

## Minutes

### 65<sup>th</sup> Ordinary Commission Meeting

1 June 2023 | 10:00am – 3:30pm

Irish Human Rights and Equality Commission, 16-22 Green St., Dublin 7

#### Present:

- Sinéad Gibney, Chief Commissioner (SG)
- Jim Clarken (JC)
- Adam Harris (AH)
- Prof Kathleen Lynch (KL)
- Sunniva McDonagh SC (SMcD)
- Dr Rosaleen McDonagh (RMcD)

#### Apologies:

- Michael Finucane (MF)
- Dr Lucy Michael (LM)
- Prof Ray Murphy (RM)

#### In attendance:

- Deirdre Malone, Director (DM)
- Barry Price, Office of the Director (BP), Items 3.1, 4.1, 7.1
- Maria Mullan, Policy and Research (MM), Items 3.1, 4.1, 9.1
- Ciára Dalton (CD), Policy and Research, Item 4.1
- Naomi Kennan (NK), Policy and Research, Item 8.1
- Connor King (CK), Policy and Research, Item 8.1
- Eithne Madden (EM), Policy and Research, Item 9.1

The 65<sup>th</sup> Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place at the IHREC offices, 16-22 Green Street, Dublin 7 between 10:00am – 3:30pm on 1 June 2023.

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

Apologies were noted from MF, LM and RM. The meeting was quorate and there were no declarations of interest.

#### 1.2 Closed Session

The Commission met in closed session without the Executive present.

### 1.3 Minutes of Previous Meetings

The draft minutes of the 64<sup>th</sup> Ordinary Commission meeting of 20 April 2023 were approved, subject to one addition from KL. The minutes were proposed by AH and seconded by KL.

The draft minutes of an Extraordinary Commission meeting of 4 May 2023 were approved, proposed by KL and seconded by AH.

### 1.4 Matters Arising, not otherwise dealt with on the agenda

The recruitment of new Commission members is ongoing, with a memo on the persons proposed for appointment by the Public Appointments Service expected to go to Cabinet in the coming days.

An event in Áras an Uachtaráin will be coordinated by DCEDIY for all Commission members to formally receive their warrants of appointments. This should take place before the end of the summer, subject to the appointments process proceeding as expected.

### 1.5 Welcome to the Director / Director's Report

SG welcomed DM who commenced the role of Director on 19 May 2023.

The Director's Report was taken as read and DM highlighted some key updates since the last Commission meeting.

DM invited members to give any feedback on the content and presentation of the Director's Report.

JC suggested a dedicated agenda item at a future plenary meeting on the activities of the far right

### 1.6 Chief Commissioner Update

The Chief Commissioner report was taken as read.

A meeting on the Section 35 Triaging Group will be organised for early July to discuss the two live requests for inquiries and to review the development of supporting documentation. SG asked AH and KL to attend this meeting given their particular expertise in relation to the subject matter of the requests.

## 2.1 Committee Updates

### *a) CWC*

The note of the previous two Casework Committee meetings were taken as read.

### *b) DAC*

The note of the previous Disability Advisory Committee was taken as read.

### *c) FELAC*

The note of the last two meetings of the Future of Equality Legislation Advisory Committee were taken as read.

This Committee has now concluded and a social event is being organised to thank members for their contributions.

### *d) WEAC – update & nomination of Presiding Member*

The note of the previous meeting was taken as read.

JC was nominated as Presiding Member of the Worker and Employer Advisory Committee following the conclusion of Tony Geoghegan's term on the Commission. KL will remain as Vice-Presiding Member.

KL also noted an issue in the TOR of WEAC that required the Vice-Presiding Member to attend all meetings.

## 3.1 FELAC 2

The second report of the FELAC was circulated in advance of the meeting. This report presents the second set of recommendations of the FELAC to the Commission. The FELAC's advice has informed a second Submission on the Equality Acts Review which will be submitted to the Department following approval of the Commission.

Members welcomed the report and praised the Committee for its significant contribution to the work of the Commission.

### 4.1 Submission on the Equality Acts Review

A draft submission on the Equality Acts Review was circulated in advance of the meeting.

DM noted that the appendices 1 & 2 in this draft were for Commission information only. The information contained in Appendices 1 & 2 would be used as additional material in correspondence with the Department. Appendix 3 and 4 would be incorporated into the main body of the document ahead of submission to the Department.

SG and Caroline Fennell, chair of the FELAC, will prepare a foreword for the submission to the Department.

The Commission agreed to adjust its policy position on a criminal convictions ground in the Equality Acts to move towards the advice the FELAC, while still retaining the broad progressive position already on record.

The Commission thanked staff for their work on this submission, which was approved subject to minor revisions.

## 5.1 IHREC Email and Decision Time for Commission Members

A Director's memo and information note on the use of IHREC email addresses and the Decision Time portal for members was circulated in advance of the meeting.

Members agreed to move to the use of IHREC issued email addresses going forward, to mitigate any risk associated with using other email addresses for Commission business. The Office of the Director will provide whatever support is needed to ensure that this transition takes place as smoothly as possible.

Members raised some queries about the practical use of Decision Time. It was agreed that the Office of the Director would engage with members about these issues and that a further discussion on Decision Time would be tabled at a future Commission meeting if needed.

## 6.1 Grievance Procedure

A working draft 'Dignity and Respect Policy' was circulated to members in advance. This draft drew from the policy in place in the Houses of the Oireachtas.

Following discussion, members agreed with the approach to the procedure set out in the working draft and agreed that a revised draft incorporating their feedback will be prepared by the Executive and tabled for agreement at a future Commission meeting.

## 7.1 Commission Reform Programme

A memo from the Chief Commissioner proposing a Commission Reform Programme was circulated in advance.

It was agreed that the proposed reform programme will be undertaken and that a working group would be established to progress this. The working group will be comprised of the Chief Commissioner, two current members and two incoming members from the ongoing appointments process.

Expressions of interest for membership of the working group can be sent to the Chief Commissioner.

## 8.1 European Social Charter

Draft Comments on Ireland's 20th National Report on the Implementation of the European Social Charter were circulated in advance of the meeting. The draft was approved for submission, subject to minor revisions.

## 9.1 Legislative Observations on the General Scheme of the Domestic, Sexual and Gender Based Violence Bill 2022

The draft Observations on the General Scheme of the Domestic, Sexual and Gender Based Violence Bill 2022 were circulated in advance of the meeting. Following discussion, the draft was approved, subject to minor changes, for submission.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## 11.1 Annual Report 2022

The draft Annual Report 2022 was circulated in advance for information.

Members were invited to provide feedback on the draft annual report by close of business on Wednesday, 8 June. The report will then be finalised, laid before the Oireachtas and launched at an event in the IHREC Offices on 28 June.

## 12.1 AOB

There being no other business the meeting closed at 3:30pm.