

Vol. 314
No. 8



Tuesday,
16 June 2026

DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

TUAIRISC OIFIGIÚIL—Neamhcheartaithe
(OFFICIAL REPORT—Unrevised)

Gnó an tSeanaid - Business of Seanad.....	587
Nithe i dtosach suíonna - Commencement Matters	588
School Staff.....	588
Financial Services	591
Disability Services	594
Healthcare Policy	597
An tOrd Gnó - Order of Business	600
Health (Amendment) (Home Support Providers) Bill 2025: Second Stage.....	612
Domestic Violence Judgments Register Bill 2026: Order for Second Stage	629
Domestic Violence Judgments Register Bill 2026: Second Stage	629
Critical Infrastructure Bill 2026: Committee and Remaining Stages	646

SEANAD ÉIREANN

Dé Máirt, 16 Meitheamh 2026

Tuesday, 16 June 2026

Chuaigh an Cathaoirleach i gceannas ar 2.30 p.m.

Machnamh agus Paidir.

Prayer and Reflection.

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 Shane Curley - The need for the Minister for Education and Youth to make a statement on the provision of an additional 1,000 teaching posts for the 2026-27 school year.

Senator Aubrey McCarthy - The need for the Tánaiste and Minister for Finance to make a statement on updating legislation to facilitate tokenism in the Irish funds industry.

Senator Pauline Tully - The need for the Minister for Children, Disability and Equality to make a statement on children's disability network team services in Cavan.

Senator Joe O'Reilly - The need for the Minister for Health to make a statement on the inclusion of Addison's disease in the long-term illness scheme.

Senator Tom Clonan - The need for the Minister for Education and Youth to make a statement on the criteria for enrolment in special classes for children with developmental language disorder or speech sound disorder as set out in Circular 0024/2025.

Senator Sharon Keogan - The need for the Minister for Social Protection to make a statement on a universal system where all taxable Department of Social Protection payments are automatically reported to the Revenue Commissioners.

Senator Nessa Cosgrove - The need for the Minister for Health to make a statement on the inclusion of osteoarthritis in the chronic disease management programme.

Senator Mike Kennelly - The need for the Minister for Transport to make a statement on driving test waiting lists in County Kerry, in particular the establishment of a driving test centre in Listowel to reduce waiting times.

Senator Maria McCormack - The need for the Minister for Education and Youth to make a statement on funding for STEM engagement officers in Laois and the midlands.

Senator Gareth Scahill - The need for the Minister for Rural and Community Development and the Gaeltacht to make a statement on the reintroduction of the community support fund.

Senator Robbie Gallagher - The need for the Minister for Transport to make a statement on waiving road tax for blood bikes and vehicles used exclusively for the transport of cancer patients.

Senator Fiona O'Loughlin - The need for the Minister for Defence to provide an update on the management of the Curragh Plains, County Kildare, including the prohibition of illegal encampments on these lands.

The matters raised by the Senators are suitable for discussion and I have selected Senators Curley, McCarthy, Tully and O'Reilly and they will be taken now.

The other Senators may give notice on another day of the matters that they wish to raise.

Nithe i dtosach suíonna - Commencement Matters

School Staff

An Cathaoirleach: I welcome the Minister of State, Deputy Moynihan. The first Commencement matter is from Senator Shane Curley.

Senator Shane Curley: Gabhaim buíochas leis an Aire Stáit as ucht teacht isteach. I raise this issue in the context of a conversation I had last week with the INTO over in Buswells Hotel. While a lot of what I will raise probably highlights negatives that exist within the education system and offers solutions to them, I also acknowledge the good work that has been done.

In the 2023-24 school year, Ireland achieved its lowest ever student-teacher ratio at primary school level. In the context of the global turmoil we see and the uncertainty that exists across the world, that is a huge achievement and must be acknowledged. However, large class sizes remain the reality. The average primary school class size in Ireland is 22.5 students, in comparison with the OECD average of 21 and the EU average of 19 students per teacher. We in Ireland, as a wealthy country, instead of trying to achieve the average across Europe and the OECD, should strive to be standard bearers in this area. In my party, we pride ourselves on being the party of education. We have huge work to do in this context.

From a teacher's point of view, we talk all the time about the crisis in retaining teachers in the country, and retention is one of the key issues here. We have 419,823 children in oversized primary school classrooms, if we take that EU average of 19. That is 996 teaching posts unfilled, which shows the unattractiveness in some ways of the role and the problem we have facing the retention of teachers. A total of 7,864 substitute teaching roles are being covered by unqualified teachers, which, again, is not a good reflection on our primary school education system and it is something we need to work on. As to what that looks like in practice, we have 51,028 primary pupils who were educated in the 2023-24 school year in class sizes above 30 pupils. That is a lot. That is 1,637 primary school classes that had over 30 students. The fact

that our record low number of students in the 2023-24 student-teacher ratio still had those startling statistics shows how far we must go to improve that.

My ask is clear. We need 1,000 extra teachers in the 2026-27 school year at primary level to bring us in line with the OECD and EU averages and to try to push ahead and be one of the standard bearers in this field. Why? First, take a student with special educational needs. As a teacher myself, I think I did my best teaching in smaller classes. It is way easier to spread yourself across a classroom when there are 12, 13, 14 or 15 students in it, as opposed to trying to teach 30 students, which is just not doable. Students with additional needs, in particular, need a lot of the teacher's one-on-one focus. When that is not available, it reduces the effectiveness of that teacher in the classroom, no matter how good a teacher they are.

Second, we could also look at rural Ireland and the number of one- and two-teacher schools that are in danger of closing. A rural school is the focal point of a rural community that might have only the school, the post office and maybe a small shop and the local pub. That school is a vital cog in that whole area's social fabric, and we need to be really careful to make sure that we keep rural Ireland alive when it comes to these schools. Could we look at maybe a lower teacher ratio that we target in some of the more sparsely populated rural areas?

Minister of State at the Department of Education and Youth (Deputy Michael Moynihan): I thank the Senator for his question, his commitment to education and the many engagements we have on education and how we can build on the education system we have. In various reports we have seen the success of the Irish education system. On a continuous basis, we meet the challenges and deficits across the system. The Government and our party are working extremely hard on education, and I am fully committed to education, as the Senator will know. I will give him a few statistics on the education system.

The 2026 budget provides for an investment of €13.1 billion in education, up almost 7% on the 2025 financial year. Budget 2026 provided an increase of €845 million in core funding for education and youth on the figure allocated for 2025, while the total investment figure also includes €1.6 billion allocated for 2026 as part of the national development plan, which goes from 2026 to 2030. This funding reflects the Government's continued commitment, under the programme for Government, to ensuring that every child and young person can learn, thrive and reach their full potential. It builds on the progress made in recent years, while recognising that further work is needed to make education more inclusive and equitable for all.

Funding has been provided for 860 special education teachers across special schools and mainstream settings, along with more than 1,700 SNAs, and a €48 million full-year investment across both the DEIS strategy and the DEIS plus scheme.

Approximately 30,000 children and young people attending DEIS plus schools will benefit from these targeted supports.

Schools in the DEIS plus scheme will receive strengthened, research-informed supports across well-being, attendance, engagement, guidance, leadership capacity, community partnerships and access to services, including the introduction of a new positive mental health and well-being initiative to support a whole-school approach to student well-being. In addition, school leadership supports have been increased and will see additional deputy principals in primary and post-primary schools in the 2026-27 school year.

To go back to the point the Senator made, there are huge commitments to education in the programme for Government that we are working every day to ensure we reach in terms of both mainstream and special education. Under my own remit on the special education side, we have sanctioned 560 special classes, which will open in September 2026. We are constantly looking at how we can best equip the education services into the future. It is Important to note that the Government and I, certainly hold very dearly the issues in relation to smaller and rural schools. They are the focus of communities and lead to better outcomes. We have to be very mindful to protect what we have and to invest in the future in terms of commitment. There is no doubt but there will be additional teachers across the education system in 2026-27 but we have to be mindful, as we head into the summer and budget negotiations, of the challenges. The Senator and many of his colleagues met the INTO and I have frequent negotiations with that organisation in relation to its asks for the next school year and the pupil-teacher ratio and all of that. That is a huge part of its asks. For the very determined and hard-working teachers and SNAs who work within the school communities, we must ensure we support them and have all the resources possible to have better outcomes for the child, not just during school time but into their adulthood as well.

Acting Chairperson (Senator Chris Andrews): I am conscious that a vote has been called, so we have one minute each and then we will finish up on this.

Senator Shane Curley: I acknowledge the work the Minister of State has been doing. An extra 860 special educational teachers is a mammoth investment. Any time I have approached him, whether about school transport or special education, he has been incredibly approachable and I acknowledge my appreciation for that.

The special education side of it is obviously something we need to hugely focus on but what I am trying to get at today with this extra 1,000 teachers is more about mainstream education and the student who has additional needs who may thrive in the mainstream setting if the student-teacher ratio is brought down a small bit. It can be a very lonely place for a child, particularly if they have educational needs, to be in the classroom and feel totally lost and not know what to do, simply because the teacher is spread too thin. What this motion speaks to today is to try to bring down that student-teacher ratio, give the teacher a chance to cater to the needs of every student and allow that student who needs a extra little bit of help to thrive in the context of a reduced student-teacher capacity.

Deputy Michael Moynihan: More than 43,000 teaching posts have been allocated across the primary school system at present and that represents an increase of just over 5,000 teachers since the 2019-20 school year. We have been steadily improving the pupil-teacher ratio and the average class sizes during this period. There is continued investment in terms of mainstream and special education. The entire education budget has been the source of some commentary but we are really meeting the need that is presenting at both primary level and special schools and classes, as well as at post-primary education. As we as a society, party and Government believe in education, we are committed to working with partners across Government in terms of the education requirement. The points the Senator has made will be reflected on very carefully. We have a lot of work to do. We have a great education system, but we need to further strengthen and support it into the future.

Acting Chairperson (Senator Chris Andrews): There is a vote on now.

The Minister of State, Deputy Troy, is paired, so we are going to take him next.

While we are waiting, I welcome Camila Alejandra Blanco, who is from Florida and is interning here with Senator Joe O'Reilly. She is very welcome. I hope he is looking after her well and bringing her in to the Members' restaurant every day for lunch, as is the custom for interns. I have no doubt he is. Ms Blanco is very welcome and we wish her the best in her studies and work experience.

I welcome the Minister of State, Deputy Troy. Is he still celebrating or is he quiet on the football today? Next up is Senator McCarthy.

Financial Services

Senator Aubrey McCarthy: I thank the Minister of State for being here today and I am grateful for the opportunity to raise this matter. Let me briefly explain the technology. When the Cathaoirleach introduced "tokenisation" into the record, he said "tokenism", and they are radically different. I am conscious of this for myself, as getting my head around it was difficult.

Tokenisation is the conversion of a real-world asset into a digital token on a blockchain, such as a share or an investment fund. It is then registered as a digital token on a distributed ledger. For those who are watching at home, they can think of it like this: instead of their ownership of shares being recorded on a paper register or a centralised database somewhere, it is encoded as a secure digital record, which can be transferred, verified and settled almost instantly at any hour across the world and across any border. What it does is remove layers of manual processing and dramatically reduces costs. It can open investment funds to a far wider range of investors.

We have spent years watching Ireland compete and win in a global context with regard to financial services. For four decades, the funds and asset management industry has been one of the great success stories of the Irish economy. Even the International Financial Services Centre, IFSC, when I was much younger, was something that really stood out. Today, it sustains over 20,000 jobs and nearly half of them are outside Dublin in towns and counties that depend on this vital sector. It contributes over €1 billion annually to the Exchequer.

The fund industry is undergoing a rapid digital transformation and tokenisation is no longer a future prospect. It is already happening. Luxembourg has updated its legislation to accommodate tokenised funds. The United Kingdom is moving with purpose regarding financial services and the markets Act reforms. Singapore has been ahead of the curve for years. These are our direct competitors for the same global mandates, asset managers and jobs. We have to ask ourselves what Ireland is doing in this context. The industry has been making submissions to the Department of Finance since last year. It has set out very specific, targeted changes in legislation that would be required, including changes to the Irish Collective Asset-management Vehicles, ICAV, Act, updates to company law and something as straightforward as allowing registers of fund members to be held on a distributed ledger. These submissions have been received but to date there has been no commitment to act and no timeline offered.

The case being made by Irish funds and the industry itself is asking for a political commitment to bring forward the necessary amendments to our laws in Ireland that will allow

this to happen. Let us imagine an Ireland where the next generation of global tokenised funds are structured and domiciled here. Whether they are jobs in digital assets, blockchain infrastructure or the operation of a legal ecosystem around tokenised finance, these are Irish jobs. The taxes would then flow into the Exchequer, while a graduate from Trinity College, the University of Limerick or University College Cork can build a career at the frontier of financial technology without ever leaving the country.

I look forward to the Minister of State's response. I think it is something we can be very strong on in Ireland. I hope we can work together across the House to move this forward.

Acting Chairperson (Senator Chris Andrews): The Senator did not even use all his time.

Senator Aubrey McCarthy: Unusually.

Minister of State at the Department of Finance (Deputy Robert Troy): I thank the Acting Chair. Certainly, us politicians can quite often be accused of "tokenism" but I am very conscious we are not talking about that today. We are talking about "tokenisation". I thank the Senator for raising this important and topical issue.

Given that Ireland is both a large funds domicile and home to significant financial services and technology sectors, there would appear to be obvious synergies that should allow us to keep pace with these technological advances. We are closely monitoring developments across the EU and globally and will continue to engage with industry and the Central Bank to ensure we can remain competitive as a jurisdiction while upholding our high regulatory standards. That is very important.

As the Senator outlined, tokenisation could fundamentally reform how capital markets operate enabling real-time trades, increasing transparency and liquidity, expediting clearing and ultimately providing for simultaneous settlement. The Funds Sector 2030 report included a recommendation that industry should continue to engage with the Central Bank of Ireland and the Department of Finance, as necessary "with a view to mapping out a pathway for adoption of tokenisation". The Department fully supports and encourages the work that industry has undertaken to assess what can be done within the current legislative and regulatory frameworks. Officials from my Department are considering submissions from industry regarding proposed changes to the current legislative framework.

In Europe, the regulatory landscape for digital assets is still evolving both at the national and EU levels. Whether an investment fund is permitted to distribute digitally depends on European and national rules. Some countries such as Germany and Luxembourg have started pilot work on implementing tokenisation. As part of the savings and investments union, SIU, strategy, the European Commission has published the market integration and supervision package, MISP. This package will amend 18 pieces of existing EU financial services legislation across trading, clearing, settlement and assets management and will be a central focus for Ireland during our Presidency.

Amending the distributed ledger technology, DLT, framework among other related measures forms part of the MISP proposal, which seeks to turn the use of DLT in capital markets from a limited sandbox into something that can be scaled across the Single Market. The DLT pilot

regime is being amended in order that tokenised securities can be issued, traded and settled at meaningful scale. Other changes amend existing EU financial services legislation making them technologically neutral allowing for the use of DLT and other technologies. This proposal is currently under negotiation at EU level.

In March this year, the Central Bank published a discussion paper on tokenisation. This discussion paper is to encourage informed debate on how DLT and tokenisation could shape the future of financial services in Ireland. The paper seeks input from a wide range of stakeholders to explore the impacts of technology, understand how its benefits can be realised and identify how risks should be managed. Submissions on the discussion paper are invited by the Central Bank with the deadline earlier this month. The Central Bank intends to publish a feedback statement following the consultation period. My officials will continue to engage closely with the Central Bank on the matter and the outworkings of the feedback received on its discussion paper will be used to inform the Department's next steps on this important policy matter.

It is also worth noting that at the end of May, I convened a round table with some of the leading thinkers in digital assets and blockchain technology to better understand the opportunities and challenges for the sector. There is great industry ambition in this regard and I am confident we will match that ambition with the forthcoming launch of the Ireland for finance strategy. I intend that strategy to have a dedicated focus on digital assets so that we can realise the opportunities that are in front of us.

We understand that the strategic risks of inaction might be significant. However, it is crucial to note that the regulatory framework for tokenised assets requires extensive consideration for issues like data protection, anti-money laundering, tax, beneficial ownership, insolvency or enforcement scenarios or property rights. We are closely monitoring developments in other countries to ensure we remain competitive but importantly uphold our requirement for strict regulation.

Senator Aubrey McCarthy: I welcome the engagement. I want to be constructive here. What the Minister of State's statement does say is that we understand the strategic risks of inaction, which might be significant. We are also waiting on the Central Bank to come back with its findings and we are also looking at other countries. I do not think the industry is asking for a whole lot here. It is looking for specific amendments to existing legislation regarding the Irish Collective Asset-management Vehicles Act and company law and practical changes that will clearly signal to global firms that Ireland is ready to play a huge part in the next chapter. When the Minister of State is looking at countries that already do this, I have mentioned Luxembourg, Singapore and the UK and they certainly are not waiting.

However, I understand that the Government has to be careful. I understand the concerns regarding GDPR, money laundering and so on. I ask the Minister of State to take one question away with him today. Can we commit to the amendments in this year's finance Bill?

Deputy Robert Troy: I thank the Senator for raising this very important and topical issue. I will not give a commitment to amendments in the forthcoming finance Bill but I think I have been very fair in what I have outlined regarding the work officials in my Department and the Central Bank have done to date in engaging with industry. We acknowledge the huge

opportunities this presents. We want to capitalise on them. That is why I have confirmed publicly here today that there will be a section within the Ireland for Finance strategy. That strategy outlines our priorities for financial services from this year right out to 2030. A key component of that will be tokenisation. I am not going to publish part of the strategy in the Seanad today. I do intend to publish it in the coming weeks. I do not believe there will be any doubt about our commitment to tokenisation once it is published.

I thank the Senator for raising this matter. I also thank the industry, which has engaged very fully with me, most recently in round-table discussions a number of weeks ago, and which has had ongoing engagement with officials in my Department to ensure we are acutely aware of the opportunities being presented to us.

Disability Services

Senator Pauline Tully: Cuirim fáilte roimh an Aire Stáit. Last Friday morning, I attended a protest in Cavan town. It happened to be all mothers who were there. It was organised by mothers of children with additional needs. They were pointing out that they are not getting the supports and therapies they require from the children's disability network team, CDNT, based in Cavan. The longer children go without supports, the more complex their difficulties become. Families are finding it difficult to engage without supports and schools are finding it difficult because they are not getting the supports either. They are struggling as they try to provide the best form of education for these young people. This is the fourth protest the group has held in a year. Parents are just trying to highlight what is happening. They do not have the time or energy for this. They should not have to fight for their children all the time but they are forced to.

These parents tell me that 578 assessments of need, AON, reports are overdue in Cavan-Monaghan, 511 of which have been overdue for more than three months. Only 12 AONs were carried out in the first quarter of 2026. Thousands are on the waiting list for AONs across the country and Cavan-Monaghan is no different. As the group has pointed out, delayed assessment wastes time when children should be accessing vital supports. Even those children who do have these assessments are not getting the therapies and supports they require. These children deserve support not waiting lists.

The group has said that, while staff numbers within the CDNT were dismal a few years ago, they have improved majorly in the last few years. That is welcome but these parents are not seeing that in the interactions on the ground. One parent told me that she had a meeting last week with two psychologists employed in the CDNT, who hold less than one whole-time equivalent position between them. She met with the two and asked them why they were meeting with her and not with her child. It turns out that one of those psychologists has never had any meetings or support sessions with a child. The meetings with parents and training courses are important. Parents are willing to participate in those so that they are in the best position to help their children. However, that is all they are getting. Children are not getting the one-to-one therapy they require. The parents are told that if they do not undertake the next training session, which may be one they have already undertaken, their children will be removed from the list or moved down the list.

There is this sort of threat over them. As I said, parents are happy to do what they need to do, but they are not trained psychologists, speech and language therapists, occupational therapists or whichever professional the child may require.

Some services are being outsourced, and this is causing a problem in itself. Some of the therapists are leaving the service and going private because it is more profitable for them. Parents are trying to access the supports privately, which is putting a huge financial burden on them. However, they have to do it because they realise that early intervention for their child is so important. If children are missing these important interventions, they will not be able to progress in life as they should.

Parents have also told me there are huge problems accessing CAMHS. Children may have an autism assessment, but they may also have suspected ADHD. They need the diagnosis to get treatment but CAMHS is refusing to see them. Some parents have had six refusals before finally getting an appointment for an assessment for ADHD. I know CAMHS is different but there was supposed to be a single point of access between the CDNT and private care, and that does not seem to be happening yet. Perhaps I could have an update on that. It is unfortunate that CAMHS is not intervening.

Parents are exhausted. Some of the children are a flight risk and parents have to watch them all the time. The children are awake at 4 a.m. so parents are not getting the sleep they need to be able to give the child the care they need. Some are at breaking point. What can be done to address this? It is not just about increasing staff. Even if we had a full complement of staff at the CDNT, they would not be in a position to deal with the backlog of needs.

Minister of State at the Department of Children, Disability and Equality (Deputy Emer Higgins): I thank the Senator for raising this important issue, for all of her advocacy on this issue and for her determination to ensure that things improve. I assure her that this is also my determination.

The Government fully recognises the importance of providing adequate supports at the right time for children with disabilities throughout the country, including those in County Cavan. As she said, parents are exhausted and need support. That is why the HSE children's disability services have undergone significant reform and restructuring over the past few years to provide more accessible, family-centred services for children with complex needs. Progress is being made, although I appreciate it is not being made fast enough. At the end of March 2026, 45,472 children with complex needs were receiving supports from the children's disability network teams. This progress is also reflected in reductions in waiting lists, which fell by 28% in 2025. While this shows movement in the right direction, it is important to acknowledge that significant work remains to address waiting times and unmet needs.

In the national service plan for this year, the HSE has committed to a further 25% reduction in waiting times because at the centre of this remains a clear goal, which is to ensure that no child will wait longer than 12 months for the service they need, while also recognising that, over time, we must go even further. At the moment, many children registered with children's disability network teams, including those on waiting lists and on open caseloads, are still waiting for some aspects of the support or services they need.

As with other areas, disability services within the Cavan-Monaghan integrated health area, IHA, are continuing to experience significant recruitment challenges, as the Senator said. We have a clear need for more qualified healthcare staff nationally and internationally. There are two CDNTs in the Cavan-Monaghan IHA. In Cavan, the HSE is the lead agency, while Enable Ireland leads the CDNT in Monaghan. At the end of May, the team in Cavan had a vacancy rate of 32%, with a total number of staff of 19.35 whole-time equivalents. At the end of May, 226 children were waitlisted for services from the CDNT, with 394 children on an open caseload. Some 264 children, and in many instances their families, received an intervention during May, with 1,003 direct and indirect supports provided to children and their families during the month. The Senator mentioned that in some cases, people were going through a course they had been on previously. I have received that feedback and I am taking it on board.

Using the available funding, the Cavan CDNT has put a number of measures in place to help manage waiting lists. That includes outsourcing assessments, where possible. As the Senator said, it includes engaging private providers in crisis cases where there are vacancies in disciplines and making temporary staffing adjustments, such as in senior or staff grade and therapy assistant roles, to maintain capacity.

I am concerned to hear the Senator describe what sounds like inefficiencies. I ask that the Senator follow up with me directly in relation to the particular example she gave. I will seek some information and clarity on that.

As the Senator said in her contribution, staffing levels have improved over the past year, allowing the team to begin to work through the longest waiters now. Recruitment remains ongoing. Agencies and local advertising are being used where needed. There are plans to re-establish student placements as capacity allows. More generally, there is a strong focus across Government on filling vacant posts across the 93 CDNTs as quickly as possible.

Additional funding has been put in place to build capacity and to reduce wait times, including the €8 million in this budget to fund a further 150 posts. This is starting to have an impact, with the HSE reporting a 28% increase in staffing nationwide between October 2023 and October 2025. That would equate to an additional 448 whole-time equivalents, and 321 of those are additional health and social care professionals. Recruitment is continuing both at home and internationally alongside wider workforce initiatives to support the long-term growth of the children's disability network teams. The HSE will also be developing a dedicated disability workforce strategy this year to help tackle ongoing recruitment and retention challenges such as those the Senator has described. While we recognise there is more to do, there is very clear momentum, not just across the HSE but also across the Government and the HSE's funded agencies to strengthen services, grow the workforce and improve access for the children who really need it.

Senator Pauline Tully: The Minister of State mentioned that over 45,000 children are receiving support through the CDNTs but parents have said to me that when they have been told that their child has received X number of interventions, and they know their child has not, the CDNT is counting interaction with parents. They are counting phone calls, meetings, letters and emails. That is not intervention. I do not know who they are trying to fool by that. The parents know that the child is not getting intervention that he or she requires. While all of the interaction is required, it should not be counted as an intervention. Yes, parent training is

an intervention that will help the child but other than that, it should not be the only thing. There should be more one-to-one interventions.

Another issue I want to raise is the hydrotherapy pool in the CDNT space in Ennabreena in Cavan. It is not open to the children who are using the service. It has not been open to the children for years. I appreciate that some work was required last summer but it is now being rented out to private organisations because they have their trained attendant who can come and ensure safety at the pool. Parents have no issue with it being rented out to different groups where children need it, and it is a money raiser, but it is not open to the children because the management maintains that it does not have an attendant. When I engaged with the manager more than six months ago, she told me that the HSE had approved a business plan to employ someone but there is still no one employed. I do not know what is happening there but it really is an issue of frustration to them.

They need the one-on-one therapies for the children and they need the use of the pool. The CDNTs need to stop trying to fool people into thinking that there is more intervention with children than there is.

Deputy Emer Higgins: I thank the Senator. Perhaps the Senator will follow up with me directly in relation to the hydrotherapy and the pool. I will seek an update from HSE as to where that is at. If, as the Senator said, a business case has been approved, I will ask where recruitment is on that particular issue.

I reiterate that the Government's commitment to strengthening services in order that adults and children with disabilities in Ireland are better supported is clear and is backed up by sustained investment in the disabilities sector. It remains a clear priority with €3.9 billion allocated to the HSE's disability services in this year's budget. That was a €628 million increase, or a 20% increase, on funding from last year. This level of record investment recognises both the growing demand for services and the complexity of the needs being met and that need to be met. It builds on significant year-on-year investment in recent years, with overall funding for disability services having increased by 91% since 2020. Alongside this funding there is also a strong focus on people, and building and sustaining a workforce that can deliver the supports that families rely on. That is why we are preparing this year's workforce strategy for disability services.

Healthcare Policy

Senator Joe O'Reilly: I thank the Cathaoirleach Gníomhach for the warm welcome earlier for my wonderful colleague Camila. I welcome the Minister of State, Deputy O'Donnell. He is a very apt person to address this question as he comes from a distinguished medical family himself, in the present generation and in past generations.

I wish to raise an issue concerning people living with Addison's disease. Could the Minister for Health consider whether this condition should be included under the long-term illness, LTI, scheme? It is my contention that it should. Addison's disease is a serious lifelong condition that affects the body's ability to produce essential hormones needed to regulate blood pressure, metabolism, energy levels and the body's response to illness and stress. For those living with the condition, medication is not optional. It is something they depend on every day of their

lives. In fact, up to 90% of cases are caused by permanent autoimmune damage to the adrenal glands, meaning patients rely on lifelong hormone replacement therapy because their bodies can no longer produce hormones naturally. Nobody chooses to live with Addison's disease. It is quite the contrary. Nobody can take a break from it, and nobody living with it can simply stop treatment and carry on as normal.

I will list the symptoms, which include severe abdominal, back or leg pain, vomiting, diarrhoea, weakness, confusion, loss of consciousness and dangerously low blood pressure. Treatments can include emergency hospital admission, intravenous steroids and fluids and ongoing monitoring. Without medication, people can become seriously ill very quickly and may suffer an adrenaline crisis and a medical emergency, involving what I just listed, that can require urgent hospital treatment and can, in some cases, be fatal. The reality is that people with Addison's disease must carefully manage their condition every day. They must take medication consistently, carry emergency medical information and be prepared for situations where illness or injury can suddenly increase their need for treatment.

We often speak about supporting people with long-term illnesses. We speak about preventative healthcare. We speak about ensuring that people receive the treatment they need before their condition becomes a crisis. That is why I believe there is a strong case for reviewing the position of Addison's disease under the long-term Illness scheme. This is not about seeking special treatment; this is about recognising the reality of a lifelong condition that requires continuous medication and ongoing medical management. I therefore encourage the Minister and her Department, through the Minister of State, Deputy O'Donnell, to engage with clinicians, patient representatives and relevant stakeholders to examine the case, which I believe firmly exists and should not take long to establish.

The current arrangements do not adequately reflect the needs. There is a compelling case to include it in the long-term illness scheme into the future. The question is not how many people are affected; the question is whether people whose health depends entirely on life-long hormone replacement therapy are receiving appropriate supports from the State.

My final contention is that there is an inherent injustice in not treating this illness comparatively and in an equitable way with other illnesses, some of which in fact do not have as grievous symptoms.

Minister of State at the Department of Health (Deputy Kieran O'Donnell): I am taking this matter on behalf of the Minister for Health, Deputy Carroll MacNeill. I thank the esteemed Senator for raising this matter.

The long-term illness scheme was established under section 59(3) of the Health Act 1970, as amended. Regulations were made in 1971, 1973 and 1975 prescribing 16 conditions covered by the scheme. There have been no changes to the list of 16 conditions since that time.

Under the LTI scheme, patients receive drugs, medicines, and medical and surgical appliances directly related to the treatment of their illness free of charge. While there are no plans to extend the scope of this scheme, it is important to recognise that it exists within a wider eligibility framework.

People who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be eligible for a medical card. Eligibility for a

medical card is determined by the HSE, primarily based on an assessment of means. The HSE may exercise discretion and grant a medical card, even though an applicant exceeds the income guidelines, where he or she faces difficult financial circumstances such as extra costs arising from illness. The HSE affords applicants the opportunity to furnish supporting documentation to determine whether undue hardship exists and to fully take account of all relevant circumstances that may benefit them in assessment, including medical evidence of costs and certain expenses.

The issue of providing a patient with medical card eligibility on the basis of illness or a disability was previously examined in 2014 by the HSE's expert panel on medical need and medical card eligibility. The group concluded that it was not feasible, desirable or ethically justifiable to list medical conditions in priority order for medical card eligibility. In following the expert group's advice, a person's means remains the main qualifier for a medical card. However, over the past several years, there has been a significant focus on improving access to, and the affordability of, healthcare services. This has been advanced through substantial policy, legislation and investment to deliver expanded eligibility and services in line with Sláintecare.

Major expansions in eligibility include the following: the removal of public inpatient charges in public hospitals for children in 2022 and for adults in 2023; in 2023, the provision of free GP visit cards to include children aged six and seven, and those earning no more than the median income, and these changes had an impact on up to 500,000 people; and the reduction of the drugs payment scheme, DPS, threshold, which caps monthly expenditure for approved prescribed medicines. The DPS threshold was reduced to €80 per month in March 2022, which is a 35% reduction since 2020 when it was €124 per month. The DPS is not means-tested and is available to anyone ordinarily resident in Ireland. Taken together, these significant changes and expansions in eligibility continue to create a health and social care service that offers affordable access to healthcare to more people.

In respect of the points that the Senator made about Addison's disease, these are matters that I will bring to the attention of the Minister for Health and her Department officials.

Senator Joe O'Reilly: While I appreciate the support that is available, Addison's disease a particular challenge because the medication involved is not simply therapeutic. It replaces hormones that are essential for life.

The question before us is not how many people are affected; the question is whether people whose health depends entirely on lifelong hormone replacement therapy are receiving adequate support from the State. People living with Addison's disease do not have the option of stopping treatment. Their medication is required every day for life. Ensuring reliable access to that treatment protects patients, helps to prevent avoidable medical emergencies and reduces pressure on our hospitals.

I ask the Minister of State, Deputy O'Donnell, to ask the Minister for Health, Deputy Carroll MacNeill to review this situation, to examine it once again and to look at it on equitable grounds. I do not mean to diminish any other condition when I say that this condition is grievous and is among the very serious conditions. It presents equal challenges, if not even more challenges, to some illnesses already listed. I hope the Minister of State can convey that

to the Minister so this can be reformed into the future. It is something we cannot avoid looking at.

Deputy Kieran O'Donnell: I thank Senator O'Reilly again for raising this important matter. As I stated previously, I am taking this matter on behalf of the Minister for Health, Deputy Carroll MacNeill. I have very much taken on board the points the Senator has raised. I will revert to the Minister for Health on those specific points.

While there are no plans to extend the scope of this scheme, the long-term illness scheme exists within a wider eligibility framework. The Government is focused on expanding eligibility and improving the affordability of healthcare through a wide variety of measures. As mentioned, measures such as the substantial reduction of the drugs payment scheme threshold; the introduction of a GP chronic disease management programme, under which eligible patients will receive annual scheduled reviews with a GP and practice nurse; the expansion of access to free GP care to include more children and adults; and the abolition of all public inpatient hospital charges for both children and adults have had substantial impacts on the affordability of healthcare. These measures continue to create a health and social care service that offers affordable access to quality healthcare.

Senator O'Reilly will be aware that individuals may also be entitled to claim tax in respect of the costs of their medical expenses including medicine prescribed by a doctor or dentist with relief at the standard rate of 20%. Aside from eligibility and affordability, there remains a continued focus on improving the services available to people, as seen in the programme for Government commitments. The Senator raises important points. As I said previously, I will bring back to the attention of the Minister, Deputy Carroll MacNeill, the specific points raised around Addison's disease and the long-term illness card.

Acting Chairperson (Senator Chris Andrews): I thank the Minister of State and Senator O'Reilly. I want to welcome Una, Kathleen and Anthony Doolan and Richard and Theresa Shepherd, who are from Sligo, I think. No, they are from Roscommon and Sligo; I am offending them already. They are guests of Deputy Eamon Scanlon but he has found them a good guide in the form of Deputy Cleere who is looking after them. They are very welcome and I hope they are enjoying the tour. I imagine Deputy Scanlon is treating them to the bar and restaurant. If he is not, they will have to get onto Deputy Cleere.

Cuireadh an Seanad ar fionraí ar 3.24 p.m. agus cuireadh tús leis arís ar 3.33 p.m.

Sitting suspended at 3.24 p.m. and resumed at 3.33 p.m.

An tOrd Gnó - Order of Business

An Cathaoirleach: Before I call on the Leader to outline the Order of Business, I welcome Evan Shine from County Tipperary to the Visitor's Gallery. He is in transition year and a guest of Senator Mary Fitzpatrick. He is most welcome to the Seanad.

Senator Garret Ahearn: The Order of Business is No. 1, Health (Amendment) (Home Support Providers) Bill 2025 – Second Stage, to be taken at 4.45 p.m. and to conclude no later

than 6 p.m., with the time allocated to the opening remarks of the Minister not to exceed eight minutes, all Senators not to exceed five minutes and the Minister to be given no less than five minutes to reply to the debate; No. 2, Domestic Violence Judgments Register Bill 2026 – Order for Second Stage and Second Stage, to be taken at 6 p.m. and to conclude no later than 7.30 p.m., with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed eight minute, all other Senators not to exceed five minutes and the Minister to be given no less than ten minutes to reply to the debate; and No. 3, Critical Infrastructure Bill 2026 - Committee and Remaining Stages, to be taken at 7.30 p.m. and to adjourn at 9.30 p.m., if not previously concluded.

Senator Fiona O'Loughlin: The Leader and many of the Senators present will have listened to me speaking about the much-needed second bridge for Newbridge. Today, I feel like shouting from the rooftops that we have been awarded upwards of €20 million to make sure this bridge becomes a reality. It will be part of the southern outer orbital road and the €20 million is for the bridge over the River Liffey and a 795 m strip of road leading up to it. I thank the Ministers, Deputies Browne and O'Brien, for their engagement on this over the last year. We are confident that construction will start early in 2027. Tender documents are being prepared through the Department of Transport. I also thank Kildare County Council officials for all their help in getting us this far.

While I take great pleasure in talking about something positive, sadly, I have to talk yet again about illegal encampments on the Curragh. Over the weekend, almost 100 caravans congregated illegally on our lovely Curragh Plains. I spoke recently in the Chamber about the bill of €185,000 for the last illegal encampment, which was about two months ago. I spoke to the Minister, Deputy McEntee, on Saturday evening about this. I also spoke to the Secretary General of the Department of Defence and I have had meetings with the Minister, Deputy O'Callaghan, on the legislative aspect. We have to move towards the new model of management that we know is on the way because this activity is having an impact on the horse industry, the Army and people who use the Curragh for leisure and amenity, including Cill Dara Golf Club, which has had its two greens impacted. It is simply not good enough.

This is Men's Health Week and it is important that we talk about and encourage men to go for the checks they need. However, we also need to talk about men's mental health. Too often, we separate physical from mental health. Sometimes men are nervous about speaking out and feel that they have to carry things quietly until they reach crisis point. That is not a strength, and it is not sustainable. We need men and boys to know that it is okay not to be okay. Asking for help is not a weakness, but a sign of strength.

When we look at our suicide figures, in 2023, 453 people died by suicide, of whom 368 were male. Out of 14 people in Kildare who died that year by suicide, 12 were male. I raise again the need for a specific dedicated Jigsaw service for Newbridge, which would cover the county. It provides important early intervention mental health supports for young men and young women aged 12 to 25. We have a very fast-growing population and Newbridge is ideally placed to service this need. I would like to have a debate in the House on mental health provision with the Minister of State with responsibility for mental health care.

An Cathaoirleach: Before I call the next speaker, I welcome friends of Senator Nelson Murray from County Meath. They are most welcome to Seanad Éireann.

Senator Cathal Byrne: I raise the need for some amendments to be made to how the CLÁR programme is being operated. There is a call out requesting CLÁR funding from various different groups. Last Friday, I met a voluntary group, the Kilmore Area Community First Responders who are trained and work in a co-ordinated manner to be the first responders on site, particularly for people who are suffering from cardiac issues, strokes and heart attacks. They are volunteers and all of them live locally in the community. They explained to me that they are often the first people on site, even arriving ahead of paramedics and the National Ambulance Service. When someone rings 999 and says they are having a cardiac event, the group will be notified as well.

Unfortunately, the CLÁR scheme that currently exists for first responders prioritises vehicles and large-scale machinery. While they will make an application for some defibrillator machines, it does not cover their day-to-day costs. When they arrive on site and someone requires a defibrillator, they need to use pads that for obvious reasons cannot be reused. Every time there is a cardiac event, a new set of pads needs to be purchased and those pads can cost up to €300 per use. That is a considerable cost for a voluntary group. Everyone in the area wants to make sure more than sufficient pads are available and that they are able to be used when necessary.

I call for a debate here on CLÁR in general and specifically on the measure to ensure that first-responder groups, which are recognised under CLÁR funding, can get access to pads and funding towards their cost. Those first responders use their own cars and vehicles to get out there quickly. A first-responder vehicle would not benefit them if they have to go from their home to a base, change vehicle and then respond. There is a mechanism here that could be rolled out across the country. There are many good groups across the country that do similar work and a tweak in the programme would benefit groups like the Kilmore Area Community First Responders.

Senator Sharon Keogan: I rise to address two issues arising from recent debates at local authority level which point to deeper problems in how we approach governance and accountability. The first comes from Kerry County Council where councillors debated whether the State should collect data on the nationalities of those on social housing waiting lists. What is most striking here was not the proposal itself but the reaction to it. We heard claims that even asking for this data or discussing it would somehow fuel tensions or contribute to misinformation. That thinking is very flawed and dangerous. There is a culture of *bodhaire Uí Laoghaire*, or selective deafness, from much of Ireland's political administrative class and an idea that if we pretend a problem does not exist, or even if we scold people for bringing it up, that this will somehow make it disappear. This is a direct example of our infamous culture of silence. The reality is simple: you cannot make good policy without good data. It is extraordinary that something so basic would need to be debated at all in a council chamber. This information should be collected as a matter of course. If the State does not even understand the full picture of its own housing system then how can it possibly make fair, informed and effective decisions?

The second issue relates to the Tánaiste's recent comments on derelict property taxes where he accused local councils of having not done enough to collect them. He even went so far as to call them appalling and said it was a cause for central government to take over the matter.

These comments are deeply unfair and hypocritical. Irish local government operates in one of the most centralised systems in Europe. Councils are tightly constrained with limited autonomy, restricted financial powers and a heavy reliance on central government for both legislation and resourcing. Yes, they have powers on paper but in reality those powers are slow, complex and in many cases ineffective, particularly under outdated legislation that makes enforcement difficult and prolonged. At the same time, these councils are expected to deliver more and more with limited resources and competing demands. To criticise them for failing to deliver outcomes in a system designed and controlled at central level is not accountability but a deflection. To then use that criticism as justification to take powers away from local government and centralise them further is simply cynical. If the system is not working, and clearly it is not, then the responsibility lies with those who lead it. The answer is not to sideline local authorities but to empower them properly, meaningfully and with the tools they need to do the job.

It is easy to point at derelict buildings but not so easy to account for a dereliction of leadership.

I must say the Acting Leader is doing a marvellous job. It can be difficult. I know he is temporarily there.

Senator Chris Andrews: That is not going to help his chances.

Senator Sharon Keogan: I know, but that does not matter. I saw the Acting Leader coming in today, out of breath. He is doing a very good job and I want to acknowledge that.

Senator Conor Murphy: I will not dent the Acting Leader's hopes any further by offering congratulations.

Senator Garret Ahearn: Do not say anything.

Senator Conor Murphy: The Acting Leader is doing a good job, by the way.

(Interruptions)

Senator Conor Murphy: I raise the issue of Kilmainham Gaol and the request the board of visitors made to the OPW, which should be made directly to the Minister, to organise an event, permissible under its terms of reference, to honour the voluntary workers and families who between the years of 1960 and 1986 restored the prison from complete ruin. They are people like Charlie Gorman, otherwise known as the suicide roofer, which tells you the circumstances he was working under. He is an uncle of Teachta Máire Devine. He pushed through the gates in 1960 determined to refurbish this hallowed site, which had been left to rot. The OPW has not responded to this request and I would like the Acting Leader to ask for this to be responded to as promptly as possible to allow the event to take place.

Kilmainham Gaol clearly holds a special place in the hearts of Irish people. For almost 150 years, it has been a direct witness to virtually all events of great significance in modern Irish political history. It was the sight of the incarceration of the United Irishmen, Robert Emmet,

Anne Devlin, the Young Irelanders, the Fenians, the Invincibles, Charles Stewart Parnell, members of the Land League, and, of course, all of the 1916 leaders were executed within its walls. The board of trustees wishes to host a commemorative event and relaunch an iconic historical book, *Ghosts of Kilmainham*. I hope they can get an answer quickly from the Minister with responsibility for the OPW.

Legislation is being launched in the other House today which, if enacted, would compel the Government to produce a Green Paper on Irish reunification and establish a citizens' assembly. That has the potential to transform the discussion. By happy coincidence, it is on the same weekend Fine Gael launched its intention on a blueprint for Irish unity, which will be published in the autumn. I look forward to the time when all of the parties here can work together on this. There has been organic growth in momentum in the population, among academics and among various voluntary organisations. This brings it to the institution itself to assist us in delivering on this, which is the biggest project in all of our lifetimes.

Senator O'Loughlin mentioned this last week, and it was remiss of me not to congratulate Cuan Mhuire on its 60th anniversary, which was held over the weekend. Sr. Consilio and the work she has done has not only saved countless lives but countless families. I have to declare an interest because I am a director of Cuan Mhuire, as was my mother before me. She is commemorated in the garden in Athy, where Cuan Mhuire's facilities are. It has done wonderful work across Ireland. I just wanted to join in congratulating it on its 60th anniversary.

Senator Mary Fitzpatrick: Today is 16 June and it is Bloomsday in Dublin. Even as we were coming into the Chamber, Senators will have seen the straw hats, petticoats, blouses and puffed sleeves. It is a day of real pride for Dubliners but it is a day of international importance. The literary heritage that Joyce left, not just for Dublin but all literary fans and people around the world, is immense. I commend people like Darina at the James Joyce Centre on North Great George's Street, the Joyce Stagers, the National Library, museums, Sweny's, Davy Byrnes and Dublin City Libraries. Right across the city, there are events of music, literature and food. It is truly a great event. I particularly thank those who give the walking tours of our city and bring Joyce to life for Dubliners and visitors internationally. I participated in a walking tour recently in advance of Bloomsday.

It reminded me again - and I call on the Acting Leader to address this with the Minister and Dublin City Council - of Dublin City Council's absolute neglect of the public domain and the streetscape and the dirt in the north-east inner city. The North Circular Road, Gardiner Street and Mountjoy Square are beautiful. This is Georgian Dublin at its best, but the dirt and the debris, the gutters oozing, the odours - it was vile. It was embarrassing. It is embarrassing. Unfortunately, it is not a once-off event. It is absolutely not good enough. How our public domain, our streets and our public spaces look speak to and signify the value we put on that place, on those people and on our heritage. It is utterly unacceptable to the people of the north inner city that our city is left unclean in the way it is being left, and it is utterly unacceptable to the people who come to visit our city.

I would appreciate if the Acting Leader would ask the Minister to address with Dublin City Council its maintenance, enforcement and street cleaning, including the sweeping and power-washing. I know it can do better. Our city deserves better.

An Cathaoirleach: Before I call on the next Senator, I welcome from Derry and Belfast members of the Identity Project, who are guests of Deputy Mary Lou McDonald. You are most welcome to Seanad Éireann. I welcome also a guest of Senator Cathal Byrne who is in the Gallery, Paul Sinnott from Ballagh, which has an excellent hurling team, Oulart-The Ballagh, in Wexford. You are most welcome to Seanad Éireann as well.

Senator Linda Nelson Murray: I want to bring up two issues. One is about the agricultural shows we are seeing now across our counties. I would like to say a big thank you to the Department of rural and community affairs for the money that is provided to these shows. I think approximately €1 million is dished out to about 126 different agricultural shows around the country, and they get between €4,200 and €11,400 each. I was at Ballivor Horse Show at the weekend. It was my second year going to it. I went to it last year as well. It really is value for money. These agricultural shows are really important in these rural communities. It was absolutely packed. I entered my two dogs into the dog show. They did not win or even get the waggy tail prize. It was very disappointing. Seriously, though, the shows are brilliant. I am heading to Trim Haymaking Festival next weekend as well. I know there is €1 million distributed annually but there can always be room for more, especially for these shows that are so important to rural communities. I congratulate everybody involved in the Ballivor show. It went on for two days. I wish the best of luck to the people in the Trim haymaking show this weekend.

The second issue I want to mention is the housing infrastructure investment fund for my county. I think every county got massive news today, but in Meath, we got five projects over the line, to the value of about €70 million. Together, all the projects will directly unlock capacity for about 2,275 homes and indirectly support a further 2,705, so roughly 4,980 homes in total. There is an €862 million budget nationally, and it is fantastic to see this. The infrastructure is needed there when it comes to water, the ESB and everything that surrounds helping to get these houses built and to unlock the lands and the surrounding areas by building bridges and whatever else needs to be done. I very much welcome this. Today is a very positive day for all the counties.

Senator Tom Clonan: In the spirit of collegiality, I also commend the iarCheannaire on his leadership here in the House. Although we crossed swords from time to time----

Senator Garret Ahearn: Every time.

Senator Tom Clonan: Not every time. Come on. I think Christmas Eve, no? Anyway, mar a deirtear as Gaeilge, cogann na faoileáin, ach cagann siad ar an gclloch chéanna. I commend the collegiality of this House and, in that spirit, I congratulate Senator Costello from Fianna Fáil on the great work she has done on having givinostat approved as a drug for people suffering from Duchenne's muscular dystrophy. In that same spirit, I ask, please, that similar action be taken in relation to Skylarys, the drug that supports people with Friedreich's ataxia.

We have 200 young people, and they are mostly young people, in the Republic who are suffering from Friedreich's ataxia, which is a progressive disease that leads to the deterioration of the neurological and muscular systems. As I have said before, the sufferer struggles for breath. It is not an easy disease to deal with. Skylarys shows great promise in halting the

progression of the disease and giving people extended quality of life and life itself. I will mention a former colleague of mine, journalist Niamh Ní Hoireabhair, who has a piece in the *Irish Independent* today. She is in the process of having her voice banked because she is losing her voice as a journalist and a recently married lady. She is now using a wheelchair. While she still has a voice, I ask that we listen to her and have Skyclarys approved.

My own family is also experiencing this. My son's voice is being banked. I do not think there is an intervention for him, but when I think of those 200 families where there is an intervention, if there is something we can do together in this House as a collective, I ask that we push for the recognition of Skyclarys.

Senator Nessa Cosgrove: I again raise the issue of funding for local government. This month's meeting of Sligo County Council heard that due to the war in the Middle East, the costs of road-building materials have increased by 25% to 30%. We all see the impact of it through the rising fuel costs, but often we do not think about the effect of the rising cost of by-products, such as petroleum tar, on local government. My former colleagues in Sligo County Council were told by the director of services that because the price of material costs has gone up so much, unfortunately, the roads which were due to be delivered in 2026 are going to be pushed out to 2027. That is going to keep going on now. What I am asking is that the Minister commits to giving additional funding, across all the county councils, so at least roads which were promised to be built this year can actually be completed this year, and we are not always on the back foot for the next couple of years. I would appreciate it if the Acting Leader could bring that back to the Department.

Senator Alison Comyn: Like many of my colleagues, I thank the Minister, Deputy Browne, for listening to my impassioned pleas and helping me deliver a vital piece of infrastructure to south and middle Louth. There are now almost 3,000 houses unlocked, thanks to an injection of almost €40 million, which is something really vital. It is not only going to bring housing but other developments, like the potential for a second railway station, sporting facilities and plenty of jobs.

While I am standing here and very unsubtly wearing my County Louth colours, I also mention a magnificent win against County Armagh, the first it had in the all-Ireland championship. We have to talk about Sam Mulroy. He really does like his last-minute victories, putting one in the net with only two seconds to go and catapulting us straight into the quarter-finals. I have to mention, of course, that historic win against Dublin only two weeks ago, the first since 1973. I am not rubbing it in with anybody-----

A Senator: You are.

Senator Alison Comyn: -----but yes I am, indeed.

An Cathaoirleach: You are, by the way.

Senator Alison Comyn: I spent last night knocking on doors in Drogheda selling Field of Fortune fundraising tickets because this is the main fundraiser now for completing the 14,000-

seater stadium in Dundalk. We need new home county grounds and I am going to ask one more time for funding from the sports capital grant. We are short €7 million, unfortunately. The Minister can see we are on a roll, and this is the type of structure we need to give a team clearly heading towards a major part of the championship. We need to give it a home suitable for champs. Once again, I raise the matter of the sports capital grant for the grassroots and right the way through because with the likes of the wee county doing so incredibly well on a national platform, we need the infrastructure to match it.

An Cathaoirleach: Congratulations to County Louth on their amazing performance.

Senator Chris Andrews: I would also like to be associated with the comments directed towards the Acting Leader. I am not sure he wants us to do that. I withdraw them so.

4 o'clock

I want to acknowledge the tremendous performance by Cape Verde yesterday. At the heart of that performance was Pico Lopes, who is a Shamrock Rovers player. As a Shamrock Rovers fan, I see these man of the match performances week in, week out, so it is not any huge surprise to me. It was fantastic, and I congratulate him and the Cape Verde team. Cape Verde is the third smallest nation ever to appear at a FIFA World Cup. It is an incredible achievement. Pico has also been an outspoken critic of Israel and its participation in European football and he has campaigned for the Ireland-Israel game to be stopped. It was a great night for him and his family, his wife Leah and their new child Diego.

We are just two weeks away from the beginning of Ireland's EU Presidency. To say that Government and senior civil servants are excited by the prospects of this event is a bit of an understatement. It has been the obsession of the whole State apparatus for well over a year, with Ministers and functionaries salivating at the glamour of facilitating EU Council meetings. The Minister for Foreign Affairs and Trade, Deputy McEntee, is even so excited that I believe she chose a logo that replicates, or is very similar to, her party logo. However, for people outside the EU political bubble, the Presidency is not that big of a deal. It is a bubble issue and it is projected to cost the taxpayer between €300 million and €400 million to accommodate the EU Presidency here. To put this in perspective, the Danish Presidency last year cost one fifth of that amount. Our previous Presidency 13 years ago in 2013, it cost €50 million, so it is a pretty extravagant increase in costs. The Government appears to be rolling out the red carpet for the EU, with hundreds of luxury vehicles purchased to ferry VIPs across the State with, no doubt, every effort being made to show them a good time. That is all well and good if the money is being used to get value from the Presidency but it is hard to see how we are going to get that sort of return from €300 million or €400 million. It seems extravagant.

An Cathaoirleach: Before I call the next speaker, I welcome guests of Senator Nessa Cosgrove to the Gallery, who are the staff and students of the Sligo and Leitrim Community Training Centres. They are most welcome and I thank the Senator for bringing them in today. Anois, an Seanadóir Mullen.

Senator Rónán Mullen: I welcome the UK Government's decision to embark on policies that will restrict access to social media for under-16s. My first hope, of course, is that the Irish

Government will follow suit. There has been a lot of talk and hints, particularly from the Tánaiste in recent days, that Ireland might go in this direction as well. That would be welcome in itself but how it is done is as important as what is done.

There is a concern in some quarters that the Government, under the guise of acting in children's best interests, would seek to exert control and surveillance generally over people's access to the Internet, including social media. There is a concern, for example, about the proposals, to roll in a digital ID system. These issues should be kept completely separate. What is necessary is that there would be legislation putting requirements on tech companies restricting access to under-16s around the creation of social media accounts because it is primarily through the existence of social media accounts that young people can be targeted by strangers, addictive advertising and so on. This should not be about creating and requiring each person to have some sort of a digital identity before they can access social media.

However, we must recognise that social media is only one aspect of the problem facing young people in regard to Internet engagement. The toxic trio are, in fact, pornography, social media and video games. Video games in particular feed addictive tendencies and, again, involve young people being very often approached by strangers. Sooner or later, we have to move the conversation beyond the question of just the software to the hardware and ask the questions about whether, why and when young people should be enabled to have smartphones, including the question of whether it should be possible to legislate to prevent them being brought to school and so on. I would like a debate on all of these issues very soon with the relevant Minister.

Senator Garret Ahearn: I thank the 11 Senators who made contributions this morning. Senator O'Loughlin aptly spoke about men's mental health after I just went up four flights of stairs to speak here so it was perfect timing when it came to speaking about it, particularly in relation to mental health. It is a real problem for men right across the country. An awful lot of good work is being done by organisations such as See Change or Jigsaw. Jigsaw has been operating in my county of Tipperary over the past number of years and we have seen significant benefit, particularly young people suffering from anxiety and mental health difficulties. The number of people who die by suicide is far too high. If we have seen the benefit of Jigsaw in some counties, we definitely need to see it in others. With such population growth, Kildare is a prime example of a place where that service should be provided

Senator Cathal Byrne spoke about the CLÁR programme, which is a very significant programme, particularly for rural areas right across the country. There is always an opportunity to amend and the Senator mentioned a prime example. A lot of these first responders looked to get large-scale machines or vehicles for use but it is always the day-to-day costs. The Senator used the example of defibrillator pads that cost €300 per use, which can certainly become a large cost after a while, so I will ask the Minister. It would be a good opportunity for the Minister to come in and debate funding for rural areas and in respect of CLÁR in particular.

Senator Keogan spoke about governance and accountability. She mentioned Kerry County Council and data. It is for the county council to decide what data it wants to use so it is not really for us to say. It is for the officials and the members. The Senator also mentioned the derelict property tax, which has been in the news in the past couple of days. The Senator mentioned that it is sidelining local authorities but that is not what it is doing. Local authorities

have a challenge in terms of recouping money that is owed to them. Sometimes it can go farther and go into court, which costs the local authority an awful lot of money. The plan from the Government is to, hopefully, move this towards Revenue so that Revenue deals with it as opposed to local authorities. That is what would suit local authorities as well. It will still be the local authorities' decision on what properties would be classed as derelict but it would not be for the local authority to actually follow up and recover that money. It would be for Revenue, which is best placed to do that.

Senator Conor Murphy spoke about Kilmainham Gaol and the hosting of an event. I am surprised the OPW has not come back. I will write to it as Acting Leader of the Seanad to make sure that it does. The Senator outlined how historic Kilmainham Gaol is and how hosting an event would be perfect. I cannot see any reason the OPW would not respond or would not be favourable towards it but I will make sure the Seanad promotes that as much as possible. The Senator also spoke about the unification of the island of Ireland. That is obviously something that garnered a bit of news over the weekend but as he said himself, momentum is growing from all sides. It is not that one side is right and the other side is wrong. It is about what sort of unification we are looking for, which is a long discussion. It is right and proper that people feel free and are open to actually discussing what they are looking for in the future because year on year, it is becoming a bigger issue.

Senator Fitzpatrick spoke about Bloomsday in Dublin, which is obviously a really good event and is internationally known at this stage because of James Joyce. When we have events like this, they bring in tourism and Bloomsday is one example. Bloom was held only a number of weeks ago. These events bring large crowds to the city and it is important that the city is looks as good as possible. It is very frustrating when one walks around the city and sees areas that are derelict, dirty or not maintained to the standard that they should because, whether we like it or not, the city is a reflection on the whole country. As Dublin City Council needs to make sure that things are being looked after and are being kept to a standard that is respectable, I will ask the Minister to contact the chief executive of Dublin City Council to make sure that this could be done to a better extent than is being done at the moment.

Senator Nelson Murray spoke about agricultural shows and the €1 million in funding that goes towards the 26 agricultural shows right across the country. There is always a case to put more funding into those shows. The turnout is very positive every year. I see it myself in Clonmel, where an agricultural show has been going on for years, since well before I was born. The numbers keep increasing every year. It is a really good family event. As the Senator said, money spent promoting these agricultural shows right across the country is money well spent.

The Senator also spoke about the housing infrastructure investment fund, which the Minister, Deputy Browne, and the Minister of State, Deputy John Cummins, announced this morning. Over €800 million in funding was announced this morning, essentially to speed up the delivery of housing by speeding up infrastructure projects right across the country. I believe 82 projects were announced this morning. I hope that, as a result of the speeding up of these projects, we are going to see the delivery of housing speeding up. An estimated 200,000 houses could be built in a quicker timeframe because of these projects. This morning's announcement related to the first call. It is really welcome. It may be a good opportunity to have the Minister for housing come to the House to outline exactly what this will do and where we will go from here.

Senator Clonan congratulated Senator Costello on the approval of the drug givinostat, which is very welcome. It is great to have that recognition from both sides. Senator Clonan is always very good about that. This obviously strengthens the case for the approval of Skylarys for Friedrich's ataxia. All of these matters are dealt with individually between the HSE and the drug companies. It can sometimes take some time to do it. It can sometimes depend on when the drug company applied to sell the product in Ireland. Sometimes the HSE and the Department of Health actually have to ask the drug company whether it is willing to sell it in Ireland. That process can take some time because Ireland is obviously not the biggest country in the world and coming here is not the first priority when the drug has approval in other countries. However, for obvious reasons, it is important that we try to get drugs that have been approved in like-minded countries to our own people as quickly as possible.

Senator Cosgrove spoke about funding for local government. We are all being lobbied by the directors of services and roads in every county council. You sometimes do not think about it but, once you are told, it is very obvious. Councillors in local authorities agreed to put these road projects that are meant to be happening, whether they are small road maintenance projects, LIS projects or big road projects, on the 2026 or 2027 budget a year or two years ago. However, when the authority goes to complete them, the cost is much higher than expected. I know the Department of housing is very much aware of the issue. These authorities need extra funding to deliver these projects. Particularly in rural areas, whether in Sligo or anywhere else, simple road maintenance is really important for people. I know this comes from a very genuine place. In every local authority, the directors of roads and services are very worried that they will not be able to deliver the projects they had promised to deliver and that the councillors had promised to their communities. They are on a list for delivery so the local communities expect them to be delivered. I will contact the Minister's office to see if it is possible for more funding to be put in place for local authorities.

Senator Comyn also spoke about this morning's announcement of the housing infrastructure fund. A significant amount of money, €40 million, is going to Louth, where we hope it will deliver 3,000 much-needed houses. An awful lot of people are looking to live in that area, which is just outside Dublin. One of the most frustrating things for people is when a developer or builder wants to build but the infrastructure, whether water, wastewater or roads, is not there. We now have a pathway for those big developments to be built and for homes to be delivered. That is really important.

The Senator also mentioned Louth beating Armagh and Dublin. As a Tipperary person, I do not think we should be talking about the GAA any more this year so I will not. However, I will talk about the sports capital grant, which is obviously very important. The Minister is keen to deliver on that this year.

That is always beneficial to communities around the country.

Senator Andrews spoke about Cape Verde. It was an amazing win yesterday. I was watching it with my two sons. They thought that we were meant to be cheering for Spain because I had told them that Spain might win the World Cup, but as the game went on, I kept saying that we needed to support this team. It is a small country with one fellow from Ireland. It is an amazing achievement. It gives that uplift that you get from the World Cup, where small countries - we have been there before - can pull off these amazing achievements and successes. It is really good to see. Congratulations to Pico Lopes. His block in the last couple of minutes

was phenomenal. It is great for the supporters and for the tournament in general, because there are issues with this tournament and where it is on. It is great for the sport.

The Senator also referred to the EU Presidency. The EU Presidency is a really positive thing for the country. This is the eighth time since we have been a member of the EU that we are hosting it. An awful lot of work goes into delivering that. Obviously, it costs a significant amount of money to do it, but it is not like a sports event or other event where we are trying to get the money back. This is an investment in promoting Ireland across Europe. I would always say in relation to membership of Europe that we have gained more financially than we have had to put in. There are a lot of things. While the Senator talks about it being in a bubble, the Common Agricultural Policy, CAP, is not a bubble, and it is massive for farmers. The fisheries deal is important for fishermen. The multi-annual financial framework, MFF, deals with funding right across Europe and needs to be delivered during the Irish Presidency. Most countries want it and feel that it has to be delivered during the Irish Presidency because of our experience of holding the Presidency. I understand the narrative from the Senator, but many people in this country, particularly farmers, need to be sure that our Ministers can deliver on key funding structures to support them over the next couple of years. As we hold the EU Presidency, it is the best chance to get a good deal that supports the Irish people.

Senator Mullen spoke about what seems to be a very quick decision by the UK to restrict access for under-16s. This comes on the back of a number of things that have happened in the UK in the last week or two. As the Senator knows, we serve on the media and sport committee. It produced a report that did not recommend this, although we all have separate views on it. The Senator is right that it is how it is done and delivered that is important. He made the point that it should be the responsibility of the social media companies to restrict access. I do not think the Senator or I fully believes that they would actually do it, or that it could be delivered on. I am not a tech genius, but I am told it is very easy to get around this. However, I would make the point that even if it is very tricky to get around or is hard to implement, that does not mean we should not do it. It is difficult.

We can all see that social media is addictive, in particular for young people. When we are talking about under-16s, it can even be addictive for extremely young people if they can get their hands on it. We need to do whatever we can to prevent that as much as possible at a younger age, and have kids out playing sports, colouring or doing whatever they want to do.

Senator Rónán Mullen: Can we have statements in the House with the Minister?

Senator Garret Ahearn: I can contact the Department to see if he is willing to come in for statements. We have four or five weeks left before the recess, but I will put that on the agenda, if I can.

Order of Business agreed to.

Cuireadh an Seanad ar fionraí ar 4.19 p.m. agus cuireadh tús leis arís ar 4.47 p.m.

Sitting suspended at 4.19 p.m. and resumed at 4.47 p.m.

Health (Amendment) (Home Support Providers) Bill 2025: Second Stage

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

Acting Chairperson (Senator Alison Comyn): I welcome the Minister of State, Deputy Kieran O'Donnell, to the House and invite him to deliver his opening statement.

Minister of State at the Department of Health (Deputy Kieran O'Donnell): I thank the Acting Chairperson. I am pleased to introduce the Bill following its recent passage through Dáil Éireann. I look forward to hearing the views of the Seanadóirí and working with them to progress this important legislation through the House.

Home support is a vital service that is delivered to thousands of people nationwide every day. This highly valuable service has users of every age and their families. It enables people to maintain independence and dignity while living at home. In line with Sláintecare, this Government is committing to ensuring we take concrete actions that will support and empower people to stay in their own homes and communities. I must acknowledge carers and service providers who provide formal home support. In recent years especially, they have demonstrated extraordinary dedication and diligence. As a result, our most vulnerable citizens have received professional and compassionate care.

I also acknowledge that it is not only State-funded services that help keep people at home and well in their communities. While increasing the provision of home support hours is a key priority for the Government, we must recognise that family carers have an essential role in helping people to live with dignity and independence in homes and communities of their choosing. The Bill will provide families with peace of mind that the care their loved ones receive is regulated, monitored and of the highest standards. I acknowledge the fantastic work of family carers. The programme for Government commits to designing a statutory homecare scheme to allow people to stay in their own homes for as long as possible. The first essential step towards the scheme is to ensure that homecare is regulated and there are quality standards in place that services can be inspected against.

This legislation will therefore ensure that for the first time in Ireland, home support providers, whether public, private or voluntary, will be required to operate in a regulated environment. There are inherent risks for service users in the provision of health and social care services by an unregulated sector. In vital areas such as infection prevention and control, staff training and clinical governance, there are no standards or regulations that all home support providers must comply with.

There are standards of service that can be expected of the HSE through HSE-funded services or through the terms of private contracts. However, there are currently no consistent minimum standards of care applied universally to home support providers. There is also no independent oversight of the provision of services. Therefore, there is no independent mechanism to ensure that standards that exist, such as HIQA's National Standards for Safer Better Healthcare 2012, are complied with. The regulations that will be made on foot of this legislation will, therefore, offer quality assurance to service users that their service meets the same minimum standards wherever and by whom it is provided. The introduction of a statutory framework to provide independent oversight of home support providers will

ensure increased compliance with regulations and quality standards, which will increase public confidence in home support services.

The Health Act 2007 established the Health Information and Quality Authority, HIQA, and Office of the Chief Inspector of Social Services. It also provides the regulatory framework for residential services for older persons, persons with disabilities and children in need of care and protection. The Chief Inspector of Social Services monitors compliance with this regulatory framework. The Bill before the House is modelled after the regulatory framework for the designated centres as set out under the Health Act. It amends the Act, establishing a regulatory framework for home support providers, which will be required to meet minimum requirements set out under ministerial regulations to provide a home support service. This framework will be further supported by HIQA's national standards for home support services. These amendments will act to safeguard service users and raise the quality and consistency of care nationally and will be a first step in meeting the programme for Government commitment to design a statutory homecare scheme. The framework will extend to all service users regardless of age who, by reason of illness, frailty or disability, require a home support service. As such, it applies to home support provision funded by both the Department of Health and the Department of Children, Disability and Equality.

The Bill will introduce for the first time the registration and regulation by HIQA and the Chief Inspector of Social Services of all home support providers in Ireland. Among other measures, it will provide the chief inspector with a range of powers and make it an offence to provide a home support service without being registered. The chief inspector will also be responsible for monitoring and assessing compliance of registered home support providers against regulations and HIQA standards. The new system of regulation for home support will ensure that the public can be confident that the services provided are of a high standard and will bring Ireland in line with best international practice.

I will take the House through the Bill to briefly outline the content of each section. The Bill has two Parts consisting of 22 sections.

Part 1 relates to preliminary and general matters and contains sections 1 to 4, inclusive. Section 1 provides for the Short Title, collective citation and for the commencement of the Bill's provisions.

Section 2 provides definitions of key terms used in the Bill.

Section 3 provides that the operation of the Act must be reviewed within five years of its enactment after which a report on the findings is to be laid before the Houses of the Oireachtas.

Section 4 repeals a section of the Human Tissues (Transplantation, Post-Mortem, Anatomical Examination and Public Display) Act 2024.

Part 2 sets out amendments to the Health Act 2007 and consists of 18 sections. Section 5 amends the principal Act to provide for the definition of key terms relating to the regulatory framework for home support providers.

Section 6 amends section 8 of the principal Act to provide for new functions for HIQA to set standards on safety and quality in relation to home support services.

Section 7 provides for HIQA to conduct investigations of registered home support providers.

Section 8 expands the functions of the chief inspector to establish and maintain a register of home support providers, collect key data in relation to home support providers, inspect premises where he or she suspects the business of a home support service is being carried out, and register and inspect home support providers against both ministerial regulations and HIQA standards.

Section 9 inserts a new Part, Part 8A, to the principal Act to provide for the registration of home support providers through the insertion of 29 new sections, 69B to 69ZD, inclusive. Section 69B provides for the definition of key terms used in Part 8A and provides for exemptions to the requirement to register as a home support provider. Section 69C provides for a prohibition on carrying out the business of a home support service without being registered. Section 69D provides for a prohibition on making false or misleading statements in a material respect when applying for registration or renewal of registration. Section 69E provides for the application process for a person seeking to register or renew the registration of a home support provider. Section 69F provides for the establishment of a register of home support providers. Section 69G provides for the grant or refusal of the registration of a home support provider.

I will not be able to finish in the required time. I ask the Acting Chair for another minute to conclude.

Section 69H provides for grounds under which the chief inspector can cancel, vary or remove a condition, or attach an additional condition to a registration of a home support provider.

Section 69I provides that the chief inspector may remove a condition attached to a registered home support provider's registration where they deem it is appropriate and will not adversely affect a service user receiving support from that provider.

Section 69J provides that a registered home support may apply to the chief inspector for the variation or removal of any condition that has been placed on their registration.

Section 69K provides for notices to be issued by the chief inspector to an applicant or a registered home support provider, as appropriate, in respect of a proposed decisions to an application submitted under sections 69E and 69J.

Section 69L provides that an applicant or registered home support provider, as appropriate, has 14 days after a notice is given of a proposed decision of the chief inspector under section 69J to make a written representation to the chief inspector concerning the proposal.

Section 69M provides that the chief inspector is to give written notice to an applicant or registered provider of a decision to refuse or grant an application, to cancel a registration, to remove or vary a condition or to attach an additional condition or to remove a condition of a registration.

Section 69N provides for when the chief inspector proposes to make certain decisions where the home support service is provided or proposed to be provided by an applicant or a registered home support providers from more than one business premises and a single application has been made for registration.

Section 69O provides for required and prohibited conduct for registered home support providers.

Section 69P provides for the appeals process from a decision of the chief inspector regarding an application for registration.

Section 69Q provides for the chief inspector to seek a District Court order enforcing certain decisions under sections 69G, 69J, and 69H.

Section 69R provides for the chief inspector to seek a District Court order where they believe there is a serious risk to a service user due to the actions of a registered home support provider or person acting on their behalf.

Section 69S provides for the chief inspector to make an application under section 69R as an *ex parte* interim order.

Section 69T provides for a final determination of matters dealt with in an *ex parte* interim order under section 69R.

Section 69U provides that an appeal of a District Court decision under section 69N lies in the Circuit Court.

Section 69V provides that the chief inspector is a party to any court proceedings taken under this Part of the Principal Act and is entitled to appear, be heard, adduce or give evidence.

Section 69W provides for the submission of information to the chief inspector by registered home support providers.

Section 69X provides for the collection of key data from registered home support providers, the sharing of information with the Minister and public bodies, such as HIQA and the HSE, and the publication of this data in aggregate form by the chief inspector.

Section 69Y provides that a registered home support provider shall not submit false or misleading information to the chief inspector under sections 69W or 69X.

Section 69Z provides that where a registered home support provider decides to cease to carry on the business of a home support service, they are to notify the chief inspector of the date in which they are to cease operating in accordance with the timeline set out under regulations.

Section 69ZA provides that where a registered home support provider ceases to carry on its business, the chief inspector will make a note in the appropriate register and cancel the registration of the provider.

Section 69ZB provides that where a person is appointed by or under law to take charge of the business of a registered home support provider, that person is to notify the chief inspector as soon as practicable and no later than 48 hours after the appointment.

Section 69ZC provides for the notifications by the chief inspector relating to certain home support providers.

Section 69ZD provides for transitional arrangements for persons providing a home support service immediately before this Bill comes into operation.

Section 10 provides for the HSE to appoint persons to examine business premises of a home support provider that is providing service on behalf of the HSE. A person appointed under this section will be authorised to enter any business premises of the home support provider and examine any records relating to the service and interview any employees of the provider.

Section 11 provides the right of entry and inspection by the chief inspector to the business premises used or proposed to be used by a home support provider or the private dwelling of a service user where a home support service is provided with the consent of the service user concerned.

Section 12 provides that if the chief inspector has reasonable grounds to believe that the business of a home support provider is being carried out on a premises which is not registered, the chief inspector may enter the premises to inspect it.

Section 13 provides for the District Court to issue a warrant to authorise the chief inspector entry to premises where the chief inspector suspects the business of a home support provider is being carried out, if required.

Section 14 provides for the inclusion in the definition of “dwelling” of any part of the business premises of a registered home support provider that is occupied as a private residence by that person or a member of staff of the provider.

5 o'clock

Section 15 provides for the inclusion of a reference to home support providers in relation to the further circumstances in which the District Court may issue a warrant.

Section 16 provides that HIQA may prepare and publish reports relating to the monitoring of compliance and standards by registered home support providers, and the manner in which those reports should be prepared.

Section 17 provides for the serving of compliance notices on registered home support providers. Under this amendment, where the chief inspector is satisfied that a registered home support provider has contravened a relevant provision of legislation, he or she may issue a compliance notice. A registered home support provider who fails to comply with the compliance notice by the date specified in the notice shall be guilty of an offence and liable to prosecution. Registered home support providers will have the right to make an appeal to the District Court within 14 days.

Section 18 requires the chief inspector to maintain a non-compliance list of providers on whom a fine or penalty has been imposed.

Section 19 amends section 79 of the principal Act providing for offences for home support providers.

Section 20 amends section 99 of the principal Act providing the Minister for Health, in consultation with the Minister for Children, Disability and Equality as appropriate, to make regulations relating to the registration of home support providers under the Act.

Section 21 provides the Minister for Health, in consultation with the Minister for Children, Disability, and Equality, as appropriate, to make regulations for home support providers to ensure proper standards in relation to the home support services they provide.

Section 22 inserts a new section 101C into the principal Act providing the Minister for Health with regulation-making powers to prescribe the collection, sharing and publication of data with regard to registered home support providers. Regulations will determine the type of data to be collected, shared and published and the frequency of the submission and sharing of information.

During Committee Stage as the Bill progressed through the Dail, I brought forward 31 amendments to the Bill on behalf of the Government. These amendments were technical in nature and sought to improve the clarity and readability of the legislation.

This legislation is a major step forward towards designing a statutory home care scheme, which is in the programme for Government. It is something I am very committed to as Minister of State, as are the Minister, Deputy Carroll MacNeill, and the Government in its entirety. The establishment of a regulatory framework for home support providers will act to provide new protections for service users and will raise the quality and consistency of care nationally.

I thank the Acting Chairperson and all the Members for their patience. I look forward to their contributions.

Acting Chairperson (Senator Alison Comyn): It was a tall ask in the time allotted. Gabhaim buíochas leis an Aire Stáit.

Senator Maria Byrne: I thank the Minister of State and his officials for coming here today to discuss this all-important topic. Quality of care and assurance is something all families look for, especially when they want to keep their loved ones at home. Longevity is something we have here in Ireland. For a long time, people did not live as long. More and more people desire to try to stay at home as long as possible and that cannot happen without carers. Whether they are public carers, sourced through a private company or funded through the HSE, it is really important that a standard be set. I compliment the Minister of State and his officials on their dedication to setting that standard and bringing forward proposals that will create safeguards around accountability and the fact that people will be properly trained. There will be set standards. Up to now, there were different standards and some people may not have had formal training. The fact that the Minister of State is looking at all those and regulating the fact that the service provider has to make sure everybody is at the same standard means there will be continuity of care.

It is also an assurance piece for the family of the person who is being cared for. When we speak to people who are living at home and living independently, they tell us that the carers coming in and doing this job or that job gives them the competence to live longer and also to live at home. It gives them greater confidence in being able to achieve things. As long as we can keep people at home, they are more comfortable in their own surroundings. It is consistent care in a lot of cases. Sometimes, people have different carers coming in but in many of the companies it is the same carer. I attended an information day with one of the care companies with the Minister of State and they had an award ceremony for some of their carers. The patients who people were working with were asked to vote for different carers and talk about their qualities. Some of the issues they raised were so complimentary because so many people are so caring.

We always have people who might have slipped through that loop, but this legislation will set down the foundation for making sure everybody receives the same level of care with that accountability piece. That the sector is answerable to HIQA is also important because it sets such high standards in terms of its inspections and that whole quality piece. I compliment the Minister of State and his officials. I look forward to working with him on bringing this Bill through the Houses.

Senator Victor Boyhan: I thank the Minister of State for coming here today. He will appreciate the constraints of time. He had to go way over the time that was agreed for the Minister of State under the Order of Business. That is no disrespect to him, but it indicates that 75 minutes for important legislation like this is not enough. I make one ask of him. I ask him to go back to the Leader of the Seanad and make a case, as Minister of State, that he deserves to have his time. He has difficulty here today and that is no fault of his own. This is an important piece of legislation. We have only got five minutes to engage with the Minister of State on this important legislation before Committee Stage and he has time to come back. Clearly, it is not enough time. Next week, we are going to be busy and right up to the recess. I ask him to talk to his Government colleagues and say that the Seanad and its Members need the respect they deserve. We are a revising Chamber of this Parliament and we need the time. That is in no way a reflection on the Minister of State. I thank him, as always, for coming to the House. I have made that point and I will leave it with him.

Family carers across Ireland are being pushed deeper into financial hardship, social isolation and poor health as they shoulder ever-increasing caring responsibilities with insufficient State support, according to a new report forwarded to me by Councillor Richie Molloy from Tipperary, who is a strong advocate for Family Carers Ireland. The report is titled, *The State of Caring 2026*, and I will circulate it to all Members later this afternoon. This report, published by Family Carers Ireland, paints a stark picture of life for thousands of people providing unpaid care for loved ones with disabilities, chronic illness and complex support needs.

The Minister of State will be aware that elder abuse remains widely under-recognised and under-reported and can take many forms. Many of us will also have heard of complaints about hospitals and nursing homes, but we know elder abuse and the abuse of those in care takes place in family homes too. Safeguarding begins with noticing and listening to older people and responding when something does not seem quite right. Having access to nutritious food, adequate hydration and choice and support at mealtimes are fundamental to health and quality of life. Older adults must be supported for and cared for in a way that respects their preference, independence and dignity. I call on the Department of Health to work on the long-delayed adult safeguarding Bill. That needs to be done and the Minister of State might perhaps address that at some stage.

As we prepare a statutory home support scheme and a new regulatory framework, we have an opportunity and an obligation to create a system that prioritises dignity, flexibility and client choice. The statutory home support scheme, committed to by successive Governments, should provide and protect access to care in people's homes, enabling them to stay at home for as long as possible. The Minister of State is seeking to do that here and I acknowledge that. Central to this legislation must be the client choice model. Critical to the success of this legislation will be building on the client direct home support that empowers clients to choose their provider

and agrees flexible times, improving alignment between needs and skills but also making better use of capacity.

Waiting lists for home care services have surged. Data released by the HSE, which is on the Oireachtas site because I tuned into the Minister of State's debate in relation to this business, show that waiting lists for home care stood at 5,300 for the first three months of 2026. The HSE heads of service for older people, and for accessibility and integration, said that nobody is waiting for funding to be allocated for home support, which is an important point, but they are waiting for carers to be assigned to them, due to shortages

The shortage of carers is presenting problems for many hospital patients who are unable to be discharged because they are waiting for a carer to be found. The shortage of home care support is particularly challenging in rural areas and is totally unacceptable for people around the country seeking support.

This is important legislation but what is critical is the need to deliver a statutory home care scheme. I know the Minister of State is committed to that. The recruitment of staff is an issue that is causing difficulties for many people. Remuneration is also an issue. The Minister of State will be familiar with the strategic workforce advisory group, SWAG, and its recommendations. Some of those have been implemented but others have not. That is also a critically important piece.

I wish the Minister of State well with this important legislation. Clearly, it will warrant some amendments but given the committee that looked into this matter and the way it addressed the limited number of amendments in the Dáil, the Minister of State is certainly moving in the right direction. I genuinely wish him every success with this really important legislation that I know is dear to him and his vision for care in people's homes.

Senator Teresa Costello: I welcome and support this Bill. It is simple in that it is just making sure that people who receive care in their own homes can be confident that the care they receive is safe, of high quality and properly regulated. Every day across Ireland thousands of older people and people with disabilities rely on their home care support services. These services help people with everyday tasks such as getting dressed, preparing meals and personal care, enabling them to remain independent in their own homes. For so many families home support is an essential service that allows their loved ones to remain in familiar surroundings and maintain their independence.

My dad had dementia prior to passing and we availed of home care supports. The carers were just amazing. It was not always easy for them. Their job is difficult and what the carers who come into family homes go through is not highlighted enough. A patient can be having a really bad day and they can be abusive to their carers. They can be difficult and decide they do not like the carer for no reason but the carers just continue to show up. The carers who came to our family home, Ashley and Fernanda, were so good to my mam as well and that made my dad's last time on earth so much easier. The respect I have for carers is enormous.

Regulation is so important. We struck gold with our carers but regulation will ensure that all people have a similar experience. Nursing homes and other health services are regulated and inspected but home support services have not had that same level of oversight, so standards can vary from one provider to another. Regulation means that the providers must meet national

standards and be accountable for the quality of care they provide. The Bill makes it an offence for a provider to operate without registration, which is very important. It gives HIQA and the chief inspector of social services the power to inspect services, which is critical. They will be monitoring compliance, which is important. This is about protecting vulnerable people. People who are in need of care are vulnerable and it is important that a high standard of care is being delivered and being monitored.

I welcome the fact that the Bill applies to all home support service providers, whether public, private, voluntary or not-for-profit. Everybody should be working to the same standards and every person receiving care should have the same protections. I also welcome the inclusion of services provided to children and young people. Families should have the confidence that quality and safety standards apply regardless of age.

This Bill is an important step towards the Government's wider goal of developing a statutory home care scheme, as Senator Boyhan said. We know that people, for the most part, want to remain in their own homes for as long as possible. We also know that Ireland's population is ageing and that the demand for home support services will continue to grow in the years ahead. The Government has shown its commitment through significant investment in home support services. Funding has been increasing year after year but investment alone is not enough. We have to ensure that the services being funded are safe and accountable and of the highest quality. This legislation will protect service users, support families and improve consistency across the country. It will also go some way towards strengthening public confidence in these services.

Senator Pauline Tully: Curaim fáilte roimh an Aire Stáit. I will be supporting this Bill. Who would not agree that the private home support sector should be regulated? It actually makes me shudder to think that it has not been to date and that we have no minimum standards of care when it comes to home care services. Home support workers are going into the homes of very vulnerable people, including older people living on their own, people with a disability and people who have suffered a stroke and cannot articulate or advocate for themselves. We need this legislation. Up to this point, the HSE was not even in a position to provide a list of private providers who go into the homes of vulnerable people.

The legislation is long overdue and is extremely welcome. It is urgent and needs to be moved on as quickly as possible. Families and individuals deserve assurances of safety standards and accountability. The Bill allows for both the inspection of homes and enforcement, where necessary, to be carried out by the chief inspector and HIQA. Increased resources will be needed and I presume that has been factored in. We do not want to hear that HIQA and the chief inspector do not have the people on the ground to do the work that is necessary.

Unfortunately, this is not the statutory home care scheme that has been identified in a number of programmes for Government. We still need to move towards such a scheme. This legislation is not about delivering entitlements for patients either and it embeds the privatisation of care. We really need to build a genuinely public health and social care system. I have spoken to the HSE in my locality because I know of lots of people who are waiting for home care. I have asked the HSE if there is a moratorium on recruitment but it tells me that there is not. There are many people working for private companies who are excellent workers and who

would love to work for the HSE because the pay and conditions are much better but the HSE does not seem to be recruiting. I just do not understand it, particularly when there is a shortage of home carers. Why is the HSE not recruiting?

There are over 5,000 people waiting for home care hours. Some are waiting for additional hours to the package they have because their needs have increased while for others, it is a new service. This Bill is not going to guarantee those people the hours they need. It will not guarantee them continuity of carers. Nor will it guarantee that they will be able to remain safely in their own home or be able to leave hospital or a nursing home to go home. Yesterday, I had a phone call from a woman whose mother is 97. She is living in her own home and there are carers coming in but frequently one carer cannot come. Carers are entitled to time off at weekends, for holidays or if they become ill, but there is no additional cover provided. This lady will help as much as she can and she has brothers who are brilliant and who help out, but neither the mother nor they themselves are comfortable with the personal care element. The woman and her sons have their dignity, and that has to be respected.

I was talking to another woman whose husband's carer was not able to come to the house. She was asked if she had neighbours who could help. Why on earth would she do that? Her husband deserves respect. He does not want neighbours coming in to help him to shower. Another lady I spoke to is a wheelchair user. She has been a very independent lady for all of her life. She requires surgery so, for the moment, she is unable to manage. She has waited for months and finally has got some level of care but she said she is still juggling family members with the care. However, the carers are coming to her home in the evening to put her to bed at 7 p.m. This is an active lady. She is 70 years of age but she is really active and involved in lots of committees and so on. She said to the person in the HSE - because it is not the carer's fault - that she does not want to go to bed at 7 p.m.

She was told that she was lucky that she was not going at 5 p.m. That is no way to treat people. That is a total lack of dignity.

She inquired about a personalised package and was told that it was not available. She told them that she knew it was available to people. They asked her what age she was, and when she said she was 70, she was told that it is not available to old people. It was available to her as a disabled woman should she have needed it - which she did not but she knew of other disabled people who had accessed it - but not to her because she had aged out of the service. It was like her disability had disappeared. That is ageism. This woman is well able to manage her own affairs and would be happy to do so. Her carers are a mixture of HSE and private carers. She says there is one company from which she has not seen the same carer in the time they have been coming in. For people with dementia, that is very confusing. They need a continuity of care. Older people and vulnerable people need to get to know people as well and not feel like that they are a burden on society.

While everything in this Bill is needed and needed as quickly as possible, a lot more is needed around how home care is actually provided.

Senator Patricia Stephenson: The Social Democrats support this Bill to provide for the regulation of home support services. The statutory right to home care is something that we, as a party, have long advocated for. I acknowledge that this regulatory framework plays an important role within that. The legislation is long overdue. The current situation whereby

home care services remain unregulated is simply not tenable. The absence of any oversight, minimum standards or regulations for the sector has undoubtedly put vulnerable service users at risk. It is shocking to think that at present if a provider is not receiving State funding, there is absolutely no obligation for them to comply with HSE standards and policies.

Although this is a crucial if long-overdue step, it also does not deliver what is badly needed and that is a statutory home support scheme, as promised by the Government nearly a decade ago in January 2017. We know there is a growing unmet need for home care services in this State among older people and people with a disability, with the demand for home support far outstripping supply. The current inequitable model for long-term care in Ireland incentivises nursing home care, thereby denying many older people the choice and right to remain at home for as long as possible. The lack of home care provision by the State risks forcing individuals into unnecessary or premature admission into hospital or residential care undermining the Sláintecare vision to provide person-centred care at home and within the community. It also breaches Ireland's obligations under the UN Convention for the Rights of Persons with Disabilities.

Urgent action and investment are needed to tackle the scale of the unmet need in this area, which we all know is only going to grow in part due to our ageing population. Waiting lists are already sky-high, and we are seeing real regional disparity in access, particularly for rural communities outside of Dublin and the commuter belt, which are not seeing the benefits from increased funding and workforce measures. The warnings in terms of increased demand are stark. A 2025 ESRI report found that between 2022 and 2040, annual home care hours would need to increase from 28.7 million to between 45 million and 55 million hours. We know that there is a huge reliance on the private sector with the ESRI estimating that over 7.6 million home support hours were privately purchased in 2022, accounting for over a quarter, 26%, of all home support hours provided that year, which reflects the over-reliance on the private sector.

Turning to the Government's long-awaited statutory home support scheme, when can we expect the delivery of this key programme for Government promise, which is also part of the Sláintecare reform? This has been promised again and again, but we have still seen no delivery and no concrete timeline for that.

I will briefly acknowledge the work of our care workers. We know the deepening crisis the sector is facing in terms of workforce recruitment and retention. This is of significant concern given the rising demand that we will see in the coming years. It is thus vital that we properly value and compensate care workers starting with paying them a real living wage and the payment of mileage, which is particularly pertinent for rural workers. The recruitment crisis is compounded by the cost-of-living crisis. We have heard directly from Age Action Ireland that a lot fewer migrant care workers are coming to work, with the housing shortage and rising costs of living deterring would-be low-paid care staff. Even outside big cities, it is just too expensive to live in Ireland. It is a short-sighted outlook to undervalue and underinvest in care and our care workers both in terms of those paid and unpaid, who through their service make such a vital contribution to the State and society and we should treat them accordingly.

Returning to the Bill, I reiterate the concerns of my colleagues regarding its provision for the exemption from regulation of service providers with three or less clients. The pre-legislative scrutiny report recommended that all State-funded services should be covered by this legislation and the associated regulations. On Report Stage in the Dáil, my colleague,

Deputy Rice, noted the Social Democrats' concerns that this proposed approach could provide a potential loophole for unscrupulous employers who could exploit it to create a series of small providers to shirk their regulatory obligations. What protections and safeguards will be in place to avoid that very thing happening? We proposed an amendment in the Dáil which would have effectively closed this loophole by allowing only single operators to be exempt from regulations and requiring those providing care to more than one client to seek an exemption from HIQA. This is something I might consider bringing forward on Committee Stage.

Senator Tom Clonan: The Minister of State is very welcome, as are the Department's officials. I hope they will be able to address my concerns in the time provided.

I echo what Senator Stephenson said. I have a concern about section 69B(2)(a) which states, "the person provides a home support service to fewer than 4 persons". Senator Stephenson quite correctly pointed out a concern about whether an unscrupulous operator could get a pile of smaller care providers, limit them to three clients and in that way try to evade regulation. That is a concern. The suggestion in that amendment is that an operator is deemed exempt from the regulator if they only provide care to that number of people.

I do not know if the Minister of State or the Department's officials can answer this for me, but I am very worried about this clause for a different reason. I will give the House some context. My family has been receiving a number of care hours from the HSE for a very long time now, maybe ten or 12 years, and to echo what Senator Tully said, the experience is mixed. I also echo what Senator Costello said that without exception, the people who come into our home from all over the world are the most wonderful people, but it is the model of the provision that can sometimes lead to inconsistencies. For example, we had one service provider where we never knew from one day to the other whether somebody would turn up, and it was rarely the same person. The carers then would not understand my son's care needs and I would have to come down. It was just very stressful. That is one thing.

For-profit care providers - I am not going to name them because I do not want there to be a suggested or implied criticism of them - can be hit and miss. Also, because they keep a certain amount of the money they take from the HSE for themselves, those carers tend to be paid very little. What happens all the time with our son is that he gets a wonderful carer and they really gel, but because they are only getting paid €12 or €13 an hour, they inevitably get a better offer of work and they say, "I am really sorry, but I have to move on" and so that continuity is denied.

In all of those years, there has been a very unequal power relationship between families and the HSE. I am not talking about the carers, but the HSE itself and the people who open the funding gates. Across all of the regional health areas, they are all different. They are all capricious. They all have their own little kingdoms and their own little rules. I have had people say to me, "You are not getting that funding". When I ask why they say, "Because I say so", and because we do not have a legal right to any of these things, it is very hard to push past that.

Under the brokerage model of care provision, with a company like Home Instead, a client gets to pick and choose their carers who then come in and provide a service. However, they would not come under the definition of the Bill because they would likely be dealing with just two or three clients. Would this legislation give the HSE-----

Deputy Kieran O'Donnell: Will the Senator make that point again?

Senator Tom Clonan: The brokerage model-----

Deputy Kieran O'Donnell: No, beyond that.

Senator Tom Clonan: Would the HSE be able to say that it is not giving funding for that service provider because they are not amenable to regulation, and that it would be irresponsible of it to release public funds to a carer in that situation? That is something that I really need to get an answer on because if that were the case, that would then confine all of us to using a model we do not want. For example, most recently when funding was cleared for supports for my adult son, his preference was to go with the care provider that had been given to him through the higher education thing for going to university.

In our CHO the HSE just said that we could not do that. We had to take the company it suggested or nothing. For fear of losing the funding, we just had to accept it. The company has been fine but it is not the service of his choosing. Will the Minister of State clarify that for me? I understand that people providing fewer than four are exempt from the regulations, but will the Minister of State guarantee that they will, notwithstanding that, be allowed to receive State funding to provide the very valuable services they do? I thank the Minister of State for his patience on that.

Acting Chairperson (Senator Alison Comyn): Before we move to our next speaker, I welcome to the Visitors Gallery, Mr. Matthew Wagner, who is a guest of Deputy Mary Lou McDonald. I hope you enjoy the rest of your day. It is quite timely then that we are moving to our next speaker, an Seanadóir Joanne Collins.

Senator Joanne Collins: I welcome the opportunity to speak on the Bill. As my colleague Senator Tully said, we will support this on Second Stage because the private home care sector must be regulated and families deserve basic assurances of safety, standards and accountability. Supporting a Bill is not the same as applauding the Government's record on this. The legislation is necessary but it is also a stark admission of how little has been delivered and how low the Government's ambition has been and has fallen when it comes to home care. In plain language, this Bill is about regulating providers; it is not about delivering entitlements for patients. We support it because families currently rely on a patchwork system. Some receive HSE-approved and HSE-provided support, which is often rationed and insufficient. Others depend on a growing private market where standards and oversight have not always matched the vulnerability of those receiving the care. Registration, inspections, enforceable standards and accountability are the minimum that people should expect. Regulation is overdue and it is an essential part of any future statutory home care scheme. However, the problem is that the Government will undoubtedly present this as progress towards that scheme. The reality of this is very different. The current and previous programmes for Government promised a statutory home care scheme and after five years what has been delivered is a register for providers. People were led to expect something completely different and something comparable to the nursing home support scheme, namely, a pathway to universal home care that is planned, funded and delivered as part of a properly resourced public health and social care system.

Instead, this Bill says nothing about access, affordability or entitlement. It risks embedding a model that is designed around private provision rather than building a genuine public capacity. Regulation is not the same thing as a statutory scheme. Regulation can help prevent poor practice and protect vulnerable people, but it does not guarantee someone will receive the hours of support they need. It does not guarantee continuity of care. It does not guarantee that an older person or a person with disability can remain safely and independently in their own home. The Bill contains no answers for the families that every day ask questions like who qualifies for support, how quickly will the support be provided, what is the maximum waiting time, how are different levels of need assessed and what happens when a family cannot afford additional care. If the Government is serious about shifting care into the community, home support cannot remain as a discretionary service. It must become a right and it must be delivered to a high standard, with a defined timeframe and supported by transparent reporting and accountability.

What is needed now is the clear roadmap that we have been promised to the statutory home care scheme, with timelines, phased implementation and dedicated funding. We need a genuinely needs-based system that recognises the difference between basic home help and high-dependency care and the guarantee of access based on needs rather than availability. While we support the Bill because regulation is necessary, the Government should not confuse a regulatory register with a statutory home care scheme. Families need rights, access, affordability, and most of all, they need a Government that will listen to the actual issues rather than another promise deferred.

I am from County Limerick and I will give my own example. I know how important home care is, but I also know how detrimental it is when you cannot get home care. My mother has late stage dementia. My dad minded her at home every day because he made a promise to her that he would not put her into care. He was awarded home care hours but there was nobody there to give them so now she is living long term in a respite centre. She cannot get a place in a nursing home because she walks too much with her dementia, so they will not take her in a nursing home. It is very unfair. My father is nearly 80 and he drives for an hour and 20 minutes every day just to get to see his wife for an hour. That is wrong. There is a breakdown of the system. It is just not right and it is breaking families.

Senator Sarah O'Reilly: I thank the Minister of State for coming in on this very important issue. I too welcome this long-overdue Bill. Introducing regulation and independent oversight for private, home support providers is absolutely necessary to protect vulnerable adults, who are essentially inviting strangers into their home to care for them. That is why I would like greater clarity on how inspections will work in practice. Unlike residential settings, these services are delivered in private homes. How will HIQA ensure standards are maintained, while respecting the privacy of individuals and families? How will consistency be monitored when care is taking place in thousands of different homes across the country? It is a very positive step and I welcome it. However, home care needs to be radically transformed in this country. We have an ageing population, yet we know that for the first three months of this year over 5,000 people were waiting for a home support service to commence.

Last year, I spoke to carers who were available and ready to work but the HSE had not released funded packages or hours because it had gone over budget. The staff were there for the people who desperately needed care and yet the service was not being delivered. What I

was hearing was that the HSE had run over budget, care packages had been approved, and that was giving a false reading of the situation because even though the packages had been approved, the HSE had not released them. There is that extra step. They were not released to the home care providers because of budgetary constraints. The Government increasingly relies on private providers to deliver home care while simultaneously failing to provide a public care structure that is fit for purpose. I ask the Minister of State to explain how many approved home care hours are currently going unfilled and what concrete steps are being taken to ensure that support is actually being provided.

Minister of State at the Department of Health (Deputy Kieran O'Donnell): How much time do I have?

Acting Chairperson (Senator Shane Curley): Five minutes.

Senator Victor Boyhan: On a point of order, can we clarify what was agreed on the Order of Business? I think it was 75 minutes for this debate, so the Minister of State has more than five minutes if he wishes.

Deputy Kieran O'Donnell: Do Members wish to come back in?

Senator Victor Boyhan: Yes.

Deputy Kieran O'Donnell: I am quite open to it if Members wish to come back in.

Acting Chairperson (Senator Shane Curley): What was agreed was eight minutes for the Minister of State's opening statement, five minutes per Member, and then the Minister of State to respond.

Senator Victor Boyhan: Can I suggest that within the 75 minutes if the Minister of State needs a bit of time he takes it. Is that okay with the House?

Acting Chairperson (Senator Shane Curley): Is that agreed? Agreed.

Deputy Kieran O'Donnell: I thank the members for their very constructive and heartfelt contributions. Virtually everyone spoke about a family member. There is probably no one out there who has not been in some way involved with family members, friends or relations of any form, in dealing with home support. To give context to my role, I have responsibility for older people in two Departments. The programme for Government outlines a commitment to design a statutory home care scheme, which I am utterly committed to doing, but I want to do it in a structured way. The first key element of that is to regulate the sector, which is unregulated at the moment.

I acknowledge and compliment the officials here with me on the serious body of work they have done on it. In many cases, a lot of the work is hidden but it is a huge amount of serious

work and I wanted to acknowledge that. I have no doubt but that we will discuss it in a lot more depth on Committee Stage. It is something I very much value.

I wish to acknowledge again what everyone else has done here. I will perhaps do it in reverse order. I want to acknowledge the family carers; the people in their homes. All Senators spoke but in particular, Senator Collins spoke about her mother and what her dad is doing. If there is something I can do, we can maybe talk. That is complete dedication from the Senator's dad. He is giving her that commitment and that is to be admired but it has an impact on the carers as well. I want to acknowledge the professional home carers across the public, private and voluntary sectors. They are all doing great work and that is hugely important.

What we are doing here is regulating the sector. It is the first step in designing a statutory home care scheme. We have to have a scheme that is based around need. We have to look at assessing that need. We need to put in place a service that serves people and is sustainable. It is something that, in my role, I am working on with the officials.

What I would like to do now is address, as well as I can, the particular issues raised by Senators. Senator Byrne made reference to demographics. We have an ageing population and we want to give more and more people the option of remaining at home. It is choice and for me, it is all about choice. As people get older, we want people to be in better health condition now than they may have been a couple of years ago. Home care is a huge element to that; meals on wheels is another element. It is across the spectrum, including nursing homes and acute hospitals. That is what we are looking to build into it.

Senator Boyhan raised a number of points. As for where safeguarding overall is, it was something I felt very strongly about when I came into the role because it is a key element in regard to older people in particular. The first thing I wanted was a commitment in the programme for Government to bring forward the first ever adult safeguarding national policy. We published that last December and the Government approved that policy. It equally approved us to proceed to bring forward legislation. We are working actively on it at the moment. I want us to bring that legislation forward towards the end of the year in regard to a general scheme. Once again, we must get it right.

The next issue Senator Boyhan rose came up everywhere. I am doing a body of work with the HSE at the moment around home support delivered by the HSE. I want to bring down the waiting lists. They are coming down but not at the rate I would like. The HSE has been given funding and, in regard to a reference Senator Tully made, there is no embargo on recruitment. The HSE has been given funding to recruit 257 additional home support and HSE home care workers, along with recruiting a number of people for vacancies. That is actively under way. It is something I want to see. I meet the HSE regularly on this and I very much want to see a structured approach.

Senator Costello made reference to it being an essential service. She referred to her own parents and the issues around protecting vulnerable people. There is a number of components. Regulating home support is hugely important because it will give that certainty.

I covered the points Senator Tully raised in sequence including, once again, the home support.

While I think Senator Stephenson has gone, that dovetails into the key points Senator Clonan raised. When I came in, I wanted to look at what the background was. It is effectively less than four but it is three or less. It was looked at as a proportionate measure. I happened to be in Wales for St. Patrick's Day and I met with the Minister in that area, along with her officials. At the time it was the Minister for Children and Social Care, Dawn Bowden. I went through, in depth, what they have done. In Wales, they have had it up and running for a long number of years. In their case, it is four or less. In our case, it would be three or less. The main reason that was done was proportionality. It is in this Bill as well. We are not including personal assistance, PA, services. The Department of children wished that PA services would not be included so we are not including them. If it wishes, we will but for the moment, that is its decision. PA services, in many cases, will be delivered by that lower number. We want a standard of care and it is something we will be looking at. The proportionate model was done in a way to ensure that it worked in practice.

Senator Collins made reference to the human aspect. It is something I am working on with the HSE. I want to see the HSE recruiting more staff. Senator Collins made reference to rural areas in many cases, and these are the areas I want to tackle with regard to bringing down the numbers. There are many areas of the country where there are not waiting lists. There are other areas where there are and I want to do a concentrated body of work. It is not just about putting the legislation in place. It is also about doing the day-to-day work, along with the officials.

Senator O'Reilly has gone. On the legislation itself, we are now proceeding to Committee Stage with Members and I really look forward to the contributions. There will then be regulations put in place in regard to how it works in practice. There will be a lead-in period. We have gone through this legislation in great depth and I think it will add to the quality, consistency and regulation of home support for people living at home, particularly for the service users themselves but also for their families and to give that level of assurance. What we want to do is progress it. It is the first step in designing a statutory home care scheme, which we are actively working on. It is something I am looking to bring forward as quickly as possible but I want to do it in a way where we have a structured approach, so that we get that something that is very much sustainable and is based around need in particular.

I hope that covers all the aspects. We can obviously go through the various sections of the Bill in great depth when we have Committee Stage, which will be next week. I thank the Seanad for facilitating it. This is about independent regulation of a sector that up to now has not been regulated. I think it is something that everybody can collectively agree on. I look forward to further engagement on Committee Stage and I thank Senators for their contributions.

Question put and agreed to.

Acting Chairperson (Senator Shane Curley): When is it proposed to take Committee Stage?

Senator Maria Byrne: Next Tuesday.

Committee Stage ordered for Tuesday, 23 June 2026.

Cuireadh an Seanad ar fionraí ar 5.49 p.m. agus cuireadh tús leis arís ar 6 p.m.

Sitting suspended at 5.49 p.m. and resumed at 6 p.m.

6 o'clock

Domestic Violence Judgments Register Bill 2026: Order for Second Stage

Bill entitled an Act to amend the Domestic Violence Act 2018 to provide for the setting up of a Domestic Violence Judgments Register in which judgments containing certain information in relation to the conviction of persons of certain offences may, on the order of a court, be contained; to specify the circumstances in which a judgment may be included in the Register; and to provide for related matters.

Senator Robbie Gallagher: I move: "That Second Stage be taken today."

Question put and agreed to.

Domestic Violence Judgments Register Bill 2026: Second Stage

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

An Cathaoirleach: The Minister, Deputy O'Callaghan, will speak for ten minutes and group spokespersons for eight minutes. The Minister is most welcome to Seanad Éireann.

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): I welcome the opportunity to present the Bill to the Seanad. Last October, the Government approved the drafting of the criminal law (sexual offences, domestic violence and international instruments) Bill 2025, in which today's legislation was originally contained. Publication of the report on pre-legislative scrutiny of that general scheme by the Oireachtas joint committee on justice took place in May of this year. Recently, I expedited the provisions relating to the domestic violence judgments register, as this necessary reform has been an absolute priority for me since taking office. I secured Cabinet approval to publish this as a stand-alone Bill last week. I took the earliest opportunity to bring it before this House. I am determined that this legislation will be enacted before the summer recess, and I am grateful to Senators for facilitating this important work.

Before setting out the content of the legislation, I welcome Jason Poole and his father, Joe Poole, to the Seanad. I wish to pay tribute to the Poole family, and particularly Jason, whose tireless campaigning for this Bill has turned it into reality. Senators will be familiar with the tragic story of Jennifer Poole, Jason's sister and Joe's daughter, who was brutally murdered by her former partner in 2021. Jennifer was not aware that her former partner had a history of violence against women, including previous criminal convictions in this regard. The Poole family has been steadfast in achieving change to protect women like Jennie from violent predators. I want to take this opportunity to affirm that the legislation they have worked so hard for will be known as Jennie's law in memory of this cherished young woman.

Jennie's law is a short, simple legislation but legislation that is a key component of the work we, as legislators, are undertaking to keep individuals safe. It is a fundamental principle of

Irish law that justice should be done in public. As it stands, there may be journalists present in courtrooms to report on such cases. However, equally and regrettably, there may not be. It should not be the case that serious incidents of domestic or sexual violence, assault or abuse go unnoticed or unreported. The purpose of this legislation is to provide for the publication of judgments relating to serious domestic violence offences, ensuring that these are effectively publicised as part of the trial process. A publicly available register of judgments will assist people who are in a relationship or considering a relationship with a person to ascertain whether they have a history of serious domestic violence convictions.

Let me turn now to the provisions of the Bill itself, which I wish to outline for the House. Section 1 amends the Domestic Violence Act 2018 by inserting a new Part 3A into that Act. This new Part 3A provides that the Courts Service will establish and maintain a register of judgments. This will be known as the domestic violence judgments register and it will be available on the *courts.ie* website. The register encompasses serious offences, such as murder, manslaughter, rape and sexual assault. In addition, a number of indictable offences under the Non-Fatal Offences Against the Person Act 1997, such as assault causing harm and serious harm, harassment and stalking are covered. Coercive control under section 39 of the Domestic Violence Act 2018 also comes within the scope of the legislation as well as distributing, publishing or threatening to distribute or publish an intimate image without consent under Coco's Law. In short, the register will capture these extremely serious crimes where they are committed by a partner or a former partner, usually, but not always, a man, against a victim, usually, but not always, a woman.

It is at the discretion of the trial judge whether to publish a judgment, which must include details of conviction and sentence, as well as the name, age and address, where available, of the abuser. The judge in a case is best placed to determine whether the publication of a judgment is warranted, given the particular circumstances of each case. It is also open to the judge to omit the residential address of the perpetrator where it is not considered appropriate to publish this information. I want to stress that a judgment may only be published where the victim gives their consent. Such consent is a prerequisite to publication. I am very aware that domestic and sexual abuse trials are difficult for victims. They have had the courage to stand up to their abuser and secure a conviction in respect of the violence perpetrated against them. To be clear, the victim will not be named in these judgments. Nevertheless, where the perpetrator is named, the victim may be identifiable. As such, publication cannot and should not occur without their consent. Where a victim is deceased, the decision on publication rests with the court.

Part 3A also sets out a procedure by which a convicted person can apply for the relevant judgment to be removed from the register. An application can only be made three years after the person has served their sentence and been released from prison. In considering whether removal of the judgment is warranted, the judge must have regard to any further convictions or any efforts at rehabilitation on the part of the perpetrator. Importantly, the views of the victim are also to be considered, where they are available.

Sections 2 to 4, inclusive, provide for consequential amendments to the Criminal Law (Rape) Act 1981, the Non-Fatal Offences Against the Person Act and the Harassment, Harmful Communications and Related Offences Act 2020, respectively. In essence, these amendments

ensure that nothing in those Acts precludes the publication of a judgment in the domestic violence judgments register.

Section 5 is a standard provision which provides for the Short Title and commencement of the Bill. As I said at the outset, this is a short and simple legislation, but nevertheless one that will provide a person - and we know they are mostly women - with important information in relation to safety. It will establish a mechanism to seek out from an official source detail of a history of serious offending that would give warning of an increased risk of domestic, sexual or gender-based violence. This will benefit those in a relationship or considering entering a relationship with such a person, rather than relying on secondary material, such as media reporting. At this juncture, I reiterate that this measure is one component of our fight against violence against women and girls. Combating all forms of domestic and gender-based violence and ensuring that victims and survivors are fully supported remain absolute priorities for me and the Government. These commitments underpin our third national strategy on domestic, sexual and gender-based violence, which sets out a zero tolerance approach in this regard. We are taking unprecedented, whole-of-government action to tackle the scourge of domestic, sexual and gender-based violence.

Since 2020, we have moved from a fragmented system to a co-ordinated national response centred around zero tolerance. This includes the establishment of Cuan. The publication of the CSO sexual violence survey 2022 significantly strengthens the evidence base with a further national survey planned for 2027. We have also delivered high impact national awareness campaigns to improve understanding of domestic violence and increase awareness of available supports. These actions are supported by a budget of €80 million under budget 2026, ensuring sustained support for front-line services. The delivery of safe accommodation is being accelerated and commitments have been made in that regard.

I recently published the progress report on the implementation of the zero tolerance strategy for 2025, which highlights delivery across key priority areas, including improving access to justice, advancing the national emergency domestic violence accommodation plan and progressing legislative reform. The enactment of the Family Courts Bill in 2024 established dedicated family courts to provide a more appropriate and sensitive setting for victims. I also secured approval for the publication of the Guardianship of Infants (Amendment) Bill 2026, which is inspired by David French. I welcome him to the Seanad this evening. It provides for an application to the courts, following conviction for murder or manslaughter of one parent by the other, for the consideration of whether guardianship rights should be restricted or removed.

The Bill passed Second Stage in the Dáil on 21 May and completed Committee Stage last week. It will give effect to the examination of reforms in this area, including proposals to remove or restrict guardianship rights from those convicted of killing their partners, or a parent of their child, as part of the ongoing work to implement appropriate recommendations from the familicide report.

I stress that I and this Government are taking decisive steps in this regard. It is something I wish to continue to do. The legislation before this House today allows for further protections through, at the discretion of the court, the publication of information in relation to those who have committed very serious offences. As I was saying, knowledge is power, and the register will provide people with this vital knowledge so that they can make informed decisions about their relationships.

I would like to close by once again paying tribute and affording thanks to Jason Poole and his family. Their dedication to the campaign has been inspirational and this legislative reform that we are introducing is a fitting tribute to Jennie's memory. I conclude by asking Senators to work with me to get this law through this House before the recess. Go raibh míle maith agaibh go léir.

An Cathaoirleach: I join with the Minister in welcoming the Poole family to the Distinguished Visitors Gallery and I thank them for their work on behalf of the memory of Jennie and all those who are affected by domestic violence.

I now call on Senator Gallagher.

Senator Robbie Gallagher: With the permission of the House, I would like to share time with Senator O'Loughlin.

An Cathaoirleach: Is that agreed? Agreed.

Senator Robbie Gallagher: The Minister, Deputy O'Callaghan, is very welcome back to the Seanad to discuss this very important matter. I put on record again my appreciation for the vigour, the enthusiasm and the determination that he has brought to this portfolio and the changes he is bringing in. They are all very important, including the particular issue we are discussing here this afternoon. I thank him on behalf of us all in the House. I would also like to welcome and acknowledge the presence of Jason and Joe here and to commend them as well, along with Deputy Paul McAuliffe, for their work in this area. I also welcome David French and commend him on the work and advocacy that both families have undertaken in extremely difficult and painful circumstances. Both families are to be commended on the huge effort they are making to bring much-needed change in both areas. We owe you all a deep debt of gratitude in that regard.

The Minister outlined the Bill as he is presenting it here this afternoon. I am sure all Senators will enthusiastically get behind that and make sure this legislation becomes law as soon as possible. The scourge of domestic violence still haunts us as a country. The statistics, unfortunately, seem to be going in the wrong way. I just came across statistics back in 2024 and An Garda Síochána responded to something like 65,000 call-outs from domestic abuse situations in one year. That is 1,250 calls every single week of the year. Those figures are truly frightening and hugely disappointing. I imagine the courage it took for those 1,250 people to pick up the phone and to make that call initially. We can only imagine how painful and stressful that was but I salute those great people and hope their lives are in a better place today for making that call. I also make an appeal here to all women, girls and children who find themselves in a similar situation to please, please come forward. May they get the courage to pick up the phone, ring a friend or ring a member of the Garda, and not suffer in silence, because there is help out there. The biggest step is the first step. That is the step when they pick up the phone and make that call. I make that plea to anybody who finds themselves in that horrible situation to please come forward.

The business as outlined by the Minister this afternoon is a huge positive step forward. This register will give hope and clarity to many people. There are also safeguards for those who

will find themselves on the register, which the Minister has outlined in his report. Suffice to say, and I will conclude on this point, I commend both families on being here. I commend the Minister on the enthusiasm and the vigour he is bringing to the Department, particularly around this issue. I will hand over now to my colleague, Senator O'Loughlin.

Senator Fiona O'Loughlin: As the Minister knows, just over five years ago, on 17 April 2021, Jennie Poole was killed in cold blood in just seven seconds by her former partner. Jennie had done all the right things. She had finished the relationship when she saw signs of domestic abuse and coercive control. Jennie's family, much bereaved, started a campaign at that point to make sure her legacy would live on. Jennie was a much-loved daughter of Jackie and Joe, and Joe is with us this evening. She was a much cherished sister of Jason, David, Clara and Lorna. Jason, an effortless campaigner, is also with us this evening. Most of all, she was a wonderful mother to Nevaeh and to Zack. She was beloved by so many and, as Jason said, she had so much more to give to this world.

I want to commend all of the work that Jason, in particular, has put in over the last five years. He never took no for an answer. He worked with me, Deputy McAuliffe and the Minister, Deputy O'Callaghan, to make sure we would get to this day. It nearly gives me goosebumps to hold this legislation in my hand. I also want to welcome David French, who I met a number of weeks ago and I know has campaigned tirelessly for Valerie's law. It is a great tribute to the Minister that within just over a year of him becoming Minister we have before us both pieces of legislation, which make a huge difference to victims of domestic violence and their families. We would far rather that there were no victims, and that the Minister would have put a lot of preventative measures in place, but sadly we have victims and we must do our best to support them.

The Minister said he was determined that this legislation would be enacted before the summer recess. He gave his word and his word was his bond. I certainly appreciate that having initiated Jennie's law in the Seanad, he chose to start this really important legislation in this House. That is very much appreciated. He has said that Jennie's law is a short Bill but a key component of the work he and his Department are carrying out. It may be a short Bill but it is dealing with an incredibly complex situation. I have no doubt that when this is enacted it will give victims - mainly women, as he pointed out - important information in relation to safety. It will establish a mechanism to seek out, from an official source, details of a past history of serious offending that would give warning of an increased risk of domestic, sexual or gender-based violence. This really important information will benefit those in a relationship or considering entering a relationship with such a person, and this is what Jason has campaigned for all of the time. The Minister spoke about the way this will happen within the court system, and I note that within the legislation, where a victim is deceased the decision on publication rests with the court. I certainly hope that the court would take notice of what the family in this situation want. That is particularly important.

My time is now up. I ask for the support of all my fellow Senators who have supported Jennie's law along the way to ensure we pass the necessary Stages in the Seanad and the Dáil in order that we have this legislation enacted before we go into recess, as a means of paying tribute to an incredible young woman, Jennie, and her relentlessly campaigning brother, Jason. Go raibh maith agaibh.

Senator Victor Boyhan: I welcome the Minister to the House again. I join Senator Gallagher in commenting about the positive zeal and determination he has for his portfolio. He has clearly demonstrated that. My only fear is he will have got through the whole programme for Government in terms of his own portfolio by the end of the year, but that is a nice objective, a nice date and a nice timeline. I wish him well with all of that.

I welcome Jason Poole and Joe Poole. I know it must be a very painful journey for them. It is great they are strong enough, able enough and robust enough to drive the campaign for Jennie's law. What a fitting tribute that they have the energy and the support. They clearly have the support of the Oireachtas and the Minister. That is critical in getting legislation. It takes a lot to get any legislation into Leinster House. I am delighted and I take on board what Senator O'Loughlin spoke about in terms of her commitment and that this legislation was initiated in this House, which is important. There is not all that much legislation initiated in the Seanad. I also thank the Minister for that. I also welcome David French, who has had his own difficulties in his family, and his campaign, advocacy, belief and commitment to getting justice too.

This is the Domestic Violence Judgments Register Bill 2026. The Minister made an ask, as did Senator O'Loughlin, in relation to the Minister's hope and ambition to get this law through the Houses. I give the Minister an absolute commitment on behalf of the Seanad Independent Group that there will be nothing standing in the way of or frustrating in any way to delay this legislation. The passage of this legislation will have significant support across the House. It certainly will have it from our Members. We do not envisage any delay on any Stage for the rest of this legislation. We wholly and fully support the Minister in his endeavours.

The Minister said this was a short piece of legislation. I prefer to use the word "concise". That is the clever nature of the Minister being a barrister, with that training, and also his parliamentary draughtsmen, advisers and officials in the Department. At this point, I acknowledge the staff who support the Minister in this important work, who are the unsung heroes many times in Departments in particular around legislation. This is a concise piece of legislation that will provide individuals - as was peppered throughout the Minister's speech we know this is more commonly associated with women - with important information in relation to safety. It will establish a mechanism to seek out from official sources details of past history and serious offending that would give warnings of an increased risk of domestic, sexual or gender-based violence. This will benefit those in a relationship or considering entering a relationship with such a person rather than relying on secondary material of such reporting. The measure is one component of our collective fight, and it is important it is a collective fight, against domestic, sexual and gender-based violence.

I take this opportunity to also acknowledge the support of advocates. There are many advocates who have for many years been working quietly away in being supportive of people who are victims of domestic abuse, coercive control and many aspects covered in this Bill. Many of them have gone around in silence for a long time but that day is over now and people are talking about it. A great thing is the collective - men, women and all people - recognition of the absolute damage and devastation domestic abuse does to family, people, our society and our communities. There is no point in going on at length to speak for my full time; it is not necessary. I am fully committed to every line in this legislation. I commit the Seanad Independent Group to doing likewise.

Senator Garret Kelleher: Cuirim fáilte roimh an Aire, an Teachta O'Callaghan, agus ba mhaith liom ár mbuíochas a ghabháil leis as ucht teacht inár measc anocht agus páirt lárnach a ghlacadh sa díospóireacht.

Thar ceann Fhine Gael, fáiltím roimh an mBille atá os ár gcomhair anocht. Is céim thar a bheith tábhachtach agus fhorásach í an Bille seo i dtreo feabhas a chur ar na cosaintí atá againne inár gcóras ceartais choiriúil dóibh siúd atá i mbaol foréigean teaghlaigh nó foréigean baile. On behalf of the Fine Gael group, I welcome the Bill before us as a progressive and necessary step, which I believe will provide additional safeguards for persons at risk of domestic violence. As I stated in this Chamber last month during the Fianna Fáil group's Private Members' Bill on domestic, sexual and gender-based violence, it is essential that supports for victims are at the heart of what we do when legislating. In this regard, this Bill has a victim-centred approach and its core. I welcome the requirement for a victim to give his or her consent before the person convicted of a crime against them is added to the public register. This mitigates against the possibility of justice being delivered in a way that goes against the wishes of victims and therefore reduces the possibility of victims being retraumatised after the offence against them has taken place.

Like the Minister and other contributors, I also welcome Jason Poole, Joe Poole and David French to the Seanad Chamber. I am conscious the provision to which I just referred would not have applied to either Jason's or David's sisters, Jennifer Poole and Valerie French, both of whom lost their lives as a result of domestic violence. I also wish to take the opportunity to thank Jason, David and their families for their ongoing and tireless campaigning.

One of the expressed aims of the Bill is to assist people in a relationship, or considering entering into a relationship, with a person to ascertain whether that person has a history of serious domestic violence convictions. A possible unintended consequence of the register is that by its nature it can never be complete and may give the impression that persons not listed on the register can be considered safe as prospective partners, which is not necessarily the case. This is something that we need to bear in mind on the remaining Stages of the legislative process. The Minister may wish to comment on that at the end of the debate. I welcome that the register will be implemented in a broader context of preventative and protective measures, such as Operation Devise, and the information will be presented in a way that is linked insofar as possible with domestic violence services to ensure anyone consulting the register will be directed towards appropriate supports for themselves or another person about whom they are concerned.

In this context and in relation to strengthening the Bill through the later legislative Stages, I recommend further consultation with groups such as Rape Crisis Ireland, Women's Aid and campaigners such as Jason, Joe, David and their families as well as Cuan, to which the Minister referred in his opening statement, to ensure we arrive at a robust final Bill which when enacted will protect some of the most vulnerable people in our society.

An Cathaoirleach: I call Senator McCormack.

Senator Maria McCormack: I am sharing time.

An Cathaoirleach: Is that agreed? Agreed.

Senator Maria McCormack: I welcome the opportunity to speak on the Domestic Violence Judgments Register Bill 2026. I acknowledge Jason Poole and the Poole family. The fact that we are debating this legislation today is due in no small part to their determination and courage in campaigning following the tragic death of Jennifer Poole. It is lovely to see them here with us in the Chamber today. I commend them on their bravery and continued work. No family should have to discover only after losing a loved one that there was in fact a history of abuse and violence they knew nothing about. Jennifer's story has highlighted a gap in our system and a failure to provide people with the information they may need to protect themselves. I know this too well from working with other advocacy groups, such as Victims' Voices, with which I have worked closely with my colleague Deputy Carthy on other pieces of legislation. They have told us this Bill is long overdue but also that we cannot just end up with a law that does not do exactly what it intends. Getting it right is important for victims and their families.

Sinn Féin supports the introduction of a domestic violence register and the intent of this Bill fully.

Domestic violence does not begin with a headline-grabbing assault. It often starts with control, intimidation, threats, isolation and fear. It can escalate over time, becoming more dangerous and more severe. From research and testimonies of survivors, we know that a documented history of abuse is one of the strongest indicators of a future in offending. This is why a register such as this has the potential to become an important tool in helping to protect people and prevent future harm. However, as highlighted during pre-legislative scrutiny, we must ensure we get this legislation right. One common concern raised by witnesses was the proposal that the offender could seek removal from the register after just three years. Jason Poole told the justice committee that three years is simply not long enough. That concern deserves serious consideration. The purpose of this register must be public protection first and foremost.

We also need to ensure that the scope of offences included is broad enough to reflect the reality of domestic abuse in Ireland today. Domestic abuse is not limited to physical violence. Victims and survivors have repeatedly told us about the devastating impact of coercive control, stalking, harassment, intimidation, sexual violence, financial abuse and image-based abuse. These behaviours can leave deep and lasting scars and can destroy confidence, independence and lives. If we are creating a domestic violence register, it must capture the full range of abusive behaviours that place people at risk. I also note the concerns raised by Women's Aid and others that breaches of protection orders should be included in the scope of this legislation. Where a court has already deemed it necessary to provide legal protection to a victim, repeated breaches of those orders should be treated with the utmost seriousness. Similarly, we must ensure that loopholes do not arise, whereby plea bargains or reduced charges allow perpetrators to avoid inclusion on the register altogether.

A register alone will not end domestic violence. We also need properly resourced Garda protective service units, adequate refuge spaces, specialist supports for victims and survivors, and a justice system that places their safety at the centre. This Bill, known as Jennie's law, represents an important step in the right direction. It is also great to have in the Chamber David French who is campaigning on Valerie's law. Sinn Féin will help at every stage to make sure this legislation goes through the Houses. I commend everybody on their work on this.

Senator Pauline Tully: I welcome this Bill as well. It is a important legislation. I acknowledge Jason Poole and his father Joe, along with David French for their work on both Jennie's law and Valerie's law. They have done immense work. It is unfortunate that people have to do something like that and that domestic violence is such a scourge in our society.

The Minister indicated that those convicted of serious incidents of domestic violence or gender-based violence could be included on this register, and I welcome that. He set out quite a long list of offences. However, with domestic violence, many people end up charged with summary offences and appear in the District Court, where barring orders, safety orders and protection orders are issued. They will not appear on this judgment register. People in a new relationship who are checking who they are getting into a relationship with will not see those people listed on this register.

Domestic violence, by its nature, escalates. It may start off with less serious incidents and then gradually increase. I am concerned this may give a false sense of security to some people who, when checking this register, do not see the name of the person they are interested in on it. There needs to be assurances, given that not everybody will be covered by this legislation. I ask that it be extended to those who appear in the District Court and have barring or safety and protection orders imposed on them. We need to do as much as we can to deter people who are abusive to their partners. The threat of appearing on the domestic violence judgment register could be a very good deterrent.

I agree with my colleague that three years is not long enough. While we can look at this further when we come to Committee Stage, three years goes by very quickly. It should be at least five years, and maybe more. Anybody who is on this register and commits another act of violence should have their time extended without permission to come off the register.

The Minister indicated it would be at the discretion of the trial judge as to whether to publish a judgment. I have a concern about that because there is inconsistency among the Judiciary. I have talked to women who have said there is no point going to a certain court on a certain day when a certain judge is sitting because he will always side with the man. If they are going to court to get a barring order or safety order, they know there is no point. I have heard of another judge who blamed the local domestic violence service for informing people about their rights and more or less dismisses or undermines women who come before that court with concerns about their safety. I am really concerned that this is to be left to judges alone. There is an inconsistency there. There are some judges who do not necessarily understand what domestic violence is, do not have training in this area or choose not to.

As we know, even when a couple separates because of an issue related to violence or coercive control, the instances do not stop. I know of women who have barring orders in place, yet they are somehow still intimidated and controlled by the men, whether it is through access to the children or bringing them back to court for non-payment of maintenance. There are many issues there where people continue to exert control over their previous partner. Much needs to be done to ensure that perpetrators of domestic or gender-based violence are deterred from continuing what they are doing.

Senator Nessa Cosgrove: I am sharing time.

An Cathaoirleach: Is that agreed? Agreed.

Senator Nessa Cosgrove: Cuirim fáilte roimh an Aire. I pause to remember Jennifer Poole and Valerie French. I welcome Joe, Jason and David to the House and thank them for all of the important work they have done. I also thank Fianna Fáil Senators and TDs for bringing forward this important legislation. The Labour Party is very happy to support it.

The idea at the heart of the Bill is a simple one. People should have a chance to find out if their partner has a history of domestic violence. We can all agree that this is a very worthy and sensible aim. How do we do that in the most effective, safe and possible way? There have been different approaches to this in different jurisdictions and I want to talk about Clare's Law in the UK. It put in place a domestic violence disclosure scheme allowing police to both disclose and proactively inform people of their partners' relevant past convictions. The new register of domestic violence under this Bill, which we welcome, is different from the one in the UK. It is vital that we tease this out to make sure what the Government is doing here is the best way forward. There are concerns with both models. Given what the Government is proposing here is reasonably novel, we need to make sure we get it right. I am delighted we have this opportunity to speak about this.

Domestic violence disclosure schemes, like Clare's Law, have a couple of significant drawbacks. They rely on the police providing the information, and that carries the possibilities of delays. Reporting in the UK shows many women waiting hundreds of days for disclosures to be made. For women in dangerous situations, this is obviously too late. They also typically require direct contact with police to initiate the process. Sometimes that can pose a barrier for vulnerable women, particularly those from marginalised communities. The efficacy of those processes under domestic violence disclosure schemes has been questioned. With that in mind, I understand and commend the Minister for choosing a different approach here.

There are, however, also questions about the idea of a public register and I would like reassurance from the Minister that these have been accounted for. The information to be included on the register is, by definition, limited in nature, only relating to a serious conviction. Of course, the absence of information should not necessarily mean an absence of concern. If a person is concerned enough to consult the register in the first place, how do we make sure that if they find their partner or prospective partner is not listed, they do not take a false sense of security from that. We need to be careful to communicate that if something feels wrong, it probably is wrong and a clear register does not necessarily mean no threat is posed.

The need for victim's consent is in the legislation for good reason but could be a double-edged sword if victims come under pressure not to consent. These are vulnerable people who have been subjected to coercion, manipulation and violence in most cases. We need to make sure the supports are in place to allow them to safely make an independent and informed decision. In that regard, I give a shout-out to the safe to call initiative by the Domestic Violence Advocacy Service, DVAS. In my area of Sligo, the first safe to call centre has started up in the Ballymote Family Resource Centre where all staff are trained to recognise if someone is a victim of or has experienced domestic violence and coercive control.

This is not a silver bullet. We know the Bill is a start but it is just one part.

Under the Istanbul Convention, we are still not meeting our obligations. Unfortunately, I come from one of nine counties where there is still no refuge. All the surrounding counties, including Leitrim, Longford, Cavan and Roscommon have no domestic violence refuge. That is something the Minister can help to address.

We know that we need to have more ambition around this. Unfortunately, I am hearing stories around protection and safety orders that judges are ruling in favour of men and that there is an undermining of women. That is something that I hope we can continue to discuss here. I know this from working with Women's Aid and Domestic Violence Advocacy Service, DVAS. I hope that we can continue this conversation. I welcome and support the Bill. I thank the Minister for bringing it forward.

Senator Patricia Stephenson: I acknowledge Jason and Joe Poole and all their tireless advocacy. It is testament to how hard they have worked for their sister and daughter to get this over the line. I thank them very much. I acknowledge David French for all of the work that he has done for his sister, Valerie.

The Social Democrats welcome this Bill. The introduction of a register has a potential to act as a crucial safeguard for women suffering from abuse. All too often women are killed by men. Frequently, it is their former or current partners who have prior convictions for domestic violence. All too often women have no knowledge of this. As we know, this was tragically the case for Jennifer Poole. I join colleagues in acknowledging the tireless work of her family to bring this Bill to fruition and of Fianna Fáil Senators to ensure that her legacy will protect and empower countless other women who are facing the same situation, and what a legacy to have.

Several recommendations were made on the proposed register during pre-legislative scrutiny that I wish to raise with the Minister. First, concerns remain that the range of offences covered by the Bill are too narrow. While I welcome the inclusion of harassment and stalking offences under section 10 of the Non-Fatal Offences Against the Person Act, as well as offences under section 2 of Coco's Law, the committee also recommended the inclusion of offences under section 4 of Coco's Law. Why has that not been reflected in the Bill? Furthermore, the committee recommended that relevant summary convictions be included on the register, particularly breaches of domestic violence orders, especially in incidences where there are multiple convictions. Under the current proposals, such convictions would not meet the threshold for inclusion. This is creating a real false sense of security as a woman may presume that a partner who does not appear on the register poses no risk despite having a history of domestic convictions that fall below the legislative threshold.

Another significant concern raised was the need to protect against potential retaliation by perpetrators. Several stakeholders warned that victims may be deterred from releasing their name to the register for the fear of retribution with Rape Crisis Ireland noting that the possibility of such a register being publicly accessible could present a risk to victims and their families. That is particularly relevant in smaller communities and rural communities. The public availability of information disclosed to the register could make it relatively easy to identify a victim. We need to carefully consider these risks. A more controlled disclosure model may be preferable whereby a current partner can direct request for relative information. I note the concerns around the time that a perpetrator remains on that register and concerns that is, in fact, too narrow.

This is a welcome measure, but it will not solve femicide alone. I note the tragic death today of Noreen Daly, a woman in her 80s in Waterford who was killed in her home. We urgently need a host of other interventions from the Government as domestic violence and gender-based violence figures increase, and women continue to be killed. It feels like almost weekly this year that we read of another woman who has been killed. That includes reform of the civil legal aid system, which the Minister is working on. I have concerns that he is not reforming it against the minority report. It includes raising the eligibility thresholds so survivors can access justice. It includes more housing and more refuge space for survivors, as noted by Senator Cosgrove, and stronger measures to remove perpetrators from homes because we see women in this cyclical place where they can call a number and seek support but they are worried that they are going to go into homelessness and they do not take that step. As we know, leaving is the one of the most dangerous times in a survivor-victim's life. They do not feel that they have anywhere safe to go. They worry they are going to end up in homeless accommodation.

Legislation is coming to the Chamber this week, but we need to ensure that survivors are not forced to choose between counselling and pursuing a case and access to justice. It will require stricter regulation. Regarding the tech companies, we do not talk about it all the time in this space, but we see harmful online culture that endangers women and children and misogynistic norms being promoted by online platforms. This is part of the ecosystem. When we talk about prevention, we have to talk about education. We have to stamp it out in our online spaces and every aspect where we see this kind of violence being normalised.

Senator Mary Fitzpatrick: I thank the Minister for commencing Jennie's law in the Seanad. I acknowledge Jason and Joe Poole, David French and our colleague Deputy Paul McAuliffe. I particularly acknowledge all of the victims. It is Jennie's law, but it is about all the victims who have survived, who are living in fear and, most importantly, those who have not survived and are not here today. It is important legislation. I thank everybody who works on daily basis with victims, such as the volunteers who take phone calls and respond to victims in the moment of the crisis. That is incredibly challenging for any person to experience. I commend all those people who give up their talents, skills and energies every day to do that.

The legislation is clear and concise. The best Bills are clear and concise because that means they are easy to understand and easy to implement. There will be no confusion. It is going to be clear. If someone is convicted of a domestic violence offence, it is going to be made public. There is huge power in its simplicity. I commend the Minister on that. It is an important practical step.

Regarding the register, when we start from scratch with something, it is not going to be perfect. We all accept that. We had contributions on that. Universally so far, there is support for this legislation. The House is very clear. I acknowledge the concerns being raised about the types of offences that are included. I hear the concerns about the three years and being able to apply to have one's name removed.

Regarding the issue about the consent of the victim being required, it is a very hard thing to get our minds around, but we have to think it through. It is incredibly challenging to get this right, but at least we are starting, and the Minister is starting. It is important that we have this legislation. It is commencing in the Seanad. It gives us all an opportunity to contribute to it and support the work that is being done to support victims. It gives us a unique privilege to

enact legislation that will empower people with information and help to reduce risk, prevent harm and save lives, hopefully. Most importantly, it will honour victims. I am happy and honoured to play a small part in supporting this legislation. I thank the Minister for commencing it in the Seanad.

Senator Rónán Mullen: Cuirim fáilte roimh an Aire agus roimh an mBille tábhachtach seo. I will not say much other than to signal my support for this important and humane legislation. I commend the Fianna Fáil Senators, all those involved and the Minister on bringing this forward. These are the better moments in our society when family members and loved ones act out of their own grief and pain to seek change in some way as a fitting memorial to person they have lost but also in solidarity with others who may have been similarly affected or might be affected. That is always very impressive. A lot of us have great admiration, for example, for the Kevin Bell Repatriation Trust, which grew out of a family's loss of a loved one abroad. Their fundraising to bring him home led to them acting in solidarity with others who find themselves in a similar position. We see it in the countless good works being done by people who have lost a loved one or family member to Alzheimer's or cancer or who appreciate the help and support they got from a hospice. They go out and fundraise to assist others.

The loved ones and families who have acted so importantly and well in pressuring for this change in the law stand in that same tradition of reaching out from one's own grief and loss to make a difference for the sake of others, who might be affected in the future, to prevent, of course, more than anything else. I add my words of welcome to David French and to Jason and Joe Poole, who are here today.

I also note what Senator Stephenson had to say about the wider toxic culture that exists. She mentioned in particular, and she was right to do so, online culture. In reality, no one piece of legislation can help us address the mountain of problems we face as a society as we grapple with the problems of violence, predatory attitudes and so on. We discuss it every single day in the Seanad.

One area of concern for me is that of pornography, which is doing huge damage to young people online. It is rewiring their brains and hurting their ability to develop emotionally. It is inculcating negative attitudes between young men and women, in particular, and is leading to a range of problems. We have been talking a lot these days about the need to ban under-16s from being able to open accounts on social media. In fact, there is a toxic trio online, which is not just social media, but pornography itself and also video games. I was reading about Grand Theft Auto only the other day, and this strange world that people can inhabit, which isolates them from others and where they are living out most unhelpful fantasies. In Grand Theft Auto a player can hire a prostitute or a hitman. I know I am straying from the immediate context, but what I am trying to say here is that while legislation alone is important, we have a mountain to climb in helping to make our society safer again, particularly for women, but also for men and children.

Let us all recommit to working to make our society safer and to making the necessary policy choices in order to try to achieve some of that. I offer my sincere congratulations and support to the Minister and everybody involved in this important legislation before us.

Senator Anne Rabbitte: I welcome Jason and Joe Poole and David French to the Visitors Gallery.

I welcome the opportunity to speak in support of this Bill, which is known as Jennie's law. I welcome that at its heart it rests on a simple principle: when a person is convicted of a serious crime in an open court, that conviction is public and the public are entitled to know what it is about. I acknowledge first and above all, Jennifer Poole and her family who turned the most profound grief imaginable into a campaign for change. Jennie was murdered by her ex-partner in 2021. She was a mother, a daughter and a sister. That this law now carries her name is a measure of her family's courage. We owe it to them and to her memory to get it right.

Let me set out what this Bill is about. It inserts a new Part, Part 3A, into the Domestic Violence Act 2018. It establishes a register of judgments, maintained by the Courts Service and made available to the public on a website, for serious domestic violence convictions on indictment. Where a trial judge deems it appropriate and subject to the victim's consent, a judgment setting out that the conviction and the sentence can be published will be under a clear, findable heading of a domestic violence register of judgments.

I will be clear about what this is and what it is not. It is not an additional form of punishment. It supplements the publicity a case already receives through media attendance and reporting on proceedings. What it adds is durability and accessibility because reporting fades but a register endures. It helps a person who is in a relationship, or considering one, to ascertain whether the person they are involved with has a history of a serious domestic violence conviction. That is information that can save a life. We have built this carefully. This register links, as far as possible, with domestic violence services. Anyone consulting it, whether for themselves or for someone they are worried about, is directed towards real support. Inclusion is at the discretion of the court.

Of course, lots of ladies have said here that a register alone is not a solution. It is one part of a broader comprehensive strategy. In that context, it sits within a record of sustained reform since 2020. We have moved from a fragmented system to a co-ordinated national response, including the third national zero-tolerance strategy; the establishment of Cuan, which is a dedicated agency providing leadership and oversight; a stand-alone offence of stalking, which carries penalties of up to ten years; a new offence of non-fatal strangulation; and the doubling of the maximum sentence for assault causing harm. This is not the only reforming law before us. Alongside this, the Minister will advance Valerie's law, to remove guardianship rights for those convicted of killing their partners. Each of these answers a real need voiced by real families.

We are backing these reforms with resources of almost €80 million under budget 2026 for front-line services. These include a commitment to deliver hundreds of safe spaces, new refuge units, new safe homes significantly increasing capacity nationwide, and an EU-level agreement reached in December on the victims' rights directive, which Ireland will move to transpose. Taken together, these measures represent real, tangible progress across funding, legislation, prevention and victim support.

Today our focus is on one family, one name and one principle - that the public are entitled to know. I welcome this Bill. I commend Jennie's family on their extraordinary advocacy. I

acknowledge the role of Senator Fiona O'Loughlin and Deputy Paul McAuliffe. I urge every Member to support it, as has already happened here, and I thank them all for their support.

Senator Alison Comyn: I particularly welcome the Minister, when he has this important legislation in his hands. As Chair of the joint Oireachtas women's caucus, I know I speak for all my colleagues when I say that this is vital and warmly welcomed. I look forward, as the Minister said, to it making a swift passage through both Houses. I particularly acknowledge my colleagues, Senator Fiona O'Loughlin and Deputy Paul McAuliffe, who have made this possible and, of course, the families of the two victims, for whom both these laws are suitable tributes. I welcome Jason Poole and Joe Poole to the House. Jennie was murdered by her ex-partner in 2021 and David French and his family have fought relentlessly to remember Valerie, who died in 2019.

I have spoken in the past about being a journalist. When I went to report on domestic abuse, it was sometimes seen as a private matter and not something that anybody would be interested in, but the fact is that it is the same as any other assault. It is heinous and it should be made public. I am delighted that this has brought it out of the shadows and that it will firmly remain in the public domain. It is quite sad and poignant that today is the anniversary of the death of the British MP, Jo Cox, who was brutally murdered in the course of her everyday business. She was a mother to two very young children. It shows us that the fight against domestic abuse of women, men and children, is relentless. My colleague pointed out some statistics. An Garda Síochána responded to over 65,000 domestic abuse incidents in 2024. That is over 1,200 incidents per week. Let that sink in for a second. We have an epidemic of it.

When we are looking at the dating game, if we want to call it that these days, it is so far removed from where it used to be many years ago. You might meet somebody in person or through family or friends, at the local disco, even through the church maybe, where you would have some hope of knowing who they were, their background and vetting them, for want of a better word, yourself or through friends or family. Nowadays, when people go online they have no idea who they are speaking to and have no idea of the person's background. For some of the victims and survivors we are talking about here today, if they had known, at least they would have had a sporting chance of making their own decision, but that was taken out of their hands. I wholeheartedly support this and I look forward to seeing how it will work in reality. It puts the power and empowerment back in the hands of the survivors and that is where it should be.

On a final note, if anyone is going through any kind of domestic abuse, even if they think it is small, or there is a red flag as they say these days, there is support available. I urge people to contact An Garda Síochána, which now has very specialised trained units, and their local domestic abuse support services. That is what they are there for.

7 o'clock

They should talk to a family friend or whoever it is. They should not stay in the shadows. This is firmly out in the public, where it belongs.

Minister for Justice, Home Affairs and Migration (Deputy Jim O'Callaghan): I thank all Senators for their contributions and, more importantly, for their support. It was mentioned that

I started this legislation in the Seanad. I do not want to be unfair to the Lower House, of which I am a Member, but sometimes in the Seanad we get a more considered and non-political response. That is certainly what I have got this evening, and I will take on board what has been said by Senators from all parties and none.

I acknowledge the role of Senator Fiona O'Loughlin and Deputy Paul McAuliffe, who put constant pressure on me. It is important that pressure is there. Sometimes it is easier not to legislate unless there is an absolute requirement for it. This is a choice that we in the Houses of the Oireachtas, and I, as Minister, are making to decide that this is a change of the direction that we wish to go in our criminal justice system. It is important legislation, notwithstanding the fact that it is concise.

We can understand the need for this. On the Courts Service website at present, there is a section for judgments. After clicking into that, one can see judgments from the Supreme Court, the Court of Appeal, the High Court and some from the Circuit Court. What is noticeable is that, in respect of the vast majority of judgments, none of them relate to criminal matters unless they are criminal cases that have been appealed to the Court of Appeal. The reason this applies is that if a person is being prosecuted for serious assault causing harm, and if they are convicted, that is going to happen in the Circuit Criminal Courts around the country. The only way that we become aware of that is through the reportage of it by persons who were in court, such as journalists.

At the end of every criminal case, there is no written judgment of a judge in the same way as there would be in a civil action in the High Court. If there is a case in the High Court and the parties are heard, the judge will reserve judgment in many instances, and we will then see a written judgment. In the Circuit Criminal Court, if somebody is convicted of serious assault causing harm, there is no judgment but there is the finding of the jury, and then there is the sentencing by the judge. In general, we do not get reserved judgments in respect of that.

My view, and I know it is the view of everyone here, is that since the Constitution says that justice shall be administered in public, it is important that we know what is happening in our criminal courts. Regrettably, because of the growth of the courts system and the growth of our population, it is not possible for journalists to be reporting on what is happening in every Circuit Criminal Court in the country. It is simply not tenable for that to happen. We have a very busy Central Criminal Court sitting in Dublin, Cork and Limerick. That is where most of the media attention is, and that is the reportage that we see in general on the news at nighttime.

What is happening frequently throughout the country is that the decisions and convictions are being imposed, and people do not get to hear about them. If people go online and try to find out about them in a similar way to the reserved judgments that can be accessed, they will not be able to find reserved convictions or reserved orders. The only way they will find out that somebody has been convicted in a Circuit Criminal Court of a serious offence, or an offence causing serious harm against a partner, is if a journalist happened to be in court and reported it. It is a major failing in our system that justice, which is being administered in public, is not really available to the public in the same way as other types of cases are if they have a reserved judgment.

This Bill marks a significant change in direction. It recognises for the first time that we are giving a statutory power to the courts to say that when it comes to certain types of convictions

by the criminal courts, a judgment can be prepared and delivered which will be put on the register of judgments as provided for in this legislation. That is an important departure and will be beneficial.

Many Senators referred to other types of offences that should be included within it. The most important thing to say about this legislation is that it only kicks in on conviction of a criminal offence. It is not going to arise, nor could it arise, in respect of breaches of orders that arise in family law proceedings. As we all know, one of the few areas where there is an exception to the administration of justice in public is family law, where you are not allowed to attend out of a legitimate and understandable requirement to protect the identity of people before the courts.

There is an issue in terms of providing basic information to which people are entitled. Any member of the public can go into a court on any day of the week. They can sit at the back at any prosecution for assault causing serious harm. They can sit there and watch the judgment. They can find out that a person has been convicted of assaulting their partner and they can talk about it. Unfortunately, we are dependent to a large extent on finding out about this through journalism. In fairness to journalists, they cannot cover all courts, and even if they could, not all of them would be reported.

I have listened very carefully to what Senators had to say, in particular the points raised by Senators Kelleher, Stephenson and Cosgrove. As Senator Cosgrove said, this is not a silver bullet. Any time that a judgment is published on the Courts Service register, it will be publicly available. However, just because somebody is listed does not mean that there are not others who have been convicted but are not listed. The reality is that not everyone who is convicted will be on it. Nor would I like a message to go out so that people would think, "Oh, my new partner is not on the register and therefore everything is fine". We need to realise that this is not going to solve every issue. It is the start of a legislative process of ensuring that we try to make available more of the information to which people are entitled. It will ensure that, in a case like the tragic incident that happened to Jennifer Poole, if a judge sees there is a serious conviction and the court believes the person is a threat and a danger, in order to protect other persons, he or she, as a judge, can deliver a judgment identifying the person, and it is publicly available. That is an important development.

I also note the reference to the three-year period. I will give consideration to this issue. I need to ensure, though, that this is not something that is going to be challenged. I would prefer to start cautiously and then move to expand it more, rather than start in a very expansive way and then be challenged before the courts, perhaps successfully challenged. However, it is something that needs to be considered.

Senator Stephenson referred to summary convictions. At present, I am limiting it to the convictions that are set out in the Bill. I am conscious that we do not want to inundate the system with a large number of judgments. It is important that we start this, see how it develops and see what types of judgments are coming out of it. I have no doubt that, in time, people will say that we can improve this legislation by doing something else. However, the start is a significant point for us. It is a start where these Houses are recognising that there is a constitutional mandate for justice to be administered in public, and this is building on that.

A number of Senators mentioned broader issues. There are a huge number of issues that are influencing and affecting violence against women and girls. Senator Mullen and others mentioned the level of violence and extreme pornography that is online at present. What that is doing is distorting the development of the sexuality of younger people. It is making them think that what they are seeing online is somehow the normal way that people engage in their sexual relationships. That is having a very distorting impact on the sexual development of young men and young women. Also, I regret to say, and I know this from the Garda, it is increasing the level of violence that is being used in sexual assaults.

There are huge issues out there for the Members of this House, the Government and the Dáil in terms of trying to respond to the real threat that is posed, predominantly to women and girls, through violence within relationships. I believe this Bill is a small but important legislative development. I thank Senators for their support.

I will conclude where I started by commending Jason Poole and Joe Poole on being here today and Jason on his continuous commitment. Legislation and politicians react to human stories and what has happened in human life. The story of Jennifer Poole is really what influenced this legislation, in the same way as the story of Valerie French influenced the guardianship of infants legislation.

Question put and agreed to.

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

Senator Fiona O'Loughlin: Next Tuesday.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Committee Stage ordered for Tuesday, 23 June 2026.

Cuireadh an Seanad ar fionraí ar 7.12 p.m. agus cuireadh tús leis arís ar 7.33 p.m.

Sitting suspended at 7.12 p.m. and resumed at 7.33 p.m.

Critical Infrastructure Bill 2026: Committee and Remaining Stages

SECTION 1

Senator Conor Murphy: I move amendment No. 1:

In page 3, to delete lines 26 to 31 and substitute the following:

" "infrastructure" means any infrastructure that enables essential facilities and systems of the State to function effectively and includes, but is not limited to—

(a) housing,

(b) health facilities,

(c) transport facilities, including ports and airports, and transport systems, including roads and railways,

(d) energy generation, transmission and distribution systems, and

(e) water supply, wastewater and waste management systems;"

Cuirim fáilte roimh an Aire. We raised in a previous debate the extent of what was considered critical infrastructure. I move this amendment because there are very obvious things, pressing things, which we speak about and debate every day in this Chamber and, I am sure, in the other Chamber in relation to housing and healthcare provision and facilities for such, and there is the idea that they would not be considered critical infrastructure at a time when there is such huge pressure, particularly on housing but also on healthcare. I know the Government has argued that there is flexibility to include healthcare and housing, but then why stipulate some areas and not stipulate those two areas? That is the question. Arguably, housing is the most critical infrastructure that is required. It is the primary crisis facing the Government and has been for some time, so I do not see the logic in not naming it in the Bill. We put forward this amendment in the hope that the Government would reconsider the position it had outlined previously and consider including these two areas in the listed parts of critical infrastructure in the Bill.

Senator Victor Boyhan: I support these amendments. They make common sense. I thank the Minister and his officials for coming to the House and for the work they have put into this legislation.

Today we had great fanfare from the Government press office, with the Minister for housing announcing the housing infrastructure investment fund, HIIF. If there was ever a case to have housing as infrastructure, it was today with that announcement. Everyone in the Seanad seems to have circulated it to all 31 local authorities because I have seen ten iterations in different forms, but this is the crystal-clear one, the Government Information Service one which sets out the great announcement.

Housing is infrastructure; it has to be infrastructure. It is a Government commitment. I have served for two terms on the Oireachtas joint committee on housing, planning and local government. Everyone in this room and this Parliament knows the importance of housing infrastructure.

The Minister will know that along the east coast we have a major deficit in sewerage and wastewater infrastructure. He will know how that has impacted housing and how An Bord Pleanála, now An Coimisiún Pleanála, indicated that it could not grant permission for many housing projects over the past ten to 15 years because of the lack of capacity in the sewerage system serving the east coast all the way over to Poolbeg. Again, there was the need for infrastructure. We were told there was this blockage in the infrastructure in relation to sewerage and water.

We all know about our health, the major health concerns and the plans in health. We have read in various iterations of legislation on planning that there are what are termed "serial objectors", or people who are frustrating the planning process in developing major critical infrastructure like health services. That is an important priority.

We see the major deficit and shortages in transport infrastructure. We do not see an eastern bypass, a circular road right around the coast, yet it has been on the boards for years. We look at Galway. I could tell the Minister about loads of projects where major deficits of

infrastructure have frustrated the roll-out and development of roads and facilities that bring on jobs, which are so essential to our economy, and housing.

We then talk about energy and the need to get solar, wind and wave energy. We are again told - and I agree to a certain extent about this, and others have lectured us on it - that there is this hold-up in terms of critical energy because of the infrastructure. We are not getting on with meeting our objectives in terms of producing alternative energy, and that is also a problem.

We see this in areas of agriculture, but I will not talk about agriculture because that is not part of this amendment.

Clearly, however, housing is an issue. I welcome this amazing commitment and ambition. It puts the people's money where the Government wishes to go in relation to the housing infrastructure investment fund. I did not make that title up; that is the Government's position. We have a housing infrastructure investment fund of millions of euro, with 82 projects in the first phase announced today. I welcome all that. That is not a criticism. We have challenges around health facilities and transport facilities, including our ports. We see the Minister talking about lifting bans in Dublin. We see issues around the various ports. We see the ambition for the western rail corridor, which I also support. All of these are critical components of infrastructure and layers of transport for goods and people and for our economy, and we have to invest in them all. Let us not be afraid to call it infrastructure.

The Government, as the Minister has indicated previously, will set this out. Nothing is set in stone. He needs a certain amount of flexibility in relation to these matters. However, we need to be clear, concise and strong in our messaging, and I never doubt that in the Minister. He brings great clarity to everything he does in politics. I have observed him for a considerable period, and one of the great things I admire about him is that he takes decisions.

He makes those decisions simple and brings great clarity to matters. I do not think it is unreasonable to send out a clear message to the citizens, the people the Minister represents. None of this conflicts in any way with Government policy or with the programme for Government. We need to send a message that the Government sees housing, health provision, transport, energy transmission and distribution systems, the water supply and wastewater management as key critical components of a vision and a plan for infrastructure. There should be some degree of certainty and clarity on these issues and this legislation. There may be another way of doing so outside of this amendment. I would welcome the Minister's considered view on these matters.

Senator Cathal Byrne: The Minister is most welcome to the Chamber this evening. I have said on the record of the House before that I believe this to be among the most important legislation that Senators will debate and discuss during the entire term of this Seanad. It is really important that, from the outset, we acknowledge the work the Minister and officials in his Department have done, together with the various task forces the Minister has also established. I am a member of the Oireachtas infrastructure committee. Over the past 13 or 14 months, we have examined a number of the key challenges the State is facing in delivering critical infrastructure projects.

On the amendment, I accept that there will always be projects that are considered critical, depending on where you are and how you look at things. I see the Enniscorthy flood relief

scheme in my own town as critical infrastructure. I have raised this with the Minister previously and, in fairness to him, he wrote back to me saying that there is flexibility within the legislation as currently presented to designate various projects as critical infrastructure. He stated that, rather than having a prescriptive list, there must be flexibility to account for what might be considered critical in the future.

I am particularly drawn to the wording in section 3, which speaks about how a project can be designated as critical infrastructure. Section 3(3)(b) states that among the matters the Minister must consider, whether now or in the future, as to whether a project can be deemed critical is "whether delay to, or disruption of, the delivery of a project or programme, or failure to deliver a project or programme, may have adverse economic or social consequences for the State". The provision of housing, healthcare, transport, energy, water and wastewater management systems can all be captured within that as failure to deliver these may have adverse economic or social consequences for the State.

When this legislation was originally proposed, given the enormous challenges we have had in Enniscorthy in delivering the Enniscorthy flood relief scheme, it was my view that there may need to be amendments, which I would have put down myself, to designate flood defences as critical infrastructure. However, based on the Minister's correspondence and the proposed wording of the legislation, I am now satisfied that those projects and other critical projects in the areas of housing, health, transport, energy, water supply and wastewater can be captured by the legislation as currently presented.

I fear that, if we get too prescriptive as to what exactly we can do, we will be tying the hands of the Minister or future Ministers in this regard. Making our definitions too broad could result in projects not having flexibility to adapt. I would hate to see the goal, that is, trying to speed things up, being frustrated and the Minister's hands being tied because we prescribed too specific a list. The definitions have to be as broad as possible. The Minister and future Ministers have to have as much flexibility as possible. We must also always be conscious that, in order to designate something as critical infrastructure under the legislation, a vote in Dáil Éireann is required. There is therefore a safeguard. For a project to be designated as critical infrastructure, it will have to be voted through in the Dáil.

I have a question for the Minister. What happens if a project has been designated as critical infrastructure, a designation order has been made to a public body to speed it up and that public body does not fully comply or delays exceed what would be reasonable given the State's designation of the project as critical? What safeguards are in place? If there is a difficulty with a public body in respect of a project, such as a health facility or housing, what happens? What protections are in place for the public and the taxpayer to make sure there is follow-through and sanctions and penalties? I know that, in theory, any public body can be brought before the Committee of Public Accounts but what exactly are the consequences if a body does not live up to what it is meant to be doing in respect of a critical project?

Senator Victor Boyhan: I will just come back in to address Senator Byrne's contribution. I agree with all of it. I just wanted to come in before the Minister replies. The Senator was right to say that these issues, such as housing, transport and energy, could be "captured". That is correct. I am not advocating for anything parochial. That is right. The Minister has said that before. We cannot get into the minutiae, fine and granular issues, or parochial projects,

although I do not mean to take away from the very significant damage caused by flooding in Enniscorthy and other parts of Wexford. It is important that we do not fall into the trap of being parochial, micromanaging or anticipating. Of course, there will be political manoeuvring. That is the very nature of representative constituency politics. However, I presume the Minister and the Ministers who come after him will be strong enough to resist that and there will also be accountability through this process.

The Senator also mentioned being agile and flexible. That is also important and I fully support it. We cannot be too prescriptive but we are talking about a very substantial amount of public money. We are here as elected representatives. We will come and we will go. That is the very nature of politics. We are here for a period of time. We are trying to make this legislation as robust as possible. I do not support anything parochial. It is important that the Minister and the Government have flexibility. It would not be right to be prescriptive in what we are talking about.

What I was trying to touch on is that it is important that we capture the importance of critical infrastructure and how it relates to housing, transport, energy generation and transmission, water supply and wastewater. We know that water supply and wastewater management are critically important and linked to successful applications for planning consent. There is a need for that. Housing is one of our greatest crises but we also need a vibrant, buoyant and competitive economy. That is important too.

I also want to put on the record that I am supportive of this legislation. I said that at the very outset. However, we are on Committee Stage and it is important that we tease out some of these little concerns. I can tell the Minister here and now that I am voting for this legislation. I support it. In all the years I have been here, there have not been too many Ministers who have come into this House and accepted any amendments from the Opposition. That shows an immaturity on the part of some Government Ministers who see fit to just come in here and say "Nay, nay, nay." They do not even really say it; they read it off a bit of paper handed to them from a folder. It is a case of "No, no, no". It is an insult to parliamentary democracy. Those are my few words on that.

Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Jack Chambers): In response to Senator Boyhan, I regret that I will be continuing that trend with regard to this amendment. I apologise for that. I thank Senator Murphy for the amendment, although I will not be accepting it.

I have been consistently clear that my central priority is to accelerate the delivery of critical infrastructure and specifically infrastructure in the energy, transport and water sectors. I focus specifically on these areas because they form the foundation on which all other social and economic infrastructure depends. We will not be in a position to build the housing and health facilities referenced by the Senator in his suggested amendment without adequate energy, water and transport supplies.

By accelerating the delivery of this core network infrastructure we can drive a wider acceleration across all forms of deployment and development, including housing. However, the definition of infrastructure is already drafted in such a fashion that this legislation is not confined solely to the areas listed in section 1. This is deliberate and ensures the Government has the flexibility needed to respond to emerging and pressing priorities as they arise. The

Government could, for example, designate the development of a healthcare facility as critical infrastructure if the need arose.

That flexibility provided for in the Bill is not unlimited. It operates within the clear definitions set out in the Bill and, in particular, infrastructure must be something that enables the essential facilities and systems of the State to function effectively. Furthermore, any project or programme designed under the Bill must be developed by or on behalf of the State. The legislation therefore applies to State infrastructure only and not private development. I am satisfied that the given flexibility is there in the context of the legislation as it is drafted. We have sought in all of our reform agenda to focus on the three areas of water, energy and transport because they are the underpinning infrastructure for everything that happens but it does not impede us from designating health infrastructure, for example, or something else that might emerge, within the wider definition of infrastructure.

The wider point was made around what will be the implications for a public body that does not comply. First of all, they have a duty to co-operate under the legislation. It is the law that they must. Second, we can issue a direction to the public body that it shall comply with the direction given under this section. So, there is a clear legislative direction and obligation on compliance with respect to public bodies that will be affected by this legislation. If it does not comply to a direction under the law that has significant implications for a public body. If we have a public body that does not operate under the law then there are implications for sanctioning funding and its wider operation. I do not think that will emerge because it is a very explicit direction under the legislation that is involved.

An Cathaoirleach: Is the amendment being pressed?

Senator Conor Murphy: Yes.

Amendment put and declared lost.

Section 1 agreed to.

Section 2 agreed to.

SECTION 3

An Cathaoirleach: Amendments Nos. 2 to 4, inclusive, are related and may be discussed together by agreement. Is that agreed? Agreed.

Senator Patricia Stephenson: I move amendment No. 2:

In page 5, to delete lines 22 to 26 and substitute the following:

“(4) A draft of the designation order shall be laid before both Houses of the Oireachtas, and the order shall not be made unless a resolution approving the draft has been passed by each House.”.

I thank the Minister for coming in. I want to touch on something Senator Boyhan said around an insult to parliamentary democracy. I want to reiterate my disappointment and frustration around the waiving or pre-legislative scrutiny for this Bill. It is a really important

Bill. As other Senators have said, it is crucial legislation and that is why having pre-legislative scrutiny conducted like that is part of the process of making sure legislation is good and strong. It is one of the unique roles parliamentarians have. It was incredibly frustrating that one of the only pieces of legislation that will probably come through the infrastructure committee was waived and we were not given the time. We could have done it in two or three weeks and we were not afforded that.

Regarding this amendment No. 2, I welcome the overall intention of the Bill. We obviously have a major gap when it comes to the development and delivery of critical infrastructure in Ireland. This amendment refers to the concentration of powers in the Minister's Department in relation to infrastructure and the potential lack of transparency that could occur from that. I believe such decisions should be made with oversight of the Oireachtas, coming back to the whole role of parliamentary democracy and the role we play within that.

It is of great importance that the rationale behind major planning decisions requiring extensive public funding is subject to oversight and democratic debate, particularly when we have seen issues in areas around this, notably the national children's hospital, in terms of overspend and something that is yet to be delivered. Providing Oireachtas oversight should be seen as best practice to provide transparency over the delivery of critical infrastructure. We are all in favour, I assume, of seeing public services improved in a timely and cost-effective manner. The Department need not seek to take critical decisions alone but should allow certain decisions be brought to the Oireachtas to be probed and critiqued to get the best possible result.

My colleague, Deputy Cian O'Callaghan, sought clarity on the Minister's comments that there would be a very small number of projects and programmes and that it would be disproportionate to require every project to be brought to the House of the Oireachtas for assent. There is a tension between the Minister's assertion that there would only be a small number of projects and the fact that there are hundreds of worthwhile projects in the national development plan, for example.

Transparency is crucial here in how the Minister would decide what projects make it into a very small number of projects and which get bumped down the list. How will that be decided on? How will some projects be determined to be more important, more crucial and more critical than others? There needs to be a framework explicitly written into this legislation; a comprehensive statutory framework that outlines which projects are deemed critical and which are not. It cannot simply be at the discretion of one alone. How can we ensure the criteria are here too if there are no statutory guardrails to ensure projects are chosen fairly and will have the most benefit?

Senator Victor Boyhan: We are dealing with amendments Nos. 2 to 4. I want to touch on amendment 4. That is a proposal by Senator Stephenson which states:

The Minister shall lay a report before Dáil Éireann on the rationale, criteria, decision making process used to draft the designation order as soon as may be after it is made.

I think there is merit in that. I do not know what the Minister is going to say to it. I think there is some merit. We talk about parliamentary oversight. I share the concerns about the pre-legislative scrutiny being waived but that was a request, I presume, from the Minister or his Department to the committee and the committee made that decision. There is nothing we can

do about that. It does not augur well for parliamentary democracy all of the time with pre-legislative scrutiny being scrapped and pressure being asserted. To be fair, it was a request. Ultimately, the members of the committee have to make that decision but what does it say?

This is a coalition Government that controls both Houses of the Parliament and it is important we have another side. There will be a day when the coalition will not be in existence or half will be gone and another new type will be in. It is important we protect parliamentary democracy. I will have another opportunity at some other stage to talk about it and I do not want to take up time tonight. I am going to say this to every Minister who comes to the Seanad where any Government Minister seeks to cut parliamentary debate. We see the guillotine of debate in these Houses on other issues. I am not going to stray off to that because I want to stay focused on this. It is a concern and I want to flag it to the Minister. We all need to be concerned if there are powers or forces within this parliamentary democracy that somehow want to stymie and curtail different perspectives and different points of view in the legislative process. I am interested to hear what the Minister has to say on that.

I think there is merit in amendment No. 4 rather than my few words previous to that. There is merit in this. It is Dáil Éireann and we are Seanad Éireann so I do not know what people think about us suggesting something for the Lower House, but I support this amendment.

Senator Laura Harmon: I want to speak to amendment No. 3. I will make some general points on the legislation. The Labour Party voted against this Bill in the Dáil. We agree that action is needed to tackle the infrastructure deficit in this country but we believe the Government has misdiagnosed the problem. This Bill would allow the Government to designate specific projects as critical infrastructure and thereby instruct public bodies to prioritise them and co-ordinate with other public bodies to deliver them. However, we strongly object to section 7 of the Bill, which would disapply the public body duty under the climate action Acts to perform public functions consistent with achieving the State's climate goals. We believe this would amount to repealing that duty by stealth and it would almost certainly be open to constitutional challenge.

Amendment No. 3 proposes:

A designation order shall be laid before each House of the Oireachtas as soon as may be after it is made, and the order shall not have effect until a resolution approving it has been passed by each such House.

This amendment would require that a Government order designating a project as critical infrastructure be approved in advance by a resolution of both Houses.

8 o'clock

This Bill opts for the negative resolution rather than the positive resolution procedures such that an order has effect unless it is annulled by the Dáil within 21 sitting days. The reason the Labour Party is bringing forward this amendment is to make sure there is proper legislative oversight of how the Bill is applied.

This Bill grants an awful lot of power to the Minister. The statutory threshold for what will be counted as critical infrastructure is not clear. It seems to be at the full discretion of the Minister. We believe this is a democratic deficit. The Minister might outline a process he

envisions here today but there is nothing on the face of the Bill to stop a future Minister designating any number of projects as critical under his or her own arbitrary opinion. We are proposing this amendment to try to correct that and to provide some modicum of democratic oversight on those decisions. We really need to make sure there is adequate legislative oversight of the designation of projects as critical infrastructure.

Senator Patricia Stephenson: On amendment No. 4, it is slightly more modest in its requirements and it is a bit of a fall-back option if, as I assume, amendment No. 2 will not be accepted. It is important to know what projects are designated as critical and what criteria qualify them for this status. Obviously there will be concerns around people prioritising developments - and I am not saying it about this Minister by the way, just to make that very clear - but it is how we decide where priority projects take place, for example. As I said before, there is no shortage of good projects or projects that need to be done. This amendment is really just another option for getting more clarity and transparency.

What is equally important here in terms of producing the report is the element of foresight. In the future there should be clear evidence of steps that were taken to plan for city infrastructure, not a project shrouded in secrecy that future Ministers cannot look back on and learn from. It sets a precedent for a Minister's successors to act with transparency and it covers the Minister should there be any queries or concerns of legitimacy of the prioritisation process as there is a clear report outlining the decision-making process and the origins of that, and in making informed decisions which we can all participate in.

This is about strengthening confidence in the process that the Minister is introducing. A lot of confidence has been lost in many ways around the whole delivery of infrastructure in Ireland. It would bring that confidence back into the system for us as legislators and for the public as well by ensuring that designation decisions are evidence based, are transparent and are capable of scrutiny. I do not think this is a huge amount to ask for. If Ministers are confident in their designations and confident in the work they are doing then it really is just a matter of good governance and good parliamentary oversight.

Deputy Jack Chambers: I am not accepting these amendments. The draft legislation outlines the process by which individual projects or programmes will be designated as critical infrastructure. While I and future Ministers for public expenditure will make recommendations to Government regarding projects that may be designated, no project or programme will be eligible for the fast-track process set out in the Bill without a Government decision. In addition, as part of the designation process there is a mechanism in place allowing Dáil Éireann to overturn any Government decision to designate a given project or programme. These safeguards place significant checks and balances on the process. Although I anticipate that only a limited number of projects or programmes will be designated, requiring positive approval from both the Dáil and the Seanad for each and every designation could potentially add an additional unnecessary layer of uncertainty to the infrastructure development process. I consider it disproportionate to require every designation order to obtain the approval from both Houses.

The primary aim of the legislation is to speed up delivery of critical infrastructure in line with the action plan we published last year. When we are putting in place a framework to support this acceleration, it is important we do not add procedures and processes to the mix

that actually end up costing us time through potential delays. I am of the view that providing Dáil Éireann with the option of overturning any proposed designation order is a more proportionate means of providing the necessary accountability.

Section 3 of the Bill sets out the clear decision-making process to be used for the designation. It provides that the Minister for public expenditure may recommend to the Government that a project or programme be designated as critical infrastructure. The Government may then decide to make the appropriate order and the Dáil has 21 sitting days to consider whether to annul that order. The legislation also sets out the criteria the Minister must consider when making such a recommendation. These include the need to ensure the effective and efficient delivery of the project or programme; whether delays, disruptions or a failure to deliver could have adverse economic or social consequences for the State; the extent to which the project or programme may positively or negatively impact the delivery of other projects or programmes; its alignment with the national development plan; and any other infrastructure-related matters the Minister considers appropriate.

My role will be to apply a level of constraint on the number of projects designated so that prioritisation and acceleration can be achieved for critical infrastructure. If too many projects are designated the system will not be able to respond in a manner that accelerates decision-making. It is important that we do not flood the system with designated projects. Following my recommendation, the Government will decide whether a project should be designated and will be fully accountable to the Oireachtas, as we are with everything else in the normal course of parliamentary oversight and the issue of how a particular project or programme is chosen for designation.

Given that the criteria for designation and the associated decision-making processes are clearly defined in law with accompanying checks and balances, I do not believe it is necessary or proportionate to legislate for a report to be laid before the Oireachtas setting out the specific decision-making process applied in each individual designation.

We have critical delays across many areas. I was not willing to spend a period of months going through the Oireachtas in the context of pre-legislative scrutiny. This Bill is very clear in its legislative intent. I think there is consensus on the absolute need to drive and improve delivery and acceleration with greater all-of-state co-ordination in ensuring that water, energy, transport and other infrastructure projects, which Members all care about, are delivered in a much quicker way. That is the single direction intent and I think it is complicating it with pre-legislative scrutiny in the context of serious delays and the need to accelerate delivery. I welcome the fact that the committee decided to waive pre-legislative scrutiny in that instance. I have set out the reasons for not accepting these amendments.

Senator Patricia Stephenson: On the point on pre-legislative scrutiny, I think in the Standing Orders it is a maximum six or eight weeks. It would not be months and months for pre-legislative scrutiny to take place. It could easily be done, and at the Minister's request it could be expedited to three weeks. I just want to get that clear. Again, when there have been so many enormous projects it is about getting experts in and actually having that opportunity to discuss with them, so that when we are coming in here and introducing amendments they are even more informed and even better. Otherwise, let us get rid of pre-legislative scrutiny altogether in every single Bill if it is about getting things over the line in a timely manner-----

Deputy Jack Chambers: That is not what I meant-----

Senator Patricia Stephenson: I know, but that is the implication of it. It is one of our roles as legislators, and that is the way the Oireachtas is set up, to bring experts in, to get expert advice and to spend several hours looking over that with them. It would not take months.

Senator Cathal Byrne: As a member of the infrastructure committee, it is important to note that when it comes to pre-legislative scrutiny we have a very narrow and focused remit on the infrastructure committee. That is to see what exactly can be done, as a parliamentary committee, to reduce the delays and the barriers that we have in infrastructure. We had spent many months focusing solely on that and there was a vote on the committee to waive the pre-legislative scrutiny, which was based on the idea that as a committee we had examined many of the issues that are discussed in this legislation. We also had already met virtually all of the State bodies and agencies and many other stakeholders that would be part of a standard pre-legislative scrutiny, and we felt that it was not necessary to repeat that process to look again at the same issue, which is how do we accelerate our infrastructure programme. It was not a decision just to waive pre-legislative scrutiny because we felt that it was not important or was not necessary. Instead, it was that so much of the work that would be done at pre-legislative scrutiny had already been dealt with by the committee through a sustained programme of engagements with various bodies, public bodies, stakeholders and sector representatives.

When it comes to the decision to designate and both Houses of the Oireachtas being required to engage with resolutions in order to pass a designation as critical infrastructure, there has to be a recognition that at the end of the day, there will be a vote. First there will be a decision of the Government but there will also be a vote in the Dáil around this. That vote will not just arrive.

There will be a debate and discussion and then it will conclude with a vote. It is important to recognise that part too in the context of these amendments.

Amendment put and declared lost.

Senator Laura Harmon: I move amendment No. 3:

In page 5, to delete lines 22 to 26 and substitute the following:

“(4) A designation order shall be laid before each House of the Oireachtas as soon as may be after it is made, and the order shall not have effect until a resolution approving it has been passed by each such House.”.

Amendment put and declared lost.

Senator Patricia Stephenson: I move amendment No. 4:

In page 5, between lines 26 and 27, to insert the following:

“(5) The Minister shall lay a report before Dáil Éireann on the rationale, criteria, decision making process used to draft the designation order as soon as may be after it is made.”.

Amendment put and declared lost.

Section 3 agreed to.

Section 4 agreed to.

SECTION 5

Senator Conor Murphy: I move amendment No. 5:

In page 5, line 40, after “completed” to insert “and to comply with relevant binding time-limits that will be issued by the Minister within four weeks of the passage of this Act”.

As most of us said at the outset, we are supportive of the idea of the Bill. We want to see critical infrastructure being done more efficiently, speedily and cost effectively. We hope the legislation in front of us will achieve those outcomes but we have added suggestions and proposals to put to it. None have been successful thus far but we continue to press the case.

This amendment proposes to insert a provision on the relevant binding time limits. This is about accountability. As we have all said, this is very significant legislation. The Government is saying that this piece of work needs to be fast-tracked. We believe the addition of time limits would strengthen that process and add a further level of accountability. If we are going to do what it says on the tin with the legislation, we need to strengthen it to make sure that is the case.

This amendment was put forward in the Dáil and was not supported. I hope that the Minister has had an opportunity to reflect on that and to see a genuine attempt to strengthen the provisions of the Bill to achieve exactly the outcome that we all hope to achieve from its passage, and that he can now reconsider supporting the amendment.

Senator Victor Boyhan: I support this. Time limits are important. We just need to look at the children’s hospital to see what has gone on and on. I have no doubt it will go on and on more before the end of the year. It is about accountability and public money. Let us not fool ourselves. There is outrage among the general public about many projects - not all of them; some come in on budget and on time and that must always be acknowledged – due to the waste, the time lags, and the loose contracts and commitments about timelines for delivery paid for by public money. The Minister has special responsibility for this and is quite focused on seeking accountability from all the Departments, on the need to be agile and focused and on the need to keep tight rein on public expenditure. It is taxpayers' money and I think taxpayers expect that. Time and again over recent years, Minister after Minister has come out and made lame excuses over a number of projects which I will not list here but I could. The Minister knows what I am talking about. People just do not understand what is going on. Who are they accountable to? How has it got to this stage?

Earlier I welcomed the housing infrastructure investment announcements today. People expect infrastructure to be delivered on target and within budget. Timelines are critically important to that. We need to send out a strong message. This amendment seeks to include relevant time limits, within reason. To have projects going on and on is simply crazy. The children’s hospital is one example of where the public does not know how this major project has got out of the grasp of the politicians who are ultimately responsible for public expenses,

value for money and critical infrastructure projects that are meant to be delivered in a co-ordinated, financially controlled and timely manner. I support the amendment.

Deputy Jack Chambers: I thank Senator Murphy for the amendment. I am not accepting it. While I agree in principle that authorisation processes should be subject to clear timelines, I do not believe it would be appropriate for me as Minister to prescribe the specific timeline required in the context of this legislation for every individual authorisation process. I will set out why. If such a requirement were imposed by my Department, we would run the risk of conflicting with existing sectoral-specific legislation which already exists in terms of timelines and setting out statutory timelines across multiple areas. It could also create difficulties in relation to EU law and more importantly could risk undermining the independence of certain public bodies. In certain instances statutory timelines are set out which are different from what are prescribed in the amendment. That potentially conflicts with other EU legislation or its transposition.

As I outlined in the Dáil, Senators can be assured that the broader reform of regulatory processes needed to introduce times across suitable authorisation procedures is already well under way. This was a central commitment in the accelerating infrastructure action plan that I published in December. Regulatory reform and simplification is one of the four pillars of that report. In order to drive this work, a dedicated simplification unit is being established in my Department. This work is already delivering results. On 26 March I issued a circular on the principles for better regulation for critical infrastructure. It sets out eight principles that public sector bodies are required to apply in their regulatory processes. One of these principles requires fixed timelines for all licensing, permitting and consenting processes along with the tracking and measurement of performance through appropriate key performance indicators. We are also seeing this approach reflected in legislation being advanced by individual Departments. For example, the environment Act 2026 includes provisions enabling a Minister responsible for the Environmental Protection Agency to make regulations specifying the period within which the agency should endeavour to reach decisions. Therefore, while I accept the intent behind the amendment, I do not believe it is appropriate to include in the Bill. I am satisfied that its objectives are better achieved through the wider programme of regulatory reform and simplification that is already under way and, indeed, the wider direction set out in the Bill in the context of the powers of the Minister to direct a particular body relating to projects that are designated critical infrastructure. I think we have sufficient legislative direction already contained within the Bill.

Amendment put and declared lost.

Section 5 agreed to.

SECTION 6

An Cathaoirleach: Amendments Nos. 6 and 7 are related and may be discussed together by agreement.

Senator Nessa Cosgrove: I move amendment No. 6:

In page 7, to delete lines 8 to 10.

The Labour Party really wants to see infrastructure improved. We recognise there has been a serious deficit in infrastructure and infrastructure projects in this country but we do not think this Bill addresses the root causes of that, which include poor planning, weak oversight and lack of staffing in relevant Departments. Overall, we cannot support the Bill. Not only do we believe it grants too much power to the Minister, and we are not simply talking about the present Minister himself but future Ministers as well, but we think it blurs the lines between the responsibilities of independent bodies which are being taken over by the Minister. Most importantly, we cannot vote for section 7. It is being rushed through. The whole Critical Infrastructure Bill is undermining the long, hard work that went into the climate action Act. I live in the north west where we face the real threat of building of fossil fuel infrastructure. If this Bill goes through, it will disregard any negative climate impact that will have.

It will also disregard any climate benefits like prioritising rail infrastructure over road infrastructure, for example. The Minister did not rule out designating fossil fuel infrastructure as part of critical infrastructure. We all support the premise that something needs to change but not enough thought has been put into this. It is just an easy way out rather than looking, for example, at things like the overspend in the children's hospital. That is weak oversight and this Bill is not going to change that. My party colleague, Deputy Ahern, has suggested that there may be real constitutional issues with this and we could see this Bill challenged. The Supreme Court has ruled previously that legislation cannot provide that a government can automatically designate to disapply a core statutory duty without clear criteria, thresholds or mandatory considerations. This Bill, and particularly section 7, is going to gut our climate protections and that may prove to be unconstitutional.

Senator Cathal Byrne: Anyone who lives in Wexford has long sought the finishing of the road that runs from Belfast to Rosslare Europort. The motorway from Oylegate to Rosslare has had well over a year added to its design as a direct result of section 15 of the Climate Action and Low Carbon Development Act. In Galway planning permission was granted for a ring road but was subsequently overturned on judicial review as a direct result of the same section. As a direct result of that court decision, all motorway projects now have to have a separate assessment as to the extra carbon that is going to be generated in an area. When we are building a motorway, that in and of itself is a critical piece of infrastructure and it is not possible to offset motorway journeys by adding cycle lanes or segregated pedestrian walkways. The motorway in Wexford was ready to go An Coimisiún Pleanála for planning permission right up until the moment the High Court made its decision in that judicial review case on the Galway ring road to quash the planning permission because it did not consider mitigation measures that were required. That has had a direct impact on the ability of Wexford County Council and TII to deliver that infrastructure project. I accept that an assessment should be done of any project in regard to what it is going to mean and what it is going to do to the environment. However, as against that, we must also consider the fact that some projects, like motorway infrastructure, are critical to the social and economic development of our country and should be designated as such. It is my long-held view that it is not possible to offset the carbon impact of a motorway by putting in extra cycle lanes and walkways alongside that road. There are already existing roads for people to walk and cycle on, separate to the motorway.

This is a critical element of this legislation. I am disappointed to hear that the Labour Party does not agree with it and will not be supporting the Bill as a result. I have a very different

policy perspective. It is important to have these debates. Motorway infrastructure, like the motorway running from Belfast right the whole way down the east coast of Ireland, around the M50 and all the way down to Rosslare Europort, could have been through planning at this stage, gone to tender and potentially even have started by now had that section not applied and had that judicial review case not been taken. That case ultimately changed the entire environment. It was a weaponisation of environmental legislation to stymie infrastructure projects like this motorway. I appreciate that is not the opinion or view of everybody in this Chamber but it is my view and I welcome the fact that we are in the position of being able to disallow section 7.

An Cathaoirleach: I do not want to get into a debate on section 7 or the issue of climate change, which is dealt with in the next section.

Senator Nessa Cosgrove: Can I come back in?

An Cathaoirleach: No, not on climate because that is the next section. If no one else wishes to speak on amendments Nos. 6 or 7, I invite the Minister to respond.

Deputy Jack Chambers: I thank all Senators for their contributions. I am not accepting these amendments. The power to issue directions to relevant public bodies in relation to those programmes and projects that are designated as critical infrastructure is an important mechanism in the overall process. It will allow the Minister for public expenditure to intervene where the framework for accelerated decision making is not being implemented. Crucially, however, this intervention can only be for the purposes of ensuring that public bodies are carrying out their duties under section 5 of the Bill. Linking the power to give directions on the duties of public bodies set out in section 5 sets an important limit. Any direction issued will only relate to the measures needed to ensure that a public body prioritises its relevant functions under the Bill; acts promptly and avoids unnecessary delay; reduces the time taken to complete authorisation; works in parallel with other public bodies where practical; co-operates effectively across the system; identifies and manages the risks, constraints and interdependencies; and appropriately allocates the resources needed to do this work. Importantly, all of this must be done without prejudice to the bodies' other legislative responsibilities so I cannot use this power to override existing law or to determine specific decisions. Its sole purpose is to support the timely progression of the decision-making process. This is not unusual. Similar powers exist across a range of legislation, particularly in circumstances where Ministers work with public bodies but do not have day-to-day operational control.

There is a further safeguard in place in respect of using the power to direct. I am required to consult the Minister responsible for the public body before issuing any direction. I do not expect the power to be used frequently but it is important that it exists. The approval processes for critical infrastructure are often highly interdependent. A delay in a single authorisation can hold up an entire project, particularly where the authorisation sits on a critical path for that project. In simple terms, if we are serious about accelerating the delivery of critical infrastructure, we must have limited and proportionate powers to intervene where the system envisaged in the Bill is not working effectively. There is nothing in this legislation that allows

me or any other Minister to dictate the decisions of public bodies. The Bill does not permit me to override, undermine or interfere in any way with the independent exercise of a public body's statutory functions. The purpose of the power of direction is to provide a mechanism to issue directions to public bodies solely in relation to how they are carrying out their functions under the Bill. In practice, this means directions can only relate to measures aimed at accelerating the authorisation process and can only be issued in consultation with the relevant Minister. Given these safeguards and limitations, I do not believe the proposed deletion or the proposed provision set out by the Senators in the amendment are required in this instance.

An Cathaoirleach: Is the amendment being pressed?

Senator Nessa Cosgrove: Yes.

Amendment put and declared lost.

Senator Nessa Cosgrove: I move amendment No. 7:

In page 7, between lines 16 and 17, to insert the following:

“(6) Where a relevant public body is stated in law or is otherwise required by law to be independent in the performance of some or all of its functions, the power to give a direction in writing under this section shall not be exercised so as to override, compromise or otherwise interfere with the independent performance of those functions.”

An Cathaoirleach: Is the amendment being pressed?

Senator Nessa Cosgrove: Yes.

Amendment put and declared lost.

Section 6 agreed to.

SECTION 7

Question proposed: "That section 7 stand part of the Bill."

Senator Patricia Stephenson: I oppose section 7 in its entirety as it displaces or disapplies our domestic climate legislation and it does not comply with essential functions of the Climate Action and Low Carbon Development Act 2015. Why have this Act and why sign up to the Paris Agreement if we are going to ignore our commitments to lowering carbon emissions and keeping global temperatures within safe limits? We are legally bound by the Paris Agreement and yet we are explicitly ignoring it within this Bill. Are we abandoning our climate objectives at this stage? Is the Government abandoning those climate objectives? Critical infrastructure must also include climate-positive projects such as clean, safe drinking water; public transport; and renewable energy expansion, three elements that are of crucial national importance.

Climate legislation should not be a barrier to the delivery of critical infrastructure, as section 7 appears to insinuate. It would be incredibly short-sighted of this Government to ditch section

15 of the climate Act in light of the unintended consequences the Whittaker report warns of such as ignoring judicial review for genuine environmental reasons or to challenge fundamentally flawed planning processes. Stripping away section 15 of the climate Act is a really blunt approach and it will not achieve what Government believes it will. Blocking or restricting access to judicial review is not going to magically open up the Government's ability to deliver on critical infrastructure projects.

Section 15 requires public bodies to have regard to climate action plans, carbon budgets and sectoral emissions ceilings. Before the Houses agree to disapply obligations, the Minister should clearly explain why this step is necessary and what consequences will follow. Has his Department done a risk assessment of those consequences as they pertain to the Paris Agreement? I am particularly concerned about the potential application of this provision to future energy infrastructure projects. It would be helpful if the Minister would clarify whether projects involving fossil fuel infrastructure could benefit from these provisions and how that would sit alongside the State's other climate commitments. As he will know, we are massively failing on those commitments as it stands. I am concerned that we are doing very badly in this area and are already going to miss our targets. Are we going to face even more billions of euros in fines as we fail to meet the commitments we made back in 2015?

The deletion of section 7 will not impede the delivery of critical infrastructure. It will simply ensure that public bodies continue to consider climate impacts when exercising their functions under the Act.

Senator Nessa Cosgrove: It is very important that we do not fall into a binary way of thinking where we must choose between climate action and infrastructure projects. I do not think anyone would disagree. Sadly, it is the legacy of Fianna Fáil and Fine Gael that we have not seen key infrastructure projects. As someone living in the north west, I have seen this. Climate action cannot be blamed for that because the Act was not even around at that time. BAM and the children's hospital is an example. We have a big problem with public procurement. We can also see it in the €50 million Irish Rail project that is now gone. It is not fair to blame climate action.

This debate seems to suggest that we must choose between climate action and infrastructure projects. That is the wrong approach. As a result, we are going to be left with billions in fines, which we already have to pay. How is that money going to be accounted for? Of course, I agree that we need infrastructure. I agree with developing motorways. However, no legislation that is introduced should undermine the climate action Act. We spent a long time deliberating on that Act. As I have said already, there could be constitutional issues with this. I hope the Minister will consider this. Deleting section 7 and requiring climate action to be considered will in no way impact on the delivery of critical infrastructure projects. Whether we are going to disregard climate action or whether we are going to see the benefits of such action will have to be considered when delivering any critical infrastructure projects. This approach of seeing it as one or the other is wrong. It has been proven that it does not work. Our delivery of infrastructure projects in this country has been very poor and that has nothing to do with climate action.

Deputy Jack Chambers: I thank the Senators for their contributions. As I outlined on Second Stage in this House, I firmly believe that, if we are serious about accelerating Ireland's

critical infrastructure, the disapplication of section 15 of the Climate Action and Low Carbon Development Act 2015 is necessary. There has been a great deal of misinformation about the purpose and impact of this change. The amendment is included in the Bill because recent precedent has made it clear that the courts have interpreted section 15 in a manner that means that every decision made by a public body is exposed to an inherently subjective assessment of whether that body has had sufficient regard to a wide range of climate policies and strategies in any decision it makes on a project. This creates an additional avenue for judicial review and will ultimately delay the development and delivery of projects and programmes. This runs counter to the key aim of this legislation, which is to accelerate the decision-making process. Action 6 of the Accelerating Infrastructure Report and Action Plan calls for the Government to be responsive to legal precedent that has the potential to delay critical infrastructure. It is our responsibility to address such challenges through legislation to ensure they do not impede the delivery of infrastructure our country needs.

I also wish to be very clear that I recognise that judicial reviews may serve an important purpose. I have previously referenced the key role they play in ensuring that decisions taken are lawful, transparent, fair and accountable, that they adhere to the principles of legality and proper procedure, and that they are rational. However, if we are genuinely seeking urgency and speed in the delivery of critical infrastructure, as legislators, we cannot abdicate responsibility for key aspects of decision-making to the courts. It is fundamentally the duty of Government, as the elected representatives of the people, rather than individual agencies or the courts, to determine the mix of capital investment that needs to be adopted to provide for the needs of our population in a manner consistent with our climate obligations.

The inclusion of this provision is a practical response to reduce one avenue of risk of delay to those projects that are designated as critical. There are absolutely no other impacts on climate policy, domestic and international climate commitments, or, as commentators have pointed out, other requirements to consider the climate and environmental characteristics of a project. I reiterate that this change does not mean that projects will not be subject to climate and environmental assessments. These will still take place as part of the development process for these initiatives. Every Exchequer-funded project is already required to measure and price its greenhouse gas emissions under the infrastructure guidelines. That provides an important incentive to minimise emissions where it is cost-effective to do so. Similarly, every individual project is also required to undergo a climate adaptation assessment to ensure it does not give rise to undue risks. All other climate and environmental obligations will still apply. Disapplying section 15 merely reduces the scope for one avenue of judicial review. The inclusion of section 7 is therefore vital if this Bill is to be a success.

Senator Murphy will be aware of the A5, where we have seen the complicated outworking of climate legislation through the courts. I was in Monaghan and Donegal last week and everyone from the Border communities was speaking to me about that particular project. We had a good North-South meeting with our colleagues in the Executive on the challenges arising from the court's interpretation and how it has ended up in a convoluted assessment through the courts, again undermining a critical project for the North and for North-South connectivity. That is an example of the unintended consequences of legislation. I do not believe the court's interpretation reflects how that legislation was drafted. We have an obligation to respond to legal precedent to ensure that such disapplication occurs where we want to drive delivery. That is what we are trying to do. We are trying to provide a clarified path for projects through the

delivery process, rather than opening another avenue for judicial reviews, which are being weaponised here and in other jurisdictions.

Senator Nessa Cosgrove: That is disappointing. Judicial reviews are being blamed for an awful lot of delays when there is poor planning, poor oversight and poor resourcing of Departments. That has to be recognised. It is recognised. The number of judicial reviews arises from poor planning. How can the Minister explain issues with other projects deemed to be critical infrastructure? What about the children's hospital? I know we keep using it as an example but public procurement is a big issue here. We have to be honest and have an honest conversation. It cannot be one or the other. It does not have to be like that. We all agree that we have to reduce emissions. We have signed up to the Paris Agreement. We have a climate Act for a reason. This undermines that Act. Unfortunately, we cannot support this. We cannot be labelled as anti-infrastructure because we are not. We are not anti-development but we are against pitting one essential necessity for our country against another. That is very short-sighted and I wish the Minister would reconsider accepting some of our amendments and having a longer debate. This is being rushed through. It is not being given due consideration. We should be honest about the public procurement issues we have in the country.

Deputy Jack Chambers: While I accept the Senator's perspective on the matter, there are issues in Sligo and the north west. A judicial review was taken in respect of the ring road in Galway that related to climate legislation.

We have to remove legal avenues that are bringing uncertainty to projects that are hugely important for the west. We have ambitions to do more in the context of public transport and low carbon transport but the Senator knows from Sligo, there are important road projects that are hugely important for regional connectivity, economic development and from a road safety perspective. We know about the infrastructure deficit in the west and north west, some of which is connected to road transport.

The outworking of the Senator's argument is that because a road might create a potential emissions profile, should section 15 stop Sligo receiving a road it has been promised for 20 years, is in the national development plan and is hugely important for the economic development of County Sligo and the west more generally? The reason we are disapplying section 15 is to ensure that projects, some of which exist in the county the Senator represents and others in the west, are built out and can happen. Some of that may be road infrastructure. I highlight the case with the A5 road in the North, which has seen the negative outworking of similar legislation in the North. In fairness, we have had good discussions with our colleagues on that in terms of how we can both learn in terms of better and improved infrastructure delivery and how that can improve connectivity for Border communities and counties.

Resourcing has increased exponentially for many public bodies and agencies. This is a question of improved performance and prioritisation so we get better delivery. The solution across public services is not always increased headcount. We need to better assess how systems work and how they prioritise their staffing towards improved delivery and accelerated timelines. That is why regulatory agencies and bodies need reform as much as increased headcount in many instances if we want to see improved delivery. I ask the Senator to reflect on that in the context of the county she represents and the need for an uplift in infrastructure.

Some of that may be related to road infrastructure where people in Sligo and other counties in the west, such as with the Galway ring road and other instances, want to see delivery.

Should we risk that delivery because of a judge's interpretation of section 15 of the climate Act or should we ensure the Oireachtas and the Government, who are accountable and elected, can deliver a particular project if they want? We should not have that uncertainty brought in by people who want to use judicial reviews to achieve different objectives. That is why providing clarity and direction in this section will improve wider delivery.

Question put:

The Committee divided: Tá, 29; Níl, 5.	
Tá	Níl
Brady, Paraic.	Boyhan, Victor.
Byrne, Cathal.	Cosgrove, Nessa.
Byrne, Maria.	Harmon, Laura.
Casey, Pat.	Higgins, Alice-Mary.
Collins, Joanne.	Stephenson, Patricia.
Comyn, Alison.	
Conway, Martin.	
Costello, Teresa.	
Crowe, Ollie.	
Curley, Shane.	
Daly, Paul.	
Davitt, Aidan.	
Gallagher, Robbie.	
Kelleher, Garret.	
Kennelly, Mike.	
Lynch, Eileen.	
McCormack, Maria.	
Murphy, Conor.	
Murphy, P. J.	
Murphy O'Mahony, Margaret.	
Nelson Murray, Linda.	
Ní Chuilinn, Evanne.	
O'Donovan, Noel.	
O'Loughlin, Fiona.	
O'Reilly, Joe.	
Rabbitte, Anne.	
Scahill, Gareth.	
Tully, Pauline.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Cathal Byrne and Paul Daly; Níl, Senators Nessa Cosgrove and Patricia Stephenson.

Question declared carried.

Section 8 agreed to.

NEW SECTIONS

Senator Patricia Stephenson: I move amendment No. 8:

In page 7, between lines 32 and 33, to insert the following:

“Report on permitting process

9. The Minister shall, within 6 months of the passing of this Act, lay a report before Dáil Éireann on the feasibility of streamlining permitting processes for large infrastructure projects, so as to identify what permits can be applied for concurrently in order to save time and reduce costs.”.

The permitting process, instead of improving in recent years, has only got worse. It can take years to get all of the permits in order, such is the nature of the sequential system of permitting processes that we currently have in place, by which time the costs of procurement have often risen or survey data has aged out of use. The system is a real barrier to delivering infrastructure for who could be willing to deal with such an archaic and dogmatic system? It really makes no sense. Where possible, the system must allow for certain permits and licences to be applied simultaneously as opposed to consequentially. This would streamline the overall system, promoting efficiency and saving time and money on major infrastructure projects. This amendment seeks to put in place a reporting mechanism to provide an update on the progress within that.

Deputy Jack Chambers: I thank the Senator for her amendment. I agree with the broader sentiment of the amendment. Work is already under way within the Department and across the regulatory system. I do not, therefore, accept this amendment because of the work which I will describe. In February of this year, I stood up an infrastructure regulatory simplification unit in my Department. The unit is working with regulators across the system to streamline permitting processes, with a particular focus on critical infrastructure. This work has involved engagement with the Maritime Area Regulatory Authority, MARA, the Environmental Protection Agency, EPA, the National Parks and Wildlife Service, NPWS, An Coimisiún Pleanála, the National Monuments Service and broader regulators, such as the Commission for Regulation of Utilities, CRU, local authorities, the HSE and Transport Infrastructure Ireland, TII. Just last week, my Department hosted a workshop with all of these bodies that was focused on co-ordination and engagement within the regulatory system in the delivery of critical infrastructure. The need to improve efficiency and drive reform is central to the work of the unit.

Regulatory reform across the system is already showing progress.

9 o'clock

To give an example, MARA has introduced a number of reforms with my Department to reduce the regulatory burden and streamline the processes to speed up the delivery of critical infrastructure, including applying the principles of proportionality. We are going to see a reduction in time in that respect. Further work is under way to assess bottlenecks and to identify solutions and ways in which permitting can be taken in parallel, as opposed to sequentially. These reforms will be progressed through changes within the permitting

bodies and Departments and some legislative change may be required. We will also be using the joint utilities and transport clearing house to enhance and progress co-ordination and reform. The Bill will help to drive some of these reforms too. I do not believe it is necessary to have this legislative amendment as this work is already under way and will be a core focus of my work over the coming months.

An Leas-Chathaoirleach: Does Senator Stephenson wish to come back in?

Senator Patricia Stephenson: I wish to press the amendment.

Amendment put and declared lost.

Senator Patricia Stephenson: I move amendment No. 9:

In page 7, between lines 32 and 33, to insert the following:

“Report on net contribution clauses

9. The Minister shall, within 6 months of the passing of this Act, lay a report before Dáil Éireann on the potential impacts of introducing net contribution clauses to public construction contracts, so as to facilitate greater competition and access to smaller engineering and architecture firms.”.

The effect of this amendment is to increase opportunities for smaller construction firms. Currently, there are prohibitively high operating costs and insurance costs, which preclude many smaller engineering or construction firms from applying for and winning public contracts. In the case of defects, it prevents smaller contracts from having to absorb the full costs of potential defects caused by others. All contractors remain liable for any defects for which they may be responsible. It also ensures fairness in how liability works. It acts to encourage more companies to tender by making public contracts more attractive and less risky. The Civil Liability Act already allows for it. Section 35(1) explicitly recognises that parties may enter contracts limiting liability to just their share. This amendment does not mandate any changes to procurement practises. Instead, it asks the Minister to examine and report on the potential impact of introducing net contribution clauses in public construction contracts. It is pretty straightforward in purpose to assess whether contractual forms could increase competition, broaden access to public contracts and then create opportunities for smaller firms to participate in major infrastructure projects at a time when we desperately need greater capacity across our construction sector. We have sat on the Joint Committee on Infrastructure and National Development Plan Delivery and heard about how smaller firms are not able to access and cannot compete with the larger firms. Building up that local and indigenous expertise of construction companies would actually be super beneficial for critical infrastructure projects but also the wider infrastructure we are delivering, whether that is in housing or elsewhere. This amendment simply seeks to achieve this evidence and analysis so that future politicians can be informed by a proper assessment to encourage smaller firms to be able to take an active participation in the current procurement processes we have.

Deputy Jack Chambers: Amendment No. 9 seeks to require a report to be laid before the Dáil, within six months of the passage of this legislation, on the potential impacts of introducing

a net contribution clause to public construction contracts. I do not propose to accept this amendment, first, because the focus of the Bill is the designation and fast-tracking of critical infrastructure projects and programmes to existing authorisation processes; it does not extend to construction or procurement matters. More pertinently, however, I believe that the reforms already introduced to the capital works management framework will provide many of the same benefits without placing excessive risk on the taxpayer. For the benefit of the committee, a net contribution clause is a clause agreed in a contract between parties, which, in the case of wrongdoing, limits the liability to that share of any total liability for the same damage for which the party itself is personally responsible. These clauses are not used in the capital works management framework that governs public construction contracts because the Civil Liability Act 1961 provides that where two or more defendants are current wrongdoers, they are fully liable for the damage suffered by the plaintiff. This means that in the event that one of the defendants is unable to meet the judgment against it for its portions of damage caused, the other defendants, that is, those who are joined in any action, could be liable for the full amount and not just their own respective portion. As noted, however, reforms in 2022 to the capital works management framework contracts, in particular, the introduction of limits on liability, went a significant distance towards improving the risk position in public consultancy and construction contracts. All the members of the project team engaged with the public sector undergo a pre-qualification process where their financial capacity is considered. The technical capability criteria also investigate the perspective project member's track record in delivery. As a result, there is a reasonably high level of confidence in the capacity of the tendering field to deliver a particular project. Where issues of negligence do arise, taxpayers would expect that the State should be in a position to recover losses where there is insurance available.

An Leas-Chathaoirleach: Is Senator Stephenson pressing her amendment?

Senator Patricia Stephenson: I am pressing the amendment.

Amendment put and declared lost.

Section 9 agreed to.

Section 10 agreed to.

Title agreed to.

Bill reported without amendment.

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

Senator Cathal Byrne: Now.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Bill received for final consideration.

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

Senator Cathal Byrne: Now.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Question put: "That the Bill do now pass."

The Seanad divided: Tá, 31; Níl, 3.	
Tá	Níl
Boyhan, Victor.	Cosgrove, Nessa.
Brady, Paraic.	Harmon, Laura.
Byrne, Cathal.	Higgins, Alice-Mary.
Byrne, Maria.	
Casey, Pat.	
Collins, Joanne.	
Comyn, Alison.	
Conway, Martin.	
Costello, Teresa.	
Crowe, Ollie.	
Curley, Shane.	
Daly, Paul.	
Davitt, Aidan.	
Gallagher, Robbie.	
Kelleher, Garret.	
Kennelly, Mike.	
Lynch, Eileen.	
McCormack, Maria.	
Murphy, Conor.	
Murphy, P. J.	
Murphy O'Mahony, Margaret.	
Nelson Murray, Linda.	
Ní Chuilinn, Evanne.	
O'Donovan, Noel.	
O'Loughlin, Fiona.	
O'Reilly, Joe.	
Rabbitte, Anne.	
Scahill, Gareth.	
Stephenson, Patricia.	
Tully, Pauline.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Cathal Byrne and Paul Daly; Níl, Senators Nessa Cosgrove and Laura Harmon.

Question declared carried.

An Cathaoirleach: When is it proposed to sit again?

Senator Fiona O'Loughlin: Tomorrow at 10.30 a.m.

An Cathaoirleach: Is that agreed? Agreed.

Cuireadh an Seanad ar athló ar 9.19 p.m. go dtí 10.30 a.m., Dé Céadaoin, an 17 Meitheamh 2026.

The Seanad adjourned at 9.19 p.m. until 10.30 a.m. on Wednesday, 17 June 2026.