(DRAFT) Independent Monitoring Mechanism (IMM)

Quarterly Strategic Meeting

2 July 2018

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| **Date** | 2 July 2018 |
| **Time** | 2pm – 4.30pm |
| **Location** | **Wellington** - Office of the Human Rights Commission, Level 8, Vector Building,  44 The Terrace  **Auckland** - Office of the Human Rights Commission, Level 7, AIG Building,  41 Shortland Street |

**Attendees**

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| **Human Rights Commission (HRC)** | Paula Tesoriero **(Chair)** Rebekah Armstrong, Courtney Wilson, Frances Anderson, Douglas Hancock and Rebecca McGill |
| **Office of the Ombudsman (OOTO)** | Peter Boshier, Paul Brown, Emma Leach and Simon Latimer |
| **Disabled People’s Organisations Coalition (DPO Coalition)** | Rose Wilkinson |
| **Secretariat** | Rebecca McGill |
| **Other invited guests for Item 7** | Rose Wall and Kevin Allan – Health and Disability Commission (HDC) |
| **Office for Disability Issues (ODI) to join meeting at 3.45pm for Item 7** | Brian Coffey, Jacinda Keith |
| **Apologies** | Andrew Becroft (OCC), Geoff Short (SSC), Lachlan Keating (Deaf Aotearoa) and Esther Woodbury (DPA) |

*An Independent Monitoring Mechanism (IMM) was designated by the New Zealand Government in 2010 to fulfil obligations under Article 33 (National implementation and monitoring) of the Convention of the Rights of Persons with Disabilities (CRPD). It is made up of the Human Rights Commission, the Office of the Ombudsman and the Disabled People’s Organisation Coalition (DPOs).*

**Actions from IMM meeting 2 July 2018.**

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| **No.** | **Description** | **Responsible** | **Status** |
| 1. | **Review of previous actions and minutes (Item 3):**   1. Request from the Chair, an additional fourth column headed with “Status” | 1. Rebecca | Completed |
| 2. | **Update on the List of Issues paper and preparations for ‘Making Disability Rights Real’ Report. Planning and process discussion (Item 4):**   1. Agencies Coalition consultation work-stream to be provided at the next IMM Quarterly meeting 2. Update from meeting with Jorge Araya, secretary of the Committee for the CRPD. | 1. Emma 2. Rebekah | Update to be provided  Update to be provided |
| 3. | **UPR submission:**   * 1. Priority Issues circulated to IMM   2. Invite the HRC legal team to the next IMM Quarterly Meeting to present on submission | 1. Emma 2. Rebekah | Completed  Updated to be provided |
| 4. | **Updates from agencies (Item 7):**   1. Mental Health and Addiction Inquiry update meeting will be held in early November 2018 | 1. Kevin | Completed |
| 5. | **Future meetings (Item 8):**   1. ODI to circulate Action Plan 2. Collate and distribute consultation to appropriate agencies when received | 1. Brian 2. Jacinda | Update to be provided  Update to be provided |

**IMM Meeting minutes – 2 July 2018**

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|  | **Agenda items** |
| **1.** | **Karakia, welcome and introductions**  The Chair welcomed attendees and introduced Frances Anderson, Senior Adviser, Disability Rights Team, Human Rights Commission |
| **2.** | **Agenda Check**  The Agenda was agreed to and confirmed. |
| **3.** | **Review of actions and minutes from the previous IMM meeting**  The minutes from the IMM’s Quarterly Meeting on 1 March 2018 were confirmed.  Most of the actions from that meeting have been followed up or completed:   * IMM have agreed for previous minutes to have final check before loading online * Item 1: Paul Brown to obtain a copy of the presentation from Dept of Corrections and circulate to the IMM team   **Chair has requested an additional column for the action sheet. Headed Status to reflect whether actions have been completed or to provide update.** |
| **4.** | **Update on the List of Issues Paper and preparations for ‘Making Disability Rights Real’ Report. Planning and process discussion**   * Emma Leach provided an update on the Project Plan, identifying four work streams which are joint led by OOTO/HRC. * Consultation leads – Public Consultation (HRC) and Agency Consultation (OOTO) * IMM endorsed the six priority issues as a framework for reporting as well as highlighting Māori and Pasifika issues. * Articles (to create one or two pagers) to be allocated to respective leads   **Update for the Agency consultation work-stream to be provided at the next IMM Quarterly meeting**   * Project Plan signed off by the board. Some slippage in timeline. Workstream prepping to begin with -   1. High level comms plan for the entirety of the project   2. Reporting framework designed, including thematic issues and articles across the three agencies. Engagement with stakeholders (government and the public).   3. Information gathering and analysis   4. Budget of $30k proposed and divided -      + $7k – hire of public venues. Budget will not cover staff travel      + $23k Communications including production of reports * Douglas Hancock provided an update from the Joint Project Working Group   1. ODI consultation may well be delayed from July to August 2018. There was some concern expressed about the distances that stakeholders may have to travel to attend multiple hui.   2. Six Hui to be held nationally – two in Auckland, one in Rotorua, one in Wellington, one in Christchurch and one in Dunedin. Hui to be supported by a survey for people who cannot attend a hui.   3. Facilitators have been identified and will be contracted, if not contacted already.   4. Rose W suggested that Douglas attend all sessions. Peter B indicated his interest to attend the Auckland consultations. Interest from others to attend – all as observers.   5. Paula T noted she will attend as many sessions as possible   6. First draft report from the Hui possibly in December 2018 * Emma noted that consultation with agencies would occur when appropriate and agreed to provide further detail at the next quarterly meeting.   **Emma to provide agencies Coalition consultation workstream to be provided at the next IMM Quarterly meeting.**     * Rebekah Armstrong told the IMM she will be travelling to Geneva to attend CEDAW at the United Nations and could meet with Jorge Araya, secretary for the CRPD. This is an opportunity for the IMM to seek clarification on any issues related to the upcoming CRPD review and report. IMM agreed for Rebekah to raise in her meeting with Jorge.   **Rebekah to update at next IMM Quarterly meeting.** |
| **5.** | **UPR Submission**   * UPR Submissions due 12 July 2018 * There was a discussion from the members of the IMM who were keen to learn more about reporting and the international framework.   **Rebekah to invite the HRC legal team to the next IMM Quarterly meeting to present on submission processes.** |
| **6.** | **Updates from each agency on key pieces of work and priorities –**  **OOTO (Emma Leach)**   * OOTO have recently published Easy Read fact sheets and leaflets online. These provide guidance and information on making complaints to specific government agencies including requests for official information. * Mental Health and Addiction Inquiry submitted * Work on website to be completed by end of calendar year * Held a pilot session for OOTO staff on creating accessible and reviewing for future roll-out. * High-level comms plan (4 years)     **DPO (Rose Wilkinson) \* email Rose for feedback to update below**   * Disabled people –   + Disabled Persons led monitoring, following the review by Malatest, have carried out a pilot with new methodology, with a focus on Education. Face-to-face interviews carried out in Wellington. Phone option and online survey for interested disabled people outside Wellington. As a trial, the report won’t be published; rather this will inform the DPO Coalition about the process and whether any further modification is needed.   + Accessibility Charter – DPO Coalition has been the catalyst for the creation of this Charter through its work with the Chief Executive’s Group on Disability Issues. A commitment for all Chief Executives to sign up to and implement the Charter was given and continues to happen.   + Have negotiated to receive funding from Te Pou in support of having collective governance sessions for the DPO Coalition.   **Mental Health Commissioner (Kevin Allan)**   * Kevin spoke about two pieces of advocacy he had been involved with recently, the Monitoring and Advocacy Report of the MHC 2018 and the input the MHC had made into the Mental Health and Addiction Inquiry. * He noted a meeting of the Inquiry Panel coming up in November 2018 and would be discussion this with IMM partners closer to time   **Kevin to arrange to meet with Peter, Paula and Andrew early November 2018.**  **HRC (Paula Tesoriero, Douglas Hancock)**   * Update from the Disability Commissioner who recently attended the 11th Session of the Conference of States Parties (COSP) held in New York.   + Day One – Civil Society CRPD Forum & Day of General Discussions on Articles 4 (3) and 44 (3).     - Committee to work through questions –       1. What is the role of the family       2. What role do DPO’s play and ensure that all the relevant diverse voices of the disability community are heard?   + Day Two – Side sessions topic from day one continued   + Day Three/Four – Matters related to the implementation of the Convention were covered. Minister Sepuloni opened the Data side event, Paula moderated, and the discussion was well received by the audience. * HRC Meeting with MOH regarding Funded Family Care. Legislation requires substantial update from government. * HRC had been working with ODI and Statistics NZ on data issues and suggested ODI could give a briefing when it attended the meeting. * Royal Commission on Historical Abuse – HRC’s role to emphasise that the process must be accessible and all voices who want to be heard can be heard |
| **7.** | **Other business**  **Action 7B (Simon Latimer)**   * Attendance at the first workshop on sterilisation/bodily integrity as observer – July 2018. IMM agreed Simon to attend as an IMM Observer. * Question raised on the process of actions? “   + Complaints/conversations i.e. women going in for sterilisation other medical procedures included not recorded. Major issues no recorded of sterilisation occurring therefore lack of data and integrity. * Paper submitted to cabinet, ODI to update on paper. |
| **8.** | **Future meetings**  **ODI (Brian Coffey and Jacinda Keith)**  **Key meetings and dates on the agenda**   * CRPD Examination October 2018  1. Decision not to proceed with public consultation, instead the public will be pointed to website for feedback. Have been discussion already with key stakeholders 2. Response from Government due March 2019 on List of Issues  * Disability Action Plan (AP) Consultation   1. Cabinet to approve paper hopefully early August.   2. Seeking sign off on priorities, indicators and measures   3. Disabled persons organisations and Government will be part of discussions on the action plan   4. Minister Sepuloni will take part in consultations * State Party Report – discussion of the linkage of the Action Plan to the Making Disability Rights Real Report. ODI agreed to circulate the Action Plan. * Discussion on accessibility and the Canadiana Accessible Act Federal level around code and standards. * Law Commission review of Capacity – missed timelines for review * Suzy Linton – ODI new Comms person, Sonya will be finishing with ODI, new appointment in progress.   **ODI to circulate Action Plan. ODI to collate and distribute consultation to appropriate agencies when finalised.** |

**Previous Action List from IMM Meeting 1 March 2017**

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| **No.** | **Description** | **Responsible** | **Status** |
| 1. | Review of previous actions and minutes (Item 3):   1. DPO Coalition to consider TOR as soon as practicable and send through revisions. 2. HRC to circulate link to IMM minutes 3. Paul Brown to liaise with the 1. Department of Corrections (Bronwyn Donaldson) to 2. obtain a copy of the presentation for the rest of the IMM | Rose  Doug  Paul | Completed  Completed  1. Completed  2. In progress |
| 2. | Preparation for Video Conference with CRPD Committee (Item 4):   1. Previous draft of ‘Traffic Lights’ report to be circulated. 2. The DPO Coalition to confirm attendees to the Video Conference and to provide the other IMM partners advance notice of the specific additional issues the DPOs may want to raise in the last phase of the video conference ASAP | Douglas  Rose | Completed  Completed |
| 3. | Shadow report planning and process (Item 5):   * 1. The OOTO with the IMM working group would ‘hold the pen’ on the first draft of this project plan.   2. HRC to coordinate with DPO coalition to develop a high-level Communications Strategy to be incorporated into the draft project plan, by the end of March 2018. | Emma  Douglas  Rose | Completed  Completed |
| 4. | Updates from agencies (Item 7):   1. Peter Boshier (who will be speaking on data matters in the Video Conference) and Andrew McCaw to discuss data with Geoff (and include Doug) 2. OOTO to share IMM guide with other IMM partners for feedback. HRC to add discussing the next guide to the agenda for the next meeting | Peter, Andrew, Douglas  Paul, Douglas | Completed  Completed |
| 5. | Future meetings (Item 8):  a. ODI to send the paper or briefing for this meeting to the HRC (Douglas)/IMM. | Brian | In Progress |

**Previous Action List from IMM Meeting 27 October 2017**

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| **No.** | **Description** | **Responsible** | **Status** |
| 1. | Terms of Reference (Item 4):   1. Put the IMM ToR on the November DPO Coalition meeting agenda. 2. Discuss redrafting of ToR and putting IMM agendas and minutes online at the next IMM Quarterly Meeting. 3. IMM meeting administration notes to be sent to Paula. | Rose  Paula/All  Vicki | TBA  Completed  Completed |
| 2. | UN Committee Issues Paper (Item 5):   1. Draft Executive summary for the Working Group. 2. Remove column 3 in appendix 2 in finalised paper. 3. DPO Coalition representative on Working Group to be advised. 4. Finalised draft sent to ODI and SSC to seek agency feedback. 5. Finalised paper to be sent to Minister Sepuloni. | Douglas  Douglas  Rose  Douglas Paula | Completed  Completed  Completed  Completed  Completed |
| 3. | Making Disability Rights Real report (Item 6):  Working Group to formulate draft project work plan to be presented at next IMM meeting. | Working Group | In progress |
| 4. | Seclusion and restraint reports (Item 7):   1. Rose Wilkinson to advise who will represent the DPO Coalition at this presentation. 2. Liaise with Jacki Jones to confirm when/where the Corrections’ presentation will take place. | Rose Wilkinson Paul | Completed  Completed |
| 5. | Update IMM on SSC’s Diversity and Inclusion Programme. | Geoff and Paula | Completed |
| 6. | Future meetings (Item 11):   1. Liaise with Carmel Sepuloni and advise LOIPR paper being prepared for UN Committee and set-up meeting as soon as possible. 2. Geoff to meet with IMM to advise most appropriate structure to ensure effective engagements with CEOs. | 1. Emma 2. Geoff | Completed  Completed |