



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

Minutes
Irish Human Rights and Equality Commission
50th Ordinary Plenary Meeting
13 July 2021

Present:

- Sinéad Gibney, Chief Commissioner (SG)
- Heydi Foster Breslin (HFB)
- Jim Clarken (JC)
- Dr Frank Conaty (FC)
- Prof Caroline Fennell (CF)
- Michael Finucane (MF)
- Tony Geoghegan (TG)
- Adam Harris (AH)
- Prof Kathleen Lynch (KL)
- Dr Salome Mbugua (SM)
- Dr Rosaleen McDonagh (RMcD)
- Sunniva McDonagh SC (SMcD)
- Dr Lucy Michael (LM)
- Prof Ray Murphy (RM)
- Colm O'Dwyer SC (COD)

In attendance:

- Laurence Bond, Director (LB)
- Dr Iris Elliott, Head of Policy and Research - Items 4.1,5.1, 7.1
- Brian Dawson, Communications Manager– Item 5.1
- Naomi Kennan, Policy and Research Officer – Item 7.1
- Maria Mullan, Senior Policy and Research Officer – Item 5.1
- Barry Price, Policy and Research Officer – Item 4.1
- Niall Kelly, Head of Corporate Services – Item 10.1
- Muireann Ní Thuairisg, Minute Taker

The 50th Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place between 9:30am-3:10pm on 13 July 2021 by video conference.

1.1 Apologies, Quorum and Declaration of Interest

No apologies were noted. CF declared an interest in relation to *Agenda Item 4.1 Anti-Racism Committee - draft submission*.

1.2 Closed session for Members

The Commission agreed to extend the lifetime of the Ways of Working group to the end of the year to allow for the development of the Commission Handbook.



1.3 Draft Minutes – 49th Ordinary Plenary Meeting – 1 June 2021

One amendment was proposed to the draft minutes of the 49th Ordinary Plenary meeting held on 1 June 2021. It was requested to amend the text under *Agenda Item 6.1 Risk Register* and to state that it was previously agreed by the Commission to meet on the Risk Register. Subject to this amendment, the minutes were approved, proposed by RM and seconded by KL.

The draft minutes of the Extraordinary Commission meeting held on 24 June 2021, were approved, proposed by JC and seconded by KL.

1.4 Matters arising, not otherwise dealt with on the Agenda



LM requested to discuss the review of Civil Legal Aid and it was agreed that this would be taken under Item 11.1 Any Other Business.

1.5 Chief Commissioner Update

The Chief Commissioner's report was taken as read.

On key correspondence, SG informed members that a number of correspondence items have been followed up on or closed, and that the presentation format of key correspondence is being changed to better inform Commissioners of progress on items.

SG is continuing to engage with the strategic planning consultants and a further series of strategy sessions for the Commission is being planned to take place in September.

A Civil Society Forum to inform the new strategy will take place on 22nd July and members are welcome to contact SG if they are interested in attending or acting as moderators.

The recommendation of GANHRI's Sub Committee on Accreditation will be tabled for discussion at the September meeting of the Commission.

SG will prepare a briefing note to inform the WEAC on her meeting with the Irish Coalition for Business & Human Rights.

In relation to SG's meeting with Paula Hilman, Assistant Commissioner at An Garda Síochána, it was noted that Commission representation at the meeting had not included any member from a minority ethnic background and that such representation should be considered for future meetings.

SG will circulate her letter to Local Authorities on the Commission's concerns that measures to improve on-street dining will have negative impact on the lives of people with disabilities.

In relation to the letter from the Department of Justice on the General Scheme - Policing, Security and Community Safety Bill 2021, LB confirmed that this is being addressed in the legislative review work programme.

2.1 Committee Updates

a. Casework Committee

An update note on the Casework Committee meeting of 15 July was taken as read.

b. Policy & Research Committee

An update note on the Policy and Research Committee meeting of 6 July was taken as read.

c. Worker Employer Advisory Committee

An update note on the Worker Employer Advisory Committee meeting of 18 June was taken as read.

3.1 FRA Nomination

Members discussed the roles of the member and alternate member of the Management Board of the EU Fundamental Rights Agency. IHREC is the nominating body from among its members for Ireland's representation on this Board and it was agreed to initiate a nomination process for these posts

In the first instance SG requested members to contact her directly with expressions of interest. A clear timeline for the process will be communicated to Commissioners following the meeting.

4.1 Anti-Racism Committee - draft submission

Members discussed a draft submission to the Anti-Racism Committee, which had been considered by the Policy & Research Committee at its meeting of July 6. The draft submission will be finalised taking account of the feedback from the PRC and from the Commission and will be submitted to the Anti-Racism Committee at the end of July.

The Commission will meet with the Committee in September.

5.1 Birth Information and Tracing Bill - draft observations

Members discussed and agreed a draft submission on the General Scheme of the Birth Information and Tracing Bill. This submission had been considered by the Policy & Research Committee at its meeting of July 6 and had been revised to take account of the Committee's comments. The

submission will be submitted to the Oireachtas Committee on Children, Equality, Disability, Integration and Youth.

It was noted that SG and RM would meet the Oireachtas Committee on this matter later in the afternoon of 13 July.

8.1 [REDACTED]

[REDACTED]

[REDACTED]

6.1 Disability Advisory Committee

Members considered a memo on the Disability Advisory Committee membership and term. Members noted the very positive work of the DAC to date. It was confirmed that - in line with draft legislation to underpin IHREC's role as independent CRPD monitor- a Disability Advisory Committee was envisaged as a permanent structure within IHREC. Members discussed the modalities of DAC appointments beyond the current term, which finishes at the end of this year. Staff will examine the matters raised and a further memo will be tabled at September Commission meeting.

7.1 Enshrining ESC rights in the Constitution - draft policy paper

The Policy & Research Committee had asked that the Commission provide its initial views on a draft policy statement on the incorporation of esc rights in the Constitution at their meeting on 6 July.

Members expressed a range of views on the draft paper. SG requested that comments should be forwarded by email. The draft paper will now considered in detail by the Policy & Research Committee.

9.1 S35 Working Group Update

A meeting of the Section 35 Working Group took place on 28 June and a note on the meeting was taken as read.

It was agreed to approve the Working Group's proposal to extend the timeline of the work to October. The Working Group intend to use the time to complete phases 1 and 2 of the Plan of Action and to then bring the work back to the plenary for phase 3.

10.1 Director's Report and Finance Report

The Director's Report and Finance report were taken as read.

LB noted the IHREC 2020 Annual Report and Equality Reviews will be published on 14 July 2021. The publication plan includes engagement with Traveller representatives, media engagement, public affairs work and a dedicated web page with specific branding of each equality review.



In response to a number of queries, LB noted that additional analysis of the legal assistance activity data is in preparation.

11.1 AOB

The Commission discussed the plans by the Department of Justice to review the Civil Legal Aid Scheme. It was agreed that the Commission would write to the Department to emphasise the need for a comprehensive and independent review.

The draft letter will be circulated to the Commission prior to being issued.

It was also agreed to ask SG to contact the FLAC CEO on this matter.

Signed:

Sinéad Gibney
Chief Commissioner

Date: 7 September 2021