# DRAFT Independent Monitoring Mechanism Quarterly Strategic Meeting Minutes

**Date:** 27 October 2017

**Time**: 9:30am – 11:30am

**Location**: Wellington Office of the Ombudsman, Level 7, Solnet House, 70 The Terrace

Auckland Office of the Ombudsman, The Shortland Centre Level 10,   
55-65 Shortland Street

**Attendees**:

**Human Rights Commission (HRC)**:Erin Gough, Douglas Hancock, Paula Tesoriero

**Office of the Ombudsman (OOTO)**: Peter Boshier (Chair), Paul Brown, Vicki Hall, Emma Leach, Andrew McCaw

**Disabled People’s Organisations Coalition (DPO Coalition)**: Lachlan Keating, Rose Wilkinson

**Office for Disability Issues** **(ODI)** (from 10.45am): Brian Coffey, Paul Dickey

**State Services Commission (SSC)** (from 10.45am): Geoff Short

**Invited guests**: Rose Wall – Health and Disability Commission (HDC)

**Apologies:** Kevin Allan (HDC), Janet Anderson-Bidois (HRC), Rebekah Armstrong (HRC), Judge Andrew Becroft – Office of the Children’s Commissioner (OCC), Sarah Hayward (OCC), Jacinda Keith (ODI), Simon Latimer (OOTO)

Agenda Items

## 1. Karakia, welcome and introductions

Peter Boshier chaired the meeting opening with a karakia, and warmly welcomed Paula, and the DPO Coalition representatives Rose and Lachlan to their first IMM meeting.

Those attending introduced themselves. Vicki took meeting notes.

## 2. Agenda check

The agenda was agreed and confirmed.

## 3. Minutes of previous meeting

The minutes from the IMM’s previous Quarterly Meeting on 21 June 2017 were confirmed by agreement.

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All action items listed at the meeting of 21 June 2017 have been followed-up or completed. Items 1 and 2 were deferred to the next meeting as they are both work in progress.

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## 4. Terms of Reference (ToR)

### a. Chairing and administration of future meetings

* The ToR were discussed. Paula suggested making minor changes to reflect the immediate changes made to the IMM group, and then for these to be updated more substantively once the DPO Coalition meet to discuss. All partners need to agree to proposed changes.
* Rose Wilkinson agreed to put the TOR on the agenda for the DPO Coalition meeting in November. [**Action:** Rose Wilkinson to put the IMM ToR on the November DPO Coalition meeting agenda.]
* Discussed and agreed that IMM ToR, agendas and minutes would be made available online (website to be determined) in order that information from the IMM is disseminated more widely. [**Action:** All agreed to discuss redrafting of ToR and putting IMM agendas and minutes online at the next IMM Quarterly Meeting. Paula agreed to consider whether HRC website can be used for this purpose.]
* HRC agreed to chair the IMM meetings for the next six months. Paula thanked OOTO for administering and chairing recent IMM meetings. [**Action:** Vicki to send Paula IMM meeting administration notes.]

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## 5. Issues Paper for the UN Disability Committee

There was considerable discussion on this paper. The key issues were:

* Douglas advised that this paper was now due with the UN Disability Committee by 30 November 2017 and not 31 January 2018 as had previously been advised.
* The paper required five or six priorities. These were agreed as: Education, Employment, Information (access and communication), Seclusion and Restraint, Housing, and Data.
* The paper required an executive summary comprising the five or six key priorities [**Action:** Douglas to draft executive summary for the Working Group.]
* The third column in appendix 2 was to be removed in the finalised paper. [**Action:** Douglas to remove column 3 in appendix 2.]
* A Working Group comprising Douglas, Paul and DPO rep (Rose Wilkinson to advise who this will be) is to work on the drafting changes and have the paper ready for sign off by IMM partners prior to wider circulation. [**Action:** Rose Wilkinson to advise of DPO representative to be part of Working Group.]
* It was agreed that the paper should be the basis for a first meeting with the new Minister for Disability Issues.
* Once finalised, paper to be sent to SSC and ODI to enable them to liaise with appropriate government agencies on a ‘no surprises’ basis. [**Action:** Once draft finalised, Douglas to liaise with ODI and SSC accordingly to seek agency feedback.]
* It was agreed to send the finalised paper to the Minister noting that it was a ‘heads-up’ on the issues the IMM was raising with the UN Disability Committee and to allow the Minister to inform the IMM of work/changes that Government might undertake on the issues in the paper. [**Action:** Paula to send finalised paper to Minister Sepuloni.]

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## 6. Making Disability Rights Real report

### a. Initial themes

* It was agreed that the paper on initial themes had been overtaken by both changes in IMM partners and changes to the shadow reporting process.

### b. Project Plan

* It was proposed and agreed that the Working Group would draft a timeline for the reporting process and develop a project work plan. Draft project plan to be presented at the next IMM Quarterly Meeting. [**Action:** Working Group to formulate draft project work plan to be presented at next IMM meeting.]

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## 7. Update on meeting between IMM and officials on seclusion and restraint reports

* Emma updated the group on meetings with government officials to discuss recommendations from recent reports. Ministry of Health responded in writing agreeing in principle to the recommendations. Corrections are yet to provide written feedback but have agreed to facilitate a presentation which can include IMM representatives. [**Actions:** Rose Wilkinson to advise who will represent the DPO Coalition at this presentation; and Paul to liaise with Jacki Jones to confirm when/where the presentation will take place.]
* Erin noted that it would be useful to have more focussed meetings/agendas to enable Ministers/agencies to respond appropriately.

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## **8. Updates from each agency on key pieces of work and priorities:**

OOTO (Peter)

* Published ‘A Question of Restraint’ report, and flagged publication of report on the use of seclusion and restraint in two schools in the near future.
* Improved funding in role as NPM and team working to monitor places of detention is being expanded.
* Scoping work on people in detention who have mental health issues.
* Human rights raised with Pacific neighbours during recent visits by Peter.

HRC (Paula)

* Meeting with a cross-sector of stakeholders to build network and inform key priorities.
* Key priorities also informed by complaints received by HRC, UN’s Concluding Observations, and anecdotal stories.
* Finalising briefing to Parliament.
* Met with Peter Hughes and Chief Executives – intention for government agencies to be exemplar employers of disabled people.
* Thanked outgoing Minister and contacted new Minister.
* Set areas going forward: Housing, Accessibility, Mental Health, Seclusion and Restraint, Bioethical issues, Historic State Abuse, Neurodisability, and Supported Decision Making.
* Championing Disability Pride Week.
* Project plan and partnering to improve outcomes for disabled people.

DPO Coalition (Rose and Lachlan)

* Advised six DPOs in the group, and each at different work/board cycles.
* Looking to strengthen participation.
* Work streams include: NZDS Outcomes Framework, preparing Shadow Report, disabled people led monitoring, and determining top five priorities going forward.

## 9. ODI

### a. Update on NZDS Outcomes Framework

* NZDS needs to be a strategy for (and work for) disabled people as opposed to being a political strategy.
* Intend to get the Outcomes Framework to SOC early next year and gain permission for it to be able to go out for wider consultation.
* Change – Reference Group have acknowledged a number of challenges in framing the indicators and in turn determining the important indicators to measure. Intend to provide information on indicators and get feedback on the update of the Disability Action Plan during the same consultation.
* Timeframe – Public consultation probably May–June 2018.

### b. Disabled People Led Monitoring

* Procurement plan to DPOs with regard to disabled people led monitoring – intending to report back to the Coalition with the new framework by March 2018. Focus for framework will be based on Malatest indicators especially around Māori and Pacific communities.

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## 10. SSC update

Advised Parliament must sit by 23 November (looking like 21 November at this stage). Advised people to listen to the Governor General’s speech to ascertain the direction of the new Government.

### a. State Services Architecture

* SS Group formed to enable departments to collaborate and work more closely in sector. Setting out to create a more systemic approach and identify how people are engaged in the employment, education space etc.
* Set commitments for next 10 years.
* SSC looking at working at systems level and how to work effectively with population agencies eg. Te Puni Kokiri, ODI, Office of Ethnic Communities.
* Looking at how to ‘power up’ agencies so that data collected is useable, and championing filling gaps in data collection.

### b. Data

* Availability and information formats are problematic. Data collection needs to be standardised so that it can be shared and used more constructively. This will be beneficial to IMM when monitoring.
* Standardise formats of information on websites to ensure accessibility for all.

### c. Diversity and inclusion

* Workforce perspective with regard to hiring staff, leadership recruitment, to ensure a diverse staff and opportunities for everyone. A clearer vision will be available to be shared at next IMM meeting.
* Paula noted the SSC’s Diversity and Inclusion programme and agreed to update the disability element of the program at the next meeting along with SSC. [**Action:** Paula and Geoff to update IMM group on Diversity and Inclusion Programme at next meeting.]

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## 11. Dates and agendas of future meetings with officials, CEs and Ministers

* Peter stressed the importance of early engagement with Minister: early engagement crucial if Disability to be fed into all aspects of government policies. [**Action:** Emma to liaise with Carmel Sepuloni and advise LOIPR paper being prepared for UN Committee and set-up meeting as soon as possible.]
* Peter noted importance of effective engagement with CEOs. Geoff advised that the meetings need to be structured in such a way to ensure efficiency and effectiveness. [**Action:** Geoff to meet with IMM to advise most appropriate structure to ensure effective engagements with CEOs.]
* Brian noted that the Ministry of Justice Crime and Victimisation Survey has been undertaken using the Washington Questions.

## 12. Scheduling dates for IMM Quarterly Meetings 2017-2018

* Next meeting in February 2018.
* Dates of meetings for the rest of 2018 to be set at next meeting.

## 13. Closure

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### Action item list from IMM Quarterly Strategic Meeting (27 October 2017)

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| No. | Description | Responsible |
| 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. | 1. Rose Wilkinson 2. Paula/All 3. Vicki |
| 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. | 1. Douglas 2. Douglas 3. Rose Wilkinson 4. Douglas 5. Paula |
| 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 |
| 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. | 1. Rose Wilkinson 2. Paul |
| 5. | Update IMM on SSC’s Diversity and Inclusion Programme. | Geoff and Paula |
| 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 |

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