



DÁIL ÉIREANN

Dé Céadaoin, 15 Bealtaine, 2019
Wednesday, 15th May, 2019

RIAR NA hOIBRE
ORDER PAPER

Dé Céadaoin, 15 Bealtaine, 2019
Wednesday, 15th May, 2019

10.30 a.m.

ORD GNÓ
ORDER OF BUSINESS

32. (l) An Bille Cróinéirí (Leasú), 2018 — Ordú don Tuarascáil.
(a) Coroners (Amendment) Bill 2018 — Order for Report.
33. An Bille um Thorann Aerárthaí (Aerfort Bhaile Átha Cliath) a Rialáil, 2018 — Leasuithe ón Seanad (*Leasú 1 go Leasú 1, atógáil*).
Aircraft Noise (Dublin Airport) Regulation Bill 2018 — Amendments from the Seanad (*Amendment 1 to Amendment 1, resumed*).
34. (l) An Bille um Rásaíocht Con, 2018 [*Seanad*] — An Tuarascáil (*Leasú 1, atógáil*).
(a) Greyhound Racing Bill 2018 [*Seanad*] — Report (*Amendment 1, resumed*).

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

221. (l) Tairiscint *maidir le* hÁrais Máithreacha agus Naíonán.
(a) Motion *re* Mother and Baby Homes.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- 10a. An Bille Loingis Cheannaíochta (Taismí Muirí a Imscrúdú) (Leasú), 2019 — An Chéad Chéim.
Merchant Shipping (Investigation of Marine Casualties) (Amendment) Bill 2019 — First Stage.

I dTOSACH GNÓ PHOIBLÍ
AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh: Initiation of Bills

Tabhairt Isteach:

Introduction:

- 10a.** An Bille Loingis Cheannaíochta (Taismí Muirí a Imscrúdú) (Leasú), 2019 — An Chéad Chéim.
Merchant Shipping (Investigation of Marine Casualties) (Amendment) Bill 2019 — First Stage.

Bille dá ngairtear Acht do leasú an Achta Loingis Cheannaíochta (Taismí Muirí a Imscrúdú), 2000, chun athchóiriú a dhéanamh ar na ceanglais le haghaidh chomhdhéanamh an Bhoird um Thaismí Muirí a Imscrúdú agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Merchant Shipping (Investigation of Marine Casualties) Act 2000, to revise the requirements for composition of the Marine Casualty Investigation Board and to provide for related matters.

—*Mattie McGrath.*

ORDUITHE AN LAE
ORDERS OF THE DAY

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GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

Fógraí Tairisceana:

Notices of Motions:

- 221.** “That Dáil Éireann, having been made aware in recent times of the activities in Mother and Baby Homes that operated throughout Ireland in the twentieth century:

notes:

- the ill-treatment of the mothers and babies in these homes;
- the forced separation of single mothers and their babies from 1922 to 1998;
- the falsification of birth certificates and the subsequent mistreatment of survivors by

the State; and

- that these practices were facilitated through official Government policy and by institutions, such as County Homes, public maternity hospitals and many adoption agencies;

further notes that:

- this has left a dark stain on our nation; and
- the State has refused the survivors justice to the present day, despite irrefutable and conclusive evidence being submitted by survivors and survivor groups; and

calls on the Government to:

- introduce, without delay, a Redress Scheme for the survivors of the Mother and Baby Homes, so as to provide some comfort for this ageing community; and
- set up a Commission of Investigation in relation to the very serious allegations emerging in recent times regarding the widespread and systematic falsification of birth certificates.” — *Clare Daly, Mick Wallace, Joan Collins, Catherine Connolly, Maureen O'Sullivan, Thomas Pringle, Thomas P. Broughan.*

[9 May, 2019]

Leasuithe:

Amendments:

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

“acknowledges the lived experiences of Irish women and children who were in former mother and baby institutions in the last century and stands in solidarity with all former residents, and their loved ones;

recognises that the Government established the Commission of Investigation (Mother and Baby Homes and certain related Matters) in February 2015, to provide an objective account of what happened to vulnerable women and children in these institutions during the period 1922 to 1998;

also acknowledges that the current statutory investigation 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, including, its terms of reference;

also recognises that the Commission has a focused remit to examine areas of practice and procedure in the care, welfare, entry arrangements and exit pathways for the women and children who were residents of named institutions and a representative sample of County Homes;

endorses the important work to date by the independent statutory Commission, including the submission of five interim reports which reflect the sheer depth and complexity of the work being undertaken in comprehensively investigating these matters at a level never before possible; and

further acknowledges that many former residents and their families understand the scale of this statutory investigation, and recognises this unique opportunity to bring greater clarity and enhance national understanding of the most difficult experiences endured by vulnerable mothers and children;

further recognises that:

- a significant focus of the Commission's work is to investigate institutional patterns of referral and relationships with intermediaries involved in the placement of children who did not remain with their parents, with scope to examine whether the child's parentage was concealed, either by omission or by illegal means;
- when the Commission's cross-referencing of records is complete it should provide as comprehensive an account as is possible of the pathways of the children concerned;
- the Commission has the legal authority to address crucial questions to the fullest extent possible in seeking to provide the answers to which former residents are entitled, and the scope to make any recommendations to the Government which the Commission deems appropriate;
- the interests of former residents, their families and the wider public, are best served by facilitating the Commission to conclude all relevant lines of inquiry, including the social history and Confidential Committee modules, in accordance with the legal framework under which it was established;
- the Commission has not made findings to date regarding abuse or neglect within these institutions;
- it is crucially important for the Oireachtas to avoid pre-empting or otherwise encroaching upon the independent Commission's work;
- the Commission's final report, which is due for completion by February 2020, is absolutely necessary to inform the State's response to these matters; and
- the Government has committed to a comprehensive, timely and appropriate response to the full conclusions of the Commission, but it is not feasible to consider matters as complex as redress in advance of the Commission's final report;

welcomes:

- the Government's compassion for the dignity of the deceased and the legislative work being progressed to provide a statutory basis for the forensic-standard excavation, exhumation and identification of juvenile human remains discovered at the site of the former Mother and Baby Home at Tuam, Co. Galway;
- the Minister for Children and Youth Affairs' efforts to be open and transparent regarding the discovery of illegal birth registrations, evidenced by the decision that Tusla would make contact with all those affected by illegal registrations discovered in the St Patrick's Guild files;
- the sensitivity being exercised in contacting those affected, the social work and counselling assistance that is in place to help; and
- the leadership of the Minister for Children and Youth Affairs in directing that a review of a sample of files be undertaken, overseen by an independent reviewer, to ascertain whether any similar evidence of illegal birth registrations is evident on files of other bodies involved in adoption; and

further again recognises and affirms:

- the resilience and agency of former residents, their families and supporters in seeking justice and truth in relation to these events and their experiences;
- the new and innovative approaches by the Minister for Children and Youth Affairs to engagement with former residents and their families, in particular through the establishment of the Collaborative Forum on Mother and Baby Homes, which has facilitated former residents to identify, discuss and prioritise the issues of concern to them and their families;

- that former residents are equal stakeholders in this participant-centred work, which the Minister for Children and Youth Affairs believes can have a lasting and positive impact; and
- the coordinated approach by Government to conduct a comprehensive analysis of the Collaborative Forum’s published recommendations, together with a specific process and timeline for developing a package of health and well-being supports and a series of initial measures, including:
 - the development of a programme of memorialisation;
 - the commissioning of research on language and terminology; and
 - continued action to improve access to birth information through reforms of adoption legislation.” —*An tAire Leanaí agus Gnóthaí Óige*.

2. To delete all words after “further notes that” and substitute the following:

- “— the Commission of Investigation (Mother and Baby Homes and certain related Matters) was established by the previous Government in 2015, in order to fully investigate and report upon practices within Mother and Baby Homes;
- the Commission of Investigation was due to make its final report on its findings in February 2018, a date which has twice been delayed in order to permit the Commission of Investigation to complete its investigation;
- the terms of reference of the Commission of Investigation state that the Commission may ‘include in its reports any recommendation that it considers appropriate’;
- the Commission of Investigation is required to investigate and cross-reference records regarding the paths through which mothers and children exited, and in the case of mothers, entered, these institutions; and
- a considerable number of Mother and Baby Home survivors are in their advanced years, and they are understandably keen that the report of the Commission of Investigation be published as soon as possible; and

calls on the Government to:

- immediately provide counselling and other mental health services to survivors of Mother and Baby Homes, in order to support them at this remarkably difficult time; and
- ensure that the Commission of Investigation into Mother and Baby Homes is provided with the resources needed to promptly complete its final report and release it into the public domain.” — *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 Chambers, Niall Collins, Barry Cowen, John Curran, Stephen 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, Éamon Ó Cuív, Willie O'Dea, Kevin O'Keeffe, Fiona O'Loughlin, Frank O'Rourke, Eamon Scanlon, Brendan Smith, Niamh Smyth, Robert Troy*.

TEACHTAIREACHTAÍ ÓN RIALTAS
MESSAGES FROM THE GOVERNMENT

An Bille um an mBord um Athstruchtúró Comhar Creidmheasa (Díscaoileadh), 2019.
Credit Union Restructuring Board (Dissolution) Bill 2019.

For the purpose of Article 17.2 of the Constitution, the Government recommend that it is expedient to authorise such payments out of moneys provided by the Oireachtas as are necessary to give effect to any Act of the present session to provide for the dissolution of the Credit Union Restructuring Board; to transfer certain functions of the Credit Union Restructuring Board to the Minister for Finance; to amend the Credit Union and Co-operation with Overseas Regulators Act 2012; to provide for the consequential amendment of other enactments; and to provide for matters connected therewith.

Given on this 13th day of May, 2019

(Signed) Leo Varadkar,
An Taoiseach.

An Bille um an Dlí Sibhialta (Toimhde Báis), 2016.
Civil Law (Presumption of Death) Bill 2016.

For the purpose of Article 17.2 of the Constitution, the Government recommend that it is expedient to authorise such payments out of moneys provided by the Oireachtas as are necessary to give effect to any Act of the present session to provide for the civil status of a missing person where the circumstances of his or her absence leads to a presumption of death; and to provide for related matters.

Given on this 14th day of May, 2019

(Signed) Leo Varadkar,
An Taoiseach.

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

Reachtúil

Statutory

Tairiscint Ceadaithe ag Teastáil

Requiring Motion of Approval

Níl aon scríbhinn á leagan faoin gCatagóir seo

None

In-neamhnithe le Tairiscint

Open to Motion to Annul

Na Rialacháin um Thobhach ar an Tionscal Seirbhísí Airgeadais fá Acht an Ombudsman Seirbhísí Airgeadais agus Pinsean, 2017 [Comhairle an Ombudsman Seirbhísí Airgeadais agus Pinsean], 2019 (I.R. Uimh. 201 de 2019).

Financial Services and Pensions Ombudsman Act 2017 [Financial Services and Pensions Ombudsman Council] Financial Services Industry Levy Regulations 2019 (S.I. No. 201 of 2019).

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.

An tOrdú um an Acht Inimirce, 1999 (Alt 4), 2019.

Na Rialacháin Leasa Shóisialaigh (Éilimh agus Íocaíochtaí Comhdhlúite agus Rialú) (Leasú) (Uimh. 8) (Measúnacht ar Acmhainn), 2019 (I.R. Uimh. 202 de 2019).

Na Rialacháin Leasa Shóisialaigh (Liúntas Leasa Forlíontach Comhdhlúite) (Leasú) (Uimh. 4) (Measúnacht ar Acmhainn), 2019 (I.R. Uimh. 203 de 2019).

Eile

An Bord Achomhairc um Cheadúnais Dobharshaothraithe. An Tuarascáil Bhliantúil, 2017.

An tÚdarás Póilíneachta. An Tuarascáil Bhliantúil, 2018.

Foras na Mara. An Tuarascáil Bhliantúil, 2017.

Neamhreachtúil

An Phríomh-Oifig Staidrimh. Staidreamh Trádála: Feabhra 2019.

Rialacháin na gComhphobal Eorpach (Margú Ábhair Iomadaithe Plandaí Torthaí) (Leasú), 2019 (I.R. Uimh. 198 de 2019).

Rialacháin an Aontais Eorpaigh (Prátaí Sí) (Leasú), 2019 (I.R. Uimh. 199 de 2019).

Immigration Act 1999 (Section 4) Order 2019.

Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 8) (Assessment of Means) Regulations 2019 (S.I. No. 202 of 2019).

Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2019 (S.I. No. 203 of 2019).

Other

Aquaculture Licences Appeals Board. Annual Report, 2017.

Policing Authority. Annual Report, 2018.

Marine Institute. Annual Report, 2017.

Non-Statutory

Central Statistics Office. Trade Statistics: February, 2019.

European Communities (Marketing of Fruit Plant Propagating Material) (Amendment) Regulations 2019 (S.I. No. 198 of 2019).

European Union (Seed Potatoes) (Amendment) Regulations 2019 (S.I. No. 199 of 2019).