



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

28 January 2020

Minutes

38th Ordinary Plenary Meeting

Irish Human Rights and Equality Commission

Present:

1. Heydi Foster Breslin (HFB), Acting Chief Commissioner
2. Frank Conaty (FC)
3. Paddy Connolly (PC)
4. Colm O' Dwyer (COD)
5. Caroline Fennell (CF)
6. Tony Geoghegan (TG)
7. 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. Gail Malone, Head of Corporate Services (GM)
5. Muireann Ní Thuairisg, Minute Taker

The 38th Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place between 10:30am and 1:25pm on 28 January 2020 at the IHREC, 16-22 Green Street, Dublin 7.

Closed Session

The Commission met in closed session without the Executive present.

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 Meeting

- a) The draft minutes of the Extraordinary Meeting, dated 15 November 2019 were approved, proposed by SMb and seconded by TG. Under Item 3.1, it was agreed to amend the text to accurately reflect the discussion at the meeting.
- b) The draft minutes of the Commission Meeting, dated 10 December 2019 were approved, proposed by COD and seconded by TG.
- c) The draft minutes of the Commission Meeting, dated 20 January 2020 were approved, proposed by TG and seconded by COD, subject to one amendment.

1.3 Matters arising not otherwise on the agenda

Planning is underway for an event to discuss the UN CERD's concluding observations. Once confirmed, a date will be circulated to the Commission.

2.1 CAT LOIPR – UN Committee Against Torture List of Issues Prior to Reporting

IE joined the meeting.

The purpose of the submission is to provide the CAT Committee with information to inform its preparation of the List of Issues Prior to Reporting (LOIPR) for Ireland, due to be examined by the Committee in its 69th session, ahead of its third periodic review of Ireland.

This matter was discussed at a meeting of the Policy and Research Committee on 20 January 2020, where Commission members made several amendments to the draft submission.

Commission members approved the draft submission and the final document will be submitted to the UN CAT before the 30 January 2020 deadline.

2.2 Preliminary Observations on Garda Síochána (Recording of Images) Bill

This matter was discussed at a Policy and Research Committee meeting on 20 January 2020, where Commission members made several amendments to the draft submission, which are incorporated in this latest paper circulated to the Commission members.

Commission members approved the document and it was agreed the Preliminary Observations would be brought to the attention of the officials in the Department of Justice and Equality.

In order to provide clarity on the input of Commission members' comments at Policy and Research Committee meetings, it was agreed that members would be provided with information on the amendments proposed at Committee meetings to ensure their comments have been taken aboard.

2.3 Trafficking Rapporteur

Commission members were provided with an update on developments in regard to the proposal that IHREC take on the role of Independent National Rapporteur on Anti Human Trafficking.

As had previously been agreed, LB and COD met with Department officials on this matter on 14 January 2020. Following this meeting the Department have prepared a draft Statutory Instrument, which has been circulated to the Commission. The need for additional resources was recognised and to advance this the Commission agreed to submit a business case for the necessary additional staff and resources to the Department.

Following discussion the Commission agreed to inform the Department that it would proceed to fulfil the role of Independent National Rapporteur on Anti Human Trafficking, subject to final agreement being reached on the terms of the proposed statutory instrument and also on the allocation of appropriate additional resources.

2.4 Section 41 Guidelines

MON joined the meeting.

The draft Section 41 Own Name Proceedings Guidelines were discussed at a meeting of the Casework Committee on 28 January 2020.

It was agreed that Commission members will email any feedback or comments on the draft guidelines by the end of the week.

The draft guidelines will be tabled for decision at a future plenary meeting.

2.5 Update on Equality Reviews

IE joined the meeting.

MON and IE updated the Commission on the ongoing work on Equality Reviews relating to Traveller accommodation and the failure to draw down funds.

Commission members expressed their satisfaction with the progress being made.

MON and IE left the meeting.

2.6 Direct Provision

On 23 January 2020, HFB with MON and RG made a presentation to the Expert Group on the Provision of Support, including Accommodation, to Persons in the International Protection Process (Asylum Seekers). The Group, chaired by Dr Catherine Day is tasked with developing long-term approaches to responding to the needs of asylum seekers in the protection process and will complete its work by the end of 2020.

Also as previously requested, a background paper on approaches to reform of Direct Provision had been prepared and circulated for the information of Commission.

Commission members expressed their concern with the current model of Direct Provision and the delay in implementing changes to the system.

Commission members agreed to table the paper for discussion at a meeting of the Policy and Research Committee with a view of bringing forward a proposal to a future Plenary.

3.1 Budget

GM joined the meeting.

A memo regarding IHREC's financial position as of 31st December 2019 had been circulated in advance as was a further memo setting the proposed budget for 2020. IHREC's total Vote for 2020 is €6.733m of which €3.721m is pay and €3.093m is non-pay.

Commission members welcomed the improved reporting on the budget.

Commission members noted it would be helpful to review the spending from the public awareness campaign on Disability to learn if it was value for money and if there was an impact in terms of changes in attitudes.

In response to questions on the provision of ICT services, it was noted that there is a standard cost structure in place per staff member. In addition, monies are budgeted for additional items which are outside the remit of IHREC's ICT agreement with Department of Justice and Equality. These include the provision of technical advice to IHREC and cost associated with special applications such as Sage (finance), and Key house (legal) as well as audio-visual support.

Members emphasised the importance of, as possible, ensuring adequate in house ICT capacity.

In addition to expenditure reporting, it was agreed that information on future commitments would be incorporated into the financial report.

It was agreed the Casework Committee would discuss and agree an approach to legal budget management for consideration by the Commission.

The Commission approved the 2020 Budget.

Progress on the budget will be reviewed on a regular basis.

3.2 Directors' Report

The Director's Report was taken as read.

The Commission had been invited to attend an Oireachtas Joint Committee on Key Issues affecting the Traveller Community on Thursday, 23 January 2020. Following the announcement of a general election, the meeting was postponed. HFB and TG had agreed to address the Committee on behalf of the Commission and an opening statement and submission were provided to the Committee Clerk. The meeting may be rescheduled in 2020.

IHREC are holding an Equality Data Audit Technical Workshop on Monday 10 February 2020. This is a high-level technical workshop which will bring together key actors working in the area of equality data and equality audits across Ireland and the UK. Commission members are welcome to attend.

3.3 Updates on Committees

- (a) Disability Advisory Committee – an update note on the Committee was taken as read. The next meeting will take place on 12 February 2020.

- (b) Casework Committee – a brief update was provided of the Casework Committee meeting which took place prior to the plenary meeting on 28 January 2020.
- (c) Policy and Research Committee - an update note on the Committee was taken as read.
- (d) Audit and Risk Committee - GM joined the meeting and updated the Commission on the previous meeting of the Audit and Risk Committee meeting, which took place on 12 December 2019. It was proposed to hold the next meeting on the same day as the next plenary meeting.

4.1 AOB

As part of the agreement to rotate the position as Acting Chief Commissioner of the Commission until a Chief Commissioner is appointed, CF was nominated to take over from HFB. The Commission approved the selection.

It was agreed to hold the next plenary meeting on 3 March 2020.

An invitation to the Commission is forthcoming to present at the Citizens' Assembly on Gender Equality. The closing date for submissions is 6 March 2020.

The meeting concluded at 1:25pm.



Signed: Caroline Fennell
Acting Chief Commissioner

Date: 31 March 2020