Management Board Meeting Minutes

(Held via Skype)

Monday 10 May at 10.30 am

Attendance: Secretary General (Fergal Lynch); Bernie McNally; Dermot Ryan; Carol Baxter; Laura McGarrigle; Conor Rowley; Anne-Marie Brooks. Miriam Kenna reporting.

POs attending: Caitriona O'Connor and Úna Ní Dhubhghaill.

1. Minutes of Last Meeting

The minutes of meeting of 26 April 2021 were agreed, with one minor amendment.

2. Matters Arising

BMcN said that an up to date list of legal cases in which the Department was involved had now been prepared. This would shortly be supplied to the Minister, subject to any further comments to be offered by MB members on any aspect of the cases. It was proposed to update the list twice each year.

3. Collection of Data on Equality

Deirdre Ní Neill and Leah Breen joined the meeting for this item. CB, UNíD and DNíN presented the topic, using a paper that had been circulated prior to the meeting. They outlined an initiative to consider how meaningful equality data might best be collected on services provided by the Department and its agencies to establish how they are responding to the needs of vulnerable groups such as Travellers, Roma, migrants and people with disabilities. There would be particular focus on the grounds of gender and race.

An ad hoc working group was proposed, with representatives from all divisions of the Department. Its role would include developing the initiative, establishing what relevant data exists within the Department, and looking at possible partnerships with other Government Departments and agencies to advance the initiative. In particular there was a concern to examine data gaps, including those relating to ethnicity and work on the forthcoming Anti-Racism Strategy. The data would also be of relevance to the equality-related strategies that were due to be updated, including those in relation to Roma and Traveller communities, and the Strategy for Women and Girls.

The MB supported the process fully and agreed to the establishment of an ad-hoc group as proposed in the paper. FL thanked the team for their work on this important issue.

4. IDG on Restorative Recognition

James Gibbs, Joanne Byrne and Declan O'Curry joined the meeting for this item. Papers had been circulated prior to the meeting. LMcG and CO'C presented on the main issues facing the IDG Group on Restorative Recognition, which had been established to develop specific proposals following the Report of the Commission on Mother and Baby Homes.

CO'C highlighted the main elements on which decisions would be needed, as well as detailing the consultation process via OAK Consulting, and the inputs offered by IHREC.

Among the key issues for recommendation were the payment type to be used (a general system versus a more tiered, individual-based one) and the exact coverage of any scheme (whether to limit it strictly to former residents of Mother and Baby Homes and County Homes, or to allow specified other categories also). On the payment type, the general one was simpler to operate, less administratively costly, and likely to be delivered faster. However, the individualised, tiered payment could be tailored to the specific experience of individuals, but risked becoming very complicated, lengthy in process and potentially adversarial if applicants had to prove levels of injury or suffering. It also risked re-traumatising individuals who could have to re-live their experiences.

Other matters being considered by the IDG included the case for and against a waiver in relation to any further legal actions against the State; treatment of accompanied v unaccompanied children; the eligibility of boarded out children; the potential coverage of other institutions and the question of including those who were the subject of vaccine trials in the scheme.

MB members offered a number of comments and questions, including the potential cost and complexity of any scheme; the need to set clear boundaries to the scheme; the importance of avoiding a lengthy, cumbersome and adversarial scheme; the case for not requiring a waiver; the importance of consulting with those affected as much as possible on the shape of the scheme; and the need for clear and sensitive communications on all aspects of the scheme. It was noted that payments constituted just one element of any scheme, and that issues of medical cards, memorialisation and access to records would form key parts of genuine restorative recognition.

FL thanked LMcG, CO'C and the team for all the work done on what is a sensitive and complex set of issues.

5. NDP Capital allocations

Gordon Gaffney attended for this item. DR and GG outlined the current situation, in which DPER had notified DCEDIY of an indicative allocation of €755m in NDP funding over the period to 2028, against the Department's bid for €1.25 billion. In addition to the main areas of the bid (International Protection, Tusla and Early Years) this funding would also have to cover all other smaller capital requirements in such areas as youth services and Oberstown.

The key issue was for the Department was to demonstrate clearly its ability to put the projects in place that would cost the amounts sought. DR and GG answered questions on the matter, and noted that DPER would require specific evidence and outline plans for projects, including projected timelines, to illustrate when the capital funding would be required.

CB, CR and AMB outlined briefly the position in their respective areas, and undertook to supply detailed material on projects, timelines and costs to the greatest extent possible by Friday 21 May. These would be shared with DR's side, and a bilateral with DPER would be sought at the appropriate time. In the meantime, FL would brief the Minister on the current

position. The Minister had been informed by Finance Unit of the indicative allocations when received from DPER.

6. For Noting

The brief updates on each MB area were noted, as was the quarterly procurement report from Ray O'Neill and an update note on the DCEDIY Children First Oversight Group from Grainne Morrissey.

7. AOB

BMcN noted that the original Department of Children and Youth Affairs would be 10 years old in June. While it had since expanded, and there was a concern to be inclusive of all parts of the Department, there was consensus about the value of marking the occasion internally, possibly with a town hall or similar event. There was a preference for holding an in-person event if possible, depending on Covid-related restrictions. It was agreed that Pamela Carter, Head of Communications, would be asked to consider some ideas and revert to the MB.

BMcN asked if there was some uniform short name that the Department would be recognised by as there were several shortened versions now being used. It was agreed that the MB would consider further.

LMcG undertook to circulate two Memos for Government, dealing with (i) Birth Information and Tracing and (ii) Illegal Birth Registrations, to the MB.

8. Next Meeting

The next MB meeting was confirmed for Monday 24 May 2021 at 10:30.