

## Minutes

Irish Human Rights and Equality Commission

58<sup>th</sup> Ordinary Commission Meeting

14 July 2022 | 10:00am – 2:30pm

Online

### Present:

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

### Apologies:

- Tony Geoghegan (TG)
- Adam Harris (AH)
- Dr Lucy Michael (LM)
- Dr Rosaleen McDonagh (RMcD)

### In attendance:

- Laurence Bond, Director
- Maria Mullan, Senior Policy and Research Officer – Items 3.1, 4.1
- Nicholas Fitzgerald, Policy and Research Officer – Item 3.1
- Marianne Joyce, Policy and Research Officer – Item 4.1
- Michael O'Neill, Head of Legal – Item 5.1
- Muireann Ní Thuairisg, Minute taker

The 58<sup>th</sup> Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place online between 10:00am – 2:30pm on 14 July.

#### 1.1 Apologies, Quorum and Declaration of Interest

Apologies were noted from TG, AH, LM and RMcD. There were no declarations of interest and the meeting was quorate.

#### 1.2 Closed Session for Members

The Commission discussed the appointment process and timeline for both the Acting Director and Director roles, and agreed that the Chief Commissioner should be assisted by two other Commissioners throughout both processes and that an internal competition should be run for Acting Director.

### 1.3 Minutes of Previous Meetings

Subject to one amendment proposed by KL, the draft minutes of the Commission meeting of 2 June were approved, proposed by COD and seconded by KL.

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

SG noted that work on the Commission evaluation process and the review of the Moling Ryan report implementation is ongoing.

### 1.5 Director's Report

The Director's Report and the mid-year Finance Report were noted.

LB updated the members on IHREC's recent engagement with Ireland's ICCPR examination in Geneva in early July, the launch of the 2021 Annual Report on 12 July and the outcome of the 2022 Grants scheme as set out in an appendix to the Director's report. He also drew member's attention to IHREC's recent engagement in a HIQA advisory group to inform its development of a methodology for its monitoring and inspection of International Protection Accommodation Services.

On the mid-year financial report LB noted the progress made in staff recruitment in the year to date as a result of which we anticipate the full pay budget will be spent by end year.

CF queried whether any specific issues arise where applications to the grant scheme come from organisations with which Commission members are directly involved. LB noted that the assessment criteria are published in advance and the assessment panel includes an independent expert. He agreed that staff would further consider this issue and a note would be prepared for the Commission.

Members again noted the need for further discussion of the scope and purpose of Codes of Practice. It was agreed that a note on this matter will be prepared and the issue will be tabled for discussion at the next Commission meeting.

Commission members wished LB well on his decision to retire and thanked him for his significant contribution to the organisation, and to human rights and equality in Ireland.

### 1.6 Audit and Risk Matters

An update note on the Audit and Risk Committee meeting which took place on 8 July was taken as read and JC as Acting Chair updated members on key audit and risk matters.

The Appropriation Account has been certified by the Comptroller and Auditor General without any issues or corrections. A paragraph was added to the Statement of Financial Control in relation to the resignation of the ARC Chairperson during 2021 and some additional text was also added to the introduction under the heading *Role of the Commission*. These changes were agreed by the Accounting Officer and the C&AG.

JC noted that the ARC had reviewed the Corporate Risk Register which had been circulated for this Commission meeting. [REDACTED]

JC also noted again the need, in the context of the new Strategy Statement, for a Commission discussion on Strategic Risk to be tabled. In response to queries on staffing it was agreed that LB will revert on the rules regarding citizenship requirements for recruiting staff and with the current organisational chart.

The Commission considered and, with one addition, approved the revised ARC Charter as recommended by the ARC. JC thanked LB for attending the ARC meetings and his assistance with finalising the Charter.

## 2.1 Committee Updates

The update on the Audit and Risk Committee was discussed under Item 1.6 and the update on the Casework Committee was discussed under Item 6.1.

## 3.1 Comments on Ireland's 19th National Report on the implementation of the European Social Charter

Members discussed the draft 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 18 July.

It was noted that a number of the issues addressed in the report will need more detailed consideration in future work.

## 4.1 Submission to the Committee on the Rights of the Child on Ireland's combined fifth and sixth periodic reports

The draft submission will be finalised taking into account feedback from Commission members and will be submitted to the UN Committee on the Rights of the Child before the closing date of 15 August.

## 5.1 Amicus Curiae Proposals

COD gave an update on the Casework Committee meeting held on 4 July.

COD noted the recent decision of the Supreme Court to dismiss a case focussed on Access to Care Allowance and SG agreed to table this matter for discussion at a future Commission meeting.

The Commission agreed the recommendations of the Casework Committee to seek leave to intervene as amicus curiae before the Supreme Court in the cases of:

- *Patrick Dillon v. Minister for Education and Skills*;
- *DPP v Patrick Quirke*; and
- *Odum v. Minister for Justice*

## 6.1 Chief Commissioner Update

The Chief Commissioner report was taken as read.

The Chief Commissioner noted that she had written to the Minister for Children, Disability, Equality, Integration and Youth on the need for an increased budget for the Commission in 2023.

It has been a very busy period for the organisation and this is reflected in the media coverage. SG commended the Strategic Engagement team in particular for their support during this busy time.

SG recognises that economic equality is an area where the Commission could focus more on and it is an item that she will table at a future Commission meeting.

SG noted that the recruitment of a new Director will be her highest priority and she expects a decrease in external activity over the coming months to facilitate this, as well as the Commission evaluation process.

## 7.1 AOB

There was no other business. The meeting closed at 2:30pm.