



DÁIL ÉIREANN

Déardaoin, 30 Márta, 2017
Thursday, 30th March, 2017

RIAR NA hOIBRE
ORDER PAPER

Déardaoin, 30 Márta, 2017
Thursday, 30th March, 2017

10 a.m.

ORD GNÓ
ORDER OF BUSINESS

15. Ráitis maidir le Soláthar Díreach.
Statements on Direct Provision.
11. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil leis na Rialacháin um Acht na gCuideachtaí, 2014 (Alt 1313), 2017 [*Arna breithniú ag an gComhchoiste um Poist, Fiontair agus Nuálaíocht an 29 Márta 2017*].
Motion *re* Proposed approval by Dáil Éireann of the Companies Act 2014 (Section 1313) Regulations 2017 [*Considered by the Joint Committee on Jobs, Enterprise and Innovation on 29th March, 2017*].
23. An Bille um Dhlínse Uilechoiteann do Chearta an Duine, 2015 — An Dara Céim (*vótáil a cuireadh siar*).
Universal Jurisdiction of Human Rights Bill 2015 — Second Stage (*postponed division*).
95. (l) Tairiscint *maidir le* hÁrais Máithreacha agus Naíonán (*vótáil a cuireadh siar*).
(a) Motion *re* Mother and Baby Homes (*postponed division*).
24. An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Cearta Eacnamaíochta, Sóisialacha agus Cultúir), 2016 — An Dara Céim (*vótáil a cuireadh siar*).
Thirty-Fifth Amendment of the Constitution (Economic, Social and Cultural Rights) Bill 2016 — Second Stage (*postponed division*).
96. (l) Tairiscint *maidir leis* an tSeirbhís Buiséadaithe agus Comhairle Airgid agus Seirbhísí um Fhaisnéis do Shaoránaigh a Athstruchtúrú (*vótáil a cuireadh siar*).
(a) Motion *re* Restructuring of the Money Advice and Budgeting Service and Citizen Information Services (*postponed division*).
97. (l) Tairiscint *maidir le* hOspidéal Náisiúnta na Leanaí (*vótáil a cuireadh siar*).
(a) Motion *re* National Children's Hospital (*postponed division*).
16. (l) An Bille um Mí-Úsáid Drugaí (Saoráidí Insteallta Maoirsithe), 2017 — Ordú don Tuarascáil.
(a) Misuse of Drugs (Supervised Injecting Facilities) Bill 2017 — Order for Report.
1. An Bille um Maoin Chultúrtha a Choimirciú i gCás Coinbhleacht Armtha (Coinbhinsiún na Háige), 2016 [*Seanad*] — An Dara Céim (*atógáil*).
Protection of Cultural Property in the Event of Armed Conflict (Hague Convention) Bill 2016 [*Seanad*] — Second Stage (*resumed*).

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

- 25.** An Bille um Infheistíocht Phoiblí Eiticiúil (Tobac), 2017 — An Dara Céim.
 Ethical Public Investment (Tobacco) Bill 2017 — Second Stage.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- 4a.** An Bille um Shaoire do Thuismitheoirí (Leasú), 2017 — An Chéad Chéim.
 Parental Leave (Amendment) Bill 2017 — First Stage.
- 4b.** An Bille um Chosaint Tomhaltóirí (Gnólachtaí Seirbhísithe Creidmheasa a Rialáil) (Leasú), 2017 — An Chéad Chéim.
 Consumer Protection (Regulation of Credit Servicing Firms) (Amendment) Bill 2017 — First Stage.
- 132b.** Tairiscint *maidir le* Saoire mháithreachais agus Sochar Máithreachais do mháithreacha leanaí réamhaibí a fhadú.
 Motion *re* Extension of maternity leave and Maternity Benefit for mothers of premature babies.
- 132c.** Tairiscint *maidir le* Bainc-Aontas Éireann a Dhíol.
 Motion *re* Sale of Allied Irish Banks.
- 132d.** Tairiscint *maidir leis* an nGarda Síochána agus Coimisinéir an Gharda Síochána.
 Motion *re* An Garda Síochána and the Garda Commissioner.

I dTOSACH GNÓ PHOIBLÍ AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh: Initiation of Bills

Tabhairt Isteach:

Introduction:

- 4a.** An Bille um Shaoire do Thuismitheoirí (Leasú), 2017 — An Chéad Chéim.
Parental Leave (Amendment) Bill 2017 — First Stage.

Bille dá ngairtear Acht do leasú an Achta um Shaoire do Thuismitheoirí, 1998 chun saoire gan íocaíocht do thuismitheoirí a fhadú ó 18 seachtaine go 26 seachtaine; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Parental Leave Act 1998 to extend unpaid parental leave from 18 weeks to 26 weeks; and to provide for related matters.

—*Róisín Shortall, Catherine Murphy.*

- 4b.** An Bille um Chosaint Tomhaltóirí (Gnólachtaí Seirbhísithe Creidmheasa a Rialáil) (Leasú), 2017 — An Chéad Chéim.
Consumer Protection (Regulation of Credit Servicing Firms) (Amendment) Bill 2017 — First Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le cosaint a thabhairt d'iasachtaithe áirithe is páirtithe i gcomhaontuithe creidmheasa, ar ina leith atá úinéirí an chreidmheasa gan rialáil, trí úinéirí an chreidmheasa a rialáil; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to provide for the protection of certain borrowers who are parties to credit agreements in respect of which the owners of the credit are unregulated through the regulation of the owners of the credit; and to provide for related matters.

—*Pearse Doherty.*

Fógraí Tairisceana: Notices of Motions

- 11.** “Go gceadaíonn Dáil Éireann na Rialacháin seo a leanas ina ndrúacht:

Na Rialacháin um Acht na gCuideachtaí, 2014 (Alt 1313), 2017,

ar leagadh cóipeanna díobh ina ndrúacht faoi bhráid Dháil Éireann an 9 Feabhra 2017.

That Dáil Éireann approves the following Regulations in draft:

Companies Act 2014 (Section 1313) Regulations 2017,

copies of which have been laid in draft form before Dáil Éireann on 9th February, 2017.”

—*An tAire Post, Fiontar agus Nuálaíochta.*

ORDUITHE AN LAE

ORDERS OF THE DAY

1. An Bille um Maoin Chultúrtha a Choimirciú i gCás Coinbhleacht Armtha (Coinbhinsiún na Háige), 2016 [*Seanad*] — An Dara Céim (*atógáil*).
Protection of Cultural Property in the Event of Armed Conflict (Hague Convention) Bill 2016 [*Seanad*] — Second Stage (*resumed*).

 15. Ráitis maidir le Soláthar Díreach.
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 16. (l) An Bille um Mí-Úsáid Drugaí (Saoráidí Insteallta Maoirsithe), 2017 — Ordú don Tuarascáil.
(a) Misuse of Drugs (Supervised Injecting Facilities) Bill 2017 — Order for Report.
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GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

Gnó a ordaitodh:
Business ordered:

23. An Bille um Dhlínse Uilechoiteann do Chearta an Duine, 2015 — An Dara Céim (*vótáil a cuireadh siar*).
Universal Jurisdiction of Human Rights Bill 2015 — Second Stage (*postponed division*).

—Mick Wallace.

24. An Bille um an gCúigiú Leasú is Tríocha ar an mBunreacht (Ceartha Eacnamaíochta, Sóisialacha agus Cultúir), 2016 — An Dara Céim (*vótáil a cuireadh siar*).
Thirty-Fifth Amendment of the Constitution (Economic, Social and Cultural Rights) Bill 2016 — Second Stage (*postponed division*).

—Thomas Pringle.

25. An Bille um Infheistíocht Phoiblí Eiticiúil (Tobac), 2017 — An Dara Céim.
Ethical Public Investment (Tobacco) Bill 2017 — Second Stage.

—Sean Fleming.

Fógraí Tairisceana:
Notices of Motions:

Tairiscint (vótáil a cuireadh siar):
Motion (postponed division):

95. “That Dáil Éireann:

— acknowledges that the discovery of bodies at the Tuam Mother and Baby Home has

shocked the people of Ireland and brought considerable sadness and anger to Dáil Éireann;

- agrees that serious questions exist in relation to other Mother and Baby Homes, particularly in the treatment, records and testimonies of survivors;
- recognises that since the formation of the State, Mother and Baby Homes, Industrial Schools, County Homes, Magdalene Laundries, and numerous other bodies and institutions were part of a systematic regime that resulted in the abuse and degradation of vulnerable women and their children, and the State was complacent in allowing this to happen; and
- further recognises that despite the high number of people who passed through homes and institutions, and through the hands of various other bodies, the State has to date failed to initiate a meaningful process that would help obtain the truth for survivors, nor has it provided a suitable forum that would allow the full story of these institutions and the system that underpinned them to be made public;

agrees that:

- a Truth Commission, involving international experts be established, that will be based on the principals of best practice from the truth processes in Chile, South Africa, Canada and Australia, and would be developed in consultation with both victims and survivors groups;
- the purpose of a Truth Commission is to establish the truth of these institutions, to give the survivors the option to tell their testimony in a non-confrontational, non-adversarial manner, and in either public or private, whichever they are at ease with; and
- its purpose is part of a wider process to identify the persons and institutions responsible for the systematic mistreatment and abuse of women and children within these care homes and the system as a whole, but are not a substitute for the justice system or any future criminal proceedings should they be deemed necessary anywhere on the island of Ireland; and

further agrees that the Truth Commission shall:

- operate on a modular basis, in order to ensure that older survivors are among the first heard;
- provide for public or private hearings, at the discretion of survivors, at suitable locations throughout the 32 counties where testimonies can be made;
- involve an advisory committee including victims representatives;
- allow for testimonies from all survivors of care homes and their next of kin, without bias;
- ensure unfettered access to all information and documentation for all survivors, victims and next of kin of residential care homes, including to their information and archival documentation;
- ensure hearings will include all Protestant Mother and Baby Homes such as Bethany and Westbank Mother and Baby Homes, and all institutions even if they are not included in the Government's prescribed list;
- preserve the documentation at the Magdalene Laundry site in Donnybrook, which will be made available to survivors;

- ensure representatives of the organisations responsible appear to provide testimony and answer questions in public;
- provide, where necessary, legal representation to survivors with costs being covered by the State;
- as a matter of urgency, ensure that all Mother and Baby Homes and County Home sites are subject to an injunction preventing structural changes or interference to land where exhumations may be necessary until the final report of the Truth Commission is published;
- allow for the prevention of any interference with relevant sites, and that all ongoing work on these sites cease immediately to facilitate a thorough forensic inspection;
- examine the circumstances of the women and children affected from a constitutional and human rights perspective, including the circumstances of exit for women and children, as well as consider related matters such as the forced labour taken from women, illegal adoptions, vaccine trials, and any other such matter that the Commission sees appropriate, taking the Report of the Inter-Departmental Group on Mother and Baby Homes into account;
- consider the manner in which women or children were placed in these institutions, the role the State had in placing them within these institutions, and the responsibility it bears for the treatment and welfare of children more generally within these institutions;
- have the power to compel witnesses to come before a Truth Commission;
- publish a series of interim reports to Dáil Éireann, on a bi-monthly basis, on the progress of the Truth Commission and its recommendations regarding redress, identity and access to personal documents, responsibility of institutions, memorialisation, current welfare of survivors, access to courts and statutes of limitations, and all other information it considers relevant; and
- ensure that the recommendations of the interim and final reports be expedited as quickly as possible.” — *Donnchadh Ó Laoghaire, Gerry Adams, Pat Buckley, John Brady, David Cullinane, Seán Crowe, Pearse Doherty, Dessie Ellis, Martin J. Ferris, Kathleen Funchion, Martin Kenny, Mary Lou McDonald, Imelda Munster, Denise Mitchell, Carol Nolan, Louise O'Reilly, Jonathan O'Brien, Eoin Ó Broin, Caoimhghín Ó Caoláin, Aengus Ó Snodaigh, Maurice Quinlivan, Brian Stanley, Peadar Tóibín.*

[21 March, 2017]

Leasuithe:

Amendments:

1. To delete all words after “Dáil Éireann” and substitute the following:

“recognises that the Government established a statutory Commission of Investigation into Mother and Baby Homes and Certain Related Matters in February 2015, to provide a thorough objective account of what happened to vulnerable women and children in these Homes during the period 1922 to 1998;

notes that the Commission was established following a motion passed by Dáil Éireann on 28th January, 2015, to approve the draft Government Order for the establishment of the Commission and its terms of reference;

acknowledges:

- the important and person-centred work to date of the independent Commission;

- the considerable public disquiet and demand for a thorough and holistic understanding of events, experiences and responsibilities following the confirmation, by the Commission, of the discovery of human remains on the site of the Tuam Mother and Baby Home; and
- the plight of Irish women and children who were in institutions in this country in the last century, equally affirms their resilience and agency as survivors and stands in solidarity with all former residents, their loved ones and campaigners;

agrees that the Commission must be given the opportunity to complete its sensitive and person-centred investigations in the public interest, to establish the facts of what happened in and around these Homes and to issue its report in accordance with the legal framework under which it was established;

further notes the coordinated approach by Government Departments and agencies to respond to the discovery of human remains in Tuam and to engage with the local community and other parties with family connections in a sensitive and inclusive manner, recognising the dignity and equality to which all stakeholders are entitled;

further recognises that:

- the independent Commission has the scope and power to examine a broad range of public concerns in relation to these institutions, to make a determination on their relevance to the central issues in question, and to make any recommendations to Government which the Commission deems appropriate;
- the Commission's terms of reference provide for a Confidential Committee forum to facilitate former residents of these Homes which may wish to provide accounts of their experience, and to assist the Commission to ground its work in the reality of the experience of mothers and children;
- a Commission of Investigation's legal framework allows it to hold hearings in public where this would be in the interests of the investigation and fair procedures;
- major investigations have already been conducted into historical child abuse by the Commission to Inquire into Child Abuse, which had a wide remit to inquire into the abuse of children in any place where children were cared for other than as members of their families; and
- the Report of the Inter-Departmental Committee into Magdalen Laundries established the facts of State involvement with the Laundries under the supervision of an independent chairperson;

further agrees that the three Reports of the Commission of Investigation into Mother and Baby Homes and Certain Related Matters which are due for completion by February 2018, namely, the Social History Report, the Confidential Committee Report, and the Investigative Report, are critically important in coming to terms with how Irish society responded to vulnerable single women and their children at a time when they most needed our support and assistance; and

welcomes the intention of the Minister for Children and Youth Affairs to:

- examine the potential for a gender-sensitive transitional justice approach, to facilitate former residents of institutions who may wish to provide accounts of their experiences in public or in private, with a view to formally acknowledging and validating their experiences, and supporting reconciliation for former residents and the public at large with the events of the past by enhancing public awareness and understanding of a range of past abuses and human rights failures;
- explore the potential for the application of a range of transitional justice mechanisms

that would acknowledge and preserve the accounts of the past that have emerged in Tuam and elsewhere, honouring the accounts of victims by preserving memory, undoing stigma, and honouring the lives of those who were residents of such Homes thereby guaranteeing non-repetition and affirming the dignity and equality values of the Constitution of Ireland;

- explore, in the context of these transitional justice measures, the scope for a Truth Commission which would examine broad societal issues of collective responsibility in this area, and which would complement but be distinct from the work of the Commission of Investigation into Mother and Baby Homes and Certain Related Matters;
- carry out a scoping exercise to consider the calls for an extension to the terms of reference of the Commission of Investigation into Mother and Baby Homes and Certain Related Matters; and
- expedite the publication of the Second Interim Report of the Commission of Investigation into Mother and Baby Homes and Certain Related Matters.” (*resumed*)
— *An tAire Leanaí agus Gnóthaí Óige.*

2. To delete all words after “Dáil Éireann” and substitute the following:

“recognises:

- the considerable harms that have been experienced by survivors of Mother and Baby Homes and similar institutions in Ireland; and
- the need to investigate historic abuse and to record its details, with a view to providing recognition to survivors;

acknowledges:

- the importance of the ongoing Commission of Investigation into Mother and Baby Homes and Certain Related Matters for many survivors and the significant work that it has done in uncovering the historical abuses in Mother and Baby Homes; and
- that an interim report of the Commission is long awaited and over due; and

agrees that:

- the ongoing Commission should be allowed to complete its work in a timely fashion;
- the Commission should prioritise the publication of its promised interim report;
- a Truth Commission for the Survivors of Mother and Baby Homes should be established, following consultation with survivors;
- this Truth Commission will be established following international best practice, guided by similar Commissions in South Africa, Chile and Canada; and
- the purpose of this Truth Commission will be to hear and record the views and experiences of all survivors of Mother and Baby Homes in a setting that is non-confrontational, survivor-focused and supportive.” — *Anne Rabbitte, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Thomas Byrne, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Lisa M. Chambers, Niall Collins, Barry Cowen, John Curran, Stephen S. Donnelly, Timmy Dooley, Sean Fleming, Pat the Cope Gallagher, Seán Haughey, Billy Kelleher, John Lahart, James Lawless, Marc MacSharry, Micheál Martin, Charlie McConalogue, Michael McGrath, John McGuinness, Aindrias Moynihan, Michael Moynihan, Eugene Murphy, Margaret Murphy O'Mahony, Darragh O'Brien, Jim O'Callaghan, Eamon Ó Cuív, Willie O'Dea, Kevin O'Keeffe, Fiona O'Loughlin, Frank*

O'Rourke, Eamon Scanlon, Brendan Smith, Niamh Smyth, Robert Troy.

3. To delete all words after “Dáil Éireann” and substitute the following:

“acknowledges that the discovery of bodies at the Tuam Mother and Baby Home has shocked the people of Ireland and brought considerable sadness and anger to Dáil Éireann;

agrees that serious questions exist in relation to other Mother and Baby Homes, particularly in the treatment, records and testimonies of survivors;

recognises that since the formation of the State, Mother and Baby Homes, Industrial Schools, County Homes, Magdalene Laundries, and numerous other bodies and institutions, including psychiatric hospitals, were part of a systematic regime that resulted in the abuse and degradation of vulnerable women and their children, and that the State was complicit in allowing this to happen;

notes the establishment, in early 2015, of a Commission of Investigation into Mother and Baby Homes and Certain Related Matters, chaired by Judge Yvonne Murphy;

calls on the Government to immediately make public the second interim report of this Commission of Investigation, which has been provided to the Minister for Children and Youth Affairs; and

demands that the Government:

- liaise with Judge Yvonne Murphy, to determine her willingness to oversee an expanded Commission of Investigation, which would:
 - comprehensively investigate all institutions and agencies which dealt with unmarried mothers and their children; and
 - provide former residents with the opportunity to recount their experience in a non-confrontational, non-adversarial manner, to be recorded and preserved and used for such historical and educational purposes and subject to such terms and conditions as they agree to; and
- report back to Dáil Éireann on this matter within one month from today.” — *Jan O'Sullivan, Joan Burton, Alan Kelly, Brendan Howlin, Willie Penrose, Brendan Ryan, Sean Sherlock.*

4. To insert the following after “final reports be expedited as quickly as possible”:

“calls on the Government to:

- take all necessary steps to rescind the so-called Woods Deal, which indemnified the Church and religious orders;
- take all necessary steps to take into public ownership all hospitals controlled by religious orders, such as Bon Secours Private, St. Vincent's and the Mater Hospitals; and
- begin the process of separation of Church and State by removing control by religious orders over the boards of management of public schools and hospitals.” — *Brid Smith, Richard Boyd Barrett, Gino Kenny.*

Tairiscint (vótáil a cuireadh siar):

Motion (postponed division):

96. “That Dáil Éireann:

accepts:

- the vitally important work undertaken by the Citizen Information Services (CIS) and the Money Advice and Budgeting Service (MABS) offices across the country in providing information, advice and also helping citizens to manage and overcome debt; and
- the significant role these services have had in recent years assisting families with distressed mortgages;

recognises:

- that MABS and CIS offices are an intrinsic part of, and deeply embedded in, local communities who depend on them greatly;
- that volunteerism is a central component of the MABS and CIS services and ethos;
- the genuine and growing concern about the manner in which the restructuring of MABS and CIS is being undertaken and the potential negative implications of the proposed regional model;
- that the restructuring process is disenfranchising volunteers, which is counterproductive;
- the growing concern about the proposed changes to local boards and the implications for members and services; and
- that those directly affected by this restructuring process believe that it is taking place without any meaningful dialogue; and

calls on the Minister for Social Protection to:

- immediately utilise the power he has under the Citizens Information Act 2007, to issue a directive to halt this proposed regionalisation;
- conduct a cost-benefit analysis of the restructuring process and the proposed regional model;
- heed the concerns of those who have voiced their strong reservations about the restructuring process and to ensure that all stakeholders involved are consulted and allowed to engage in meaningful constructive dialogue to secure an outcome that is agreeable to all; and
- ensure that any restructuring process does not result in the downgrading of the quality, effectiveness and accessibility of services to citizens.” — *Willie O'Dea, Darragh O'Brien, Barry Cowen, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Thomas Byrne, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Lisa M. Chambers, Niall Collins, John Curran, Stephen S. Donnelly, Timmy Dooley, Sean Fleming, Pat the Cope Gallagher, Seán Haughey, Billy Kelleher, John Lahart, James Lawless, Marc MacSharry, Micheál Martin, Charlie McConologue, Michael McGrath, John McGuinness, Aindrias Moynihan, Michael Moynihan, Eugene Murphy, Margaret Murphy O'Mahony, Jim O'Callaghan, Éamon Ó Cuív, Kevin O'Keeffe, Fiona O'Loughlin, Frank O'Rourke, Anne Rabbitte, Eamon Scanlon, Brendan Smith, Niamh Smyth, Robert Troy.*

[28 March, 2017]

Leasuithe:

Amendments:

1. To delete all words after “to halt this proposed regionalisation” and substitute the following:

- “— recognise that given the voluntary nature of the service in its current form a cost benefit analysis is unnecessary; and
- ensure that the existing model, where independent management of the service is drawn from both the local community and voluntary sector, is maintained.” — *Seán Crowe, Gerry Adams, John Brady, Pat Buckley, David Cullinane, Pearse Doherty, Dessie Ellis, Martin J. Ferris, Kathleen Funchion, Martin Kenny, Mary Lou McDonald, Denise Mitchell, Imelda Munster, Carol Nolan, Jonathan O'Brien, Eoin Ó Broin, Caoimhghín Ó Caoláin, Donnchadh Ó Laoghaire, Louise O'Reilly, Aengus Ó Snodaigh, Maurice Quinlivan, Brian Stanley, Peadar Tóibín.*

2. To delete all words after “Dáil Éireann” and substitute the following:

“wholeheartedly commends the important work undertaken by the Citizens Information Board (CIB), together with its network of delivery partner services, including the Citizens Information Services (CIS) and the Money Advice and Budgeting Service (MABS), in fulfilling its statutory remit to provide information, advice (including money advice and budgeting advice) and advocacy services on a wide range of public and social services to citizens across the country;

notes:

- the decision taken by the statutory Board of CIB, on 15th February, 2017, to restructure the governance arrangements from ninety three individual local service company boards to a new sixteen company board model, to bring CIS and MABS better into line with modern public service governance guidelines and requirements; and
- CIB’s key assurance that there will be no job losses, no closure of services, no change to service delivery locations and no change to the terms and conditions of serving staff during the lifetime of the restructuring;

recognises that the decision taken by the statutory Board of CIB is for improved governance reasons due to the significant State funding involved, and will in no way reduce access to, or the range of, services available to citizens;

acknowledges that the restructured model is necessary to assist CIB in its compliance with the Code of Practice for the Governance of State Bodies and the implementation of recommendations from the Office of the Comptroller and Auditor General;

agrees that the decision taken by the statutory Board of CIB is in keeping with successive strategic plans of the Board, including the current strategic plan for the period 2015–2018, which in accordance with governing legislative provisions was submitted to, and approved by, the Minister for Social Protection, and subsequently noted by Government and laid before the Houses of the Oireachtas in January 2016;

further recognises the work carried out by the employed staff of MABS, and the employees and many volunteers who work in CIS countrywide;

acknowledges the input of the volunteer boards of CIS and MABS companies to date, and notes that those with the necessary skills and expertise can remain involved by putting themselves forward for consideration as members of the new regional boards;

welcomes the undertaking of CIB to conduct a full cost-benefit analysis of the sixteen regional

company model;

further acknowledges CIB's commitment to ongoing consultation through the establishment of a Restructuring Implementation Group comprising members of the Executive of CIB and representatives of the local network of CIS and MABS;

further welcomes the intention of CIB to engage in constructive, structured dialogue with the relevant representative bodies in the context of moving to the new restructured governance arrangements; and

further notes that the Attorney General has advised that the Minister for Social Protection does not have power to instruct CIB on its day to day operations and, specifically, does not have the power to order a reversal of a decision such as the restructuring of its governance arrangements." (resumed) — *An tAire Coimirce Sóisialaí*.

Tairiscint (vótáil a cuireadh siar):

Motion (postponed division):

97. "That Dáil Éireann:

notes:

- the urgent need to develop appropriately sited, world class prenatal, perinatal and paediatric medical services for all the nation's children and their families;
- the critical need for a short corridor-linked or full service maternity hospital, integrated with the National Children's Hospital to prevent the current situation of avoidable death and disability in newborn infants;
- that the existing hospital infrastructure that caters for sick children is no longer fit for purpose;
- that the shortage of specialised nursing and medical staff is a serious impediment in attaining optimal medical outcomes for children, which will be aggravated by the proposed site;
- that the cost of construction of the National Children's Hospital has increased from €404 million in 2012, to approximately €1.1 billion and rising in 2017;
- the recent doubling of the estimated cost of building the National Maternity Hospital on a brownfield as opposed to a greenfield site, at St. Vincent's University Hospital, and that differential would also apply to the St. James's Hospital site;
- that the creation of a site at St. James's Hospital to accommodate a maternity hospital will prove hugely expensive, requiring major additional rebuilding of the adult hospital;
- that the assessment of the National Children's Hospital project by An Bord Pleanála did not adequately address several important aspects of the proposal relating to the medical functioning of the site;
- that, due to the restricted nature of the proposed St. James's Hospital site, parking provision for the National Children's Hospital is dramatically lower and hugely more expensive than that of international comparator hospitals;
- that the Independent Review of the National Children's Hospital project (2011) and the Review Group on the National Children's Hospital (2012) stated that it would be 25 per cent less expensive to build on a greenfield site than on an urban site; and
- that accessibility to the proposed St. James's Hospital site for patients, staff and

medical personnel will lead to extreme levels of congestion and increase the risks of adverse medical outcomes;

acknowledges:

- the commitments given in the Programme for a Partnership Government to develop a world class National Children’s Hospital;
- the desire of all political parties, groups and members to improve and prioritise medical outcomes for the nation’s sick children; and
- the significant financial commitments given by the Minister for Health and the Government to progress the National Children’s Hospital project; and

calls on the Government to:

- provide evidence to support their repeated claim of improved clinical outcomes resulting from adult hospital co-location;
- undertake a full cost-benefit analysis on all aspects of the National Children’s Hospital project, as required by the Department of Finance’s Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector;
- ensure that all the requirements of the Public Spending Code have been met;
- clarify the exact mandate, statutory and legal standing of the Children’s Hospital Group Board and the National Paediatric Hospital Development Board;
- justify the costs related to the construction of the National Children’s Hospital at St. James’s Hospital;
- reconsider the co-location of the National Children’s Hospital with the new Rotunda Maternity Hospital, and in the event of opposition to this reconsideration, to justify, on clinical grounds, why such co-location cannot occur;
- ensure all the requirements of the Public Spending Code in relation to the maternity hospital development are met before the construction contract of the children’s hospital is awarded by Cabinet, as absence of such an assessment would indicate failure of the Government’s duty of care to its newborn citizens, and that tri-location is not a commitment by the sanctioning authority (the Department of Health); and
- utilise any site preparation work already started at St. James’s Hospital, to develop a satellite Children’s Urgent Care Centre and further adult services.” — *Mattie McGrath, Michael Collins, Noel Grealish, Michael Harty, Danny Healy-Rae, Michael J. Healy-Rae, Michael Lowry.*

[28 March, 2017]

Leasuithe:

Amendments:

1. To delete all words after “Dáil Éireann” and substitute the following:

“notes:

- the fact that more than ten years have elapsed since a Government decision was made to build a new National Children’s Hospital;
- the decision of An Bord Pleanála not to grant planning permission to the site that was initially proposed;

- the almost unanimous political support in the Dáil in 2012, for the decision to co-locate the new National Children’s Hospital with St. James’s Hospital; and
- the subsequent approval of An Bord Pleanála for the St. James’s Hospital choice;

acknowledges:

- the lack of consensus amongst clinicians and other stakeholders with regard to the choice of St. James’s Hospital; and
- the concerns expressed about the increasing costs of the project;

agrees that:

- a new National Children’s Hospital is long overdue;
- any proposed site will not win unanimous approval; and
- there is no guarantee that an alternative site would be granted planning permission; and

calls for the new National Children’s Hospital at St. James’s Hospital to be built as a matter of urgency.” — *Billy Kelleher, Bobby Aylward, John Brassil, Declan Breathnach, James Browne, Mary Butler, Thomas Byrne, Jackie Cahill, Dara Calleary, Pat Casey, Shane Cassells, Jack Chambers, Lisa M. Chambers, Niall Collins, Barry Cowen, John Curran, Stephen S. Donnelly, Timmy Dooley, Sean Fleming, Pat the Cope Gallagher, Seán Haughey, John Lahart, James Lawless, Marc MacSharry, Micheál Martin, Charlie McConalogue, Michael McGrath, John McGuinness, Aindrias Moynihan, Michael Moynihan, Eugene Murphy, Margaret Murphy O’Mahony, Darragh O’Brien, Jim O’Callaghan, Éamon Ó Cuív, Willie O’Dea, Kevin O’Keeffe, Fiona O’Loughlin, Frank O’Rourke, Anne Rabbitte, Eamon Scanlon, Brendan Smith, Niamh Smyth, Robert Troy.*

2. To delete all words after “Dáil Éireann” and substitute the following:

“notes:

- the urgent need to develop an appropriately sited, world class facility to care for children and young people from all over Ireland who are in need of specialist and complex care;
- that clinical considerations were paramount in the decision by the Government in 2012 to co-locate the new National Children’s Hospital with St. James’s Hospital, in line with independent reviews affirming the importance of co-location with a major adult academic teaching hospital;
- that the Government decision to proceed with the construction of the new National Children’s Hospital on the St. James’s Hospital campus was endorsed by the Dáil in 2012;
- the Government decision to re-develop the Coombe Women and Infants University Hospital on the St. James’s Hospital campus, in the context of achieving tri-location of adult, paediatric and maternity services on that campus as the optimum configuration to best support paediatrics, highly complex foetal and high risk maternal medicine, and chronic disease management in young people;
- the capacity of the site at St. James’s Hospital to accommodate the new National Children’s Hospital and maternity hospital, and the incorporation into the design of the National Children’s Hospital of the required operational links with both maternity and adult hospitals on the St. James’s Hospital campus;
- that St. James’s is the hospital best served by public transport in the country, including easy access to the M50 and Heuston Station, and that safe underground car

parking for 1,000 cars, including 675 dedicated to patients and families and 31 drop-off emergency spaces, will be provided and be commercially funded;

- the Government decision to develop satellite centres on the campuses of Tallaght Hospital and Connolly Hospital which will be easily accessible to local populations for the management of minor illness and injuries, and attendance at outpatient and chronic disease clinics;
- that planning permission, unanimously granted by An Bord Pleanála in April 2016, supported the development of the hospital on the St. James's Hospital site and the satellite centres at Tallaght Hospital and Connolly Hospital; and
- the vision of the new National Children's Hospital as a research-intensive, academic healthcare institution and the potential to attract and retain specialised nursing and medical staff and health and social care professionals;

acknowledges:

- the commitments given in the Programme for a Partnership Government to develop a world class children's hospital;
- the desire of all political parties, groups and members to improve and prioritise medical outcomes for the nation's sick children;
- the significant financial commitments given by the Minister for Health and the Government to progress the National Children's Hospital project, including the availability of €650 million Exchequer funding earmarked for the core construction costs of the hospital and associated satellite centres;
- the progress made to date as the first phase of construction (site clearing works) on the site of the new hospital will be substantially completed within a matter of weeks;
- that the new National Children's Hospital accommodation is being designed to ensure that children and young people receive their care in the best organised and most clinically suitable setting, with facilities for parents to comfortably stay overnight;
- the link between the hospital and local and regional paediatric units, through an integrated national clinical network aimed at delivering services to children as close to home as possible;
- the robust governance arrangements in place to manage and oversee the new National Children's Hospital project;
- the adherence to the Public Spending Code requirements at all stages of the project;
- the Minister for Health's intention to bring a Memorandum to Government shortly on the new National Children's Hospital, setting out full details of the project costs; and
- the Minister for Health's intention to bring a General Scheme to Government shortly, seeking permission to draft legislation establishing the new National Children's Hospital as a statutory body to take over the services provided by the three existing Dublin paediatric hospitals; and

supports the Government priority to make progress on the new hospital on the St. James's Hospital campus and satellite centres at Connolly Hospital and Tallaght Hospital as soon as possible, to support best clinical outcomes for children and young people in Ireland.” (*resumed*)
— *An tAire Sláinte*.

3. To delete all the words after “rising in 2017” and substitute the following:

“acknowledges:

- the commitments given in the Programme for a Partnership Government to develop a world class National Children’s Hospital;
- the desire of all political parties, groups and members to improve and prioritise medical outcomes for the nation’s sick children; and
- the significant financial commitments given, on behalf of the State, by the Minister for Health and the Government to progress the National Children’s Hospital project; and

calls on the Government to:

- provide evidence to support their repeated claim of improved clinical outcomes resulting from adult hospital co-location;
- give a detailed outline of the proposed workload of the new paediatric satellite hospitals in Tallaght and Connolly hospitals;
- undertake a full cost-benefit analysis on all aspects of the National Children’s Hospital project, as required by the Department of Finance’s Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector;
- ensure that all the requirements of the Public Spending Code have been met;
- clarify the exact mandate, statutory and legal standing of the Children’s Hospital Group Board and the National Paediatric Hospital Development Board;
- publish the New Children’s Hospital Establishment Bill;
- justify the costs related to the construction of the National Children’s Hospital at St. James’s Hospital;
- make a comprehensive statement to the Dáil outlining the specific clinical and logistical reasons for choosing the St. James’s Hospital site over other sites;
- present to the Dáil a quarterly report on the progress of the actions taken to comply with the social clause in the contract for the delivery of the hospital;
- outline the hospital and local traffic management plan that will be in place which will address the concerns raised over congestion and access;
- apply immediately for planning permission for the relocation of the Coombe Women and Infants University Hospital to the St. James’s Hospital site so that the tri-located model might be achieved in a reasonable time frame; and
- ensure all the requirements of the Public Spending Code in relation to the maternity hospital development are met before the construction contract of the National Children’s Hospital is awarded by Cabinet.” — *Louise O’Reilly, Gerry Adams, Pat Buckley, John Brady, David Cullinane, Seán Crowe, Pearse Doherty, Dessie Ellis, Martin J. Ferris, Kathleen Funchion, Donnchadh Ó Laoghaire, Martin Kenny, Mary Lou McDonald, Imelda Munster, Denise Mitchell, Carol Nolan, Jonathan O’Brien, Eoin Ó Broin, Caoimhghín Ó Caoláin, Aengus Ó Snodaigh, Maurice Quinlivan, Brian Stanley, Peadar Tóibín.*

132b. “That Dáil Éireann:

notes that:

- a premature baby is a baby who is delivered at less than 37 weeks gestation;

- 1 in 16 women in Ireland will deliver a premature baby;
- according to figures from the Economic and Social Research Institute and the Central Statistics Office, over 4,500 babies are born prematurely in Ireland every year, which in 2014 was 6.6 per cent of all births;
- under the Maternity Acts 1994 and 2004 a mother is entitled to 26 weeks maternity leave and Maternity Benefit and an additional 16 weeks unpaid maternity leave;
- maternity leave generally comes into effect on the birth of the child and does not take into account whether the child is full-term or premature;
- babies surviving from the earliest gestations, such as 23 weeks, can spend months in a neonatal unit in hospital, including in intensive care units, and that most babies who are discharged from a unit on supportive medical equipment require full-time care in the home and will need to attend regular clinics and therapy appointments;
- allowances are available in the Acts for a mother to defer her maternity leave while a baby is hospitalised, however, these allowances do not adequately provide for the needs of premature babies, and this inadequacy is particularly apparent in instances where mothers are ill, or have undergone a caesarean section, or when premature babies have been transferred from rural hospitals to Dublin neonatal units; and
- premature babies are more at risk of disease and infection than full-term babies, including a higher risk of respiratory problems such as respiratory distress syndrome, neonatal infections, heart problems, intraventricular haemorrhage in the brain, retinopathy of prematurity, hyperbilirubinemia, hypothermia and necrotising enterocolitis;

acknowledges:

- that the present length of maternity and paternity leave does not recognise the difficulty for parents of premature babies, whose leave begins long before they can take their baby home from hospital;
- that parents must spend significant time and resources on caring for their premature babies;
- that in some cases, parents of premature babies from rural areas are compelled to travel for up to four hours on a daily commute to Neonatal Intensive Care Units, thus incurring significant expenses in medical care, accommodation, transport, parking and basic meals; and
- the emotional and financial burden placed on parents caring for premature babies and the need for specialised support, particularly for parents who have other children;

calls on the Government to extend the period of statutory maternity leave and Maternity Benefit for mothers of premature babies, by the length of time between the delivery date of the baby and either the date the baby would have been delivered if full-term or the date of the baby leaving hospital, whichever is later, and that this extension be in addition to the current entitlement to 26 weeks maternity leave and Maternity Benefit and the additional 16 weeks unpaid maternity leave under the Maternity Acts 1994 and 2004; and

further calls on the Government to:

- extend paternity leave to incorporate the circumstances of premature babies;
- provide additional financial support, where necessary, for the families of premature babies, in relation to travel and accommodation costs, so the family unit can stay together;

- ensure that forms and information on maternity leave and related benefits are available in all neonatal units;
- publish advice for all employers about how to best support parents of premature babies; and
- require employers to have a policy in place for supporting parents of premature babies.” — *Catherine Martin, Eamon Ryan*.

[30 March, 2017]

132c. “That Dáil Éireann:

recognises that:

- Allied Irish Banks (AIB) is a 99.9 per cent State-owned bank which received significant sums of public funds by way of a bail-out;
- the Government has a responsibility to Irish citizens regarding the financial management of AIB as a result of the bail-out;
- unless International Accounting Standard (IAS) 39 is corrected, any such floatation could potentially be fraudulent;
- in the context of Brexit and other pressures facing our economy, it is vital to ensure we maximise the return on our bail-out investment in AIB; and
- a decision of such magnitude should be taken by democratic means and is not a matter for Government to arbitrarily decide; and

calls on the Government:

- to produce a cost-benefit analysis regarding any proposed share sale of AIB, clearly laying out the benefits or otherwise of a share sale now, at a future point, or not at all;
- to commit to providing the results of that cost-benefit analysis to every member of Dáil Éireann for consideration;
- to undertake a legal assessment of the implications of IAS 39; and
- not to proceed with any share sale unless it is established, by way of a Dáil vote, that such a sale has majority Dáil Éireann support.” — *Catherine Murphy, Róisín Shortall*.

[30 March, 2017]

132d. “That Dáil Éireann:

notes that:

- 937,000 breath tests were wrongly recorded on the official Garda digital record system, Police Using Leading Systems Effectively (PULSE), and that the existence of a problem in this regard was communicated to Garda Commissioner Nóirín O’Sullivan in 2014;
- 14,700 people were subject to wrongful convictions due to Garda errors;
- Commissioner O’Sullivan failed to adequately explain the cause of these errors;
- high-ranking members of An Garda Síochána have recently been accused of engaging

in a systematic campaign to smear the character and reputation of Sergeant Maurice McCabe and other Garda whistleblowers; and

- there has been a resulting erosion of public confidence and trust in An Garda Síochána, including a lack of public confidence in Commissioner O’Sullivan and senior Garda management to investigate possible Garda malpractice and/or corruption involving, in particular, the carrying out of breath tests, processing offences through the courts, and handling complaints and protected disclosures from members of An Garda Síochána;

acknowledges that:

- An Garda Síochána should be held accountable, in terms of their adherence to professional and ethical standards; and
- section 11 of the Garda Síochána Act 2005 states that:
 - a person who holds the office of Garda Commissioner may be removed from office by the Government but only for stated reasons, including:
 - the person has failed to perform the functions of the office with due diligence and effectiveness; and
 - the person’s removal from office would, in the Government’s opinion, be in the best interests of An Garda Síochána; and
 - on notifying under section 12(1) a person who holds the office of Garda Commissioner that the Government intends to consider removing him or her from office, the Government may immediately suspend the person from duty;

further notes that Commissioner O’Sullivan has stated that she plans to continue in her position, even if there is a Dáil vote of no confidence in her; and

calls on the Government to:

- use the powers available to them under the Garda Síochána Act 2005 to immediately suspend and then remove from office the current Garda Commissioner, Nóirín O’Sullivan;
- independently investigate the involvement of members of senior Garda management in alleged malpractice and/or corruption;
- urgently review the situations in which people may be convicted for certain crimes based on the word of a Garda Superintendent; and
- urgently review how An Garda Síochána can be made democratically accountable to the communities they serve, including, the election of democratically accountable bodies, empowered to decide on how policing is implemented, how policing resources are spent and to hold An Garda Síochána accountable for their actions.” — *Richard Boyd Barrett, Bríd Smith, Gino Kenny, Ruth Coppinger, Mick Barry, Paul Murphy.*

[30 March, 2017]

MEMORANDA

Déardaoín, 30 Márta, 2017
Thursday, 30th March, 2017

P.T.O.

Cruinniú den Choiste um Chuntais Phoiblí i Seomra Coiste 3, TL2000, ar 9 a.m.
Meeting of the Committee of Public Accounts in Committee Room 3, LH2000, at 9 a.m.

Cruinniú den Chomhchoiste um Shláinte i Seomra Coiste 4, TL2000, ar 9 a.m.
Meeting of the Joint Committee on Health in Committee Room 4, LH2000, at 9 a.m.

Cruinniú den Chomhchoiste um Dhlí agus Ceart agus Comhionannas i Seomra Coiste 1, TL2000, ar 9 a.m.
Meeting of the Joint Committee on Justice and Equality in Committee Room 1, LH2000, at 9 a.m.

Cruinniú den Choiste Gnó i Seomra 2 (tríd an bPríomh-Halla), Teach Laighean, ar 10.30 a.m. (*príobháideach*).
Meeting of the Business Committee in Room 2 (off the Main Hall), Leinster House, at 10.30 a.m. (*private*).

Cruinniú den Chomhchoiste um Airgeadas, Caiteachas Poiblí agus Athchóiriú, agus an Taoiseach i Seomra Coiste 2, TL2000, ar 11 a.m. (*príobháideach*).
Meeting of the Joint Committee on Finance, Public Expenditure and Reform, and Taoiseach in Committee Room 2, LH2000, at 11 a.m. (*private*).

Cruinniú den Chomhchoiste um Thithíocht, Pleanáil, Pobal agus Rialtas Áitiúil i Seomra Coiste 4, TL2000, ar 2 p.m.
Meeting of the Joint Committee on Housing, Planning, Community and Local Government in Committee Room 4, LH2000, at 2 p.m.

SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA dTITHE DOCUMENTS LAID BEFORE THE HOUSES¹

Reachtúil

Statutory

Eile

Other

Ráiteas faoi leasanna arna thabhairt ag an gComhairleoir Speisialta, John Coughlan, a ghníomhaíonn nó a ghníomhaigh mar Chomhairleoir Speisialta don Teachta Pól Mac Eochaidh, Aire Stáit ag an Roinn Cosanta, ar a bhfuil freagracht maidir le Cosaint, don tréimhse ó 6 Bealtaine 2016 go 31 Nollaig 2016, de bhun alt 19(4)(b) de na hAchtanna um Eitic in Oifigí Poiblí, 1995 agus 2001.

Statement of interests furnished by Special Adviser, John Coughlan, who acts or acted as a Special Adviser to Deputy Paul Kehoe, Minister of State at the Department of Defence, with responsibility for Defence, for the period from 6 May, 2016 to 31 December, 2016, pursuant to section 19(4)(b) of the Ethics in Public Office Acts 1995 and 2001.

Scéim Aoisliúntais na Gníomhaireachta Digital Hub Development Agency

¹ I gcás nach leagtar scríbhinn ach faoi bhráid aon Teach amháin, cuirfear (D) – Dáil nó (S) – Seanad ina diaidh dá réir sin.

Where a document is laid before one House only it will be appended with (D) – Dáil or (S) – Seanad accordingly.

Forbartha don Mhol Digiteach, 2017 (I.R. Uimh. 98 de 2017).

Rialacha Chumann Cógaiseoirí na hÉireann (Clárú) (Leasú), 2017 (I.R. Uimh. 100 de 2017).

Rialacha Chumann Cógaiseoirí na hÉireann (Oideachas agus Oiliúint) (Cúrsa Comhtháite) (Leasú), 2017 (I.R. Uimh. 97 de 2017).

Rialacha Chumann Cógaiseoirí na hÉireann (Táillí) (Leasú), 2017 (I.R. Uimh. 99 de 2017).

An tOrdú um Choimisiún Imscrúdúcháin (Nithe áirithe i dtaobh Seirbhís Míchumais san Oirdheisceart agus nithe gaolmhara), 2017 (I.R. Uimh. 96 de 2017).

Coimisiún Imscrúdúcháin (Nithe áirithe i dtaobh Seirbhís Míchumais san Oirdheisceart agus nithe gaolmhara) – Téarmaí Tagartha.

An tOrdú um Choimisiún Imscrúdúcháin (Nithe áirithe i dtaobh Seirbhís Míchumais san Oirdheisceart agus Nithe Gaolmhara), 2017 – Ráiteas ar Chostais agus Creat Ama don Imscrúdúchán.

Superannuation Scheme 2017 (S.I. No. 98 of 2017).

Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2017 (S.I. No. 100 of 2017).

Pharmaceutical Society of Ireland (Education and Training) (Integrated Course) (Amendment) Rules 2017 (S.I. No. 97 of 2017).

Pharmaceutical Society of Ireland (Fees) (Amendment) Rules 2017 (S.I. No. 99 of 2017).

Commission of Investigation (Certain matters relative to a disability service in the South East and related matters) Order 2017 (S.I. No. 96 of 2017).

Commission of Investigation (Certain matters relative to a disability service in the South East and related matters) - Terms of Reference.

Commission of Investigation (Certain Matters Relative to a Disability Service in the South East and Related Matters) Order 2017 - Statement of Costs and Time Frame for Investigation.