



Irish Council for
Civil Liberties

ICCL: Monitoring rights during the pandemic
15-21 August

COVID-19-RELATED ADVOCACY WORK

New Public Health Guidance Issued-our opposition to enforcement powers

On Tuesday (18 August), we released a [press statement](#) in response to the new public health guidance issued by the government, which included an intention to afford the gardaí additional powers to enforce restrictions on gatherings. We are strongly opposed to the reintroduction of expanded powers of enforcement for An Garda Síochána and to the use of criminal penalties. Public health advice should be based on consent and education, and should be clearly communicated.

While the recent increase in COVID-19 cases is significant and all necessary steps to limit the spread of the virus must be taken, it is regrettable that the latest guidance will disproportionately affect elderly and immuno-compromised people without addressing the issue of congregated settings. We urge the government to take steps to protect people living or working in crowded settings, such as Direct Provision centres, factories and halting sites. We believe resources would be better directed in this direction, not in policing. We are also increasingly concerned by the lack of transparency around government decision-making processes

Government Social Media Monitoring

This week, leaked [reports](#) reveal that the Department of Justice have been carrying out extensive social media monitoring of commentary on areas within the Department's remit, such as on the impact of covid-19 on those living in the direct provision system. This monitoring includes the logging of civil society representatives' names, including those of ICCL staff. The Department has stated that it "started a new policy of monitoring social media during Covid-19 to improve its communications strategy". An ICCL staff member has submitted a data access request to the Department of Justice under the GDPR in response to the inclusion of their name in the leaked reports.

Nursing Homes Expert Panel Report Published

We have [called](#) on the Government to act on the revelations and recommendations contained in the report on the COVID-19 in nursing homes report, which found that nursing homes residents were "disproportionately likely to contract COVID-19". We reiterate the need for a human rights impact assessment to identify and protect at-risk groups during the public health crisis.

Emerging Reports: Senior State Officials & Public Figures in Breach of Event Restrictions

We note that a garda investigation has been opened into the Oireachtas golf society event which had over 80 people in attendance, including numerous senior state Officials. The current Regulations, in effect until 31 August, restrict indoor gatherings to 50 people and provide for criminal sanctions for the organiser(s) of events in breach of these restrictions.

MEDIA ENGAGEMENT

Opposition to additional enforcement powers

Senior Research & Policy Officer, Doireann Ansbro, spoke on the RTÉ radio 1 News at One and spoke on the [VMTV](#) main evening news Wednesday (19 August). Doireann was also interviewed on radio stations [LMFM](#), and Shannonside on Thursday (20 August). Policy Officer Deirdre Ní Cheallacháin spoke on Nuacht TG4 and RTÉ Nuacht on Wednesday (19 August).

MEDIA COVERAGE

Our response to the new public health guidance, in particular our opposition to additional powers of enforcement, received extensive coverage in the print media:

<https://www.irishexaminer.com/news/arid-40034891.html>;

<https://www.thesun.ie/news/5802702/coronavirus-in-ireland-laws-allowing-gardai-to-enter-homes-without-warrant-to-curb-house-parties-almost-impossible/> ;

<https://www.thejournal.ie/garda-powers-5180261-Aug2020/> ;

<https://www.irishtimes.com/news/crime-and-law/donnelly-says-legislation-needed-for-new-garda-covid-19-powers-1.4333929> ;

<https://www.irishtimes.com/news/health/asylum-seekers-told-of-covid-19-cluster-in-bray-centre-1.4335104>;

<https://www.irishlegal.com/article/tightening-of-covid-19-restrictions-should-not-be-policed-by-coercion>;

<https://www.echolive.ie/corknews/Gardai-in-Cork-concerned-about-woolly-guidance-on-Covid-19-restrictions--d84beb64-8504-4ef0-8b86-a6d97ebed9dc-ds>;

<https://extra.ie/2020/08/20/news/irish-news/civil-liberties-government-garda-powers>;

<https://extra.ie/2020/08/20/news/irish-news/covid-cases-thursday-20-august>