



TITHE AN OIREACHTAIS

AN COMHCHOISTE UM ACHAINÍOCHA ON bPOBAL

TUARASCÁIL BHLIANTÚIL 2018

HOUSES OF THE OIREACHTAS

JOINT COMMITTEE ON PUBLIC PETITIONS

ANNUAL REPORT 2018

Joint Committee on Public Petitions

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Chairman's Foreword

On behalf of the Joint Committee on Public Petitions, I am pleased to present the Annual Report of the Committee which sets out the work undertaken by it during the period January to December 2018.

The main role of the Joint Committee is to consider petitions received from members of the public on matters of general public concern, or interest in relation to their legislative powers, or an issue of public policy. The Committee exists to assist all members of society to voice their opinion on any issue of public importance, whether national or regional.

The Joint Committee met 15 times from January 2018 to December 2018. During this time, the Committee received 49 new petitions, of which it carried out consideration of 47 petitions. Of the petitions considered, 35 were closed and 10 were deemed to be inadmissible in accordance with the Terms of Reference of the Committee. The Committee also considered as issues of public policy matters relating to Personal Assistant Services and the Ombudsman's Casebook on nursing homes.

The work of the Joint Committee would not be possible without the continued co-operation of a number of key contributors. I would like to acknowledge the essential contribution of Government Departments and Public Bodies, and thank them for their continued assistance. I would also like to thank the petitioners for taking the time to engage with the Committee.

Joint Committee on Public Petitions

I would like to acknowledge and thank my colleagues on the Joint Committee and the staff of the secretariat for their continuous hard work and dedication in carrying out the important work of the Committee.



Sean Sherlock T.D.
Chairman
27 March, 2019

1. Content and Format of Report

This report has been prepared pursuant to Standing Order 89 (3), (4), (5) and (6) (Dáil Éireann) and Standing Order 76 (3), (4), (5) and (6) (Seanad Éireann), which provide for the Joint Committee to-

- undertake a review of its procedure and its role generally;
- prepare an annual work programme;
- lay minutes of its proceedings before both Houses;
- make an annual report to both Houses.

2. Establishment and Functions

2.1 Establishment of the Select Committee

On 12 July, 2016, Members were appointed by Order to serve on the Dáil's Select Committee on Public Petitions.

2.2 Establishment of the Joint Committee

On 20 July 2016, Members were appointed by Order to serve on the Seanad's Select Committee on Public Petitions, In accordance with Standing Orders, both Select Committees together form the Joint Committee on Public Petitions.

2.3 Functions of the Joint Committee

The Joint Committee on Public Petitions provides for a process whereby an individual person, a body corporate or an unincorporated association of persons can address a petition to the Houses of the Oireachtas. This is viewed as an important avenue for individuals to participate in the democratic process. The Joint Committee consists of seven members of Dáil Éireann and four members of Seanad Éireann. Members of the public are able to take their policy concerns directly to the heart of Parliament and to seek to influence the parliamentary agenda. Those wishing to submit a petition can do so in writing or online using webpages and forms designed for this specific purpose.

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2.4 Powers of the Joint Committee

The passage of resolutions by each House in adopting Standing Orders in relation to a petitions process enabled petitions to be addressed to the Houses of the Oireachtas on matters of general public concern, or interest in relation to their legislative powers or an issue of public policy.

The Joint Committee on Public Petitions is specifically charged with considering-

- petitions received by the Houses of the Oireachtas;
- such other matters as may be referred to the Joint Committee by the Houses of the Oireachtas; and
- any other matters.

The Joint Committee may also engage with the Committee on Petitions of the European Parliament, including in relation to the European Citizens' Initiative.

Petitions received stand referred to the Joint Committee on Public Petitions. In general, a petition must relate to a matter within the competence of the Houses of the Oireachtas and must not offend the usual parliamentary rules and practices (e.g. relates to a matter which is sub judice or is offensive or defamatory in nature). Some of the possible outcomes following consideration by the Committee are as follows:

- the referral of a petition to the Ombudsman, another Ombudsman or a regulatory public body or a body established for the purpose of redress;
- the referral of a petition to any other Joint Committee with a request for further consideration and report back to the Committee, once the matter has been considered by the Committee and it has been concluded to be of sufficient importance to require additional consideration;
- the making of a report made to the Houses of the Oireachtas with recommendations, including a request that the report be debated by the Dáil.

The Joint Committee is also required to consider such matters as may be referred to it by the Houses of the Oireachtas from time to time.

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The Joint Committee may take oral and written evidence and print and publish from time to time minutes of such evidence taken in public before it together with such related documents as it thinks fit, invite and accept written submissions from interested persons or bodies, draft recommendations for legislative change and for new legislation, or request a member of the Government or Minister of State to attend before it to discuss -

(a) policy or

(b) proposed primary or secondary legislation (prior to such legislation being published) for which he or she is officially responsible

The Joint Committee may also request principal office holders in bodies in the State which are partly or wholly funded by the State, or which are established or appointed by members of the Government, or by the Oireachtas to attend meetings of the Committee, as appropriate, to discuss issues for which they are officially responsible and which relates to a submitted petition.

The Orders of Reference of the Dáil Select Committee and Joint Committee are set out at Appendix 1

3. Chairman, Vice-Chairman and Membership

Dáil Standing Order 93(2) provides for a proportion of Chairs to be allocated to each group by means of the D'Hondt System. Deputy Sean Sherlock was appointed as Chairman of the Select Committee on 20th July, 2016 by a Resolution of Dáil Éireann. The Chairman of the Dáil Select Committee is also the Chairman of the Joint Committee. Senator Colette Kelleher was elected as Vice-Chairman of the Joint Committee on the 15th November 2016.

Membership of the Committee, including all internal changes within the reported period, is listed at *Appendix 2*.

4. Meetings, Attendance and Recording

Meetings of the Joint Committee and Select Committee took place in the Committee

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rooms in Leinster House 2000. Meetings were in public unless otherwise ordered by the Committee.

Committee proceedings were broadcast live within Leinster House and also made available to RTE, TV3 and TG4. Proceedings were also webcast making them available worldwide on the internet. Since September 2014, the proceedings of Committees in public session, typically recorded but occasionally live, are broadcast on the dedicated parliamentary channel Oireachtas TV which is available on these channels:

- Saorview 22, Sky 517, Virgin Media 207, eir Vision 504
- Vodaphone Channels 217, 207 and 208

An Official Report (Parliamentary Debates) of the public meetings of the Committee may be viewed on the Houses of the Oireachtas website at www.oireachtas.ie.

5. Number and Duration of Meetings

5.1 Joint Committee

The Joint Committee met on 15 occasions during the period under report. The number of hours of discussion involved in these meetings was in excess of 8.85 hours.

The subject matter of each meeting of the Joint Committee is detailed in Appendix 3. The Minutes of Proceedings of the Joint Committee in public session are attached at Appendix 4.

6. Witnesses attending before the Committee

During the period under report, the number of speaking witnesses attending before the Committees was 14.

7. Committee Reports Published

During the period under report, the Select or Joint Committee agreed 1 report – the Annual Report 2017.

8. Travel

During the period under report, the Select or Joint Committee did not undertake any travel.

9. Report on Functions and Powers

The Standing Orders of the Joint Committee on Public Petitions were amended by the Dáil on the 17th of January 2017 and 28th of March 2017 and by the Seanad on the 13 April 2017.

The Joint Committee is currently satisfied with its present procedures and role.



Sean Sherlock T.D.
Chairman
27 March, 2019

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APPENDIX 1: Orders of Reference

An Comhchoiste um Achainíocha ón bPobal

“111A. (1) Beidh arna bhunú, i ndiaidh ationól na Dála tar éis Olltoghcháin, Buan-Choiste, a chomhcheanglófar le Coiste dá shamhail de chuid Sheanad Éireann, chun bheith ina Chomhchoiste um Achainíocha ón bPobal, chun breithniú a dhéanamh ar an méid seo a leanas—

- (a) achainíocha ón bpobal a bheidh dírithe chuig Tithe an Oireachtais agus a bheidh arna dtarchur chuig an gCoiste de réir Bhuan-Orduithe 111B go 111E, go huile;
- (b) cibé nithe eile a tharchuirfidh Tithe an Oireachtais chuig an gCoiste; agus
- (c) aon nithe gaolmhara eile.

(1A) Féadfaidh an Coiste freisin breithniú a dhéanamh ar ní is díol imní nó spéise don phobal i gcoitinne i ndáil le cumhachtaí reachtacha Thithe an Oireachtais nó le saincheist beartais phoiblí: Ar choinníoll go rachaidh Cathaoirleach an Chomhchoiste, roimh thosach an bhreithnithe sin, i gcomhairle leis an gCoiste iomchuí arna bhunú de bhun Bhuan-Ordú 84A.

(2) Seacht gcomhalta de Dháil Éireann a bheidh ar an mBuan-Choiste. Ceathrar is córam don Chomhchoiste, ar comhalta de Dháil Éireann duine amháin díobh ar a laghad agus ar comhalta de Sheanad Éireann duine amháin díobh ar a laghad. Beidh Cathaoirleach an Chomhchoiste ina chomhalta nó ina comhalta de Dháil Éireann.

(3) Beidh na cumhachtaí seo a

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“111A. (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee, which shall be joined with a similar Committee of Seanad Éireann, to form the Joint Committee on Public Petitions, to consider—

- (a) public petitions addressed to the Houses of the Oireachtas which shall stand referred to the Committee in accordance with Standing Orders 111B to 111E, inclusive;
- (b) such other matters as may be referred to the Committee by the Houses of the Oireachtas; and
- (c) any other related matters.

(1A) The Committee may also consider a matter of general public concern or interest in relation to the legislative powers of the Houses of the Oireachtas or an issue of public policy: Provided that prior to the commencement of such consideration, the Chairman of the Joint Committee shall consult with the relevant Committee established pursuant to Standing Order 84A.

(2) The Standing Committee shall consist of seven members of Dáil Éireann. The quorum of the Joint Committee shall be four, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann. The Chairman of the Joint Committee shall be a member of Dáil Éireann.

(3) The Joint Committee shall have

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leanas ag an gComhchoiste:

- (a) na cumhachtaí a mhínítear i mBuan-Ordú 85, seachas míreanna (2A), (4A), (4B), (6A) agus (6B) den Bhuan-Ordú sin; agus
- (b) cumhacht chun aon ní a bheidh arna bhreithniú aige (agus ar cinneadh dóthain tábhachta a bheith leis chun go bhfuil gá le breithniú breise) a tharchur chuig an gComhchoiste iomchuí a bheidh arna cheapadh faoi Bhuan-Ordú 84A chun é a bhreithniú tuilleadh agus tuairisciú don Choiste.

(4) Beidh feidhm ag forálacha Bhuan-Ordú 95, seachas mír (1) den Bhuan-Ordú sin, maidir leis an gComhchoiste.

(5) Féadfaidh an Comhchoiste dul i mbun plé leis an gCoiste um Achainíochas de chuid Pharlaimint na hEorpa, lena n-áirítear plé i ndáil le Tionscnamh Eorpach na Saoránach.

(6) Beidh sé ina threoir don Chomhchoiste nach mbreithneoidh sé aon ní a bheidh á bhreithniú ag an gCoiste um Chuntais Phoiblí, nó ar thug an Coiste sin fógra faoi á rá go bhfuil beartaithe aige é a bhreithniú, i bhfeidhmiú a fheidhmeanna faoi Bhuan-Ordú 186 agus/nó Acht an Ard Reachtair Cuntas agus Ciste (Leasú), 1993.

(7) Ullmhóidh an Comhchoiste clár oibre bliantúil agus tuarascáil bhliantúil, mar atá leagtha amach i mBuan-Ordú 89, agus leagfar iad faoi bhráid dhá Theach an Oireachtais.

111B. (1) Féadfar achainí a dhíriú chuig Tithe an Oireachtais maidir le ní is díol inní nó spéise don phobal i gcoitinne i ndáil lena gcumhachtaí reachtacha nó le saincheist beartais poiblí.

the following powers:

- (a) the powers defined in Standing Order 85, other than paragraphs (2A), (4A), (4B), (6A) and (6B) thereof; and
- (b) power to refer any matter which has been considered by it (and which has been concluded to be of sufficient importance to require additional consideration) to the relevant Joint Committee appointed under Standing Order 84A for further consideration and report back to the Committee.

(4) The provisions of Standing Order 95, other than paragraph (1) thereof, shall apply to the Joint Committee.

(5) The Joint Committee may engage with the Committee on Petitions of the European Parliament including in relation to the European Citizens' Initiative.

(6) It shall be an instruction to the Joint Committee that it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts in the exercise of its functions under Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993.

(7) The Joint Committee shall prepare an annual work programme and an annual report as outlined in Standing Order 89, which shall be laid before both Houses of the Oireachtas.

111B. (1) A petition may be addressed to the Houses of the Oireachtas on a matter of general public concern or interest in relation to their legislative powers or an issue of public policy.

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(2) Féadfaidh pearsa aonair, comhlacht corpraithe nó comhlachas neamhchorpraithe daoine achainí a thaisceadh.

(3) Luafar go soiléir in achainí—

- (a) ainm an achainígh;
- (b) seoladh de chuid an achainígh ar chóir gach comhfhreagras a bhaineann leis an achainí a sheoladh chuige; agus
- (c) ainm agus seoladh aon duine atá ag tacú leis an achainí.

(4) Beidh gach achainí a dhíreofar chuig Tithe an Oireachtais arna tarchur chuig an gComhchoiste um Achainíocha ón bPobal (dá ngairtear ‘an Coiste’ sa Bhuan-Ordú seo agus i mBuan-Orduithe 111C, D agus E).

(5) Cinnfidh an Coiste, ó am go ham—

- (a) foirm chuí achainíocha;
- (b) an modh ar a dtaiscfear achainíocha leis na Tithe; agus
- (c) cibé nithe eile i ndáil le hachainíocha a bhreithniú is cuí leis an gCoiste agus nach ndéantar foráil lena n-aghaidh ar shlí eile sna Buan-Orduithe seo.

111C. (1) Tá achainí inghlactha mura rud é—

- (a) go n-iarrtar léi ar an Dáil aon ní a dhéanamh seachas ní a bhfuil cumhacht ag an Dáil é a dhéanamh;
- (b) nach gcomhlíonann sí na Buan-Orduithe nó nach bhfuil sí i bhfoirm chuí ar shlí eile;
- (c) go bhfuil sí *sub judice* de réir bhrí Bhuan-Ordú 59;

(2) A petition may be lodged by an individual person, a body corporate or an unincorporated association of persons.

(3) A petition shall clearly indicate—

- (a) the name of the petitioner;
- (b) an address of the petitioner to which all communications concerning the petition should be sent; and
- (c) the name and address of any person supporting the petition.

(4) All petitions addressed to the Houses of the Oireachtas shall stand referred to the Joint Committee on Public Petitions (referred to in this Standing Order and Standing Orders 111C, D and E as ‘the Committee’).

(5) The Committee shall, from time to time, determine—

- (a) the proper form of petitions;
- (b) the manner in which petitions are to be lodged with the Houses; and
- (c) such other matters in relation to the consideration of petitions as the Committee considers appropriate and which are not otherwise provided for in these Standing Orders.

111C. (1) A petition is admissible unless it—

- (a) requests the Dáil to do anything other than the Dáil has power to do;
- (b) does not comply with Standing Orders or is otherwise not in proper form;
- (c) is *sub judice* within the meaning of Standing Order

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- 59;
- (d) go bhfuil ainm nó ainmneacha pearsan aonair inti;
- (e) go bhfuil teanga inti atá maslach nó ar de chineál clúmhillteach í;
- (f) gurb ionann í agus achainí, nó go bhfuil sí i dtéarmaí atá go substaintiúil de shamhail achainí, a thionscain an duine céanna, an comhlacht corpraithe céanna nó an comhlachas neamhchorpraithe céanna, nó a tionscnaíodh thar a cheann nó thar a ceann, le linn shaolré na Dála sin agus a dúnadh le comhaontú an Choiste;
- (g) go bhfuil sí suaibhreasach, cráiteach nó gur mí-úsáid ar an gcóras achainíoch a í ar shlí eile; agus
- (h) go gceanglaítear léi ar an gCoiste gearán aonair a bhreithniú ab ábhar do chinneadh ó Ombudsman, nó ó chomhlacht rialála poiblí nó comhlacht arna bhunú chun críche sásaimh.
- (2) I ndáil le hachainíoch inghlactha, i gcás achainí ina bpléitear—
- (a) le nithe áitiúla nó réigiúnacha; nó
- (b) le nithe ar mó is cuí do chomhlacht rialála poiblí nó comhlacht arna bhunú chun críche sásaimh iad;
- suífidh an Coiste gur úsáid an t achainíoch na bealaí achomhairc nó sásaimh go léir atá ar fáil sula mbreithneoidh an Coiste an ní.
- (3) Breithneoidh an Coiste agus cinnfidh sé i gcás díospóide an
- (d) contains the name or names of individuals;
- (e) contains language which is offensive or in the nature of being defamatory;
- (f) is the same as, or in substantially similar terms to, a petition brought by or on behalf of the same person, body corporate or unincorporated association during the lifetime of that Dáil and which was closed by agreement of the Committee;
- (g) is frivolous, vexatious or otherwise constitutes an abuse of the petitions system; and
- (h) requires the Committee to consider an individual complaint which has been the subject of a decision by an Ombudsman, or by a regulatory public body or a body established for the purpose of redress.
- (2) In relation to admissible petitions, where a petition deals with—
- (a) local or regional matters; or
- (b) matters which are more appropriate to a regulatory public body or a body established for the purpose of redress;
- the Committee shall establish that all available avenues of appeal or redress have been utilised by the petitioner prior to the Committee considering the matter.
- (3) The Committee shall consider and decide in a case of dispute

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bhfuil achainí inghlactha agus tabharfaidh sé fógra don achainíoch faoina chinneadh agus faoi na cúiseanna atá leis an gcinneadh sin.

111D. (1) Má tá achainí inghlactha, déanfaidh an Coiste cibé gníomh is cuí leis i ndáil leis an achainí sin.

(2) Gan dochar do ghinearáltacht mhír (1), féadfaidh an Coiste—

- (a) an achainí a tharchur chuig Ombudsman nó chuig comhlacht rialála poiblí nó comhlacht arna bhunú chun críche sásaimh;
- (b) an achainí a tharchur chuig aon Choiste eile is cuí leis, mar aon le hiarraidh go ndéanfar í a bhreithniú tuilleadh agus tuairisciú don Choiste; agus
- (c) tuarascáil a thabhairt don Dáil mar aon le moltaí, lena n-áirítear iarraidh go ndéanfaidh an Dáil díospóireacht ar an tuarascáil.

(3) Tabharfaidh an Coiste fógra don achainíoch faoi aon ghníomh a dhéanfar faoi mhír (2).

111E. (1) Féadfaidh an Coiste achainí a dhúnadh aon tráth.

(2) I gcás go ndúnfaidh an Coiste achainí, tabharfaidh sé fógra don achainíoch go bhfuil an achainí dúnta agus faoi na cúiseanna ar dúnadh í.

111F. I gcás nach ndéanfaidh Roghchoiste, faoi Bhuan-Ordú 84A(8)(b), tuarascáil Ombudsman, nó cuid nó codanna di, a bhreithniú laistigh de thréimhse dhá mhí (gan tréimhsí sosa na Nollag, na Cásca nó an tsamhraidh a chur san áireamh) tar éis an tuarascáil a leagan faoi bhráid ceachtar Tí den

whether a petition is admissible and shall notify the petitioner of its decision and of the reasons for that decision.

111D. (1) If a petition is admissible, the Committee shall take such action as it considers appropriate in relation to that petition.

(2) Without prejudice to the generality of paragraph (1), the Committee may—

- (a) refer the petition to an Ombudsman or a regulatory public body or a body established for the purpose of redress;
- (b) refer the petition to any other Committee as it considers appropriate, with a request for further consideration and report back to the Committee; and
- (c) report to the Dáil with recommendations, including a request that the report be debated by the Dáil.

(3) The Committee shall notify the petitioner of any action taken under paragraph (2).

111E. (1) The Committee may close a petition at any time.

(2) Where the Committee closes a petition it shall notify the petitioner that the petition is closed and of the reasons for closing it.

111F. Where a Select Committee does not under Standing Order 84A(8)(b) consider an Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas, the

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Oireachtas nó faoi bhráid an dá Theach sin, cromfaidh an Coiste ar an tuarascáil Ombudsman, nó aon chodanna di nach mbeidh breithnithe ag an Roghchoiste, a bhreithniú.”,

Committee shall proceed to consider the Ombudsman report, or any portions thereof not considered by the Select Committee.”.

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APPENDIX 2: Membership

List of Members of the Joint Committee

Chairman: Sean Sherlock (LAB)

Deputies: Shane Cassells (FF)
Martin Heydon (FG)
Denise Mitchell (SF)
Dara Murphy (FG)
Eugene Murphy (FF)
Brendan Ryan (LAB)

Senators: Jerry Buttimer (FG)
Lynn Ruane (CEG)
Diarmuid Wilson (FF)
(*vacancy*)

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil of 12 July 2016.
2. Senators appointed to the Committee by the Seanad Committee of Selection and appointed by Order of the Seanad on 21st July 2016.
3. Deputy Dara Murphy was elected in place of Deputy John Paul Phelan on 28 September 2017.
4. Senator Denis Landy resigned from Seanad Éireann on 28 November 2017.
5. Senator Lynn Ruane was elected in place of Senator Colette Kelleher on 19 December 2018.

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APPENDIX 3: Meetings of the Joint Committee

The following are the details, in date order, of the scheduled meetings of the Joint Committee which took place during the period under report.

Meeting No. and Date	Topic	Organisations, Groups, Individuals who attended and petitions considered
J21 24/01/2018	Consideration of public petitions received and recording of decisions agreed	Petition No P00018/16 Petition No P00017/17 Petition No P00042/17 Petition No P00043/17 Petition No P00034/16
J22 7/02/2018	Consideration of public petitions received and recording of decisions agreed	Petition No P00041/17 Petition No P00003/18 Petition No P00044/17 Petition No P00026/17
J23 21/02/2018	Public Petition No P00013/17 "Make the new English Junior Cert Exam fairer by adding thirty extra minutes"	Petition No P00013/17 <i>Department of Education and Skills</i> <ul style="list-style-type: none"> • Ms. Rita Sexton, Assistant Principal Officer <i>State Examination Commission</i> <ul style="list-style-type: none"> • Mr. Aidan Farrell, CEO • Dr. Tim Desmond, Head of the Examinations and Assessment Division
J24 7/03/2018	Consideration of public petitions received and recording of decisions agreed	Petition No P00038/17 Petition No P00048/17 Petition No P00001/18 Petition No P00040/17
J25 21/03/2018		Adjourned no quorum
J26 18/04/2018	Consideration of public petitions received and recording of decisions agreed	Petition No P00025/17 Petition No P00033/17 Petition No P00030/17 Petition No P00047/17
J27 2/05/2018	Consideration of public petitions received and recording of decisions agreed	Petition No P00039/17 Petition No P00005/18 Petition No P00013/18 Petition No P00014/18

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Meeting No. and Date	Topic	Organisations, Groups, Individuals who attended and petitions considered
J28 16/05/2018	Personal Assistant Services for individuals with a disability	<p><i>Department of Health and Health Service Executive</i></p> <ul style="list-style-type: none"> • Ms. Patsy Carr, Principal Officer, Disability Unit, Department of Health • Ms. Marion Meany, Head of Disabilities Strategies and Planning, Health Service Executive <p><i>Áiseanna Tacaíochta</i></p> <ul style="list-style-type: none"> • Mr. Owen Collumb, Board Director, Áiseanna Tacaíochta • Ms. Eileen Daly, Leader <p><i>Disability Federation of Ireland</i></p> <ul style="list-style-type: none"> • Dr. Joanne McCarthy, Senior Executive Officer in Policy and Research • Mr. Garry Toner
J29 30/05/2018	Ombudsman's Nursing Home Casebook Consideration of public petitions received and recording of decisions agreed	<p><i>Office of the Ombudsman</i></p> <ul style="list-style-type: none"> • Mr Peter Tyndall, Ombudsman • Mr. Tom Morgan, Principal Officer • Ms. Jennifer Hanrahan <p>Petition No P00034/16 Petition No P00004/18</p>
J30 13/06/2018	Consideration of public petitions received and recording of decisions agreed	<p>Petition No P00023/17 Petition No P00025/18 Petition No P00010/18</p>
J31 27/06/2018	Consideration of public petitions received and recording of decisions agreed	<p>Petition No. P00008/17 Petition No. P00006/18 Petition No. P00024/18</p>
J32 11/07/2018	Consideration of public petitions received and recording of decisions agreed	<p>Petition No. P00002/18 Petition No. P00016/18 Petition No. P00034/17</p>

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Meeting No. and Date	Topic	Organisations, Groups, Individuals who attended and petitions considered
J33 26/09/2018 -	<p>Consideration of public petitions received and recording of decisions agreed</p> <p>Ombudsman's Nursing Home Casebook</p>	<p>Petition No. P00009/18 Petition No. P00045/17 Petition No. P00032/18</p> <p><i>Department of Health</i></p> <ul style="list-style-type: none"> • Jim Daly, Minister of State with special responsibility for Mental Health and Older People • Mr. Karl Duff, Assistant Principal
J34 10/10/2018	<p>Consideration of public petitions received and recording of decisions agreed</p> <p>Engagement with RTÉ to discuss issues relating to its orchestras</p>	<p>Petition No. P00019/18 Petition No. P00033/18 Petition No. P00037/18</p> <p><i>RTÉ</i></p> <ul style="list-style-type: none"> • Mr. Aodán Ó'Dubhghaill, Head of RTÉ Lyric FM and RTÉ Orchestras • Mr. Rory Coveney, Special Advisor to the Director-General • Mr. Mathew Horsman, Mediatique
J35 24/10/2018	<p>Consideration of public petitions received and recording of decisions agreed</p>	<p>Petition No. P00021/18 Petition No. P00026/18 Petition No. P00038/18 Petition No. P00016/18</p>
J36 21/11/2018	<p>Consideration of public petitions received and recording of decisions agreed</p>	<p>Petition No. P00028/18 Petition No. P00034/18 Petition No. P00035/18 Petition No. P00044/18</p>
J37 5/12/2018		Adjourned no quorum

Joint Committee on Public Petitions

APPENDIX 4: Minutes of Proceedings of the Joint Committee

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 24 JANUARY, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 13.35 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Brendan Ryan, Sean Sherlock (in the Chair)

Senators: Jerry Buttimer

Apologies were received from Deputies Dara Murphy, and Senator Colette Kelleher.

Also in attendance: Deputy Imelda Munster

The meeting went into **Private Session** at 1.36 pm.

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 14.02 pm.

7 Consideration of Public Petitions

7.1 Petition No. P00018/16 Dedicated queues for Irish Citizens and their Non-EU family members at passport control (Mr. Norman Wilson)

It was agreed to forward a copy of the response from the Department of Justice and Equality to the petitioner and close the petition

7.2 Petition No. P00017/17 Introduce refundable deposits on bottles and cans in Ireland (Mr. Mark Llewellyn)

It was agreed to forward a copy of the response from the Department of Communications, Climate Action and Environment to the petitioner, inform them of the Private Members Bill on Waste Reduction, and close the petition.

7.3 Petition No. P0042/17 Opposition to Social Media transparency Bill (Mr. Ciarán McMahon)

Joint Committee on Public Petitions

It was agreed to deem this petition inadmissible as per Standing Orders 111C (1) (f).

- 7.4 **Petition No. P000043/17-** Oppose PESCO – Ireland signing up to an EU Army (from Mr. Ciarán McMahon)

It was agreed to forward a copy of the Official Record of the Dáil from the motion debate to the petitioner and close the petition

- 7.5 **Petition No. P000034/16-** Lack of appeal opportunity for pension assessment (Mr. Joseph O'Shea)

It was agreed to:

Correspond with the Department of Justice and Equality asking them for clarification as to why the decision of the Ombudsman has not been enforced.

To forward a copy of the response from the Pensions Ombudsman in the UK for the attention of the Minister for Justice, and to suggest that consideration should be given to the powers of the Pensions Ombudsman in the UK with a view to implementing the same or similar in Ireland; and

Forward a copy of the all responses to the petitioner and leave the petition open.

8. Adjournment

The meeting was adjourned at 14.06 until Wednesday 7 February 2018 at 1.30 pm.

Mr Seán Sherlock, TD
Chairman
7 February, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 7 FEBRUARY, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 13.35 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Martin Heydon, Denise Mitchell, Sean Sherlock (Chair)

Senators: Jerry Buttimer

Apologies were received from Deputies Shane Cassells and Dara Murphy and from Senator Colette Kelleher.

The Committee agreed to go into **Private Session** at 13:36.

PRIVATE SESSION

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 13.54 pm

8. Consideration of Public Petitions

8.1 Petition No. P00041/17 – Reinstating the ECCE Scheme Over Age Exemption For Children With Special Needs (Ms Joanne Hegarty)

It was agreed to forward a copy of the response from the Department of Children and Youth Affairs to the petitioner and close the petition

8.2 Petition No. P00003/18 – Bring Irish hospitals up to an acceptable European Standard (Ms Alexandra Koster)

It was agreed to deem this petition inadmissible as per Standing Orders 111C (2)(a)(c).

Joint Committee on Public Petitions

8.3 **Petition No. P00044/17** – End The Irish Arms Trade With Israel (Ms Fatin Al Tamini)

The Committee agreed to forward a copy of the response from the Department of Foreign Affairs and Trade to the petitioner and close the petition.

Petition No. P000026/17- To Remove the Statue of Prince Albert From the Grounds of Leinster House (Ms. Aideen Darmody)

It was agreed to deem the petition inadmissible as per Standing Order 111C (1)(a). The Committee was not in favour of the removal of the statue. It was also agreed to correspond with the OPW's Art Management office to ascertain the ownership of the statue of Prince Albert, and its views (if any) on the possible re-location of the statue in the grounds of Leinster House in the context of the current refurbishment works.

9. Adjournment

The meeting was adjourned at 14.10 pm until Wednesday 21 February 2018 at 1.30 pm.

Mr Seán Sherlock, TD
Chairman
21 February, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 21 FEBRUARY, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 13.34 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Martin Heydon, Denise Mitchell, Eugene Murphy, Tom Neville*
Sean Sherlock (Chair)

Senators: Jerry Buttimer

*In substitution for Martin Heydon at the start of the meeting.

Also in attendance was Senator Aidan Davitt

Apologies were received from Deputies Shane Cassells and Dara Murphy.

The meeting went into **Private Session** at 13.36 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The Committee went into public session at 13:44 p.m.

7. Meeting suspended

The meeting was suspended at 13:44 p.m. until 13:45 p.m.

8. Engagement with Officials from the State Examinations Commission and the Department of Education and Skills Decisions on Public

The Committee heard a combined presentation from the State Examination Commission and the Department of Education and Skills in relation to petition No P00013/17 from Ms. Tara O'Sullivan entitled "*Make the New English Junior Cert Exam fairer by adding Thirty Extra Minutes*".

Joint Committee on Public Petitions

Following consideration of the presentation and overall position of the State Examinations Commission and the Department of Education, along with the overall facts and circumstances of the case, it was agreed to forward a copy of the information provided by the SEC and the Department to the petitioner and close the petition.

9. Adjournment

The Committee adjourned at 14:28 p.m. until Wednesday 7 March 2018 at 1:30 pm.

Mr Seán Sherlock, TD
Chairman
7 March, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 7 MARCH, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.35 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Denise Mitchell, Sean Sherlock (Chair)

Senators: Jerry Buttimer

Apologies were received from Deputies Martin Heydon (substituted by Joe Carey) and Dara Murphy, and Senator Colette Kelleher.

Also in attendance: Deputy Imelda Munster

The meeting went into **Private Session** at 1.36 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 2.12 pm.

7. Consideration of Public Petitions

7.1 Petition No. P00038/17 from Mr. Paddy Lambe entitled "Bureaucracy and the Public Services Card". This petition objects to having to obtain a Public Services Card (PSC) in order to sit a theory test to obtain an additional category on a driving licence.

Following consideration, it was decided to forward a copy of the response from the Department of Public Expenditure and Reform to the petitioner and close the petition.

7.2 Petition No. P00048/17 from Mrs Anna McKenna entitled "Drogheda City Status". This petition would like to see Drogheda, Co. Louth, attain city status.

Following consideration, it was agreed to leave the petition open pending the publication of a report pursuant to the Programme for a Partnership

Joint Committee on Public Petitions

Government on potential measures to boost local government leadership and accountability. It was further agreed to forward a copy of the response from the Department of Housing, Planning and Local Government to the petitioner and Members of both Houses from the constituencies of Meath and Louth. It was also agreed to review this in a 6 month timeframe.

- 7.3 **Petition No. P0001/18** from Mr Christopher Poole entitled “The People against plastic ties”. The petition opposes 6-pack plastic rings due to environmental concerns as they pose a danger to wildlife that get caught in the loops of the device. The petitioner would like to see a legal ban on these.

Following consideration, it was agreed to forward a copy of the response from the Department of Communications, Climate Action and Environment to the petitioner, inform him of the Private Members Bill on Waste Reduction, and close the petition.

- 7.4 **Petition No. P00040/17** from Ms Aideen Fahy entitled “HSE: Stop the ticking time bomb, make lifesaving Resprezza available to us now”. This petition concerns the licensing of the drug Resprezza, which was available on a clinical trial basis.

Following consideration and in line with the petitioner’s wishes, it was agreed to deem the petition withdrawn.

8 Adjournment

The meeting was adjourned at 14.22 until Wednesday 21 March 2018.

Mr Seán Sherlock, TD
Chairman
18 April, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 18 APRIL, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 3, LH 2000, commenced at 1.31 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Denise Mitchell, Eugene Murphy, Brendan Ryan and Sean Sherlock (Chair)

Senator: Jerry Buttimer

Apologies were received from Deputy Dara Murphy

Also in attendance: Senator John Dolan

The meeting went into **Private Session** at 1.32 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 2.46 pm.

8. Consideration of Public Petitions

8.1 Petition No. P00038/17 from Mr. Adair Cowan entitled “AMRF Rule Change”. The petitioner was seeking a legislative amendment to be included in Budget 2018 (Finance Act 2018) to allow him, as a holder of an AMRF, to make withdrawals subject to the same rules as applied when he made the investment in in 2013.

Following consideration, it was agreed to forward a copy of the response from the Minister for Finance to the petitioner and close the petition.

8.2 Petition No. P00033/17 from Mr Robbie O’ Sullivan entitled “Traffic and remote working”. The petitioner suggested that tax incentives would encourage companies to facilitate employees to work from home, and cite the

Joint Committee on Public Petitions

benefits as reduced traffic, reduced carbon emissions and reduces costs to companies.

Following consideration, it was agreed to forward a copy of the response from the Department of Business, Enterprise and Innovation to the petitioner and close the petition.

- 8.3 **Petition No. P00030/17** from Ms Arjita Chawla, entitled “Request for Amending Legislation relating to dog control”. The petitioner was seeking to amend current dog control legislation to enable a person to initiate a prosecution of dog owners for dog fouling, and for allowing their dogs in public places off- leash and unattended.

Following consideration, it was agreed to close the petition and correspond with the petitioner informing them of this decision.

- 8.4 **Petition No. P00047/17** from Mr Oisin McCaul, entitled “Nationalise the Irish Central Bank”. The petitioner suggested the end of the practice of “fractional reserve banking” and a change to the standing of the Central Bank.

Following consideration, it was agreed to forward a copy of the response from the Central Bank to the petitioner and close the petition.

9. Adjournment

The meeting was adjourned at 13.49 pm until Wednesday 2 May 2018.

Mr Seán Sherlock, TD
Chairman
2 May, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 02 MAY, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.32 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Denise Mitchell, Eugene Murphy, Brendan Ryan and Sean Sherlock (Chair)

Senators: Jerry Buttimer and Colette Kelleher

Apologies were received from Deputy Dara Murphy and Senator Diarmuid Wilson

The meeting went into **Private Session** at 1.33 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 1.35 pm.

7. Consideration of Public Petitions

7.1 Petition No. P00039/17 from Mr Christopher Wild. This petition seeks the closure of the Dáil bar in Leinster House. The petitioner believes that this would be in the public interest as Leinster House is a place of work and should lead by example.

Following consideration, it was agreed to deem the petition inadmissible under Standing Orders 111B (1)(c) on the grounds that it does not comply with Standing Orders.

7.2 Petition No. P00005/18 from Ms Elizabeth Hourihane. This petition would like to see the reclassification of addiction issues as a mental health issue. The petitioner believes that there is an anomaly in the Mental Health Act 2001 which does not address addiction and would like to see this changed through legislation.

Joint Committee on Public Petitions

Following consideration, it was agreed to forward a copy of the response from the Department of Health to the petitioner and close the petition.

- 7.3 **Petition No. P00013/18** from Mrs Collette McDonald. This petition would like to see the reclassification of first-time buyer status to allow those who have not owned a home for a number of years to be regarded as a first-time buyer. As an example, the petitioner cites those who have lived out of the country for a number of years and migrated home.

Following consideration, it was agreed to forward a copy of the response from the Department of Finance to the petitioner and close the petition.

- 7.4 **Petition No. P00014/18** from Mr Shane McSweeney. The petitioner objects to the Taoiseach inviting the President of the United States of America to visit Ireland. The petitioner feels that Ireland should take a stand against policies of the President.

Following consideration, it was agreed to deem the petition inadmissible as per Standing Orders 111B(1) and 111C (1)(a).

8. Adjournment

The meeting was adjourned at 1.37 pm until Wednesday 16 May 2018.

Mr Seán Sherlock, TD
Chairman
16 May, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 16 MAY, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.36 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Eugene Murphy and Sean Sherlock (Chair)

Senators: Jerry Buttimer and Colette Kelleher

Apologies were received from Deputy Martin Heydon

Also in attendance: Senator John Dolan.

The meeting went into **Private Session** at 1.37 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. Vice-chair Chairing the Meeting

It was agreed, that as per Standing Order 93(3) of Dáil Éireann and 73(2) of Seanad Éireann, the Vice-Chair, Senator Collette Kelleher would Chair the meeting in the unavoidable absence of the Chairman.

The meeting went into **Public Session** at 1.52 pm.

8. Consideration of Public Petitions

8.1 Petition No. P00017/18 from Mr Mark Larkin. This petition would like to see the voting age lowered to 17 years for local and European Elections in 2019. The petitioner believes that, as many 17-year-olds are in part-time employment, they are paying taxes and should have representation.

Following consideration, it was agreed to forward a copy of the response from the Department of Housing, Planning and Local Government to the petitioner and close the petition.

Joint Committee on Public Petitions

8.2 **Petition No. P00005/18** from Mr John Finnane. This petition concerns a complaint of abuse of an individual against the Garda Síochána. The petitioner states that he has gone to the Garda Ombudsman with this.

Following consideration, It was agreed to deem this petition inadmissible in accordance with Standing Order 111C(1)(h).

9. **Personal Assistant Services for Individuals with a Disability**

The Chair welcomed the following witness to the meeting:

Department of Health and Health Service Executive

Ms. Patsy Carr, Principal Officer, Disability Unit

Ms. Marion Meany, Head of Disabilities Strategies and Planning

Áiseanna Tacaíochta

Mr. Owen Collumb, Board Director

Ms. Eileen Daly, Leader

Disability Federation of Ireland

Dr. Joanne McCarthy, Senior Executive Officer in Policy and Research

Mr. Garry Toner

Debate ensued and concluded. Following consideration of the presentations the Acting Chair thanked the witnesses for appearing before the Committee, and indicated that the Joint Committee would consider preparing a report on the matter.

10. **Adjournment**

The meeting was adjourned at 3.00 pm until Wednesday 30 May 2018.

Senator Colette Kelleher
Vice-Chair
30 May, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 30 MAY, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.37 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Denise Mitchell, Eugene Murphy and

Senators: Jerry Buttimer and Colette Kelleher (Chair)

Apologies were received from Deputies Martin Heydon, Dara Murphy and Sean Sherlock

The meeting went into **Private Session** at 1.38 pm.

3. Vice-chair Chairing the Meeting

It was agreed that, in accordance with Standing Order 93(3) of Dáil Éireann and 73(2) of Seanad Éireann, the Vice-Chair, Senator Colette Kelleher chaired the meeting in the absence of the Chairman.

Private Session

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 1.55 pm.

8. Consideration of Public Petitions

8.1 Petition No. P00034/16 from Mr Joseph O' Shea. The petitioner is seeking a mechanism to appeal decisions of the Minister for Justice and Equality on the determination of the level of disablement under the Garda Pensions Order 1925.

Following consideration, it was agreed to forward a copy of the response from the Minister for Justice and Equality to the petitioner and close the Petition.

Joint Committee on Public Petitions

8.2 **Petition No. P00004/18** from Mr Patrick Kelly. This petition seeks the same automatic guardianship rights for un-married fathers as those of married fathers. It suggests that a father's name on a birth certificate should bestow the same rights to unmarried fathers instead of having to pursue this through the Courts.

Following consideration, it was agreed to forward a copy of the response from the Minister for Justice and Equality to the petitioner and close the Petition.

9. **Engagement with Mr Peter Tyndall, Ombudsman, regarding the Ombudsman's Nursing Home Casebook**

The Chair welcomed Mr Peter Tyndall (Ombudsman) along with Mr Tom Morgan and Ms Jennifer Hanrahan from his Office.

Following the Ombudsman's presentation, there was discussion between the members and the Ombudsman on issues arising. When this was completed, the Acting Chair thanked the witness for appearing before the Committee, and indicated the Committee's support of the recommendations of the Ombudsman.

The Joint Committee also agreed to correspond with and invite Mr Jim Daly, Minister of State with special responsibility for Mental Health and Older People, to a meeting with the Committee for an update on the issue.

10. **Adjournment**

The meeting was adjourned at 2.32 pm until Wednesday 13 June 2018.

Mr Seán Sherlock, TD
Chairman
13 June, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

Minutes of meeting on 13 June, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.34 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Eugene Murphy and Sean Sherlock (Chair)

Senators: Jerry Buttimer

Apologies: Deputy Dara Murphy

The meeting went into **Private Session** at 1.35 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

7. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 1.46 pm.

8. Consideration of Public Petitions

8.1 Petition No. P00023/17 from Ms. Judith Clarke and Mr. Shane Dunphy. The petitioners are seeking the opening of an Autism Spectrum Disorder (ASD) Unit in all primary and secondary schools. They state that parents often have to bring their children to school in another county, town or miles away from their home to access a school with an ASD class

Following consideration, it was agreed to forward the observations of the Minister for Education and Skills to the petitioner and to close the petition, and that we request the Department of Education and Skills, with the NCSE, to take account of the views of the advocacy groups.

8.2 Petition No. P00025/18 from Ms Regina Byrne. This Petition objects to 'Abortion on demand' and would like to see abortion on demand up to 12 weeks of pregnancy abolished.

Joint Committee on Public Petitions

Following consideration, it was agreed that the Joint Committee would deem the petition inadmissible in accordance with Standing Order 111C (1)(a).

- 8.3 **Petition No. P00010/18** from Mr Stephen Fitzpatrick. This petition concerns the consolidation of statutory amendments instead of amending them. The petitioner proposes that consolidating statutory would be publically beneficial as it would make laws more accessible and transparent to all and could result in the reduction of legal fees.

Following consideration, it was agreed to, forward a copy of the observations from the AGs Office and the Law Reform Commission to the petitioner, inform him of the intended upcoming report by the Law Reform Commission on this issue, and close the petition.

9. **Adjournment**

The meeting was adjourned at 1.52 pm until Wednesday 27 June 2018.

Mr Seán Sherlock, TD
Chairman
27 June, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 27 JUNE, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.37 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Denise Mitchell, Shane Cassells and Sean Sherlock (Chair)

Senator: Diarmuid Wilson

Apologies: Deputy Dara Murphy and Senators Jerry Buttimer and Colette Kelleher

The meeting went into **Private Session** at 1.38 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 1.41 pm.

7. Consideration of Public Petitions

7.1 Petition No. P00008/17 from Mr Martin McGowan. This petition is seeking the putting in place of legislation to control high hedges similar to legislation in place in the UK and Northern Ireland - specifically in relation to overgrown Leylandii trees on properties that are affecting the petitioner's and neighbours properties. This is the second consideration of this petition

Following consideration, it was agreed to forward a copy of the latest reply from the Department of Housing, Planning and Local Government to the petitioner with a copy of the Mediation Act 2017 and close the petition.

7.2 Petition No. P00006/18 from Mr Peter Keating seeking the removal of the Sean Russell Memorial Statue from Fairview Park in Dublin. The petitioner believes the statue is a symbol of Irish Republican collaboration with Nazi Germany.

Joint Committee on Public Petitions

Following consideration, it was agreed to forward a copy of the reply from Dublin City Council to the petitioner and close the petition.

- 7.3 **Petition No. P00024/18** from Mr Ray Neville concerning motor tax. The petitioner feels the motor tax system it's a 2 tier system where those who can afford a newer car pay less motor tax. The petitioner also feels that pre-2008 cars are subsidising the motor tax and water tax of owners of newer cars.

Following consideration, it was agreed to forward a copy of the reply from the Office of the Minister for Transport, Tourism and Sport to the Petitioner and close the petitioner.

8. Adjournment

The meeting was adjourned at 1.48 pm until Wednesday 11 July 2018

Mr Seán Sherlock, TD
Chairman
11 July, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 11 JULY, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.32 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Martin Heydon, Timmy Dooley*, Denise Mitchell, Eugene Murphy, Brendan Ryan and Sean Sherlock (Chair)

Senator: Jerry Buttimer

Apologies: Deputy Dara Murphy and Senator Colette Kelleher

*In substitution for Deputy Shane Cassells

The meeting went into **Private Session** at 1.33 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 1.40 pm.

7. Consideration of Public Petitions

7.1 **Petition No. P00034/2017** from Mr David Fallon concerning the preservation of the Irish red fox.

Following consideration, it was agreed to forward a copy of the reply from the Department of Culture, Heritage and the Gaeltacht to the petitioner and close the petition.

7.2 **Petition No. P00002/18** from Mr Tony Lowes concerning the release of information by the Department of Agriculture, Food and the Marine.

Following consideration, it was agreed to deem the petition inadmissible under Standing Order 111C (1)(h) and also to forward a copy of the reply from the Department of Agriculture, Food and the Marine to the petitioner.

Joint Committee on Public Petitions

- 7.3 **Petition No P00016/18** from Ms Sarah Joyce, concerning orchestral provision in Ireland.

Following consideration, it was agreed to invite the Director General of RTÉ to attend a meeting of the Joint Committee on Public Petitions to clarify issues relating to orchestral provision. It was also agreed to forward a copy of all responses received to the petitioner and to keep the petition open.

9. Adjournment

The meeting was adjourned at 1.48 pm until Wednesday 26 September 2018.

Mr Seán Sherlock, TD
Chairman
26 September, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 26 SEPTEMBER, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.39 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells and Sean Sherlock (Chair)

Senators: Jerry Buttimer and Diarmuid Wilson

Apologies: Deputies Dara Murphy and Martin Heydon and Senator Colette Kelleher

The meeting went into **Private Session** at 1.40 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public session** at 1.45 pm.

7. Consideration of Public Petitions

7.1 **Petition No. P00045/2017** from Mr Peter Hughes concerning a firearms amnesty.

Following consideration, it was agreed to forward a copy of the reply from the Department of Justice and Equality to the petitioner and close the petition. Separately, it was agreed to correspond with the Department of Justice and Equality asking whether they will consider an amnesty along the lines of the previous amnesty in the future.

7.2 **Petition No. P00009/18** from Mr Daniel Lannon. This petition concerns the amendment of Section 53 of the Criminal Justice (Theft and Fraud Offences) Act 2001.

Following consideration, it was agreed to forward a copy of the reply from the Department of Justice and Equality to the petitioner and close the petition.

Joint Committee on Public Petitions

- 7.3 **Petition No. P00032/18** from Ryan Campbell. This petition concerns the transfer of farm land in South Africa.

Following consideration, it was agreed to forward a copy of the reply from the Department of Foreign Affairs and Trade and close the petition.

8. **Ombudsman's Nursing Home Casebook**

The Chair welcomed Minister of State Jim Daly, with special responsibility for Mental Health and Older People.

Following the Minister's presentation, there was discussion between the members and the Minister. At the conclusion of the discussion, the Chair thanked Minister Daly for appearing before the Committee

9. **Adjournment**

The meeting was adjourned at 2.13 pm until Wednesday 10 October 2018.

Mr Seán Sherlock, TD
Chairman
10 October, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 10 OCTOBER, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.35 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Martin Heydon, Dara Murphy, Eugene Murphy and Sean Sherlock (Chair)

Senators: Jerry Buttimer

The meeting went into **Private Session** at 1.36 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into Public Session at 1.40 pm.

7. Consideration of Public Petitions

7.1 **Petition No. P00019/18 from Ms Angela Dunne**, this petition concerns the allocation of administrative leave (release days) for teaching Principals.

Following consideration, it was agreed to forward a copy of the reply from the Department of Education and Skills to the petitioner and close the petition.

7.2 **Petition No. P00033/18 from Mr Daniel Ryan** concerning freedom of speech in Ireland.

Following consideration, it was agreed to forward a copy of the reply from the Department of Justice and Equality to the petitioner and close the petition.

7.3 **Petition No. P00037/18 from Mr David Layton**. This Petition concerns the Spawell leisure centre in South Dublin.

Following consideration, It was agreed to deem the petition inadmissible in accordance with Standing Orders and 111C (1)(a).

Joint Committee on Public Petitions

9. The provision of Orchestral services by RTÉ

The Chair welcomed from RTE – Mr Aodán Ó'Dubhghaill, Head of RTÉ Lyric FM and RTÉ Orchestras, MR Rory Coveney, Special Advisor to the Director-General, RTÉ, and Mr Mathew Horsman, Mediatique.

Following a presentation, there was discussion between the members and the witnesses. At the conclusion of the discussion, the Chair thanked the RTE delegation for appearing before the Committee.

The Committee also agreed to correspond further with the Department of Culture, Heritage and the Gaeltacht to ascertain actual and envisaged progress in relation to the Oversight Group and the Working Group, which were to be established to move towards implementation of the Boaden Report.

9. Adjournment

The meeting was adjourned at 2.42 pm until Wednesday 24 October 2018.

Mr Seán Sherlock, TD
Chairman
24 October, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 24 OCTOBER, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.39pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Eugene Murphy and Sean Sherlock (Chair)

Senator: Gerry Horkan (in substitution for Senator Jerry Buttimer)

Apologies: were received from Deputy Dara Murphy and Senator Buttimer (engaged in the Seanad at the time).

The meeting went into **Private Session** at 1.40 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 1.42 pm.

7. Consideration of Public Petitions

- 7.1 **Petition No. P00021/18** from Mr Brendan Connors. This petition seeks the amendment of roads legislation which would see that all local roads serving *private* dwellings are classified as public roads.

Following consideration, it was agreed to forward a copy of the reply from the Department of Tourism, Transport and Sport to the petitioner and close the petition.

- 7.2 **Petition No. P00026/18** from Mr Shane Nolan. This petition proposes that marijuana for medical purposes be made available on the basis of need as prescribed by a doctor.

Following consideration, it was agreed to forward a copy of the reply from the Department of Health to the petitioner and close the petition.

Joint Committee on Public Petitions

- 7.3 **Petition No. P00038/18** from Ms Bernadette Flood. This Petition concerns conscientious objection in cases of termination of pregnancy, specifically for pharmacists.

Following consideration, it was agreed to write to the petitioner informing her that the Houses of the Oireachtas has just begun to consider the matter and, on this basis, to close the petition.

- 7.4 **Petition No. P00016/18 from Sarah Joyce.** This petition concerns orchestral provision in Ireland, which the petitioner feels are an intrinsic aspect of cultural life.

Following consideration, it was agreed to forward a copy of the response from the Department of Culture, Heritage and the Gaeltacht to the petitioner and to close the Petition.

8. **Adjournment**

The meeting was adjourned at 1.44 pm until Wednesday, 21 November, 2018.

Mr Seán Sherlock, TD
Chairman
21 November, 2018

Joint Committee on Public Petitions

JOINT COMMITTEE ON PUBLIC PETITIONS

MINUTES OF MEETING ON 21 NOVEMBER, 2018

Public Session

1. Commencement of meeting

The meeting, which took place in Committee Room 1, LH 2000, commenced at 1.37 pm, a quorum being present.

2. Attendance

The following members were present:

Deputies: Shane Cassells, Eugene Murphy, Brendan Ryan and Sean Sherlock (Chair)

Senator: Jerry Buttimer

Apologies: were received from Martin Heydon and Dara Murphy

The meeting went into Private Session at 1.38 pm.

Private Session

3. ITEM DISCUSSED IN PRIVATE SESSION

4. ITEM DISCUSSED IN PRIVATE SESSION

5. ITEM DISCUSSED IN PRIVATE SESSION

6. ITEM DISCUSSED IN PRIVATE SESSION

The meeting went into **Public Session** at 1.42 pm.

7. Consideration of Public Petitions

- 7.1 **No. P00028/18** from **Cillian O'Donovan**. This petition would like to see the introduction of legislation to ensure consumers have a mandatory 90-day minimum notice to be given before any price increase in utility bills takes effect. This 90 day period would allow people to adapt to price increases

Following consideration, it was agreed to forward a copy of the response from the Department of Communications, Climate Action and Environment to the petitioner and deem the petition inadmissible under Standing Order 111C(2)(b).

- 7.2 **Petition No. P00034/18** from **Ms Emma Watson**, This petition would like to see the means testing of carers allowance ended. She would like to see this as she views the allowance as a payment for caring for a dependant person.

Joint Committee on Public Petitions

Following consideration, it was agreed to forward the response on from the Department of Employment Affairs and Social Protection to the petitioner and close the petition.

- 7.3 **Petition No.P00035/18 from Ms Tracey McCabe.** This petition concerns the payment of the Christmas bonus to some social welfare recipients. The petitioner would like to see this ended and instead to have the public expenditure involved to be re-invested into housing.

Following consideration, it was agreed to forward the response from the Department of Employment Affairs and Social Protection to the petitioner and close the petition.

- 7.4 **Petition No. P00044/18 from Mr Darryl O'Callaghan.** This petition concerns the official Dublin Christmas tree lighting ceremony which is not going ahead.

Following consideration, it was agreed to forward a copy of the response from Dublin City Council to the petitioner, to correspond further with Dublin City Council asking if they intend to review this decision in the future and leave the petition open.

8. Adjournment

The meeting was adjourned at 1.54 pm until Wednesday, 5 December, 2018.

Mr Seán Sherlock, TD
Chairman
15 January, 2019