



# **DÁIL ÉIREANN**

*Déardaoin, 29 Aibreán, 2021*  
*Thursday, 29th April, 2021*

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**RIAR NA hOIBRE**  
**ORDER PAPER**



*Déardaoin, 29 Aibreán, 2021*  
*Thursday, 29th April, 2021*

*An Lárionad Coinbhinsiúin, Baile Átha Cliath*  
*Convention Centre Dublin*

10 a.m.

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**ORD GNÓ**  
**ORDER OF BUSINESS**

33. Ráitis agus Ceistanna agus Freagraí maidir le Covid-19 - Meabhair-Shláinte agus Daoine Scothaosta.  
Statements and Questions and Answers on Covid-19 - Mental Health and Older People.
16. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le Togra le haghaidh Rialachán ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Rialachán (AE) 2016/794.  
Motion *re* Proposed approval by Dáil Éireann of the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/794.
17. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil leis an gCreat Pleanála Mara Náisiúnta.  
Motion *re* Proposed approval by Dáil Éireann of the National Marine Planning Framework.
32. An Bille um Ghníomhú ar son na hAeráide agus um Fhorbairt Ísealcharbóin (Leasú), 2021 — An Dara Céim (*atógáil*).  
Climate Action and Low Carbon Development (Amendment) Bill 2021 — Second Stage (*resumed*).
5. An Bille um Sheirbhísí Slándála Príobháidí (Leasú), 2021 — Ordú don Dara Céim.  
Private Security Services (Amendment) Bill 2021 — Order for Second Stage.

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA**  
**PRIVATE MEMBERS' BUSINESS**

160. Tairiscint *maidir le* Straitéis Náisiúnta um Chumhachtú Uathachais.  
Motion *re* A National Autism Empowerment Strategy.

**FÓGRA I dTAOBH GNÓ NUA**  
**NOTICE OF NEW BUSINESS**

- 10a. An Bille um Bunachais Pórúcháin Madraí (Leasú), 2021 — An Chéad Chéim.  
Dog Breeding Establishments (Amendment) Bill 2021 — First Stage.

- 10b.** An Bille Leasa Shóisialaigh (Ordú Íocaíochta) (Leasú), 2021 — An Chéad Chéim.  
Social Welfare (Payment Order) (Amendment) Bill 2021 — First Stage.

**I dTOSACH GNÓ PHOIBLÍ**  
**AT THE COMMENCEMENT OF PUBLIC BUSINESS**

*Billí a thionscnamh: Initiation of Bills*

*Tíolactha:*  
*Presented:*

- 5.** An Bille um Sheirbhísí Slándála Príobháidí (Leasú), 2021 — Ordú don Dara Céim.  
Private Security Services (Amendment) Bill 2021 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Sheirbhísí Slándála Príobháidí, 2004 agus an Achta um Fheidhmiú Orduithe Cúirte, 1926; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Private Security Services Act 2004 and the Enforcement of Court Orders Act 1926; and to provide for related matters.

*—An tAire Dlí agus Cirt.*

*Tabhairt Isteach:*  
*Introduction:*

- 10a.** An Bille um Bunachais Pórúcháin Madraí (Leasú), 2021 — An Chéad Chéim.  
Dog Breeding Establishments (Amendment) Bill 2021 — First Stage.

Bille dá ngairtear Acht chun cur le leas madraí trí rialáil bunachas pórúcháin madraí a neartú; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to enhance the welfare of dogs by strengthening the regulation of dog breeding establishments; and to provide for related matters.

*—Peadar Tóibín, Noel Grealish, Seán Canney.*

- 10b.** An Bille Leasa Shóisialaigh (Ordú Íocaíochta) (Leasú), 2021 — An Chéad Chéim.  
Social Welfare (Payment Order) (Amendment) Bill 2021 — First Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le cumhachtaí an Aonaid um Ghaolta faoi Dhliteanas de chuid na Roinne Coimirce Sóisialaí a leathnú chuig Ordú Cinnidh a dhéanamh, i leith Íocaíocht Eatramhach Cuardaitheora Poist le teaghlaigh aontuisimitheora, chun aon iarratas chun na Cúirte Dúiche ar Ordú Íocaíochta is gá a áireamh, ionas gur féidir leis an Stát ranníoc a fháil ar ais ó “ghaol faoi dhliteanas” faoi chomhair an chostais a bhaineann leis an íocaíocht sin a sholáthar agus maidir le nithe gaolmhara.

Bill entitled an Act to provide for the extension of the powers of the Liable Relatives Unit of the Department of Social Protection, to make a Determination Order in respect of Jobseekers Transitional Payment to one parent families, to include any necessary application to the District Court for a Payment Order, thus enabling the State to recoup, from a “liable relative”, a contribution towards the cost of providing said payment and related matters.

*—Claire Kerrane.*

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*Fógraí Tairisceana: Notices of Motions*

16. “Go gceadaíonn Dáil Éireann an Stát d’fheidhmiú an roghnaithe nó na rogha faoi Phrótaicail Uimh. 21 maidir le seasamh na Ríochta Aontaithe agus na hÉireann i dtaca leis an limistéar saoirse, slándála agus ceartais, atá i gceangal leis an gConradh ar an Aontas Eorpach agus leis an gConradh ar Fheidhmiú an Aontais Eorpaigh, a bheith páirteach i nglacadh agus i bhfeidhmiú an bhirt bheartaithe seo a leanas:

Togra le haghaidh Rialachán ó Pharlaimint na hEorpa agus ón gComhairle lena leasaítear Rialachán (AE) 2016/794, maidir le comhoibriú Europol le páirtithe príobháideacha, próiseáil sonraí pearsanta ag Europol chun tacú le himscrúduithe coiriúla, agus ról Europol i dtaighde agus nuálaíocht,

ar leagadh cóip de faoi bhráid Dháil Éireann an 11 Eanáir 2021.

That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/794, as regards Europol’s cooperation with private parties, the processing of personal data by Europol in support of criminal investigations, and Europol’s role on research and innovation,

a copy of which was laid before Dáil Éireann on 11th January, 2021.”

—*An tAire Dlí agus Cirt.*

17. “Go gceadaíonn Dáil Éireann an dréacht-Chreat Pleanála Mara Náisiúnta, ar leagadh cóip de faoi bhráid Dháil Éireann an 24 Márta 2021.

That Dáil Éireann approves the draft National Marine Planning Framework, a copy of which was laid before Dáil Éireann on 24th March, 2021.”

—*An tAire Tithíochta, Rialtais Áitiúil agus Oidhreacht.*

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**ORDUITHE AN LAE  
ORDERS OF THE DAY**

32. An Bille um Ghníomhú ar son na hAeráide agus um Fhorbairt Ísealcharbóin (Leasú), 2021 — An Dara Céim (*atógáil*).  
Climate Action and Low Carbon Development (Amendment) Bill 2021 — Second Stage (*resumed*).

33. Ráitis agus Ceisteanna agus Freagraí maidir le Covid-19 - Meabhair-Shláinte agus Daoine Scothaosta.  
Statements and Questions and Answers on Covid-19 - Mental Health and Older People.

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**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA  
PRIVATE MEMBERS' BUSINESS**

*Fógraí Tairisceana:*  
*Notices of Motions:*

**160.** “That Dáil Éireann:

recognises that:

- the special interests and strengths of people with autism are a vital part of our society and we lose out when their unique insight, experience and contribution is lost, and that they require and deserve inclusion, equality and accountability;
- for people with autism and their families, the delays, cancellations and curtailments in healthcare, education and other public services caused by the Covid-19 pandemic have made what was already a poor situation considerably worse, and that as a result they are in a uniquely isolated and vulnerable position; and
- this isolation has been reinforced by the discovery that the State, through the Department of Health, has surreptitiously compiled dossiers of sensitive personal information, from medical and other healthcare and educational sources, on children with autism, a practice that this Dáil should condemn, and the publication of an internal review into this matter will do nothing to restore confidence as it lacks the independence and transparency so urgently required;

notes that:

- the long-standing adversarial approach taken by the State, when services which children are entitled to, or urgently need access to, are absent or failing, has put major strain on families and carers, and destroyed the trust of many in the State;
- early diagnosis and intervention for children with autism is critically important, but waiting times for both assessments and services have always been bad, and are now intolerable;
- in a recent reply to a parliamentary question, the Health Service Executive confirmed an average 19-month waiting time for a child’s assessment of needs, with 5,078 assessment of need applications overdue for completion, which is in contravention of the legal requirements under the Disability Act 2005, where it is set out that assessments for children with additional needs, such as autism, should be commenced within three months and completed within six months;
- less than 10 per cent of assessments of need are being carried out within the statutory time-frame, and this is in contravention of the Government’s own National Autism Plan which promotes timely access to diagnostic assessment, and which is indicative of the Government’s abject failure to support families of children with autism;
- due to Ireland’s two-tier health service, families from more disadvantaged backgrounds, or without the financial resources, cannot access timely intervention, which is leading to increased levels of stress and difficulties for families of children with autism;
- many provisions within the Education for Persons with Special Educational Needs Act 2004 remain to be commenced;
- €63,000 a day, or €11.6 million a year, is spent transporting children with autism and those with special needs in south Dublin to schools in other parts of the city, due to a failure to provide appropriate places locally; and
- a study by Dublin City University academics in August 2020, showed that as a result of Covid-19 restrictions, a decline was reported for 61 per cent of children with

autism, with parents noting:

- a decline in their child’s ability to self-regulate emotions in the case of 34 per cent of children;
- a decline in motivation to engage in activities, including school work, in the case of 18 per cent of children; and
- a decline in academic skills such as maths, reading and writing, in the case of 14 per cent of children; and

calls on the Government to:

- commission a fully independent review, by a body other than the Department of Health, into the Department of Health’s practice of surreptitiously compiling dossiers of sensitive personal information, from medical and other healthcare and educational sources, on children with autism;
- introduce a new national autism empowerment strategy, which would take a rights-based approach to the inclusion and acceptance of people with autism in Irish life, that recognises the significant strengths of people with autism and places their voices, and those of their families, at the heart of the planning and decision making process, is underpinned by a budget and by draft legislation, and for the strategy to be published and submitted for the approval of both Houses of the Oireachtas by the end of July, and that the strategy should include:
  - direct involvement in its development from people with autism and their families, through the establishment of a working group and direct consultation with the community;
  - learning from best practice abroad, such as Malta’s Persons within the Autism Spectrum (Empowerment) Act 2016, and to lay out the establishment of an Irish autism advisory council, similar to the Maltese Autism Advisory Council, to advise and guide Government on autism strategy and which holds Government to account;
  - the immediate abandonment of the new standard operating procedures for assessment of need need under the Disability Act 2005, which have reduced assessments of children to a meaningless box-ticking exercise, and to put in its place a system for professional, multidisciplinary, in-depth assessments of need that will provide both a detailed description of a child’s needs as well as setting out proposals for tailored, specific and evidence-based intervention;
  - urgent action to address waiting lists for assessments of needs, occupational therapy, speech and language, audiology and other areas of concern, with the immediate recruitment of additional therapists to ensure early intervention;
  - a best practice model of service delivery, assessment, diagnosis and intervention for service users with autism, drawing on international expertise, with guidance for health service providers on how to meet the needs of both children and adults with autism, and their families and carers;
  - a clear and detailed intervention plan, funded and time-bound, on support services for families and carers, and a fully established roadmap on how family support services are to be developed;
  - appropriate amendments to the definition of disability in equality legislation, so as to include specific reference to autism and other developmental issues that affect a person’s capacity to take part in social



- interactions or to form social relationships, and to incorporate a rights-based, child-centred and inclusive approach;
- a sustained autism inclusiveness campaign and the provision of autism inclusion procedures and real engagement, including training for all professionals who frequently deal with adults with autism;
  - appropriate regulation of autism services and therapies and recommendations on appropriate action to be taken in relation to therapies which are not medically, or evidence based, make false claims or are dangerous to the welfare of people with autism;
  - the inclusion of a question on autism in the next national census to determine the number of people with autism in the State;
  - the implementation of the recommendations of the report entitled ‘Unmet Needs - A report by the Ombudsman for Children’s Office on the challenges faced by children in Ireland who require an assessment of their needs’, including and not limited to:
    - additional resources, including a refund element for private assessment to get to grips with the significant waiting lists;
    - changes to the Disability Act 2005, to ensure a holistic and multidisciplinary approach to the assessment and identification of a child’s development needs; and
    - recognition of the special educational needs of children in legislation, via changes to the Education for Persons with Special Educational Needs Act 2004, to ensure these needs are met in a timely and appropriate manner;
  - the commencement and resourcing of all relevant disability legislation without delay;
  - in relation to adults with autism, access to diagnostic services, to key worker support and appropriate mental health care where required, and a pathway of care which clearly maps services and ensures their consistent availability across the State and outlines how the healthcare, educational, employment and social needs of adults with autism are to be addressed throughout their lives and across the public service in terms of access to services, justice, housing, employment and social inclusion, with parity of access as the underpinning goal; and
  - a clear system of accountability and scrutiny relating to autism service provision.” — *Alan Kelly, Aodhán Ó Ríordáin, Brendan Howlin, Seán Sherlock, Duncan Smith, Ged Nash.*

[28 April, 2021]

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**SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA dTITHE  
DOCUMENTS LAID BEFORE THE HOUSES<sup>1</sup>**

<sup>1</sup> 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

P.T.O.

**Reachtúil***Tairiscint Ceadaithe ag Teastáil**Níl aon scríbhinn á leagan faoin gCatagóir seo**In-neamhnithe le Tairiscint*

An tOrdú um an gCiste Oidhreachta (Riarachán Roinne agus Feidhmeanna Aire a Aistriú), 2021 (I.R. Uimh. 185 de 2021).

*Eile*

Teachtaireacht ón gCoimisiún chuig Parlaimint na hEorpa, chuig an gComhairle, chuig Coiste Eacnamaíoch agus Sóisialta na hEorpa agus chuig Coiste na Réigiún: straitéis AE um chearta an linbh mar aon le nóta faisnéise míniúcháin. COM (2021) 142.

Ráitis Airgeadais Chomhdhlúite Ollscoil na hÉireann, Maigh Nuad don bhliain dar chríoch an 30 Meán Fómhair 2020.

**Neamhrechtúil**

Litir faoina Éirí As ó Eoghan Ó Murchú, T.D., don Cheann Comhairle, dar dáta an 27 Aibreán 2021. (D)

Iontaobhaí Poiblí Éireann. Na Cuntais, 2022. (D)

**Statutory***Requiring Motion of Approval**None**Open to Motion to Annul*

Heritage Fund (Transfer of Departmental Administration and Ministerial Functions) Order 2021 (S.I. No. 185 of 2021).

*Other*

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: EU strategy on the rights of the child together with explanatory information note. COM (2021) 142.

Consolidated Financial Statements of National University of Ireland, Maynooth for the year ended 30 September, 2020.

**Non-Statutory**

Letter of Resignation from Eoghan Murphy T.D., to the Ceann Comhairle, dated 27 April, 2021. (D)

Public Trustee Ireland. Accounts, 2020. (D)