

Minutes
Irish Human Rights and Equality Commission
57th Ordinary Plenary Meeting
2 June 2022
IHREC Offices, Green Street

Present:

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

Apologies:

- Jim Clarken (JC)
- Dr Frank Conaty (FC)
- Dr Salome Mbugua (SM)
- Dr Lucy Michael (LM)

In attendance:

- Laurence Bond, Director
- Dr Iris Elliott, Head of Policy and Research - Item 2.1
- Naomi Kennan, Senior Policy and Research Officer – Item 2.1
- Dr Kieran Timmons, Policy and Research Officer – Item 2.1
- Michael O'Neill, Head of Legal – Items 5.1 and 6.1
- Dr Nusha Yonkova, Head of Anti-Trafficking Unit – Item 7.1
- Dr Hayley Mulligan, Anti-Trafficking Unit – Item 7.1
- Brian Dawson, Head of Strategic Engagement – Item 9.1
- Louise Moloney, Minute taker

The 57th Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place between 10:00am – 5:00pm on 2 June in person in the IHREC offices.

1.1 Apologies, Quorum and Declaration of Interest

Apologies were noted from JC, FC, SM and LM. There were no declarations of interest and the meeting was quorate.

SG welcomed the Commission to the first in-person Commission meeting since the pandemic began and welcomed the opportunity to engage with staff at the lunchtime session.

1.2 Closed Session for Members

The working group reviewing the Moling Ryan report implementation will continue their work and bring back to a future closed session a set of recommendations based on the recent review. The Chief Commissioner will instigate the Commission evaluation process, also initiating from the recent Moling Ryan review.

1.3 Minutes of Previous Meetings

The draft minutes of the ordinary Commission meeting of 21 April were approved, proposed by HFB and seconded by RM.

The draft minutes of the extraordinary Commission meeting of 10 May were approved, proposed by COD and seconded by AH.

1.4 Matters arising, not otherwise dealt with on the Agenda

There were two additional items added to the agenda. Following the extraordinary Casework Committee meeting the previous day, two committee recommendations on potential amicus cases would be discussed following the Chief Commissioner Update.

Under AOB, it was agreed to have a follow up discussion on the government's announcement of Special Education Needs (SEN) centres in Dublin.

2.1 ICCPR

Members discussed the draft ICCPR report. The report will be finalised to take account of a small number of comments made by members and will be submitted by the deadline of 7 June.

The Commission commended the Policy and Research team on their work on the report.

3.1 Chief Commissioner Update

The Chief Commissioner report was taken as read.

The Chief Commissioner highlighted two pieces of correspondence on the list:

- letter to Minister O'Gorman in relation to clarifying the process of the review of the equality acts and inviting him to address the FELAC;
- letter to Garda Síochána Commissioner regarding discriminatory cross border checks

SG briefed the Commission on the Offences Against the State Acts Review Group Chatham House discussion event, which she attended with CF and MF.

Following related correspondence, it was agreed that it would be beneficial to seek a meeting with CORU to address the omission of any reference to human rights in the Code of Professional Conduct

and Ethics for Social Work and those of related professions given the central importance of human rights to health and social care services.

3.2 Amicus Curiae

The Commission agreed to seek leave to intervene as amicus curiae before the Supreme Court in the cases of *Middlekamp v Minister for Justice* and *Hutch and Dowdall v Ireland and Ors*.

4.1 Committee Updates

a) Casework Committee Meeting

An update note on the meetings of 10 May and 23 May were taken as read. COD noted that work on the strategic litigation plan was ongoing.

b) Policy and Research Committee Meeting

An update note on the meeting of 19 May was taken as read.

c) Worker and Employer Advisory Committee

An update note on the meeting of 5 May was taken as read. TG noted that the WEAC work plan has been agreed and plans are underway for the gender equality conference.

d) DAC

An update note on the meeting of 11 May was taken as read. RMCD noted that the recruitment of DAC members was underway.

e) FELAC

An update note on the meeting of 27 May was taken as read

[REDACTED]

[REDACTED]

[REDACTED]

6.1 Draft Code of Practice on Family Friendly Measures in the Workplace

The draft Code of Practice on Family Friendly Measures in the Workplace was approved for submission to the Minister for Children, Equality, Disability, Integration and Youth.

The option of having other information resources explaining the various types of leave to support the Code of Practice will be explored.



7.1 Anti-Trafficking Report

The Commission complimented the Anti-Trafficking team for their work on this comprehensive report. It was noted that the Executive Summary added following discussion at the PRC, was extremely helpful.

The team will finalise the report, taking on board members' comments and it will be launched with a conference on 21 June.

8.1 Director's Report

The Director's Report was taken as read. LB shared that the 'All Human All Equal' disability campaign won silver in the Video Category at the 'Sockie' social media awards.

LB clarified that as agreed previously by the Commission, quarterly budget updates were provided.

A meeting of the Section 35 triaging group will be organised in the coming weeks.

9.1 2021 Annual Report

The Commission were invited to provide feedback on the draft annual report by COB Wednesday, 8 June. The report will then be finalised, laid before the Oireachtas and the launch will take place online on 12 July.

10.1 AOB

Members discussed the recent government announcement to accommodate children with autism and other disabilities in the Dublin area in 'Special Educational Needs' Centres from September. Following this announcement, the Commission issued a press release highlighting concerns in relation to this plan. Members noted that it was of concern that there is no data available on how many children are without an appropriate school placement and how many children are given places outside their community. It was agreed that the Chief Commissioner would write to the Minister reiterating the Commission's concerns. The Chief Commissioner would also seek a meeting with the National Council for Special Education (NCSE) and the Commission would continue to monitor this situation.

SG will follow up with arrangements for the next Plenary meeting.

The meeting closed at 5:00pm