a loved one. It should also bring comfort to thousands of families and couples who may some day find themselves in that awful position where a loved one dies and they seek access to a pension from the Department.

As we all know, death does not distinguish on any grounds and the loss of a loved one affects all equally. In its decision, the Supreme Court noted that the State had already defined cohabitation within the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010. Accordingly, the Bill proposes to extend eligibility to the payment to qualified cohabitants who are in an intimate and committed relationship for a period of two years where there is a child or children of the relationship, or five years if otherwise. This reflects the definition in the 2010 Act for qualifying cohabitants.

Amendments were proposed in the Dáil to modify these rules in certain circumstances. However, it is important that the provisions relied upon in this Bill are consistent with the existing legal framework for cohabiting relationships. Any changes that may be necessary are better pursued through the 2010 Act and I am writing to the Minister for Justice to make him aware of the issues that were highlighted.

Expanding eligibility for the payment to surviving cohabitants requires several other rel-

evant changes to the Social Welfare Consolidation Act 2005 and the Bill provides for these. The name of the scheme will change to the bereaved partner's contributory pension which reflects the more inclusive nature of the payment for all bereaved partners whether spouses, civil partners or qualifying cohabitants. There will be no time restrictions on when the bereavement of the qualified cohabitant occurred, provided the rules continue to be met. Payments will commence from 22 January 2024 or later if the death is after this date. This is in line with established legal rules regarding findings of unconstitutionality. The rules on when entitlement to the payment will permanently cease are amended to remove entitlement where couples are divorced, enter into a new relationship of qualified cohabitation, or two years after the end of the relationship, whether that relationship is based on marriage or cohabitation. This is to address existing anomalies in the scheme cited by the Supreme Court and to avoid the situation where surviving cohabitants are again treated differently to separated or divorced couples. The Bill includes provisions that anyone, including divorcees, currently in receipt of a payment will retain their payment. The same rules for eligibility for cohabitants will be applied to the other schemes such as the non-contributory version of the pension, and the widowed or surviving civil partner grant. Those schemes will be renamed, again to reflect the more inclusive nature of the payment.

Part 3 of the Bill provides for certain other amendments to the 2005 Act and Family Court Act 2024, which I will set out shortly. I wish to address a number of issues that were raised in the Dáil debates which may arise here. First is the argument that the payment of a bereaved partner's contributory pension should be paid for all children, irrespective of the marital status of their parents. This was not a finding of the Supreme Court. The effect of this argument is that a child of any relationship, irrespective of the duration of that relationship or its status would result in the surviving parent being eligible for a bereaved partner's pension. In this context, it is important to note that the focus of the O'Meara Case was in relation to the treatment of the loss of a parent with children in a long-standing, non-marital unit and those of a comparable family whose parents were married. Access to the payment by divorced persons, whose marriages were dissolved was identified as an anomaly by the court and one which meant the distinction between the O'Mearas, and a comparable family based on a marriage, was not reasonable.

A second, and related issue that has arisen is that in the absence of payment of a bereaved partner's contributory pension, a person who has lost the support of a separated or divorced partner will be left financially exposed, especially where there are children of that former relationship. The provisions being introduced are a consequence of the Supreme Court judgment to avoid further inequalities. The Supreme Court did not make a general finding that the payment of a widower's pension was in respect of children. In fact, the court noted that the payment was not a payment for children. The Chief Justice stated:

Furthermore, WCP is increased when there are dependent children, and quite substantially. This is not in any sense to suggest that, as a matter of law, WCP is a payment to or for the children. It is an established principle in the field of social welfare more generally that the payment is made to the beneficiary and only them, and may be used by them for any purpose.

My Department will provide support through social welfare assistance payments where there is a financial need. Existing family law provisions are designed to provide for these cases specifically and contain measures that apply on the formal breakdown of a relationship and subsequently to seek recourse from the estate of the deceased. This also extends to surviving qualified cohabitants under the 2010 Act.



I will now provide a quick overview of the Bill. Section 1 provides for the Short Title, construction and commencement. Section 2 provides for the definition of the 2005 Act as the principal Act. Section 3 provides for the insertion of two new definitions into section 2 of the 2005 Act, namely “qualified cohabitant” and “surviving qualified cohabitant”.

Section 4 provides for amendments to section 81 of the 2005 Act in order to allow surviving qualified cohabitants to access the death benefit payment under the occupational injuries scheme.

Section 5 provides for the substitution of section 123 of the 2005 Act. This section provides for renaming the scheme from the widow’s, widower’s and surviving civil partner’s (contributory) pension to the bereaved partner’s (contributory) pension. It introduces new definitions for “bereaved partner” and “deceased partner”.

This section also amends the existing definitions of “widow”, “widower” and “civil partner” to remove a person who is divorced or had their marriage or civil partnership dissolved. The section also sets out where a spouse or civil partner whose relationship has broken down for more than two years shall not be considered a bereaved partner for the purposes of the Act.

Finally, the section also contains a regulation-making power for those circumstances where the Minister of the day can deem that a spouse or civil partner are living together such as where one of them is resident in a nursing home.

Section 6 inserts a new section 123A into the 2005 Act to provide for the definition of a “qualified cohabitant”. As I have said, this definition is similar to that of a qualifying cohabitant as defined in the 2010 Act. That Act provides an existing framework for establishing the existence of cohabiting relationships of a particular form that provide rights and obligations to those cohabitants. A person can become a qualified cohabitant where they were in an intimate and committed relationship of two years, where there were children of that relationship; or five years, where there were no children of that relationship. The section also sets out the circumstances that may be considered to establish the existence of a relationship of qualified cohabitation, which is based on similar criteria in the 2010 Act, and includes matters such as financial dependence and the extent to which they presented as a couple. This section also sets out a regulation-making power to allow the Minister to prescribe the evidence that will be required to prove the existence of such a relationship.

Section 7 repeals section 124 of the 2005 Act, insofar as it is still in operation, to reflect the finding of inconsistency with the Constitution by the Supreme Court.

Section 8 inserts a new section 124A to replace the repealed section 124 of the 2005 Act. The new section includes amendments to introduce the definition of “bereaved partner” and “deceased partner”. It also sets out that a bereaved partner whose claim is based on being a surviving qualified cohabitant shall, regardless of the date of death of his or her deceased partner, be entitled to a pension under this section from 22 January 2024 or the date of death if it occurred after this date. This is an important aspect of the legislation in that it allows for the backdating of payments to the date that the provision was found to be inconsistent with the Constitution. Regulations under the 2005 Act will modify the existing six-month period for the backdating of claims and provide that claimants for this pension will have six months from the date of enactment to make a claim, which will be backdated to 22 January 2024 or the date of death, if later.

9 July 2025

Section 9 provides for saver clauses to ensure persons who are currently in receipt of a payment under this scheme or who have an entitlement to the payment up to the day of the passing of the Bill will retain the payment or entitlement after the passing of the Bill. This applies to people who were bereaved and were divorced, or whose marriage broke down or civil partnership was dissolved before enactment of the Bill.

Section 10 provides for the substitution of section 125(1) of the 2005 Act which sets out the social insurance contributions for the pension. The new subsection includes amendments to introduce the definition of “bereaved partner” and “deceased partner” for the purposes of setting the contribution conditions.

Section 11 provides for the substitution of Chapter 21 of the 2005 Act, which provides for the widowed parent grant. The substitution of the Chapter includes amendments to the current widowed parent grant scheme in order to allow for surviving qualified cohabitants to access the scheme. This section also provides for changing the name of the scheme to the bereaved parent grant. These changes become effective from the date of enactment.

The remaining sections all relate to a technical definition. I am very conscious that the technical nature of many aspects of the Bill should not take away from the understanding of what people are going through and the impact of grief.

The Bill has been developed to ensure that the principle of equality in the treatment of potential beneficiaries is upheld both in relation to eligibility for the payment and the rules on the loss of entitlement when a relationship ends. I commend the Bill to the Seanad. I look forward to hearing the contributions of Senators.

**Acting Chairperson (Senator Nicole Ryan):** I thank the Minister for his contribution. Before I move on to the first speaker, I welcome the lovely spectators in the Gallery. They are most welcome to the Upper House. I hope they enjoy the debate. The first speaker is Senator Rabbitte. She has ten minutes.

**Senator Anne Rabbitte:** I thank the Acting Chair.

**Senator Gerard P. Craughwell:** Am I not next according to the list?

**Acting Chairperson (Senator Nicole Ryan):** Senator Rabbitte is the first speaker on the list I have here.

**Senator Gerard P. Craughwell:** The list I have says the Independents are first.

**Acting Chairperson (Senator Nicole Ryan):** Senator Craughwell is the second speaker on my list.

**Senator Gerard P. Craughwell:** I am sorry. Senator Rabbitte should proceed.

**Senator Anne Rabbitte:** I do not mind at all.

I thank the Minister. He is very welcome to the House this afternoon. I also welcome his opening comments. I thank John O'Meara for the tremendous effort he made and the diligence he showed at a time of great loss to him and his children. He found the composure to address the loss and he had the state of mind to recognise how more people could benefit and what the lack of recognition in legislation could mean. I am a person who had a loss also, but we were

married. I cannot imagine what it is like for a person to discover he or she does not have the same rights as someone else who has reared children. I compliment the courts system and the Supreme Court. I also compliment the Minister on his prompt reaction and for taking the ruling on board and meeting and working with John O'Meara. The Bill is a wonderful testament to his partner Michelle and to the children.

We welcome and support the Bill, which gives effect to the Supreme Court decision and extends access to the widow's, widower's and surviving civil partners contributory pension to qualifying cohabitants for the first time. Once enacted, this legislation will provide surviving qualifying cohabitants with access to the bereaved partners contributory pension. This is an important financial safeguard for individuals and families who are grieving. The loss of a loved one does not discriminate between those who are married and those who live together in committed relationships. The Supreme Court recognised that such distinction was unequal when it came to the widower's contributory pension. With this legislation we will ensure that a significant financial support is available to grieving partners equally. Those who have lived together with their deceased partner for two years or more and who have had children will qualify, and those who do not have children will qualify where they have lived together for five years or more. The contributory pensions will be backdated. I very much welcome that. The entitlement will not just begin when the legislation comes in but it will be backdated to the decision of the Supreme Court on 22 January 2024. Access will be provided for qualifying cohabitants to the bereaved parent grant and the bereaved partner's contributory pension.

We got the Minister's script a little bit late. I would like to have underlined it as he was speaking. It is quite technical as it covers various aspects within the legislation. There are a number of moving parts, some coming in and others going out, but at all times the Bill ensures we are changing the wording and recognising that the loss is bereavement. That is very important. I support and acknowledge the work of the Minister and the Department. I also acknowledge the role John has played and the work he has done in making such a substantial difference for others in a similar situation.

**Senator Gerard P. Craughwell:** I welcome the Minister to the House. This is the first time I have addressed him in his current role. I congratulate him on his position.

Before I get into reading my notes, one of the questions that crosses my mind when I come across a case like John O'Meara's is why the State forces a family to go the whole way to a Supreme Court judgment in order to fix something that was morally wrong in the first instance. I know it is not the Minister's fault or the fault of his officials; it is the way the system works. The State has deep pockets and could keep a family in the courts forever if it wanted to do that. It is grossly unfair. That man had to go through so much, having lost his partner, just to look after his children.

It brings to mind another issue. There is only one instance of which I am aware where a person can receive two social welfare payments. A person can receive disablement and disability payments together, as far as I am aware. I am not aware of any other circumstance where a person can have two payments.

I ask the Minister to consider a young widow or widower who loses a partner early in life and is granted the widow or widower's pension. He or she has a job as well. The moment he or she comes to retirement age and qualifies for the contributory pension, his or her partner's pension is lost. If I had been paying social welfare all my life and I die, I have paid for what I am

9 July 2025

getting. It is not a gift from the State. I paid for it. My wife is entitled to her widow's pension and to whatever she paid for as well. That is another anomaly that will one day have to find itself in the Supreme Court. A relation of mine struggled hard all her life to educate her kids after her husband died. The moment she turned 66, bang, the widow's pension was gone, which left her in hardship. Her income suddenly and completely collapsed. That is something we have to look at. As Senator Rabbitte said, John O'Meara - what a man. His wonderful partner would have made sure her payments were up to date and everything else.

The law as it stood under section 124 of the Social Welfare Consolidation Act 2005 required a bereaved partner to be a legal widow, widower or surviving civil partner. I see another Supreme Court case coming on the legislation the Minister has brought before us today. Earlier, the Minister said:

This section also sets out where a spouse or civil partner whose relationship has broken down for more than two years shall not be considered a bereaved partner for the purposes of the Act.

We live in troubled times. Relationships break down. There are many examples of a relationship breaking down but the partners do their best to try to make a family life for their family. They are living apart and trying to work through whatever differences they have. At some stage, they come to the decision that they should try to get back together and make it work. They might have been apart for three years, attending marriage or relationship counselling in order to get back into a relationship but a month before they were due to move in together, one or the other dies. They would not qualify under this provision. They would find themselves in a situation of being in a relationship that probably would have cemented and re-established itself again and any children would have benefited from the joint income arrangements of the relationship. It is possibly a moot point, but people die, relationships break down, get repaired and people come back together again. Are we going to force some unfortunate woman or man into the courts to prove they were in the process of rebuilding the relationship? I am fully aware that there is a possibility that this would be exploited.

**Deputy Dara Calleary:** I apologise. I have been called to the Dáil for a vote.

**Acting Chairperson (Senator Nicole Ryan):** That is no problem. We will suspend the House.

**Deputy Dara Calleary:** I will be back.

**Senator Gerard P. Craughwell:** That will give me plenty of time to think while the Minister is gone.

**Senator Anne Rabbitte:** I move that the House suspends for ten minutes.

**Acting Chairperson (Senator Nicole Ryan):** Is that agreed? Agreed.

*Cuireadh an Seanad ar fionraí ar 5.25 p.m. agus cuireadh tús leis arís ar 5.35 p.m.*

*Sitting suspended at 5.25 p.m. and resumed at 5.35 p.m.*

**Senator Gerard P. Craughwell:** To get back to where I was, there are anomalies in the system. Much of what I wanted to say has already been delivered by the Minister in his own speech, so I will not go into the historical background of John's case. However, there are

anomalies in the system. We are very privileged in this country to have the civil servants we have working in Departments. I firmly believe there is no civil servant who goes out of his or her way to block people or payments. Legislation is civil servants' rule book and they have to live by it. However, the State Claims Agency, which manages things that go wrong, takes off the gloves and fights bare-knuckled with people who are in the most horrendous state of their lives. We have got to find a way to inform a Minister immediately when cases like the one in question arise. When the Minister is informed, the first question should be on how we can resolve the matter to the benefit of the citizen of the State rather than on how to build a wall so high that the average citizen will never be able to climb it.

I get lots of stick, as the Minister does, and people say many things about useless Governments. Today, it is Fianna Fáil and Fine Gael and tomorrow it will be other parties in government – it does not matter – but, ultimately, nobody comes in here to deliberately block citizens of the country. Nobody works in any Civil Service office in this country deliberately setting out to block people. However, we operate under a rule book and the rule in the State Claims Agency is to defend to the death. That is what it did against the family in question. It held them to the very last. At the very end, when the Supreme Court made its judgment, it provided political cover for the Minister, even if the Minister did not know about it. Under the Ministers and Secretaries Act, if a civil servant writes something in a Minister's name, it is the Minister who is deemed to have written it. It does not matter whether he knows about it. That is the nature of the world. I was once told by a senior official that he used his name as Gaeilge for official correspondence. I asked him why and he said he never knew when he would have to write to a next-door neighbour. The bottom line is that we can hide behind the rule book but we really need to change.

Consider the issue I raised regarding the widow's pension: an individual hits 66 years of age and suddenly cannot have the widow's pension, which the deceased person paid for. It is not a gift from the State; it is something that has been bought and paid for. That is the whole purpose behind the social welfare system.

There are many anomalies within the social welfare system that I could discuss but I will not do so. However, let me refer to the one thing I do know. In any case, as when we took the county councillors' class K case some years ago, one has to go the whole way to the courts. When we arrived at the court for the class K case, we settled it and class S came in for county councils.

I am aware that the Cabinet is busy. I ask that we try to have a subcommittee of the Cabinet examine how we deal with citizens of the State who find themselves in conflict. I have no difficulty with the State throwing everything it possibly can at somebody who takes a case against it maliciously, but we are talking about people in crisis. Down through the years, there have been cases of people on their death beds with cancer who had Government officials dealing with them to solve claims. We should never get to that state.

I have not bothered reading my speech here because I actually support what the Minister is doing. What he has done is really noble. Sure, when we come to Committee Stage, there will probably be amendments and we may have an argument or two about them, but the Minister has acted quickly. I commend him for that and I commend his officials for putting together legislation that will mean an unfortunate person whose partner has passed away will not be destitute. However, I ask the Minister to examine the rule stipulating a period of two years. Where a couple had broken up but there is empirical or verifiable evidence that they were trying to



rekindle the relationship or get back together, we should be looking after the deceased person's family as best we can. Rather than ask somebody to go to the Supreme Court on it, we should consider on Committee Stage how we might achieve this.

Once again, I thank the Minister for his time. I thank his officials for their work because they are the people who put this together.

**Acting Chairperson (Senator Nicole Ryan):** I welcome Leo O'Neill, who is in the Gallery. He is an Irishman who lives in Estonia and is a guest of Senator Aubrey McCarthy. He is most welcome to the House.

**Senator Maria McCormack:** I welcome the opportunity to speak on this Bill on behalf of the Sinn Féin team. This legislation started from a really good place, namely, the intention to address the historic injustice whereby children of cohabiting parents were treated less favourably than those of married parents, a provision found to be unconstitutional in the O'Meara case, as we all know. While this is welcome and we support the associated part of the Bill, it is not so welcome – frankly, it is shameful – that, in fixing one wrong, the Government has created another. This is because the Bill now excludes divorced and separated partners and, more importantly, excludes their children from support through the bereaved partner's pension. It creates a new category of children and families who will now be treated as less deserving.

My Sinn Féin colleague in the Dáil Louise O'Reilly tabled amendments to try to address this very point and to continue recognising the hardship experienced by divorced or separated partners who, even after separation, often carry the emotional and financial responsibilities of coparenting. These are not abstract circumstances. Those involved are just grieving ex-partners who end up paying for the funeral costs and trying to shield their children from trauma, all without the support they were once entitled to. We know, and the Free Legal Advice Centre, FLAC, has also rightly pointed this out, this is not a case of opening floodgates for a huge amount of people at a huge cost. The numbers are very small but the impact is enormous.

It is very disappointing that most of Sinn Féin's amendments were ruled out of order in the Dáil because this legislation deserved a more thorough and compassionate approach. When we have a chance to legislate, we should always aim to do the decent thing to make the law better, fairer and more reflective of real life and the diversity of families today.

The Chief Justice, in the O'Meara judgment, emphasised the rights of children and the obligations of their parents are not contingent on the legal status of the relationship and yet this Bill now draws a new dividing line, one that says some children, because their parents are divorced or separated, are less deserving. That is policy made without regard for the realities faced by many grieving families.

This extended financial support to one group but, in doing so, it removed it from another. It seems bizarre. I would not be surprised if this will lead yet another family to take a constitutional challenge, as John O'Meara did. We should not be legislating for inequality. We should be learning from the O'Meara case, not trying to lay groundwork for the next one.

Finally, I commend John O'Meara and his family for their bravery and resilience and also FLAC, Treoir and the One Family for their tireless advocacy. We in Sinn Féin will continue to stand with them and with all the families to ensure that no child is left behind based on the marital status of their parents.

**Acting Chairperson (Senator Nicole Ryan):** The next speaker is Senator Cosgrove. I understand the Senator is looking to share time with Senator Harmon. Is that agreed? Agreed.

**Senator Nessa Cosgrove:** I welcome the Minister. Fáilte, a Aire.

Thankfully, at this stage, there is general society acceptance at all levels that bereavement and loss are not restricted to those who are formally and legally married but, as we have said here today, this was not always the case. This Bill is largely thanks to the campaigning work of Johnny O'Meara of Tipperary in highlighting the glaring inequality of treatment between married and unmarried couples.

I welcome the intent demonstrated in the Bill to extend pension rights to surviving cohabiting partners and I hope that it passes all remaining Stages as quickly as possible. For too long, unmarried couples have been treated as an anomaly, even as second-class citizens, by the Department of Social Protection - considered as a couple when subject to the means test but not recognised as a couple when it comes to receiving a widow's or widower's pension. Unmarried couples, as we clearly hear today, are not an anomaly and deserve equal and fair treatment along with those who have undergone a legal recognition of their relationships.

It is a missed opportunity that the rights of children were not included in this Bill, but I am supporting this.

**Senator Laura Harmon:** I welcome the visitors in the Gallery, including one of my best friends, Patrick Dempsey, and his sisters, Tiffany and Gabrielle.

On this Bill, I welcome the Minister. It is good to have this engagement.

The social welfare system, as it stands, is failing couples who are not married or whose marriages have not been formalised. The Department of Social Protection is inconsistent in that it measures both members of an unmarried partnership when means testing for jobseeker's or carer's allowance but provides not guarantee of support upon the death of partner. This inconsistency must be amended. Grieving partners are being shunned by the Government upon the death of their loved one and we must put an end to this.

I welcome this Bill which will allow bereaved partners to receive a pension as a bereaved partner but also recognise that all families and children must be treated equally in the State.

The work recently done on this Bill is as a result of Johnny O'Meara's appeal in the Supreme Court. It is extremely unfortunate that he had to take this case to the Supreme Court. Mr. O'Meara brought this case before the courts because he was denied access to the social protection afforded to widows following the death of his partner, Michelle. Despite Johnny and his partner being together for over 20 years and having three children together, he had to go all the way to the Supreme Court level to receive the protections that are afforded to married people.

The Labour Party, and particularly, Deputy Alan Kelly, has supported Johnny all the way in this. We are happy to see this progressed in the Dáil and now in the Seanad. My fellow party member, Deputy Mark Wall, raised this in the Seanad in 2022 as well, highlighting the rise in couples who are unmarried and choosing not to marry and the need to provide support to all families suffering this kind of loss.

This Bill can go a long way to address this inequality. The Labour Party has long called for the protection of cohabiting partners and we need to support these changes as a step towards

equality for families in this country. There should not be one rule for married people and another for unmarried people in 2025. The law has to evolve to recognise the diversity of families in this country and we will be supporting this.

**Senator Noel O'Donovan:** Like other speakers, I welcome the Minister to the Chamber. It is the first opportunity I have had to speak to the Minister officially in this Chamber and to wish him well in his role. Obviously, there was a deep sense of personal pride to be appointed as a Minister for Deputy Calleary, his family and his supporters and the people of Mayo and I wish him well in the years ahead.

This is very important legislation and I thank the Minister for being in the Chamber. I pay tribute to the Minister for meeting with the family and to the previous Minister, Ms Humphreys, for her work in this area. The Minister also mentioned Deputy Alan Kelly for his commitment to seeing this legislation through and, obviously, Mr. O'Meara, in memory of his late partner, Michelle Batey, for his conviction in progressing this matter through the courts.

I take on board what my colleague, Senator Craughwell, mentioned in terms of families having to go through the courts to get through right and just legislation. It really should not be the case. However, this is a significant step forward. I fully support the legislation. This is profoundly important. It is grounded in equality and compassion.

The Bill seeks to provide support for those who have suffered the very worst and allows for dignity in the face of such loss. This Bill looks to ensure that cohabitants of five years, or two years with a child, are eligible to the payment that many widowers were entitled to. Today we are recognising that people who have built lives and families together and contribute to society whilst not being married, can be supported in the same way in a period of unimaginable loss. We are correcting an injustice enforced on people across the country for the simple reason of not being married.

As of 2024, there are 152,000 cohabiting couples in Ireland, a rise of over 6% since 2011. Of these, 75,587 are living with children. This is up 24% since 2011. A large number of the country are in cohabiting family dynamics, raising children and working together and they are all excluded from the support. This will not be the case for families anymore. This Bill will be an important protection for grieving families to maintain stability in an incredibly uncertain, worrying and challenging time. It represents a momentous stride forward as it recognises that long-term cohabitation is worth the same as marriage in terms of bereavement support.

This Bill would not be where it is today if it was not for the immense courage and bravery of John O'Meara and his family. In the face of loss, John saw the injustices against families such as his and decided that people going through the tragedy he endured should not have to face such barriers anymore.

We all know cohabiting couples and families with cohabiting parents and the value that they bring to society. Ireland is a diverse and dynamic country that is changing rapidly and it is important that our laws reflect this. Society and family are not the same as they were envisaged 50 years ago and this Bill is a step forward towards recognising that. As more people choose to live their lives with someone and raise a family whilst unmarried, it is absolutely necessary that the State supports them when they are facing the most incredible hardship. That is why I am glad to see this legislation progress through the Houses, as I believe it will have a transformative impact on so many families right across Ireland and will support people in the darkest and

most difficult time of their lives.

On a personal note, I lost my uncle a number of years ago and he was cohabiting with his partner at the time. Thankfully, we have seen change in terms of property rights and cohabiting rights and it eased our family's situation at the time. I am delighted to see in this legislation that as a state we are protecting cohabiting families even more.

I welcome this legislation. There are points of note to mention in the legislation as well. It is complex legislation, but the broad ethos of it is good and I broadly welcome it today.

**Senator Sarah O'Reilly:** I welcome the Minister, Deputy Calleary. I welcome this legislation but it has flaws. I recognise the O'Meara family and thank FLAC, the Free Legal Advice Centres, for the briefing it provided to members of the social protection committee on this Bill. The Bill is welcome in that it makes the widow's pension inclusive of cohabiting couples who are not married or are in a civil partnership. However, the Government proposes to exclude people who are divorced or separated from entitlement to a widow's pension if their former partner dies. In this respect, parts of the legislation are regressive.

As the law currently stands, an individual may get the pension if the person he or she is divorced from dies, on condition that he or she has not remarried or is not cohabiting. This new proposal is wrong. In a family where the parents are divorced, maintenance payments will stop if a former spouse dies and the family and children will then become dependent on the widow's pension to avoid poverty. The Government is proposing to take this away from them.

Aontú also has questions regarding the burden of proof on all future applications, whereby individuals would have to prove they were in a committed and intimate relationship for at least two years before their partner died. Even married couples will be required to prove this under the legislation. I agree with Senator Craughwell that amendments will have to be made on the next Stage of the Bill.

The new requirements and the burden of proof in the legislation are an invasion of privacy for couples, even those who are married or in civil partnerships. How are they supposed to prove they were sleeping in the same bed? Will the Department ask people in the immediate aftermath of their soulmate's death to provide evidence of them being intimate? I am reminded of the famous quote that the State has no business in the bedrooms of the nation.

The Government is using the O'Meara judgment as a means of tightening the purse strings on this issue in the small print of this Bill. It is doing things in the legislation that the O'Meara judgment does not require it to do. I have a briefing document here in which FLAC refers to a significant concern that the Department does not seem to have conducted any human rights, equality or anti-poverty impact assessments of the proposals to reduce the social welfare entitlements of divorced and separated persons where their former partner dies. Given that children of lone parents are a cohort who are particularly vulnerable to poverty and homelessness, Aontú is calling for an impact assessment on this issue before we proceed with these provisions. They need to be debated properly and robustly.

**An Leas-Chathaoirleach:** I welcome the Minister, Deputy Calleary. As there are no other Senators indicating, I invite the Minister to make his statement.

**Minister for Social Protection (Deputy Dara Calleary):** I first apologise to the House for the suspension. There are no pairs available. I have great respect for the House and did not

9 July 2025

wish to interrupt Senator Craughwell's contribution and the business of the House. I thank all those who participated in this debate for their contributions.

While there are individual differences on aspects of the Bill, it is clear there is broad support for implementing this important measure. I note again, as I did in the Dáil debate, that this is rooted in many Members' personal stories and in cases they are aware of in which people have found themselves in similar situations to the O'Meara family, coming to terms with an inexpressible loss but being unable to access an important financial support from the State at that time of loss.

The inclusion of qualified cohabiting couples for eligibility for the bereaved partner's pension also requires us to address our consensus where relationships breakdown and eligibility ceases. The Supreme Court noted anomalies with the existing scheme, including the continued eligibility for divorcees and others where relationships had long broken down. We had the choice to either address those anomalies or make them even more complex by creating a situation where multiple payments to multiple partners are funded through the Social Insurance Fund. That is not the primary purpose of this scheme. It is important to ensure the equality provided for accessing this scheme is also applied where personal circumstances change and entitlement is no longer appropriate. There are other supports available for people who find themselves in situations where there is a lack of income or change in income.

Regarding Senator O'Reilly's last point, there will be no invasion of privacy. Individuals will be simply asked to declare on a form the status of the relationship. I assure the Senator there will be no inspectors from the Department going around checking people's houses. Thankfully, those days are long gone in this country.

I do not disagree with the point Senator Craughwell made on the State. It is very unfortunate Johnny O'Meara was put through this. Public representatives should look at how Deputy Alan Kelly took on this case and partnered with Johnny O'Meara as it shows us that even when we feel powerless as public representatives, we can take on cases and make a difference.

Many of the other concerns expressed reflect the overall changes I have addressed. I thank Senators for their consideration and I look forward to bringing this Bill to the House on Committee and Remaining Stages next week. We will then be in a position to begin issuing payments for the bereaved partner's pension late this summer. That will be the ultimate tribute to Michelle and Johnny O'Meara and their family.

Question put and agreed to.

**An Leas-Chathaoirleach:** When is it proposed to take Committee Stage?

**Senator Anne Rabbitte:** Next Tuesday.

**An Leas-Chathaoirleach:** Is that agreed? Agreed.

Committee Stage ordered for Tuesday, 15 July 2025.

*Cuireadh an Seanad ar fionraí ar 5.57 p.m. agus cuireadh tús leis arís ar 6.32 p.m.*

*Sitting suspended at 5.57 p.m. and resumed at 6.32 p.m.*



## **Gnó an tSeanaid - Business of Seanad**

**Acting Chairperson (Senator Seán Kyne):** I ask Senator Ní Chuilinn to move a suspension of the House for the duration of the Dáil vote.

**Senator Evanne Ní Chuilinn:** I so move.

*Cuireadh an Seanad ar fionraí ar 6.33 p.m. agus cuireadh tús leis ar 6.35 p.m.*

*Sitting suspended at 6.33 p.m. and resumed at 6.35 p.m.*

## **Post Office Network: Statements**

**Acting Chairperson (Senator Seán Kyne):** I welcome the Minister of State, Deputy Charlie McConalogue, and thank him for attending.

**Minister of State at the Department of Culture, Communications and Sport (Deputy Charlie McConalogue):** I thank the Members for the invitation to speak on such an important topic. I welcome the postmasters' representatives to the Visitors Gallery.

As we know, the post office and postal network play an integral role in the economic life of our country and in facilitating delivery from SMEs and other businesses to consumers. However, I also recognise that post offices have an important social role, providing invaluable support for some of the most vulnerable in our society through the provision of social welfare payments, free postage to care homes and many other valuable services. The Department and the Government also recognise there are challenges regarding the network. Uncertainty regarding global trade is one of the many challenges facing the post office network, given that the network facilitates trade, and I am aware that postmasters are likely to be feeling the effects of this uncertainty. The network is undoubtedly also impacted by the continuing decline in mail volumes and the growth of digitalisation. It is not only nationally, but internationally, that mail and post office businesses are experiencing long-term structural challenges. Additionally, previous issues relating to the cost of living, in particular the effect of inflation and higher energy costs, have been felt by many small and medium enterprises, including the postmasters, and global events continue to cause challenges in this regard.

The Government is committed to supporting Ireland's post office network. As part of this commitment, the Government is currently providing An Post with €10 million in funding per annum over a three-year fixed term from 2023 to 2025. An Post disburses this funding across the post office network, with all contractor post offices benefiting from the Government funding, with the objective of securing the stability of the network. Over €25 million has been claimed for the network by An Post for the period from the start of 2023 until May last.

In addition, the current programme for Government recognises the need to support Ireland's post office network. Under the programme, the Government will continue to provide the nationwide network of post offices with funding to ensure their sustainability and enhance the value they bring to local communities. I am working with Government colleagues to secure future funding in line with this commitment and, in that regard, I await the outcome of the national development plan and budgetary processes. Pending the outcome of those processes, my of-

officials will address the next steps in facilitating funding, namely, ensuring proper consideration of state aid provisions and ensuring an adequate legal basis for the payment of the funding.

We should be aware that the Government support does not mean that all post offices will stay open, but it is our objective to make sure that, from a Government point of view, we do everything possible to maintain the footprint of post offices throughout the country. The programme for Government recognises this and commits to the Government partnering with An Post and local communities to identify and preserve heritage post office buildings that are no longer in operation. We have a protocol in place, working in the first instance with the Department of Housing, Local Government and Heritage, to discuss possible options for buildings to which post offices may have been relocated, which we have seen instances of across the country recently.

Equally, it is important to remember that this support aims to protect and nurture a sustainable and commercially viable post office network. It also aims to ensure access to important services across the post office network for citizens. Any support must, therefore, be utilised to allow time and space to enable new commercial initiatives and services to be developed. An Post fully understands the Government position, and a sustainable, viable and customer-focused post office network is a key strategic priority for the company. An Post has statutory responsibility for the post office network and, accordingly, it must actively explore opportunities to develop new or enhanced product lines for it. We want to have a sustainable post office network that is available to all of our citizens, both urban and rural, in the medium and long terms.

The network is a core strength of An Post and the continued development of the network and its services is a vital component of its sustainability. Part of the strength of the post office brand, and one of its selling points, is that it reaches into all parts of our country. Equally, we must recognise that post offices are commercial entities and, as with any business, they need to continue to develop relevant commercial strategies to attract customers, drive footfall and generate growth. Supported by the Government, An Post must ensure its commercial viability and the continued fulfilment of its mandate to provide a mail delivery service and ensure a viable post office network.

There can sometimes be a focus on the provision of particular services across the network or supports being put in place, but no one measure in isolation is going to provide the long-term sustainability of the network. All stakeholders will need to continue to work together. The public must also be encouraged to use the services available through the post office network to support their local post office and help ensure its future. Postmasters have a crucial role in the future of the network. I recognise and thank all postmasters and postal workers for their hard work, dedication, input and co-operation to date, and for their role in enabling the ongoing transformation of the network. Their support is needed as An Post seeks to win new business or bolster existing business and to explore opportunities to develop new or enhanced product lines.

I welcome again the opportunity to engage with Seanadairí today and to continue the work I am determined to lead out on, working and facilitating discussions between all parties, including An Post, postmasters and the Government, to ensure the post office network maintains a special role in our society. This is also the case to ensure we bring a conclusion, in as timely as fashion as possible, to the renewal of the three-year commitment, which will run out at the end of this year. We all recognise the importance of maintaining it and I commit to ensuring it is delivered. I look forward to working with all Senators in pushing it through and getting a good

outcome in the budgetary process to make sure we continue to see strong post offices in every parish in the country. Go raibh míle maith agaibh. I look forward to the debate.

**An Leas-Chathaoirleach:** Our next speakers are Senators Comyn and Fitzpatrick of Fianna Fáil who are sharing time.

**Senator Alison Comyn:** I speak in support of this matter, which goes far beyond simple logistics or commercial viability. I speak of our post office network, a cornerstone of Irish community life, and the urgent need to ensure its survival and sustainability. The post office is not just a facility. It goes even beyond a public service. It is a social connector and, in many parts of rural and regional Ireland, a vital lifeline. Whether it is a pension collection, a child benefit payment, the BillPay service, banking or simply a familiar face for someone who may not otherwise speak to anybody else on the day in question, the post office does it all. Think of how it almost became another emergency service during Covid. I used to look forward so much to my conversations across the garden gate when my post was delivered in Drogheda.

Post office services are very much at risk. Almost 900 of the independent postmasters who operate the vast majority of our post offices are telling us loud and clear they cannot continue without immediate support. Rising costs, reduced footfall and a rapid shift towards digital services have left many on the brink. This is not speculation; it is reality. Some post offices have already closed and others operate at a loss but continue due to the postmasters' deep commitment to their communities. The figures are stark. Of 888 independently run post offices nationwide, more than 250 have closed in the past ten years. When costs are removed, 108 postmasters earn less than the minimum wage.

I have just met the Irish Postmasters' Union, which is calling for €15 million in annual funding to maintain the network. This would not be a handout but a strategic investment in national infrastructure. As a Government party, Fianna Fáil must listen carefully and respond constructively. Let us be clear that this is not about propping up a failing business model. It is about enabling transformation. It is about recognising that if a post office closes in a rural village, or even in an urban setting with high levels of deprivation, it is not easily replaced. No amount of broadband roll-out or bank ATMs can replicate the human and community value these post offices provide. Moreover, our postmasters do not resist change, but embrace it. Many post offices now offer financial services, digital Government transactions and even local enterprise supports. With adequate resources they can evolve into expanded community hubs and part of our wider vision for balanced regional development, digital inclusion and rural regeneration. Without interim financial support, they simply will not get there.

How much is needed to halt the decline? We have heard the figure is €15 million. This is a modest sum in the grand scheme of things but one with an enormous social return. Compare it to the cost of losing these services. There would be increased pressure on welfare offices, the loss of community connection and a hollowing out of rural and small-town Ireland. That price is far higher. As a Government, we have a duty not only to respond to crises but to act with foresight. Supporting the post office network is aligned with our programme for Government commitments on rural Ireland, digital equity and sustaining public services. I add my voice to those urging the Cabinet to act decisively and work with An Post and the Irish Postmasters' Union to deliver the €15 million needed. We can and must secure the future of our post office network. Let us not look back with regret in a few years, wondering how we let it slip away. It will be far too late then. Instead, let us ensure it continues to serve our people as it always has, reliably, locally and with heart.

**Senator Mary Fitzpatrick:** I thank the Minister of State for coming to the House. I welcome and thank the Irish Postmasters' Union and the postmasters. Some postmasters are in the House this evening but many more are in their post offices. They are in more than 850 communities throughout the country. I know they are very important in Donegal and they are just as important in Dublin.

The post office is the trusted face of the State in our communities. I acknowledge and very much welcome the Minister of State reaffirming the Government's commitment today to supporting a sustainable future for our post office network. It is essential. The postmasters have acknowledged how important State intervention and Government support was to ensure the post office network survived over the past three years. We ask him, on behalf of the postmasters and, more importantly and with no disrespect to the postmasters, on behalf of their customers and our communities, to go back to the Government and the Ministers for Finance and public expenditure and re-emphasise to them and remind them of why the Government made the commitment. We must remind them the €30 million was well spent and that post offices have evolved and extended their services, while all the time retaining the human element and the social value they bring to our communities.

An Post is a resilient, innovative organisation, one that creates local employment and serves communities locally. It connects the local with the global. It is unique and has been a constant presence in our society since the 1700s. The Government has to ensure post offices continue into the future, that they are sustained and that their network remains trusted and available to future generations.

I wish the Minister well with his work but I want to stress the urgency of this. Postmasters are employers. They have responsibilities to their employees. They live with this responsibility 24-7. They need to know how they will be able to plan for the next three years. They need to be able to inform their staff, employees and communities how it will work. I wish the Minister well. He has our support but I cannot overemphasise the importance of delivering on this important issue for all of our communities.

**Senator Joe Conway:** Lonraím mo thacaíocht ar na hoifigigh phoist agus ar an dea-sheirbhís a thugann siad lá i ndiaidh lae ar fud na tíre ó Chionn Mhálanna go Dún Mór Thoir i gContae Phort Láirge agus gach áit eatarthu.

Responsibility lies with all of us in Seanad Éireann and Dáil Éireann to help shape an Ireland where opportunity, investment and quality of life are shared fairly across all villages, towns and cities. This Government is committed to balanced regional development and supporting an Ireland where all regions and communities, both rural and urban, have equal opportunities to thrive.

Let us ponder the words "both rural and urban, have equal opportunities to thrive". They are not mine, of course, but a verbatim quote from the address given by the Minister for rural and community development in this House little more than three weeks ago. We were having a robust debate on balanced regional development at the time. A goodly number of Senators of all shades outlined their visions of what balanced regional development meant to them. The one common thread in practically all of the contributions from all sides of the House was the critical need to maintain communities in rural Ireland. Caithfear bánú na tuaithe a sheachaint.

I will not boil my cabbage twice by rehearsing again what was said on 17 June but my

message today is fairly straightforward. The post office needs €15 million in the coming and subsequent years to maintain its level of service to its 1 million customers. Some €15 million sounds a lot, but it is a paltry sum. It is, effectively, the cost of one cup of coffee per person in the State on one day.

Our post offices are the jewel in the crown of our support and social mechanisms. They are a leading national asset playing a vital role in supporting communities across Ireland, not just economically, but socially and environmentally. Economically, they process more than €7 billion in social welfare every year, much of which is spent locally, for example, in the supermarket around the corner or the local craft shops. This is particularly true in rural and disadvantaged areas. The local post office, furthermore, provides a trusted face-to-face service that engenders social inclusion and reduces isolation, particularly for older and vulnerable people.

Environmentally, too, local post offices' presence reduces the need for long-distance travel to access further post offices that may be necessary with the closure of the local one. The essential services of post offices facilitate their 1 million weekly customers to support sustainable local enterprise, as well as assist in the ongoing fight against carbon pollution.

The Grant Thornton report, entitled "Securing the Future: Sustaining Ireland's Post Office Network through Strategic Investment", outlines the need for an investment of €15 million a year for five years. Post office revenues, while somewhat static since 2018, have actually fallen by about 20% to 25% in real terms and when taking account of inflation. It is not that post offices are inflexible about new trends. That is not the case. They are very willing to take on any new Government services possible or expand existing services, for example, in documentation generation for all Government forms, which stump many people of the older age cohort; PSC card ordering through their network; or augmenting the difficult register of electors forms, which I saw in Waterford coming up to the last local elections. We had to bring in a bunch of new staff to try to get the register of electors fit for purpose for the local and European elections. That could be done by the post office, or it certainly could be assisted in that way. I am a peace commissioner and it is high time we began to look at post offices as the locus for peace commissioners. It would be much handier if people who were dealing with Government forms could have them authorised or countersigned by a peace commissioner *in situ* rather than having to look up where the next peace commissioner might be – it could be anywhere in the county, according to the legislation. These are a handful of things we could look at.

I wish to now take a little step aside – a little bit of a digression by way of an illustration. Is léir go bhfuil an-eolas ag an Aire Stáit ar na hoifigí poist ina dhúiche féin, go mórmhór i nGaeltachtaí Thír Chonaill. Tá oifigí poist i gCill Charthaigh, i nGleann Cholm Cille, in Ardara, i Dungloe, i Leitir Mhic an Bhaired, sna Dóirí Beaga, sa Fál Carrach, i nGort an Choirce, Milford, Ros na Cille, Árainn Mhór agus Toraigh. Is iad sin an dosaen díreach atá istigh nó gar do na Gaeltachtaí. By contrast, the one remaining post office in the Waterford Gaeltacht closed last year. The local Spar owner Páidí Breathnach wanted to take it on, and An Post was offering him €21,000 a year to run it, but only after he put in €45,000 of his own money to fit it out. If there was a bit of flexibility there, it would not have been the inevitable. For a want of ha'p'orth of tar, the ship was lost.

We are aware that the quantum of computer literacy with the older cohort is still significantly in deficit. Those people yearn for face-to-face advice rather than being told coldly to download an app.



9 July 2025

I refer to parcels and e-commerce. This growth has increased demand for parcel handling click-and-collect service points, another viable entity for the post offices. That all depends on a physical footprint that is trustworthy and welcoming. Here again, the post office provides a familiar, recognisable and reliable locus for such services.

We see time and again advisories on scams all over the place. However, none of those advisories is more focused or trusted than the word from the local postmaster.

In rural communities, the post office is an immediate access point to the banks – AIB and the Bank of Ireland. Those two august institutions, as Members know, closed branches with literal abandon over the past decade and a half to assuage the greed of the institutions and fund managers. The institutions and fund managers drove those closures. We should not be in the driving seat of driving the closures of post offices for the want of a better investment. We can ensure the survival and prosperity of the post offices if we put the funding in place.

The pinnacle, and some would say the encouraging and caring nature of post office workers, was truly and inexorably shown during the pandemic. The thousands of hours of selfless service they gave can never really be quantified but, certainly, should never be forgotten. How much more trying and traumatising would it have been had we not had these doughty people in the post offices, who stood strongly with their communities, and sensitively in many cases as well?

The bottom line is that it is €15 million a year for the next five years. Anything less will generate losses of service. For example, we can quantify it like this. Some €14 million will lead to 80 to 100 closures, with attendant losses. They will be permanent and damaging - socially, societally and politically. They will demonstrate a haughty dismissal of rural Ireland by the Government.

In fairness, I thank the Minister of State for being here to hear our pleas, from his own party colleagues, the Independents and Sinn Féin. Everywhere, the chorus will be the same. The fundamental bottom line when it comes to post offices is like the slogan that some chain of shops uses that we hear regularly on radio advertising: when they are gone, they are gone. There is no bringing them back. It is up to us to be wise enough to hold onto the jewel in the crown.

**Senator Evanne Ní Chuilinn:** Míle buíochas leis an Aire Stáit as ucht a bheith anseo sa Seanad tráthnóna chun an t-ábhar fiorthábhachtach seo a phlé. I welcome the opportunity to discuss our post office network and how we can all support what is not just an important network for communications, business and the State, but a network that connects our communities right across the country, serving as a focal point of villages and towns in both urban and rural settings.

It is with great concern that we read yesterday of the news that more than 250 post offices have closed over the past ten years. These closures have undoubtedly affected communities around Ireland. Indeed, in my own area in Dublin South-Central, the closure of the Bluebell post office continues to be a significant issue in the lives of people living in the area. The closest post office is now in Inchicore, a bus ride away for all, which is adding not just an inconvenience but a cost to attending the local post office. Inchicore also does not have a single bank in the village, which means that the post office is the only place to do business and is, therefore, utterly oversubscribed, given how it now serves a greater area of the urban centre between Dublin 12 and Dublin 8.

The postmaster in Bluebell retired, a scenario that has been replicated in many of the 250 closures we read about yesterday. Closing off services simply because a postmaster reaches retirement age is not a sustainable business model and must be urgently addressed by An Post. We have all witnessed closures like these in our communities, and we know that it makes it incredibly difficult for people to access not just postal services, but also the State services administered by An Post. To tackle this issue and prevent further closures, we must make it not only viable but sustainable and an attractive opportunity for new postmasters to do this, and we must better support our network of post offices.

There have been several documented causes for post office closures, namely, funding, changes in core services and postmaster succession. The personnel shortfall was the main reason for the closure of the post office in Bluebell, that is, the lack of a successor willing to take on the role. I hope that during the course of this debate, we can consider these issues and the Minister of State may be able to provide some assurances to postmasters, An Post and our communities that the Government will deliver on its commitment to continue to provide the network of post offices with funding to ensure their sustainability and enhance the value they bring to local communities.

*7 o'clock*

Our post office network faces a number of challenges, which were brought into focus at the recent hearing of the Oireachtas Joint Committee on Arts, Media, Communications, Culture and Sport. The most pressing of these was funding. The Irish Postmasters' Union outlined the stark reality that without additional funding, 40% of postmasters will be forced to close their post offices. Considering the worrying ongoing closure of these vital hubs in our towns and villages, we must invest in them, ensure their sustainability and acknowledge the unique operating challenges they face. The recent report from Grant Thornton commissioned by the Irish Postmasters' Union states that since 2020, operating costs have risen sharply during the cost-of-living crisis with inflation of 15%, which we are all too familiar with. We must recognise that post offices are in a unique position in that they cannot respond in the same way as other businesses to cost pressures due to contractual arrangements with An Post and that they are also precluded from accessing business supports available to other small enterprises due to these relationships.

The last Government supported our post office network with multi-annual funding. This has been essential in preventing even greater numbers of closures. However, the environment is still challenging and our post offices now need even more financial support to continue in operation. The good news is that 70% of postmasters say their post offices can remain viable with additional funding. The ask is well documented and simple. The multi-annual funding of €10 million per annum, which is due to expire at the end of this year, needs to increase to €15 million per annum, as Senator Joe Conway has said. Will the Minister of State commit to seeking this €15 million as part of the budget discussions?

Another way in which we can further support our post office network is by expanding the offering of State services through our network of post offices. We already rely on our post office network for the administration of public services and welfare payments. There is a commitment in the programme for Government to expand the range of welfare services provided through our post office network. What plans are there in the Department to expand this offering? Has work begun in collaboration with the Department of Social Protection and other Departments to expand the provision of services through our post office network? Our postmasters have al-

ready shown they can administer services on behalf of the State. The Irish Postmasters' Union expressed to the joint committee that postmasters are willing, able and eager to play an even bigger role in the delivery of Government services. The infrastructure is there. We should be utilising the valuable assets already in place in our community. A recent survey by the Irish Postmasters' Union found that 89% of people want more Government services delivered through our post office network. It is a stated commitment of the Government to deliver on this. Along with other Members of this House, I would greatly appreciate it if the Minister of State could give an outline of the work completed on this to date in his response.

I will touch on one other issue that I believe is essential to securing the future of our post office network: the issue of supporting our postmasters. I am sure the Minister of State is aware that many postmasters provide not just the official service they are contracted to provide but also an *ad hoc* social support for many vulnerable people in our communities. I know postmasters will directly help customers by reading their letters, deciphering what bills need to be paid, what needs to be done and what needs attention. They help customers to fill out forms and then deliver them wherever they need to be delivered. Some of the postmasters' representatives in the Gallery will know what I am talking about because they do this every day. This is not in the job specification but this organic relationship between postmasters and their customers is very special and very important, particularly in rural areas. This is one of the many reasons we must address the remuneration of postmasters along with increasing multi-annual funding for the network.

We heard from the Irish Postmasters' Union president, Sean Martin, that postmasters are being paid cents for the services they administer on behalf of the State. He cited the example of a post office handling €2,000 in carer's payments and receiving a mere 65 cent for these transactions. If we are to support our post office network, we must ensure that postmasters are fairly paid for the work they do in handling, securing and administering payments on behalf of the State. The post office network is often the most accessible way for people to access State services. As we have heard from postmasters and from An Post, they want to play an even bigger role and provide more services. We must support them with greater funding and better pay for the work they do to ensure their viability and sustainability into the future to prevent further closures. At the recent committee meeting, the IPU president, Sean Martin, said that post offices:

can be the front door for all Government services. If that does not happen, that front door will close and post offices will close one by one, and very quickly next year if the funding does not materialise.

To refer to another point made by Senator Conway, it is important to note that while the move towards digitalisation is a very positive step, we have to ensure that the post office network continues to cater for people who will never move to digital services. We must be digitally inclusive and allow our postmasters the discretion to be so as well.

This is not just about subsidising struggling businesses; it is about investing in essential community infrastructure across our country. Our post office network has shown that it can offer a range of services to our communities and has kept up with the pace of technological change, expanding its offering and diversifying services. We cannot deny the cost pressures post offices are under. We must invest in the future of our post office network, as committed to in the programme for Government. Gabhaim buíochas leis an Aire Stáit. Táim ag súil lena fhreagra níos déanaí.

**Senator Joanne Collins:** I am sharing time with Senators Tully and Andrews. I will take four minutes and they will take three each. I welcome the Minister of State. I welcome the opportunity to speak today on an issue that goes to the very core of Irish communities: the future of our post office network. As has already been said, over the past ten years 257 post offices have closed across the country. That is a shocking figure. Behind that statistic, there are 257 communities, both rural and urban, that have lost a vital public service, a trusted institution and, for many, the last tangible expression of the State in their daily lives.

The figures are stark. Cork has seen the largest number of closures, a total of 34 including 22 in rural areas. Galway has lost 21 rural post offices, Dublin has lost 21 and Donegal 19. The list goes on. My own county of Limerick has lost 12. These closures affect not only the delivery of services, but the cohesion and well-being of entire communities. Let us be clear; the local post office is not just a place to send parcels or to buy a stamp. It is where people collect their pensions, access social welfare, use banking services and stay connected to Government Departments. For many people, particularly older people and those in remote areas, it is also a place of routine and of human contact. It reduces isolation, fosters connection and provides security not in an abstract way, but in a real, human, day-to-day sense. These post offices are not just businesses; they are public services and must be supported as such.

Despite this, we are watching the system unravel before our eyes. Just last month, postmasters warned that 40% of post offices could close unless the Government steps up with meaningful investment. The contract model is not fit for purpose. Long-serving postmasters are retiring but new entrants are not coming forward. We are at a tipping point. If we do not act now, the network will continue to shrink. With each of these closures, a little more of rural and local Ireland disappears. The damage to social cohesion, local economies and community identity will be profound and long-lasting.

The State has failed to grasp the urgency of the situation and communities are paying the price. That is why we in Sinn Féin have consistently called for a new approach. We are calling for a public service mandate for the post office network, to be backed by sustainable funding, strategic investment to ensure long-term viability, a modernised contract model that recognises the real value postmasters bring to their communities and a vision to expand services rather than stripping them away.

I commend the Irish Postmasters' Union president, Sean Martin, and its secretary general, Sandra Tormey, on their advocacy and leadership. We know the consequences of inaction. What we need now is political will. Those in the Government cannot continue to ignore the crisis in our post office network. Every time a post office closes, the State becomes more distant and abstract and people feel it. They feel forgotten and communities slowly become invisible. We have the chance to do something different, to choose community over cuts, to choose investment over neglect and to put public service and social cohesion at the heart of our national priorities. Let us not let another 257 post offices close. Let us protect what is left and build a stronger and more connected future for our communities.

**Senator Pauline Tully:** I live in a rural area of County Cavan, about 3 miles from the village of Kilnaleck. Some 12 or 13 years ago, there was a branch of Ulster Bank with an ATM that was open all hours, a branch of Cavan Credit Union and a post office in the town. Now, there are none of those. There was an ATM service provided through one of the shops when the ownership changed, so at least that is there during opening hours. The post office there was one of the 257 that have closed in the past decade. It is one of seven that closed in Cavan, all in

rural areas. The reason given at the time by An Post for the closure was that there were under 500 people living in the village. It ignored, however, the fact there were 5,000 people living in a 5 km hinterland of that village, that there were 40 businesses in and around the village and about the same number within a couple of miles of the village. It resulted in people having to travel to one or the other of two nearby towns to access post office services. With that, they took their business out of the village. They were not going to collect their pension or whatever other payment through the post office and then come back into Kilnaleck to do their shopping, go for their cup of coffee or whatever it might be. The whole village suffered as a result of that and business was lost from the village.

A post office is important. It offers financial services, access to social welfare and communications infrastructure. That was really important in my area because there were a lot of people from eastern Europe working in and around the village over the past 20 years. They used the post office on a continual basis to contact home and send money home and so forth. They could not do that anymore. They had to then travel and most of them do not have cars. They had to rely on public transport to get to another village to use the post office.

The Minister of State said himself there is a social aspect to the post office. He is correct in that, but we should actually respect that. We need to see the outdated contract terms changed. When the postmaster or postmistress is retiring, the post office closes because it is not attracting new entrants. We need to see a new contract and new approach. We need to see increased investment. The Irish Postmasters' Union have stated that if the investment of €75 million over the next five years, that is, €15 million a year, is not provided, the future for the post office network is bleak. With increased investment, we need to see new initiatives like increased banking services or support for different Government schemes. There was almost a concerted effort to move from post offices to banks for social welfare payments. We need to see that reversed. Post offices contribute approximately €767 million to the social and economic value of our country as well. We have to keep that in mind.

It is worth comparing with our EU counterparts. France invests 270% more in its post office network than we do. Belgium invests 500% more and Italy invests 340% more. We need to learn from those.

**Senator Chris Andrews:** I thank the Minister of State for coming in. I have previously raised the issue of the Rathmines post office being sold off and moved to a Centra. The building that houses the post office in Rathmines was built in 1934. It is a purpose built, art deco post office. It is an absolutely incredible building. It is vital that services and infrastructure like this are maintained, and they should be maintained and not sold off to a private developer or private owner. It is honestly incredible that the Government will allow the sale of this building to a private owner. The Rathmines post office could be the centre of Rathmines. It could be a central community hub and it could be the heart of cultural or community activities. The Government wants to sell this off. It is absolutely astonishing that this Government would sell such an amazing, beautiful building with such massive potential.

As has been said, postal services need €15 million every year to keep them going. I honestly think that will only keep them on a life support machine. It is all very well saying the Government supports postal services, but in Dublin 2, 4, 6 and 8 over the past ten years, at least four or five post offices have closed down. While the Government says it supports the postal services, the evidence suggests it does not support the postal services, post offices and the Irish Postmasters' Union. The evidence suggests the Government is actually willing to let it die a slow death.



It needs to invest, and not just the €15 million, and create a new model that is something similar to what Sinn Féin has proposed, which would mean postmasters and post offices could survive long term in a sustainable way.

The postmasters will not be found wanting when it comes to change. As has been said, it is not a handout to services. It is an investment in communities and ordinary people who use the postal services. The president of the Irish Postmasters' Union said recently that everyone is in danger of closing if transactions keep declining. Every post office will be under threat. The €15 million is the bare minimum that postal services require. Postal services will die, one after another, if the €15 million is not provided. There has to be more than just that. There has to be greater investment in services and provision so they can take on different services and make more money to make it more sustainable for the post offices. Communities need postal services. It is a valuable part of the social infrastructure and it is really important the Government stops saying it is in support of postal services and actually delivers the support post offices need.

**Acting Chairperson (Senator Seán Kyne):** The next grouping is the Cross-Party Group. Senators Noonan and Cosgrove are sharing time. Is that agreed? Agreed.

**Senator Nessa Cosgrove:** Cuirim fáilte roimh an Aire Stáit. I am delighted to be having this conversation and see there is such enthusiasm for this debate. All of us speak so warmly and fondly of the postal services because the post office network has traditionally played a special and significant role in all of Irish life, from before and after the foundation of our State. The local post office holds a special place, which we can see here, in people's affections. The services that are provided - we have all said this - go way beyond the realm of posting letters and parcels. This network allows people who might otherwise be excluded from participation in an increasingly digital and impersonal economy to fully participate as citizens in their local communities. It allows people who do not have bank accounts to do their financial transactions and pay the utility bills but also the payment of certain essential bills which keep the State running, including property taxes and TV licences. It also allows those who cannot engage with banking and bills online to pay in person. We have heard here tonight that postmasters often help people, older people, in particular, with their financial transactions. We see passport applications, the payment of fines and the list goes on and on.

We all know - this was spoken about earlier - that Bank of Ireland, Ulster Bank and AIB have closed branches all over the country, which leaves an awful lot of villages and towns without a financial institution. When we are talking about the role of the post office, the most significant of all is its role in circulating €7 billion in actual cash into communities every year. This is money that is paid out in welfare benefits to people who are living on low incomes such as pensioners, people with disabilities and those who are unable to work. Some of the most vulnerable members of our society find their economic lifeline in post offices. I have pointed out on many occasions in this House that the particular impact those on low incomes have, both on the local and national economy, is disproportionate. Money that is received locally by people who have a lower income is spent locally. These support local, sustainable business, microenterprises and social enterprises in local communities.

Moving beyond the realm of the financial role of post offices, we must look at the social role and the social life it gives many people, which has come up here many times tonight. In many rural towns and villages, a trip to the post office to receive a hard-earned pension and to pay the bills is often followed by a trip to the local shop. Each of these interactions helps keep people physically and mentally healthy. Each of these interactions has an impact in keeping

older people in their own homes for longer. A report produced by Grant Thornton for the Irish Postmasters' Union, which we have all spoken about, estimates the social and economic value of the post office network to be €344 million to €777 million per year and asserts that can be maintained at a cost of just €15 million per year. I am delighted there is such enthusiasm from the Government but, unfortunately, the evidence shows that, in the past ten years, 31 post offices have closed in the north west - the Minister of State will know this as it is in his own area - four in Leitrim, eight in Sligo and a staggering 19 in Donegal. Many rural villages and communities are now left without a post office, which leaves a gaping hole in those villages for older people. For many people, their lifeline for social interaction is gone. If we fail to provide this relatively small amount of funding that will help sustain the independent, individual enterprises which make up the network, we risk seeing what the Grant Thornton report called rapid, unrestrained closures which will cause irreparable financial, economic and social harm. However, I am heartened to see the Government recognises the value of the post office network and has committed to funding this vital economic and social network to 2030. The Irish Postmasters' Union, which I was delighted to meet, has evolved and responded in this ever-changing world and its needs must be responded to, if not with enthusiasm, then with compassion. Its efforts need to be celebrated, but it also needs to be supported and we need to listen to exactly what its needs are. I hope the Government will fulfil its promise and commit to a minimum of €15 million.

**Senator Malcolm Noonan:** Cuirim fáilte roimh an Aire Stáit. There have been many excellent contributions this evening on the social, cultural and community needs that are reasons to retain our post office network. I will focus a little on the heritage assets of our towns, looking back at the last programme for Government, under which we introduced the town centres first programme. Thankfully, it has been committed to again in this programme for Government. We can see the invaluable asset the physical presence of our post offices continues to be in our towns. Historically, our towns evolved as places of transaction - market towns - and if it becomes a situation where the opportunities for transaction and interaction are diminished or reduced year on year because of the loss of banks and other facilities, our towns will unfortunately go into perpetual decline. That is where we have these challenges. The reality is that many towns are still struggling despite policies brought in by the Government around urban regeneration and conservation and restoration of older buildings. We need all these services to make our towns vibrant, and what our post offices offer, as well as the wider services they provide, is being a physical hub. The opportunities to expand that have been mentioned in many contributions this evening, such as energy hubs, information centres and lots of other places of exchange that our post offices could become, if the will is present in the Government to do so.

Comments were made about Rathmines post office. It is an incredible built heritage asset in the heart of Rathmines. Many post offices are heritage buildings in their own right and many are on the National Inventory of Architectural Heritage. Even in my home town of Kilkenny, we have a beautiful high street post office. Backing onto it was a sorting depot, which moved its operation to an industrial estate more than 20 years ago. That depot has been empty for that period. Many of us have been looking to convert it into a black box theatre space for local productions, yet despite many letters to An Post, we have not had any positive engagement with An Post on the matter. Therefore, there is also the built element, where the buildings have a dual use or could be brought back into productive use. That is important.

Most of all, though, and like other Members have this evening, I urge the Minister of State and the Government to take seriously the requests of the Irish Postmasters' Union, which have been there for many years, even during our time in government together, and to find a way

forward to try to maintain a vibrant ecosystem of post offices and a viable economic return for postmasters for their activities within it. It is essential to our town centres.

**Acting Chairperson (Senator Seán Kyne):** I understand Senator Rabbitte is sharing time with Senator Goldsboro. Is that agreed? Agreed.

**Senator Anne Rabbitte:** I thank the Minister of State for attending and the Cathaoirleach for facilitating this debate. It is appreciated that we are having this conversation. I am glad to be joined this evening in the Public Gallery by my postmistress from Portumna, Sinead Salmon, and my former postmaster in Mountbellew, Peter Kitt. Listening to all the valuable contributions, and having a financial head myself, I was looking at the statistics. An Post assists in gathering €400 million when it comes to fraud, believe it or not. There is a logical argument to be made for collecting 1.5% from the funding gathered in fraud prevention - that would be €6 million - and giving it back to postmasters. Then we would not need to have this conversation at all.

Post offices provide a valuable service and are the social fabric of all our parishes, whether they are urban or rural, whether during the Covid-19 pandemic, Storm Éowyn or other pandemics. At the end of the day, the one trusted part of our social fabric priority is our post office network and we need to recognise its value. Sometimes when we lose a bus service, we argue there is a public service obligation, PSO. I would argue the same is required to maintain our post office network in our communities. I certainly do not want at any stage to find that it is already too late to argue to retain a post office. I do not want to be in a community centre begging a Minister to support my local post office. I have done it once before in Eyrecourt when there were 770 people. The figure that was required will always ring out for me. Going forward, €5 million is a good investment.

**Senator Imelda Goldsboro:** I welcome the postmasters. It was great to meet them earlier. I understand the urgency that is required around the funding. I support everything that has been said by my colleagues.

I am from Tipperary South, which has been hit by a number of these closures. We can see the decimation of our villages and communities because the post offices are gone. People do not appreciate them until they hear the rumblings in the camp of what could happen or who is thinking of retiring. We need to put more services into post offices. We need to deal with this urgently to allow those who have contracts coming up for renewal to have them signed and sealed. No price can be put on what they are doing for the public, for communities. It is priceless. We saw it in emergency times, such as storms and the Covid-19 pandemic. It is about the connection, and sometimes in rural Ireland, the voices of post office staff are the only voices people hear. It is the only face-to-face interaction they have, and that is priceless.

No matter the outcome for rural Ireland, the post office is the hub of every community. Not every community has buses, trains, Luas or a metro. The message is that we have supported those and the post office network should be treated with further support. The services should be enhanced. Post offices should be made vibrant products and be supported every step of the way.

**Senator Gareth Scahill:** The Minister of State is welcome. It is great we have a rural Minister of State who understands this brief and the impact of post offices on rural communities.

Post offices have long been more than simply places to post letters or collect a parcel. As we have heard tonight, they are trusted local institutions that support the day-to-day lives of

people in every corner of our country. They are community hubs, lifelines for the elderly and, increasingly, essential service providers in an age when banks and other supports are disappearing from rural Ireland.

The Irish Postmasters' Union commissioned a recent RedC poll and we know the value and weight this House puts on RedC polls. That poll put figures on what many of us already knew in our hearts, namely, that post offices mattered. The poll found that 91% of people believed post offices remained crucial in today's digital world. At a time when online transactions are growing, the need for human contact, trustworthy advice and access to physical services has not disappeared. In fact, they have become even more valuable, especially for those who are vulnerable or isolated or simply prefer face-to-face engagement. I have seen postmasters put credit on mobile phones for elderly people who are not able to do that job. They do work that is not in their remit.

Another detail that came through the RedC poll is even more striking. Nine out of ten people believe their community would be worse off without a post office. That is not just a statistic. It is a powerful statement about belonging, identity and the infrastructure that keeps communities connected.

I refer to a publication by the Irish Postmasters' Union in which Pádraig Mac Namara, a postmaster in Granard, captured it beautifully when he said that the post office is more than just a workplace, it is a vital part of the community. With both banks closed in his town, people turn to him in his post office for everything from bill payments, savings, and cash withdrawals. Many of our most vulnerable citizens still rely on cash to manage their daily finances. His words are a reminder that, behind every counter, there is a person who knows their customers by name, who checks in on their well-being and provides a level of personal service that no app or algorithm can replace. If we want this network to survive, we need long-term Government investment. The public is not just in favour in that; some 89% believe it is important that the Government continues to invest in keeping our post offices open.

This is not a plea for sentimentality. It is a call for sustainability because securing the future of our post office network is directly linked to the sustainability of many rural communities. I had a Commencement matter this morning about promoting remote working. The Department is fully behind building on the infrastructure that the State has already invested in. The post office network is an integral part of tapping into remote working. We have a social responsibility to address this. I welcome the postmasters from Galway, Kerry, Louth, Mayo, Kildare, Westmeath, Waterford, Donegal and Dublin. We will support them as best we can.

**Senator Shane Curley:** Gabhaim buíochas leis an Aire Stáit as ucht a bheith anseo anocht don ábhar thar a bheith tábhachtach seo, go háirithe in áiteanna iargúlta timpeall na tíre. I thank the Irish Postmasters' Union, whose representatives gave us a detailed and passionate presentation earlier. I want to pay tribute to Sinead and Peter, in particular, who are from my own county in Galway. Their front-line perspective after years of rising pressure and change is crucial as we chart the future of our post office network.

The post office is more than just a place to post a letter or collect a payment. It is the cornerstone of community life in towns and villages right across rural Ireland. The post office brings people into the centres of our towns and villages. It generates vital income for small coffee shops, restaurants, pubs and many other SMEs across rural Ireland, not to mention the mental health benefits of mingling with friends while doing business in the post office. As the post-

masters' union has said, this funding is not a handout, it is an investment in our communities.

I am pleased to see the Government recognises this. I welcome that the Government has committed €10 million over a three-year period in direct support to An Post to stabilise the network and allow time for reform and innovation. However, the discussion this evening primarily revolves around funding, and a detailed breakdown of the need to increase this figure to €15 million has been provided by the postmasters' union. We need to revisit and reconsider this. For the sake of the extra €5 million, the massive benefits to our rural communities cannot be overstated.

The transformation of the network must go beyond survival. It must be about ambition and long-term solutions. Access to cash in rural areas is vital to many people. The decline in the banking presence across rural Ireland is no secret. The exits of KBC and Ulster Bank have left massive gaps. This is a once-in-a-generation opportunity for An Post to step in. We already have the backbone of this as An Post has the largest retail network in the country. It has an IT infrastructure capable of national interconnectivity. It has a trusted reputation, especially among those who are vulnerable and struggle with digital literacy. That is a hugely important fact. What will it take to fully realise this potential? In our briefing earlier we were told that if one particular post office in the Minister of State's constituency closed, it would be a 34 kilometre trip to the nearest access to a cash point. That just brings the issue into perspective. An Post is doing its part. It is developing new services, such as An Post Money, and it is rolling out a greener fleet, but it cannot carry this burden alone. The sustainability of the network must be a shared national priority. We need to look at increasing the €10 million to €15 million as part of the package.

**Senator Eileen Lynch:** Gabhaim buíochas leis an Aire Stáit as a bheith anseo inniu. I am delighted we are discussing this issues and ongoing concern, namely, the future of the post office network and the critical role it plays in the life of rural Ireland, particularly in rural regions such as my own in Cork North-West. In communities across the country and especially in rural parishes, the local post office serves many functions. For many older citizens it provides a trusted face in an increasingly online and depersonalised world. As has been referenced by my colleagues, the recently published 2025 report by Grant Thornton sets out what many of us have known: without urgent and sustained intervention, the viability of our post office network, especially in rural Ireland, is in jeopardy.

These are not just statistics. These are villages and townlands in mid-Cork and all around the country where the closure of a post office means rural isolation, economic decline and the further erosion of community life. Some of the post offices in my own locality, for example, Rylane, Coachford, Donoughmore, Ballinagree, serve populations spread over wide areas with poor public transport and a high proportion of older residents. For many in these communities, the post office is the only place they can collect their pension or pay a bill. When these post offices are under threat, so too is the fabric of our rural life.

The Grant Thornton report also highlights how post offices are uniquely placed to support Government objectives, from promoting financial inclusion to delivering public services where the State has little other presence. We can allocate extra functions to our post offices and our post offices want to do more. Yet, these same post offices are being asked to operate without a sustainable funding model. What is needed is a strategic shift and recognition that our post office network is not a commercial luxury but a public utility deserving of long-term increased State support. We must implement the report's recommendations for a multi-annual public



service obligation to guarantee core funding, especially for rural and vulnerable areas. It is estimated this will cost €15 million a year, which I believe is a relatively small amount when looking at all the benefits our post offices provide. We need to expand the range of public services available through the network from motor tax renewal to digital ID verifications to increase footfall and relevance. We need to explore a partnership model with local authorities, community groups and credit unions to deepen the social and economic roles of a post office.

If we are serious about balanced regional development, climate resilience and protecting older citizens and sustaining rural Ireland, we need to act now. We cannot wait until closures have happened and damage is irreversible. The cost of supporting our post office network is small compared with the cost of losing what it provides. I urge the Minister of State to take heed of the Grant Thornton report and its findings and to respond with a commitment.

**Senator Dee Ryan:** The Aire Stáit is very welcome to the Chamber for this important discussion. I rise to support the many statements that have been made by my colleagues across the Chamber and the very good points they have raised. I know the Minister of State comes from a rural constituency and, with his portfolio in the previous Government and his familiarity with agriculture and rural communities, he is all too aware of how important our post offices are to the fabric of society in rural communities. I am from a hybrid constituency, if you like. I am a country girl from a village but living on the outskirts of a city. Knowing your postman and that relationship you develop with your postperson is as important in the suburbs and the city as it is to those in the villages. That is to acknowledge the good work that is also being done in the suburbs.

I am not going to repeat the points that have already been made. I would just like to highlight one important overarching piece of policy that we are all trying to work to in government, which is of course Project Ireland 2040 and the national development plan. Our aim as a society in managing our population growth is to do that in a sustainable way, with only 25% of our population growth over the next number of years up to 2040 to be in Dublin. Our aim as a Government and as a State is to increase the number of people who are living in our already established villages and towns. With that in mind, it is critical we support the postmasters in the ask they come to us with to allow them that time to continue to rethink their operations and for us and the Government to work out how we might best use this valuable door into communities.

I commend the postmasters on the work they have already done in diversifying. I notice the many mobile phone and insurance offers available when I pop into my local post office. I commend them on the changes they have had to make and the new learnings and skills they have developed over recent years. I thank them for their continued work and services in our communities.

**Senator Seán Kyne:** I propose, with the agreement of the House and the Minister of State, that we extend the sitting for an additional nine minutes to allow three further speakers.

**Acting Chairperson (Senator Imelda Goldsboro):** Is that agreed? Agreed.

**Senator Sarah O'Reilly:** The Minister of State is very welcome. This is a very important subject. In the past ten years, 257 post offices have closed. In Cavan, seven post offices in total have closed permanently in the past ten years, including in Corrraneary, Killeshandra, Kilnaleck, Mount Nugent, Swanlinbar and Tullyvin. The north west is getting one of the biggest hits of all, including the Minister of State's county of Donegal.

The post office network is the social fabric of our communities. Friday is a huge social day out for people and a chance to catch up, do the shopping, pay the bills, get the phone credit and have lunch out. Every town that has a post office that is open and working has the same buzz on a Friday. Post office staff help our elderly and people who are not digitally literate with forms, read the requirements for application forms or give advice on people's entitlements and what to do. I know people who work in a post office. They tell me there is pressure on service users to sign up for online payments. That needs to be addressed. I remember when Kilnaleck post office in Cavan was closing, a crowd of Government TDs lined up for photos at the protest against the closure. The photos and the representations of those TDs to the Government did not save that post office, but I noticed these same TDs were relentlessly promoting passports online. The irony was that reduced business to the very post office they were trying to save.

We need to be more in tune with the unintended consequences of new initiatives and our own actions. We need digital inclusion. It is a brilliant one-stop shop for all, with bill payments, phone credit and everything you could possibly want. We must invest in the future of the post office network that is at the heart of our communities. I thank the Chair for allowing me in.

**Senator Cathal Byrne:** The Minister of State is most welcome to the Chamber. I acknowledge the presence of the many individuals in the Gallery with a strong connection to our strong and vibrant post office network.

My family's involvement with An Post started when my great-grandfather served as a local postman for 40 years. My grandfather was a postman for forty-seven and a half years. Pride of place in my home place is the certificate of long achievement he received as a result of that service. I know exactly what it means to be involved in An Post. I saw first-hand the benefit my grandfather experienced as somebody who was out and about meeting people and engaging with the local community on a daily basis.

I fully support the ask of the Irish Postmasters' Union for an additional €5 million on top of the €10 million that was committed over the past three years. I attended the Oireachtas committee on communications and listened very carefully to what was said about the future model of An Post, which involves greater incorporation and delivery of State services through the existing post office network. That is something I very much support, particularly in respect of drivers' licences and passports. So many more State services could be delivered through the post office network. I hope the Minister of State will take that on board.

The comment of the night was made by Senator Noonan, when he said that he had been writing letters to An Post about this and while the letters were getting delivered, the message had not been heard. It is to be hoped that is something we can take back and work on.

**Senator Fiona O'Loughlin:** The Minister of State is very welcome to the Chamber to give us the opportunity to say what we feel and to outline the importance we place on this vital service, which is the heartbeat of many of our communities.

Over the past few days, I have thought about the impact, just in my own life, of those working in the service. I could not stop thinking about that jingle, "Who Are the People in Your Neighbourhood?", from "Sesame Street". As a child growing up in Rathangan, Molly Forde, who was the local postmistress, was such an incredible woman. She was always so kind and was the hub of everything that went on. She also controlled the electoral register. She knew

when everybody was going to be 18 and could put them on the register. Her son-in-law, Alan, continued that for a long time. Even now, Connie and Shane are there, and Brendan, Marie, John and Frances are in the Newbridge post office. It is such a joy to be able to go in and see what they do.

The postmasters' ask is very clear. They need to have €15 million annually, tied in for the next five years, to be sustainable and to continue the excellent service they are giving. That is 50% over what they are receiving at this point. When we look at the service they give and the social impact they have, this is value for money. This is the equivalent of a cup of coffee for every citizen in Ireland. A significant number of postmasters are earning less than the minimum wage. They are earning less than the people they have to employ to make sure there is an excellent service everywhere.

I looked at some other countries to see how they manage their post office system. It was interesting to see that France has expanded its post office service into digital services, banking and a lot more government services than we have. That is a very good lesson for where we could go. There is no doubt that our post offices could continue to evolve to be strong community hubs. There could be a payment collection, motor tax and driving licence services, or vehicle registration. There are so many different types of government activities that people are frustrated about and for which they have to try to get to a large town. A lot of that could be collated and done locally by people they trust. That is the essence of what postmasters do. I thank the Chair very much for giving me an extra few seconds. I appreciate it.

**Minister of State at the Department of Culture, Communications and Sport (Deputy Charlie McConalogue):** I thank all the Senators for their contributions. The very large turnout of Senators, the fact so many are still present in the Chamber and the number who came in to contribute to this debate very much reflects the esteem in which the post office network is held, not just in the political system but in the minds of local communities.

I also thank the Irish Postmasters' Union representatives for being here and for always strongly putting forward and advocating on behalf of the network and the role it can play. I assure them that in my role as Minister of State, I want to champion the post office network and make sure that it stays strong and vibrant. There are challenges. I want to work to support the post office network to address those to maintain post offices and keep them sustainable.

Many Senators raised the renewal of the three-year agreement, which completes at the end of this year. That has delivered €10 million, for the first time, from the Government to support the post office network. I am committed to making sure we renew that and working to make sure it is as strong as possible. The postmasters' union has made a submission and an ask for €15 million. Obviously, the outcome is very much subject to budgetary negotiations, but I assure the union that I am working in every way possible to get the strongest possible outcome in that regard, and to get a renewal of that agreement that will see the post office network supported strongly by the State.

I will also continue to work on and assess the opportunities to see how we can deliver and expand the services through the post office network. There is a real willingness among postmasters and postal service staff to try to take every opportunity possible to see how they can be even more at the hub of service provision in local communities. That is something I certainly will be exploring to see what more is possible and what we can do in that space.

We are also working on the technical pieces around the renewal of the three-year agreement, subject to state aid rules. This comes within the European Union state aid rules, so we are preparing the groundwork for that as we engage in the budgetary process regarding the final outcome.

A few Senators mentioned post offices that are in heritage buildings and the importance of trying to maintain those. As the post office service is very much at the centre of local communities, in some cases, the buildings in which these are housed have been at the centre of local communities. That is something I am conscious of. In recent times, we have seen some post offices move for co-location, which has worked very well for many postmasters and for the provision of services. However, we have to be very conscious that, where a transfer of location takes place within a town or village, particularly if the post office is in a heritage building, full consideration should be given to making sure the building stays at the heart of the community and remains part of community life. A protocol is in place regarding how An Post must engage with the Department of housing and heritage and the local authorities and under which they have the first call on any property. We have to see the buildings repurposed so that they continue to service the local communities in the way the post offices would have previously provided a key service to them.

I met An Post this morning. I know the postmasters' union has been working closely with it. There is a very strong shared commitment to maximising the capacity of the postal network to provide services and, in terms of innovating, to making sure that An Post is at the forefront of developing new opportunities. That is something I have worked on with An Post and the postmasters' representatives.

I thank the Senators for their very clear message, their contributions and their articulation to the wider public of the importance of maintaining this service and of the understanding of that within the political system, including the Government. I also note the strong articulation to all who work in the post office network of how the service they provide is very valued. It must be valued by the Government in terms of the way we support them to be financially sustainable. Gabhaim míle buíochas leis na Seanadóirí. I look forward to continuing to work closely with all of them to ensure our network is supported throughout the country.

**Acting Chairperson (Senator Imelda Goldsboro):** When is it proposed to sit again?

**Senator Seán Kyne:** Tomorrow at 9.30 a.m.

**Acting Chairperson (Senator Imelda Goldsboro):** Is that agreed? Agreed.

Cuireadh an Seanad ar athló ar 7.52 p.m. go dtí 9.30 a.m., Déardaoin, an 10 Iúil 2025.

The Seanad adjourned at 7.52 p.m. until 9.30 a.m. on Thursday, 10 July 2025.