

DÁIL ÉIREANN

AN COISTE UM ACHAINÍOCHA ÓN BPOBAL

COMMITTEE ON PUBLIC PETITIONS

Déardaoin, 14 Deireadh Fómhair 2021

Thursday, 14 October 2021

Tháinig an Comhchoiste le chéile ag 1.30 p.m.

The Joint Committee met at 1.30 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Pat Buckley,	Jerry Buttimer,
Cormac Devlin,	Eugene Murphy.
Richard O'Donoghue,	
Pádraig O'Sullivan.	

Teachta / Deputy Martin Browne sa Chathaoir / in the Chair.

Business of Joint Committee

Chairman: I welcome the members to our virtual public meeting this afternoon using Microsoft Teams. We have apologies from Senators Craughwell and Warfield.

The Ceann Comhairle of the Dáil, Deputy Ó Feargháil, and the Cathaoirleach of the Seanad, Senator Mark Daly, have appealed to everybody in the parliamentary community to continue to follow public health advice, wear a mask and maintain social distancing. I request that members, witnesses and staff use the wipes and hand sanitiser provided to clean shared seats and desks so as to supplement regular sanitation. This will help ameliorate the risk of Covid-19, including the Delta variant, spreading among the parliamentary community.

Members and all in attendance are asked to exercise personal responsibility in protecting themselves and others from the risk of contracting Covid-19. They are strongly advised to practice good hand hygiene and will note every second seat in the committee room has been removed from use in order to facilitate social distancing. I urge those attending not to move any chair from its current position and they should always maintain an appropriate level of social distancing during and after the meeting. Masks, preferably of medical grade, should always be worn during the meeting, except when speaking. I ask for members' full co-operation in this regard.

The first item on the agenda is the approval of minutes from the previous meeting. I propose we approve the minutes of the private and public meetings of 30 September 2021, as already approved in private session. This must be done for procedural reasons. Is that agreed? Agreed.

I remind members of the constitutional requirement that they must be physically present within the confines of the place in which Parliament has chosen to sit, namely, Leinster House, to participate in public meetings. I will not permit a member to participate where he or she is not adhering to this constitutional requirement. Therefore, any member who attempts to participate from outside the precincts will be asked to leave the meeting.

Decisions on Public Petitions Received

Chairman: The second item on the agenda is consideration of public petitions. We have nine petitions for consideration this afternoon. Summary notes and replies from Departments and other bodies were circulated to members. The question is that the petitions considered by the committee at this meeting and the previous meeting may be published and that the replies from the Departments and other bodies may also be published. Is that agreed? Agreed.

The first petition for consideration is No. 11/21, regarding a homeless persons unit maladministration and misapplication of the British-Irish common travel area agreement policy from section 246 of the Social Welfare Consolidation Act 2005 from Ms Paula Douglas. The recommendation from the private session is that the correspondence from Dublin City Council be forwarded to the petitioner and that in light of the response from Dublin City Council, the petition be closed. Do members have any views on this? Is it agreed to close the petition? Agreed.

Our second petition is No. 14/21, family liaison officer among prisons human rights investigation and rapid response in medical emergency cases. This is from Ms Nicole Coleman. The recommendation from the earlier private session is that the correspondence from the Depart-

ment of Justice be sent to the petitioner for comment. Do the members have any views on this? We agreed to look for more information and the petitioner is aware that the chaplain is being used as a liaison officer in the prison currently. We want to know if the petitioner has a problem with the chaplain continuing in that role or is there a reason she is looking for an individual liaison officer. The secretariat has agreed to get more information for us and we will follow it up at the next meeting. Is that agreed? Agreed.

Our third petition is No. 18/21 and it concerns the need to prioritise urgent environmental issues and enforce actions against non-adherence to environmental laws and regulations, and comes from Ms Alexandra Koster. The recommendation is that the correspondence from the Department of the Environment, Climate and Communications be sent to the petitioner for comment. Do members have any views?

Senator Eugene Murphy: I was unavoidably absent from the meeting, which had just completed when I got to it. I was tied up with other issues. Can we deal with the specifics of that, for my information? Is that particular lady petitioner referring to a specific case or cases, or is it just a general type of comment that all laws relating to environmental issues should be adhered to?

Chairman: We can discuss it. Is there anything contained in the summary that was circulated that caught the Senator's eye?

Senator Eugene Murphy: There is not, and if the recommendation from the committee is to go forward, I will fully endorse it. My questions are not based on what is in front of me. I was wondering how the matter was discussed at the committee meeting this morning in terms of the comments the petitioner was making. I presume she is referring to the matter from a general perspective. Is that correct?

Chairman: That is correct.

Deputy Pat Buckley: The response from the secretariat was huge. It is like a book, such was the depth of the reply.

Senator Eugene Murphy: I agree.

Deputy Pat Buckley: I want to acknowledge the work the secretariat has put in. It is a fair and strongly-worded reply. It is practically self-explanatory. I wanted to put that on the record.

Senator Eugene Murphy: That was not my issue at all and I was not questioning that. This is a significant issue now and I was wondering how the committee dealt with it this morning. I acknowledge the amount of information that has come from the secretariat and I am in no way pointing a finger at it.

Deputy Pat Buckley: Indeed. I was not responding to the Senator; my words were intended for the secretariat.

Chairman: We agreed that the information would be sent to the petitioner for comments and views and that we could then revisit the matter.

Senator Eugene Murphy: That is fully acceptable.

Chairman: The fourth petition is No. 19/21, concerning a ban on the advertising of all fossil fuel and hybrid vehicles on all Irish media, and comes from Mr. Cormac McKay. The rec-

ommendation is that the correspondence from the Advertising Standards Authority of Ireland, ASAI, be forwarded to the petitioner for comment. Do members have any views? Is it agreed that we will send that information to the petitioner, ask for a comment and revisit the issue once the petitioner has the correspondence from the ASAI? Agreed.

Our fifth petition is No. 21/21, relating to taking in charge, from Mr. Terence Coskeran. The recommendation is that the correspondence from Tipperary County Council be forwarded to the petitioner and that a copy of the correspondence from Tipperary County Council be sent to the Department of Housing, Local Government and Heritage, requesting an update on the discussion and negotiations at a national level.

Do members have any views? I know the situation. An agreement was done between Mr. Coskeran and the council in 2004 but subsequent events relating to Irish Water and all that have left the people in the area in limbo. It is distressing and has had an awful effect on Mr. Coskeran. At this stage, the people concerned have been pushed from pillar to post. Irish Water is saying it is a matter for the local authority while the local authority is saying it is a matter for Irish Water. I do not know if we are able to bring in someone from Irish Water, the county council or both to try to resolve the situation. In 2004, Mr. Coskeran and the council came to an agreement that once all the servicing was done, the council would take the estate in question in charge. A similar situation is happening across the country but this is the petition we have in front of us. I suggest we either look for another up-to-date response from Irish Water and the council or ask the county manager or someone from Irish Water to come in and explain the situation to us, and see can we move this on. Are there any other views?

Deputy Cormac Devlin: I agree with the last point the Chairman made. We should follow up with Irish Water, first and foremost, and see what response comes from that. Perhaps we could then go to the council and take it from there. Unless the secretariat has something to offer contrary to that, I think that is the best way to approach the matter.

Deputy Pat Buckley: I agree with the Chair. I suspect this is not a one-off case. One-house and two-house builds in east Cork are finding a bit of resistance when it comes to supplying services. It is affecting how people can build their family homes. I certainly agree that we should bring in somebody from any council and any part of the water service to try to iron out this issue and help everybody.

Deputy Richard O'Donoghue: I agree that getting in touch with representatives of Irish Water is the best way to go. I had an hour-long meeting with a representative of Irish Water yesterday relating to some issues in Limerick. It was a follow-on from a meeting of the housing committee. I met representatives of Irish Water and many other people involved with the issue, and questions that we have been looking to have answered for the past three or four years were answered. A programme is now in place. What is happening in other areas? The only way we will know is from Irish Water. We need to get its representatives in here and go through different projects. If they are to come in, it would be nice for us to give them the areas we are looking at so they might have some statistics for those areas when they come in.

Chairman: I have no problem asking representatives of Irish Water to come in and explain the situation. Mr. Coskeran and the estate concerned had an agreement with the county council in 2004, before Irish Water came into being. Do we need to get something from the council to explain what happened in 2004 and what was agreed between the two parties at the time or are committee members happy for us to bring in the representatives of Irish Water and try to move the situation on from there?

Deputy Pat Buckley: I suggest we get both parties in. We might as well.

Deputy Richard O'Donoghue: I am of the same opinion. The same situation applied in Limerick. There were agreements for services to be put in place prior to planning permission but the service agreements did not have to be honoured by Irish Water.

Chairman: I will ask the secretariat to write to both parties. Do we need to invite Mr. Coskeran in as well or should we just deal with the county council and Irish Water first, give their replies to Mr. Coskeran and let him make a submission to the committee thereafter? Would committee members be happy with that approach? We will do that. I will ask the secretariat to write to both the county council and Irish Water. We will try to fix up a meeting with them.

Our sixth petition is No. P00024/21, which calls for an end to the Department of Foreign Affairs' boycott of international election observation missions run by the EU and the Organization for Security and Co-operation in Europe, OSCE, and comes from Mr. Michael Grange. The recommendation is that the correspondence from the Department of Foreign Affairs be forwarded to the petitioner and in light of the response from the Department, that the petition be closed. Do members have any views on this? Is that agreed? Agreed.

Our seventh petition is No. 34/21 regarding an exemption for foreign-trained doctors from the pre-registration examination system, PRES, 3 exam from a doctor. I will not even try to pronounce the name - members will see it on the submission. The recommendation is that correspondence from the Irish Medical Council be forwarded to the petitioner by way of an update on this petition. Do members have views on this? I raised this matter previously and asked the secretariat to write to the council. Our lack of doctors in the country has been highlighted. If there was some way of proceeding with PRES 3 exams at a quicker rate, it might help. I suggest that we write to the council for an update and a response to the question of whether the exams can move faster. Is that agreed? Agreed.

Our eighth petition is No. 37/21, discrimination against non-EU doctors on the basis of the PRES 3 exam from a doctor. Again, I will not try to pronounce the name. The recommendation is that the correspondence from the Irish Medical Council be forwarded to the petitioner by way of an update and that a reminder be sent to the council to advise it that the Joint Committee on Public Petitions is awaiting a comprehensive reply. Do members have views on this matter? It is the same as the previous petition. Once we get an update from the Irish Medical Council, we can get the petitioner's view. Is that agreed? Agreed.

Our ninth petition is No. 39/21, issues relating to the Office of the Ombudsman for the Defence Forces and the Ombudsman (Defence Forces) 2004 Act from Mr. Niall Donohoe. The recommendation is that the correspondence from the Ombudsman for the Defence Forces be forwarded to Mr. Donohoe for information. Do members have views of this matter? Is that recommendation agreed?

Deputy Pat Buckley: Agreed.

Chairman: That concludes our consideration of the public's petitions for this meeting. I invite members of the public to make submissions via our online portal. A petition may be addressed to the Houses of the Oireachtas on a matter of general public concern or interest in respect of their legislative powers or on an issue of public policy.

Moving on to any other business, would members like to make final comments?

Deputy Cormac Devlin: We have redone the website and promoted the facility of this committee to the public. What level of uptake have we had? For the next meeting, is it possible to compare the level of engagement? Could we also consider other ways of promoting the committee through our engagement with various ombudsmen and, more importantly, the public directly?

Chairman: Has the Deputy anything in mind for getting the word out there more?

Deputy Cormac Devlin: Perhaps we could have a discussion at our next virtual meeting of ways in which to do that. It would be important to examine how many petitions we have taken compared with previously. This year has been a difficult one to use in a comparison, but speaking as a newer member of the committee, it would be interesting to see what level of engagement we have had over the years month on month or whatever the case may be. Perhaps we could put that on the agenda for our next meeting or the meeting after that.

Chairman: According to the secretariat, it is similar to the level in previous years. We can get the figures for the next meeting and have the matter on the agenda. We will discuss it and see if there is a way of getting the message out to the wider public.

Deputy Cormac Devlin: Go raibh maith agat.

Chairman: I call Deputy O'Donoghue.

Senator Eugene Murphy: Actually, I have been trying to get in on this issue as well. I will be brief. I endorse what Deputy Devlin said. I see my old sparring partner, Senator Buttimer, is present. He will recall from being on the previous committee that we were anxious to spread the message of what could be a fantastic committee. It is one of the newest committees around Leinster House. Senator Buttimer will recall something that might be of help, namely, that we had more or less agreed to take our message to the four provinces. Of course, Covid has changed much of that. I believe Deputy Buckley was on the committee as well, so he would know about this, too. We were also contemplating contacting local authorities and seeing whether we could make presentations to them. Deputy Devlin's point was well made. This committee could do a great deal of good in representing the views of people on the ground on a range of issues. Where everything else has failed for people, we can be a voice for their petitions that need more discussion.

Deputy Richard O'Donoghue: Might we examine the time of our meetings? I am on the housing committee, which also started at 1.30 p.m. Could we try to do something with the time so that we are not starting at the same time as other committees? If possible, even half an hour earlier would do.

Chairman: To be fair to the secretariat, it is something that-----

Senator Jerry Buttimer: Could I endorse what Senator Murphy and Deputy Devlin said about the promulgation of the work of the committee and about making the committee more accessible to members of the public via the submission of petitions? Ours is an important committee that can give frustrated citizens an avenue for having their voices heard. They may not like the answers to their petitions, but it gives them a process by which they can engage and be listened to and interacted with. Those of us who have been on this committee this term and during the previous term recognise that there is a job of work to be done in educating and creating awareness. Notwithstanding that Covid has placed restrictions on our ability to go out and engage people in person, might we give consideration to a virtual promulgation in parallel with

an in-person approach? This is an important committee that gives our citizens a right of access, and rightly so. I support the remarks of Senator Murphy and Deputy Devlin in that regard, as well as those of Deputy O'Donoghue.

Chairman: Senator Buttimer will not get any disagreement here. We all agree to those sentiments.

To respond to Deputy O'Donoghue, the secretariat has tried. We have even moved the days we meet because of clashes with other committees. If it suits people, we might ask the secretariat to move a half hour either way. I know that this meeting time clashes with other committees, but no matter what day the secretariat looked at, we would have been clashing.

Deputy Richard O'Donoghue: If we could start half an hour earlier, it would probably solve the problem. If we cannot, though, then I will just work around it.

Chairman: The secretariat will examine the matter again. With the other committees, we will see if we can move our starting time or finishing time away from theirs. We will then revert to the committee.

Deputy Richard O'Donoghue: I thank the Chairman.

Senator Eugene Murphy: I probably should know this, but I do not attend many meetings of the housing committee. At what time does it usually start and finish?

Deputy Richard O'Donoghue: At 1.30 p.m.

Chairman: Our meeting was supposed to start at 1.30 p.m.

Senator Eugene Murphy: The housing committee's finishing time probably depends on-----

Deputy Cormac Devlin: Is it a two-hour session or a three-hour one?

Deputy Richard O'Donoghue: At 4.30 p.m.

Chairman: It is a three-hour session from 1.30 p.m. until-----

Senator Eugene Murphy: Would an earlier time-----

Deputy Richard O'Donoghue: If we cannot do it, I will work around it.

Chairman: We will ask the secretariat to examine the matter again and revert to us with times. They have looked at it and, unfortunately, it clashes with other committees. We will try to tweak the times.

I want to follow up on what Deputy Devlin said. The Houses of the Oireachtas Service will make a video with me as Chair to promote the Committee on Public Petitions. It is talking about doing it at the end of the month. It will be put up on the website. I do not know how widely the Oireachtas will spread the video. I will encourage it to spread it as widely as it possibly can through, for example, local authorities, to get feedback from the public and to inform the public. As Senator Buttimer said, we need to educate the public on how to submit petitions and what can happen at committees. The video is in the pipeline for the end of the month.

Deputy Cormac Devlin: No pressure but we want the number of petitions to skyrocket

after that video.

Chairman: I was going to do a TikTok but I refused.

Deputy Richard O'Donoghue: I was going to suggest that.

Senator Eugene Murphy: That will be a help but everything relates to Covid. The figures increasing again will probably hold us back a bit until we are able to get out on the road. If we are to sell this we need to get out to the four provinces where we will invite the regional and local media and do a presentation. This would be very worthwhile. We all know as representatives of the people that there are times when we get frustrated. We think something should be changed for the benefit of people and it makes sense but we cannot get it through any other committee. In this regard, we could be a saviour in many respects depending, of course, on the petitions we can accept.

Chairman: We are in full agreement with Senator Murphy. Now that Covid is lifting, the press office in the Oireachtas should get the message out to the public so they can see how this committee works. As everybody has said, it is a very important committee. It can be very important to people at a local level with what may be considered minor issues. For those who go to the trouble of submitting a petition, it is the big worry in their everyday lives, no matter what anybody else thinks about how big or small it is. For the person who goes to the trouble of sending in a petition to our committee it needs to be recognised.

Deputy Devlin is still smiling. If he is up for the TikTok we can all do one and we can see how much it passes on.

Deputy Cormac Devlin: A cross-party TikTok. I have never heard of it.

Senator Eugene Murphy: We are all following Deputy O'Donoghue now.

Chairman: We will finish the discussion before it gets any more out of hand. In our next public meeting we plan to continue our consideration of direct provision. I thank Mr. Leo Bolins, Ms Margaret O'Donnell and Ms Barbara Hughes in the secretariat for all of the work they do in helping us with the committee.

The joint committee adjourned at 2.03 p.m. until 1.30 p.m. on Thursday, 11 November 2021.