



Irish Council for  
**Civil Liberties**

**ICCL: Monitoring rights during the pandemic  
4-10 April**

## **Covid19-related Advocacy Work**

### **Introduction of extraordinary police powers of enforcement**

Responding to the signing of new Regulations into law by the Minister for Health on 7 April, we [urged the gardaí to continue](#) the community policing approach taken thus far. The Garda Commissioner said that people are complying with the rules in general and therefore it is unlikely that any use of these powers is necessary.

We called on An Garda Síochána to record and monitor the use of these powers, as a safeguard against their abuse and to ensure they are used as minimally as possible, if at all.

We believe that no implementation should take place before there is clear operational guidance to ensure a sparing and consistent implementation of these powers. We emphasised the clear and robust monitoring role that the Policing Authority should be given.

### **Necessity for an extension of powers should be evident**

Ahead of the expiry of the Regulations on 12 April, we issued a [press release](#) stating any new extension of the extraordinary powers for gardaí should be accompanied by a clear outline of their continued necessity from medical experts, as well as a human rights audit which involves all stakeholders.

We have also called on the government and gardaí to carry out a human rights audit before any new extension of the powers is announced. This audit should determine whether all measures meet the necessity and proportionality requirements to restrict fundamental human rights. There is a clear role for the state human rights body, the Irish Human Rights and Equality Commission, here. We also expressed our willingness to assist in this process.

We further called on government to include particularly impacted groups in this audit. Groups particularly impacted may include those who are being asked to cocoon; people with physical or intellectual disabilities; people who cannot self-isolate or access adequate sanitation; people living in apartments with young children, etc.

We commended the government for making special provision for those in abusive relationships on 10 April this week.

### **Healthcare: a rights-based approach**

As our health, and our right to a decent standard of healthcare, has never been more important, we [reiterated our call for](#) an approach which has human rights at its core. Our expert advice to HIQA for this guide.

n 2019, the Health and Information Quality Authority (HIQA) published some guidance for healthcare professionals on what a rights-based approach to healthcare means for them and how they can implement the above principles in their work. ICCL provided expert advice to HIQA for this guide which can be accessed [here](#)

### **Digital state pandemic responses must respect human rights**

[We joined](#) 100 groups calling for digital state pandemic measures to respect lawfulness and human rights.

### **Policing Authority oversight of new Garda powers**

We welcomed a significant [statement](#) from the Policing Authority regarding the monitoring of policing powers and Covid. The Policing Authority held an additional meeting this week at which there was considerable focus on the impact of the Covid 19 pandemic on policing and the related challenge of adapting the discharge of the Authority's statutory oversight obligations to the new realities.

### **Other media engagement and references**

Executive Director, Liam Herrick, spoke to Ivan Yates on [NewsTalk](#) radio, setting out why the new emergency powers for gardaí should only be reserved "if at all necessary, for the most extreme cases".

Executive Director, Liam Herrick, was interviewed on [Joe.ie](#) on the new powers available to Gardaí to restrict movement.

Our concerns regarding the [contact-tracing app](#) were referenced in the Irish Times.

Our calls for discretionary use of new gardaí powers was covered [twice](#) in the [Examiner, breakingnews](#).ie. [The Journal](#) reported on our position in its explainer piece, as did the [Examiner](#) in a long piece.