

Minutes  
Irish Human Rights and Equality Commission  
51<sup>st</sup> Ordinary Plenary Meeting  
7 September 2021

**Present:**

- Sinéad Gibney, Chief Commissioner (SG)
- Heydi Foster Breslin (HFB)
- Jim Clarken (JC) – morning session
- Dr Frank Conaty (FC)
- Prof Caroline Fennell (CF)
- Michael Finucane (MF)
- Tony Geoghegan (TG) – morning session
- 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) - morning session
- Colm O'Dwyer SC (COD)

**In attendance:**

- Laurence Bond, Director
- Dr Iris Elliott, Head of Policy and Research – Items 5.1, 11.1
- Maria Mullan, Senior Policy and Research Officer – Items 5.1
- Kieran Timmons, Policy and Research Officer – Items 5.1
- Dr Nusha Yonkova Head of Anti-Human Trafficking – Item 6.1
- Caitríona Donnellan, Policy and Research Officer – Items 11.1
- Muireann Ní Thuairisg, Minute Taker

The 51<sup>st</sup> Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place between 9:30am-3:45pm on 7 September 2021 by video conference.

1.1 Apologies, Quorum and Declaration of Interest

No apologies were noted. There were no declarations of interest and the meeting was quorate.

## 1.2 Closed session for Members

The Chief Commissioner agreed to bring to the next closed session a set of options for the Commission to decide on regarding a specific matter under discussion.

## 1.3 Draft Minutes – 50<sup>th</sup> Ordinary Plenary Meeting – 13 July 2021

The draft minutes of the Commission meeting held on 13 July, were approved, proposed by RM and seconded by SM.

The draft minutes of the Extraordinary Commission meeting held on 19 July 2021, were approved, proposed by MF and seconded by AH.

## 1.4 Matters arising, not otherwise dealt with on the Agenda

There were no matters arising.

## 1.5 Chief Commissioner Update

SG thanked Commission members and LB for their work during the past year and noted her appreciation of their time and contributions at meetings.

She has continued with this round of 1-1s with Commission members and has now nearly met with all members. Feedback from members has indicated that there is room for improvement on how meetings are run. There is a strong desire to have meetings that are fruitful and respectful in tone. She will work on managing agenda and will continue to engage with members on managing future meetings. There is also a desire to have at least some in person meeting while agreeing that the benefits of online meeting should also be retained in our future work.

SG informed members that she has written to Government to place on record concerns for the safety and welfare of counterparts in the Afghan Independent Human Rights Commission (AIHRC). The Director had also engaged with officials and had been in regular contact with colleagues through GANHRI. CF also updated members on IHREC's role as ENNHRI chair in supporting for and standing in solidarity with the AIHRC. SG thanked SMcD who was also involved in the efforts arising from her role on FRA.

Commission members welcomed the publication of the Traveller Accommodation Equality Reviews and noted the very strong coverage of them. [REDACTED]

Members requested to be provided with more specific details on the Key Correspondence List. It was agreed each item of correspondence will be uploaded to Decision Time.

## 2.1 Committee Updates

### a. Casework Committee

An update note on the Casework Committee meeting of 30 August was taken as read. COD noted that the Committee would be meeting again shortly to consider a number of urgent amicus assessments.

b. Policy & Research Committee

An update note on the Policy and Research Committee meeting of 31 August was taken as read. LM noted the Committee's suggestions on the Government's planned review of the Equality Acts. Following discussion, it was agreed that, given the alignment of the review with the Commission's mandate, the Commission should seek to engage with the review in a number of ways as outlined. SG will look for expressions of interest to join an ad hoc sub-group, which will meet to consider further how to proceed.

c. Audit and Risk Committee

An update note on the Audit and Risk Committee meeting of 10 August was taken as read.

[REDACTED]

[REDACTED]

3.1 FRA Nomination

Members heard presentations from the candidates for the positions as member and as alternate member of the FRA Management Board.

SMs nomination as the alternate member was agreed, as there was no other candidate.

Members may record their votes or abstentions for the member position by emailing MNíTh by 5.00pm on Friday 10 September.

4.1 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5.1 Offences Against the State Act - draft submission

Members discussed a draft submission to the Independent Review Group on the Offences Against the State Act, which had been considered by the Policy & Research Committee at its meeting of 31 August.

The submission will be finalised taking account of the feedback from the PRC and from the Commission and will be submitted shortly.

#### 6.1 GRETA – draft submission

Members discussed a draft submission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA), which had been considered by the Policy & Research Committee at its meeting of 31 August.

The submission will be finalised taking account of the feedback from the PRC and from the Commission and will be submitted shortly.

Members are welcome to attend an ‘NGO roundtable’ event on GRETA on 8 September.

#### 7.1(a) Criminal Justice (Exploitation of Children in the Commission of Offences) Bill 2020

Members discussed a draft submission on the General Scheme of the Criminal Justice (Exploitation of Children in the Commission of Offences) Bill 2020, which had been considered by the Policy & Research Committee at its meeting of 31 August.

The submission will be finalised taking account of the feedback from the PRC and from the Commission and will be submitted shortly.

Members expressed a preference for how the legislative observations were formatted, with the PRC comments included at the top of the document. They also suggested that we could include the heads of bills within the submission to aid the review process. It was agreed that the Policy team will share the Protected Disclosures observations with the legal team to assist with a current issue of relevance.

#### 7.1(b) Protected Disclosures (Amendment) Bill 2021

Members discussed a draft submission to the Department of Public Expenditure and Reform on the General Scheme of the Protected Disclosures (Amendment) Bill 20, which had been considered by the Policy & Research Committee at its meeting of 31 August.

The submission will be finalised taking account of the feedback from the PRC and from the Commission and will be submitted shortly.

#### 8.1 Disability Advisory Committee Membership

Members considered a note on the Disability Advisory Committee membership and term.

Following discussion, it was agreed that the existing DAC members would be re-appointed for another term and that five new members would be appointed through an open appointments process. This would allow the Commission to address any specific gaps which have been identified, such as around mental health for example.

The Terms of Reference of DAC will be reviewed in the light of the above, and tabled for decision at a future Commission meeting.



Members made a number of observations on the draft submission and it was agreed that a revised draft would be tabled at an extraordinary Commission meeting.

#### 12.1 AOB

It was agreed to hold an extraordinary commission meeting in order to discuss the proposed draft Rule 9 submission to the Committee of Ministers with regard to the information submitted by Ireland on 8 June 2021 on the execution of the judgment of the Grand Chamber in *O’Keeffe v. Ireland*.

SG will look for expressions of interest to join a sub group on the Review of the Equality Acts.

Members were informed that the Chief Commissioner has written to the Minister for Children, Disability, Equality, Integration and Youth requesting an increase on IHREC’s budgetary allocation.



Signed:

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Sinéad Gibney  
Chief Commissioner

Date: 19 October 2021