



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

Minutes of the Irish Human Rights and Equality Commission  
(Twenty-fifth Ordinary Plenary Meeting)  
9 May 2018

**Present:** Ms Emily Logan, Chief Commissioner (EL); Ms Teresa Blake (TB); Mr David Joyce (DJ); Professor Siobhán Mullally (SM); Ms Orlagh O'Farrell (OOF); Dr Fidèle Mutwarasibo (FM); Ms Sunniva McDonagh (SMD)

**Apologies:** Professor Ray Murphy

**In Attendance:** Mr Laurence Bond, Director (LB); Mr Michael O'Neill (MON), Ms Jean O'Mahony (JOM), Dr Iris Elliott, Ms Muireann Ní Thuairisg Dr Helen Russell, ESRI

The Twenty-fifth Ordinary Plenary Meeting of the Irish Human Rights and Equality Commission took place between 1:30pm and 4:45pm on 9 May 2018 at 16–22 Green Street, Dublin 7.

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

*Apologies:* Professor Ray Murphy

*Declarations of Interest:* There were no declarations of interest made in relation to any item on the agenda.

**1.2 Minutes of previous Commission Meetings**

SMD noted that the minutes of the plenary meeting held on 7 December 2017, which were agreed at the last meeting, did not address comments she had made on the need for the Commission, as part of its wider governance framework, to formally document the role definitions of the Chief Commissioner and the Director. It was agreed that this matter would be tabled at a future Commission meeting and that in the meantime the job descriptions of the Chief Commissioner and the Director would be circulated.

The Minutes of the Twenty-fourth Ordinary Plenary Meeting on the 15 March 2018 were agreed, proposed by SM and seconded by OOF.

The minutes of the Extraordinary Plenary Meeting on 16 March were agreed, proposed by SM and seconded by FM.

### ***1.3 Matters arising, not otherwise on the agenda***

TB updated members on the work to date of the selection panel for the appointment of a Collaborative Forum of former residents of mother and baby homes.

LB updated members on ongoing efforts to clarify the matter of the application to IHREC of standard Civil Service recruitment ratios which require a sequence of open, internal and interdepartmental competitions in certain grades. The Commission agreed that LB continue to pursue this matter

LB noted that an analysis of the available 11 staff exit interviews (4 in 2016, 2 in 2017 and 5 in 2018) confirms that in 2018 there has been an improved scoring on all factors recorded, except for promotional opportunities within the Commission, and that the primary reason for recent staff moves is promotional opportunities elsewhere.

### ***1.4 Update from Chief Commissioner***

EL updated members on the outcomes of recent Amicus Curiae cases.

EL updated members on the work of the Joint Committee. EL and NIHR Chief Commissioner Les Allamby had met with the EU Chief Negotiator Michel Barnier on the side of a meeting of the All Island Civic Dialogue in Dundalk Institute of Technology on 30 April. On 23 May, meetings will take place in Brussels with the Permanent Mission of Ireland to the EU, the Permanent Mission of the UK to the EU, and officials from the EU Negotiations Task Force. EL, SMD and Dr Ruth Gallagher will attend the meetings with Les Allamby and NIHR staff.

On 29 March, IHREC and the ESRI jointly published a research report on '*Attitudes to Diversity in Ireland*' which looks at Ireland's increasing diversity and monitors attitudes for the period from 2002 to 2014.

On 17 April, EL and LB met with the Policing Authority Chairperson Josephine Feehily and Chief Executive Helen Hall.

On 30 April, IHREC published new guidelines on '*Retirement and Fixed-term Contracts*'.

On 1 May, EL, TB and staff visited the Dóchas Centre in Dublin and will visit Limerick Prison on 11 May as part of the Public Sector Equality and Human Rights Duty Pilot Project with the Irish Prison Service.

Following an invitation from John McKeon, Secretary General of the Department of Employment Affairs and Social Protection, EL will give a presentation on the Duty to 70 members of the Department's Senior Management Team on 17 May in Carrick on Shannon.

The office of the Minister for Justice and Equality Charles Flanagan TD postponed a meeting due to take place on 2 May due to Government business. The meeting will take place at a later date to be confirmed.

Highlights of references to IHREC in the Houses of the Oireachtas include Public Sector Equality and Human Rights duty and guidelines on retirement and fixed term contracts.

### **2.1 Director's Report**

The Director's Report had been circulated in advance of the meeting and was taken as read.

LB answered questions in relation to the content of the report, and updated Commission members on a range of matters.

IHREC has submitted comments to the European Social Committee on a number of matters raised in Ireland's 15th *National Report on the Implementation of the European Social Charter*, drawing on previous policy and findings from our recent research reports. The submission has been uploaded to the Commission portal for members' information.

In relation to the forthcoming publication of the IHREC Annual Report 2017, a draft report will be circulated in advance of the plenary meeting on 12 June.

SM noted the queries received by the Your Rights team relating to asylum seekers and human trafficking and proposed that IHREC could explore taking on the role of rapporteur on human trafficking.

### **3.1 Discussion with Ms Fiona Tierney, CEO PAS**

Ms Tierney was unable to attend for this item which was therefore postponed.

### **4.1 Proposal to approve 'Draft Code of Practice on Equal Pay for Equal Work' and proceed to consultation**

MON joined the meeting for items 4.1–4.3

The Commission approved the 'Draft Code of Practice on Equal Pay for Equal Work' and agreed for staff to proceed with the consultation stage.

### **4.2 Proposal to update Code of Practice on Sexual Harassment**

The Commission approved the proposal and agreed that a letter would issue to the Minister for Justice and Equality informing him of the Commission's intention to work on updating the Code.

### **4.3 Update: Equality Reviews and Action Plans**

The Commission were updated on requests to conduct equality reviews issued to five undertakings.

### **4.4 Proposal on Grant Scheme 2018**

JOM joined the meeting for this item.

The Commission agreed the proposal on the 2018 Grant Scheme.

It was agreed that in respect of the 2019 Grant Scheme, the Commission will consider aligning the themes with the Commission's next Strategic Statement.

### **5.1 Proposed Dates for Commission Meetings and Strategy Days**

It was agreed that a Doodle Poll would be circulated to all members with proposed dates in 2018 to gauge availability.

### **6.1 Presentation: Housing Inequalities research**

IE and Dr Helen Russell joined the meeting for this item.

Dr Helen Russell, ESRI, gave a presentation on the forthcoming research report on '*Discrimination and Inequality in Housing in Ireland*', which will be jointly published by IHREC and the ESRI in June.

### **7.1 Any other Business**

EL and SM updated members of their appearance before the Oireachtas Joint Committee on Justice and Equality on 9 May regarding the arrangements for labour market access for international protection applicants following the Supreme Court judgment in *NVH v. Minister for Justice and Equality*.

SMD referred to correspondence to the Commission from the Bar Council's Human Rights Committee. EL confirmed she received the letter on 4 May and a formal proposal will be brought to the Commission's next plenary meeting on 12 June.

### **Date of Next Meeting**

The proposed date for the 26th Ordinary Meeting of the Irish Human Rights and Equality Commission is the 12 June at 10:30.

### **Close**

There being no other business, the meeting concluded at 4.45pm.

Signed:

 Emily Logan

Emily Logan, Chief Commissioner

Date: 12 June 2018