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An Coiste um Leanaí, Comhionannas, Míchumas,  
Lánpháirtíocht agus Óige  
Clár Oibre  
Eanáir 2024

Joint Committee on Children, Equality, Disability,  
Integration and Youth  
Work Programme  
January 2024

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**AN COISTE UM LEANAÍ, COMHIONANNAS, MÍCHUMAS,  
LÁNPHÁIRTÍOCHT AGUS ÓIGE**

**CLÁR OIBRE – 2024**

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**JOINT COMMITTEE ON CHILDREN, EQUALITY, DISABILITY,  
INTEGRATION AND YOUTH**

**WORK PROGRAMME – 2024**

## MEMBERSHIP

- John Brady T.D., SF
- Holly Cairns T.D., SD
- Patrick Costello T.D., GP Leas-Chathaoirleach
- Michael Creed T.D., FG
- Alan Dillon T.D., FG
- Kathleen Funchion T.D., SF, Cathaoirleach
- Jennifer Murnane O'Connor T.D., FF
- Brendan Griffin T.D., FG
- Seán Sherlock T.D., LAB
- Senator Tom Clonan, IND
- Senator Erin McGreehan, FF
- Senator Ned O'Sullivan, FF
- Senator Lynn Ruane, IND
- Senator Mary Seery Kearney, FG

Joint Committee on Children, Equality, Disability, Integration and Youth			
			
Kathleen Funchion TD <i>Sinn Féin (Cathaoirleach)</i>	Patrick Costello TD <i>Green Party</i>	Alan Dillon TD <i>Fine Gael</i>	Jennifer Murnane O'Connor TD <i>Fianna Fáil</i>
			
Brendan Griffin TD <i>Fine Gael</i>	Seán Sherlock TD <i>Labour</i>	John Brady TD <i>Sinn Féin</i>	Holly Cairns TD <i>Social Democrats</i>
			
Michael Creed TD <i>Fine Gael</i>	Senator Tom Clonan <i>Independent</i>	Senator Erin McGreehan <i>Fianna Fáil</i>	Senator Lynn Ruane <i>Independent</i>
			
Senator Mary Seery Kearney <i>Fine Gael</i>	Senator Ned O'Sullivan <i>Fianna Fáil</i>		

## 1. INTRODUCTION

The Joint Oireachtas Committee on Children, Disability, Equality and Integration was established by Dáil Éireann on 30th July 2020 and Seanad Éireann on 25th September 2020. The title of the Committee was subsequently changed by an order of both Houses to the Joint Committee on Children, Equality, Disability, Integration and Youth on 24th of May 2021. Standing Orders 100(4) (Dáil Éireann) and 77(4) (Seanad Éireann) require that “as soon as may be following its appointment and thereafter at annual intervals, each Select Committee shall prepare a work programme and shall lay such programme before Dáil Éireann and Seanad Éireann”.

## 2. SELECT COMMITTEE

The function of the Select Committee is to consider Bills, Estimates and other business referred to it by Dáil Éireann which relates to the Department of Children, Equality Disability, Integration and Youth.

### A. Legislation (Bills)

The Government Legislative Programme identifies the Bills relevant to the Department of Children, Equality Disability, Integration and Youth as follows:

#### Priority Bills

##### **39th Amendment of the Constitution (Family) Bill:**

To provide for the amendment of the Constitution in response to recommendations of the Citizens' Assembly on Gender Equality.

Heads in preparation.

##### **40th Amendment of the Constitution (Care) Bill:**

To provide for the amendment of the Constitution in response to recommendations of the Citizens' Assembly on Gender Equality.

Heads in preparation.

**Prohibition of Conversion Practices Prohibition Bill:** To prohibit conversion therapy/practices in Ireland. Heads in preparation.

**Child Care (Amendment) Bill:** To (a) revise the Child Care Act 1991 to reflect best practice developments in the sphere of child welfare and protection services that have evolved in the 30 years since enactment and in light of the Constitutional recognition of children as individual

rights holders and (b) amend Part VIIA which deals with the Tusla Early Years Inspectorate for the purpose of strengthening the powers of Regulator. General Scheme published. PLS was completed in June 2023.

**Equality Acts (Amendment) Bill:** To make provision for proposed amendments to the equality legislation arising from the Review of the Equality Acts. Heads in preparation.

## All other legislation

**Maternity Leave for Members of the Oireachtas Bill:** To provide for an entitlement to maternity leave for Members of the Oireachtas. Heads in preparation.

**Support for Irish Survivors of Thalidomide Bill:** To provide a package of health and personal social services and other supports for independent living to Irish survivors of thalidomide on a statutory basis rather than on an administrative basis. Work is underway.

## Private Members Bills referred to Committee:

- Civil Registration (Right of Adoptees to Information) (Amendment) Bill 2021: The Committee is awaiting a request to commence pre-committee stage scrutiny from the sponsor of the Bill.
- Adoption (Information) Bill 2021: The Committee is awaiting a request to commence pre-committee stage scrutiny from the sponsor of the Bill.
- Organisation of Working Time (Domestic Violence Leave) Bill 2020: The Committee completed pre committee stage scrutiny of the Bill, however, did not publish a report on the Bill as Government legislation was enacted providing for paid domestic violence leave.
- Autism Spectrum Disorder Bill 2017: The Committee has undertaken pre committee stage detailed scrutiny of the Bill and is in the process of completing its report on same.

Private Members' Bills will be subject to scrutiny by the Committee in accordance the provisions of Standing Orders 141 and 148B [Dáil]. Paragraph (4) of Standing Order 148B [Dáil] provides for Joint Committee scrutiny of a Bill.

## B. Estimates and other Financial Matters

The Select Committees are tasked with consideration of annual Estimates for Public Services that fall within their remit. The Estimates are Ministers' spending plans for the coming financial year. When the Estimates are referred to the Select Committee for consideration, the



Committee will have a valuable opportunity to question the Minister on financial allocations and associated output targets for the coming year. A Supplementary Estimate may be considered later in the year if additional monies are required by the relevant Government Department. The Select Committee is required to consider the Estimates but is not empowered to amend them.

In addition, the examination of the Annual Output Statements (AOS) including performance, efficiency and effectiveness in the use of public monies and Value for Money (VFM) Reviews is another important part of scrutinising Government expenditure, should such statements become available.

## C. Referrals of Motions and Other Matters

From time to time, matters may arise and may be referred to the Select Committee by the Dáil. It is not possible to say in advance what those matters might be or when they might arise due to the fact that they come to the committee as a result of decisions taken elsewhere (e.g. at EU level). However, the Select Committee will schedule the necessary meeting(s) to ensure that the matter is considered within the prescribed timeframe.

## D. Engagement with Ombudsman

A Select Committee may in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department or Departments, consider such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select.

## 3. JOINT COMMITTEES

The duties of the Joint Committee are discharged in two ways (i) there will be items of business referred to it by one or both Houses and (ii) it can select business for consideration itself, from the areas within its terms of reference.

### A. EU Business

Scrutiny of EU Legislative Proposals



The scrutiny of draft EU legislative proposals will continue to be a standing agenda item of the Joint Committee. Draft proposals will be brought to the attention of the Joint Committee in line with the 2013 mainstreaming models as agreed by the Working Group of Committee Cathaoirligh (WGCC) by setting out priority (Schedule A) and non-priority (Schedule B) items. The Joint Committee will consider all proposals as they arise during the period covered by this Work Programme.

### **Engagement with Ministers**

Ministers of the Government attend EU Council meetings in their relevant policy areas, and it is intended that the Joint Committee will invite the Minister for Children, Equality, Disability, Integration and Youth from time to time to give oral briefings following such meetings.

### **Engagement on the Statutory Departmental Scrutiny Report**

There is a requirement under Section 2(5) of the European Union (Scrutiny) Act 2002 for Ministers to report twice yearly to both Houses on the measures, proposed measures and other developments in relation to the European Communities and the European Union in relation to which he/she performs functions. The Joint Committee can consider these reports with the Secretary General of the Department.

### **Engagement with European Bodies**

The Committee will engage with European bodies, where suitable, such as the EU Commission and the EU Parliament and its committees during 2024, including, virtual engagement and/or delegation visits where appropriate.

## **B. Key policy and governance priorities**

The Joint Committee is empowered to consider such other policy issues as it may select within its terms of reference. In addition to core business such as engagement with the Minister and Minister of State, Departmental officials and respective bodies on policy and government issues, it should be possible to focus on a number of topics within the remit of the Department of Children, Equality, Disability, Integration and Youth with the aim of producing well-researched reports and laying them before the Houses in 2024.

The Joint Committee will prioritise some of the following issues along with current issues or other matters that arise from time to time.

Children, Equality, Disability, Integration and Youth	
<b>Children</b>	
1.	Engagement with the Minister in relation to the Implementation of First 5
2.	Care in an Unpaid Capacity ('Family Carers'/Kinship Care)
3.	Engagement with CEO of HSE regarding delivery of all health care services to Children and the Joint Protocol between Tusla and the HSE
4.	Reviewing the Joint Protocol between Tusla and the HSE
5.	Engagement with Special Rapporteur on Child Protection
6.	Ongoing engagement and scrutiny of Tusla
7.	Review of Barnahus Model/system of support for young people who have experienced Child Sexual Abuse (CSA)
8.	Engagement on the protection of children in the use of Artificial Intelligence
9.	Engagement with relevant stakeholders on child protection and safeguarding
<b>Disability</b>	
1.	Engagement with the Minister of State with responsibility for Disability
2.	Engagement with Minister(s) on implementation of recommendations provided in the report of the Committee on the Assessments of Need
3.	Engagement with relevant Minister(s) regarding implementation of the recommendations of the Special Joint Committee on Autism
4.	Progress on the implementation of Sustainable Development Goals set out in the United Nations 2030 Agenda for Sustainable Development
5.	The use of plain English in relation to Bills and PLS Submission requests, such as that suggested in the Plain Language Bill 2019
6.	Review of respite services & Committee visit to Hazel House
<b>Equality</b>	
1.	Engagement with Womens Advocacy Groups
2.	Pre-legislative scrutiny of the Ban on Conversion Therapies Bill
<b>Integration</b>	
1.	Engagement with Minister regarding the implementation of the recommendations of the Committee provided for in the Report on Refugees and Integration
<b>Youth</b>	
1.	Visit to Oberstown Detention Campus to examine the care of children in detention (special care, secure care and youth detention settings)
2.	An additional topic on issues facing our Youth will be examined following the visit to Oberstown

## C. Pre-Legislative Scrutiny/Post-enactment

The Government Legislative Programme makes provision for the publication of a number of Bills. In accordance with Standing Order 173 Ministers are now required, save in exceptional circumstances and with the permission of the Business Committee, to bring the general scheme or draft heads of a Bill to a Joint Committee for consideration. Committees are empowered to consider the draft heads of Bills but can decide in relation to a particular Bill that such consideration is not necessary. The Committee will examine all referrals by the Minister for Children, Equality, Disability, Integration and Youth on a case-by-case basis and will carry out pre-legislative scrutiny on all Bills where it deems it necessary.

In accordance with Standing Order 197, some 12 months following the enactment of a Bill, save in the case of the Finance Bill and the Appropriation Bill, the member of the Government or Minister of State who is officially responsible for implementation of the Act shall provide a report which shall review the functioning of the Act, and which shall be laid in the Oireachtas Library. The Committee is empowered to require the Minister/Minister of State to attend before the Committee in relation to the consideration of the report [Standing Order 96(8)].

## D. Engagement with Chairpersons Designate

In accordance with Standing Order 96(7) the Joint Committee is empowered to engage with the chairperson designate of a body or agency under the aegis of the Department of Children, Equality, Disability, Integration and Youth prior to their appointment to discuss their strategic priorities for the role. It is an opportunity for chairpersons designate to discuss with the Committee the approach they will take as chairperson and to give their views as to what contribution they can make to the agency or body to which they are proposed to be appointed. The Joint Committee will where feasible, meet with chairpersons designate as nominations arise during the year.

## E. Travel

In accordance with Standing Order 96(10) the Joint Committee may decide, subject to financial, administrative and procedural constraints, to undertake travel as it considers necessary to further progress the Work Programme. Such travel may include attendance at conferences or meetings, or study visits related to issues within its remit. The Working Group of Committee Cathaoirigh will make recommendations in relation to apportionment of moneys

available for travel subject to the consent of the Houses of the Oireachtas Commission [Dáil Standing Order 120(4)(a)].

## 1. AGREEMENT OF WORK PROGRAMME

This Work Programme of the Joint Committee on Children, Equality, Disability, Integration and Youth for 2024 was agreed by the Joint Committee at its meeting on 23 January 2024. In accordance with Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed on xxx 2024 that the Work Programme would be laid before both Houses of the Oireachtas.



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Kathleen Funchion T.D.

Cathaoirleach

23 January 2024

## **Appendix 1: TERMS OF REFERENCE FOR COMMITTEES**

This report is produced by the Joint Committee Children, Equality, Disability, Integration and Youth under its Terms of Reference ([available here](#)) as agreed by Dáil and Seanad Éireann. Any Conclusions or Recommendations arrived at have been agreed by the Committee. They do not represent the views of either House of the Oireachtas unless these have formally endorsed the report. It is important to note that the report is the agreed collective view of members of the Committee. However, individual members may not agree with all Conclusions or Recommendations arrived at.

## **Appendix 2: Bodies under the aegis of the Department and associated Commission**

### **Child and Family Agency - Tusla**

Tusla, the Child and Family Agency, was established in 2014 under the Child and Family Agency Act 2013. Its functions were previously carried out by the HSE, the Family Support Agency and the Educational Welfare Board. Tusla's establishment mirrors the decision to set up a separate Department of Children and Youth Affairs, transferring responsibility for a range of services for children and young people from the then Department of Health and Children and the HSE.

Tusla is responsible for child welfare and protection services, including family support services; family resource centres and associated national programmes; early years (pre-school) inspections and domestic, sexual and gender-based violence services; and services relating to the psychological welfare of children.

### **Oberstown Children Detention Campus**

Oberstown Children Detention Campus is a national service that provides a safe and secure environment for young people remanded in custody or sentenced by the Courts for a period of detention.

The principal objective of the campus under the Children Act 2001 is to provide appropriate care, education, training and other programmes to young people between 12 and 18 years with a view to reintegrating them successfully back into their communities and society. The framework for providing these objectives is through CEHOP which focuses on providing Care, Education, Health and wellbeing interventions, Offending behaviour programmes and Preparation for leaving.

#### Adoption Authority of Ireland

The Adoption Authority of Ireland (AAI) is an independent body established under the Adoption Act 2010. The purpose of the Adoption Act 2010 is to improve standards in both domestic and intercountry adoption. The goals and objectives of the AAI are:

- To achieve the highest standard in the regulation and operation of adoption services in Ireland;
- To apply informed and balanced decision-making in adoption services, in accordance with national and international law and evidence-based practice;
- To inform and influence adoption policy and service delivery by reason of a practical understanding of the operations of the legislation through the provision of a comprehensive information, research and communications framework; and
- To plan and implement the changes required in organisation policies and operational procedures in line with emerging legislative changes.

#### Office of the Ombudsman for Children (OCO)

The Office of the Ombudsman for Children is an independent body established under the Ombudsman for Children Act, 2002. It investigates complaints about services provided to children by public organisations and the service is free and independent. The Ombudsman is a presidential appointment and reports directly to the Oireachtas.

Gaisce, the President's Award: The President's Award is the National Challenge Award given by the President to young people in Ireland between the ages of 15 and 25 years. The purpose of the award is to reward young people who have set and achieved a demanding challenge for themselves in each of 4 different areas of activity (Community involvement, Personal Skill, Physical recreation, Adventure journey). There are 3 awards; bronze, silver and gold, which reflect different levels of time and commitment.

#### The National Disability Authority

Responsibility for the National Disability Authority (NDA) will transfer to this Department when disability responsibilities transfer from the Department of Justice.

The NDA is an independent statutory body that provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities. Its

mandate is set out in the National Disability Authority Act 1999, with additional functions assigned under the Disability Act 2005.

The NDA functions include research, developing and collaborating on the development of relevant statistics; assisting in the development of standards; developing codes of practice and monitoring the implementation of standards, codes and employment of persons with disabilities in the public service.

#### The Irish Human Rights and Equality Commission

The Irish Human Rights and Equality Commission is Ireland's national human rights and equality institution. It is an independent public body that accounts to the Oireachtas, with a mandate established under the Irish Human Rights and Equality Commission Act 2014 (IHREC Act 2014).

The IHREC Act includes and further enhances the functions of the former Irish Human Rights Commission and the former Equality Authority. The IHREC purpose is to protect and promote human rights and equality in Ireland and build a culture of respect for human rights, equality and intercultural understanding in the State. Its work is determined independently by fifteen members of the Commission whose diverse membership broadly reflects the nature of Irish society.

#### Disability Services delivered by the HSE and Section 38 and 39 Organisations

The HSE is the statutory agency responsible for the delivery of these service and they do this through a mix of HSE direct provision as well as through non-statutory section 38 and 39 service providers, and private providers.



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