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| Meeting minutes for  Independent Monitoring Mechanism quarterly governance meeting  Held on 19 February 2019 from 9:00am to 12:00pm at the Office of the Ombudsman, level 7, 70 The Terrace, Wellington. | | | |
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| Present Chief Ombudsman Peter Boshier (Chair)  Chloe Longdin-Prisk (OOTO)  Dr Tristram Ingham (DPO Coalition)  Rose Wilkinson (DPO Coalition)  Victoria Manning (DPO Coalition)  Frances Anderson (HRC)  Douglas Hancock (HRC)  Alan Wendt (NZSL interpreter)  Rosie Henley (NZSL interpreter)  Rose Wall (HDC)  From 11.30 am:  Brian Coffey (ODI)  Jacinda Keith (ODI) | | Apologies Disability Rights Commissioner  Paula Tesoriero MNZM  Emma Leach (OOTO)  Gaylene Te Rauna  (DPO Coalition)  Kevin Allen (HDC)  Judge Andrew Becroft (Children’s Commissioner) | Minute-taker Vicki Hall (OOTO) |
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| Item | Notes |
| 1. Karakia (Tristram), welcome and introductions (Peter) |  |
| 1. Review of 13 September 2019 meeting minutes and actions (Peter) | Minutes of the meeting on 7 November 2019 confirmed as accurate and approved.  Review of actions from previous IMM governance meeting.  Dates for next IMM governance meeting confirmed: 6 May 2020. |
| 1. Agenda check and confirmation (Peter) | Agenda confirmed. No further items. |
| 1. Update on Terms of Reference, including production of accessible formats | DPO Coalition confirmed agreement in principal to production costs of Easy Read and NZSL versions of the Terms of Reference (agreement to total costs was provided at December 2019 working group meeting). This is subject to the addition of introductory text setting out what the IMM is, to complement and add context to the ToR. CLP to draft and circulate a suggested introductory text. It can be based on information in previously published IMM guides and leaflets.  PB asked VM for advice around Ombudsman online material that might be relevant/suitable to be translated into NZSL, or other ways to increase NZSL content on the Ombudsman website. CLP and VM will progress this. |
| 1. *Making Disability Rights Real* (MDRR) report | **Update on publication process:**  CLP noted that comments had been received by HRC but OOTO is awaiting comments from DPO Coalition. DPO Coalition apologised and agreed to provide its final round of comments by **midday** on **24 February**.  Included in the DPO Coalition’s comments will be an indication of what parts of the report (or the whole report) should be produced in alternative formats/languages. To date the position has been that the introductory sections and executive summary will be translated into te reo Māori, NZSL and Easy Read. The whole report will be made available in hard copy, PDF, accessible Word document and audio. It can be made available in braille upon request. This was the arrangement reflected in the budget (which uses all of the $30k contributed by partners). DPO Coalition will advise by **midday** on **24 February 2020** if this position has changed.  Launch date mooted as **30 April 2020.**  **Feedback, decision-making and final sign-off processes**  CLP advised that a proof-reader has been contracted to sub-edit/proof the report. If the proof-reader makes any substantive changes these will be discussed at a final editing meeting to be set by CLP if required.  CLP advised that the report will be sent to ODI on the 9 March 2020 to circulate to public sector agencies with comments due back on 20 March.  CLP will schedule a meeting shortly after 20 March 2020 to consider comments from public sector agencies. If no substantive comments are received, this meeting can be cancelled.  **Design of final report including photos**  CLP advised that Ombudsman in-house graphic designer would be designing final report at no cost to partners. This will hopefully provide a budgetary buffer as external designer costs had been included in the projected budget.  CLP thanked VM for supplying images from Deaf Aotearoa. OOTO is sourcing further images for report. Group asked to supply any further images to OOTO as a matter of urgency.  Launch function  PB reiterated suggested 30 April launch date, with Minister Sepuloni to be in attendance. OOTO to organise and fund the launch function.  TI thanked the Ombudsman and FA said that it was good timing from HRC’s perspective. VM noted that it was the same day as the DPO Coalition meeting which would work well for attendance. She also advised that the DPO Coalition’s commissioned housing report was being launched on the same day. PB invited DPO Coalition to launch their housing report at the OOTO organised function. DPO Coalition to advise OOTO if they wish to take up this opportunity. In the meantime, OOTO will proceed with organising the MDRR launch on 30 April.  PB suggested an Ombudsman video (promoting NZSL resources OOTO has available) could be shown at the launch if it has been produced. |
| 1. Professional analysis of IMM survey and hui results | CLP asked the group if this work is still supported. A discussion ensued concerning the purpose of any supplementary report and noting that that hui and survey participants had not specifically consented to the use of their data in this way. Survey and hui participants were advised that their responses would be used in the MDRR report. They were not advised their responses would be used in a separate stand-alone report to be produced by a professional researcher. VM and RW noted that some of the information, even anonymised could potentially identify people due some very specific disabilities and the relatively small size of some disability communities. There was a general consensus that there was no clear purpose for this work at this time. It was therefore agreed that the IMM would not pursue professional analysis of the data gained through the MDRR hui and survey.  Although the decision of OOTO (PB) and HRC (FA) was not to proceed, both were open exploring a similar project in the future, providing a clear purpose was identified (such as to inform an updated MDRR report for the UN examination) and consent is gained from participants at the outset. RW to take the issue back to DPO Coalition members for a final decision, however, it was agreed that CLP can advise providers that gave quotes that the work is not proceeding at this time. |
| 1. Feedback on the meeting with the Ministerial Leadership Group on Disability Issues on 11 December 2019 | PB noted that minutes of the MLGDI are not yet available.  Overall it was a positive meeting. There was a good number of Ministers in attendance, which created a valuable opportunity to engage directly with Government. The meeting was efficiently chaired with lots of opportunities for questions.  The IMM prepared well for the meeting. Although members noted that at times the discussion diverged from the priorities discussed at the preparation meeting. Although covered in the previous MLGDI meeting, Ministers were again keen to discuss the issue of co-design and what it looks like in practice.  TI noted there is still some confusion with regard to the role of the IMM in comparison to the DPO Coalition. One way to address this may be to seek a specific time-slot during the meeting to engage directly as this is often the DPO Coalition’s only opportunity to talk directly to Ministers.  PB suggested that these issues be addressed in the preparation phase for the next MLGDI meeting, bearing in the mind the prime purposes is to inform Ministers in such a way that their knowledge of disability issues is improved. |
| 8. IMM monitoring of housing issues | PB requested consensus on seeking a meeting with Minister Woods. RW said DPO Coalition would like meeting to proceed. DPO Coalition agreed takes steps, including drafting correspondence, to pursue a meeting with Minister Woods.  CLP reported back on meeting with UN Special Rapporteur on the Right to Adequate Housing, Leilani Farha. Meeting was valuable and Ms Farha very engaging. Date for making submissions 9 March 2020, OOTO will make its own submission and provide copies to partners. |
| 9. Issues relating to accessibility of Courts | PB asked for this to be deferred to next meeting and added to agenda accordingly. It was noted that Minister Little was not at the Ministerial Leadership Group meeting.  DH advised that Justice Palmer had met with Disability Rights Commissioner Paula Tesoriero seeking guidance with regard to setting up and attending informal sessions with Court judges and staff to raise disability rights awareness.  PB is working on ways to ensure disability issues are forefront of work to ensure equitable access to justice. PB will further this. |
| 10. Request by Ms Jane Carrigan to appear before IMM | Partners reviewed Ms Carrigan’s letter and decided to decline her request. The IMM fulfils its monitoring function by engaging directly with public sector agencies and government. It is not the purpose of the IMM to engage directly with members of the public, rather this is done by individual partners, who can in turn inform the IMM of issues raised by their respective communities. The issues raised by Ms Carrigan are important but the IMM is not the correct forum to address them. |
| 10. ODI joined the meeting at 11.30 am. | PB updated ODI on the MDRR timeline. BC will confirm relevant Ministers’ availability for a function on 30 April 2020.  **Local Authority Accessibility Survey Report** Purpose is to glean a snapshot of implementation of the UNCRPD at the local authority level. 23 out of 38 Local Authorities have so far responded, which is an encouraging starting point. Minister Sepuloni will be presenting the survey findings at Mayors’ meeting in March 2020. The intended outcome is to start a stream of work, with Local Government taking ownership of disability related issues.  From initial analysis of the survey results, it is encouraging to see that local authorities see the NZDS and Accessibility Charter as providing good guidance. However, there is still a mixed approach around engaging with disabled people. A frequent comment arose with regard to looking for guidance and direction from central government and within own organisation. Examples of good practice are also emerging. BC noted that local authorities tend to consider issues when a complaint is received but are increasingly looking to address issues proactively.  **Planning for the next Ministerial Leadership Group on Disability Issues**  Discussion of how to maximise engagement with Ministers. Focus needs to be on the agency reporting. Currently, reports are often limited in scope. However going forward, issues/progress will be reported as part of the Disability Action Plan. One way to maximise engagement at MLGDI meetings would be to identify two key issues prior to meeting to maximise engagement and offer a real opportunity to engage with Ministers.  VM asked BC if there was the potential for the DPO Coalition to have its own slot at the MLGDI meetings. BC will look into this and report back.  BC noted it was important to engage in a way Ministers see as positive. Ministers should be prepared for challenge through good preparation/briefing. BC will discuss further with Minister Sepuloni.  RW will take back to DPO Coalition to discuss further to see how this could work and if so, how the DPO Coalition could progress/achieve this.  BC to find out when next Ministerial Leadership Group meeting will be held and advise IMM.  **Disability Action Plan**  BC noted that there are approximately 28 programmes which agencies are now committed to and will be reporting on every six months. Some information cannot be made public but a good amount will be.  **Chief Executives Group on Disability Issues**  PB enquired if this group is still active. BC advised that it has not been disbanded, however, 2020 meeting dates need to be set. Previously this group was used to monitor the action plan, however, that no longer needs to be the focus due to the reporting regime built into the revised action plan.  PB will draft a follow-up letter to Peter Hughes and Debbie Power. He notes this is a golden opportunity to reinvigorate these meetings by setting out clear expectations and the best way to go forward.  RW noted that we also need to understand what CEG need to hear from us.  PB noted that a reset and discussion and who might make up the team, as it might not necessarily be the Chief Executives. BC suggested linking agenda items directly to Articles in the Disability Convention, which with appropriate briefing will aid in those in government to understand the issues for disabled people.  BC ended by noting that Sir Robert Martin’s campaign for re-election to the UN Disability Committee is underway. |
| 11. Updates | Brief updates (due to time constraints) from each agency on key pieces of work and priorities:  **HRC**   * FA advised she needed to update Article 16 of the MDRR with regard to information around domestic violence as this has been a key focus of the Disability Rights Commissioner.   DH updated on the HRC’s work on the Education and Training Bill.  **Ombudsman**   * PB updated group on the two investigations the Office is undertaking in relation to people with intellectual/learning disabilities held in secure facilities. * PB advised of the growth in resources and staffing at the Office, along with the creation of a Māori Advisory Board, Pūhara Mana Tangata, to ensure Te Tiriti o Waitangi is at centre of our work.   **DPO Coalition**   * TI advised that the Domestic Housing Report encountered issues around the informed consent process. Only those able to give legally informed consent were able to participate, which excluded many who did not reach that threshold. Supported decision making should be incorporated in future report drafting to give voice to the broader spectrum of the community. CLP advised that she was happy to share information around how people were included/involved in the Office’s two systemic investigations it is undertaking into services for people with intellectual disabilities.   **HDC**   * Rose Wall noted she was happy to be an observer at these governance meetings. * She is mindful of issues around informed consent and noted that HDC has completed consultation on the issue of medical research and how it can occur for adults who cannot give legal consent. * Kevin Allen is currently completing a monitoring report on mental health services. * TI raised concerns over lack of disabled people’s voices in determining current health and disability standards of care. RW keen to discuss this issue further outside of time constraints of IMM meeting. * TI noted that HDC does not have disaggregated data available. RW responded that she would like to discuss this issue further with the DPO Coalition to ensure robust collection of data. |
| 11. Closing Karakia (Tristram) | Meeting concluded at 12:05 pm |

# Action items

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| No. | Item | Responsible | Status |
| 1. | DPOs will provide advice on required formats for publication of the Terms of Reference and OOTO will source quotes for production of accessible formats. | Chloe and DPO reps | Largely complete – awaiting approval from DPO for NZSL and Easy Read costs |
| 2. | OOTO to consider review of the IMM guide *Reasonable Accommodation of persons with disabilities in New Zealand* and report back to partners. | Chloe | Ongoing |
| 3. | Invite SSC Deputy Commissioner Chappie to IMM quarterly governance meeting. | Chloe | On hold due to Covid-19 |
| 4. | OOTO to scope a UNCRPD guide for local government and report back to partners. | Chloe | Ongoing |
| 5. | OOTO to scope improving access to information by including more NZSL content on its website. | Victoria /  Chloe | Ongoing |
| 6. | DPO Coalition agreed to provide its final comments on *MDRR* by midday, and advise on which accessible formats the report should be produced in by 24 February 2020. | Rose W | Complete |
| 7. | *MDRR* sent to ODI to be distributed to government stakeholders for review with comments to be returned by 9 March 2020. | Chloe | Complete |
| 8 | Partners to source and send images for the report to OOTO. | Chloe | Ongoing |
| 9. | Launch function of report to be organised with date set at 30 April 2020. | Chloe | New date 30 June. |
| 10. | Chloe to advise potential research providers that this work is not proceeding at this time. | Chloe | Complete |
| 11. | Issues be addressed in the preparation phase for the next MLGDI meeting, with the prime purpose to inform Ministers to improve knowledge of disability issues. | Chloe | Ongoing |
| 12. | Draft correspondence to pursue a meeting with Minister Woods. | Tristram | Ongoing |
| 13. | Write to Ms Carrigan thanking her for her correspondence but declining her request to appear in person before the IMM. | OOTO | Complete |
| 14. | Peter to draft a follow-up letter to Peter Hughes and Debbie Power to reinvigorate CEG meetings. | Peter | Ongoing |
| 15. | Determine if there is the potential for the DPO Coalition to have its own slot at the MLGDI meetings. | Brian | Ongoing |
| 16. | HDC to further discuss collection of robust data with the DPO Coalition. | Rose W /  Rose Wall | Ongoing |

# Meetings scheduled for the remainder of the year:

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| 6 May 2020 | By video conferencing. |