



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

TUAIRISC OIFIGIÚIL—Neamhcheartaithe
(OFFICIAL REPORT—Unrevised)

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SEANAD ÉIREANN

Dé Céadaoin, 8 Iúil 2026

Wednesday, 8 July 2026

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.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 Teresa Costello - The need for the Minister for Health to make a statement on measures being taken to improve access to lymphoedema services across Ireland.

Senator Martin Conway - The need for the Minister for Health to make a statement on the establishment of a consultant-led air ambulance base to provide emergency cover for the west Clare area.

Senator Tom Clonan - The need for the Minister for Health to make a statement on the mandatory reporting guidelines where healthcare professionals are obliged to immediately report child safety concerns and to outline any circumstances where these guidelines should not be followed.

Senator Nessa Cosgrove - The need for the Minister for Culture, Communications and Sport to make a statement on the future expansion of the basic income for the arts scheme.

Senator Sharon Keogan - The need for the Minister for Social Protection to make a statement on the expansion of the free travel scheme to Northern Ireland.

The matters raised by the Senators are suitable for discussion. I have selected Senators Costello, Martin Conway, Clonan and Cosgrove, so nearly all the C surnames today. Senator Keogan may give notice on another day of the matter that she wishes to raise.

Nithe i dtosach suíonna - Commencement Matters

Health Services

An Cathaoirleach: Cuirim fáilte roimh an Aire Stáit.

Senator Teresa Costello: I am calling on the Minister to outline the measures that are being taken to improve access to lymphoedema services across Ireland, with a particular focus on prevention, education, early intervention and support for breast cancer patients.

Lymphoedema, for anyone who does not know, is a chronic and progressive condition that affects thousands of people throughout Ireland. I know many people who developed the condition following their treatment for breast cancer, yet awareness of the condition is very limited. While we have made significant progress on breast cancer treatment and survival rates, a lot of patients continue to face barriers in accessing the information, services and supports they need to live well after treatment.

Speaking from my personal experience, I know how traumatic and upsetting the development of lymphoedema can be. I always knew that there was a risk I could develop lymphoedema because of the surgery I underwent as part of my breast cancer treatment. However, after 12 years I did not expect lymphoedema to develop. Like many patients, I believed the passage of time had significantly reduced my risk. To develop a lifelong condition so many years after treatment was very unexpected, distressing and emotionally challenging. Lymphoedema can cause swelling of limbs and people can become very self-conscious of their appearance when that happens. My own experience highlights an important reality that lymphoedema can develop many years after cancer treatment. The risk does not disappear with time and patients need to understand that from the outset. Education cannot stop when active treatment ends. Women and men are living beyond cancer and they need ongoing information, reassurance and access to services when problems arise.

Prevention and early intervention must become a real focus in our approach to lymphoedema care. Every breast cancer patient should receive clear and consistent information before and after surgery about the risk of developing lymphoedema and the steps that can be taken to minimise that risk. Patients should be educated about preventative measures such as maintaining a healthy weight, engaging in appropriate exercise, practising good skincare, reducing the risk of infection, avoiding trauma to the affected limb where possible and recognising early symptoms such as swelling, heaviness, tightness or discomfort. Early identification and intervention can prevent lymphoedema progression and significantly improves outcomes.

Education on lymphoedema is equally important for healthcare professionals such as GPs, public health nurses, physiotherapists and community healthcare teams. They must be equipped with the knowledge to recognise lymphoedema early, provide advice and ensure patients are referred promptly for specialist assessment and treatment.

There is a pressing need to strengthen specialist lymphoedema services across the country. Many patients experience lengthy waiting lists or must travel considerable distances. We need an increased number of specialist staff, additional lymphoedema therapists and equitable access to services regardless of where a patient lives. Community-based supports are vital.

I know that in Beaumont Hospital there was talk of examining the potential for advanced treatment options, specifically a lymphoedema surgical procedure for breast cancer patients. However, progress on that initiative seems to have stalled even though we have the expertise. I think the initiative lacked aftercare, which would have included healthcare providers such as physiotherapists.

I ask the Minister of State to outline the measures that have been taken to improve education and awareness and to strengthen preventative care. Lymphoedema affects an awful lot of people but it is little spoken about.

Minister of State at the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation (Deputy Frankie Feighan): I thank the Senator for raising this important matter. I thank her for providing me with an opportunity to highlight the supports available for people living with lymphoedema and the work under way to improve services across the country. I am taking this Commencement matter on behalf of the Minister for Health, Deputy Carroll MacNeill.

Lymphoedema is a chronic and progressive condition that can have a significant impact on a person's health, mobility, independence and quality of life. In Ireland, it is estimated that over 20,000 patients are affected by both primary and secondary lymphoedema. For many people, including those who develop lymphoedema following cancer treatment, managing the condition requires ongoing access to specialist assessment, treatment, education and support. I fully recognise the challenges that patients and their families face, and the importance of ensuring that services are delivered as close to home as possible. I thank Senator Costello for outlining her experience and the challenges she has faced.

We are committed to improving care and supports for people living with lymphoedema. A key foundation for this work is the HSE lymphoedema and lipoedema model of care, which was approved in 2019. The model sets out a patient-centred and evidence-based approach for prevention, early detection, treatment, education and support.

Since the model of care was endorsed, the HSE has progressed implementation through a proof-of-concept approach. This has resulted in the establishment of three specialist lymphoedema clinics in the community, located in Clare, Meath and Donegal, together with three early detection services in acute cancer centres at the Mater hospital, St. James's Hospital and University Hospital Limerick. These services are continuing to receive funding in 2026. Further roll-out of this proof of concept is a matter for the HSE's service plan Estimates process.

The evidence emerging from the proof-of-concept clinics is encouraging. The specialist lymphoedema clinics have demonstrated improvements in quality of life, improved access to care and high levels of patient satisfaction. Among patients reviewed after 12 months of treatment, there was an 88% reduction in episodes of cellulitis, an 80% reduction in hospitalisations associated with cellulitis, significant reductions in GP and public health nurse visits, and reduced demand on both acute and community services.

Particularly noteworthy is the impact of the early detection services on cancer patients. Current data indicates that these programmes have reduced the incidence of lymphoedema in breast cancer patients from approximately 25% to 1.7%, underlining the value of early intervention and surveillance. In conjunction with the early detection services, the national cancer control programme has developed several breast cancer national clinical guidelines in consultation with a multidisciplinary group of stakeholders, including patient representatives. These guidelines aim to reduce variation in practice, improve patient outcomes and experience of care, and support the optimal use of healthcare resources.

Investment has been made in workforce development and education. National funding has supported specialist lymphoedema training since 2022 and 74 healthcare professionals have now completed specialist education in lymphoedema management. The national lymphoedema and lipoedema education group continues to support professional development and has produced a range of patient information resources, including information booklets and digital supports, that help patients understand their condition and manage symptoms effectively.

Senator Teresa Costello: I would like to know how much money is actually allocated to lymphoedema services. With regard to compression garments, many people do not realise that there is a need to replace them. I know several people who have worn the same one for years without realising that replacements are available from the State.

Lymphoedema is not spoken about enough. It is one of those conditions that does not get an awful lot of attention but it can have an awful impact on people. When I started in the Seanad, I did not have it but then, one day, I noticed that one of my arms was bigger than the other. I have been managing the condition since. I have been getting great care in St. James's Hospital. The hospital is definitely understaffed, however. The service is under a huge amount of pressure. If more staff and funding were allocated, the service would be much better for people.

I will also follow up on the Beaumont surgical option. Will that be progressed? Does the Minister of State know anything about that?

Deputy Frankie Feighan: The national lymphoedema and lipoedema education group continues to support professional development. It has produced a range of patient information resources, including information booklets and digital supports, that help patients like the Senator understand the condition and manage symptoms effectively.

With regard to compression garments, I emphasise that the HSE provides compression garments, including compression sleeves, for eligible patients where a clinical assessment identifies a need. Provision is based on evidence-based practice. Recognised clinical standards ensure that patients receive the most appropriate supports for their condition.

I am aware of the importance of community-based care. The model of care envisages a strong community focus, ensuring that people can access specialist services close to home while maintaining links with acute hospital services, where necessary.

While significant progress has been made, I acknowledge that further development is required. The HSE remains committed to advancing the implementation of the model of care and ensuring that people living with lymphoedema can access timely, high-quality and equitable services right across the country.

The Senator has raised a few questions. I will bring them back to the Minister.

Acting Chairperson (Senator Chris Andrews): Before we move to the next Commencement matter, I welcome Lisa McInerney and her friend Leah Farrall to the Public Gallery. Leah is visiting us from Australia and has worked for many years as an official in the Parliament of Australia. They are guests of Senator Conway. I hope they have a nice visit. They are in good hands.

Ambulance Service

Senator Martin Conway: I, too, welcome Lisa and Leah. Leah has been around Ennistymon in County Clare for the last couple of weeks. I have met her on a number of occasions. In spite of the inclement weather, she is enjoying herself. They are both very welcome to Leinster House.

I thank the Minister of State very much for coming in today to take this critical Commencement matter on behalf of the Minister for Health. Living in Sligo, he will know that rural Ireland is sometimes not best served when it comes to the golden hour. As he also knows, getting to hospital within the golden hour is critical for people who find themselves having suffered a stroke, a heart attack or some other medical emergency of similar significance. The Minister of State knows west Clare as well as I do because he has often been there in both his current capacity and in his previous capacity as Minister of State. He knows that, if you are living on Loop Head or in Kilkee, you are an hour from Ennis, before you even get to head towards Limerick.

University Hospital Limerick, UHL, is catering for a population in excess of 400,000 people and there is only one consultant-led emergency department in the area that runs on a 24-hour basis. We all know and have read the horror stories coming out of UHL every week. I am certainly fully aware of them. I acknowledge the work that has been done to improve things in Limerick and the announcement by the Minister for Health in recent weeks that there is going to be a completely new hospital built, which will be co-located with UHL and will have its own emergency department. That is extremely welcome.

I am a realist. I know that we are not going to have 24-hour consultant-led accident and emergency services in Ennis. As much as I would love to say that should happen and will happen, I know it will not. However, there is an alternative, which is to put a helicopter base in west Clare. The HSE operates two helicopter services through the helicopter emergency medical service, HEMS. One is based in Athlone and the other is based in Cork. I also know that the Coast Guard provides very useful support to the National Ambulance Service in dealing with emergencies, particularly along the coast of County Clare. It deals with everything from tragedies off the Cliffs of Moher or off Doolin to providing back-up and support when there is a significant medical emergency.

I know there are plans for a third HSE-run National Ambulance Service-specific helicopter base. I would like it to be located in west Clare. There are plans for a base to cover the west and mid-west. I suggest that our situation is unique in that the distance from Kilkee, Kilrush and the west Clare hinterland to an already overcrowded emergency department is probably the most challenging in the country. On that basis and on the basis that we are not going to see a second emergency department in the region for a number of years, this third base should be in Kilrush, Kilkee or somewhere in that area. It would serve Kerry, Clare, Galway and up to Sligo, Mayo and Donegal because helicopters travel fast. In speaking on previous occasions, I have leaned on the geographical inequalities that exist. When people live in remote places, we have a duty of care to them and must ensure they have the same access as people in urban areas.

I will conclude by commending the work being done by the first responders and the Coast Guard. I know at first hand the excellent work they do and I want to put that on record.

Deputy Frankie Feighan: On behalf of the Minister, Deputy Carroll MacNeill, I thank Senator Conway for the opportunity to update the House on the delivery of aeromedical services for the people of west Clare and the surrounding area.

Ireland's helicopter emergency medical resources are consultant-led services and are deployed nationally on a basis of clinical need, enabling aeromedical support to be provided across all regions, including County Clare and the wider mid-west. As the Senator will be aware, the HSE currently supplies two dedicated HEMS, operated by the National Ambulance Service, NAS. These are the emergency aeromedical services operated in partnership with the Irish Air Corps, which operates out of Custume Barracks, Athlone, and is staffed by the Air Corps crews and NAS specialist paramedics.

This is something I am familiar with as it was set up after the downgrading of the Roscommon accident and emergency services. It has saved hundreds of lives, and I am very proud of that. There is also a dedicated HEMS service operating out of Rathcoole in north Cork. In addition, the Irish Coast Guard also provides an aeromedical service on an available basis, through its search and rescue helicopter network, and covers the mid-west region from its base in Shannon. I understand there is also one in Sligo, which also assists with the Air Corps. All aeromedical assets are tasked through the NAS emergency operations centre as part of the national emergency response network.

I can confirm to the Seanad that we are currently progressing development of a third HEMS to serve the west and north west regions, including the mid-west, and planning for the new HEMS is well advanced. The aviation provider has already commenced the required test flight programme, and I am informed the service is expected to become fully operational in September.

The introduction of a third HEMS service represents a significant enhancement of access to national specialist pre-hospital emergency care particularly for, as the Senator outlined, rural and coastal communities such as west Clare. More generally, the Government continues to prioritise increased investment in our National Ambulance Service. This year's allocation of over €291.3 million for the NAS includes €20 million for new service developments. This will deliver an additional 263 positions to the service and will particularly help to support capacity building in our front-line emergency services. This investment will further develop the NAS intermediate care services and alternative care pathways to ensure growing numbers of patients receive treatment at the right clinical level, and that the NAS emergency response resources are preserved for appropriate high acuity work.

Finally, I offer my sincere thanks and gratitude to the staff of the NAS and all our ambulance services for their commitment and dedication to patient care, both in County Clare and across the country. This is something that has only happened in the past 15 years, where we have advanced paramedics, air ambulances and Coast Guard cover. It provides that timely 60-minute cover that is saving lives.

I am blown away by the amount of phone calls I have been getting, certainly with the air ambulance in Athlone in the past 15 years, from people at first hand whose lives have been

saved. Of course, we need to do more. I thank the Senator again for bringing this very important issue to the floor of the Seanad.

Senator Martin Conway: The Minister of State can justifiably take credit for the HEMS based in Athlone. He made the difficult decision back then to stick with the Government and it was not easy at the time but he has delivered that. This is what I want to deliver for west Clare.

Where is the helicopter going to be based? There are several identifiable sites in Clare. Kilkee certainly has availability, as does Kilrush. Spanish Point would be an ideal place for a helicopter to be based and would be able to respond in a matter of minutes to a 999 critical emergency call. I am interested to know where it is going to be based.

I very much welcome the fact it is being rolled out in September. This uses modern technology, quick transport options and advanced paramedics on-site to deal with and stabilise a patient before bringing them to get the acute treatment they require. It is the new way of dealing with medicine. It is on-the-spot and on-site; it saves lives. I am delighted to hear about the progress of the one in Athlone. I want to see the same in west Clare, because there are too many people there who find themselves in compromising positions, and sadly, with fatal consequences because there is not that access.

Deputy Frankie Feighan: In my opening statement, I focused mainly on aeromedical services in Ireland, particularly the helicopter emergency medical resourcing, HEMS, to provide access to emergency patient care for the people of the mid-west region, including west Clare.

In the context of the mid-west region, I am informed that NAS plans to add three additional emergency ambulances to the mid-west region to provide for improved patient access to emergency care. These resources will be located in Ennistymon, Kilrush and Nenagh. Furthermore, an additional intermediate care vehicle and a community paramedic will be deployed to the region for additional, lower acuity patient care, with both services to be based in Ennis. The NAS is also building further capacity in its national operations centre for increased capacity. Finally, a new ambulance base in Rosbrien is expected to be completed at the end of this year, with an investment that is part of an overall €15.8 million for 2026.

Again, this is good news and a lot of great work is being done. More importantly, lives are being saved. I thank the ambulance service and everyone involved in the great work it does. I see it from my door in Sligo, which is near Sligo Airport from where the Coast Guard helicopters also work.

Senator Martin Conway: I thank the Minister of State.

Child Abuse

Senator Tom Clonan: I thank the Minister of State for coming along today. He can see from my Commencement matter that these are very grave matters, and they revolve around several issues.

First and foremost is the potential rape and sexual assault of children in HSE West and North-West, that is, Sligo, Leitrim, Roscommon and Donegal. I have raised these issues in the health committee, on the floor of this House during the Order of Business and in previous Commencement matters, and no meaningful action has been taken.

This issue refers to three people of conscience in the HSE; three fine clinicians who reached out to me almost two years ago, and whom I have met in Carrick-on-Shannon and Sligo. They told me one of them was informed of a child sexual assault or the potential for one - even a rape of a child - and under the guidelines, this requires mandatory reporting, so they set about reporting it to An Garda Síochána and Tusla. However, they then experienced reprisal, harassment and bullying in the workplace from a senior manager who directed them not to report their concerns.

Not reporting their concerns is a criminal offence. For a senior manager to instruct, direct or advise these clinicians not to make this report is also a criminal offence, is it not? No disciplinary process has been taken against that individual and there has been no investigation into that person. The reason I am here today is because I met those three clinicians again and there was another similar incident earlier this year - a second time.

A woman came into the clinic and expressed concerns - and I am sorry to use this language here - that she had discovered her spouse - her husband - was accessing child pornography images and films through his devices. These are crime scenes. This is the sexual abuse and rape of children. She reported this and her concerns about children in the family and neighbouring children but again, when they reported this, there was push-back from the same management team to say they should not be reporting this. It was even suggested that one of these clinicians had a mental disorder.

They raised these concerns because they are people of conscience and they have great moral courage, notwithstanding the reprisal and intimidation they have experienced. I have seen the email exchanges between this individual and these three clinicians. It is appalling; you could not make it up. However, as this is a very grave and dark thing, they raised these concerns by way of protected disclosures in February 2025. Here we are, 18 months later, and no action has been properly taken. Those protected disclosures have not been processed about a child safety issue.

Are the people of Donegal, Sligo, Leitrim and Roscommon happy that their children are left in an environment where grave concerns - criminal concerns - are raised and, by way of the processes set out, no meaningful action is taken?

Some of the oft-repeated questions in politics are when people found out and, when they did, what they did about it. I raised this by way of Commencement matter and on the Order of Business last year and in October I informed the regional executive officer of HSE West and North-West about this. I reminded him of it. Therefore, today I am at the end of my tether. I have raised serious issues in this country, about sexual assault and rape of female soldiers, for example, and now a tribunal is sitting up in Smithfield at huge expense to the taxpayer. It is Tom Clonan for slow learners. I raised all those issues 25 years ago and here I am. George Gibney is up in the courts waiting to be sentenced. It took, as Senator Boyhan said here yesterday, 50 years for his paedophilia and abuse to be reckoned with. What are we going to do in HSE West and North-West?

Deputy Frankie Feighan: I thank the Senator for raising this important matter in the House. I am taking this Commencement matter on behalf of the Minister for Health, Deputy Carroll MacNeill.

I am aware of the issues raised by the Senator. He will appreciate that neither I nor the HSE can comment on any individual case. The HSE, as a matter of routine, rigorously investigates any allegations of the nature made in this case and notifies all appropriate agencies and individuals. I understand that HSE West and North-West is progressing an independent external review under the HSE incident management framework of 2020 relating to a counselling service in the north west. This review was initiated following concerns raised in relation to children first mandatory reporting. The company has examined a number of records from the counselling service. These have been subject to an agreed review process in line with the terms of reference. The independent company has completed the first and second review of documentation provided by the HSE within the agreed timeframe. Recently, the company sought further records from the HSE, which is in the process of compiling them. The HSE advises that it has engaged with staff directly in relation to this process, in line with the incident management framework.

I understand that while the HSE has been actively working on this issue from the outset, the formal review process took longer than anticipated to commence owing to its complexity. While the HSE regrets the delay to date, it must allow the company to complete its review within the parameters of the terms of reference. Once this review is completed, the HSE will take any required actions to ensure that the findings and recommendations are implemented in full.

Under the Children First Act 2015, there are specific legal obligations for certain staff known as “mandated persons” to report certain information relating to harm of a child to Tusla. This is known as mandatory reporting. The Children First Act 2015 is supported by the Children First National Guidance for the Protection and Welfare of Children of 2017, and the HSE child protection and welfare policy, which sets out the roles, responsibilities and procedures assigned to ensure the effective management of child protection and welfare concerns in the HSE. The HSE is very clear about the obligations of mandated persons. All staff are regularly made aware of the policy and the obligations on mandated staff to report their concerns to Tusla and-or An Garda Síochána, where necessary.

The HSE indicates that, after the relevant therapists wrote to the CEO of the HSE in October 2024 on this matter, the CEO wrote to the health region stating there should be no line management screening of mandated reporting by individual professions and suggested the therapists be advised immediately that they are free to contact Tusla directly. The relevant staff were advised of this. One aspect of the existing HSE child protection and welfare policy indicates that staff should inform their line manager when a concern arises and-or when a concern is reported to Tusla. The purpose of this is for communication; consultation when a staff member is unsure about their concern, particularly staff who are not mandated persons; and for the line manager to ensure that the child protection and welfare reporting procedure is followed correctly. The HSE advises it is not intended to be a screening of a concern or a barrier to reporting. The HSE policy clearly states that when there is disagreement about the threshold of concern, either party can seek further consultation with Tusla and that if people remain concerned, they should report this concern to Tusla and-or An Garda Síochána.

The policy also states that a mandated person cannot delegate their responsibility to report. Despite these safeguards, unfortunately, serious cases of this nature can arise, albeit infrequently, within the health service or elsewhere in society. I, therefore, urge all those who require care now or in the future to seek help without delay, or to continue to engage with services if they are already in the system. Again, I stress that the existing wide range of HSE youth mental health services provides vital care supports to many vulnerable young people and their families each year and make a real difference to achieving recovery.

Acting Chairperson (Senator Chris Andrews): Before the Senator rises, I welcome Ferns Diocesan Youth Service, FDYS, a group of Traveller women who are guests of Deputy Lawlor. They are welcome. It is important that young women are involved in and engaged with politics, because whether or not they like all the old men, this is where decisions are made. It is important that people engage.

I also welcome another group with Deputy Ó Súilleabháin. They are welcome. I know they will all be well looked after. It is great to see them here. It is important that everyone is here.

Senator Tom Clonan: I thank the Minister of State for reading out the statement on behalf of the Minister, Deputy MacNeill. None of these remarks are directed personally at the Minister of State, but to be honest, ChatGPT could have written that response. In it, the Minister, Deputy MacNeill says she and the HSE cannot comment on individual cases. Then on the second page, she refers at length to this individual case, so they do and do not do so when it suits them. That is a rhetorical device to insulate themselves from responsibility.

There is a serious problem in that area. The Ministers of State, Deputies Feighan and Harkin, and other TDs who are representatives of that area are now aware of it. They should be looking into it. I should not have to go up and down to Carrick-on-Shannon and Sligo on a child protection issue. This should be dealt with with energy and urgency, because all this talk about process is not child-centred. It is administration-centred and it is a classic HSE tactic to cover up, deny and delay grave matters.

I want to know why this particular manager is pushing back on mandatory reporting of child sexual abuse. There are serious questions to be answered here.

I will conclude with this. A moral excuse can be made for theft to save people's lives if they rob some food. A moral rationale can even be made for killing in defence of people's own lives. The one thing as a species we have no rationale for - there can be no defence for - is the rape of a child and here we have a manager who says that concerns in this regard should not be reported. I cannot think of a more serious issue that has been brought before this House.

Deputy Frankie Feighan: Again, I thank the Senator for his comments. He raised some serious and important questions, which he wants answers to. While the Department of Children, Disability and Equality holds overall responsibility for the legislative and policy framework under which child protection and welfare services are delivered, monitored, inspected and measured, it is the responsibility of all Departments to ensure children and young people are kept safe while accessing services provided or funded by each Department.

The Senator said this is in the constituency I represent. If he wishes, he can pass the files to me and I will follow it up. This is of a serious nature. It is also the responsibility of all Departments to ensure all staff in the Department and relevant sectors and agencies under their remit are aware of and comply with their obligations under this guidance and relevant legislation.

Again, above all, the safety and welfare of children must remain the overriding consideration, as the Senator said, in all circumstances. The Government expects full adherence to statutory child safeguarding obligations that exist to protect vulnerable young children. These are serious questions and I am happy to assist.

Artists' Remuneration

Acting Chairperson (Senator Chris Andrews): The next speaker is Senator Cosgrove. We will just wait for the Minister of State, Deputy McConalogue.

Senator Nessa Cosgrove: Cuirim fáilte roimh an Aire Stáit. Nach éagóir é go bhfuil ealaíontóirí na tíre á gcur ar stáitse againn chun saibhreas cultúrtha na tíre a léiriú, ach iad beo bocht? Níl sé sin ceart ar chor ar bith. Since ancient times, we Irish have been famous for literature, storytelling, music and whatever we generally call "the arts". It is a term that is used to describe a wide variety of creative work from which we, as individuals and a society, benefit. We lean on the arts in this country, from visual art, painting, sculpture, film, performing arts, theatre, circus and spectacle to the composition of literature and music. Especially in my part of the world, we all know how much we rely on that arts. They have such an impact on people's lives. Nearly everyone engages with some level of art in their daily lives.

There is no accurate way to count how many people are actively involved in the arts as creators at a professional level but we know it is a massive amount of people. We can say with certainty, however, that over 10,000 artists and creative workers applied for the initial pilot of the basic income for artists in 2022, and that 2,000 of those artists and creative workers were selected for inclusion in the pilot. Those lucky enough to be selected between 2022 and 2026 received a payment of €325 per week. It was used by them to support them in a professional practice. We are all familiar with the historic link between artists and poverty, and the reality is that it is ongoing. Many artists live in poverty. We rely on them so much. Last Wednesday, at the launch of our EU Presidency, it was wonderful for us to show the world the creative richness we have here.

In 2025, the Arts Council produced a toolkit, Fair Pay, Fair Practice. Its purpose is admirable and it is consistent with values that I believe in. In my previous job, I worked to support artists. The fact that the Arts Council had to produce this policy toolkit clearly demonstrates that everybody who works in the arts knows the work that artists do and that they are not paid fairly for their work. There are unseen hours of preparation, research and gathering materials. In other professions, you would get paid for that, but for some reason, that work when done by creatives goes without pay.

Organisations employ artists at rates that never reflect that value of what they produce. They are not the ones to blame for this. To attribute a financial value to something that may be conceptual or dependent on taste is a challenge. I understand it is a challenge. This is why the

basic income for artists works. It is about ensuring that artists have a basic income on which they can rely, allowing them to concentrate purely on the value of their product rather than spending so long either in part-time work or filling out unnecessary forms and grant applications.

During the downturn, which started in 2008, the consequences of which we are still living with, an estimated 48% of artists left their practice. Imagine that this scheme had been in operation since then. Who did we lose from the art world before they ever got the chance to shine?

In fairness, I will give deserved respect to the former Minister, Catherine Martin. She deserves great respect for bringing in the scheme. The fact that the pilot has been extended to a full and permanent scheme, which will run on a three-year cycle from 2026 to 2029, demonstrates the commitment of the current Minister. I am asking whether there is any intention to build on it. We know it works. We know how much as a country we lean on artistic ability. We lean on creativity. People definitely do not come here for the weather. They come here for the richness of our culture and heritage. We saw the number of people who applied and were approved for the scheme. Could it be extended? Could the basic income for artists be extended so we give the artists the commitment and recognition in monetary value that they deserve?

Minister of State at the Department of Culture, Communications and Sport (Deputy Charlie McConalogue): I thank the Senator for raising this Commencement matter on an important initiative for the State and the Government, that is, the basic income for artists scheme. It is a once-in-a-generation policy intervention that has the potential to transform the lives of artists, as confirmed by the research published during the pilot.

Last year, the Department conducted a public consultation on the basic income for the arts. This consultation received over 17,000 submissions, with 97% of respondents in favour of making the scheme permanent. This shows that the value of the basic income for the arts is appreciated not only by those in the arts sector but also by society at large.

In February, the Government agreed to make the basic income for the arts scheme permanent. This is a major milestone for the arts in Ireland. Research conducted by the Department provided the Government with a clear evidence base upon which to make that decision. With an allocation of €18.27 million for this year, the Department is in a position to fund 2,000 artists. At the launch of the new scheme in February, the Minister, Deputy O'Donovan, stated that, over time, he would like to expand the scheme beyond 2,000 artists, should more funding become available in the future.

The successor scheme to the basic income for the arts pilot saw just over 10,000 applications received by the deadline of 12 May. Assessment of applications is ongoing and will take place over the summer, with payments to 2,000 artists beginning before the end of this year. All applicants had to complete a comprehensive survey at the time of application. Those who will receive the payment will provide data on an ongoing basis. A diversity of arts practices, ages and geographical distribution is visible in the applications submitted. The data collected as part of the application is a snapshot of the sector in 2026 and will be a great resource for the Department in developing future policy for the arts. A report setting out this data will be published in due course. Compliance with eligibility will be continuously recorded and

assessed throughout the time a recipient receives the payment. All successful participants will need to register with Revenue as self-employed and pay Schedule D income tax where appropriate on basic income for the arts payments.

The goals of the scheme are to incentivise the development and growth of professional creative practice through self-employment; to counter the earnings instability and precarious nature of working in the arts and the detrimental effect it has on an artist's well-being; to foster artists' agency and safeguard freedom of expression; to retain talent in the sector by reducing the need for artists to work outside of the arts for economic reasons; to support and expand the sector thanks to spillover effects including hiring of collaborators, expenditure on materials and emergence of new projects; to support social cohesion and societal well-being by creating more opportunities for citizens to engage in the arts and to offer a larger selection of artworks and performances to enjoy; and to recognise the contribution of artists to a pluralistic society and their contribution to the vibrancy of communities across the nation.

It is a significant departure. It is an innovative and welcome scheme. I agree with the Senator on the prioritisation that the previous Minister, Catherine Martin, gave to developing the pilot. It is something that the current Government and I as Minister of State in the Department are very committed to. It is a wonderful opportunity. The objective will be to see how it can be built on. The pilot in the first place was a significant step forward, as was the decision this year to put it on a permanent basis. From this year on, we will see 2,000 people as a baseline participating in it. We will monitor it and see its impact. It is a significant decision by the State in recognition of the importance of the arts and the role artists play in our national civic life and cultural life. We will see how we can continue to build on the recognition and prioritisation we are giving the arts through the basic income for the arts scheme.

Senator Nessa Cosgrove: It is reassuring to hear that there is a commitment to continue it. I am delighted that it has been made permanent. It is hard enough, though, as not everyone is eligible. Praxis, the artists' union, would urge that anyone eligible should receive it. We need more art, not less. All jobs and workers are under threat from AI but creative workers are particularly vulnerable. We see how much we as a society lean on it. I believe there is research that shows that, for every euro spent on the basic income for the arts scheme, €1.39 is returned to the economy. That is an incredible figure. Artists are spending their money locally, bringing communities together through it. I hope the commitment will continue and we will look at extending it to anyone eligible.

Deputy Charlie McConalogue: I thank the Senator for her advocacy for the arts and this scheme. I agree that we need to see more art, not less. We need within our society to ensure that there is space and support for artists to follow their creative abilities, develop them and have that potential realised for themselves and for society generally. The basic income for the arts is a significant step forward and departure in that regard. We are paving new ground internationally. I have attended European Council meetings where there has been significant interest from other member states in what we are doing, given that what we are trying to achieve is pioneering. The approach taken in developing a pilot, learning from that and now putting it on a permanent basis is a sensible one designed to make the most impact in how we design the scheme. Our collective objective should be to see how we can build on that and make sure that

the arts community and people with artistic ability in our communities are supported in a way that enables that talent to flourish and contribute to wider society.

Cuireadh an Seanad ar fionraí ar 11.26 a.m. agus cuireadh tús leis arís ar 11.31 a.m.

Sitting suspended at 11.26 a.m. and resumed at 11.31 a.m.

An tOrd Gnó - Order of Business

Senator Garret Ahearn: The Order of Business is No. 1, Insurance (Disregard of Certain Medical History and Miscellaneous Provisions) Bill 2025, changed from Central Bank (Amendment) Bill 2025 – Committee and Remaining Stages, to be taken at 12.45 p.m.; No. 2, National Treasury Management Agency (Miscellaneous Provisions) Bill 2026 – Committee and Remaining Stages, to be taken on the conclusion of No. 1; No. 3, Dublin Airport (Passenger Capacity) Bill 2026 – Committee and Remaining Stages, to be taken at 2 p.m., and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 4 p.m. by the putting of one question from the Chair which in relation to amendments shall include only those set down or accepted by the Government; No. 4, Israeli Settlements in the Occupied Palestinian Territory (Prohibition of Importation of Goods) Bill 2026 – Second Stage, to be taken at 4 p.m. and to conclude at 6.30 p.m., with the time allocated to the opening remarks of the Minister not to exceed ten minutes, group spokespersons not to exceed ten minutes, all other Senators not to exceed five minutes, time may be shared, and the Minister to be given no less than ten minutes to reply to the debate; and No. 5, Private Members' business, Protection of Children (Online Age Verification) Bill 2026 – Second Stage, to be taken at 6.30 p.m., with the time allocated for this debate not to exceed two hours.

Senator Lorraine Clifford-Lee: I read with great concern yesterday reports to the effect that Transport Infrastructure Ireland, TII, is concerned that tailbacks of traffic heading to Dublin Port through East Wall and the Dublin Port tunnel are so great that they may force the closure of access to the port for heavy goods vehicles, HGVs. TII is so concerned that it has suggested increasing the peak toll from €13 to €14. The number of cars using the port tunnel is rising so quickly that TII is recommending this increase to deter private car drivers from using it. The volume of such traffic is increasing by more than 8% a year. TII has indicated that this is unsustainable and could undermine the purpose of the tunnel, which is to give HGVs access to the port.

As already stated, TII is recommending an increase in the toll from €13 to €14 in order to discourage overuse of the tunnel by non-commercial vehicles. The toll was increased to €13 in January 2025 from the previous amount of €12. In January 2024, it rose from €10 to €12. The level of the toll has been rising incrementally over the years. The use of cars through the Dublin Port tunnel has also been increasing year on year. The incremental increases to the toll are not reducing car use.

The reason that there is such a heavy volume of cars going through the Dublin Port tunnel is because the population in north County Dublin is increasing. If anything is unsustainable, it is the lack of decent public transport in north County Dublin. A lot of housing is being built there, which is welcome. People need housing, and I do not have a problem with that. However,

I do have a problem with commuters from north County Dublin being punished by a State body, namely TII, suggesting an increase in order to deter these people from using the tunnel. People do not want to use their private cars, but they have no other option because the public transport infrastructure in north County Dublin is so underdeveloped. Housing is being built, which, as I said, is welcome, but thought is not being put into what people have to go through on a daily basis in the context of dealing with traffic congestion. No one wants to pay €13 to use the port tunnel. People are not the tunnel just because they want to; they are using it because they have no other option. I am talking about people who live in the towns of Rush, Lusk, Skerries and Balbriggan and in more rural areas such as Balruddery, Ballyboughal, Oldtown and Naul. They have no other option. They do not have good, developed public transport. They have to travel across Dublin to get to work. I call on the Government to intervene in respect of this matter and to speak to TII about it in order to ensure that the workers of north County Dublin are not punished and the toll is not increased.

I invite all my colleagues to the Rush festival, which will be taking place on the August bank holiday weekend. This is a fantastic family event that takes place over three days. The highlight is going to be the Fingal Rush air display, which will take place at 3 p.m. on Sunday, 2 August. It will be a fantastic weekend. I love it every year. Live Forever, an Oasis tribute band, will play in the pavilion, as will the 80s Generation on the Sunday night.

Senator Victor Boyhan: We will fly over for that with Ryanair.

Senator Lorraine Clifford-Lee: This is a fantastic festival organised by Rush Community Council. There will be beach volleyball, historical walks, a sandcastle competition, which my kids love every year, a didgeridoo rave, which is something I have not experienced before but am looking forward to, a food and drink fair and yoga on the beach. Senators should come to Rush over the August bank holiday weekend.

Senator Mike Kennelly: I cannot wait to get to Rush.

I wish to express my support for the greyhound industry in Ireland and for the regulated practice of hare coursing, both of which make a significant contribution to our economy, our rural communities and our cultural heritage. The greyhound sector supports approximately 5,000 jobs across the country, providing employment in training, breeding, veterinary care, transport, hospitality and many other related services. For many families, particularly those in rural Ireland, it represents an important source of income and economic activity. At a time when sustaining rural communities remains a national priority, we should recognise the valuable role this industry continues to play.

Beyond its economic contribution, greyhound racing is also a social and community activity. For generations, families have gathered at tracks and events across the country, creating lasting memories and maintaining local traditions. The vast majority of owners and trainers have a genuine love of their animals and devote considerable time, care and resources to ensuring their welfare. These dogs are not simply racing animals; they are valued companions and an important part of family life in rural Ireland. Like the horse industry, greyhound racing is one of Ireland's oldest sporting and cultural traditions. It is woven into the fabric of many communities and has been passed down from one generation to the next. Rather than

abandoning that heritage, we should work together to preserve and strengthen it in order to ensure that it continues in a responsible and sustainable manner for many years to come.

The same can be said for regulated hare coursing. The Irish Coursing Club has been in existence for over 100 years. Today, it represents 108 affiliated clubs across this country. Over the 100 years of its existence, coursing has evolved into highly regulated activity, operating under strict rules and oversight. Supporters remain committed to operating within a highly regulated environment, supporting hare conservation, combating illegal hunting, protecting rural traditions, supporting local economies and maintaining positive relationships with statutory bodies.

The facts often cited by supporters are worth noting. Research indicates that there are 18 times more hares in areas where organised coursing exists. During the 2023 and 2024 coursing season, 99.52% of all coursed hares were released back into the wild. Independent research has also found no observed difference between coursed and non-coursed hares. In addition, the coursing community continues to support efforts to combat illegal hunting by promoting regulated and accountable activities.

There is also a significant economic impact. Hare coursing is estimated to generate economic activity in excess of €17 million, benefiting local businesses, hotels, restaurants, shops and service providers in rural areas. Not everyone agrees with greyhound racing, and in a democratic society, different opinions should always be respected. Strong views exist on all sides. However, it is important that debate be informed by facts rather than misinformation. Honest discussion, transparency and continued focus on the highest welfare standards will help to ensure that public confidence is maintained.

The comments by Sinn Féin Senator Chris Andrews yesterday about the greyhound industry were shocking. He said, "the greyhound industry ... has a shocking dog welfare record. It is absolutely shocking and there is no transparency or accountability." These comments should be withdrawn from the Seanad record. This is damaging to the greyhound industry in this country, which many people in rural areas and I support.

The greyhound industry and regulated hare coursing remain important pillars of rural Ireland. They support jobs, contribute to local economies, preserve valued traditions and bring communities together. By continuing to promote regulation, responsible practices, animal welfare, conservation and transparency, we can ensure that these long-standing traditions continue to make a positive contribution to Irish society.

I wish all the travelling Kerry supporters and the Kerry team a safe trip to Dublin on Sunday afternoon.

An Cathaoirleach: And a safe return trip.

Senator Mike Kennelly: We will not make it to Rush this weekend but we might make it over the weekend of 24 July. I also wish the best of luck to the Louth and Mayo teams in the upcoming weekend.

Senator Tom Clonan: Up the Dubs.

Senator Victor Boyhan: I have to respond to Senator Clifford-Lee, who gave a great plug for the coastal swimming place in Rush. I am not quite sure how I would go or how I would recommend people to go, given the difficulties she outlined in relation to transport through the tunnel. Last week, she articulated concerns over the cap at Dublin Airport. Clearly, there is a bottleneck with transport out there. On a more serious note, I agree with her that the issue with the tunnel is a challenge, but there are also challenges with housing and transport. With the Planning and Development (Amendment) Bill 2026 tomorrow, we will have an opportunity to discuss those issues. It is a valid point and I support her on it.

On building a caring society, Family Carers Ireland has a presentation in Buswells Hotel this morning. There I met Councillor Richie Molloy, a colleague of mine and of the Leader's from Clonmel. That organisation has nine requests, as follows: a fair and adequate income for carers; the abolition of the carer's allowance means test, which should not come as any surprise to those in government who committed themselves to doing something about it but nothing has happened yet; a right to respite; the full funding of the carer guarantee; the delivery of the statutory home support scheme; prioritisation of supports for children with additional needs; the delivery of housing, transport and climate justice; support for family carers in paid employment, which is an important point to make; and future planning and assisted decision-making.

These nine pillars encompass 54 specific proposals aimed at improving the lives of people who need care and those who care for them. Family Carers Ireland, FCI, believes that most of the 54 specific proposals in its pre-budget 2027 submission can be achieved. I personally believe that the FCI proposals provide a roadmap for creating a more equitable, more sustainable and more responsive care system for family carers. I ask that my colleagues across all parts of this House would advocate for the measures outlined in the family carers budget 2027 submission and perhaps raise it this evening at their parliamentary party meetings. I do not doubt people's commitment. Behind all of this, of course, is resourcing. It is an important issue and I hope that we will articulate and advocate for these nine pillars for Family Carers Ireland.

Senator Pauline Tully: I want to raise the case of an 18-year-old woman living in Cavan. She was admitted to Cavan General Hospital in September 2025. She was 17 at the time and spent four weeks there with symptoms of vomiting, constant headaches and light sensitivity. One doctor thought it was chronic meningitis and talked about doing a lumbar puncture but other doctors disagreed. No procedure was carried out and no determination was made as to what was actually wrong. She was given antibiotics and sent home. She ended up back in hospital in November, this time for nine weeks, again with similar symptoms, only worse. She was very dizzy, collapsing and not able to keep food and liquids down. Again, no conclusions were reached and no adequate treatment was prescribed. She ended up being admitted in May for a week. She was discharged on a Friday, but had to be brought to hospital by ambulance the following Thursday and was readmitted for another four weeks.

Of the last nine months, she has spent 18 weeks in hospital. She is vomiting, collapsing and very weak. When she was readmitted in May, she was put on a heart monitor because her heartbeat was erratic. Bloods were taken every day but she got no clear explanation as to why this was happening or what the right conclusion from the tests was. She collapsed several times while in hospital but this was not actually documented by the hospital. A dietitian was only

notified of her condition on the day that she was being discharged. The dietician was very worried about her and said that she should have been peg fed for the time she was in hospital.

She has now been referred to community services but there are very long waiting list there. There was no referral for a second opinion. Even though this was mentioned, it was not actually done. Her notes to her GP were inaccurate and did not include some of the medication she was prescribed. She has now ended up on 20 tablets a day. An 18-year-old woman on 20 tablets a day is outrageous. Her notes talked about appointments made for her that she attended but she had not. Even the records around her care were not accurate. She has lost 10 kg in weight and has missed out on a year's school, including missing her leaving cert.

It is not that the first time I have raised concerns about healthcare in Cavan General Hospital. The vast majority of staff are excellent. The hospital is under-resourced and under pressure. The Minister for Health needs to address the inefficiencies in Cavan General Hospital. I am concerned about the hospital and about patient care. I do not want to see the hospital undermined in any way. We are delighted to have a hospital in the county, but it has to be one we have trust in. I am calling on the Minister for Health to address the issues in Cavan General Hospital.

Senator Cathal Byrne: I very much welcome the move by the Government to recognise Rosslare Europort as a tier 1 category port. This is a significant development, not just for Wexford, but also for the entire south-east region. The issue that I want to highlight is the long-awaited and much discussed road that will run to Rosslare Europort and will ultimately connect it all the way up to Belfast. The stretch of the M11 motorway from Oilgate to Rosslare has been under discussion since 2009. Finally, the route has been selected and detailed design is getting done so that the application for planning permission can be made.

There are 170 individual landowners whose properties have effectively been sterilised because they have been included in a route since 2009. The latest information that I have is that the planning application cannot be lodged until 2027 and then it will take approximately two years to go through the planning process. We need to have a debate in this House with the Minister, Deputy Jack Chambers, as the Minister responsible for infrastructure, to examine why large infrastructure projects like this road are taking so long to get through the planning process.

What changes can be made in order to speed that up, whether through legislation or by other means as a result of the accelerating infrastructure task force? The result should be the speeding up of this much-needed motorway.

An Cathaoirleach: I remind Members to turn their phones back on when they leave the Chamber.

Senator Gareth Scahill: I wish to discuss accessibility in our towns and villages. On 29 May 2026 we had Make Way Day, which was the day when historically our local authorities go out with a number of organisations led by Disability Ireland to highlight the lack of accessibility around many of our towns and villages. I have raised this issue a number of times before but I do not believe it is being looked after properly. The NTA is predominantly responsible for funding this within the local authorities. We look at such issues as tactile

paving, dropped kerbs, many pedestrian crossings, safe walking and wheeling routes. I have raised the issue repeatedly within the local authority. Whenever the NTA gets involved, matters seem to become more complicated than needs to be the case. I was out with a group of people within the past 12 months. We looked at trying to bring a wheelchair to the local train station. When we got close to the train station we had to turn around, go back about 500 m to where there was a dropped kerb, cross the road and then cross the road at two other points before we could actually get to the train station. It is a simple thing. An engineer has one idea as to how something should be done but we really need to look at the lived experience. I would love a conversation in this House whereby some discretionary funding could be allocated to local authorities in order that, rather than all of us going out on Make Way Day to take a photograph and then wait 12 months to do it again, some action could actually be delivered in the 12 months in between to make towns and villages more accessible.

A little time has been allocated for this. I wish to promote the local festivals in my area over July and August, starting with the Boyle Arts Festival next Thursday, 16 July. I encourage people to check out the website for that. From 25 July to 2 August there is the famous Castlerea Rose Festival, quickly followed by the Castlerea Agricultural Show on the bank holiday Monday. Tickets for that are available on the Castlerea Rose Festival social media page and on the website as well. For anyone who has not had their fill at that stage, there is the Ballaghaderreen Arts Festival, which kicks off on 1 August.

Senator Lorraine Clifford-Lee: I started it.

Senator Gareth Scahill: Yes, the Senator did start it, but we may as well all get the promotions done. It is a great opportunity to promote.

An Cathaoirleach: We will have to send out a circular.

Senator Gareth Scahill: When people are finished in Rush they might come and see the wonderful offerings we have in Roscommon. I wish the very best of luck to all the voluntary committees that have put extensive work into that.

An Cathaoirleach: I welcome the guests of Deputy Noel McCarthy in the Public Gallery along with two work experience students, guests of the Minister of State, Deputy Richmond, as well as Lucan Youth Fun Group, guests of Deputy Gogarty. I do not know about their definition of fun but I am sure being in the Seanad must be high on the list of fun things to do in Dublin. I now call Senator Clonan.

Senator Tom Clonan: With the Cathaoirleach's leave I would like to propose an amendment to the Order of Business today to take No. 20 on the Order Paper before No. 1 in order that I can introduce my Adult Safeguarding Strategy Bill. I need to get a seconder.

Senator Chris Andrews: I can second that.

Senator Tom Clonan: I thank the Senator. The Adult Safeguarding Strategy Bill that I hope to introduce fills the gap that exists in Irish legislation around adult safeguarding for our elderly

citizens and for all of us who at some point in life will need care. This Bill is consistent with what the Government has set out in the programme for Government. I thank all my colleagues from Sinn Féin, the Labour Party, Aontú, the Green Party and the Civic Engagement Group and from my colleagues in the Seanad Independent Group for co-sponsoring the Bill. I also thank my colleagues on the other side of the House. We have some way to go on this but they have indicated that they will not oppose it. That is emblematic of this House in that we can see in Westminster and Washington the aggravated polarity in those Chambers. However, this remains a collegial House. While we often disagree here, sometimes vocally and strenuously, we are colleagues and we have the best interests of the public at heart. This legislation if progressed will bring Ireland into line with the rest of Europe in relation to adult safeguarding and will fill that gap.

In the late 1970s, as part of the Finglas youth project we used to cycle out to Rush and Skerries. I would say they were delighted to see us coming. We each had 50 pence to spend in the shops. They were probably even more delighted to see us going back. On a serious note, that part of county Dublin, Rush, Skerries, the Naul, Ballyboughal and Man of War is the most beautiful countryside. It is a hidden heartland of the county. The best of luck with the festivals.

An Cathaoirleach: The Senator neglected Roscommon in his comments. I wanted to make the intervention before he did so himself.

Senator Manus Boyle: We too have plenty of great festivals in Donegal.

An Cathaoirleach: Stop.

Senator Manus Boyle: I am not going to name them but everybody's welcome.

An Cathaoirleach: Time does not allow for going through all the festivals in Donegal.

Senator Manus Boyle: I wish to take up an issue that is close to our hearts in Donegal and that is the lack of home care services. Patients are being discharged from hospital because they have been approved for home help. However, when they get home many receive a letter saying there are not enough staff to provide all the approved hours. As a result, they are not getting the care they need and families are left trying to cope on their own. Many vulnerable people are struggling without this necessary support. Too often this leads to patients becoming unwell and ending up back in the hospital. This is upsetting for the patients and their families. It places additional pressure on the hospital.

Approving home help hours is not enough if there are no carers available to deliver them. We need to ensure that home care providers and staff are in place before they are discharged from the hospital. People deserve real support not just approval on paper. We need to prioritise the workforce capacity alongside funding for approved home care hours and provide real support for people who need it most. Investment in recruitment, retention, pay, training and conditions for these home care workers is essential if we are to build a sustainable service moving forward.

This is a real issue that I have been coming up against in the past three or four months in Donegal. Families are at their wits' end trying to cover these hours that they were assured they were going to get. Will the Leader address it with the Minister to see whether we can get any movement on it? People are pressed to the pin of their collar as they are. They really need that support.

Senator Mark Duffy: I would like to raise and support a proposal that Senator Nelson Murray previously raised in relation to the notification of passport renewals. It is a good proposal and a very good idea. As we know, all of our offices at certain times of the year are inundated with requests and frantic last minute attempts to try to get passports for people who need them for a holiday, family trip or even a family emergency. It causes a lot of stress and anxiety for families. It would actually be interesting to have a study on the financial implications of it for families who lose out on trips, accommodation and travel abroad. I welcome the reply that was given. It means that going forward, there will be an opt-in for a reminder. In this day and age, at times there is overkill with GDPR. Everyone would welcome a little reminder from the Passport Office to say that their passport is due to expire in six months.

What kind of world do we live in if that cannot be done for each passport holder? A reminder should be given. People will see the benefit in ten years when their passports are due to expire and they need to renew them. We will begin to be aware much sooner, though, with earlier notifications for people's whose passports are due to expire quite soon. A reminder would take a lot of stress and hassle out of people's lives. Everyone gets reminders for things such as tax and insurance renewals. This should be no different. If a message went out to people asking them if they would like a reminder for the short term, be it next year or so on, as opposed to waiting ten years, then that would be very worthwhile and positively received.

Senator Aubrey McCarthy: I wish to raise the issue of insurance reform. Progress has been made. My colleague Senator Nelson Murray often raises the matter. We cannot afford to lose momentum in this area. The latest report by the Society of Actuaries in Ireland confirms that the reforms introduced in recent years are working. Since the personal injury guidelines were introduced in 2021, the average injury award has fallen by almost 30%. That is significant and the Government deserves credit for staying the course on this, but we are not there yet. Insurance premiums remain far too high for many people. I hear that from small business clubs, charities and community organisations every week. As somebody who has run social enterprises in the community - we have a new one opening in Wicklow town this Friday - I know the pressure that insurance costs place on such organisations, like Tiglin, that simply want to serve their communities. In some cases, insurance costs can be the difference between expanding and shutting down.

The report also highlights that legal costs continue to drive up claims. The Central Bank has found that claims dealt with through the Injuries Resolution Board are resolved in half the time of those that end up in litigation. Of course, that is better for everyone. It supports the person who makes the claim and the person who pays the premium. Therefore, we need to encourage far more cases to avail of the Injuries Resolution Board.

I urge the Government to progress the judicial council (amendment) Bill because we need a fairer and more predictable system with proper international benchmarking. It is not about

denying people fair compensation; it is about striking the right balance, with which everybody in this House would agree. Ultimately, lower claims must translate into lower premiums but we are not seeing that at the moment. That is what motorists, businesses, voluntary organisations and families across Ireland have been promised and that is what they deserve.

I second the amendment proposed by Senator Clonan.

Senator Paraic Brady: I rise to speak about the Common Agricultural Policy, CAP. For decades, the narratives that surrounded CAP have been a battleground of maximising the different sectors that can extract the most from the budget, be it the suckler cow sector, the sheep sector or the tillage sector, yet the fundamental human element has constantly been ignored. I refer to the quality of life of the person working the land. For generations, farmers have not taken time off. They have not got time to take time off. I will supply some figures: a dairy farmer takes 19 days off, on average, in a total year, so is a complete slave to the land; 63% of beef farmers are forced to work off farm due to the poor income, using up to 19 days of their annual leave to work on the farm; and 87% of Irish farms rely primarily on their own family labour.

Farmers do not get sick leave. They do not get time off. When there is snow on the ground, people in other sectors can ring their workplaces and say they do not intend to go to work because the roads are slippery. Unfortunately, farmers must get up and milk their cows, feed the cattle and look after livestock. A farmer does not get the same privileges as workers in other sectors. They do not get time to say that they are taking a day off, even when bereavement hits. Therefore, I welcome the new CAP proposals, as they will support family bereavement on a farm. The proposals will support a farmer so that they can take five days off with their spouse, travel down the country and spend time away from the farm. Such provision will help with mental health in young farmers and older farmers. I welcome anything that supports our rural communities.

Senators: Hear, hear.

An Cathaoirleach: Before I call the next speaker, I welcome the friends of former Member, Mary Wallace, to the Gallery. Anois, Seanadóir Nelson Murray.

Senator Linda Nelson Murray: A lot of my colleagues have spoken about their wonderful villages and towns and how gorgeous they are. Unfortunately, when I was scrolling on the social media page for my local authority, Meath County Council, yesterday, I was saddened to see the numerous new reports of graffiti all around Navan, including on the Circular Road, Convent Lane and the brand new pedestrian and cycle bridge. It is soul destroying to see that. Navan town has been part of the Project 2030 plan and the town is looking beautiful, so it is sad to see that people have used spray paint to leave graffiti on numerous walls, buildings and bridges.

Every time that graffiti needs to be removed, council staff must divert time and resources away from other important services, like maintenance work, that benefit the wider community. They benefit people's mums, sisters or somebody in a house that needs boiler maintenance, yet staff have to go and take off graffiti. We cannot spend millions of euro regenerating towns only

to allow them to be vandalised. Graffiti is not a victimless act. It costs taxpayers and businesses thousands of euro, damages civic pride and discourages people from spending time in town centres. We need a zero-delay clean-up policy, strong enforcement and meaningful engagement with young people so that Navan remains a town that people are proud to live and work in and visit.

Should we consider creating a national arts and mural strategy that each council can avail of? Should there be tougher penalties for those offending? Should we set up a QR code at peak locations so that these crimes can be reported? We have the Criminal Damage Act, which includes the offence of defacement of property, and the Litter Pollution Act 1997, which clearly includes graffiti as a specific offence, but they are not working. We cannot continue to spend taxpayers' money making towns and villages vibrant communities but have people who are, for some reason, trying to reflect their artistic skills by spraying graffiti on newly built buildings and walls. Should we start meeting them? Should we see what they want? Do they want specific mural walls? I think they should get them and that they could add to towns. In New York, for example, you can see many beautiful buildings with gorgeous artwork on them. Wicklow has been a great county for it as well. Should we start meeting these people and giving them a platform and an opportunity to express their artistic flare? We should also combine that with tougher penalties? We need to stop this. I would welcome a debate on the matter.

Senator Chris Andrews: I missed Senator Kennelly's comments, as I was a bit late getting up, but I believe that the Senator has asked me to withdraw or retract a statement I made. Yesterday, I made the statement that the greyhound industry "has a shocking dog welfare record. It is absolutely shocking and there is no transparency or accountability." Hell will freeze over before I will retract that because there is any amount of evidence. There is no transparency. There is no accountability.

Senator Mike Kennelly: Every week, the Senator comes into this House and gives misleading information on dogs.

Senator Chris Andrews: The Senator will not interrupt me. We can debate the issue. I suggest that we invite the Minister in. I have got plenty of evidence and there is no transparency or accountability----

An Cathaoirleach: I will give the Senator more time, but just so everyone is aware of Standing Orders 52 and 53, the balance of those is that anybody who speaks in this House must be conscious of any utterances they make injuring the "occupation, trade, office or financial credit" of the person or entity they are speaking about balanced with the public good. Every Senator who comes in here has that obligation of doing both, so they have to take that into account when they are doing it.

Senator Andrews, if he would like to continue.

Senator Chris Andrews: I am conscious of the clock. Will the Cathaoirleach add a bit of time?

An Cathaoirleach: Yes, I will give extra time.

Senator Chris Andrews: There is plenty of evidence that there is no transparency or accountability in the greyhound racing industry. The Committee of Public Accounts is already investigating some of the issues related to greyhound racing.

On another issue, Leader, the charred remains of a dog were found in Ballymun last week.

This dog was so badly damaged it was nearly impossible to identify it. Animal welfare officers described it as one of the most distressing cases they had ever encountered. NSPCA animal rescue made the grim discovery on Thursday and said in a social media post that inspectors did everything possible to identify the animal, including scanning for a microchip. Tragically, the remains were so badly damaged that identification was not possible. The NSPCA added that what appeared to be a stick or pole was lodged in the dog's body. This is one of the most distressing cases NSPCA inspectors have encountered. No animal should ever suffer or be treated in this way. The NSPCA's post has been widely shared and commented on, with people outraged and amplifying the charity's call for information. It is very important that the Garda investigates this serious animal cruelty properly and issues a public update. It is really important that some information is given to the public. So far there has been no statement from the Garda and no arrests. It is very important that someone is held accountable for this. It is another example of failure of animal welfare in this country. I would be more than happy to see the Ministers for agriculture and justice come to the House to debate and discuss animal welfare across the board.

Senator Mike Kennelly: On a point of order-----

Senator Chris Andrews: Too late.

An Cathaoirleach: As Senator Andrews has just pointed out, you can interrupt Senators when they are speaking and ask to be allowed to speak but not afterwards.

Senator Chris Andrews: I learned that last week.

An Cathaoirleach: He had to learn that lesson the hard way.

Senator Mike Kennelly: Do not be late tomorrow Senator because every week you come in here and target the greyhound industry and it is out of order.

Senator Chris Andrews: I was the same last week.

Senator Mike Kennelly: Every week you come in here-----

An Cathaoirleach: For the benefit of Senators, Senator Andrews tried to make a point of order-----

Senator Mike Kennelly: He is targeting the greyhound industry.

An Cathaoirleach: -----after a Senator had completed their speech. You can interrupt a Senator during their speech but you have to ask permission. If the Senator allows you to do so 30 seconds time will be added on to the Senator who gives way. After the speech it becomes the next Senator's time.

Senator Chris Andrews: The Cathaoirleach is explaining what happened last week.

Senator Maria Byrne: I welcome the people from Limerick who have arrived in the Chamber who are with Councillor Noreen Stokes. They have arrived at an opportune time and I pay tribute to Noreen. Her family, friends and supporters have helped her since she got elected and they are all very welcome.

I want to raise two issues regarding regional balance and call for two debates. One is on the almost 3,000 people who are registered for apprenticeships with Limerick and Clare ETB. Apprenticeship is an area that is expanding very much and it is a topic we need to have a debate on as to how we can expand apprenticeships. Third level education does not always work for everybody. Certainly people who go into apprenticeships do very well. They are working along with the likes of TUS, UL and the education and training boards in terms of developing their skills. It is an area we should look at on a national basis.

Last Sunday, 28 June, more than 11,000 passengers went through Shannon Airport. We have a debate later today on raising the cap on Dublin Airport, which is in the Fingal area. I believe we have to have balanced regional development around airports. I would like the Minister for Transport to come to the House for a debate on how we can better utilise all of our airports. We have so many airports. In the first quarter of this year 1.2 million people travelled out of Shannon Airport, which is way up on other years. I would like a debate on this.

Senator Sarah O'Reilly: I want to start by acknowledging the courage and determination of Kelly Lynch's family and especially her mother. Her determination in the face of unimaginable grief has been extraordinary. As a mother I cannot imagine the grief of having to bury your own child. On top of this, Kelly's family has to mourn her death while advocating for justice and answers. Kelly was just 23 years old when she was found in the Ulster Canal in Monaghan. Almost immediately her family raised serious concerns about the circumstances surrounding her death. They pointed to details that simply did not add up, including Kelly's hair, her shoes, her clothing and the extent of her injuries. Instead of these concerns being properly investigated they were dismissed.

The handling of this case is troubling. The scene was not properly isolated and Kelly's clothing was returned to her family without any forensic testing being conducted. Kelly had 93 injuries and yet the police were far too quick to rule her death as misadventure or suicide. They did not follow up on the family's concerns and critical opportunities to preserve evidence were lost. Since then an independent review by pathologist Dr. Fintan Garavan has challenged the original conclusions, finding evidence that he believes is consistent with a violent assault rather than an accidental death.

I welcome the Garda Commissioner's decision to order a review into the handling of Kelly's case but a review on its own is not enough. The real question is what will change because of

this review. What accountability will there be? What will change in the Garda so that another family is not put in the exact same position? Every sudden or unexplained death should be treated as suspicious until a full and proper investigation proves otherwise. I ask again that the Minister for justice meets Kelly Lynch's family. It is so important that he hears their experience of failures in the justice system in this country.

Senator Garret Ahearn: I thank all of the Senators for their contributions. When Senator Maria Byrne was speaking her guests came in and I acknowledge Councillor Noreen Stokes, a very good councillor in Limerick, and her team of supporters who are here with her today. She is a great friend and advocate for Senator Byrne and myself.

Senator Lorraine Clifford-Lee spoke about the announcement by TII on increasing the toll at peak time from €13 to €14. This increase also happened in 2025 and 2024 and essentially it will have increased by almost 50% in the space of three years. As Senator Clifford-Lee said, people do not necessarily want to use the tunnel as it is an expensive route to take when going to or coming from work or doing normal daily business but there is no other option and this is a problem. When we have an increase in population to the extent we have in north Dublin because it is a beautiful area to live, we have to make sure it is financially viable for people to be able to do their daily business. I will speak with the Minister to see whether these constant increases can be delayed, or at least that this one could be reconsidered by TII. It is not fair on the public.

Senator Clifford-Lee started a trend here on festivals. The Rush festival is the only festival that is having an air show and when I go home to my kids that is the one they will want to go to. I wish Rush festival well with this and with the sandcastle competition. If I brought my little son to that he would stand over all of the sandcastles and break them so it might be best if he does not come. These festivals in general right across the country, whether in Roscommon, Rush or anywhere else, are hugely important to local communities. They bring people together. I know we say it jokingly here in this room but genuinely, the more we can do to highlight good local festivals run by volunteers and promote them our communities, the better.

Senator Kennelly spoke about the greyhound industry, which was followed up by Senator Andrews and there are obviously differing views on it. Every year we have an opportunity in this House to talk about the greyhound industry when deciding on the horse and greyhound fund. It is tradition and something people are really passionate about, particularly in rural areas. I know this myself being from Clonmel. I see how it has an impact on our town every February when we have coursing in Clonmel and the impact it brings to our town throughout the year. For people who are involved with dogs, horses or any animals it is all about care and love for those animals. People love what they do. That being said, we need to make sure these animals are treated right and treated fairly. We can have differing views on this and still protect our heritage and support people.

Senator Boyhan spoke about family carers and after I speak here I will be going out to meet Councillor Richie Molloy who is a great councillor in Tipperary.

He has been a supporter of Family Carers Ireland and worked there for a long time. Family Carers Ireland has a number of asks, some of which are in the programme for Government and are to be delivered over the lifetime of this Government. I have no doubt that they will be. I

will meet Family Carers Ireland afterwards and speak to it about what we can do as a group of Senators.

Senator Tully spoke about an 18-year-old girl who seemed to have been in hospital four times for a combined total of 18 weeks. She had a lot of complications. This is not the first time Senator Tully has spoken about Cavan hospital. I will say again today what I said the last time, which is that we will have a debate on health. We will make sure that the Minister for Health comes into this Chamber for a debate in the autumn to discuss many issues, but in particular the number of cases raised by Senator Tully that have happened in Cavan.

Senator Cathal Byrne spoke about the important route of the M11 between Belfast and Rosslare. The port in Rosslare being categorised as a category 1 port brings huge advantages and opportunities for the area. We need good infrastructure in the area. The Senator outlined the problem on the M11 due to the fact that a lot of important road infrastructure projects could happen. We see it on the N24 from Limerick to Rosslare where landowners are blocked from developing their lands simply because they are on the chosen route or in the buffer zone of where a new road could potentially be built. However, even though the roads have not been developed, people still cannot build on their lands. It is a huge frustration for landowners. The Senator outlined how people had been in that position and waiting since 2009. It is just not acceptable. As a Government, we want to increase infrastructural development and the speed of development. Hopefully, that will shorten the timescales on such roads.

Senator Scahill spoke about the accessibility of towns and villages. The Department of rural affairs was set up a number of years ago and good money is being put into rural towns and villages across the country, in particular in the public realm. Within that, priority should be given to accessibility. When we are transforming a whole town from being a more car-reliant town to a more pedestrian-friendly one, accessibility should be a number one issue. Councillors put an awful lot of work and consultation into it but accessibility for people with disabilities sometimes seems to be forgotten. I was talking about accessibility yesterday in terms of beaches but town centres are another key element of this matter.

Senator Clonan requested a change to the Order of Business. I am happy to agree to that. I do not oppose it. I look forward to the Bill coming to the Seanad. As he says, it is important that we align ourselves with our EU colleagues. Let us see what they put forward and how we can work with it and ensure that it works for all of society. It is very important. I thank Senator Clonan for that.

Senator Boyle spoke about the lack of home care services for people who had just come out of hospital. These are very vulnerable people who need our support. As I said in response to Senator Tully's request, we will have the Minister for Health in after the recess. That will be a good opportunity for Senator Boyle to raise the concerns he is seeing in Donegal in relation to people who are not getting enough home care.

Senator Duffy spoke about passport renewal notifications. Senator Nelson Murray raised this in a Commencement matter last week and got a very positive response from the Minister's office. A lot has been done in the Passport Office. It has invested a lot in recent years in personnel and the speed of turnaround, in particular for the renewal of passports. We now have a new top-of-the-range style of passport that has gone into operation since 1 July. Notification is a simple thing that would be very helpful. Everyone knows it is done for car tax and there

is no reason it cannot be done for passports. As Senator Nelson Murray was informed last week, that commitment has been made by the Minister, which is to be welcomed.

Senator McCarthy spoke about insurance reform. Again, a lot has been done in this area but more could be done. As he said, we have seen a reduction of 30% in claims but we also need to see a reduction in the cost of insurance for people. If claims are reducing, then people's premiums should be reducing. The overall goal of the Government is to reduce the cost of insurance, particularly on businesses because it has a huge impact on them if their insurance costs increase dramatically and unexpectedly in the space of one year.

Senator Brady spoke about the CAP. He gave a really good account of the family aspect of a farm and the impact it had. It is a big day for his family, as his daughter Leona is turning 18. That is a big day for Caroline and the Senator. I wish her a happy birthday. She is a great asset to him when she comes up here to help him out every so often. I come from a farm and I know how it is. The harvest is starting at home this week. Our winter barley looks like it is ready to go, today or tomorrow. There is huge excitement but there is also pressure as well. Senator Brady spoke about the role of the family in the work. That is what happens at home with us as well. It just has to be done when it has to be done and everything else has to be put aside. Most other jobs are not like that. What often gets forgotten about is taking time off with the family and going away, bereavement, and things like that. When we are doing the CAP reform during the EU Presidency - the Minister, Deputy Heydon, will be very influential in regard to it - we need to look at quality of life for farmers. We do it in every workplace across the country and for some reason we think farmers just get on with it, but there is an issue in terms of prioritising quality of life.

Senator Nelson Murray spoke about the graffiti in Navan. Is there an opportunity to speak to those involved about murals or different ways of using their artistic skills? There is a place in Brooklyn, New York called Williamsburg that is amazing for artistic people who have done up the area and it has become so popular now. There is an opportunity to reach out to these people. We spend so much money trying to redevelop towns and villages. What we do not want is to have people doing something that takes away from that investment. We want to make places as aesthetically pleasing as possible but instead of just vilifying these people, we should try to encourage them and ask what we can do to support them. Some of them are very talented and it is about directing them in the right way.

Senator Andrews spoke about dogs. I touched on that at the start. We obviously all have different views on this one. It is important that, when everyone speaks here, they speak factually. As we all know, people have the freedom to say whatever they want in this Chamber. I do not think that should ever end.

Senator Maria Byrne spoke about the apprentices in Limerick. It is the same in Tipperary. It is a real challenge to get new apprentices to come in and to see the opportunities that are there. It is a good opportunity to bring the Minister for higher education into this Chamber to speak about that as he has not been here for a while.

The Senator also spoke about Shannon Airport and regional development. Regional development of the airports at Shannon and Cork is always a challenge. Dublin is our number one airport. We will have a debate on that later on in terms of the passenger cap. Dublin is the key for us in terms of tourism coming into this country, attracting people and businesses, and

having a top class airport as our number one airport. There is more that we can do in terms of regional development and Shannon, Cork, Waterford and Knock can play a role in that.

Senator Sarah O'Reilly spoke about the tragic case of Kelly, who died a number of years ago through circumstances that were determined but where there are conflicting views as to what happened. It is not appropriate for me to speak too much about it but I welcome that the case is being reopened. I will take on her request regarding the Minister for justice meeting the family. I will speak to him directly to see if that is possible. I am sure he will be more than open to doing it.

An Cathaoirleach: Senator Clonan has proposed an amendment to the Order of Business: "That No. 20 would be taken before No. 1." It was seconded by Senator McCarthy. The Leader has indicated that he is prepared to accept the amendment. Is the amendment agreed to? Agreed.

Order of Business, as amended, agreed to.

Adult Safeguarding Strategy Bill 2026: First Stage

Senator Tom Clonan: I move:

That leave be granted to introduce a Bill entitled an Act to require the Minister for Health to prepare periodic strategic plans for the purpose of protecting certain persons who are at risk of harm, to make certain provisions in relation to the implementation and review of such strategic plans and to provide for related matters.

Question put and agreed to.

An Cathaoirleach: When is it proposed to take Second Stage?

Senator Tom Clonan: Next Tuesday.

An Cathaoirleach: Is that agreed? Agreed.

Second Stage ordered for Tuesday, 14 July 2026.

Cuireadh an Seanad ar fionraí ar 12.30 p.m. agus cuireadh tús leis arís ar 12.47 a.m.

Sitting suspended at 12.30 p.m. and resumed at 12.47 p.m.

Insurance (Disregard of Certain Medical History and Miscellaneous Provisions) Bill 2025: Committee and Remaining Stages

An Leas-Chathaoirleach: I welcome the Minister of State, Deputy Ardagh, and her officials. Sections 1 to 9, inclusive, agreed to.

Title agreed to.

Bill reported without amendment.

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

Senator Pat Casey: Now.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Bill received for final consideration.

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

Senator Pat Casey: Now.

An Leas-Chathaoirleach: Is that agreed? Agreed.

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

An Leas-Chathaoirleach: Before I call the Minister of State to respond, I welcome to the Gallery stakeholders from the Irish Cancer Society. I welcome Ms Lydia Whelan, Ms Cliona Doyle, Ms Emma Harte, Ms Suzanne Dowd, Mr. Darragh Moriarty, Ms Krista Costello, Ms Alexis Henning-Fitzgerald and Ms Nikki Gallagher, the CEO. I thank them for being here.

Senator Pat Casey: This is an historic day. It is a proud moment for any of us to come in here as representatives, whether it is as a Senator, a Deputy or a Minister of State.

For a Senator to introduce legislation back in 2022 and to then see it passed today, sitting here as a Minister of State, is a fantastic achievement. I acknowledge the representatives of the Irish Cancer Society in the Public Gallery today. This legislation on the right to be forgotten is very important. The Minister of State has been passionate about the issue since I first came into the Seanad. It is great to see her sitting here today as a Minister of State, having been a Senator, as this legislation is passed. Only two months ago, she was questioning the Taoiseach in the Dáil as to when this legislation would be passed. I acknowledge her work and the group here from the Irish Cancer Society. This is an important day for all cancer survivors in the country. I acknowledge Deputy Ardagh's role in respect of the right to be forgotten over the years.

Senator Linda Nelson Murray: I echo my colleague's comments. The Minister of State was not here when I spoke on this a couple of weeks ago. It is on days like this that you are incredibly proud to have been elected a Senator and to be here to help pass amazing legislation that means that people who have been diagnosed with cancer but whose treatment ended more than five years ago can get financial services, including mortgage protection. I spoke to a lady last week, Edel, who was buying a house for her family with her partner. She had been quoted €600 a month for mortgage protection. When this Bill comes through, it will be €60 a month. I thank the Minister of State for bringing this forward. She might have worked with Deputy Jerry Buttimer on it at the start but she brought it through and is now sitting here, which is

fantastic. I congratulate her. It is a very proud day for all of us here. The Irish Cancer Society representatives are very welcome. Many of us met them yesterday. It is lovely to get the information they give us about our own constituencies and how people are doing. I strongly encourage more young people to take up the HPV vaccine. That has nothing to do with this but the rate is at 75% and we want to get it to 90%. That is very important. Well done to everybody on their advocacy and their work. It is a great day.

Senator Conor Murphy: I will be brief because I spoke on the previous Bill when a different Minister of State was here. I acknowledge the work that was done on this and the engagement with all of the organisations to make sure that everybody was comfortable with where we were going. People have said that cancer strikes every family in Ireland. My own family can be included in that. This was an injustice for those who could not avail of services and opportunities because of the treatment they have had. Anything we do in this space is about addressing that injustice. It takes somebody to pick up the baton, run with it and drive it through. I congratulate the Minister of State on the work that has been done. It is very appropriate that she is here to see it through to its final conclusion. I congratulate her and I thank all of the organisations, North and South, that work in this area across Ireland. It is hugely important not just for those who suffer from cancer, but for their families, who try to assist them.

An Leas-Chathaoirleach: I welcome our visitors from Tubbercurry Family and Childcare Resource Centre, who are guests of Deputy Eamon Scanlon. I also welcome visitors from Nexus Research Group, who are guests of Deputy Roderic O'Gorman.

Senator Manus Boyle: I congratulate the Minister of State. It is on days like this that we are all proud to be in this House. The Minister of State came into this House and made a difference. This is great legislation. It is commonsense legislation that was badly needed. At home in Donegal, since my election, people have contacted me about this and told me that what is going on here is really unfair. The Minister of State has championed this issue. Fair play to her. It is great for the whole of Ireland. I thank the Irish Cancer Society. It does great work in everything that it does. When all of us here work together on days like this, we can make a difference in people's lives. It is a really historic day. This is common sense and the people on the ground need the Bill to go through this House. I thank the Minister of State very much.

Minister of State at the Department of Justice, Home Affairs and Migration (Deputy Catherine Ardagh): I take this opportunity to thank everyone here and acknowledge the constructive spirit in which Members have engaged with this Bill since 2022. There is a shared recognition across the Houses that this legislation will make a meaningful difference in people's lives, as described by Senator Nelson Murray.

Today marks a significant step forward for cancer survivors in Ireland. This legislation will give people who have overcome cancer fair access to mortgage protection without being penalised for their medical past. Mortgage protection is one of the areas where cancer survivors are most impacted. Having worked as a solicitor, I have seen house purchases fall through because a cancer survivor could not get mortgage protection at the last minute. This is unnecessary heartbreak for people who have already been through a great deal. Many Members

here today know the real and lasting impact cancer has on individuals and families. It is something that touches almost every household in this country. It does not discriminate. The Bill is about fairness, dignity and giving cancer survivors the freedom to truly move on with their lives. It is about ensuring that people who have come through cancer are not forced to retain their diagnosis as a barrier to securing a home, to protecting their family or to moving forward with their lives.

This legislation seeks to remove that unjust barrier. It provides, for the first time in Irish law, a clear statutory right to have cancer-related medical history disregarded when applying for mortgage protection insurance where defined criteria are met. After our initial Bill in the Seanad, Insurance Ireland brought in a voluntary code. The Government has now gone further than the voluntary code that is currently in place, reducing the relevant period from seven years to five years and increasing the sum-assured threshold from €500,000 to €650,000 to reflect the current housing market to support survivors to buy homes.

The five-year remission period reflects established medical standards and the point at which the risk of recurrence is significantly reduced. A lot of people in other countries are looking at us. Across Europe, we see a range of approaches. In some countries, the relevant remission period extends to ten years. In others, it is only seven. Only a small number of member states have adopted the five-year approach. Many countries have not introduced any framework at all.

The approach taken in this Bill is progressive and proportionate. It ensures meaningful protection for cancer survivors while also recognising the need for the framework to operate effectively and sustainably within the insurance market. It is also right that we acknowledge the role played by the insurance sector to date. It often gets a bad name. Insurance Ireland's voluntary code represented an important step forward. It demonstrated that progress was possible when industry, Government and advocates engaged constructively.

The legislation gives effect to a programme for Government commitment and it is a measure I have prioritised since taking office. It was the first Private Member's Bill I introduced when elected to Dáil Éireann. I acknowledge the contribution of the wide range of stakeholders who have been instrumental in the development of the legislation. These include: the Office of the Parliamentary Counsel to the Government; the Financial Services and Pensions Ombudsman; Insurance Ireland; the Irish Society of Medical Oncology; the Society of Actuaries in Ireland; officials from the Department of Finance, including Sarah Murphy and her colleague, Michael McGrath; and other EU member states that have similar measures in place. Their engagement, expertise and co-operation have been essential in ensuring that this Bill is robust, balanced and practical.

I also pay special tribute to cancer survivors - Lydia Whelan and other survivors are here with us - and to their families, who have been affected and who have kept a strong and determined focus on this issue via the Irish Cancer Society. Their voices have been central to getting to this point. From conversations I have had and letters I have received, I know just how much this legislation means to people. I also thank, from the Irish Cancer society; Nikki Gallagher, the current CEO; Averil Power, the former CEO; Rachel Murrough, the former head of advocacy, who was there from the beginning; Steve Dempsey, the current head of advocacy; and all of the staff. I thank them for their long-standing advocacy not just on this matter, but on all cancer-related matters. It is hugely appreciated by the cancer community. I do not like

using that phrase but it is appreciated by families and patients affected by cancer and by survivors. I thank them all so much for all of their hard work. I also acknowledge Adrian O'Higgins, who was the original drafter of the Bill.

This Bill was a cross-party Bill. It came from the cross-party group on cancer. Deputy Johnny Guirke, a colleague of Senator Murphy's, was on it, as were Deputies Peter Burke and Jerry Buttimer of Fine Gael, Deputies Erin McGreehan, Dara Calleary and John Lahart from my own party, and Deputy Ivana Bacik. There was cross-party support for the Bill from the very get-go.

Former Senator Paul Gavan was one of the co-sponsors of this Bill in the Seanad when it was introduced. This is how legislation should be done. We are a small country. When we all work together, we can see true results that remedy the injustice we have in our society.

The work of those involved has helped to ensure that the lived experience of cancer survivors remains at the heart of legislation. Ultimately, I thank our Ministers in the Department of Finance, the Minister of State, Deputy Robert Troy, and An Tánaiste, Simon Harris. If it had not been for them adopting the legislation, it would not be here today. They deserve huge credit for pushing this Bill within their Department.

The Bill cannot erase the challenges faced by individuals and families, but it can remove an unjust barrier and help to ensure that surviving cancer truly marks the beginning of a new chapter. The Bill will make a real difference to cancer survivors, supporting them in accessing mortgage protection and insurance and, in turn, enabling them to plan for their future and secure homes. That matters deeply. It is simply the right thing to do.

I thank Senators once again for their contributions, support, and constructive engagement, and wish the very best to everyone whose lives have been affected by cancer and will be able to avail of the framework this legislation puts in place, like the Senator's constituent. I wish them very well. I thank everyone present for their support and their contributions. I also thank Senator Casey for his kind words.

An Leas-Chathaoirleach: Déanaim comhghairdeas leis an Aire Stáit agus gabhaim buíochas léi.

Question put and agreed to.

**National Treasury Management Agency (Miscellaneous Provisions) Bill 2026:
Committee and Remaining Stages**

Sections 1 to 21, inclusive, agreed to.

Schedules 1 to 3, inclusive, agreed to.

Title agreed to.

Bill reported without amendment.

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

Senator Pat Casey: 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 Pat Casey: Now.

An Leas-Chathaoirleach: Is that agreed? Agreed.

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

Minister of State at the Department of Finance (Deputy Robert Troy): I thank Senators for their co-operation and for speedily and efficiently passing these Stages. I thank them for their engagement with this legislation and their contributions when we brought it through the various stages in the House. With the completion of these Stages, we mark a significant milestone in bringing a key chapter in the State's response to the global financial crisis to a close.

There has been clear consensus across both Houses about the need for this legislation. That consensus reflects the fact that the work of both the National Asset Management Agency, NAMA, and the Irish Bank Resolution Corporation's special liquidation is now substantially complete and that the limited residual activity that remains can be managed more effectively and efficiently within the National Treasury Management Agency, NTMA. Both were established as part of the State's response to the global financial crisis and the extraordinary challenges facing the Irish banking system and the wider economy at the time.

NAMA acquired loans with a par value of €74 billion for a consideration of €31.8 billion, which included a State aid uplift of €5.6 billion. Over its lifetime, the agency fully redeemed its senior and subordinated debt, generated a surplus of approximately €5.6 billion for the State, and facilitated the delivery of more than 44,500 homes. It also supported the regeneration of the Dublin docklands and transferred significant housing and land assets into State ownership through the Land Development Agency.

The work undertaken through the special liquidation of the Irish Bank Resolution Corporation has also been considerable. When it entered special liquidation in 2013, it held a loan portfolio of approximately €21 billion, comprising more than 15,000 borrower groups, supported by assets located across 22 jurisdictions. Since then, the special liquidators have disposed of a complex portfolio of assets, resolved a vast majority of borrower relationships and creditor claims, repaid unsecured creditors in full, and returned approximately €1.7 billion to the State, as well as making distributions of €470 million to the Exchequer, with further distributions expected.

Today, the work of both organisations is substantially complete. What remains is limited in scale but it must be managed carefully to completion. The Bill provides a clear and proportionate framework for ensuring that remaining litigation claims and associated matters

can be managed to conclusion by the NTMA, with a strong governance and accountability framework.

I take this opportunity to acknowledge the many people who have contributed to the work done over the years. I acknowledge the current and former staff, management, and board members of NAMA. Through periods of immense challenge and scrutiny, they fulfilled their responsibilities with professionalism, expertise, and dedication. I also wish to acknowledge the special liquidators of the Irish Bank Resolution Corporation and their teams, whose work involved an unprecedented and highly complex portfolio of assets liabilities and legal matters. I also acknowledge the team in the Department of Finance, particularly our officials, who are here with me today, who have worked to bring this legislation to conclusion.

I commend the Bill to the House and thank the Senators for their valuable contributions during its consideration.

Question put and agreed to.

Cuireadh an Seanad ar fionraí ar 1.10 p.m. agus cuireadh tús leis arís ar 2.03 p.m.

Sitting suspended at 1.10 p.m. and resumed at 2.03 p.m.

Dublin Airport (Passenger Capacity) Bill 2026: Order for Committee Stage

Senator Gareth Scahill: I move: "That Committee Stage be taken now".

Question put and agreed to.

Dublin Airport (Passenger Capacity) Bill 2026: Committee and Remaining Stages

An Cathaoirleach: Amendment No. 1 has been ruled out of order as it is in conflict with the principle of the Bill.

Amendment No. 1 not moved.

Sections 1 to 3, inclusive, agreed to.

NEW SECTION

An Cathaoirleach: Amendments Nos. 2, 20 and 22 are related may be discussed together by agreement. Is that agreed? Agreed.

Senator Joe Conway: I move amendment No. 2:

In page 7, between lines 22 and 23, to insert the following:

“Report on regional development

4. (1) The Minister shall within 12 months of the passing of this Act lay a report before the Houses of the Oireachtas on how smaller regional airports can be effectively utilised in order to support regional development.

(2) The report should take into account how smaller regional airports can be utilised to support lower fares, increase local employment and reduce the need to rely on larger airports.”.

I thank the Cathaoirleach for the opportunity to speak on this. Cuirim fáilte mhór arís roimh an Aire go dtí an Teach seo. The substance of this amendment was adverted to a week ago, on 1 July, when we mentioned that the airport traffic numbers are levitated in a type of balance. When a preponderance of numbers is going through Dublin Airport and 60% of the economic activity of the country is centred within a 60 km radius of O'Connell Bridge, we are looking at a situation where there is a great discrepancy between the viability, prosperity and potential of regional airports and the airport in Dublin. As the Minister well knows, the programme for Government puts front and centre the concept of balanced regional development. To my way of thinking and that of any logical person looking at it, the untrammelled expansion of Dublin Airport flies in the face of balanced regional development *vis-à-vis* airports.

There is no doubt that a lot of people will want to fly in to Dublin Airport, but as I said last week, we had some years ago the closure of the rail line between Waterford and Rosslare. It caused uproar and was rationalised by Iarnród Éireann at the time. It said it was a railway that was not being used. Of course, that only told half the story. It was not being used because they ran trains at the most bizarre times of early morning and late at night. You orchestrate the result you want to get. There is an element of that in promoting, untrammelled, the airport in Dublin. That is making it more difficult for regional development and for regional airports in particular to grow themselves and attract numbers to boost tourism and generate economic development. It is for that reason that Senator McCarthy and I wanted to put down this amendment. It is a theme happily gravitated towards by Members last Wednesday evening. We are pushing at an open door. Everybody in this Chamber and in these Houses would champion the cause of balanced regional development. We know it is the thing to do. It is good for the environment. It is good for local economies. It is good for the social life of the country. It is good for our morale. It is good for Ireland. When we bow down and worship at the altar of one not very euphoniously mouthed airline magnate who is demanding these things happen at Dublin Airport, that is making a terrible sacrifice and martyrdom of the potential that exists in rural and suburban Ireland. I wanted to put down those markers and I hope my colleague will have something further to say on the matter.

Senator Aubrey McCarthy: I thank the Minister for being here and I thank Senator Conway for his words even though I did not understand some of them. I am moving this amendment with Senator Conway because I know this Bill is important, but it also risks becoming just a Dublin story when it should be a national one. I know we are debating the passenger cap at Dublin Airport and how many people can move through one gateway in Ireland, which is in Dublin. It is a legitimate and pressing question, but every hour we stand debating capacity at one airport is time we are not asking a basic question: why does so much of Ireland's connectivity have to run through a single gate at all? Even though I live near Dublin Airport and use it all of the time, I think this amendment is asking for something reasonable. It is a report on how we can best use our regional airports and how they can be put to proper use that will support regional development, which is in the programme for Government, and also take pressure off Dublin Airport.

The Minister knows we have wonderful infrastructure at Kerry, Cork, Shannon, Knock and Donegal airports. Those runways are sitting there today.

They are often underused, as we know. At the same time, however, Dublin is straining at the seams and rural Ireland is missing out. The programme for Government advocates for balanced regional development, but what I have outlined is not balance when it comes to regional development.

The report we are asking for is not just a box-ticking exercise. Amendment No. 2 is specific and deliberate. We want the Minister to examine three things. The first one is fares. A family in Kerry, Mayo or Donegal should not have to drive three hours to Dublin in order to fly out of the country. The second is local employment. Every route based out of a regional airport supports jobs, tourism, logistics, hospitality and aviation. These are jobs that are needed most in places that are farthest from Dublin. The third aspect is to reduce our overreliance on the larger airports. A country that funnels all its air traffic through one hub is a country susceptible to one bad afternoon as a result of power being lost, which happened at Heathrow Airport recently. That would put us in a dreadful situation.

I stress that this amendment is modest. It is constructive. We are not legislating for any outcomes here. We are asking for the Minister to look, to gather evidence and to bring that evidence back to this House within a year so that we can then, when we next legislate on aviation capacity, we can do so as a whole country, rather than in respect of one airport in isolation. I have heard it said that regional airports are a legacy issue and that the future of Irish aviation is consolidation around Dublin. I do not accept that. A small island country cannot put all its eggs in one basket when it comes to airports. These other airports should not be an afterthought. The amendment would cost the Exchequer absolutely nothing. It would delay nothing. It asks only that we think properly and on the record about the other airports in the State before the next round of aviation policy is set in stone.

An Cathaoirleach: Before I call Senator Scahill, I welcome Ms Adrienne McDonnell and Mr. Noel Hughes who are here as guests of Senator Harmon.

Senator Gareth Scahill: I want to speak on the amendment relating to a report on regional development. Supporting this Bill should not in any way be interpreted as going against balanced regional development or supporting our regional airports. Like a lot of rural representatives in this House, I have regularly spoken about Shannon, Cork, Knock, Donegal and Kerry airports and how important their role is in bringing people, business and industry to our country. They support tourism, indigenous enterprise, inward investment and employment throughout the country. They should continue to get strong Government support in that regard.

Rather than creating another section within this Bill, I would look at a refreshed national aviation strategy which would ensure that regional connectivity remains a priority. I could not associate myself with any Bill if I thought it referred to or if there was any insinuation of consolidation around one airport. That is not what we are trying to do here. Strengthening our regional airports should not come at the expense of Dublin Airport. That is the long and the short of it. They are not competing factors. Ireland needs a strong national hub to thrive and to assist our regional airports. This Bill is ambitious. The Minister is ambitious for it. We should allow it and our airports to flourish with it.

Senator Joanne Collins: I will speak to amendments Nos. 20 and 22, which are grouped with amendment No. 2. Amendment No. 20

requires the publication of the national aviation policy that supports regional balance, strengthens regional airports and adopts the all-island approach. I understand what Senator Scahill said to the effect that it is not one above the other. I get that, but would it not be great, on the back of this, when we are talking about Dublin Airport, to have a report to show what we are doing for regional airports? I am all for regional airports. I live in County Limerick. I am right in the centre between Shannon Airport and Kerry Airport. Would it not be great if I could use Shannon or Kerry airports to fly wherever I need?

I have to travel to Strasbourg four times a year for the Council of Europe. I have to drive three hours to Dublin because the flights from Shannon to Strasbourg only go on Saturdays. If I do not want to spend a whole week over there for the sake of four days, I have to go from Dublin. It took me 13 hours to get to Strasbourg the first time I went, between my trip from my house near the border with Kerry up to Dublin. Would it not be amazing if we had more flights? I know it comes down to the airlines. I would love to see airlines being incentivised to use our regional airports, whether it is for tourism or for the growth and development of our industries. We have a fantastic area in Shannon where there is a lot of foreign direct investment. It is about publishing a policy that will strengthen that, which we all seem to be calling for across the two Houses.

Amendment No. 22 asks a simple question about what effect lifting the ban will have on the regional airports. They kind of mirror each other. One would be to have policy drafted and the other is to see the effects. I have said from the very start of the debate on this Bill that we live on an island. It does not make sense to cap the number of people who come in and out. We have to have movement. It is about one not having the benefit so much more. As well as that, residents are giving out about the number of flights. If our regional airports were to grow a little more, Dublin would either stay the same or drop a bit. Everything would be shared out across the whole country, which would be great.

Senator Lorraine Clifford-Lee: I welcome the opportunity to speak to these amendments. I come at them from the point of view of somebody who lives very close to Dublin Airport. I support Dublin Airport, the jobs it creates and its input into the economy. I also support the communities around the airport.

It is important to point out that what is proposed here does not take away from the development of our regional airports. I am familiar with our regional airports and the necessity of them. It is also worth pointing out that the passenger numbers going through our regional airports have actually increased. This is something that the Government supports. We have a growing population. Therefore, we need greater connectivity. It is good to see that. It is reflective of a strong economy, but the strong economy dictates that we need to have a strong national airport serving the needs of our economy. That is what Dublin Airport does. The carriers dictate the routes. It is not for the Government, the Minister or any individual to dictate how a particular route is formed.

I can understand the frustrations of some people who have to travel for a number of hours before they can reach the airport and travel on to their onward destination. That is something

that needs to be addressed, but I do not know whether it is for the Government to address. The Government supports regional airports.

I disagree with Senator Collins on this matter. I do not think raising the cap on passengers at Dublin Airport will give rise to a reduction in the number of people going through the regional airports. I do not think limiting the number of people going through Dublin Airport will shift that out to the regional airports. There are two different offerings. We should focus our efforts on trying to improve the situation around Dublin Airport for the residents near Dublin Airport and look to the wider the economy and the benefit of Dublin Airport to the economy and the needs of the local community. We should not get distracted about a completely separate issue, which is the regional airports.

Senator Laura Harmon: I also want to speak to this amendment. I support the calls for a report in relation to how this will affect balanced regional development. I live close to Cork Airport. I want to talk about the development of that airport, as well as two other airports in the Munster area, namely Shannon and Kerry. I welcome Adrienne McDonnell and Noel Hughes, who are in the Gallery. They are concerned residents who live near Dublin Airport. I have an amendment later on, which I will speak to. Generally, we in the Labour Party are opposed to this Bill. We opposed it in the Dáil. We believe it is an anti-climate Bill. The Government is making it clear that climate, environment and biodiversity considerations can be disregarded at will if they pose a challenge to their whims.

This is the third Bill produced this term that seeks to disapply the climate Act. We have seen it with the infrastructure Bill, we are seeing it with this Bill and we saw it again this week with the liquefied natural gas reserve Bill. This Bill does not just raise to some higher figure the current cap of 32 million passengers that Dublin Airport has consistently broken in recent years, but it also allows the Minister to scrap the cap altogether. No alternative ceiling is proposed. The Minister has floated a figure of 60 million passengers a year, almost doubling the current limit. The Labour Party has serious concerns over the Bill, so we are we are opposed to the Bill as a whole.

Minister for Transport (Deputy Darragh O'Brien): Gabhaim buíochas leis na Seanadóirí agus cuirim fíorfháilte roimh na daoine sa Ghailearaí freisin. I thank Senators for the amendments tabled. I will explain why I will not be accepting any of them. Senator Harmon gave a contribution on the overall Bill and the impact on residents. I will deal with that during this session as I did in the Dáil. This Bill does not disapply any environmental considerations whatsoever. I know there is another amendment proposing that it goes through An Coimisiún Pleanála. I will explain that later as amendments are taken.

I will first deal with regional airports. Senators Clifford-Lee, Scahill and others have put forward what is the correct position in that regard. All of our regional airports are growing. Cork Airport carried 3.24 million passengers. A €200 million investment is under way in Cork Airport right now. I have visited Cork Airport, which is a wonderful airport. Shannon Airport grew by 9% last year. The half-year figures that I have for Shannon up to the end of June show a 12% increase. Shannon Airport had 1.17 million passengers in the first half of this year. It is another very fine airport and very important to us. It actually had its busiest day in 17 years on 28 June when 11,400 passengers passed through it. I was in Kerry Airport yesterday and on Sunday. Kerry Airport is projecting over 500,000 passengers this year. Ireland West Airport

is celebrating its 40th anniversary this year. That airport will be touching 1 million passengers. We are investing in and supporting these airports through the regional airports programme. I would be quite happy at another time to go through that in more detail.

We just brought forward the regional airports programme for 2026 to 2030, providing for €45 million worth of investment in our regional airports. I have changed the criteria within that to increase the passenger numbers to 3 million. This will allow Shannon, for argument's sake, to participate in the regional airports programme, all of whose participants are receiving funding. This year, Shannon got €1.9 million, Ireland West Airport got €2.8 million and Kerry Airport got €2.8 million. We should not forget Donegal, which is a very important airport for connectivity for the north west. It carries a smaller number of passengers but still receives about €400,000. With the new public service obligation, PSO, flight there, we have made sure to maintain the schedule that was in place and so important to residents in Donegal.

To talk from an all-island perspective, we have other airports on the island. A Dublin-Derry route will start in October of this year through the Government's shared island initiative, reconnecting a route that has not been in operation since 2011.

I assure Senators that it is not a case of Dublin growing instead of the others. The reality is that we have a growing population. Everybody recognises that we are an island nation; that is stating the obvious fact. Connectivity is critical, and the aviation sector is also critical for jobs. I grew up beside the airport and have lived beside it my whole life. Tens of thousands of people have jobs at the airport and derive good incomes to support their families through the airport. There are about 130,000 direct and indirect jobs through Dublin Airport, with about 3% of GDP generated from that campus alone. It is a critical piece of national infrastructure.

I have been very clear on this in the Dáil as well. There have been issues with how the Dublin Airport Authority, DAA, has operated with regard to its neighbours, including near neighbours to the west of the campus in the St. Margaret's and the Ward area as well as on the eastern side in Portmarnock and Malahide. Over the years, the DAA has not dealt with them well. The aircraft noise competent authority, ANCA's decision on noise has been out for 14 weeks. That is an important decision out for public consultation. I have written to the airport and have engaged with it. The airport has a new chairperson and soon will have a new chief executive also. I have said very clearly that the voluntary purchase scheme needs to be improved for those who cannot sustain their households and lives in close proximity to the airport. The noise insulation scheme needs to expand. That will happen post the 14 weeks of the public consultation on the noise decision. We have also protected the planning application that is with Fingal County Council right now. It is known as the infrastructure application and actually seeks to increase the passenger numbers to 40 million. Importantly, it also seeks to improve the facilities on the campus at Dublin Airport. We are not reaching into that at all. That is being fully protected, as is clearly stated in the Bill.

Regarding the amendment, I have already mentioned where the regional airports are and they are all growing, which is very good to see. Cork and Ireland West airports grew by 13% last year and they can grow more. There are now over 40 routes flying out of Shannon for the first time since the early 1990s. Those regional airports need to be hungry for business because, as Senator Clifford-Lee right said, I cannot, even if I wished to, direct an airline to fly out of a particular airport. The commercial decisions that airlines make are way beyond any powers that any Minister has.

I am absolutely in earnest when I say that the operation of Dublin Airport and the manner in which the DAA deals with local residents have to improve, and I will make sure that they do. The people directly affected need to be listened to and solutions need to be found. There is an economic and strategic imperative for us to continue allowing airports to grow in a sustainable way. I am not being overly critical because the Members have put forward their own points of view and I respect them.

The Labour Party position as put forward in the Dáil is effectively to bring the numbers back down to 32 million. The internationally recognised rule of thumb on jobs to passenger numbers is that every 1 million passengers leads to about 1,000 direct jobs. If we were to go back to 32 million, I think Senators in opposition and, indeed, in government would be calling me in and asking why we had lost 5,000 direct jobs in Dublin Airport. That is what would happen. An Investec report published in, I believe, 2022 said that to maintain the cap at 32 million between now and 2030 would jeopardise up to about 19,000 jobs. That is the reality of it.

I support the workers in the airport. I am from the community myself. The airport has to grow in a sustainable way. It has to operate as a good neighbour but I recognise that it has not always done so. I have said in the Dáil and am quite happy to put on the record of the House here that, post the passing of this Bill and when a number of legal cases ongoing at the moment are dispensed with, I will be initiating an independent assessment of flight paths. A number of residents have been affected where flight paths for which planning was approved have not been adhered to, with the authority then seeking approval for retention. That is not the way to operate.

I support jobs within the airport. Connectivity for our country is critical. This Bill is specifically about Dublin Airport. As Senators Scahill and Clifford-Lee have rightly said, this is not instead of regional airport growth. The facts speak for themselves with regard to the regional airport growth numbers. I was only in Kerry yesterday. There are further really impressive expansion plans for Kerry Airport. Ireland West, Cork and Shannon airports are all growing. Work is also under way in Waterford Airport, which is good to see. Donegal Airport is operating a very important service for people in the region.

With that said, a Chathaoirligh, I am not in a position to accept any of the amendments but specifically amendment No. 2.

An Cathaoirleach: Is the amendment being pressed?

Senator Aubrey McCarthy: Yes.

Amendment put and declared lost.

Sections 4 and 5 agreed to.

SECTION 6

Senator Joanne Collins: I move amendment No. 3:

In page 8, between lines 27 and 28, to insert the following:

“(4) The Minister shall, not later than 12 months following commencement, lay before both Houses of the Oireachtas a report reviewing daa’s compliance with the directions of the Minister.”.

Amendment No. 3 is basically a review of compliance being held up by the DAA. It is really just monitoring again. The amendment introduces a simple measure of accountability. Where the Minister is given powers to direct the DAA, it is entirely reasonable that the Oireachtas should receive a report within 12 months outlining whether those directions are actually being complied with. Greater powers must come with greater oversight. This amendment strengthens the transparency and ensures Parliament can monitor whether the legislation is working as intended. It is basically just accountability as to whether what is being told to the DAA is actually being upheld.

Deputy Darragh O'Brien: As the Senator has explained, the amendment proposes to lay a report before the Houses in relation to DAA's compliance with any directions I give it under the Bill. This provision is unnecessary. DAA is required by law once this Bill passes to comply with any direction I issue under the Bill. Typically, this will relate to the provision of reports to allow the environmental assessments to be undertaken, which I spoke of earlier. If that is not provided then the assessments cannot be undertaken and no order can be made. As such, it is in the DAA's interest to comply with any direction I issue and it will comply with that. I will also say that DAA is obviously bound to publish a report every year. That annual report is brought to Cabinet. The Minister of the day is the shareholder of the Dublin Airport Authority. The chairperson and board members are appointed by the Minister. This legislation, if anything, gives a very clear report and delineation with regard to any orders I would issue to it, be that about numbers, environmental considerations or whatever that may be and it must comply. I am not, therefore, in a position to accept this amendment.

An Cathaoirleach: Is the Senator pressing this amendment?

Senator Joanne Collins: Yes.

Amendment put and declared lost.

Section 6 agreed to.

NEW SECTION

Senator Joanne Collins: I move amendment No. 4:

In page 8, between lines 27 and 28, to insert the following:

“Community engagement obligations

7. (1) The Minister direct the daa to establish a formal mechanism for ongoing and meaningful engagement with local communities affected by airport operations, including those impacted by the north runway.

(2) The Minister shall open a public consultation concerning daa's engagement with local communities and lay a report before both Houses of the Oireachtas no later than 12 months following commencement of this Act.”.

This amendment is more or less around community engagement. I know there are plenty of groups that have been set up around Dublin Airport. We have met many of them throughout our time on the Oireachtas Joint Committee on Transport. However, we have been told and many have said that they sometimes feel ignored when decisions are made affecting Dublin Airport. This amendment, therefore, requires the DAA to establish meaningful and ongoing engagement and maybe more than what is already happening. If people are still feeling like they are being ignored, I do not see the harm in having something in place to ensure they are informed at stages when this moves or when more changes have to come into effect, particularly residents impacted by the north runway. It also requires the Minister to consult publicly and report back to the Oireachtas. Good engagement should not be an afterthought. It should be the core of how major national infrastructure operates, and it does. Public engagement does stop those delays when communities put in objections. I find that if we keep people on board and engage and make sure they are listened to and that their points are taken on board, it can save an awful lot of heartache in the end.

Senator Lorraine Clifford-Lee: As the Minister knows, I have been engaging with communities for a long time in relation to the issues they are experiencing around Dublin Airport, whether that is the voluntary dwelling purchase scheme, the insulation scheme or the issues the residents in St. Margaret's The Ward have in relation to the development of their community and the lack of investment into the community. As the Minister knows, the northern runway has been presenting huge problems since it opened in August 2022. The residents are feeling ignored and neglected in relation to this. The northern runway suddenly saw flights flying over parts of north county Dublin that were never supposed to be under the path. In particular, the children of Kilcoskan National School, who have gone through an awful time being suddenly under the flight path, really need to be thought about at this time. I would like to see greater engagement with the residents. I know, and the Minister alluded to it, that a new chair of the DAA has been appointed and we are awaiting the appointment of a new CEO. I would hope that a serious turnabout in relation to the level of engagement will occur.

The Minister has a general power under the Bill we currently have to direct the DAA for any purpose. Therefore, while I agree with the sentiments of the proposed amendment, it is probably unnecessary, given that the Minister has that power under the Bill currently. I would like to see him use it, however, and direct the DAA to have proper, decent engagement. It is something on which I have engaged with the Minister. I thank him for that engagement and I will continue to engage with him on it, but it is really important that we think about the residents. Yes, we support Dublin Airport and we support the economic impact Dublin Airport gives not only Dublin but the whole country, but we cannot forget about the residents. I will have the opportunity to speak on the voluntary buy-out scheme later as we are discussing other amendments. I just want to emphasise that this power is already in the Bill and I would like to see the Minister use it.

Senator Alice-Mary Higgins: I think such a community engagement obligation would be appropriate. It is not ideal to have it at the discretion of the Minister. The prioritisations in

terms of the economic case have been set out by the Minister, so I would not have as full confidence of these issues being addressed. It is regrettable that a number of amendments in relation to flight paths, particularly around assessment of noise, were not deemed eligible. Those are key issues and the kinds of key issues that could and should be identified through something like a community engagement piece, as well as those members of the community who have environmental concerns, which is something I will come to in subsequent amendments. Again, these are very serious concerns that will be likely to intensify significantly if plans move ahead as planned.

Deputy Darragh O'Brien: I thank the Senator for tabling the amendment. I would say to Senator Clifford-Lee that this is in section 6 of the Bill very clearly. The Bill was written in close collaboration and with the advice of the Attorney General as well. The general power is actually very important. Section 6(1) states: "The Minister may give a direction in writing to daa for any purpose relating to this Act, including, but not limited to ..." and then it actually lists them. Anyone can read that it is abundantly clear.

I have already spoken in relation to noise. Noise is an issue for some residents. I have also spoken on flight paths and in relation to the voluntary purchase scheme. I have already engaged with the DAA on that. We will have a new management team in the DAA shortly and I will be engaging again at that stage too. I say that as someone who has lived beside the airport my whole life. I would also say it is important that in fairness, many of the residents who have issues are not against the airport. There are many people in north Dublin, where I live, who actually want the airport cap removed and who derive incomes from the airport and want it to grow. There are others who are directly impacted and who have very valid issues that have not been dealt with heretofore in as efficient a way as possible. Many people feel particularly affected by the opening of the new runway, as I mentioned, in St. Margaret's The Ward area, Portmarnock, parts of Malahide, in particular, and parts of Kinsealy. However, there are many others who are under flight paths who want to see the airport continue to grow also. This is about having a balanced approach but the power within the Act, once this is passed, is very clearly set down. This is about trying to move this forward in a sustainable way to allow the airport to grow in a sustainable way and allow it to underpin and support the jobs that are there and make sure we have the international connectivity we need and require as an island nation.

This legislation has been thought through very carefully. We have not in any way, shape or form rushed it either. There were ten weeks of pre-legislative scrutiny. I responded to the pre-legislative scrutiny report. That is important. This Bill passing would strengthen our hand with regard to how the airport operates for the small number of residents who are affected. I am acutely aware of that myself and I expect the power that is given to me within the Bill to be used. I am not accepting the amendments as tabled.

Amendment put and declared lost.

Section 7 agreed to.

Sections 8 to 17, inclusive, agreed to.

SECTION 18

Question proposed: "That section 18 stand part of the Bill."

Senator Alice-Mary Higgins: The Minister suggested that there would not be dilution of the environmental regulation, but there is. Section 18 is explicitly about the disapplication of the European Communities (Birds and Natural Habitats) Regulations 2011. It states:

A proposal or an order made under *section 25(1)* [that is a proposal or order made to adjust or increase the amount of the cap and change the numbers that are passing through the airport] shall not constitute an activity or a project within the meaning of Regulation 2 of the European Communities (Birds and Natural Habitats) Regulations.

The name of the section is literally "Disapplication of regulations". We have kind of woolly substitutions for that. Section 17 states that the Commission shall, in performing its functions, "take appropriate steps ... insofar as such disturbance could be significant having regard to the objectives of the Habitats Directive". There is a bit of having regard to the Commission. Under section 19, the Minister may apply for an appropriate assessment or ask for a Natura impact statement to be done. At a fundamental level, the disapplication of the regulations – the EU rules which would apply, separate from whatever woolly measures the phrase "have regard to" covers in sections 17 and 19 - could not be seen as anything less than a dilution. This is part of another significant environmentally impactful component which we are going to come to later. Of course, the Bill is being guillotined. As a result, we may not get the opportunity to come to it later. It is positioned in the very final section of the Bill, namely section 39, and is a modification of the application of section 15 of the Climate Action and Low Carbon Development Act. Again, the idea is that the Minister and the Commission, when performing their functions, will not be subject to the requirements of section 15 of the Climate Action and Low Carbon Development Act and having regard to the likely consequences for the economy of the State and for international connectivity.

Basically, the Minister is trying to modify and disapply the obligations that obtain under the climate Act. He literally has a section on the disapplication of regulations under the birds and habitats directives. We are setting up for a situation of environmental non-accountability. That can be the environment in which the community is being spoken about or operating in, and they are not just working but living in, which many of them care about as well. It also has an impact on our environment. Depending on when the guillotine falls, I hope we will have an opportunity to come back to this, but disapplying the checks and balances and the tools we have has an extraordinarily negative consequence. This part of Dublin is also a big horticultural area. Where is the consideration of the habitats directive and the birds directive? They must be factored in too.

We also look to the fact of aviation emissions being a massive factor in the kind of climate breakdown that we are seeing globally. They are not adequately captured. It is already a bit of weird black box whereby in the context of our national emissions, we are only capturing internal flights. On the European trading scheme, we are capturing flights within Europe and there is no capturing, except for the IPCC when it produces its now annual reports telling us that we are heading off a cliff. It is the only one capturing the global piece because there is not a global mechanism of accountability. That was meant to be coming in 2027, but, of course, countries like America have left the Paris Agreement. There are all these places that the flights will be going to, where we do not know how the emissions are being measured or what the impacts will be, but what we do know is that by disapplying section 15 of the Climate Action and Low Carbon Development Act, we are trying to make sure that the Minister and the

Commission do not have to think about the Paris Agreement or the ultimate objective, which is to keep our planet livable. It was 1.5°C; it will now be 2°C if we are lucky.

There is a significant environmental dilution here. With respect, if we are in a period when we should be looking to have a just transition, it is not simply a matter of saying I can tag a number and say there are jobs in this. There are lots of jobs in it. We need jobs in the areas that are going to be sustainable, properly environmentally monitored that will deliver for us so that we can ensure people can both work and live on a safe and fair planet. That is the piece that needs investment rather than throwing in the numbers of the persons who may get the downstream jobs when we know the major beneficiaries of this are a handful of small business owners who have had a very successful lobbying campaign. They are the major beneficiaries in respect of this. The cost, including the cost in terms of the fines, if we look at the money side of it, that will be paid, are the costs that will be paid by the public for Ireland failing to meet its targets. Those are the straight financial costs. Whether or not the Minister disappplies the climate Act we still have to hit the same targets and that will have to come from somewhere else. Some other sector will have to step up or else we will have to pay fines, or more significantly the costs that are paid globally for a kind of reckless acceleration in emissions at a time when we should be shifting our approach.

Senator Joe Conway: I would like to take up the theme that was adverted to by Senator Higgins. I am looking at a prediction from the Irish Fiscal Advisory Council to the effect that between now and 2030, we are going to have to open the envelope and look at a bill for anything between €3 billion and €6 billion. Irish taxpayers will be faced with paying this money because the country is going to remain off track on its emissions up to 2030. I do not know where we are going to get that money and keep health services, education services and all of the other services on track. It is a horrendous spectre to have before us.

I am just wondering. While I did not hear it myself, I am told there was an interview this morning with Dr. Eimear Cotter, the head of the EPA. Dr. Cotter was rather glum about the projected passenger numbers of 40 million and possibly 60 million at Dublin Airport and the collateral damage to what are euphemistically called the "receptors" out there. It is a case of being allowed to mark your own homework. The EPA is not allowed to monitor the particulate matter or emissions at Dublin Airport. It is apparently the DAA that does this. It is a classic case of correcting your own homework. There should be checks and balances in these things. I am not a hanging-from-the-clothesline environmentalist. I try to see a sensible middle line. However, allowing the offender to measure the emissions and particulate matter at Dublin Airport rather than employing the EPA to do an independent assessment just seems bizarre.

While I am on my feet, I will refer to the argument the Minister made in relation to the regional airports and the encouraging rate of growth in their passenger numbers. That is delightful to hear and we all know it but it is a slightly disingenuous argument. How would the numbers have grown without the preponderance of investment and development at Dublin Airport? On the 5,000 jobs that would be lost, what about the jobs that would be gained in rural Ireland if the regional airports were allowed to develop? We should not say that Dublin Airport is the only thing that can generate economic activity. That cannot be the case. There is a lot of skewed thinking on this. There are many upset people out there, with whom I am minded to agree in many instances, who are under the impression that this is not good legislation. When we had the debate last week, on 1 July, I listed for the Minister of State who

was here at the time a series of critical questions that needed to be answered. I got a reply from the Minister's office today saying that none of these assessments were done.

Deputy Darragh O'Brien: Will the Senator say that again? I missed it.

Senator Joe Conway: When we had the debate last week, I listed a number of critical safety, resilience and security questions for the Minister of State who was here, Deputy Buttimer. I followed this up with an email to the Minister's office yesterday. Latterly, I got back a very comprehensive reply from the Minister's private secretary. Perhaps I should not have mentioned that. Be that as it may, the answer to the questions I asked was generally that none of the investigations I specified, which related to security, safety and resilience, had been carried out. Here in the Seanad, we often pride ourselves on being an informed Legislature and a revising Chamber. When we ask critical questions about safety, security and resilience at the airport, such an answer comes as a great disappointment to us. Senator McCarthy talked about what happened at London recently. It is happening at airports all over the world. The resilience factor and regional airports are very important. There has to be a plan B if the big airport goes down. That is self-evident.

I am happy to indicate those items that are of concern to me. I am not the only one concerned about them. Unlike the Minister, I do not live under the flight path of Dublin Airport. However, I do live under what I hope will be the flight path of Waterford Airport. As a keen aircraft watcher, I am looking forward to that. I will be there with my binoculars day in and day out. However, I will not be dying from ingesting too much particulate matter because regional airports are easier to live beside. I get communications from people who live near the airport and I pity them. They are hostages to the untrammelled development of Dublin Airport.

Deputy Darragh O'Brien: I will start with Senator Alice-Mary Higgins. I suggest she may be reading the Bill incorrectly. I refer her to section 24, which specifically outlines:

The Minister shall not make an order under *section 25(1)* unless—

- (a) the Commission has carried out an environmental impact assessment of the proposal and issued a reasoned conclusion in accordance with *section 15*, and
- (b) the Commission has carried out an appropriate assessment of the proposal and—
 - (i) the Commission has made a determination in accordance with *section 21(6)*

The only reason it is disappplied in section 18 is that is covered in another part of the Bill, section 24. It is outlined there. I will not read the full section. I will not be able to issue an order unless the assessments are carried out. That is very clearly set out in section 24 of the Bill. The Senator will see it there. It does not need to be in the Bill twice. That is why it is disappplied.

In response to Senator Joe Conway, I am not sure I have much more to say. Everyone is entitled to their own opinion but they are not entitled to their own facts. The reality is that the regional airports are growing. The numbers I have given the Senator are correct. They are good. I have not made them up. You can grow jobs across the-----

Senator Joe Conway: I asked what they would be like.

Deputy Darragh O'Brien: This may be the first time it has been proposed that we would cut 5,000 jobs from Dublin Airport and redeploy them across the regional airports. That is not what we are trying to do. We are trying to grow our airports and our connectivity in a balanced way. I fully respect the Senator's view; I just do not agree with it. The reality is that our regional airports are growing. Between now and 2030, we are investing €45 million to that end.

This Bill is specifically about Dublin Airport. Matters have been raised, particular with regard to engaging with the affected communities. There are many thousands of people who live beside Dublin Airport who want to see the cap removed. They derive their income from the airport and want to see it continue to grow. I have already mentioned the more than 3 million passengers who flew through Cork Airport and the growth of Shannon Airport, which has just had its best half a year and which now has over 40 routes. However, a small number of people are impacted and they need to be listened to. Not only do they need to be listened to, their views need to be acted upon. Senator Clifford-Lee and others have discussed the voluntary purchase scheme with me. We will get to that later on. It needs to be improved.

Under this Bill, the Minister will have the power to make directions in respect of any matter under the Bill. I expect that to happen. We have a new leadership team going into the airport. It is about a good neighbour policy, supporting jobs and connectivity, allowing the airport to grow in a sustainable way, and adherence to the granted flight paths. I am going to carry out an independent assessment of that once the cases are dispensed with and once the aircraft noise competent authority, which comes under Fingal County Council, makes its final decision. I have also protected the existing application that is with Fingal County Council right now. This does not set that aside at all.

We are doing this in a very structured and careful way. As Government colleagues and some Opposition colleagues have said before, no one can argue for a false cap to be put on growth. A condition relating to vehicular access to the airport was introduced in 2007 and 2008. Next year, we are going to start construction on the long-awaited MetroLink. This is the first Government to fund MetroLink. Full planning permission has been granted. Preparatory work has started and the first tender is out. We are also significantly upgrading our rail lines right across the country. The landscape has changed since 2007 and 2008. There are still issues with a small number of residents that need to be dealt with. These issues need to be dealt with by agreement. That is the best way to do it.

I am not speaking to an amendment. I am speaking to section 18 because Senator Higgins wanted to speak on that section. I have nothing further to say. I have explained that the environmental considerations are very clearly covered by section 24 of the Bill. I cannot issue an order without the relevant assessments being done.

Senator Alice-Mary Higgins: I know we have other sections and amendments to get to but this seems to be more bespoke than what is included in section 15.

Section 24 requires the preparation of an environmental impact assessment. That is clear. However, the question is how that assessment will be considered. I am concerned about the

disapplication of regulation 2. In the performance of the functions, it is having regard to the objectives of the habitats directive. There is an environmental impact assessment but in terms of the binding impact of the regulation, I am concerned that it may be diluted through a more bespoke measure. I understand we will have further opportunity to engage on that. I am opposed to section 18.

Question put and declared carried.

Sections 19 to 23, inclusive, agreed to.

Acting Chairperson (Senator Anne Rabbitte): Amendment No. 5 has been ruled out of order.

Amendment No. 5 not moved.

Acting Chairperson (Senator Anne Rabbitte): Amendment No. 6 has been ruled out of order.

Amendment No. 6 not moved.

Acting Chairperson (Senator Anne Rabbitte): Amendment No. 7 has been ruled out of order.

Amendment No. 7 not moved.

NEW SECTION

Acting Chairperson (Senator Anne Rabbitte): Amendments Nos. 8 and 25 are related and may be discussed together, by agreement. Is that agreed?

Senator Joanne Collins: I move amendment No. 8:

In page 23, after line 34, to insert the following:

"Review of compensation buyout scheme

24. The Minister shall, within 9 months following commencement of this Act, conduct an independent assessment of the daa's noise mitigation schemes, including insulation and voluntary buyout schemes. The assessment shall evaluate whether:

- (a) valuation reflects current market prices;
- (b) compensation includes disturbance and reinstatement costs;
- (c) there is transparency and fairness in eligibility criteria."

This amendment relates to the compensation and buyout schemes. Residents affected by airport noise must have the confidence that compensation schemes are going to be fair. This amendment requires an independent review of insulation and voluntary buyout schemes to ensure that the valuations reflect current market values, disturbance costs are recognised and eligible criteria are transparent. It is to ensure that we are not looking at historical prices for

people's houses, that it is going to be market value and everything is going to be taken into account, including the cost of the disturbance to their livelihoods.

People should not be financially disadvantaged because they happen to live beside the national airport. It is important infrastructure, but people should not be disadvantaged if they are looking for a buyout scheme. We must ensure it keeps within market value.

Senator Laura Harmon: I will speak to amendment No. 25. I acknowledge that the Minister has said that he acknowledges that the voluntary dwelling purchase scheme could be improved and contact with residents is important. How can that be improved? Who is going to be ultimately responsible for that?

Amendment No. 25 would, at line 22 on page 34, insert a new section, entitled, "Equivalent reinstatement standard for voluntary dwelling purchase scheme". This amendment arises from recommendation No. 15 of the pre-legislative scrutiny report on this Bill by the Joint Committee on Transport. It relates to the voluntary dwelling purchase scheme operated by the DAA, which, as Senators will be aware, offers homeowners in specific areas affected by noise the option to sell their properties to Dublin Airport. As it is currently constituted, the scheme does not represent a fair deal for the families affected. In contrast to the picture sometimes painted in the media, these are not people who have moved to the airport area and chosen to complain and grumble vexatiously. They are families in well-established homesteads who built their homes with full planning permission many decades ago and many families have multiple homes in this area. They have built a community over those decades and as the airport has grown and noise and disruption increased, they have engaged honestly and constructively on the issues. They are people who recognise the importance of the airport as a piece of national infrastructure. They fly abroad, like many other people. They just want a fair deal.

If the Oireachtas is being asked to facilitate future airport growth, it is equally important that those families bearing the greatest impact of that growth are treated fairly and afforded a realistic pathway to move on with their lives. For these families, living conditions have become increasingly difficult as the number of flights has grown. The impact on their lives is easy to imagine. It harms their ability to enjoy their own homes.

When participating in the voluntary dwelling purchase scheme, these families are not engaging with the housing market in the ordinary way. They are not simply choosing to place their homes on the market. They are being asked to leave long-established homes, communities, family support networks and caring arrangements because of the impact of national infrastructure. That is why the principle of equivalent reinstatement, which is at the heart of our amendment No. 25, is so important. Affected families must be properly supported to secure equivalent replacement accommodation and should not be left materially worse off in any way as a consequence. It is important that families who are already going through this scheme are fully supported.

Housing in Ireland has changed vastly, as the Minister knows, since the scheme was originally designed. These families face the same crisis of supply that any buyer in this country faces. The voluntary buyout scheme has not been meaningfully updated since 2016 and does not reflect current property values. The reality is that market valuation does not necessarily provide a pathway to replacement and reinstatement. This amendment aims to rectify that by ensuring the equivalent replacement principle is embedded in the scheme.

We in the Labour Party are opposed to this Bill, as I have said. We believe that it is a total derogation of duty when it comes to our climate commitments. The Bill does apply to a lot of people who live in Dublin, but I believe this is a national issue. People across the country care about this. They care about our climate. This is only the latest in a string of similarly reckless Bills from the Government. If it must pass, I hope that the Government can at least accept this amendment so that some of the families who will be most affected by further expansion at the airport at least have some real protection and support.

I want to just come back on what the Minister said earlier about jobs to make the point that there will be no jobs on a dead planet. Overall, fault lies with the DAA. The Government is sidestepping an independent planning process. I urge the Minister to support our amendment.

Senator Lorraine Clifford-Lee: I want to speak to this amendment because it concerns an important issue that I have raised directly with the Minister. I have also raised it in this House and at the transport committee. The Minister said that a small number of residents have valid issues with living next to Dublin Airport. They deserve to be listened to and catered for.

The people living around St. Margaret's have been living there for generations. Many of them are living in family clusters and we all know the importance in Irish society of intergenerational living and family clusters. I am thinking particularly of the McDonnell family in St. Margaret's. Adrienne McDonnell and her husband, Noel, are in the Gallery. I have been engaging with Adrienne and many of her neighbours on this issue for a number of years. They are decent, honest, hard-working people who just want their situation resolved. They have been living in limbo for many years. They have real concerns. They have engaged in good faith with the DAA. They just want to be treated fairly. They want to be able to replace the homes they have. They have been living in Dublin for generations and want to remain living in Dublin. They want to be able to purchase an equivalent house in Dublin. It is as simple as that. As the scheme is currently constituted, they would be unable to do that. The Minister is on record as saying, as he has said today, that this scheme needs to drastically improve. A small number of people are affected. We are talking about a major piece of infrastructure. It would not take much for those people to be treated fairly. When we talk about being treated fairly, they need to be given a reasonable valuation for their homes.

The scheme, as currently constituted, does not take into account a lot of things. Those families, for example, need to be given a premium higher than the premium currently on offer.

For example, they need to be given a premium above what is currently being offered. Anybody who is selling a house will get a valuation. We know Dublin is a competitive market and, all around the country, houses are going for far in excess of what they are valued at. However, if you have only one prospective buyer, there is no capacity for competitive bidding to increase the price. Are people really being given a fair valuation unless there is a significant premium on the valuation given to them? That uplift one would expect on an open market is not in play, so we need to look at that. As for replacing the houses, many of them are unique, one-off designs and dwellings. As it is often hard for a comparator to be found in the locality, a quantity surveyor needs to be engaged to put a proper value on it and to look at what it would cost to replicate that house someplace else. That is really important. Families should also be reimbursed for reasonable professional costs necessarily incurred through the scheme, including valuations, BER certificates, legal fees and land registry costs. People should not be

out of pocket because they live next to the airport and because the airport's expansion plans require them to leave their area. This is just common decency and fairness. I know the Minister is listening to this because he has said on a number of occasions that the scheme which is there is not good enough.

I already spoke about the general power to direct the DAA for any purpose. This is one of the issues I would like the Minister to direct the DAA on. I know the ANCA decision is out for public consultation and that is going to close on 3 September. I encourage everybody to put in submissions relating to noise or any other issue because it is a really important public consultation. The engagement after that is really important. I hope the Minister will direct the new chairman of the DAA. Hopefully we will have a new CEO who will take public engagement to a different level. There needs to be a changed attitude towards the voluntary dwelling purchase scheme. I will be writing to the Minister about the issues I consider to be outstanding. For the good neighbour principle to be applied correctly, it also needs to be applied to the voluntary dwelling purchase scheme. It needs to be expanded, it needs to be decent and it needs to be fair. I hope the Minister will engage with the DAA after the public consultation closes. Families have been living in limbo for too long. It is too much stress. I have met the families. I know the pain and suffering they are going through while dealing with all the other daily issues we have to deal with, like illness, death and normal family issues. It is very difficult. You have this enormous cloud hanging over you and do not know when your home will be gone, how you will be able to replace it and how you will be able to replace the deep connection you have with your community and family living close by. We need to move this on. I know the Minister is listening to us and to the concerns. I look forward to some good engagement after 3 September and we can move this forward. Enough is enough at this stage.

Deputy Darragh O'Brien: I thank the Senators who tabled the amendment and the Senators who have contributed to it. I do not accept the amendment, which suggests an independent assessment of DAA's voluntary purchase scheme and setting out specific standards. I will explain why. DAA has the statutory responsibility for the management, operation and development of Dublin Airport, including the implementation of the noise mitigation programme. The terms of this programme are set out in the planning conditions. Under those terms, eligibility for the noise insulation scheme, the voluntary dwelling purchase scheme and the school insulation scheme is subject to review every two years. The next review is due to commence in the coming months. There is a real opportunity to do it there. That review will use the 2025 operation and noise data, which will ensure the assessment takes place with up-to date data that accurately reflects the noise environment experienced by local communities.

As Senator Clifford-Lee mentioned, it is also important to note that ANCA has published its draft decision on proposed noise mitigation measures associated with DAA's infrastructure application. That includes lifting the cap to 40 million passengers per annum. As the Senator said, that consultation is open until 3 September. It is really important that those residents interested in this or affected by it in whatever way engage with that process. I have said that I have engaged directly with the DAA on this already. I have written to it formally and will continue to do that. The appropriate next time to do that is once the ANCA decision is finalised and the public consultation is concluded, which will be on 3 September. Obviously, there will be a period required after that when the submissions to ANCA will be looked at. That is where the consultation is. That will happen over the coming months. There is a small number of

residents negatively affected by the airport, be that from a voluntary purchase perspective or in the context of noise insulation. It looks to me that the ANCA draft decision will expand the noise insulation scheme to a wider area. We then need certainty on flight paths. There is a lot to do in this space. This Bill is not the place for the voluntary purchase scheme to sit because it is operated by Dublin Airport Authority. I know there were some who wondered if it would sit within this Bill. It was never appropriate for that to be there. However, I have the general power, should this Bill pass into an Act, to direct the airport on any matter that relates to this Bill. The work now ongoing through ANCA with its draft decision needs to conclude. There is an important opportunity for that to be done. I cannot accept the amendment.

Amendment put and declared lost.

Senator Anne Rabbitte: Amendment No. 9 has been ruled out of order.

Amendment No. 9 not moved.

Section 24 agreed to.

SECTION 25

Acting Chairperson (Senator Anne Rabbitte): Amendments Nos. 10 to 12, inclusive, are related and may be discussed together by agreement. Is that agreed? Agreed.

Senator Alice-Mary Higgins: I move amendment No. 10:

In page 24, between lines 19 and 20, to insert the following:

“(d) the State’s obligations under national, European Union or international law relating to climate change.”.

In this Bill the Minister is setting out and giving himself the powers to amend or revoke the passenger capacity conditions, to change the passenger capacity, "where the Minister is of the opinion that the passenger capacity condition [causes] or would be likely to cause serious harm to ... the economy of the State ... international connectivity, or ... the international reputation of the State in respect of air transport." The fundamental driving factor in making his decisions and changing the numbers is this idea that it does harm to the economy of State, our connectivity or reputation. That is why we have heard the purported potential doublings or any other figures that are there. It is set up with a set of criteria that are ambiguous when we talk about the issue of the economy and the fines spoken about by Senator Conway and others. That is one thing. It is also kind of wild that we are putting forward this money somebody or particular companies could be making as potentially constituting economic harm to the State. Is that the framing? That is framed in terms where the absence of maximising the making of money is an economic harm.

However, actual measurable, knowable documented harm is being done by an increase in aviation traffic for economic reasons only. We know that aviation emissions drive climate change, emissions and move us past that 1.5°C liveable planet increase and into the 2°C and beyond. We all know that climate change is accountable for the fact that there are lots of places to which nobody wants to fly any more because they are over 40°C for three or four months of the year. There are places which are not just uncomfortable but are unlivable in parts of the

world due to climate change. That very real physical harm is done by the increase in our emissions, which is being done without proper regard to section 15 of the climate Act, because that has been removed. That is not a factor. The Minister is not providing for it. There is an environmental impact assessment with a question over how it is operated but that is a sub-element that may be added on to the Minister enacting the decision. The decision itself does not include any environmental criteria. The decision to make the order, about what kind of harm matters, does not include any environmental factors at all.

My amendments would simply be that when the Minister is making an order to change the passenger cap, one of the kinds of harm he might be thinking about would be if there is harm to the State's obligation under national European law or international law relating to climate change, or if there is harm to meeting the State's obligations under the Paris Agreement. I put that in as an additional approach because there are our national laws, which, sadly, can only capture internal flights, the European laws, with the current trading system, which only captures intra-European flights, and then the international space, where there is a gap for a proper measuring or accounting system regarding flights that leave Europe and go elsewhere. It was meant to be delivered by 2027 but there is a question about how it will be delivered. Some of the major countries where flights will be going, or one in particular, the United States, have even left the Paris Agreement.

That is why I have a second amendment that cuts through our national European law and international law, and also reminds us of our obligations under the Paris Agreement. Our obligations under the Paris Agreement are not just that we should be doing everything we can to keep emissions below 1.5°C and 2°C, at this liveable level. There are also obligations under the Paris Agreement of common but differentiated responsibilities. The fact is that countries which have historically higher emissions have used up more than their fair share of the available space in an atmosphere that is filling up with emissions, in a limited global commons, in which the wriggle room we have before it is unlivable is limited. We have already taken our fair share and the Minister wants to take more. When he talks about adding emissions into the mix, and how there is potential for economic measures, and there is money we could be making which we will not make if we do not do this, and one stacks that up against countries which have done almost nothing to drive climate change and have far lower emissions than us historically, maybe that remaining space is things that they need in order to actually transition, put in place basic state infrastructures such as the sewage systems that they will need as they adapt to climate catastrophe, and all of those things.

Maybe the remaining space in our collective global atmosphere is not something that we should be using up. We should have a rationale for using it any time we say it would be bad for money-making if we do not do this and maybe our global responsibilities for climate and environment should take priority. In that scenario, then maybe not this Minister, but perhaps a theoretical future Minister, may even look to the order and say we need to slightly adjust our passenger capacity conditions. I will be clear about things like international connectivity and the fact that we are on an island. I get that. I get that Ireland will not move away totally from aviation but what we should be doing is doing it responsibly. We should be giving, at a minimum, equal regard to the environmental factors as we do to the money-making potential. That is why amendment No. 10 inserts our national, European and international laws on climate change, and amendment No. 11 relates to the State's obligations under the Paris Agreement.

Amendment No. 12 is trying to insert into the mechanisms that the Minister can make a variation here.

I am trying to introduce some link, even as the Government tries to cut the links between climate action, and its infrastructure, the cap, and LNG, and a whole pile of things that it says will happen and do not involve the climate Act any more. They will still involve emissions and still have the climate impacts, so I am trying to reinsert a thread whereby the Climate Change Advisory Council would be empowered to at least recommend to the Minister that there be a review where there is an opinion that the passenger capacity is causing serious harm to the State's ability to meet our national climate objectives.

The Minister has been shaking his head while I was speaking. This is the most real thing. There is nothing more real than the fact that we are living on a planet and there are physical, scientific factors at play. When you go to 40°C, it is pretty hard for an economy to keep going. When you go to 45°C, it gets harder again. Climate change is the most real thing. It gets treated as an abstraction or an add-on, or that we found a way around it, or are cutting it off here. This is physical reality, and I am appealing to the Minister to factor it in to the serious harm that he is meant to be considering when he is deciding to put passenger numbers up or down.

Senator Joe Conway: I want to augment what Senator Higgins was saying. I recall when it became almost moderately fashionable to go to places in the Middle East, like Dubai, Doha, and so on. Neighbours with children out there would come back and say they do not know how people live out there, that it was 36°C and hit 40°C once. The fact is that right now, places that are heavily serviced by aircraft, including Spain, Portugal, Italy, Corsica, Sardinia and Sicily, are almost burning at the moment. It is a harbinger of what will become of us, in prosperous Europe, in the next few years, if we do not take our responsibilities seriously. One of the great offenders is the airline industry and the untrammelled regulation of the airlines. As a matter of interest, if one bought 10,000 Ryanair shares at Christmas 2023, those shares would now have increased in value by 91%. That is an indication of the money that is being made in the airline industry, and that is just one airline.

We have really serious questions to ask and I commend Senator Higgins on exposing that. I do not think she or the House are being alarmist, but there is more to Dublin Airport and the economy of the country than simply putting it all on the altar of Mammon.

Acting Chairperson (Senator Anne Rabbitte): Does anybody else wish to comment? No. Does the Minister wish to respond?

Deputy Darragh O'Brien: I am not accepting amendments Nos. 10, 11 or 12. I thank the Senator for tabling them. I am empowered to make an order where I am of the opinion that the passenger cap planning condition is causing serious harm to the economy. I make no bones about that; I do not think it is a problem. I would have thought it a responsibility I would have, to be honest. Similarly, where I see there is a problem with international connectivity, that is stating the obvious and should be the case, as Minister for Transport, or the State's international reputation in air transport. That is very clearly set out and I would stand over all three of them every day of the week.

Senator Higgins also suggested I should be of the opinion that the passenger cap planning condition is causing harm to the State's obligation under national, EU or international law relating to climate change or the State's obligation under the Paris Agreement. She further suggested the Climate Change Advisory Council should issue a recommendation to amend the passenger cap, where it is of the opinion that it is likely to cause harm to the State's ability to meet its national climate objective.

I will say again that under the legislation, I am clearly mandated - and have mandated - for a full environmental impact assessment to be carried out in line with the EIA directive - and it is absolutely in line with that - which would identify, describe and assess the direct and indirect effects of making an order on several factors, including climate, and would be independently undertaken not by me, but by An Coimisiún Pleanála, prior to the making of the order. I have also made it clear that even though, and this is a fact, international aviation emissions are outside the scope of the climate action plan, we are taking actions aligned with the global approach to decarbonisation of the aviation industry, which is based on the International Civil Aviation Organization's basket of measures to ensure aviation meets the challenges of decarbonisation. That includes several things, such as airlines continuing to adopt new or more efficient aircraft, more efficient use of fuel, quieter aircraft, mandated increased use of SAF at EU level under the EU refuel aviation regulation and the EU emissions trading scheme, to name but a few, as well as the CORSIA scheme at international level.

I am not disapplying the Act at all in relation to the environmental impact assessment; that is actually being done. The climate Act does not apply anyway, so there is nothing to disapply. The reality is the environmental impact assessments will be undertaken by An Coimisiún Pleanála and not by me, and that is the appropriate place for that to be.

Overall, there is no denying the situation the world is in right now. We are way above the 1.5°C and are probably projecting a 2.3°C increase in temperatures, which is extremely worrying. However, in Ireland in the past three years we have been able to decouple emissions growth from economic growth. That is a very significant thing. We are back to pre-1990 levels of emissions in this country, and with 1.5 million more people here. Emissions are continuing to drop as the economy and population continue to grow.

Are we going to get to our 2030 climate targets? No, but we are going to get close to them and we will try to bridge that gap, particularly through energy and the acceleration of renewable energy sources. In the first few months of this year, 50% or thereabouts of our electricity was generated from renewable sources. How are we going to accelerate that? By doing things like I and Senator Noonan did in the previous Government, that is, the Planning and Development Act that is now in place and which Senator Higgins opposed vociferously in this very House, speaking for hours on end on things that enable us to accelerate renewables, improve our grid and secure clean sources of energy that are our own, as well as to reduce our dependence on fossil fuel. That is what we did, and it is now coming to fruition and into effect. Within that Act which the Senator opposed at the time was the restructuring of what was An Bord Pleanála, and is now An Coimisiún Pleanála, to give it 50% extra staff and to split the corporate spine from the decision-making spine, which has made it a much more effective and efficient organisation in that regard.

It was mentioned earlier by Senator Joe Conway, and I did not mean to not respond to it, and a couple of other Senators about IFAC's calculation of what the cost of compliance would

be. However, there is no criteria and no agreed formula relating to cost of compliance or, as others would say, fines. That does not exist. IFAC has come up with a figure and a range which has no basis; there is no agreement on that. We are engaging with the Commission now and we will do well to 2030.

If we look at the EPA's own projections to 2030, they have improved year-on-year. We saw a significant improvement in this year's projections to 2030 compared with last year. A major part of that was due to the accelerated electrification of our transport fleet. We are seeing that in spades now with regard to EVs on the road. I do not want to get into a whole climate debate on it, but climate and climate action are central to everything we do. Electrification, acceleration of renewables and decarbonisation are absolutely critical.

However, there is the fundamental reality that we are an island nation. If we are going to travel for business or to meet family in a sustainable and responsible way for holidays, we need to get off the island, and aviation is very important. By the way, Ireland is a world leader in aviation. Many other countries of comparable size do not even come close to where we are, and not just on the airline side, but also on aircraft leasing. One in every two planes that fly in the sky are leased through Irish companies here. We are a world leader in aircraft and engines, aircraft finance, MRO and research. That is why so many Irish men and women have been head of airlines right across the world and are world leaders in that area. This is something we should be proud, and I think many of us are.

I make no bones about the fact that an element of this legislation is about protecting the economic health of this State, the thousands of jobs this sector supports and that those jobs in Dublin Airport, an airport I live right beside, are protected and can grow. I thank the Senator for tabling the three amendments. I respect her view and opinion, as well as the manner in which she put them forward. How we are proceeding here is in a careful and considered way, so I am not accepting the three amendments.

Senator Alice-Mary Higgins: I will just respond to that. I will leave aside rehashing the Planning and Development Act. I am certainly very happy with the position I took on those points. The fast-tracking of LNG, which we flagged and were told would not happen, is happening now. I refer to the acceleration in terms of large-energy users and data centres. Those were the concerns hiding behind the windmills discussion. Of course, I wanted to see accelerated renewable energy, but we have a problem, which is that we are accelerating a number of the problems as well. That is why having proper checks and balances is important.

The fact we are a major player internationally on aviation is why we have a particular responsibility. Coming back to that comment on differentiated responsibilities, this is why how we do aviation particularly matters. It sends a signal regarding what has been described by the IPCC as one of the industries that is hardest to abate. It is one of the areas on which the world has not got a grip. It is an area where emissions are out of control and are not being reined back in.

I was clear on connectivity, in that those are very reasonable grounds, if there was a meaningful threat to our connectivity, so I do not oppose that. I am concerned about the money-making as the driving piece in that regard. There are cases to be made, but us doing aviation responsibly is particularly important because we are one of the bigger players, and it is not

responsible and does not send a very good signal if one of the major players in aviation internationally decides to disapply parts of its own climate legislation, which this Bill does.

The Minister has said we will have an environmental impact assessment and he will get the commission to do it, but, under the Bill, it states that the Minister and the commission, in performing their functions, shall not be subject to the requirements referred to in section 15(1) of the Climate Action and Low Carbon Development Act 2015. The Minister has said the commission is going to do a review, but when it does that review, it will not be bound by the pretty reasonable things that are in section 15.

It states:

A relevant body shall, in the performance of its functions, have regard to—

- (a) the most recent approved national mitigation plan,
- (b) the most recent approved national adaptation framework ...
- (c) the furtherance of the national transition objective, and
- (d) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

Those are pretty reasonable things to think about, but the obligation to think about them is being removed. This is what is there. This is what disapplying section 15 means in respect of saying a review can be done, an environmental assessment undertaken and everything else. The Minister would not be removing that obligation unless he was pretty sure that the commission, in doing its job with regard to section 15 and actually having to think about climate mitigation and our goals in this regard, might not come up with the answer that the Minister or lobbyists would like. This is why we disapply these things, and then say the commission is doing its job. It is not, because the Minister is tying its hands in respect of what it should be considering. The Minister is then asking us to accept that he is so great because he is letting it give him advice.

This is not good enough and not adequate. It is irresponsible. It is not about saying that everybody has to travel in a certain way and every flight has to be taken away. Everybody takes flights. The question is whether there should be a constant checking, balancing and responsible review to ensure there would be proper measures. The Minister is removing checks and balances and replacing them with his own customised ones. It is not good enough in respect of what the ultimate picture, including the ultimate economic picture, and the fines, collectively, will be for everybody else. In that regard, I am going to proceed with pressing my amendments. I am not satisfied that the measures are otherwise addressed.

Amendment put and declared lost.

Senator Alice-Mary Higgins: I move amendment No. 11:

In page 24, between lines 19 and 20, to insert the following:

“(d) the State’s obligations under the Paris Agreement.”.

Amendment put and declared lost.

Senator Alice-Mary Higgins: I move amendment No. 12:

In page 24, between lines 31 and 32, to insert the following:

“(3) The Climate Change Advisory Council shall issue a recommendation to the Minister to amend a passenger capacity condition where it is of the opinion that such a condition is causing or would be likely to cause serious harm to the State’s ability to meet the National Climate Objective.”.

Amendment put and declared lost.

Senator Joanne Collins: I move amendment No. 13:

In page 26, between lines 21 and 22, to insert the following:

“(14) The Minister’s power under this Act shall be limited solely to the amendment or revocation of a planning condition relating to the maximum number of passengers permitted to use Dublin Airport annually, and shall not extend to any other planning condition.

(15) The Minister shall, not later than 12 months following commencement, lay before the houses of the Oireachtas a report reviewing the exercise of this power.

This amendment is all about the power given to the Minister under this Bill and bringing legal clarity to that power,. The Bill is presented as only dealing with the passenger cap issue. This amendment would ensure that the Minister's powers cannot be expanded to any other planning conditions attached to Dublin Airport. By no means am I saying that we do not trust the Minister for Transport, but next year, the year after or the year after that, it may not be the current Minister, Deputy O'Brien, making decisions, and it may, instead, be someone who may intend to look at these powers and expand them beyond the passenger cap. The amendment is really just to future-proof the legislation to make sure the powers in it are limited to just the passenger cap and ensure it stays that way.

Deputy Darragh O'Brien: I thank the Senator. What she is looking for is already in the Bill. I will just explain why. Section 2 includes a really clear definition of the "passenger capacity condition", which is that it "means a condition relating to the number of passengers that may use Dublin Airport for the purpose of travelling by air to or from another airport in any period". As such, the power I have under section 25, which we referred to earlier, is limited to amending the passenger cap condition, which is what is being proposed by the Senator. Both these provisions address recommendations from the Oireachtas joint committee to ensure the scope of the power is limited. The sunset clause is there too. If planning permission is granted under the current application, the order then falls. In future, the Minister could seek a further order to direct the DAA to make another submission. It is not just a big-bang approach on this aspect. It is very much focused on protecting the existing planning application there, because that is current. I believe that what the Senators are seeking is well covered in the Bill.

Amendment put and declared lost.

Question, “That section 25 stand part of the Bill”, put and declared carried.

Acting Chairperson (Senator Anne Rabbitte): Amendments Nos. 14 to 17, inclusive, have been ruled out of order.

Amendments Nos. 14 to 17, inclusive, not moved.

Section 26 agreed to.

NEW SECTION

Senator Alice-Mary Higgins: I move amendment No. 18:

In page 28, between lines 3 and 4, to insert the following:

“Periodic environmental impact assessments

27.(1) Where an order has been made under *section 25*, the Minister shall, not later than 2 years after the coming into operation of that order and every 2 years thereafter, ensure that an environmental impact assessment of the operation of Dublin Airport is carried out.

(2) An environmental impact assessment under this section shall assess—

- (a) greenhouse gas emissions associated with passenger activity at Dublin Airport,
- (b) air quality impacts,
- (c) noise impacts,
- (d) impacts on biodiversity and protected sites,
- (e) impacts on surface transport networks and congestion,
- (f) impacts on public health, and
- (g) such other environmental effects as the Minister considers appropriate.

(3) The assessment shall be published and laid before each House of the Oireachtas.

(4) Where an assessment carried out under this section identifies significant adverse environmental effects, the Minister shall, within 6 months, publish proposals to mitigate or address those effects.”.

I will be very brief because I am conscious others want to have the chance to vote on their amendments. This amendment is seeking to ensure that there would be ongoing periodic environmental assessments, and that these would look at issues in respect of greenhouse gas, air quality, noise impacts, impacts on biodiversity and protected sites, impacts on the surface transport networks and congestion, impacts on public health, and other such environmental effects as the Minister may consider appropriate.

It is a useful idea not just to have an environmental impact assessment of whatever quality may be there at the original time of the order, but that there would be ongoing environmental impact assessments. This would allow us to see the impact of the new order and the new rule, and this would be monitored every two years. It would also cover some of the issues in relation to air quality and noise impact which are of significant importance to the communities directly under the flight paths or in the adjacent areas.

Senator Lorraine Clifford-Lee: We are all worried about the environmental impact of Dublin Airport. I live in close proximity to the airport. I speak to the communities from around the airport nearly daily. I am very much aware of the horticultural industry in north County Dublin and the need to protect it.

The Senator has made some very good points. I listened carefully to what she was saying in her previous contributions. I have also listened to what the Minister is saying on this. I know he is very aware of it. I have spoken to him a number of times about the environmental impact of Dublin Airport. He, too, lives in close proximity to the airport, so it is something we deal with daily and something we are very aware of.

The general power already contained in this Act would facilitate what the Senator is seeking in this amendment. I do not think this new section is necessary, but I would like to hear what the Minister has to say in relation to it.

Deputy Darragh O'Brien: I am not accepting amendment No. 18. The amendment is looking to have an environmental impact assessment every two years. Let us say, for example, there is a situation where the DAA wants to develop something. It would have to make a planning application. That would be the case for any infrastructure. This Bill does not deal with infrastructure, but with the cap itself. If the DAA wanted to build a new terminal, a new pier, a new stand or whatever, it would have to go and make a planning application. That is important. It would have to be environmentally assessed by the planning authority. Under this legislation, I have mandated that the making of an order also be environmentally assessed before any order is made in relation to the airport cap. That is clear.

I have already highlighted the planning decision on the DAA's infrastructure application. We discussed that at some length over the course of the last nearly two hours. That application seeks to raise the passenger cap to 40 million and provide for much-needed additional infrastructure at Dublin Airport. Anyone travelling out of the airport right now will see the work happening in terminal 1, which badly needed refurbishment work. I remember when terminal 2 was opened in 2008-09. Many commentators, and some politicians in this very Chamber, said it would be a white elephant, a waste of money, would never be used, was not needed and should not be done, but now it is full. We had many arguments against terminal 2 at the time, including cost and all that. Let us imagine what the airport would be like right now if we did not have it.

The reason I am saying that is the planning application is there right now.

To reiterate, if this legislation passes - and I hope it will; I am quite sure it will at this stage - we will have to enact it. It will go through a process then. The environmental reports and assessments will be submitted to An Coimisiún Pleanála. An Coimisiún Pleanála will then submit them to me and then we will make an order on foot of that. While that is happening, Fingal County Council is making its decision on the infrastructure application. ANCA has commenced its consultation on noise and it will be open until 3 September. That is important because it deals with a lot of the noise issues that we are talking about. We want to know what people think about that draft decision. That then goes back in and it feeds into Fingal's infrastructure decision on the infrastructure application the DAA has made. I do not know whether it will or not but if it grants that application and gives permission, that would supersede

any order that I would make. That is that element of it done. It would then be about future growth within the airport.

We have actually already started the review of that 2018 Act, which I debated from Opposition in the other House and actually supported it, but got changes to it. A lot of people at the time were very unhappy that ANCA was the noise regulator because they saw it sat within Fingal County Council. To be fair, as a separate entity, ANCA has proven its independence and expertise. It has done a really good job in the main in that regard. Others who wanted to put it in the IAA. Others did not want it at all. I think Shane Ross was Minister for transport at the time. That has been done. That is in place. This decision will be made. I do not have a timeframe. Hopefully it will be soon after the submissions from the public on the draft noise decision is made. That would feed into both.

We have already started the review on that legislation to see where future planning for airports and Dublin Airport should sit. Should it be strategic infrastructure and go to An Coimisiún Pleanála? Should it stay within Fingal County Council? That is for another day. We have to deal with the reality of what we have right now, which is that there is an effective stay on the cap at the moment because of the current case that is being taken. The airport is able to operate above 32 million because there is a stay on the cap right now. It is important that clarity is given for future development and growth within the airport and that the airport is not going to drop 4 million passengers or else the airport is just going to stay at 32 million. That is not a sustainable way forward. New routes will not come to the airport and we will not be able to manage routes to other parts of the world out of Dublin. It will inhibit business and growth. It will restrict jobs. It would mean we would lose jobs, frankly. If we stayed at 32 million or reverted to 32 million, we would lose thousands of jobs in Dublin Airport. I do not want that to happen. They are normal, good people, who are working there whose families are deriving good incomes from various jobs within the airport. It is important that this is understood too. Many people in the north Dublin area want the cap lifted as well. That is just the reality of it.

With regard to Senator Higgins's amendment, there would be no other piece of infrastructure in the country, that I am aware of, that would be subject to ongoing environmental assessments, which is what the Senator is proposing. There is no infrastructure that would require a constant loop of preparing material for assessments and having assessments carried out constantly. They would be done every two years. Does the Senator know how long these assessments take? It would be a constant hamster wheel of environmental assessments. It is madness. It would completely tie us. There would be no opportunity to grow anything and it would set a dangerous precedent. That is okay if the Senator does not want anything to grow. If you want to lose thousands of jobs in the airport, restrict people's ability to travel and restrict connectivity, then you will go with the Senator's amendment. That is what I am not going to do and that is why I am not going to accept it.

All of that said, and I have been very clear earlier on, there are genuine issues that people have. A small number of residents need to be dealt with. I am firm in my belief that this needs to happen and that there is certainty around flight paths as well. We will carry out an independent assessment. I will instruct that there be an independent assessment of flight paths and operation of flight paths once this legislation passes and the decision is made. That has to be done at the appropriate time. I cannot have an independent assessment while there are

pending decisions with regard to the operation of the airport. We will do it very shortly after that. Respecting the fact that the Senator has tabled her amendment, it would not work. It would tie the airport up in knots. This provision that she would put in exists nowhere else. It is one of the most important strategic assets that the State has, our major international airport, and the Senator would tie it up in knots by passing this amendment.

Senator Alice-Mary Higgins: It is not a piece of infrastructure that is subject to an EIA on an ongoing basis, it is a decision in relation to the passenger cap that the Minister has made. That is the piece-----

Deputy Darragh O'Brien: But you tie up the actual infrastructure.

Senator Alice-Mary Higgins: The idea is that there would be assessment of the air quality impacts, the greenhouse gas emissions, the noise impacts-----

Deputy Darragh O'Brien: The noise is monitored.

Senator Alice-Mary Higgins: -----the impact on biodiversity and congestion on public health. Then that would be information which the Minister has. Then the Minister could then respond to it. It is not a new planning process. It is simply saying in regard to that discretionary power the Minister is granting himself under this legislation that, as well as thinking about an environmental impact assessment before the Minister makes the order, they might look at it after the fact. Honestly, those are things they should be monitoring all the time.

It is disingenuous to suggest that this is a separate planning process, which would be on an ongoing basis. It is simply a monitoring process, and the Minister should be monitoring the noise, the air quality and the greenhouse gas emissions on an ongoing basis in the national airport. That is a fairly reasonable thing. Where significant adverse impacts are identified, the Minister would publish proposals as to what he is going to do. That is actually what the amendment stated. You would not have thought it from the Minister's response, but that is what the actual amendment looked for. I think it was pretty reasonable, and I am pressing it.

Senator Lorraine Clifford-Lee: I want to touch on something the Minister said earlier in relation to the flight paths and the independent assessment of the flight paths he said he would order on the conclusion of this legislation. I would like to get some more information in relation to that because I have spoken *ad nauseam* about the flight paths, their impact and the real noise pollution that is going on for the residents who are living directly under the flight paths in places such as Ballyboughal, Lusk, Kilsallaghan, Kilcoskan and all of these areas. I want to know about the independent assessment. When is that going to take place? Who is going to undertake it? How long will the assessment take? Will we, as public representatives, and the residents have an input in relation to the terms of reference of this independent assessment? If I could get some answers on that, I would really appreciate it.

In relation to something that Senator Higgins mentioned regarding noise monitoring, the noise is being monitored. It is something that I keep on top of. I know the residents locally keep on top of the noise monitoring. All of that feeds into ANCA. ANCA has a draft report

out for public consultation at the moment. It is something that we should all be engaging on. We should all be making our submissions on that. The closing date is 3 September. I would like all of us here who have sat through this debate and many other debates to engage on that and put our views forward. I would appreciate some information with regard to the independent assessment.

Deputy Darragh O'Brien: I thank Senator Clifford-Lee. What I was mentioning to Senator Alice-Mary Higgins was the fact that we are not talking about the piece of infrastructure but effectively the decision with regard to the passenger cap, which relates to Dublin Airport. Therefore, it will tie up Dublin Airport in a constant loop of environmental impact assessments if her amendment were to pass.

In relation to the independent assessment, I am committing to an independent assessment of the flight paths at Dublin Airport. I will undertake that at the appropriate time. The most suitable point for this work will most likely be when the final decision is made regarding the north runway relevant action. We will get this legislation through and then the final decision will be made. We could not have an outstanding application there that is pending a decision. It would have to be done cleanly. We will do that. The timing will ensure the assessment is based on the most accurate and current operational data, and I have said that in the Dáil. I am happy to say it again in the Seanad.

An Leas-Chathaoirleach: I thank the Minister.

As it is now 4 p.m., I am required to put the following question in accordance with the order of the Seanad of this day: "That amendment No. 18 is hereby negatived in Committee, that section 27 is hereby agreed to in Committee and in respect of each of the sections undisposed of, the section is hereby agreed to in Committee, the Title is hereby agreed to in Committee, the Bill is accordingly reported to the House without amendment, Fourth Stage is hereby completed and the Bill is hereby received for final consideration and that the Bill is hereby passed."

Question put:

The Seanad divided: Tá, 31; Níl, 11.	
Tá	Níl
Ahearn, Garret.	Black, Frances.
Andrews, Chris.	Boyhan, Victor.
Blaney, Niall.	Clonan, Tom.
Boyle, Manus.	Conway, Joe.
Brady, Paraic.	Cosgrove, Nessa.
Byrne, Cathal.	Harmon, Laura.
Byrne, Maria.	Higgins, Alice-Mary.
Casey, Pat.	McCarthy, Aubrey.
Clifford-Lee, Lorraine.	Noonan, Malcolm.
Collins, Joanne.	O'Reilly, Sarah.
Conway, Martin.	Stephenson, Patricia.
Costello, Teresa.	
Crowe, Ollie.	

Curley, Shane.	
Daly, Paul.	
Davitt, Aidan.	
Flaherty, Joe.	
Gallagher, Robbie.	
Kelleher, Garret.	
Kennelly, Mike.	
Lynch, Eileen.	
McCormack, Maria.	
Murphy, Conor.	
Murphy, P. J.	
Nelson Murray, Linda.	
Ní Chuilinn, Evanne.	
O'Reilly, Joe.	
Rabbitte, Anne.	
Scahill, Gareth.	
Tully, Pauline.	
Wilson, Diarmuid.	

Tellers: Tá, Senators Cathal Byrne and Paul Daly; Níl, Senators Alice-Mary Higgins and Laura Harmon.

Question declared carried.

Israeli Settlements in the Occupied Palestinian Territory (Prohibition of Importation of Goods) Bill 2026: Second Stage

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

Minister for Foreign Affairs and Trade (Deputy Helen McEntee): I wish Senators a good evening. I am pleased to introduce the Israeli Settlements in the Occupied Palestinian Territory (Prohibition of Importation of Goods) Bill 2026 to the Seanad. I acknowledge in particular the role played by Senator Black and others in advancing the issues that are at the very core of this legislation. The Bill has generated debate not just within the Oireachtas but across Irish society and internationally. The depth of feeling in this House and also in the Dáil is shared and understood by me and by the Government. I have just returned from a visit to Qatar, Saudi Arabia and the UAE where this issue and the wider conflicts in the Middle East were very much on the agenda and to the fore of our discussions and my reason for being there. From speaking to those in the Gulf who are impacted by these conflicts but who are very much working towards a peaceful solution, not just in Iran but in Lebanon and the West Bank, it is very clear they are very focused, as we are, on the advancement of a two-state solution and that was to the fore of our discussions.

Before discussing the detail of this legislation it is important - as we all will do - to reflect on why we are here. This Bill is about real people whose lives have been shaped by conflict, displacement and occupation. As Senators will know, in the West Bank in particular, the situation continues to deteriorate. Since the beginning of last year, tens of thousands of

Palestinians have been displaced from their homes during Israeli military operations. Entire communities have seen homes, roads and essential infrastructure destroyed. What has replaced them is not what people might often imagine, namely tents or temporary structures. These are Israeli state-built homes; they are concrete homes, not tents. They are permanent fixtures. This year alone, there have already been more than 1,000 reported settler attacks. That is an average of six attacks every day. It is hard for any of us to imagine living in a community where every day brings the possibility of violence, intimidation or the destruction of our home or livelihood. For far too many Palestinians, that is simply everyday life and has been for some time.

In Gaza, humanitarian conditions remain dire, with the operating environment for humanitarian aid massively constrained by Israeli-imposed import restrictions. I saw this in January when I travelled to the border with Israel. It was made very clear to me that the rules that applied on Monday could be changed on Tuesday and changed again on Wednesday. Quite literally, food sat rotting, and very important material such as tents, equipment and children's play toys were not let in because of the types of material they were made of. This is not acceptable. Separate from legislation, in anything we do we must continue to advocate strongly internationally in order that enough humanitarian aid can get in and that rebuilding can start.

Mass displacement and poor shelter are exposing civilians to rising public health risks, which makes the need all the more urgent. The food security situation remains precarious. Other ongoing challenges include electricity and fuel shortages, water insecurity and much more. That is why the Government and I have consistently provided for and called for unhindered humanitarian access to people in Gaza. We will continue to do so. The actions of the Israeli Government consistently contravene international law. They are part of an established pattern to create a new *status quo* in the occupied Palestinian territory. In particular, they are designed explicitly to bury the idea of a two-state solution. This is happening by design as opposed to by accident. I think we all agree on that.

Ireland will always defend the right of the Palestinian people to a state consisting of Gaza and the West Bank, including East Jerusalem. Palestinians have the right to self-determination; the same right already enjoyed by Israelis. We are committed - as I think is everyone in this House - to working with those who want to achieve a just and lasting peace. We are committed to working with those who want to see Israelis and Palestinians living side by side and enjoying the same rights. Crucially, we are committed to working with those who believe that both peoples have the right to live in peace, security and dignity in two states - Israel and Palestine - based on the 1967 border.

After the three-day visit and the engagements I have just had and having come home to find the conflict in Iran igniting again, what is very clear is that none of this is predetermined. None of it is linear. Any progress that we make can be set back immediately. What is more complicated and more complex is that every conflict is interconnected. The conflict in Iran is connected with what is happening in Libya and with Gaza and the West Bank, Syria and beyond. The very clear message to me from our colleagues in the Gulf is that if we do not resolve the situation between Israelis and Palestinians and achieve the overall objective of a two-state solution, the wider conflict will continue for decades to come. That message makes me, and, I know, everybody in this House, even more determined that we would make progress.

The cycle of violence that has brought suffering to Palestinians and Israelis needs to be brought to an end. This Bill will contribute positively to Ireland's efforts and to international

efforts to prevent unilateral actions that impinge on the rights of Palestinian people to self-determination and upon the viability of the two-state solution. It will also contribute positively to our efforts to uphold and comply with international law, including the findings of the 2024 advisory opinion of the International Court of Justice.

I will now outline the detailed provisions of the Bill, placing a particular focus on the key sections. Sections 1 and 2 are standard provisions setting out the relevant definitions and how the related regulations and orders will be dealt with.

Section 3 empowers the Minister for Foreign Affairs and Trade, following consultation with the Minister for Finance, to proscribe by order certain postal codes that correspond to Israeli settlements. It should be noted that these postal codes are already set out under a technical arrangement concluded between the EU and the Government of Israel. This is to ensure that importers are aware of which locations are not eligible for preferential tariff treatment under the EU-Israel Association Agreement. As the postal codes listed under the EU-Israel technical arrangement are periodically updated, section 4 will allow the Minister for Foreign Affairs and Trade, following consultation with the Minister for Finance, to amend or replace the list of proscribed postal codes. If new settlements are constructed, they will therefore be captured by the updated list of postal codes at an EU level, and our own list of proscribed postal codes will be updated accordingly. Practically speaking, the approach set out develops and updates Ireland's implementation of the existing obligations placed upon operators and customs authorities to distinguish between goods from the State of Israel and settlement goods under the EU-Israel technical arrangement in order to ensure compliance with international law.

Section 5 prohibits the importation of goods originating in postal codes proscribed by order of the Minister for Foreign Affairs and Trade. Any such importation will therefore become an offence under section 14 of the Customs Act 2015. In and of itself, the Bill does not create any new offences. It is proposed that, under this legislation, goods originating in Israeli settlements would become goods subject to any prohibition or restriction on importation within the meaning of that phrase for the purposes of the 2015 Customs Act. Once the Bill is enacted and commenced, it will be an offence under section 14 of the Customs Act to import settlement goods and the provisions of that Act concerning search, seizure and forfeiture will be available in respect of settlement goods.

Sections 6 and 7 deal with possible exemptions and appeals. As already stated, a list of postal codes that correspond to Israeli settlements are already set out under a technical arrangement concluded between the EU and the Government of Israel. Some of these postal codes encompass an area that includes both a settlement area, and an area within Israel proper, and therefore even under the current system they already require some basic checks to determine the precise origin of the goods. Section 6 is aimed at addressing this issue. An importer from one of these postal codes can apply to the Revenue Commissioners for an exemption if their goods originate in the non-settlement part of the listed postal code. Before issuing such an exemption, the Revenue Commissioners will make inquiries to ascertain the precise origin of the goods. The process for checking more or less replicates the current system. To facilitate the implementation of this process, section 7 sets out the amendments to be made to section 45 of the Customs Act 2015 to allow for the importer to be notified of the decision of the Revenue Commissioners and to provide the importer with the right to appeal.

Section 8 provides for information sharing and is designed to allow the relevant bodies to work together to effectively enforce the Bill. The remaining sections are all relatively standard provisions and deal with issues such as data protection and other issues.

The pre-legislative scrutiny report was very helpful in the further development of the Bill. The report's recommendations were carefully considered and we have taken action in response to a number of the recommendations. This includes our strong advocacy for action at the EU level, where I have co-ordinated with like-minded member states to advance all of the issues of mutual concern. I have also ensured that our missions abroad have communicated very clearly the purpose of this Bill and our wider policy in relation to the Middle East, and as many of my colleagues have, I have engaged with all relevant Departments and agencies in regard to its implementation.

In respect of the report's recommendation regarding the inclusion of services - I appreciate that this is where there is obviously most focus and difference - we have studied this issue carefully. The Government sought and received advice from the Attorney General regarding the legal permissibility of an EU member state introducing restrictions relating to trade in services with a third country or territory. There are two principal issues in relation to services: the legal basis available under EU law, and the practical challenges relating to implementation and enforcement. In the case of goods, a public policy exemption exists within the relevant EU framework governing imports, allowing member states to adopt restrictions for public policy reasons. There is no equivalent broad public policy basis in EU law in relation to external trade in services. Trade in services differs fundamentally from trade in goods. We all know that services are often digital, cross-border and intangible in nature, operating across multiple legal and regulatory frameworks, creating very significant implementation and enforcement challenges.

What the Government must do and what I, as Minister, must do is ensure that any measures adopted are not only politically meaningful but also legally defensible, practically enforceable and mindful of Ireland's wider economic and employment interests. For these reasons, the Government has adopted a two-pronged approach. At national level, we are proceeding with measures on goods that can be effectively implemented and sustained in practice. However, I will continue to push for collective action at EU level because this is the strongest and most effective route.

I have pushed for action for some time since coming into this role. It is important to stress that at the first meeting I attended last November, a handful of countries - Ireland and possibly three or four others - were advocating for any type of meaningful change, any type of meaningful proposal from the Commission or any type of action full stop. In advocating and working with our colleagues from Spain and Slovenia, and more recently from France, Portugal, Sweden and beyond, we have seen that shift. At the last meeting I attended, at least 17 member states were very clear and adamant in wanting the Commission to bring forward stronger proposals. In that time, we have voted for sanctions on violent settlers and for sanctions on those responsible for the Hamas attacks.

We are advocating for the Commission to bring forward proposals. What was committed to at the last meeting was that it would bring forward a list of options for consideration at the upcoming Foreign Affairs Council meeting that will take place on Monday. I expect that we will get those proposals today, or at the latest tomorrow, so we can consider them for the

upcoming Council. At this meeting, I will be strongly pressing for action. As I have said, I am not clear that there is a consensus or an overall majority when it comes to any vote on this, but I am clear that there is a certainly a shift or a change. That is why we have advocated for changes in trade, so that we could apply QMV and have a much stronger and better chance of making progress at a European level.

That is the only thing, if anything, that will make the Israeli Government sit up and listen. I welcome that a number of member states have enacted measures, and others are progressing similar legislative measures on goods originating in Israeli settlements in the occupied Palestinian territory. This includes Spain, but the Netherlands and Belgium are also moving, and we know that Norway is working on legislation. Other non-member state countries have engaged directly with me and asked about our legislation and how we are moving this forward.

That is what we have always been trying to do here: to gather that momentum and make sure that others are moving with us, that we are sending as strong a message as possible that what is happening is not acceptable, and that the EU takes a stronger position. I do not believe we have been strong enough. We all agree on that. We need to make sure that we are standing up and that we are accountable. During our Presidency, that is what I will be advocating for. We were the first EU country to announce our intention to prohibit the importation of settlement goods. I again acknowledge Senator Frances Black and many others for their work on that. We also stated very clearly at the time that we hoped this would encourage other countries to follow our example. That is exactly what has happened and is happening.

I look forward to working with colleagues in a constructive way. I look forward to ensuring that Ireland's concerns and our strong commitment to bringing about a peaceful solution are well heard and understood, not just in the context of our Presidency. I think we all agree on what we are trying to do here. Many of us in the Chamber have visited the West Bank and Gaza many times. We have been in the region and have seen the devastation this war is causing. We have seen the ongoing devastation, despite the fact that there is a ceasefire. We only want one outcome, which is a peaceful solution between Israel and Palestine, that Israelis and Palestinians can live side by side, and that the conflict that is quite literally tearing families apart, that sees children being killed and targeted and starving to death, just stops. That is what we are all trying to achieve. While some feel this legislation may not go far enough, I believe we are making progress and contributing towards that overall objective. For my part, I will continue to fight at a European level so that we can do more.

Senator Garret Ahearn: I thank the Minister for bringing this important legislation to the House. We have an opportunity to discuss it today and we will have an opportunity next week on Committee and Remaining Stages to discuss it in more detail.

I acknowledge our colleague in the House, Senator Frances Black, for the work she has done on this in recent years. She and some of the other experts in this Chamber have educated me in recent months on this Bill that she started and progressed. Many people did not expect it to get this far, even when it was put into the programme for Government, and the Minister was the one leading our group in putting forward the programme for Government. I do not think many people thought it would be delivered, but we have progressed it.

Obviously, there are differing views on how far we go, but this is a real statement from Ireland in standing up against genocide and actions that are against international law. As a

member of the foreign affairs committee, I acknowledge the good work of all 14 members of that committee this time last year, when we spent more than 30 hours discussing this legislation. We did it in a collective way and produced a report, although we did not have the Attorney General's advice at the time. Nonetheless, we produced a report that was helpful for the Minister when putting forward this Bill.

As the Minister said, everyone can see the images of what has happened in recent years since 7 October. We could not help but be outraged by the atrocities that are happening and the people who are dying, in particular, the children who are dying. Over 20,000 children have died, more than 2,000 of them under the age of one. They are clearly not members of Hamas or any terrorist organisation. They are the innocent victims of a brutal attack on people simply because of where they are from.

That is why Ireland has played a leading role in recent years in calling out the actions of Israel, and in calling for other member states to join us in calling out this atrocity. We were one of the first states to recognise the State of Palestine, to recognise its ambassador and to join the South African ICJ case. As the Minister said in her contribution, one of the most important things that we have done in the past 12 or 18 months, and that Deputy McEntee has done as Minister, with some of her colleagues, is to convince so many member states to review the EU-Israel Association Agreement. If we are looking to have a real impact on Israel economically, that is significant and important. As the Minister said, to go from two or three countries only 12 or 18 months ago to having 17 countries open to this is a cause for huge optimism.

I was in Germany recently speaking to parliamentarians there. Unfortunately, they see things differently. It can be quite depressing talking to them sometimes. I know the history and the view they have, but it seems incredible that they are still not open to discussing it. I know the Minister is working hard. I know the other foreign affairs ministers of Europe are working hard to try to convince them. That is important, and what we do here is important. As the Minister said in her contribution, when other countries are asking about the legislation that we are bringing forward, asking to look at it to see what they can do, it shows the kind of leading role that we are playing. We also saw that in the foreign affairs committee when speaking to Palestinian officials, who thanked Ireland for the role it is playing.

There has been a lot of talk about this legislation, for obvious reasons. It can be very emotive. I can understand why people wanted services to be included. However, there are frameworks around the decisions that we make as a Government, which is important to note. The Attorney General's advice is very important, and that is why it was in the report that we needed the Attorney General's advice. That advice trumps any expert or academic opinions in terms of how a Government makes decisions. We cannot act on legislation knowing that the advice being given is different.

I welcome the fact that the Minister is trying to work with EU partners to do something in this regard. Many people say that we are possibly in breach of EU law by not including services, but that is not entirely the case. The ICJ opinion provides us with an opportunity under EU law and allows for public policy moves only in respect of goods, not services.

That is important to acknowledge. Sometimes it is not mentioned. When we talk about other states having included services, the first thing is that we are the first Parliament in Europe, hopefully, to pass any legislation and that is very significant. Norway is doing something but

it is not part of the EU and so is not bound by the Single Market rules. The Netherlands have started legislation but it is only at a public consultation stage. Belgium is drafting legislation. Slovenia had a general election recently and the new Government has dropped plans, which also included services. The important thing here is that this is a massive statement that I think other countries will follow our lead on. We can do more from a European level, the more of an impact that will have on this conflict. At the end of the day, what everyone wants - and there is a united approach on this - is an end to a conflict where innocent children are being slaughtered and murdered almost on a daily basis. The work the Minister does behind the scenes plays a key role in that and I thank her for it.

Next week we will have an opportunity on Committee and Report Stages to go into the finer detail of it. From my perspective, over the last year in the foreign affairs committee, working with colleagues from both sides, we have developed a huge passion to try to make an impact that can go worldwide and encourage other countries to deliver on that. I want to thank people who gave their time to the foreign affairs committee to help and support us in delivering that report.

An Cathaoirleach: Before I call on the next speaker, I welcome family members of the Ceann Comhairle, Deputy Verona Murphy. You are most welcome to Seanad Éireann. We also have Linda and Conor McManus, who are part of a group of families of those who were the last prisoners of the War of Independence to be released. They were known as the Peterhead Ten. Many of them suffered in the prison in north-east Scotland, in Aberdeenshire, where there were held until 100 years ago. They were released in 1926, many years after the War of Independence and all other prisoners had been released. Those prisoners were: Sean Flood; Jim Davis; William Reilly; Joseph Lee; Frank Reilly; John Kiernan; Bernie Sweeney; Charlie Reynolds; John Joe Griffin and Joseph Reynolds. The very last prisoner released was a Thomas McShea who may have served in Seanad Éireann for six months. He was from Bundoran, in County Donegal. I thank Senator Cosgrove, who brought many of the family members to Leinster House today as part of the recognition of their service all those years ago. This recognition is long overdue. I thank Linda and Conor and all the family members who are here in Seanad Éireann today.

Senator Joe Conway: Gabhaim buíochas leis an gCathaoirleach. Is mór é domsa an Bille seo a fheiceáil ar an gclár inniu. Is fada an t-achar ó tháinig sé os ár gcomhair i bhfoirm eile in 2018. Is fearr déanach ná go brách, i ndáiríre. Is mian liom tagairt a dhéanamh den mhéid oibre atá déanta ag mo chomhghleacaí, an Seanadóir Frances Black. Rinne sí sárobair ar an gcás seo agus d'oibrigh sí go dúthrachtach ag cur na hargóinte chun cinn, ag déanamh oideachais agus ag feabhsú an cháis i measc na Seanadóirí agus níos forleithne ná sin.

After a long gestation, this Bill is being introduced and falls within the category more of gesture than efficacy. That is not to say the Bill is not important or worthwhile. Nor is it a dissipation of precious parliamentary time, as some hereabouts might claim. No, it has, and may well have in times to come, a significance and prominence way beyond the parameters of our Houses, coming, as it does, from a widespread feeling of unease at the very lowest gradation and across-the-board revulsion amid our people at the mindset of the current Israeli Government and its smiting of the Palestinian people and the decimation of their homelands over the past three years, in particular.

In June 2027, it will be 60 years since the Six-Day War, when most of Ireland and much of the western world celebrated heartily the outstanding Israeli blitzkrieg against Egypt, Jordan and Syria. It was then, plucky little Israel against the combined might of the Arab hordes. Some of us here are old enough to remember those times quite well. Lest we forget, it was a victory enabled by our now European colleagues in France who armed Israel to the teeth. Those Mirage, Mystère, Ouragan and Vautour aircraft and the undoubted skills of the Israeli aircrews generated that famous victory. The end of the brief conflict saw Israel take control of the Sinai Peninsula and the Gaza Strip, captured from Egypt, the West Bank and East Jerusalem, captured from Jordan and the Golan Heights, captured from Syria. Inevitably, it also gave rise to possibly up to half a million Palestinian refugees and the first postwar iteration of the so-called West Bank settler dimension that was somewhat lessened by the disengagement policy of Ariel Sharon and his Government in 2005, which saw settlements closed completely in the northern West Bank, around the area of Homesh.

Prime Minister Netanyahu took office in December 2022, with 22 of his 25 Cabinet members from the Likud, Shas, United Torah Judaism, the Religious Zionist Party, Otzma Yehudit, Noam and New Hope parties. His emboldened Minister of Justice, Yariv Levin, announced within a week that the Government was immediately setting about a multi-part restructuring of the country's legal system. This set off mass protests in Israel that continued for months. Through the springtime, while the media and the public at large were, so to speak, looking the other way, the legal framework created by the 2005 disengagement was significantly altered in March 2023 and slipped through. The Knesset passed legislation that revoked the ban on Israelis entering the evacuated West Bank areas, thus opening the door for settlers to return to these specific sites, such as Homesh in the northern section. This marked a major reversal of the 2005 policy of disengagement.

During the past three and a half years, the Israeli Government has accelerated the de facto annexation of the West Bank through a systematic transformation of the control regime. This includes settlement expansion, the displacement of Palestinian communities, the retroactive legalisation of outposts and increased control over areas previously the responsibility of the Palestinian Authority. The Government has provided extensive and sustained funding, particularly for unauthorised outposts, while retroactively legalising them and facilitating the takeover of the land.

Between 2023 and 2025, 185 new outposts were established in the West Bank, most of them agricultural settlements and so-called Hilltop Youth outposts. Together, they now control more than 1 million dunams or approximately 250,000 acres, or about 18% of the total area of the West Bank. One hundred and eighteen Palestinian communities and herding clusters, that is, residential areas, some of which are part of those same communities, were systematically displaced. The residents left their homes due to settler violence, restrictions on access to water and a lack of protection from the authorities, which prevents Palestinians from returning.

Settlers erected fences along roads spanning at least 50 km. Massive fences were placed, mainly in the Jordan Valley and in areas used by those communities, thereby, in effect, cutting off hundreds of thousands of dunams of land. In recent times, settlers have taken control of at least 11,000 dunams, or approximately 3,000 acres, of agricultural land, including fields, orchards and vineyards. Until recently, much of that land was cultivated by Palestinians, who have been latterly either displaced from the area or prevented from accessing their property.

That takes us to the nub of what we are talking about today. How should we regard and deal with what is now becoming an everyday reality on the West Bank? The Bill before us is a response, albeit a far from perfect one, to the predations of the Israeli Cabinet, spurred on by its cheerleaders, Smotrich and Ben-Gvir, and, of course, ably buttressed by a Prime Minister who fiendishly clings to power with the support of the aforementioned apartheid notables. As I said at the outset, the Bill is more symbolic than tangible. It is a measure with which we in Ireland can display to the world our belief in the immorality and illegality of Israel's actions in the West Bank. Whether it deals with produce or produce and services, it is still likely, because of the quantum involved, to be just what I said, namely, a largely symbolic gesture.

However, symbolism is hugely important. It is important beyond belief before the eyes of the world. We cannot just stand idly by and allow a wholesale land grab in the West Bank to rip ahead and not, as a people, decry such behaviour before a disbelieving world. For that reason, the Bill merits support. As the Minister said, it will very definitely focus the attention of many nations, particularly our European partners, on the Israeli plans to scupper for all time the two-state solution long held dear by right-thinking people. In so doing, any tentative hope of peace in our time sa Mheánoirthear becomes further from reality. As the Minister said, it is a widely accepted fact that, unless this problem is sorted out once and for all, there will never be peace in that area or, indeed, anywhere in the world.

Senator Anne Rabbitte: I thank the Minister for coming to the Chamber this afternoon. I am speaking on behalf of Senator O'Loughlin, who is at a meeting of the foreign affairs committee. One does not need to be a member of that committee to have empathy and compassion on this issue. I really appreciate that, while the Minister's statement was very detailed, it included her sharing her experience of having travelled to the region and seeing for herself what we see on our televisions every night. It is absolutely heartbreaking. I thank her, as well as the entire Cabinet, including the Taoiseach and Tánaiste, for the work she and her officials did in bringing this Bill before us. Many believed this debate would not happen.

Fianna Fáil welcomes and supports the Bill. Under our leadership, Ireland has been one of the most prominent voices in the world in the condemnation of violence in the Middle East, support for relief efforts and advocacy for a two-state solution. It would be wrong of me not to acknowledge the role that Senator Black has played in this also. We led the way by recognising the State of Palestine in May 2024. The late Brian Lenihan Snr. was the first foreign minister in Europe to recognise the Palestinian right to a homeland. We firmly believe that there can be no peace in the Middle East until the Israeli and Palestinian people align in enjoying the same rights of self-determination, statehood, peace, security and dignity.

Before the 2024 general election, my party leader signalled that he would legislate on the occupied Palestinian territories. Our position, and that of the EU, is clear. Settlements are illegal under international law and they undermine the realisation of the two-state solution. We are now progressing the Israeli Settlements in the Occupied Palestinian Territory (Prohibition of Importation of Goods) Bill and will seek to enact it by the summer recess. Ireland has continually advocated for a peaceful resolution to the conflict between Israelis and Palestinians. We have consistently sought to progress implementation of the two-state solution. It is clear from the actions of the Israeli Government both in Gaza and the West Bank that it has no intention of reaching a peaceful resolution to conflict or ending the illegal occupation of Palestinian territory.

That is why we are progressing this Bill. The Government's position, and that of the EU, is clear that settlements are illegal under international law and they undermine the realisation of the two-state solution. While Ireland is moving ahead at national level, the Government remains clear that collective action at EU level is the strongest and most effective route. Ireland is actively pursuing that collective approach at the EU. We have called for the suspension of the trade element of the EU-Israel Association Agreement and, together with other member states, we are pressing for the Commission to put forward a proposal for an EU-level ban on trade with Israeli settlements, for decision at the Foreign Affairs Council next week, which the Minister has said she will attend. Ireland welcomed political agreement at the May Foreign Affairs Council on a package of sanctions against violent Israeli settlers and entities, as well as leading Hamas figures, under the EU global human rights sanctions regime.

However, further action is required. At both the May Foreign Affairs Council and the May Foreign Affairs Council in its Trade configuration, Ireland requested that the European Commission bring forward proposals for a prohibition on trade with settlements on the basis of the EU common commercial policy. The Government also reiterated Ireland's long-standing position that the EU-Israel Association Agreement should be suspended or, at a minimum, the trade elements should be suspended. On 20 May, the Taoiseach wrote to the President of the European Council, Mr. Costa, reiterating Ireland's position on EU trade with Israel and requesting an urgent discussion on these issues among EU leaders at the next meeting of the European Council on 18 and 19 June. A number of EU member states have enacted or are progressing similar measures relating to goods originating in Israeli settlements in the occupied Palestinian territory, including Spain, the Netherlands and Belgium, with Norway indicating its consideration of similar restrictions.

The extent of the work the Minister has done since coming to office, working with other EU member states, is absolutely clear. This time last year, there were a handful of countries stating an intention to act; the number is now expanding considerably, which is really welcome. As part of our EU Presidency, it will be very welcome to see this agenda progressed.

I will not go through the different sections of the Bill, which the Minister has already done. I look forward to contributing on Committee Stage next week, as does Senator O'Loughlin. I thank the Minister for her time this afternoon.

Senator Chris Andrews: I thank the Minister for coming to the House. The Government's position is unbelievably disappointing and demoralising for people who believe in politics and supporting the rule of international law. As Senator Conway said, it is gesture politics. It is disappointing that the Government is, in effect, gutting what could have been good legislation. It was never going to be a magic wand but it gave Ireland the opportunity to lead and to say to Israel that we saw it and we would not accept the genocide, apartheid and other horrors it was committing, including the slaughter of more than 20,000 children. It was a chance to say to Israel that its actions were not acceptable.

Instead of doing that, the Government has gutted Senator Black's Bill and made it meaningless in effect. Nobody will be happy with this legislation, including people who support international law.

A ban on trade in goods alone does not meet our obligations under international law, and the Government has recognised this, yet it is not willing to go further and seek to ensure that we

meet our obligations under international law. Recently, the Minister said very clearly in committee that this would go towards compliance. It will go towards compliance but we have an opportunity to actually comply with international law. What is the reason for not doing so? Why are we waiting so long? The Government has been pushing back against the occupied territories Bill for almost ten years now. It has failed to hold Israel to account for ten years.

I heard Senator Ahearn give a list of measures taken in support of Palestine and Palestinians. Each one of those was positive and good, but recognising the State of Palestine did not actually hold Israel to account. Israel did not like it, but it did not mean that it faced any consequences. It is like when Ireland allocates funding for rebuilding or building schools in the West Bank or Gaza. That is positive but the trouble is that Israel knocks them a week later and Ireland does not hold it to account. It is absolutely demoralising.

If Fianna Fáil and Fine Gael had any intention of holding Israel to account for its breaches of international law, for its unspeakable crimes going back decades, for its genocide, occupation and slaughter, the occupied territories Bill would have been made law years ago. I remember, foolish me, that I actually believed before the last election that the Government was genuinely going to introduce the occupied territories Bill. I believed there was a real possibility. How foolish was I, and how foolish were the people who voted for and supported Fianna Fáil and Fine Gael in the belief that they would do that? Of course, we should have known better, because within months it became clear that the Government, Fianna Fáil and Fine Gael, had no intention of passing the occupied territories Bill as introduced by Senator Black and her colleagues in the Seanad.

Instead, the Government has subjected the Irish people to bizarre doublespeak in which it has tried to shut down the Bill at every turn while at the same time pretending to be committed to it. What we have been presented with here today is a gutted, watered-down version. It is a fraudulent copy of Senator Black's occupied territories Bill. The decision to exclude services from what the Government's Bill proposes to sanction is a complete disgrace. Services account for the vast majority of trade between Ireland and the occupied Palestinian territories, and ignoring that fact for the sake of the Government's Bill is blatant hypocrisy.

The legal reasons for excluding services are extremely weak, and they seem to hinge on the word of the Attorney General. It is important to remember that the Attorney General is a political appointee. He is not a judge and his opinion can change. There are countless other legal opinions suggesting the Government does not have to go down this road.

The Government has said that it is legally impossible to include a ban on services, meaning it cannot even try. Why does it not try? Why does it not let somebody take a challenge in the courts and say they are complying with international law and that if the Government feels differently, it should be fought out in the courts? I believe Ireland would win and the Government would have some credibility. Sadly, that is not the way of the current Government.

The Government talks about it being legally impossible to pass the occupied territories Bill, but that did not stop Spain from introducing restrictions on services last year. Spain was able to introduce a ban on services. The Irish Government goes on about how it is leading the way and looking for consensus, yet it was afraid to copy and follow the example of Spanish Prime Minister Pedro Sánchez and the Spanish Government. It could have built an alliance. That

could have created momentum within the EU to show it is possible to introduce a proper occupied territories Bill.

Fianna Fáil and Fine Gael should be upfront and say that their decision to exclude services was a deliberate political decision and not a legal necessity. Let us be honest about it: this is not a legal position because, as I said, there are many legal counterarguments. It is a political decision. The Government has been very clear that successive American Governments, Democrats and Republicans alike, have put pressure on the Irish Government to stop this legislation. It has been putting significant pressure on the Irish Government to put its morals to one side and give up any attempt to stand up against Israel. This Bill, which is now weak because of what the Irish Government has done to it, is an example of it caving in to American pressure while trying to save face with the Irish public. The only reason the Government is introducing this watered-down, gutted version of the occupied territories Bill is the Irish people. They recognise that the Irish Government is not willing to confront and hold Israel to account. In reality, this Bill will fail to appease the radical Zionists in America, and it will not appease those in this country and abroad who care about human rights.

Ireland has the opportunity to show leadership on the global stage by leading by example and taking a stand against Israel's crimes. The international community, the US, the EU and much of the Middle East are happy to sit idly by while Israel bombs and murders without restraint. Tens of thousands have been killed in Israel's genocide in Gaza. Over 25,000 children have been slaughtered by Israel. Hundreds of thousands more have been subjected to the most inhumane conditions, deprived of basic levels of food, water and shelter, and that continues. The genocide might not be at the chaotic level it was at previously, but there is still genocide happening in Gaza. That makes it even more important that measures be taken to ensure Israel is held to account.

The world's powers are failing in their collective duty to stand up for the principles of international law and human rights that were supposed to underpin the modern era. We hear the Government talking about international law and building towards compliance, and saying it has been great to the Palestinians, but it is not great at holding Israel to account. With this flimsy piece of legislation, the Irish Government is also failing in its duty. We could and should be leading the way.

As Senator Conway said, this is gesture politics at its best.

An Cathaoirleach: Before I call the next speaker, I welcome guests of Deputy Catherine Callaghan, and also, from the University of Galway, a group who are guests of Deputy Mairéad Farrell. I think they are here about economic policy. I also welcome the guests of Deputy Holly Cairns. They are all welcome to Seanad Éireann.

I call Senator Harmon. Is she sharing time?

Senator Laura Harmon: I am sharing time.

An Cathaoirleach: Is that agreed? Agreed.

Senator Laura Harmon: Cuirim fáilte roimh an Aire. This is a moment that requires courage and political leadership from the Government. When we look to the past and see moments where people took stands, we note it was because they had courage in the moment. It is not something that can be applied retrospectively.

I commend Senator Frances Black on introducing the occupied territories Bill initially. I acknowledge Mr. Conor O'Neill, who was in the Gallery, for the work he has done in relation to this.

Where do we even start? The Minister is on the record during the Committee Stage debate on 23 June as saying it was clear that this legislation would amount to partial compliance and that we would have to work more at a European level to ensure full compliance.

Spain has taken further actions on services and advertising, in particular, so there is no reason Ireland cannot be stronger. Similarly, we sanctioned Russia when it occupied parts of Ukraine in 2014. Can that not be applied now to Israeli services following its occupation?

The Irish Human Rights and Equality Commission has said very clearly that there is no legal basis for excluding services. These are legal experts who are telling us that there is no legal basis there. The Attorney General's is one perspective. There are many other legal perspectives saying that it can absolutely be done.

This proposal is not without meaning, but certainly falls far short of what we need and what the people of Palestine need. This has been going on for too long. I am dismayed hearing what the Government side has said in the Chamber. I have heard references to "practical challenges" and "frameworks" around decisions. Those words were used. Future generations will not judge us on what was administratively convenient. They will judge us on what was the right thing to do. I have said a million times that we will be judged by future generations when they ask us what we did. I do not think that we are doing enough. I do not know if it is the Minister's personal preference but I do not think that the Government, as a whole, is doing enough in this regard. We have clear obligations from the International Court of Justice, ICJ, in relation to this. It is absolutely crystal clear that this is not going far enough.

They say that the arc of history bends towards justice, but ultimately it only bends if you make it bend. We need to make it bend because what is happening is that too many people in the world are turning a blind eye to genocide and to the rogue state of Israel, which is committing crimes against humanity. We will be judged as the politicians of our time. It is one of the biggest global issues of our time as public representatives and this is a time to do as much as we can. We are so far removed from it here. This is the absolute least that we can do as a country. This country has suffered under colonial oppression and bears that in its own DNA. To look away from Palestine, to not do everything we can, is to look away from our own history and our own DNA. We need to act further on this issue.

Senator Malcolm Noonan: Cuirim fáilte roimh an Aire. I again commend Senator Black, who has been campaigning on this issue for a very long time. It is disappointing that we are here this evening without services included despite the very detailed recommendations of the Oireachtas joint committee, the views of many legal experts and the clear legal opinion of the ICJ from July 2024. In that decision, if we recall, the ICJ held that all states were under an obligation "to abstain from entering into economic or trade dealings ... and to take steps to

prevent trade or investment relations" with the settlements. That is a clear statement. The court was clear that "trade" included goods and services, and even the Government and the Department of Foreign Affairs and Trade's legal experts, who gave testimony at the Oireachtas committee, accepted that point.

I am surprised that the Government is presenting us with a Bill that excludes services. The Government used to tell us that it was for legal reasons. The argument continuously trotted out was that it was on the basis of the Attorney General's advice and that was despite the fact that the Attorney General's advice from 2024 made it very clear that there was no distinction made between goods and services. Indeed, when we look at the sanctions regime that Ireland signed up to in respect of Russia, it sanctions trade in both goods and services with Russia without any difficulty. If we look at the whole body of European law, there is a detailed body of case law and legislation specifically on the question of services.

The issue is not a legal one but a political one. In fairness, it has become even clearer from the remarks made by the Government in recent days that fear of the Trump Administration is driving the decision, with illogical arguments that the Trump Administration might just tolerate a Bill that bans goods but if were to bring forward a Bill that covered goods and services, it would somehow be a step too far. The ongoing genocide in Gaza, the annexation of the Palestinians in the West Bank and the occupied territories, and the human rights abuses now extending into southern Lebanon, show that Israel is a rogue state under the Netanyahu regime. A strong occupied territories Bill could resonate across Europe, particularly during our EU Presidency. Instead, we have a half-hearted attempt at holding Israel to account and history will not judge Europe kindly for our collective inaction on Gaza, the ongoing destruction of Palestine and the two state-solution.

Senator Nessa Cosgrove: The Aire is welcome. I commend Senator Black on all the work she has done. I welcome Brian and Conor O'Neill to the Gallery.

I do not wish to spend my time this evening stating the obvious, but in these circumstances, it is hard not to do so. Israeli settlements in the occupied Palestinian territory are illegal. They have been ruled to be illegal not by me, Opposition parties, the Government or Senator Black, who, as everyone has acknowledged, brought forward a more perfect version of this Bill. Those settlements have been ruled illegal by the ICJ. This Bill only applies to the trade and importation of goods from the occupied territories. It does not apply to services or exports, yet the highest court available to the United Nations is unequivocal in stating that Israeli settlements in the occupied territories are illegal.

The same court, in paragraph 278 of its ruling, demanded that states should no more trade with these settlements and services than we should in goods. We should no more export services than we should import figs or dates. This is explicitly stated. All states are under an obligation "to abstain from entering into economic or trade dealings" and they are "to prevent trade or investment relations" with the settlements. It is not only our legal obligation not to engage in trade with the occupied territories in our own name, but it is also our legal obligation under international law to prevent others from doing so. If we do not comply with this paragraph of the ruling, we are in breach of international law.

In many ways, Ireland and Israel have similar economies. Both are modern, open economies with a much higher value on services than goods. This Bill only applies to the trade

and importation of goods from the occupied territories. It does not apply to the importation or exportation of services. Ironically, there would be less of a breach of the ICJ ruling if we allowed the importation of goods and outlawed the export of services.

While the Government argued that EU law prevents us from acting, Spain has proven that if the will is there to outlaw the advertisement of services, such as Airbnb, it can be done under existing EU legislation. We, along with the rest of the EU, outlawed the trade of both goods and services in Russian-occupied parts of Ukraine within months of the invasion. We showed that the practical identification and outlawing of trade in services in specific geographical areas of a wider range was possible. Why do we not have the political will to do this to Israel? Senior Israelis have frequently slandered Ireland and our leaders, including the Taoiseach, Deputy Micheál Martin, the Tánaiste, Deputy Simon Harris, and former President Michael D. Higgins, as being antisemitic. It goes without saying that we, as a State, and those three individuals are not antisemitic. I trust and hope that we will always continue to challenge the scourge antisemitism, just as with any other form of racism. These slurs are used as a form of bullying as a means to enrage US politicians and to direct our foreign policy. The consequences of these utterly untrue allegations have caused Fianna Fáil, Fine Gael and the Independents in government to prevaricate and it has deterred us from concrete economic actions that would underline our diplomatic criticism of the behaviour of the State of Israel and of its proxy militias among the settler movement.

Settler militias and settler-only units of the Israel Defense Forces, IDF, continue to extend the occupation to fresh areas of Palestinian land. They continue to expel the inhabitants and ethnically cleanse ever greater areas of Palestine. I, too, have been to Palestine. Our State is not the state that is guilty of systematic, genocidal racism. We should not be afraid to follow up our words with economic actions. The occupied territories Bill should include imports, exports, goods and services. Unfortunately, this weakened version before us today does less than half a job.

Senator Frances Black: The Minister is welcome to the Chamber. To be honest, it is difficult to know where to begin with this speech because colleagues across the House and those who are watching from outside will know how important the occupied territories Bill has been to me over the past eight years and to my really good friend and colleague, Mr. Conor O'Neill, who was one of the original drafters of the Bill, along with Mr. Gerry Liston, the human rights lawyer. It was a privilege to work alongside Mr. O'Neill on this Bill.

It has taken a long time and a huge amount of work by many incredible organisations and activists to even get to this point.

There is a lot to say about the Bill before us. I will get to the technical detail in due course. First, I want to focus on what matters most, namely the human element of an injustice that is so stark that it should move the world to real and tangible action.

On the night of 14 March 2026, Ali Khaled Bani Odeh, tired from working long hours in construction, was finally home to mark the end of Ramadan with his wife, Waad, and their young family. His four sons, aged five to 11, were excited to see their father for the first time in over a month. They wanted something sweet and persuaded their parents to take them out for a drive to go for doughnuts, the kind of simple innocent request that any parent, any one of us, would recognise saying yes to. The second youngest child, Othman, was just six years

of age. He was blind and unable to walk or feed himself and was sitting on his mother's lap in the front seat of the car. She asked her husband to pull over and take him briefly so that she could get something from a bag on the floor. As he did so, the boys noticed lasers shining in the car windows. Waad screamed. Ali, knowing what was coming, began to pray. Israeli soldiers opened fire on the family, spraying the car with bullets. They killed both parents and the two youngest children. A beautiful family of six was gunned down for absolutely nothing. They were massacred simply driving home after buying doughnuts. Why? There was absolutely no reason.

The two eldest brothers survived. Khaled, aged 11, described finding his siblings blood coated on his shoes. The younger of the two, Mustafa, is only eight. He told paramedics that he tried to pull his five-year-old brother towards him to protect him before realising that he was already dead. The two surviving boys are orphans now. Nothing will ever bring their parents or siblings back. I think of my grandchildren - I know we all think of our children and grandchildren - and how it is that we accept a world in which Palestinian people are treated as expendable. None of the Israeli soldiers who killed them and showed such sickening disregard for human life and dignity will ever face justice. There will be no real investigation and no trial. If that was in any other country, all hell would break loose.

I tell this story because it matters a thousand times more than any abstract legal principle and because it is not an isolated incident. This is the daily reality of life in occupied Palestine under a brutal and rotten system of apartheid, where there is absolutely no accountability, justice and certainly no peace. I have seen it with my own eyes in Hebron, Sheikh Jarrah and Masafer Yatta. It is something I will never forget. You cannot forget it. It is something I refuse to turn away from. The violence and cruelty are not an accidental by-product of the system; they are actually its engine.

Right across the West Bank, Israeli settlers continue to attack, kill and displace Palestinians with near total impunity. Farmlands are being seized, homes are being stolen and illegal settlements are being established. The Government, the EU, the UN and the international courts repeatedly insist that this is totally illegal, but refuse to take the action needed to stop it. In fact, by continuing to trade with those settlements, we help to keep the show on the road. Whether we like it or not, until this obvious economic support ends - and I mean all of it, including goods and services - we will remain complicit. This is why, with my colleagues in the Seanad Civil Engagement Group, I first tabled the occupied territories Bill in 2018 to insist on a very simple principle, namely that no Irish company should profit from or contribute to war crimes that are happening on a daily basis. I cannot believe that standard has been so hard to get agreement on.

We must and should be clear. The Bill before the House is not the occupied territories Bill I tabled; it is a weaker measure which, sadly, does not meet our moral or legal obligations. Goods from the settlements should be banned - of course they should be - and were included in my original Bill for that reason. I also have a responsibility to be really honest here and state clearly that this Bill is not enough. About 70% of Ireland's external trade is in services and by exempting these flows from the Bill, the Government is implementing a trade ban that deliberately omits the vast majority of Irish trade. It is consciously letting large companies providing tech, IT and other service-based trade off the hook. That is an absolute tragedy.

If we are serious about opposing the settlements - an absolute minimum measure - then we should be doing it right. In fact, we should be doing so much more. Let me focus briefly on the law. In July 2024, the ICJ held that the occupation is illegal. The settlements built on Palestinian land are illegal. As a result, all countries, including Ireland, have a positive legal obligation to trade with them. The court made no distinction between trade and in physical goods like fruit and vegetables on the one hand and intangible services like tech and IT on the other. A euro of support is a euro of support. The ICJ was clear that it all should end.

This is not just my position, it is also the position of the Government. In June 2026, it stated that considering the ICJ advisory opinion in the wider context of international law, the only reasonable reading is that a complete prohibition on trade with Israeli settlements is required. On Committee Stage in the Dáil, the Minister said she accepts that the obligation to ban trade includes goods and services and that a ban on both is needed in order to be fully compliant with the ICJ ruling. Therefore, the Bill instead only brings us towards compliance or into partial compliance with our obligations under international law. We need to reckon with the reality of what this means.

It is not just a case of making some progress and seeing what else we can do in the future. We are talking about firm, binding obligations under international law, something that Article 29 of the Constitution makes clear ought to be the guiding principle of our foreign policy. The Government is knowingly passing legislation that it accepts does not meet this standard. That means we will remain in breach of our obligations under international law by choice. The hope is that a full EU-wide ban on goods and services will be agreed in Brussels. I say with complete sincerity that I hope this will happen. I wish the Minister and her team every good luck with this important work, beginning with the EU Foreign Affairs Council on Monday. However, the inarguable reality accepted by the Government is that until such a ban is delivered, if it ever comes, we will choose not to comply with international law at a time when the rule of law globally is being eroded. This is a deeply worrying message to send.

The Government's arguments as to why it will not include services in the Bill have been well ventilated in the Dáil and at the foreign affairs committee. We will do our best to address them by way of amendment on Committee Stage. The reality is that they simply do not stack up. The world's leading legal experts have made it very clear that the same public policy exemption in EU law can be relied on to ban trade in services, just as it can for goods. Regardless of how the Government wants to frame or pitch it, the Spanish legislation, as others have said, restricts trade in services. There has been no pushback at EU level or no legal issue. US companies can continue to operate there. The sky has not fallen in; of course it has not.

The idea that services are too complicated to measure or track is undermined by the fact that we have done it already. As I have said many times, in 2014 we did this with Russian occupied territory, and rightly so. Ultimately, this is a political decision and a missed opportunity. Crucially, it is not the last one. As soon as the House resumes after the summer recess, I will table legislation to extend the ban to include services. We will keep going as long as we need to until our moral and legal obligations are met.

I want to close by sincerely thanking the incredible network of organisations and activists I have worked with over the past few years right across Ireland and, of course, in Palestine. They have forced the political system to lurch forward by sheer persistence. That is not an easy thing to do. So many people have put their heart and soul into this, and I could go on saying their

names forever. My message to them today is that we will keep going until the right standard is met, no matter how long it takes.

I have said to the Minister already that none of us will be free until the Palestinian people are free. That is absolutely vital.

I really hope that today the Minister understands how frustrated I have been over the past eight years. I know she is committed to this issue, but we really need serious, tangible action.

Senator Joe Flaherty: The Minister is welcome to the House. At the outset, it is somewhat disappointing that it is seen that the Government has less conviction in terms of its beliefs and willingness to highlight the inaction and deep injustices being perpetrated by Israelis. That is certainly not the case. The anger and hurt that everybody in this House feels in regard to what is happening in the Middle East, Gaza and Palestine is just as vocal and strong on this side of the House. As a Government, we have led the way. As people have said, we have been singled out, by design, more so than any other European leaders, as being antisemitic. We have certainly been to the fore.

I will pick up on a couple of things. There was a point made that if we do not like the Attorney General's advice, we can get another legal opinion. We cannot have an *à la carte* Government. When you form a Government, you select an Attorney General and he or she is who you go to for legal advice. The Government does not always like the advice it gets but most times it has to abide by it. That is tried and tested and is part of our Constitution. That is why we have an Attorney General.

Many people have referenced what has happened in Spain and insist that Spain has a full ban on services. That is not quite true. What Spain has is very much a watered-down version. It has a prohibition on the advertising of services, which is a long way off a ban on the delivery of services. The Minister set out very clearly last week, when she met her European colleagues in County Cork, that we want to build on the basis of what we have here and that, ultimately, what we need is a pan-European approach. When you are dealing with Israel, it does not deal with things proportionally. We saw that with its reaction to the November attack. Certainly, the November attack was wrong, but absolutely nothing justifies what the Israelis did afterwards. The reality is, what Spain has done has not had a major impact and it has not forced the Zionist leaders to sit up and say they are going to change their actions and do things differently. There are only really two bodies of opinion which will influence the Israeli people, and those are America and Europe as a collective body. Ireland in isolation will not do this. Certainly, we have the courage and the conviction and we have stood up and led among our European peers and brought them to this point, as part of our European Presidency, and I am proud that the Minister will take the lead on this and I am confident, as she said last week, where this will be a key pillar and plank of our time in the European Presidency.

Nobody in Europe wants this to continue. Nobody on the Government side wants this to continue. Nobody on the Government side does not see how reprehensible Israel has been, how many war crimes it has perpetrated, and how we have to stop it. However, Ireland on its own is a very small island on the edge of Europe, and our action alone, as has been shown by Spain, is not going to make one jot of a difference. The only two bodies of opinion that Israel will ultimately take account of are America and Europe as a body.

Many people made reference to our actions in the aftermath of Russia's invasion of Ukraine. What happened was we immediately saw a European-wide response. The difference was Europe responded as a collective body, and that is what we need to see in terms of the occupied territories.

I commend Senator Black. She has done Trojan work, and I do not think there is anyone in Ireland who would not acknowledge that. To have brought this Bill this far is testimony to her conviction and great moral strength and courage. We as a Government are committed to an occupied territories Bill. Ultimately, an occupied territories Bill is only as strong as the institution that implements it, and that is why I say Ireland on its own is a very small block. We need all the major European leaders and countries to come together collectively with us to implement a ban that will force Israel to take significant action and stock of its actions. It will not change them, I am sure, but it will force them to take stock and there may be some moderate minds in the Israeli Government and community at large who will ultimately put their hands up and say Israel is now a pariah in the eyes of the world and they cannot allow this to continue.

Senator Joe O'Reilly: At the outset, I welcome the Minister to the House and thank her for her leadership in this area and commitment in her opening remarks to go on pushing at European level to get a consensus on real action on the trade agreement and individual sanctions.

As someone who has had a consistent and special interest in this question over years, I applaud Senator Frances Black for her role and pioneering work in this area. That goes without saying. I come at this myself as a special rapporteur for Palestinian women and children for the Council of Europe, so I have more than a passing interest.

An important point that should be made is that we will differ about the content and elements of the Bill, but we should maintain a collective pride as a country in our strong stance as a nation on the Palestinian question. We recognise the State of Palestine. We have been consistent in our public criticism of the genocide in Gaza, we took a strong position at the UN, we were a co-sponsor of the ICJ, and latterly, we have given leadership at EU level. In the midst of our reasonable democratic discussion on, and disagreements about, this legislation, let us maintain that unity and pride in that leadership position as a country.

Today is about the occupied territories, but let me make a passing reference to the horror that is Gaza. It is a Second Stage speech. In excess of 73,000 people have been killed, while there have also been horrific injuries, malnutrition, starvation, displacement from homes and, effectively, no or very threatened schooling of children.

To turn to the issue of today, the illegal settlements, in international law they are clearly illegal and are expanding. They cause access to land resources for Palestinians to be restricted, there is settler violence, and Palestinian families continue to face displacement and growing insecurity. The nature of the settlements and their topography, or whatever the word is - their dispersed nature - is threatening the potential for a two-state solution. This Bill matters at its most basic level in that it sends a clear message that goods produced in the illegal settlements will not benefit from trade with Ireland, similar to apartheid South Africa in the past. More importantly, it shows leadership in Europe. As the Minister said, the Commission is coming up with proposals, and this exercise by us, and please God we will finish it before the summer, will make a difference in leading the European effort. We are winning support for suspension

of trade. The number of countries which have come on side over recent months is, of course, because of the atrocities but also because of the Irish position. The difficulty presented here with services is their transnational nature, the intangible nature of the digital element, the cross-border element, and the Attorney General's advice that we cannot, as an individual State, take a unique position. That is the Government's position on this. That is what presents the difficulty with the services.

The passing of the Bill in itself will be a leadership position for the Oireachtas to take. It will enhance our moral authority in Europe and give leadership to other European countries. It is, at its most fundamental level, coupled with our previous action on recognising Palestine, joining the ICJ case and strong public statements, another act of solidarity with the victims of these illegal settlements.

Senator Michael McDowell: I welcome the Minister and acknowledge, as others have done, the central role Senator Black has played in bringing this issue before these Houses and the Irish people. It is sometimes forgotten what happened in 2018.

The only reason this House passed the occupied territories Bill was because the Fianna Fáil Party was, at that stage, party to a supply and confidence agreement with Fine Gael and did not feel itself obliged to support the Government's position on the Bill that was put before the House by Senator Frances Black and others at the time. Fianna Fáil supported her Bill at the time. Let us remember this. Without a peep out of them, they supported it. I want to say that not to recriminate with people here but to say that the Bill was passed by this House and then we had the advice of the Attorney General at the time to the effect that the Bill could not go any further in Dáil Éireann because it needed a money message from the Government and the Taoiseach. The suggestion was that because we might be open to some kind of EU sanction if we passed the legislation in both Houses, the Government was told that it was entitled to invoke the money message provision of the Constitution, and we had other objections thrown up too. Let us be clear about this: at the time there was a real public debate about whether there was or was not a valid reason to distinguish between goods and services. At the time, the great preponderance of legal opinion expressed was along the lines that the view taken by the Attorney General in respect of services was wrong. Let us be clear about that. As a former Attorney General, I know one thing: if you say there is a danger that something might happen, it is leapt on by some people in government to say, "The Attorney General has said we cannot do it". I want to make it very clear that if the Attorney General actually says, "This is manifestly illegal or unconstitutional", or whatever, that is one thing, but if we have some milk and watery opinion expressing views about the dangers and risks, that is a very different thing. It is a very different thing because it gives *carte blanche* to timid politicians or the like, or politicians who do not want to comply with the clear majority. Let us remember, going back to the supply and confidence period, that Fianna Fáil and the Opposition parties in the Dáil all could have passed that legislation were it not for the attitude taken by the Government. I just want to put all that on the record.

I also want to put on the record that those of us in this House who supported the Bill, people like Senator Black, myself, Ivana Bacik and David Norris, were immediately attacked as antisemites by the crooks and extremists who constitute a significant portion of the Israeli Government. This was an outrageous defamation of decent people who have always supported the right of Israel to exist within its recognised boundaries. We were accused of antisemitism

to brand us with a kind of Nazi opposition to the Jewish people. This was done, and has been done consistently over the last number of years. America is one of the sources of that defamation of the people of Ireland. We have been told that we have an antisemitic streak in us. We do not. There is not any evidence of antisemitism in all of this. Any Government run by the corrupt President of the United States, Donald Trump, that appoints Mike Huckabee to be its ambassador in Jerusalem and encourages the extreme Zionists to be more and more unjust, murderous and expropriatory in relation to the Palestinian people should be ashamed of itself. I hear there are proposals that President Trump may come to Ireland. I do not care what he does in Doonbeg but if he puts his toe outside it I hope there is a massive demonstration by the Irish people to say we do not share his values; we want justice for the Palestinian people and we do not want his son-in-law Jared Kushner and his pals rebuilding the Gaza Strip as an American enclave on the Mediterranean. We do not want any further expansion of Israel in breach of international law and we want to make it very clear that threats of tariffs, threats of retaliation or threats of any kind do not wash with us. We have the right as a sovereign independent people to stand up for what is right.

Senators: Hear, hear.

Senator Patricia Stephenson: I cannot stand here and congratulate the Government on finally catching up with the rest of the country. The Minister said that people think the Bill does not go far enough. It is not that people think the Bill does not go far enough; international law states that the Bill does not go far enough. The Government has been dragged into taking action by the public rather than showing real active and proactive leadership. I commend Senator Black on the Bill and I commend Mr. Conor O'Neill for all the work they have done on that. It was passed in 2019 and, seven years later, we are looking at this watered-down version that is a husk of the original legislation.

At the same time as the Government has been slow-walking the occupied territories Bill, we have watched a genocide being live-streamed to our mobile phones. We have seen over 73,000 Palestinian men, women and children slaughtered. Of them, 20,000 were children. More than 1,000 people have been slaughtered since the pretend ceasefire. We read the independent report on the violence committed specifically against children by the Israel Defense Forces, IDF, including the horrifying story of a ten-day old baby shot in the head while being held in its mother's arms, breast-feeding. I do not claim any monopoly on empathy. We often hear from Government members that they think the Opposition feels it has some sort of monopoly on empathy. I do not think that but, in the face of all the horror and in the face of endless impunity for the Israeli State, I cannot fathom why the Government is choosing the weakest form of this legislation. I really think it is shameful. What message does it send to Palestinians? "We have seen the oppression and slaughter of your people, the genocide you have experienced and the violent attacks on your land. We are very sorry but we are actually not willing to meet our own obligations under international law." Let us be clear: the Bill here today with the exclusion of services will not bring us into compliance with our own obligations. It is only partially compliant with the ICJ opinion.

Yesterday in the Dáil the Minister of State, Deputy Richmond, mentioned that this Bill is not in breach of international law. I think he mentioned that we fulfil those obligations according to the EU. I reject that. The Department and the Minister, Deputy McEntee, have

said that we are not complying with international law. The Department and the Minister, Deputy McEntee, have brazenly admitted that we do not comply. In fact, in the Minister's contributions today she talked about contributing to Ireland's efforts to uphold and comply with international law. It is just not the case. EU legal experts in the committee said that the EU courts have said that the law must be read in a way that allows member states like Ireland to meet our international obligations. That is the EU court's ruling when it comes to international law. EU public policy exemption extends to all trade. There is no distinction in international law around goods and services. That is an arbitrary distinction the Government is presenting us with. We heard from Professor Panos Koutrakos and Professor Takis Tridimas that public policy provides a derogation not only from the free movement of goods but also the freedom to provide services. There is no basis and no distinction in international law. I do not know why we are tying ourselves in knots or why the Government is tying itself in knots trying to make this distinction.

I find it astonishing that we are having this conversation and having to fight for services to be included. There is a genocide taking place and we are having these arbitrary discussions around types of trade while we are knowingly pursuing legislation that will not bring us into compliance with international law. It is even in the Long Title of the Bill, which refers to it being an Act to provide compliance by the State with international legal obligations, but we are not doing that. I do not really believe Ireland can keep talking about being a defender of international law and a champion of international law when this Bill does not meet our most basic obligations and our most minimum standards.

I would like to know if the Government has considered the breach to our own Constitution that this watered-down Bill might represent, specifically Article 29.3 which commits Ireland to respecting international law as its rule of conduct in its relations with other states. With that in mind, we have the Minister on record saying that this Bill only brings us into partial compliance. I find that absolutely incredible.

I refer to the risk into which that places us by acknowledging that we are passing legislation that does not meet our obligations. That is happening when international laws are under threat from all sides. We talk about international law losing its credibility or being weakened. International law is stuff that is written down. It is standards. International law, in and of itself, is not failing. Leaders are failing to uphold it and we will be participating in the degradation of international law with this legislation.

We are setting a ceiling. We are not being ambitious or trying to create a new brilliant norm that other countries will follow. What I am deeply worried about is that we are effectively signalling to the EU Commission that when, as I imagine it will, presents proposals down the line for an EU-wide ban on trade with the occupied territory in Palestine, we are basically saying that we are fine if we just go with goods. That is what we are saying. We are saying that we are okay with that. We are signalling a low bar rather than the high bar that we could be setting.

I want to mention Spain. It has come up in other contexts. Hundreds and hundreds of advertisements have been taken down since December, not just a handful, it is hundreds. We have that evidence and we can talk about it at Committee Stage next week.

Hand on heart, do we believe this Bill is doing everything in our power to stop the continuation of the Israeli illegal settlements in occupied Palestine? Can we really say that hand on heart when 70% of the trade is with services? Gaza is rubble. The Palestinian people are being displaced by the hundreds of thousands. Their land is being violently taken by the Israeli-sanctioned violent settler regime and we are giving a pittance with this legislation.

Yes, EU collective action would be fabulous. Over 70,000 people are dead and we have not succeeded in EU collective action. Let us set a high bar and include services. There is still time for us to stop this in its tracks and produce good legislation that we can all be proud of and other countries will copy, not the lowest standard possible.

Senator Alice-Mary Higgins: I must disagree with one of my colleagues from the foreign affairs committee, who I acknowledge backed the unanimous report that we put forward, in respect of the suggestion that the Attorney General's advice trumps any other legal opinion, because it does not. The Attorney General's advice does not trump an opinion of the International Court of Justice, and even Trump does not trump an International Court of Justice opinion. The International Court of Justice is clear on this and by the way, while we do not know what advice the Attorney General has given the Government, we know what the Attorney General said in public previously. The Attorney General was pretty clear on Ireland's view of the obligations and I note these were the obligations that existed prior to the International Court of Justice's opinion. When we - Senator Black, I and others - first brought this Bill, we were clear on international law then. It is has not changed. What changed was the Attorney General's opinion and it moved into alignment with ours. The Attorney General stated:

In Ireland's view, these obligations require all states ... to review their trading relationships ... and to take steps to prevent trade that assists in the maintenance of the situation created by the settlement activity ...

That is what the Attorney General said and that was just on trade. When the opinion came out, the Minister, Deputy McEntee, clearly stated that the only interpretation of it is that it relates to all trade and we have a Bill that the Government claims that it wants it to provide for compliance with the international obligations that were already there but that were made explicit in that opinion.

We have seen, however, a dilution where we have gone from a Bill to provide for compliance to something that might contribute positively to Ireland's efforts to comply. The Minister acknowledged on Committee Stage in the Dáil that this is something that would only achieve partial compliance.

There is a constitutional question here. If the Government is doing something and it says that this is what is required to comply and if the Attorney General says it in front of the International Court of Justice but then it goes ahead to only partially comply, there is a problem there.

I am going to come back to the two-pronged approach in a second but I want to briefly point to the reasons that are given here, which include being legally defensible, practically enforceable and mindful of Ireland's wider economic interests.

On the issue of legal defensibility, because we were so confident with the crystal-clear legal advice that we got, the committee saw a legal challenge as an opportunity to set a precedent at

the EU level and force the European Union to act, because it is not just about persuasion. If we get a ruling from the European Court of Justice, which the committee believed and all of the experts who went on the record believed, it will oblige EU action. We would not just have to try to persuade it and bring it slowly, it would oblige it.

There was also concern expressed at the committee about the danger of bad precedent. Blinne Ní Ghrálaigh spoke about the significance of the good precedent of Ireland passing legislation that is squarely in compliance with its obligations and about the flip side if Ireland passed selective or restrictive legislation that did not fully comply with its obligations. She said it could have a negative impact and could be used by other states to say "this much, but no more". The legally defensible piece is clear. The practically enforceable piece is something that we are doing already on Russia. It can be done. Spain is doing it, and it is recognised as a measure having equivalent effect. The principle is there and it can be done.

That leaves us with Ireland's wider economic and employment interests. Is this to do with money? Are we going to say that economic interests trump the dead children that everybody talks about how they care about them? Does it trump the stolen land and robbed ground? That is not acceptable to the Irish public, and it does not give the public what it deserves.

Colonialism is never acceptable and that is why our original Bill also referred to every occupied territory, including Western Sahara and Western Papua, because the fact that money can be made out of it is never a justification for the trashing of human rights and the making of pieces. It is not a justification now, and it is not one that will wash with the public. We will have an opportunity to improve it.

I have a final question. If the Government's dual-pronged approach does not deliver a ban on services from Europe during the six months of the Presidency, will it come back and bring it through the Legislature? If Gaza and Lebanon become the subject of settlement, will it also bring them in? Those are the questions that I will be asking and looking for hard answers on at Committee Stage.

Senator Tom Clonan: The Minister of State is welcome, and I am glad that the Minister is still here.

An Cathaoirleach: The Senator should note the Minister who is in possession of the debate is sitting there.

Senator Tom Clonan: Sure. I simply wished to congratulate the Minister on the statements that she has made and the leadership she has given in our explicit condemnations of Israel's actions.

To be clear, the Israel Defense Forces is a multi-confessional organisation. It has Jewish, Druze, Sunni Muslim, Christian and Shia Muslim members. It is a multi-confessional force, so to criticise its illegal actions and its acts of genocide is not a statement of antisemitism, as Senator McDowell said. The charges that have been made against members of the Government and Opposition that they are antisemitic are, in and of themselves, racially motivated. It is Hibernophobic because the extreme elements in the Israeli Government resent the fact that we call them out on their illegal actions.

Approximately 16,000 civilians have been killed in Putin's criminal and appalling invasion of Ukraine and the Irish Government has done everything in its power to sanction Russian in that regard. We have been involved in countless rounds of sanctions against Russian goods and services. We have supplied Ukraine with all sorts of supports, including military equipment. We gave away all of our air defence weapons and this is quite right.

We should do this but we should also act with the same alacrity and urgency when it comes to our Palestinian brothers and sisters of whom 75,000 have been murdered by the Israel Defense Forces. In the occupied territories it is a figure of about 1,000 since the genocidal attack on Israel by Hamas of 7 October. I want to be really clear; I condemn Hamas. They are an absolutely reprehensible and odious organisation, as are Hezbollah, who have murdered Irish soldiers, including a peacekeeper not long ago. They are war crimes but we have to be very careful.

I was in Senator McDowell's office recently and he has a framed black and white photograph of a young boy with his hands up, surrounded by German soldiers. I asked him, "Why do you have that picture there, Michael?" - I do call him Michael in an informal setting - and he replied that is why we are here. It is that simple. We are here to prevent this type of genocide and it is happening now on our watch, as public representatives. The shooting of children, selectively, in the abdomen one day, in their genitalia the next day, in their heads a day after, is being documented. This is a premeditated, methodical act of terrorism against the Palestinian people. It is genocide in tooth and nail.

In order for the Israelis to carry out the level of slaughter they have, they have been mobilising artificial intelligence. We now know they have a number of targeting algorithms, including Lavender and Habsora or The Gospel - one of them is called Daddy's Home - where from all of the data they scrape from the Internet and compute, the intersectional points are often when a target, which is randomly assigned not by a human but by an artificial intelligence search engine, is at home with his or her family. That is a place he or she will return to and that is why so many civilians have been butchered. That is why, as one of my colleagues set out, an entire family were killed in the occupied territories, because they know the family are all together as one unit and it is a deliberate tactic to kill. They call it "mowing the grass". It is disgusting and obscene.

I want to be really clear about this; it is not technology that permits this - it is computing power. That is why services are so important. The Israelis cannot have access to the computing power of our data centres because that is what they do. You do not need physical proximity to a data centre to harness its computing power. We know they have harnessed some of the computing power for programmes for something like Uber to enhance their targeting acquisition and their logistics. It is really important that we should have included services in this Bill, but as Senator Black said we will return to this and will push for it. We had an opportunity here, given our Presidency of the European Union, to create the consensus Senator Ahearn talked about, when all of Europe would come together. This is a missed opportunity to do that. I thank Senator Black for all the work she has done in this regard.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Neale Richmond): I thank all the Senators who have spoken and contributed to this debate, which I was following in between votes in Dáil Éireann, when I was not present myself. Like others,

I acknowledge Senator Black on her lifetime of work on this issue, particularly since we were in the Senate, together with An Cathaoirleach and Senator Higgins when we first debated the original iteration of this Bill. The question for this Government at this juncture is, what can we do and how can we act at this time to make a difference in light of our policy goals and the clear, craven situation on the ground? I remind Senators it has been two years exactly since Ireland's announcement that we would recognise the State of Palestine, together with Spain and Norway, followed closely by Slovenia. That decision was taken against the backdrop of the intolerable humanitarian catastrophe in Gaza, the shrinking space for Palestinian life in the West Bank, and the need to inject fresh impetus towards a just and lasting peace. In doing so we also sought to show leadership at a time when many of our partners did not think it would be of any consequence. That decision had a real effect, as many of our EU partners and closest friends and neighbours outside the EU soon followed Ireland in the intervening period in recognising the State of Palestine.

This Government is committed to taking concrete actions that will have a real impact. We are prepared to act and we have a track record of doing so when other international partners have been unable or unwilling. In taking forward this Bill, this is exactly what we are doing. This Bill is without a doubt very significant legislation. We will be the only parliament in the European Union to pass legislation of this kind. It will contribute positively to Ireland's efforts to uphold and comply with international law, including the findings of the 2024 advisory opinion of the International Court of Justice. It will also contribute positively to Irish and international efforts to prevent unilateral actions that impinge upon the right of the Palestinian people to self-determination and upon the viability of the two-state solution.

I remind Senators of what the Government committed to in the programme for Government. We committed to progressing legislation to prohibit the import of goods from, or originating in, Israeli settlements in the occupied Palestine territory. That is exactly what this Bill will do. On the issue of services, it is worth repeating that the Government has a responsibility to ensure any legislation is legally robust, capable of being implemented and able to withstand challenge. This would not be the case in respect of services. We must, I am afraid, take into account the legal, operational and other risks that come in this regard.

I also note that national legislation being taken forward by other EU member states is focused, primarily, on prohibiting goods from Israeli settlements in the same way our legislation has this focus. I do not want to get into a full back and forth on the issues raised because I am aware there will be a lengthy and detailed Committee Stage debate with the Minister, Deputy McEntee, next week and a lot of the issues were aired last night on Report Stage in Dáil Éireann and last week on Committee Stage. However, it is important we do not always speak in absolutes. Asserting confidently that something is definitely happening has been unhelpful when we are trying to have a clear debate on this issues. Let us not forget Norway is not a member of the European Union and is not bound by the same rules. Let us not forget how the Spanish Government introduced an amendment to the consumer protection Act by royal decree. Let us not forget the Netherlands are merely in a consultation period and Belgium is in a similar place. Regrettably, the Government in Slovenia that was progressing very similar legislation, is no longer in office. I remember having a conversation with the then Slovenian foreign minister when she literally asked, "How do we follow the legislation that is being progressed in Ireland?" Unfortunately, she is no longer in office.

Equally, the Government does not have the luxury of putting forward proposals without fully working through all of the potential consequences. We have taken the time to carefully consider all of the options as well as the proposals that have been made as part of the debate and during the pre-legislative scrutiny process. The Government must take account of broader realities including the debates that are happening at EU level. Ireland, objectively, has led from the front in this issue. We were the first EU country to announce our intention to prohibit the importation of settlement goods; others have followed our lead. The number of states considering these measures continues to grow and this has meaning at the European level. Momentum is building daily as a result of actions taken by countries like Ireland. While we move ahead on prohibiting settlement trade at national level, our preference, as stated clearly on many previous occasions is that collective action be taken at EU level. This will have a real impact. Just as we have sought to show leadership on the issue of trade with settlements and on the recognition of Palestine in May 2024, we will continue to lead on the need for effective EU action. Ireland has consistently argued for the European Commission to bring forward a proposal to prohibit EU trade with Israeli settlements on the basis of the EU's common commercial policy for a decision at the Foreign Affairs Council in order to comply with international law.

This two-pronged approach, namely, legislation at national level on goods and a consistent push at European level for an EU-wide ban on trade with settlements, is making progress. The Commission has now committed to bringing forward proposals at the Foreign Affairs Council of 13 July, including on trade with settlements. Do we wish EU proposals have been brought forward sooner? Of course. It has not been easy to get to this stage but let us be clear; this was not on the horizon just a few months ago. This is the result of hard work and the consistent arguments of countries such as Ireland, not just the Government and not just officials but the entire body politic and civil society at large. Our cause also goes far beyond the issue of settlements. Ireland has repeatedly pushed for the suspension of the EU-Israel Association Agreement or at a minimum, the suspension of the trade elements of the agreement as previously proposed by the President of the European Commission. It was not that long ago that when Ireland and Spain brought forward the proposal to open up the EU-Israel Association Agreement, only three member states backed that call. In May of last year that had risen to 19 of the 27 member states. This is real, hard work being put in to bring together collective EU action. We can all voice our very real frustration, anger and complete bafflement by the decisions taken by the leaders of other EU member states on this issue. That unfortunately is the situation of being part of the European Union.

We have to work within the confines of EU law and be aware of arrangements at European Council level. It should not, at some stage, deflect from the real work going on by repeated Irish Ministers to make progress, particularly in concert with our friends in Spain and, increasingly, countries such as the Netherlands, Belgium and Luxembourg. The appalling and worsening humanitarian situation in Gaza demands a very real and serious response, as does the situation in the West Bank where there is a massive expansion of Israeli settlements, alongside rampant and escalating settler violence. This is part of an established pattern on the part of the Israeli Government to create a new *status quo* in the occupied Palestinian territory. Ireland will continue to stand up for human rights and international law within the EU and seek accountability for Israel's egregious breaches of international law.

The Minister, Deputy McEntee, spoke earlier about the motivation behind the Bill, which addresses our obligations under international law and what we hope to achieve by enacting it. This Bill is only one element of Ireland's comprehensive approach to the Israel-Palestine conflict. It is particularly in response to Israel's creeping annexation of the West Bank. Our overarching approach, however, encompasses our commitment to work with key partners to end the conflict in Gaza, advance a sustainable peace plan and address the huge challenges facing Palestinians in Gaza. It encompasses our commitment to supporting a Palestinian State consisting of Gaza and the West Bank, including East Jerusalem, as well as achieving a just and lasting peace where Israelis and Palestinians live side by side in two states - Israel and Palestine - in peace, security and dignity within the agreed 1967 borders.

Ireland has always been clear that our goal is for both Israelis and Palestinians to live in peace and security. The cycle of violence that has brought suffering to both Palestinians and Israelis needs to be brought to an end. We must be careful to remember that and leave space for the people-to-people contacts that have always been the most valuable part of the relationship between Ireland and Israel. Our history on this island means that we understand the politics of division, which never advances a peaceful outcome.

The actions of the Israeli Government are explicitly designed to bury the idea of a two-state solution. We simply cannot allow that to happen. Ireland will continue to uphold the right of the Palestinian people to a state consisting of Gaza and the West Bank, including East Jerusalem, as well as the right of Palestinians to self-determination. Ireland's position on the Middle East is firmly rooted in respect for human rights and international law in both words and deeds. The Government's record will attest to that, including by enacting this Bill. I thank Senators for their contribution and I commend the Bill to the House.

Question put and agreed to.

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

Senator Garret Ahearn: Next Tuesday.

An Cathaoirleach: Is that agreed? Agreed.

Committee Stage ordered for Tuesday, 14 July 2026.

Cuireadh an Seanad ar fionraí ar 6.13 p.m. agus cuireadh tús leis arís ar 6.32 p.m.

Sitting suspended at 6.13 p.m. and resumed at 6.32 p.m.

Teachtaireacht ón Dáil - Message from Dáil

An Leas-Chathaoirleach: Dáil Éireann has passed the Postal and Telecommunications Services (Amendment) Bill 2026 on 8 July 2026, which is sent herewith to Seanad Éireann for its recommendations.

Protection of Children (Online Age Verification) Bill 2026: Second Stage

Senator Rónán Mullen: I move: “That the Bill be now read a Second Time.”

An Leas-Chathaoirleach: I welcome the Minister of State, Deputy McConalogue, and the officials from the Department. I thank them for being here. I also welcome Sarah Haire and Stephen Browne, guests of Seanadóir Mullen. I believe Seanadóir Mullen is sharing time with Senator O'Reilly. Is that agreed? Agreed.

Senator Rónán Mullen: Cuirim fáilte roimh an Aire Stáit. This Bill proceeds from a number of core principles. The first is that pornography is harmful to society and access to pornography is particularly harmful to young people. We need to accept and internalise that enabling or permitting young people to access pornography is a form of child abuse, affecting not just the young people themselves but also others whom they encounter in their lives. The work of the regulator, Coimisiún na Meán, is welcome and important, but activity in the regulatory space is not sufficient and will not on its own protect young people from exposure to pornography. It is the norm in our society that we criminalise intended or reckless behaviour which causes serious harm to others, so it is past time that regulatory activity was underpinned by clear statute law under which providers of online pornography who do not ensure their content cannot be accessed by minors and who do not carry out age verification to secure this goal are guilty of a criminal offence.

People's privacy is important, but subject to the higher good of child protection. This Bill, without in anyway sympathising with pornography use, addresses privacy concerns by providing for multiple approaches to age verification. Where there is a will, there is a way. We have the strange situation where big-tech companies drag their feet and talk up the difficulties and downsides of excluding categories of people from access to their product, yet when it comes to the purchase of goods it is well within their capacity to insist that only those who make online payments, including by way of credit cards that can only be held by persons over 18, may access their services. This Bill breaks new ground in providing that the requirement of the use of such a credit card as a condition of viewing pornographic content would satisfy an age-verification requirement.

The perfect need not be the enemy of the good. Those who wish to talk down efforts to restrict access of minors to certain online content like to talk about workarounds to which young people can have resort to circumvent restrictions. The use of virtual private networks, VPNs, is frequently touted. As we are seeing with the ban on social media access in Australia concerning under-16s, the policies and mechanisms will need refinement. Indeed, they may need continual refinement in order to secure the goal of online safety. The difficulty of finding the magic bullet, the complete solution first time out, need not trouble us as long as we are clear about our core objective, and that we are committed to taking serious steps. If, as a result of enacting legislation such as that before us today, we ensure children and young people are not normally able to access pornography online, we will have begun to put a bit of much-needed smacht on the pornography industry - and what an industry it is. According to *The Guardian*, the global adult entertainment industry generates an estimated \$78 billion to \$97 billion in annual revenue. As many adult platforms are privately owned and operate discreetly,

exact figures vary, but the market easily surpasses the combined revenues of traditional sectors like Hollywood and major professional sports.

Time does not permit me to get into all the detail about the harm pornography consumption does, but there is a reason this Bill focuses on preventing the harms done by pornography, separate from the many other threats to online safety which the regulator must also address. The reason for this is that the pornography industry is so vast, and it is not that the consumption of some of its content may sometimes be harmful to children; it is that all of it is always harmful to young people. Pornography being accessed by children requires a particular response. The regulator can tell a content provider to weed out harmful elements of its context. We see with social media that it is so hard to weed out the harms that many governments are proposing to restrict access altogether before a certain age. If this is true of social media, not all of which almost by definition can be directly harmful, the complete ban approach must also apply to young people and pornography access. Not only that, something more than regulatory sanction, even criminal sanction for repeated non-compliance or the failure to comply with formal notices, is needed. Exposing young people to pornography must be the crime.

Pornography and alcohol consumption are unique predictors of sexual assault victimisation for college females. The combined effects dramatically increase the odds of victimisation, and that is partly because pornography minimises sexually aggressive acts. With an increasingly higher use of porn, it is more likely than men will be more likely to rape, commit sexual assault, be sexually entitled and have hostility towards women. I am quoting studies, by the way, in all of these cases. Pornography routinely depicts the objectification of and violence towards women, and these images create abnormal sexual expectations, as we all know. Men's consumption of pornography impacts their view of women in measurable ways, including, but not limited to, objectification and acceptance of sexual mistreatment of women, etc.

As with other evils, people may not always realise what they are getting into. In Strasbourg recently at the Council of Europe, I secured various amendments to a report, Violent Pornography: A Test for Human Rights, which was adopted by the Assembly. Arising out of an amendment I tabled, it was resolved that, even where not extensively violent or extreme, the making and distributing of pornographic content may proceed and benefit from situations where participants are affected by violence, coercion and a lack of freedom, including situations of social or economic disadvantage, addiction, or where participants have been victims of abuse, and it may perpetuate all these situations. Child abusers under 21 report difficulty controlling their pornography use and often cite such as a factor leading to their abuse of other children. I could say more. Studies of the brain show that if someone is addicted to pornography they tend to have problems at work and with carrying out matters of daily living. There is a lot of talk these days about the failure of some young people to launch in life. Pornography addiction is very much part of this story.

We are up against a harmful behemoth and we must wonder at how we let such a situation develop to the point where it may seem out of control.

The extent of the industry and the challenge of curbing it should not paralyse us, however. There is something more important and powerful than the pornography industry, and that is the love that parents have for their children. We as legislators must show solidarity with those parents and guardians and take the first steps towards putting those who would expose their children to this danger where they belong, which is in the dock. That is the serious intent of

the Bill. Fines by a regulator are mostly a corporate problem. Sentences by a court represent the more powerful judgment of a society on those who would harm children. Again, there will be objections that it will be difficult to prosecute certain players abroad for their involvement in exposing minors to online pornography, but in France and certain states in the US, we have seen how ALAW, a company owned by a Canadian investment fund laughably called Ethical Capital Partners, decided to suspend access to its content on its main pornography sites, all because of laws passed that require publishers of pornographic websites to implement age verification tools for visitors. It is amazing what can be done when people find the will.

This Bill is a revised version of similar legislation that I brought forward in 2024. Quite a bit has changed since. There is considerable ongoing discussion about the importance of online safety, heightened public concern and awareness. I acknowledge the work done by Coimisiún na Meán as the regulator in the online space. With all it has on, its role requiring parental controls, reporting, flagging and complaint mechanisms is important. It is undoubtedly attempting to fulfil its remit in demanding age assurance mechanisms of online platforms. To be fair to the regulator, it explicitly mandates that simple self-declaration, such as ticking a box or entering a date of birth, is not sufficient for age assurance.

There are four big problems, however. First, age assurance, which can involve age estimation mechanisms, is not the same as strict age verification. Second, it is left to the platform under the code, to some extent, to determine the precise mechanism that it uses for age assurance. Third, the commission deals mostly with online platforms headquartered in Ireland. In no sense has it universal jurisdiction to make demands and secure the accountability of platforms and websites providing pornography online to users capable of accessing it in Ireland. Fourth, regulation, even with the power to impose fines or to demand actions, is more vague. It invites tech companies and platforms to play to ducks and drakes and, in the end, lacks the focus and, to use an old word, lacks the exemplarity of criminal law.

On the numerous occasions that Coimisiún na Meán has come before the Oireachtas joint committee on which I sit, it has not been able to reassure us that persons under 18 are no longer able to access pornography in Ireland. It remains the case that if you want to buy a pair of shoes, you must in all likelihood use a credit card and therefore are subject to a higher degree of scrutiny than if you want to view pornography. That is because the pornography industry thrives on putting out free content already harmful to people, on the back of which they can mine data, sell advertising and make online sales. When I brought the previous version of this Bill before the House in 2024, the then Minister noted that in some US states pornography providers had gone offline but that, unlike those states, member states of the EU were not free to act alone. The Minister invoked the country-of-origin principle and said that Ireland could not unilaterally act nor should it. That situation seems to have changed because France, for one, has shown, as I understand it, that it is not bound by the terms of another member state's regulation of platforms that happen to be headquartered in that other member state. In France, platforms that fail to implement approved privacy preserving systems risk fines of up to 2% of their global revenue or nationwide blocking by Internet service providers.

It is fair to say that, while it pursues objectives in this area, the European Union has avoided any suggestion that it would block member states from tailoring legislation or regulation for their own jurisdictions. I am not saying that Ireland should not continue to interact with our EU counterparts, but I do not believe we are restricted from introducing criminal offences as

this Bill proposes to do. In this case, in interacting with platforms and online service providers on age assurance mechanisms and requirements, the coimisiún would have to take on board what age verification would now mean under this Bill were it to be enacted. Of course, online providers not currently subject to the writ of Coimisiún na Meán would have to consider the implications of the legislation for themselves.

Regarding this Bill, it has a wide reach because it is aimed at anyone who is responsible to any extent for determining, controlling, hosting or sharing content on a website. It is aimed at app store services and any provider of an online service that facilitates the creation or generation of pornographic content online, including by way of AI. The obligation is to ensure that pornographic content is not accessible to any person in the State under 18 and to require any person accessing pornographic content through these services to fulfil age verification requirements. The definition of pornographic content is careful to ensure that depictions of sexual activity that would occur, for example, in artistic or informational contexts that would not be objectionable are not caught by this legislation. The Minister of State will know there are concerns abroad about the State acting as a gatekeeper and identity checker and about the dangers of a "papers, please" approach to access to the Internet. This Bill addresses those concerns by providing that the Minister may designate certain classes of documents that can be used for age verification services. Those who are concerned about the access of third parties may note that there are strict limitations in the Bill on how, when and to what extent age verification data can be shared.

I will conclude on this point and let my seconder speak. As a core principle, the securing of privacy for those wishing to access pornography must come second always to the cause of protecting children from exposure to pornography. I will resume on that point later. I thank my seconder in advance.

Senator Sarah O'Reilly: I thank the Minister of State very much for coming in for this Bill. I support this legislation. I congratulate Senator Mullen on the work he has done on this Bill. It is very good legislation.

In a recent debate, I welcomed the Minister, Deputy O'Callaghan's, proposal to make violent pornography illegal, but it does not go far enough. The Minister has mentioned content that shows knives or explicit acts of violence, but in a lot of this content, the violence is implied. A study found that one in eight videos shown to a first-time user of most mainstream porn sites shows sexual violence. If a child accesses porn for the first time, 12% of the content shown to them on the homepage is sexually violent. Of this 12%, the content ranged from sexual activity between family members, physical aggression, sexual assault, coercion and exploitation. As Senator Mullen laid out, under Article 34 of the UN Convention on the Rights of the Child, the State has a specific obligation to protect children from sexual exploitation and sexual abuse. The State is failing in that obligation. Women's Aid found that 71% of the population see pornography as harmful to society and believe it negatively impacts sexual health development, gender equality and consent. We are all influenced by the environment around us. To expect children to watch pornography and not have it impact their actions or attitude is naive and misguided.

Some of the Senators will remember the debate on RTÉ's "The Frontline" where people where advocating for pornography to be taught as part of the relationships and sexuality

education, RSE, curriculum in schools. That idea was swiftly blown out of the water when young women live on air started sharing their first experiences of sex. Some of them had found their partners aggressive, with others describing how they had been choked during sex. I know of a 15-year-old girl who was dropped by her mam to a coffee shop for a first date with a boy. Everyone was wondering if there would be a first kiss or a peck on the cheek. We were all as excited as she was. What we did not expect was that when he did go in for the kiss, he put his hands around her neck. We were all shocked. Where do you think he got that idea from?

Our young girls and boys are being completely failed. They are being brought up on content that teaches men that their role is to be aggressive and dominant while teaching women that they should be submissive and abused. Many men seem genuinely surprised when women say they do not want to be choked. What does that say about our society? What does it say about healthy sexual relationships? The reality is that it is not the norm, but it has become the norm unbeknown to us, and this must change. The Government proposal is to have age verification for every media platform, essentially bringing in digital ID. I cannot support digital ID because it is incompatible with our rights to personal freedom and privacy. It also leaves the responsibility with consumers instead of expecting these large corporations to take responsibility for their content. The Bill strikes a good balance without infringing on any personal freedoms. It puts the responsibility back on the porn companies to ensure no child is accessing pornographic content. Many of these companies have their headquarters in Ireland. These companies are not looking at the ethics of children watching pornography and will not have a moral epiphany and stop it.

Unless there is a legal obligation placed on them, there will not be any change. I encourage the Government to support this Bill because there is currently nothing within our legislation limiting the ability of children to access pornographic material.

Senator Anne Rabbitte: I thank the Minister of State for being here for this. It is a very worthwhile Private Members' Bill, PMB, and a very worthwhile conversation that needs to be had in relation to pornography, the legislation around it, the access to it and the protection of our minors - under-18s - online. Far too often, it has got to the stage where there are new norms developing without any controls, regulations or mechanisms around them.

The Internet, for far too long, has been the wild west. I welcome the strident work of Coimisiún na Meán, but when you listen to the Irish Society for the Prevention of Cruelty to Children, ISPCC, and Ms Fiona Jennings, its head of policy, speak as she has done many a time at many a committee, or if you listen to Mr. Mick Moran from the Irish Internet Hotline, you realise that the web is becoming very dark for our young people. I do not know if many parents listening in here this evening realise that, when they purchase a mobile phone for themselves and hand it over to their sons or daughters as it is about to expire, or if their children are getting their first phones, the parents are handing over all the controls and everything in the phones has been turned on with regard to accessing pornography. If a business phone is left with a parent and a child, the parent or whoever accesses pornography on it, there are implications associated with work. I do not think adults realise how they are putting themselves at risk, not to mind the children they are putting at risk.

While I agree with the use of a credit card or Visa debit card as a mechanism, there is an obligation on the likes of our phone communications companies. They could turn off

everything. There is nothing to stop them having their phones set so that you have to request to have them turned on and then verify they are on. We should not be handing over phones with everything left set up to enable access as easily as they are. I agree with all of what Senators said but it is not just the tech companies. The phone companies have a role to play in this, in that the devices are set at ground zero and you would then have to contact your telecommunications company to be able to turn it on. If that were done, it would be a barrier and a safeguarding measure, as the Senator spoke about in relation to protecting the child. Having an account number and asking where the phone was purchased would be a mechanism in itself, as there would be a conversation between the telecommunications provider and the young adult trying to access the phone. That is only one of a number of barriers or amendments I would look to include in the Senator's Bill.

In the EU Presidency, it is great that we are starting to have more of these conversations. We need to stop the new norms that are developing. We want our children to be protected and sheltered and to hold onto their innocence for as long as possible. However, with VPNs and where we have gone with Roblox, and given what we hear from Mr. Moran - I keep talking about that man - about what is going on, every parent should familiarise themselves with the Irish Internet Hotline and its stats. The algorithms of telephone companies or the various social media platforms are driving young boys to be more inquisitive all the time. Young boys do not set out to be inquisitive. They might start with asking one or two questions or saying that such and such a person said something. Then, all of a sudden, be it through Safari or whatever, they are accessing it through the Internet or they are talking about it. We know that the phones recognise what you speak about. If Senator Ní Chuilinn and I were to have a conversation about ladies' football, I am sure that the first thing that would come up on our Instagram feeds would be ladies' football. The same way, if young boys are having a conversation, it comes up in their algorithms. Algorithms are another thing that need to be addressed as part of the safeguarding mechanisms.

The Senator is right, in that there is no one silver bullet for this. There is a collection. Part of the collection is the telecommunications company. The second part is the algorithms. All algorithms should be removed. That would cost tech companies nothing in respect of under-18s but we should be removing the algorithms. It is not just about the pornographic imagery or sites that they are bringing them to. We also see harmful content for young females. I know that is not the purpose of the Bill, but we also have to look out for young ladies.

In 2018, I produced a Bill in relation to pornographic content for children online. It is a hard thing to think that we are still talking about regulating in 2026. It is a hard thing to believe that we still do not have the tech or telecommunications companies responsible for monitoring and controlling. It cannot fall to parents to continue to protect. It is going to come to legislators to introduce the regulations and laws to ensure protection.

An Leas-Chathaoirleach: Before I call Seanadóir Ní Chuilinn, I welcome her guests. They are from Kiddies Korner, KK, Crèche. I hope they enjoy their visit to Leinster House.

Senator Evanne Ní Chuilinn: Gabhaim buíochas leis an Leas-Chathaoirleach. I welcome my guests to the Gallery. We are talking about the safety of children, minors and juveniles but these women have been keeping my children and the children of Crumlin safe for decades. I hope they have a meal later on in the restaurant.

I welcome the Minister of State to the Chamber for this debate and congratulate Senator Mullen on his Bill, which is progressing nicely. I welcome the premise of the Bill. It aligns with the work of the joint Oireachtas committee on media and communications, with components of our recent report, as the Senator and Minister of State know, on online safety, regulation and participation. We have to stop these huge online platforms having unfettered access to our children and promoting material that is harmful and dangerous. This Bill seeks to achieve this, so I commend the Senator for his work on it.

Pornography is becoming more, not less, accessible for children as companies increasingly find new and innovative ways of producing, promoting and disseminating adult content across not just traditional websites, but otherwise normal platforms and social media websites as well. These platforms claim to have robust systems and measures in place, but very often, these measures are really just you ticking a box or filling out a form where you can say you are over 18. We have to do more and this Bill advances that policy conversation. It should be welcomed for that reason.

If we ask ourselves why we need to act, there is a clear link between exposure to pornography - in particular, violent pornography - and increased sexual violence, distorted sexual expectations as well as increasing misogynistic attitudes. These links are clear for all who have problematic pornography use, but especially so for our children who are becoming exposed to pornography at increasingly younger ages.

The Bill aligns with the recommendations of the joint Oireachtas committee to implement an age classification system. I welcome this. Our committee spent months discussing these and other issues with experts, advocacy groups, children's rights advocates and technology companies themselves. The Bill also aligns with recommendation 4 on combating image-based abuse by explicitly referencing the generation of pornographic material, which would cover AI-generated content, ensuring that children do not have access to harmful AI-generated pornographic content.

There is, as the Minister of State will know, a legislative and regulatory framework in place at European and national level that has made significant progress in recent years. The Digital Services Act, DSA, is a landmark piece of European legislation that acknowledges that, as a Union, we must act to ensure safety for all, but especially children, in the digital space. The DSA puts an obligation on platforms to have robust age verification measures in place, and as recently as March of this year, the Commission initiated enforcement proceedings against four providers for failing to protect children from accessing pornography. It is clear, though, that there are still gaps in regard to the enforceability of these measures, as many of these platforms simply have a one-click verification process still in place. We cannot accept that that is robust, as the DSA prescribes.

The Bill is a welcome addition to the regulatory framework but it does require some changes. This Bill is broadly welcome and seeks to legislate for a far more robust framework for regulating age verification that will be an improvement on simple, one-click measures which are currently the norm. However, I am concerned that in its current form the Bill would legislate for excessive disclosure of data to technology companies and impose an unnecessary requirement to hold this data for five years. In any age verification measure, we must ensure that any data disclosure requirement respects privacy rights and is proportionate to the risks involved.

The Bill also does not utilise the expertise that already exists in our media regulator, Coimisiún na Meán, with no role set out for Coimisiún na Meán. With some amendments we could, through this legislation, empower Coimisiún na Meán to take a much more active role in the enforcement of any age verification regulations.

The Bill progresses the conversation on this topic by placing the focus on real, robust, enforceable verification, which is a marked improvement on the current box-ticking landscape we have already referenced. I know the Minister of State agrees on the need for a more robust approach, as is demonstrated by the development of a new tool that would achieve age verification without disclosing users' data by his Department. I hope that as a group of Senators and a group in the Oireachtas, we can work together to place that tool under this or similar legislative footing with the necessary amendments on Committee Stage.

Senator Pauline Tully: There has been a lot of discussion recently about how best to protect our young people, especially our under-18s, from certain social media sites and pornography. The statistics from Rape Crisis Ireland are very concerning when they talk about the rise of online misogyny and what they are calling the "manosphere". It is an international network of influencers promoting male supremacy and anti-feminist ideologies. That is connected closely to multinational corporations, which are only interested in making profit, have a total disregard for harm and have recommender algorithms to spread unsuitable content to everybody, particularly children, without caring about the harm it causes.

There was research carried out recently by Professor Debbie Ging. She found that within 23 minutes of being created, fake teenage male accounts were served with misogynistic content without seeking it. That is scary. Young men are being targeted by some of these providers with unsuitable online content. Women's Aid did a survey called Evolving Manhood and found that two-in-five Irish men hold traditionalist views on gender but that rises to 67% among young men. This surveyed those aged 18 to 29 but I imagine it also affects young lads in their teenage years.

This emphasises the importance of education by parents and guardians because they have a huge role to talk to their young people and explain to them what a healthy relationship is and what is certainly not healthy. This should also happen in an age-appropriate way in our schooling system and going into third level as well. We have done quite a bit of work on this issue in higher education institutions too and sexual violence can be quite prevalent among a cohort there as well.

We all want to do anything we can to protect our children and stop them accessing pornography. I am a little concerned about some of the detail within the Bill. One part states:

Data that is collected and retained for the purpose of compliance with age verification requirements provided for under this Act shall be securely stored for a period of 5 years.

I am concerned about having that much private information in one place. About two months ago, the EU age verification app was launched and it was hacked within two minutes. It was not safe. I am concerned about that. The Bill also states:

The Minister shall prescribe a class of documents, or a combination of classes of documents, that is adequate to verify the age of each website user and which may be accepted for the purposes of fulfilling the age verification required under this section.

I am not sure what documents can be used and why. Again, I am wary of what happened in relation to the public services card, where a huge fine was served for breaches of privacy rules relating to the use of facial recognition in the registration processes. There was a fine of €550,000 in that case. There are a few things there that may need further work and clarification.

We do have our own legislation. We have the Online Safety and Media Regulation Act 2022 which established the new media regulator, Coimisiún na Meán, and put in place an online safety code. Technology is moving so fast that legislation has to keep moving as fast as well. I know the Regulation of Artificial Intelligence Bill is going through the Seanad at the moment. All of that is welcome but we need to make sure that all of these checks and balances are robust and ensure the proper age verification systems are put in place.

I commend the Oireachtas Joint Committee on Arts, Media, Communications, Culture and Sport on its recent report. I know it had much engagement with stakeholders. The committee on children was also doing work around keeping children safe online. It is important that one of the first recommendations in the report of the committee is to "require platforms to disable recommender algorithms entirely for children and by default for people over 18". We need to hold the media companies responsible for what they are doing. As Senator Rabbitte said, we need to hold the phone companies responsible as well. We are letting them off the hook. We need to have our regulations in place and we need to have the proper age verification but these companies need to take responsibility for the damage they are doing.

Another recommendation in the report is to "fully incorporate the UN Convention on the Rights of the Child (UNCRC) into Irish law." That is really important, not just in this context but across many different Departments in relation to child law. We need to strengthen our laws that protect children and provide them with the supports they need in life. It also recommends we enhance Coimisiún na Meán's investigative powers. That is really important too. We need to use all of the tools we have to ensure we keep our children safe.

The definition of pornographic content here may need to be tightened a little bit because some of it could apply to films with sexual activity or music videos and so on that are not pornographic but which do include sexual activity. Just because there is sexual activity in a music video or something on Netflix does not mean it is pornographic. We need to be able to distinguish these forms of content in the context of age verification. I fully support removing access to pornography for anyone under 18 years of age. It would be an incredible thing to achieve and it is really important. I hope this Bill can lead to doing that. Nobody would oppose anything that is going to protect our children.

Senator Gareth Scahill: I welcome the Minister of State to the Chamber. I commend Senator Mullen on this Bill on online age verification. It comes at a very good time. I know the Minister, Deputy O'Donovan, has this as a key priority for the Presidency of the European Council. My colleague, Deputy Kiera Keogh, has done an awful lot of work in this particular area, along with the Oireachtas Joint Committee on Arts, Media, Communications, Culture and Sport. All of that work must be complimented. All of the previous speakers have spoken about how this is an issue that affects us all. This is an issue that everyone in this House and the Lower House would like to see resolved.

I am coming at this as a parent. Kids deserve the opportunity to be kids first.

Senator Anne Rabbitte: Yes.

Senator Gareth Scahill: We often talk about engaging with kids and meeting kids where they are but, unfortunately, these media companies and these vultures that deal in this particular area are also trying to meet kids where they are and they are adapting every day. As a member of the AI committee, I am very enthused by the opportunity that artificial intelligence is going to bring to us across health and so many sectors like enterprise and research. The opportunities it presents are immense but there is also the dark side to all of this. I refer to the way that algorithms are manipulated and laws and safeguards are circumvented. As Senator Tully said, the age verification app was hacked within minutes of being released, unfortunately. A Bill being produced now needs to be an evolving Bill, one that can meet the demands that will present themselves in six months' time as well as the demands that are currently present.

Going back to the clear message, the basis for bringing forward the Bill is that kids deserve the opportunity to be kids first and foremost.

As Senator Rabbitte said, we will not be able to do this by just saying "No", introducing the safeguards and trying to ensure these companies comply. Parents will have to be extensively involved in this, but legislation is the only way this will be stopped. The companies we are dealing with on this are so used to avoiding a rule in one jurisdiction by somehow positioning themselves in another jurisdiction to circumvent it all. That is where we have to be more dynamic. It means we have to be able to adjust and change the legislation as we are going on. I am fully supportive of what Senator Mullen has produced here and I believe parents across the country will be fully supportive of what he is trying to achieve. It aligns directly with Government policy and what the Minister is planning to do during Ireland's Presidency of the European Council. I compliment the Senator on this.

Minister of State at the Department of Culture, Communications and Sport (Deputy Charlie McConalogue): I thank Senator Mullen for his work in bringing this legislation forward. I thank the Senators for the very thoughtful and well-considered contributions and responses to the legislation. I think we all agree that online services are constantly developing and changing. It is vital that we, as legislators, stay vigilant to any emerging trends that undermine the safety of our children and young people when they access those services.

Online safety is a whole-of-government priority, particularly when it comes to the protection of minors.

Senator Rónán Mullen: Sorry to interrupt. Is there a copy of the speech?

Deputy Charlie McConalogue: There should be. There are copies outside.

Senator Rónán Mullen: Gabh mo leithscéal.

Deputy Charlie McConalogue: This Bill is clearly aligned with that objective, as it seeks to ensure that children do not access pornographic, adult-only material by requiring online services to first verify that a person is over the age of 18. For this reason, the Government does not oppose the Bill. However, there are practical, legal and technical issues with the Bill's

provisions. It also does not take account of commitments in the national digital and AI strategy published by the Government in February of this year.

Regulations are already in place to protect minors online, including specific provisions to prevent children from accessing adult-only content such as pornography. Those requirements are in both EU and national laws. Some of the provisions in today's Bill are inconsistent with those existing regulations. The EU Digital Services Act, known as the DSA, obliges providers of online platforms that are accessible to minors to put in place appropriate and proportionate measures to ensure a high level of privacy, safety and security of minors on their services. The DSA also imposes additional obligations on the very large platforms to assess their services for risks to minors and implement mitigation such as age verification. The category of very large online platforms includes several of the platforms that carry pornography. Last March, the European Commission issued preliminary findings to the effect that four providers of pornography are not effectively meeting these obligations to prevent minors gaining access.

Alongside the Digital Services Act is the online safety code, which is overseen by Coimisiún na Meán. It gives further effect to the Online Safety and Media Regulation Act 2022 and to the EU audiovisual media services directive. The code came into full force in July 2025 and it obliges designated video-sharing platform services to take steps to reduce the availability of harmful content online and address access to age-inappropriate content. It mandates providers that carry pornography to use robust age-assurance measures to prevent children under the age of 18 from getting access to that adult-only material. These regulations have been designed to be effective and meaningful. For example, failure to comply with the online safety code can lead to fines of up to €20 million or 10% of relevant turnover. These are larger fines than those in the Bill. Moreover, continued non-compliance with the online safety code can lead to criminal sanctions for senior management, which is similar to the Bill.

The Digital Services Act has a coherent oversight network comprising the European Commission and the digital services co-ordinators in each member state. This network ensures that supervision and enforcement is conducted on a pan-European basis and addresses the fact that digital services are provided across borders. Coimisiún na Meán is the digital services co-ordinator in Ireland. The Bill does not give an coimisiún any role, which is a practical gap that undermines both the remit of an coimisiún and the effectiveness of the Bill's provisions.

The Digital Services Act is also a maximum-harmonisation regulation, which gives the advantage of providing a single rule book. This makes it more straightforward for platforms to comply and more efficient for regulators to implement and enforce. A consequence of maximum harmonisation is that member states are precluded from introducing national measures that add obligations to the Digital Services Act. The Bill would be at odds with that rule. The offences in the Bill appear to conflict with certain liability exemptions in the Digital Services Act. The regulation provides that hosting services are not liable for illegal content made available by a user as long as the hosting service does not have knowledge of the illegal content and, once it becomes aware, it works expeditiously to remove or disable it. On the contrary, the Bill could make hosting services responsible for content they may not know of.

Another concern with the Bill is the method it proposes for age verification. It provides that online services providers should require documents or credit card information to confirm whether a person is over 18 or not. While the type of documents that can be used would a matter for the Minister for justice to determine, it seems more than likely that they would be

State-issued documents, such as a driver's licence or passport. These documents contain a lot of personal data, often including biometric data. Credit cards also reveal a lot more than just a person's age, for example, their home address. Typically, this kind of data is considered sensitive and must be treated with care. The collection of all this personal data is disproportionate to the misuse the Bill is trying to address. It should be sufficient for a service provider to know if a person seeking access to its services is over 18 or not. For example, they do not need to know how much over 18 the person is, so they do not need a date of birth.

We must also take into account guidelines on the protection of minors issued by the European Commission last July. They stress the importance of age verification tools that are proportionate and respect the privacy of the user. They speak of age verification as being as non-intrusive as possible. They emphasise that age verification should not be an additional means for providers to identify, locate, profile or track natural persons. The extent of the data and the processing set out in the Bill do not meet these requirements. The Bill also provides that personal data shall be stored for five years. This, too, is contrary to the European Commission guidelines on protection of minors. Furthermore, five years is too long. The data provisions also raise significant concerns when it comes to compatibility with the general data protection regulation, GDPR. The Bill is problematic with respect to data minimisation principles, the proposed retention periods, and the lack of clarity regarding data controllers and joint controllership arrangements. Accordingly, the age verification method in the Bill runs the risk of cutting across EU guidelines and introducing a solution that is not compliant with GDPR.

Finally, the Bill does not take account of the Government's recent national digital and AI strategy which commits the Government to delivering an age-verification solution. This will differ from the solution in the Bill as it will protect users' rights, including privacy and reveal only essential information to platforms. At the same time, it will enhance online safety by providing accurate and robust information on age. My Department is working with the Office of the Government's Chief Information Officer to develop this age-verification tool, and to make it available as part of the digital wallet. The tool will be in full compliance with a blueprint published by the European Commission last year and will work in a zero-knowledge capacity, only confirming to a platform whether the user is over 18. No other information, such as date of birth, will be provided to the platform or stored.

I share Senator Mullen's and many of the speakers objective of protecting children from harmful content online. Therefore, the Government is not opposing the Bill. However, the Government has concerns with the approach and content of this Bill. It raises issues that point to it being incompatible with existing regulation of both online safety and data protection. Moreover, existing online safety regulation already restricts access by children to pornography and provides for age assurance measures to be in place.

An age verification solution that is less invasive than the one in the Bill is in development. This will further support the implementation of those rules while still respecting the privacy of all users.

I again thank Senator Mullen for his genuine work and effort in bringing this Bill forward and for shining a light on this massively important issue that we must collectively address in order to ensure that we protect young people. The latter is an objective the Government shares

with him. In terms of developing the tools to make sure we can do that, we look forward to working and collaborating with him and everyone else in the Seanad and the wider Oireachtas.

The Government thanks the Senator for his work and for bringing the Bill forward. I am not opposing the Bill in light of the shared objective, but I have outlined the issues that need to be addressed from the Government's point of view in order that we can move forward and ensure an outcome that will achieve the very important objective of protecting young people from the very harmful online material they can often be exposed to, especially pornographic material. I thank Senator Mullen and the other Seanadóirí.

Senator Rónán Mullen: I thank the Minister of State for his reply. I also thank all the Senators who spoke, namely Senators Sarah O'Reilly, Rabbitte, Ní Chuilinn, Tully and Scahill.

The Minister of State did not comment on the core idea of the Bill, namely that criminal liability should attach to people who fail to prevent minors from accessing pornography. While I accept the general good wishes of everybody here, the Government is speaking out of both sides of its mouth. The Minister of State professes to be concerned about protecting children from pornography. He promises something in the future by way of a solution, but his contribution was full of references to privacy and protecting privacy. Protecting children is not an absolute priority for the Government on this one. That is because it is so hidebound. In the end, what the Minister of State is talking about protecting is the privacy of adults who freely choose to go online to access pornography. I am not out – nor is this Bill – to attack their privacy rights, but the Government is putting those rights ahead of what is needed right now in order to protect children from being able to access pornography. That seems to be a bizarre situation.

We cannot have a bureaucracy-as-usual approach to this problem. The problem is urgent. Children are being damaged now. Pornography serves no social good that anybody in this room can identify, yet the Minister of State is so worried about approaches that would require digital age verification that would involve the storage of data, which people would freely choose to upload or provide to a third party in order that they can access pornography. He is so worried about adult privacy rights that he is not willing to commit to what is needed to protect children from being able to access pornography now.

There is one thing the Minister of State did not say. He said that there is already existing online safety regulation restricting access to pornography, but is it working? He did not make one iota of a claim to the effect that it is working. Right now, children are able to access pornography online and the Minister of State is telling me we already have a solution to this and we are working on a better one. In the meantime, we dare not act because the European Union might not let us. That is not going to endear the European Union to parents across this country if it is true that it is preventing the Government from acting in the way the Bill proposes. It is a fig leaf of an excuse. We saw the French act in such a way that they were able to design their measure around age verification. This Government is timid on this issue. If the future proposal is on an age verification mechanism in the context of an app, that is well and good, but right now the Government is not dealing with the problem.

The Minister of State has not answered the core question relating to the Bill, which is whether the Government agrees that it should be a criminal offence to fail to ensure that under-age persons can access online pornography. Insofar as Coimisiún na Meán is concerned, this

Bill excludes nothing in its approach. There is nothing to stop the coimisiún from being the organisation which, through the Minister, would designate certain documents as satisfying the requirement of age verification. What this Bill seeks to establish is what has always been the case where people engage in conducts that harm other people - that it would be a criminal offence. Right now, it is not a criminal offence to fail to ensure that children under the age of 18 cannot access pornography. That is a disgrace. The Government is continuing to disappoint people. The Minister of State was speaking out of both sides of his mouth when he said the Government is concerned about children and well done on this Bill, which we are not going to oppose but there are all these problems, especially around the privacy of people who want to freely go online and choose to access pornography. It is quite clear where the Government's priorities lie in respect of this. That is very much to be regretted.

I will make one final point. This Bill does not address the general question of adults accessing pornography, an activity that has no social utility. That is a problem which requires another social response. In the vanguard of demanding that response are the many women and feminist groups across the country that see the damage pornography is doing to relationships between men and women, although the dangers extend to men, women and children, family life and so on. It is not unreasonable or naive to hope that the day might come when pornography might not be available at all online but would be driven into the offline space. We would not be damaging free expression if we allow people certain access to pornography in the offline space. If we treat the online space as so difficult to manage in such a way that we can protect innocent users of that online space from being harmed, we would have a different attitude to what should or should not be allowed in the online space.

That is a debate for another day. For now, I can only regret that the Government has not clearly committed to supporting the principle that it must be a criminal offence, in addition to Coimisiún na Meán's regulatory work, to fail to carry out age verification and to fail to ensure that under-18s may not access pornography online.

Question put and agreed to.

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

Senator Rónán Mullen: Next Tuesday.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Committee Stage ordered for Tuesday, 14 July 2026.

An Leas-Chathaoirleach: Gabhaim buíochas leis an Aire Stáit as teacht isteach sa Teach inniu chun páirt a ghlacadh sa díospóireacht. When is it proposed to sit again?

Senator Anne Rabbitte: Tomorrow morning at 9.30 a.m.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Cuireadh an Seanad ar athló ar 7.25 p.m. go dtí 9.30 a.m., Déardaoin, an 9 Iúil 2026.

The Seanad adjourned at 7.25 p.m. until 9.30 a.m. on Thursday, 9 July 2026.