

Residential Institutions Statutory Fund: [Private Members] Motion (Resumed) 25th May 2017

The following motion was moved by Deputy Catherine Connolly on Wednesday, 24 May 2017:

That Dáil Éireann:

recognises:

- that the statutory body Caranua has, to date, failed a large number of applicants in providing adequate access to the Residential Institutions Statutory Fund;
- the high number of complaints and reports of dissatisfaction and negative experiences from applicants to that fund;
- the poor delivery of service and information to survivors based in the United Kingdom;
- the poor delivery of service and information to survivors in the deaf community in the State;
- that inadequate strategic planning, lengthy delays in the application process and poor communication practices have severely impacted on the experience of survivors accessing the fund;
- that there has been an unacceptable level of turnover in staff personnel;
- that there have been a number of serious and unacceptable breaches of the legislation relating to the fund;
- that the failure of previous Ministers for Education and Skills to carry out an undertaking to review the operation of the fund two years after its establishment has added extra pain to survivors; and
- that there has been no operating board since March 2017; and

calls on the Minister for Education and Skills to:

- initiate a review of operations without further delay, to be concluded within a three month timeframe, and to consider the following recommendations:
 - review of the eligibility criteria;
 - review and expand the range of services available to applicants;
 - review the inclusion of section 43 of the Residential Institutions Statutory Fund Act 2012 to set up a special account in the name of the Minister for Health;
 - streamline the application process giving clear timescales for processing and communicating decisions; and
 - provide face to face appointments with applicants who wish to avail of them in order to breakdown communications barriers and reconcile with survivors who have had a negative experience during the application process;
- open up negotiations between the Office of Public Works and the Department of Education and Skills to provide office facilities for the day-to-day functions of Caranua, with no cost to be incurred by the survivors' fund;

— draw up a new survivor-led customer charter to be adhered to, without exception, by all Caranua staff; and

— establish and clarify a system of appropriate oversight for the operations of Caranua and to provide immediate and appropriate oversight in the current absence of a sitting board.

Debate resumed on amendment No. 1:

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

“recognises that:

— many individuals suffered horrific abuse when, as children, they were placed in industrial schools and other residential settings;

— successive Governments have put strategies in place to support former residents, through the provision of services including counselling, educational supports, etc.;

— many former residents continue to have ongoing needs; and

— Caranua (the Residential Institutions Statutory Fund Board) is an independent statutory body, established for the purpose of utilising contributions totalling €110 million from religious congregations being made available to Caranua to enable it to meet the needs of former residents;

acknowledges:

— the work being undertaken by Caranua to support former residents;

— that, to date, some €60 million has been spent by Caranua on supports to former residents and that some 4,000 individuals have received such support;

— that Caranua has expended some £8 million on supports to former residents residing in the United Kingdom;

— that decisions of Caranua may be appealed to the independent appeals officer appointed under section 21 of the Residential Institutions Statutory Fund Act 2012;

— that the outcome of a consultative process, inviting submissions on the draft terms of reference for a review of eligibility to apply to Caranua, will be published shortly;

— that in 2016 Caranua, in response to calls to do so from former residents, expanded the range of approved services it could support, simplified the applications process and introduced personal limits; and

— that under the provisions of section 30(1) of the Residential Institutions Statutory Fund Act 2012, Caranua’s costs, including all administrative costs, are charged on the National Treasury Management Agency investment account into which funds contributed by religious congregations are placed;

notes that:

— the Government has recently noted the Minister for Education and Skills’ intention to appoint a new board for Caranua, and that letters of appointment will be issuing this week;

— the provisions of section 43 of the Residential Institutions Statutory Fund Act 2012, which relate to the funding of the proposed National Children’s Hospital, will only apply if the fund receives more funding over and above the €110 million which has been committed;

— to engage in negotiations between the Office of Public Works (OPW) and the Department

of Education and Skills is not possible under current legislation; and

— the building previously occupied by Caranua and the building that will shortly be occupied by Caranua are not owned by the OPW, meaning that rent is payable and that Caranua, in accordance with its legislation, must meet these accommodation costs; and

calls on the Government to:

— complete the review of eligibility in summer 2017;

— require that Caranua provides regular statistics to the Department of Education and Skills and the public on waiting times for processing and communicating decisions;

— request Caranua to provide a greater level of face to face engagement with survivors-applicants, particularly after the organisation moves into new office accommodation which will be more suitable for this activity;

— require Caranua to review the current customer charter, in consultation with survivors, ensuring that the principles of equity, consistency and transparency are at the heart of its activities; and

— endeavour to ensure that Caranua will have the full €110 million in funding made available to it at the earliest opportunity.”

-(Minister for Education and Skills)

An Ceann Comhairle: I must now deal with a postponed division on amendment No. 1 to the motion regarding Caranua. On Wednesday, 24 May 2017, on the question, "That the amendment to the motion be agreed to", a division was claimed. In accordance with Standing Order 70(2), that division must be taken now.

Amendment put:

The Dáil divided: Tá, 54; Níl, 44; Staon, 40.

Tá	Níl	Staon
Bailey, Maria.	Adams, Gerry.	Aylward, Bobby.
Barrett, Seán.	Barry, Mick.	Brassil, John.
Breen, Pat.	Boyd Barrett, Richard.	Breathnach, Declan.
Brophy, Colm.	Brady, John.	Browne, James.
Bruton, Richard.	Broughan, Thomas P.	Butler, Mary.
Burke, Peter.	Buckley, Pat.	Cahill, Jackie.
Byrne, Catherine.	Burton, Joan.	Calleary, Dara.
Canney, Seán.	Collins, Joan.	Casey, Pat.
Cannon, Ciarán.	Collins, Michael.	Cassells, Shane.
Carey, Joe.	Connolly, Catherine.	Chambers, Jack.
Coveney, Simon.	Coppinger, Ruth.	Chambers, Lisa.
Creed, Michael.	Crowe, Seán.	Collins, Niall.
D'Arcy, Michael.	Cullinane, David.	Cowen, Barry.
Daly, Jim.	Daly, Clare.	Curran, John.
Deasy, John.	Doherty, Pearse.	Dooley, Timmy.
Deering, Pat.	Ferris, Martin.	Fleming, Sean.
Doherty, Regina.	Funchion, Kathleen.	Grealish, Noel.
Donohoe, Paschal.	Healy-Rae, Michael.	Harty, Michael.

Doyle, Andrew.	Healy, Seamus.	Haughey, Seán.
Durkan, Bernard J.	Howlin, Brendan.	Kelleher, Billy.
English, Damien.	Kenny, Gino.	Lahart, John.
Farrell, Alan.	Kenny, Martin.	Lawless, James.
Fitzgerald, Frances.	McDonald, Mary Lou.	McConalogue, Charlie.
Fitzpatrick, Peter.	McGrath, Mattie.	McGrath, Michael.
Flanagan, Charles.	Martin, Catherine.	McGuinness, John.
Griffin, Brendan.	Mitchell, Denise.	Martin, Micheál.
Harris, Simon.	Munster, Imelda.	Moynihan, Aindrias.
Heydon, Martin.	Murphy, Catherine.	Moynihan, Michael.
Humphreys, Heather.	Nolan, Carol.	Murphy O'Mahony, Margaret.
Kehoe, Paul.	Ó Broin, Eoin.	Murphy, Eugene.
Kyne, Seán.	Ó Caoláin, Caoimhghín.	O'Callaghan, Jim.
Lowry, Michael.	Ó Laoghaire, Donnchadh.	O'Dea, Willie.
McEntee, Helen.	O'Reilly, Louise.	O'Keeffe, Kevin.
McGrath, Finian.	O'Sullivan, Jan.	O'Loughlin, Fiona.
McHugh, Joe.	O'Sullivan, Maureen.	O'Rourke, Frank.
McLoughlin, Tony.	Pringle, Thomas.	Rabbitte, Anne.
Madigan, Josepha.	Quinlivan, Maurice.	Scanlon, Eamon.
Mitchell O'Connor, Mary.	Ryan, Brendan.	Smith, Brendan.
Moran, Kevin Boxer.	Ryan, Eamon.	Smyth, Niamh.
Murphy, Dara.	Sherlock, Sean.	Troy, Robert.
Murphy, Eoghan.	Shortall, Róisín.	
Naughten, Denis.	Smith, Bríd.	
Naughton, Hildegarde.	Tóibín, Peadar.	
Neville, Tom.	Wallace, Mick.	
Noonan, Michael.		
O'Connell, Kate.		
O'Donovan, Patrick.		
O'Dowd, Fergus.		
Phelan, John Paul.		
Ring, Michael.		
Rock, Noel.		
Stanton, David.		
Varadkar, Leo.		
Zappone, Katherine.		

Tellers: Tá, Deputies Regina Doherty and Tony McLoughlin; Níl, Deputies Catherine Connolly and Maureen O'Sullivan.

Amendment declared carried.