

Minutes

Irish Human Rights and Equality Commission 45th Ordinary Plenary Meeting 8 December 2020

Present:

1. Prof Ray Murphy (RM) – Chair
2. Heydi Foster Breslin (HFB)
3. Jim Clarken (JC)
4. Dr Frank Conaty (FC)
5. Prof Caroline Fennell (CF)
6. Michael Finucane (MF)
7. Tony Geoghegan (TG)
8. Adam Harris (AH)
9. Prof Kathleen Lynch (KL)
10. Salome Mbugua (SM)
11. Dr Rosaleen McDonagh (RMcD)
12. Sunniva McDonagh SC (SMcD)
13. Dr Lucy Michael (LM)
14. Colm O'Dwyer SC (COD)

Apologies

1. Sinéad Gibney, Chief Commissioner (SG)

In Attendance:

- Laurence Bond, Director (LB)
- Michael O'Neill, Head of Legal (MON)
- Dr Iris Elliott, Head of Policy and Research (IE)
- Jean O' Mahony, Head of Strategic Engagement (JOM)
- Karen Joynt, Strategic Engagement (KJ)
- Niall Kelly, Head of Corporate Services (NK)
- Louise Moloney, Minute Taker
- Muireann Ní Thuairisg, Minute Taker



The 45th Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place between 10:30am and 3:30pm on 8 December by video conference.

Chairperson's Introduction

RM chaired the meeting as SG was unavailable to attend. It was noted that due to the absence of the Chief Commissioner, members would not meet in closed session. HFB indicated that she had wanted to discuss Direct Provision in the closed session and RM indicated that this was included in the agenda, and could be discussed at that point.

RM noted that SG had asked that members record an end year video message to staff and this was agreed.

1.1 Apologies, Quorum and Declaration of Interest

MF joined the meeting.

Apologies noted from SG. The meeting was quorate.

CF declared an interest regarding Item 4.1 *Update on Racism Public Awareness Campaign* due to her role as Chairperson of the Independent Anti-Racism Committee.

Under AOB, KL requested to discuss the issuing of a statement on the recent decision taken by the British Government not to establish an inquiry into the murder of solicitor Pat Finucane.

[REDACTED]

MON joined the meeting.

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

MF left the meeting. MON left the meeting.

1.3 Minutes of Previous Meeting

[Revised Draft Minutes – Extraordinary Meeting – 1 October 2020](#)

The draft minutes were approved, proposed by KL and seconded by CF.

[Draft Minutes - 44th Ordinary Plenary Meeting - 27 October 2020](#)

Subject to one amendment, the draft minutes were approved, proposed by KL and seconded by CF.

[Revised Draft Minutes – Extraordinary Meeting – 3 December 2020](#)

The draft minutes were approved, proposed by KL and seconded by CF.

1.4 Matters arising not otherwise on the agenda

COD raised the issue of the correspondence received from Age Action and from the families who had contacted the Commission requesting an inquiry into the deaths of their relatives in a particular nursing home. He noted that the Section 35 Working Group had not made a decision on this. It was noted that the Working Group was not considering these matters as its Terms of Reference are about process. Members indicated that progressing S.35 remains an urgent concern and a number of possible themes for inquiries were suggested. It was agreed to ask the S.35 Working Group to consider the issues raised and revert to the Commission.

AH joined the meeting.

1.5 Chief Commissioner Update

An update from the Chief Commissioner was circulated to members prior to the meeting.

In recent weeks, SG and RMcD appeared before the Joint Oireachtas Committee on Disability Matters. SG also met with the CEO of the Legal Aid Board and with the Policing Authority.

SG, SM, COD and LB met with Carol Baxter, Assistant Secretary with the Department of Children, Equality, Disability, Integration and Youth to discuss the White Paper on Direct Provision.

SG, LB and JOM met with Minister for Justice Helen McEntee T.D. Matters discussed included the Public Sector Equality and Human Rights Duty, OPCAT, hate crime and hate speech legislation, the implementation of COVID-19 powers by An Garda Síochána and access to legal services for people in the international protection system.

Further information on ministerial engagement was requested in future updates from the Chief Commissioner.

2.1 Updates on Committees

(a) Casework Committee

A note of the latest meeting of the Casework Committee held on 30 November was taken as read. COD, Chair gave an update on the key points of the meeting.

(b) Policy and Research Committee

A note of the latest meeting of the Policy and Research Committee held on 16 November was taken as read. LM, on behalf of Chair SG gave an update on the key points of the meeting.

It was agreed to circulate the Update on Commissioned Research to all members.

(c) Disability Advisory Committee

A note of the latest meeting of the Disability Advisory Committee held on 2 December was taken as read. RMcD, Chair gave an update on the key points of the meeting, noting in particular the discussion that had taken place on the Dying with Dignity Bill.

(d) Worker Employer Advisory Committee

A note of the latest meeting of the Worker Employer Advisory Committee (WEAC) held on 12 November was taken as read. TG, Chair gave an update on the key points of the meeting. He noted that the Committee had discussed the need for a clearer and more concrete focus for its work. KL and JC agreed that WEAC needed a clearer sense of what it wants to achieve and more robust actions, and that consideration be given to wider representation on the Committee. CF suggested the differential sectoral and occupational impact of COVID and business and human rights as possible issues for engagement.

3.1 IHREC Nomination to the Management Board of FRA

SMcD as a member of the FRA management board gave some background to the work of the Board, and FRA more generally.

As SMcD's term concludes in 2021 and there is an immediate vacancy in respect of the alternate member, the Commission agreed to consider both appointments together.

JC, LM and RMcD indicated their interest in the position of Irish member.

As more than one Commission member indicated their interest, it was agreed that a proposal on the selection process would be brought to the next plenary meeting. It was noted that other members might also wish to put their names forward.

MF joined the meeting.

3.2 Proposed 'Dedicated Mechanism' Co-ordination with NIHRC and ECNI on Island of Ireland matters

LB updated members on the preparatory meetings that had taken place between IHREC, Northern Ireland Human Rights Commission (NIHRC) and the Equality Commission for Northern Ireland (ECNI). He noted that the proposals on progressing the implementation of the 'Island of Ireland' dimension of the 'dedicated mechanism' circulated to the Commission prior to the meeting, had also been submitted to the other two bodies.

It is proposed inter alia that a Working Group be established comprising the respective Chief Commissioners, plus another Commission member and the Chief Executives/Director of each body, will meet regularly to develop proposals for joint working for consideration by the three Commissions. Members agreed the proposed approach and nominated MF to the working group.

3.3 Update on White Paper on Direct Provision

On November 26th, the Chief Commissioner, SM, COD and LB met with Carol Baxter, Assistant Secretary with the Department of Children, Equality, Disability, Integration and Youth on the White Paper on Direct Provision. A draft follow up submission to the Department had been circulated to the members in advance of this meeting.

During the meeting with the Department, it had been clarified that the White Paper would focus on accommodation and related services. Some members expressed dissatisfaction with the draft follow up submission, indicating that they had been expecting a more substantial paper.

In relation to the draft follow up, members emphasised the importance of suitable accommodation being provided and the need for onsite support services; regularisation of the position of those who had already spent significant periods in direct provision; and consideration of those who are on deportation orders. Members also emphasised the importance of publicising the views of the Commission in advance of the White Paper. It was agreed that members would submit any further observations on the draft submission by Friday, 11 December.

3.4 Draft 2021 Work Plan

A draft work plan for 2021 was circulated in advance of the meeting.

The work plan is aligned with the Strategy Statement. The strategy cycle is in its third and final year and work on the next strategy statement will begin early next year.

Members made a number of comments on the work plan and an updated plan will be tabled for decision at the next plenary meeting.

4.1 Update on Racism Public Awareness Campaign

CF and MF left the meeting. JOM and KJ joined the meeting.

A new public awareness campaign will run from 26 December to the end of January via television, RTÉ player, radio, social media and podcasts.

The theme is positive and empowering and is linked to the core message ‘Because we are all human. Means we’re all equal’ and the aim is to create dialogue about racism in Ireland.

Audience testing was conducted through Red C and a further session with the consultative group was held.

Video clips of the advertisements were played to the Commission.

It was proposed to undertake an evaluation of the Public Awareness Campaign.

JOM and KJ left the meeting. CF and MF rejoined the meeting.

4.2 [REDACTED]

NK joined the meeting.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

NK left the meeting.

4.3 Director' Report

The Director's Report was taken as read.

[REDACTED]
[REDACTED]
[REDACTED]

In relation to the scheduling of future 'in-person' plenary meetings, it was requested to take into consideration timings for members who are not located in Dublin.

An update was requested on the Commission of Investigation into Mother and Baby Homes. IHREC issued a statement on the matter on 29 October. It was announced recently by Government that the report would be published in the second week of January. The Commission will revisit the matter at this time.

4.4 Finance Report

NK joined the meeting.

The Finance Report was taken as read.

An end year underspend of approx. €680,000 is expected which is less than 10% of the voted expenditure.

Senior Management are actively managing the budget to year-end across all areas. A further update will be provided at the next plenary meeting.

NK left the meeting.

5.1 AOB

KL requested a discussion on issuing a statement on the recent decision taken by the British Government not to undertake a public inquiry in the murder of solicitor Pat Finucane.

MF recused himself from the meeting.

Following a discussion, the Commission agreed that the Chief Commissioner would issue a statement.

It was also agreed that MF will be updated on this matter.

The meeting closed at 3:30pm.



Signed:

Sinéad Gibney
Chief Commissioner

Date:

26 January 2021

