

24 April 2020

Minutes

Irish Human Rights and Equality Commission

Extraordinary Meeting

Present:

1. Heydi Foster Breslin (HFB)
2. Frank Conaty (FC)
3. Colm O' Dwyer (COD)
4. Caroline Fennell (CF)
5. Tony Geoghegan (TG), Acting Chief Commissioner
6. Salome Mbugua (SMb)

Apologies:

None.

In Attendance:

1. Laurence Bond, Director (LB)
2. Iris Elliott, Head of Policy & Research (IE)
3. Michael O' Neill, Head of Legal (MON)
4. Jean O' Mahony, Head of Strategic Engagement (JOM)
5. Muireann Ní Thuairisg, Minute Taker (MNT)

The Irish Human Rights and Equality Commission held an Extraordinary Meeting between 2:30pm and 4:45pm on 24 April 2020.

Closed Session

The Commission met in closed session without the Executive present. A discussion was held in relation to the appointment of new Commissioners and the potential for confusion regarding the position of newly proposed Commissioners (i.e. when the names of proposed new Commissioners are publicly announced and yet they are awaiting the formal ratification process). In this regard consideration was given to the possibility of writing a letter welcoming the proposed new Commissioners and outlining the formalities. It was noted that while the name of the new Chief Commissioner has been made public, as far as we know, the names of the other proposed new Commissioners have not gone to Cabinet and, as such, we don't know if any further public announcement is imminent. It was agreed, therefore, that no correspondence should issue at present but should be reconsidered once the names of all the new Commissioners are formally announced and/or if deemed appropriate at a future time.

LB and MNT joined the meeting.

1.1 Apologies, Quorum and Declaration of Interest

No declarations of interest made and no apologies noted. The meeting was quorate.

1.2 Minutes of Previous Extraordinary Meeting

The draft minutes of the Extraordinary Commission meeting held on 15 April 2020 were approved, proposed by FC and seconded by COD. These minutes include notes of the closed sessions of Commission meetings held on 31 March 2020, 21 February 2020 and 23 May 2019, as an agreed record.

1.3 Matters arising not otherwise on the agenda

TG noted the importance of having a record of all closed sessions of Commission meetings. The Director was asked to prepare a template for minuting future closed sessions of the Commission.

2.1 Briefing Note on use of Covid-19 Emergency Powers

MON, JOM and IE joined the meeting.

A briefing note on the use of Covid-19 Emergency Powers was circulated to the Commission prior to the meeting.

A report by the Policing Authority was also circulated to the Commission - *'Policing performance by the Garda Síochána during the COVID-19 crisis - Interim Report to the Minister for Justice and Equality'*.

Following discussion, the Commission agreed to issue a public statement

- Highlighting that more information is required to assess whether the policing powers under the *Health (Preservation and Protection and other Measures in the Public Interest) Act 2020 and associated regulations* are being exercised proportionately, and whether implementation of this legislation is having a differential impact on different groups or sectors of society. It was also agreed that the Commission will write to the Garda Commissioner regarding this matter.
- Calling for close parliamentary oversight of the State's response to the COVID-19 crisis, preferably through the establishment of an Oireachtas Committee on Human Rights, Equality and Diversity, which would have a mandate to examine the legal, social and economic rights implications of COVID-19.
- Noting that in line with its mandate, the Commission will keep under review the human rights and equality implications of the emergency legislation and other State responses to the COVID-19 crisis.

FC gave an update on the meeting of the Disability Advisory Committee, held on 22 April 2020. The main agenda item for discussion was the COVID-19 Public Health Emergency.

It was noted the importance of IHREC continuing to provide a service to the public who are seeking assistance.

It was agreed the 40th Ordinary Plenary Meeting will take place on 20th May 2020.

Meeting concluded at 4:45pm.

A handwritten signature in black ink, appearing to read 'Tony Geoghegan', written over a horizontal line.

Signed:

Acting Chief Commissioner
Tony Geoghegan

Date: 20 May 2020