

**THE FIRST ANNUAL  
REPORT OF THE  
NORTHERN IRELAND  
HUMAN RIGHTS  
COMMISSION,  
1999-2000**

HC 715

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## **THE YEAR REVIEWED**

### ***Introduction***

The Northern Ireland Human Rights Commission is a body which arose out of the Belfast (Good Friday) Agreement in April 1998. Its duties and powers are set out in the Northern Ireland Act, which was passed at Westminster later that year (see in particular sections 69 and 70 and Schedule 7), and the official launch of the Commission was on 1 March 1999. The names of the ten Commissioners are listed in Appendix 1. This first Annual Report describes the activities of the Commission up to the end of March 2000.

Ever since taking up their posts on the Commission, the ten Commissioners have been conscious that they have a very important role to play in Northern Ireland. The Human Rights Commission is one of the bodies which has the potential to copper-fasten the peace agreement here and to lay the foundations for a just and harmonious future for all the people who live in this part of the world.

To that end the Commissioners have striven during their first year in office to stress the relevance of the Commission to *everyone* in Northern Ireland. Human rights do not belong to just one section of the community, nor are they purely abstract ideas that bear no relation to people's real lives. The Commission is anxious to convey the message that it is a non-political body whose only creed is the set of rules and principles for the protection of human rights accepted by inter-governmental organisations such as the United Nations, the Council of Europe and the European Union.

### ***Mission Statement and Core Values***

One of the Commission's first actions was to adopt a Mission Statement reflecting its commitment to international human rights standards. The Statement reads in full as follows:

### ***Mission Statement***

The Northern Ireland Human Rights Commission will work vigorously and independently to ensure that the human rights of everyone in Northern Ireland are fully and firmly protected in law, policy and practice. To that end the Commission will measure law, policy and practice in Northern Ireland against internationally accepted rules and principles for the protection of human rights and will exercise to the full the functions conferred upon it to ensure that those rules and principles are promoted, adopted and applied throughout Northern Ireland.

In carrying out its functions the Northern Ireland Human Rights Commission will be independent, fair, open, accessible and accountable, while maintaining the confidentiality of information conveyed to it in private if permitted by the law. The Commission is committed to equality of opportunity for all and to the participation of others in its work. It will perform its functions in a manner which is efficient, informative and in the interests of all the people of Northern Ireland.

In addition the Commission pledged itself to adhere to seven core values: independence, fairness, openness, accessibility, accountability, participation and equality. As regards accountability, the Commission was added during the year to the list of bodies in relation to which the UK's Parliamentary Commissioner for Administration (the Ombudsman) can investigate complaints of maladministration. The Commission is otherwise answerable to the Secretary of State for Northern Ireland and the UK Parliament, for whom this Annual Report has been officially produced. In the expectation that the Commission would be designated as a public authority required to issue an Equality Scheme, and because it believed that the preparation of such a scheme was in any event good practice, the Commission developed a draft Equality Scheme during the second half of the year and was on the point of publishing this for consultation at the year's end. It intends to submit a final Equality Scheme for approval by the Equality Commission in the summer of 2000.

### ***A worldwide trend***

The Northern Ireland Human Rights Commission is part of a worldwide trend whereby national and regional human rights commissions are being established to help ensure that governments adhere fully to the human rights standards they have signed up to in international documents. The oldest Commission in the world is that in France, which dates from 1948. Further Commissions in Canada, Australia and New Zealand followed in the late 1970s and early 1980s. Northern Ireland itself had a Standing Advisory Commission on Human Rights between 1974 and 1999, but that was a purely advisory

body which many believed was not always taken seriously by the government of the day. In the 1990s further human rights commissions have proliferated in countries emerging out of conflict, notably Indonesia (1993), South Africa (1996) and Sri Lanka (1998).

The Republic of Ireland is also on the point of establishing a Human Rights Commission, as required by the Belfast (Good Friday) Agreement. It is anticipated that the first meeting of that Commission will be in the summer of 2000, as will the first meeting of the Joint Committee between the Northern Ireland and Irish Commissions, which is also provided for in the Belfast Agreement as well as in the legislation constituting the two Commissions. The Northern Ireland Commission has been anxiously anticipating developments in the South and is keen to start working with the Irish Commission on issues of common concern. Throughout our first year of operations we have attended several important events in the Republic in order to highlight our own activities and to press for the creation of a Southern Commission. We have also kept in close contact with the relevant civil servants in the Department of Justice, Equality and Law Reform and in the Department of Foreign Affairs.

We understand that there is a strong movement in favour of creating a Human Rights Commission in Scotland within the near future. The Chief Commissioner has attended two conferences in Glasgow to outline the advantages a Commission can bring to society. It is less likely, however, that we will soon see a Commission for England and Wales. Despite valiant work by, amongst others, the Institute for Public Policy Research, all that is expected on that front for the time being is the creation in the autumn of 2000 of a Joint Select Committee on Human Rights within the House of Commons and House of Lords. One of the early tasks of this Committee will be to consider whether a Human Rights Commission should be created for England and Wales (or for Great Britain as a whole). No doubt that Committee will want to examine carefully the experience of the Northern Ireland Human Rights Commission before coming to a conclusion on the point. Our own view is that a human rights commission can be greatly beneficial to any society. Provided its relationship with other cognate bodies is properly worked out (*e.g.* with anti-discrimination agencies and with Ombudsman offices), its existence can do nothing but enhance the promotion and protection of human rights.

### ***Commission meetings***

In all, the Commission met on 15 occasions during the 13-month period under review. Standing Orders for Commission meetings were agreed at an early stage. The minutes of all of the meetings are on the Commission's website. In addition, the Commission had two "away" sessions, one of them involving an overnight stay in Londonderry / Derry, the other at Templepatrick. These sessions were very usefully facilitated by Mr Richard Reoch from London, to whom we are most grateful.

### ***Commission staff***

During its first year of operations the Commission has had to devote a lot of time to the recruitment of able staff. On the day the Commission opened for business it had the

services of the outgoing Secretary of the Standing Advisory Commission on Human Rights (Mr Dominc McGoran), the Research Officer who had worked for the Standing Advisory Commission (Ms Denise Magill) and a temporary secretary (Ms Claire Coulson). Mr McGoran transferred to another public body just a month or so later and retired from public service in October 1999. His assistance was invaluable during the early weeks of the Commission's life and we wish him well in his well-earned retirement.

The Commission decided to create the posts of Chief Executive, Case Worker, Development Worker, Education Worker, Investigations Worker and Research Worker, as well as two Administrative Officers. By the end of the year all of these posts had been filled. We were also being assisted by two further temporary Administrative Officers. Advertisements had been placed for an Information Worker and for two permanent Administrative Officers. A full list of staff employed at any time during the year, including the interns who rendered such valuable assistance, is included as Appendix 2.

During the summer of 1999 the Commission was considerably assisted by two interns, Ms Nadine Fourie and Ms Naomi Doherty. Nadine has gone on to train as a practising lawyer in Johannesburg and Naomi is undertaking an LL.M. at the Queen's University of Belfast while working for the Northern Ireland Court Service. We thank them for their invaluable services and wish them well with their future careers. We are also grateful for the services of an American volunteer, Dr Laura Donohue, in the autumn of 1999.

### ***Premises***

The Commission began life in the premises of the former Standing Advisory Commission on Human Rights in Belfast. We intended to move into larger city centre premises as soon as they could be identified, but these proved more difficult to find than we anticipated. By the end of the year it seemed likely that the Commission would stay where it was but extend into available space on the ground floor of the same building. Such an option makes logistical and economic sense; it means also that the Commission can have a "shop front". This may attract passers-by to drop in to obtain further information about their rights. There will also be space for a well-stocked resource room, which could be accessible to any researcher, lawyer or member of the public wanting to look further into a particular rights issue.

### ***Corporate identity***

The Commission was conscious during its first year that it had not yet decided upon a logo or any kind of corporate identity for the organisation. This was a deliberate stand because the Commission wished to bed down before committing itself to a particular image. By the end of the year steps were in hand to enable decisions to be reached on this and related matters.

## ***Website***

Conscious of the growing importance of the internet, the Commission wanted from the start to create a high quality website. This eventually went live in September 1999, at the address of [www.nihrc.org](http://www.nihrc.org). We are grateful to the services of Dot Com Ltd for their help with establishing the site. We have tried to keep the site updated with, *e.g.*, minutes of Commission meetings, submissions made during Commission interventions in court cases, the text of relevant speeches and responses to consultation documents. During the coming year the Commission hopes to develop the website to make it even more user-friendly and inter-active. We see it as an important vehicle for publicising Commission activities and decisions, especially to young people. During our consultations on a Bill of Rights for Northern Ireland (*see page 00 below*) we intend to make much more proactive use of the website. Already the Commission is planning an on-line discussion with young people interested in a Bill of Rights; the enthusiasm for this has made us all the more determined to enhance the capacity of our website accordingly.

## ***Relationship with the Northern Ireland Office***

The Commission has striven at all times to maintain its independence from its sponsoring body, the Northern Ireland Office. We have nevertheless enjoyed a good relationship with the officials with whom we have dealt in London and would wish to pay tribute in particular to the work of Mr Tony Beeton, who was tragically killed in the Paddington rail crash on 5 October 1999. All the NIO officials have been most helpful in assisting the Commission to get up and running, and have at no time sought to interfere with its activities.

The Chief Commissioner met with Dr Mo Mowlam, Secretary of State for Northern Ireland, in April 1999, and a group of Commissioners met with her again in July 1999 to discuss Northern Ireland's emergency laws. The Chief Commissioner met Dr Mowlam's successor, Mr Peter Mandelson, on his first day in office in October 1999 and at the end of the year a meeting was planned between Mr Mandelson and the whole Commission.

## ***Funding and accounts***

At every meeting with the Secretary of State the Chief Commissioner has stressed that he believes the Commission is under-funded. The Commission continues to seek to demonstrate that it could achieve a lot more if only it were supplied with greater resources. At present it receives £750,000 *per annum*.

The Commission's accounts for 1999-2000 had not been audited by the time this Annual Report was ready for publication. They will therefore be published separately in due course.

## *Meetings*

One of the core values which the Commission promised to instil into all of its activities was accessibility. In fulfilment of this the Commission has held itself available to meet with any person or group at any time in any place in Northern Ireland. A large number of people and organisations have taken advantage of this stance by requesting a meeting with us. In the 13 months up to the end of March 2000 the Commission had met with scores of separate organisations, and with some of these on more than one occasion. They are listed in Appendix 3. Amongst the official bodies with whom we met were the Criminal Justice Review Group, the Director of Public Prosecutions, the Parades Commission, the First Minister and Deputy First Minister, the Minister for Regional Development, the Minister for Further and Higher Education, Training and Employment and the Departmental Solicitors' Office.

The Commission benefited greatly from every one of its meetings. At nearly all of them we learned of the particular grievances of a specialist group and were prompted to consider the possibility of taking some action as a result. It became abundantly clear to us, both at the private meetings and at the more public meetings which we held throughout Northern Ireland, that there is a great deal of interest in the work of the Commission among the general public. There are high expectations of the Commission and we have had to go to some lengths to bring home to people that our expertise, and certainly our resources, are limited. We cannot do everything we would like to do on every human rights issue that we know exists in Northern Ireland.

## *Conferences*

The Commission attempted to be represented at as many relevant conferences as possible within Northern Ireland. The Chief Commissioner accepted invitations to speak at 54 such events, including the "State of the World Forum" at Belfast's Waterfront Hall in May, the Relatives for Justice Conference in Dungannon in October and the launch of the Malone Integrated College "Bill of Rights" in December. He spoke at a further 21 events outside Northern Ireland, including 11 in the Republic of Ireland. The Commission was itself the object of a useful conference at Queen's University in April 1999.

## *Strategic Plan*

In the first few months of the Commission's existence we pulled together the draft of a Strategic Plan. This was based largely on the meetings we had had with groups and individuals but also on the existing knowledge of Commissioners and our own inquiries and discussions. We published this draft for consultation in September 1999 and received over 100 responses to it. A final version of the Strategic Plan was due to be issued soon after Easter 2000.



## THE STATE OF HUMAN RIGHTS IN NORTHERN IRELAND

### *The murder of Mrs Rosemary Nelson*

The Commission was just two weeks into its life when Mrs Rosemary Nelson, a prominent solicitor in Lurgan, was murdered by Loyalist paramilitaries on 15 March 1999. Mrs Nelson was known personally to several Commissioners and the Commission as a whole shared the shock of the entire community that someone who had sought to uphold human rights through her work as a professional lawyer had been singled out for such a vicious and cowardly attack. On account of some suggestions that members of the security forces may have colluded in setting up Mrs Nelson for assassination, the Commission has carefully observed the way in which the investigation into her murder has been conducted (we have met with Mr Colin Port, the man heading the investigation) and is anxious to hear whether those investigations will lead to charges being preferred. By the end of the year the Commission was close to determining that only an independent judicial inquiry would be able to get at the real truth surrounding the killing.

The Commission also reviewed the investigation into the murder in 1989 of Mr Patrick Finucane. We met with Mr John Stevens and his colleagues in order to gather as much information as we could about how their inquiries were progressing. As there seemed to be a growing amount of evidence emerging during the year to support the possibility that some members of the security forces and Loyalist paramilitaries may have colluded in the murder, the Commission was minded by the end of March 2000 to lend its name to the long list of individuals and organisations calling for a public, independent, judicial inquiry into Mr Finucane's murder.

The Commission was deeply perturbed by the number of so-called "punishment" shootings and beatings which continued to occur throughout the year. As reported in *Hansard* (House of Commons Debates, 22 May 2000, Written Answers, column 331W), during the 13 month period covered by this report there were 79 shootings (53 by Loyalist paramilitaries and 26 by Republican paramilitaries) and 116 assaults (81 by Loyalists and 35 by Republicans). Each and every one of these violated the right to bodily integrity of the individuals concerned. While they represented clear breaches of the criminal law, they also, in our view, constituted an attack on the human rights of the victims. This Commission wants such shootings and assaults to stop. They cannot be justified in any way whatsoever.

More generally, the Commission had reason to be optimistic during the year. From the day of its inception the Commission was conscious of a great deal of good will in the community at large directed towards the Commission. At meeting after meeting we were impressed by how the issues we were set up to deal with struck a genuine chord with people from all walks of life and all sides of the community. While there was some

criticism of the composition of the Commission from a few politicians, we did not encounter this attitude on the ground. In fact we were welcomed everywhere we went. Throughout the year we have striven to demonstrate through our words and actions that we exist to promote and protect the human rights of *everyone* in Northern Ireland. We are happy to report that people have come to us from many different quarters with what they perceive to be human rights problems. Naturally we have tried to help wherever we could. The political and religious beliefs of individuals who make use of our services are irrelevant to us, except to the extent that we are obliged to promote equality of opportunity and good relations by virtue of section 75 of the Northern Ireland Act 1998.

During the year preparations were stepped up throughout the United Kingdom for the commencement of the Human Rights Act 1998 on 2 October 2000. The Act incorporates the European Convention on Human Rights into the law of all parts of the United Kingdom. Indeed in those parts where there is devolution, the European Convention is already binding on the local devolved institutions. The Northern Ireland Departments became subject to the European Convention on 2 December 1999, when the Executive Committee was first formally established; they remained subject to it even during the suspension of the Assembly, because the Northern Ireland Act 2000 provided for this.

The Human Rights Commission has obviously tried to play a role in helping public authorities, and others, to prepare for the implications of the Convention's incorporation. We have met with several of the authorities concerned, considered some of the problems they might face and spoken at numerous conferences and seminars on the topic. We commented on a draft of the materials produced by the RUC's Human Rights Act Implementation Working Group and at the year's end we were planning to observe several of the RUC's training sessions on the Act, which were to be run in conjunction with the University of Ulster. We have attended the monthly meetings of the Home Office's Task Force on the Human Rights Act and we have advised the Office of the First Minister and Deputy First Minister on the content of *Northern Ireland Guidance on the Human Rights Act*, which was prepared for all Northern Ireland Departments. Later in 2000 the Commission will be issuing simple advice to all public authorities in Northern Ireland on what steps they should be taking to be ready for 2 October (*ImpAct Day*) and for the period thereafter.

The Commission is conscious of the very onerous responsibility resting on it to stand up for the human rights even of individuals who might in other circumstances be considered to be "undeserving" characters. International rules and principles dictate that even someone who is clearly guilty of heinous crimes is entitled to have his or her human rights respected. Any Human Rights Commission worth its name has to be prepared to support what at times may be unpopular causes, because majority public opinion can be a notoriously unreliable guide to what is both the morally and legally correct stance to adopt. The minute a society begins to lessen the human rights protection afforded to some individuals or groups, immediately it is on a slippery slope.

The Chief Commissioner attempted to sum up the challenges facing the Human Rights Commission in the annual Amnesty International lecture, which he was invited to deliver

in November 1999. He has also been invited to deliver the Paul Sieghart Memorial Lecture in London in April 2000.

Now that Northern Ireland appears to be entering a new phase in its history - whether or not the Good Friday Agreement is adhered to in full – the Commission has detected a huge desire on the part of people living here to move forward on a positive footing. They tell us that bodies such as the Human Rights Commission and the Equality Commission have the potential to help guarantee the peace settlement. We want to do all that we can to fulfil that role. The activities of our first year, documented in this report, testify to our determination to be a relevant, active, and highly credible organisation working for a better society for all in Northern Ireland.

### **THE COMMISSION'S COMMITTEES**

The Commission carries out most of its functions through Committees. For the greater part of the year these Committees were as follows:

- ❖ The Equality Committee
- ❖ The Victims Committee
- ❖ The Education Committee
- ❖ The Bill of Rights Committee
- ❖ The Casework Committee
- ❖ The Investigations Committee
- ❖ The Legislation and Policy Committee

The work of most of these Committees is described in greater detail in the sections which follow.

As regards the Equality Committee, the main tasks performed by it were (a) ensuring that our Draft Strategic Plan 1999-2002 took full account of the duties imposed on public authorities by section 75 of the Northern Ireland Act 1998 to promote equality of opportunity and good relations and (b) preparing a Draft Equality Scheme for publication and distribution early in the Spring of 2000. The Equality Committee was chaired by Inez McCormack.

The Victims Committee, which started life as a working group of Commissioners, spent most of the year deliberating on how best to develop work that would be of real benefit to the countless victims of the troubles. It met with a wide variety of groups and individuals. By the year's end it was on the point of setting up a Victims' Rights Project, which over a six month period will look at the rights of victims of violence (whether troubles-related violence or not), in particular their rights to information, to compensation and to have someone held to account for the incident in question. The results of this project will feed into the Commission's work on a Bill of Rights for Northern Ireland. The Victims Committee has been convened to date by Rev Harold Good. It was through his auspices that the Commission was able to meet with Fr Michael Lapsley from South Africa, a

victim of devastating violence himself who now specialises in helping other victims come to terms with their position.

## **EDUCATION WORK**

The Human Rights Commission has two main functions relating to education. First, by section 69(1) of the Northern Ireland Act 1998 the Commission must keep under review the adequacy and effectiveness of law and practice relating to the protection of human rights, including law and practice *within the education sector*. Second, by section 69(6) of the same Act, the Commission is obliged to promote an understanding and awareness of the importance of human rights in Northern Ireland. In October 1999 the Commission appointed an Education Worker, Ms Edel Teague, to help it fulfil these two functions.

### ***Reviewing the adequacy of law and practice***

The Commission has interpreted its duty in relation to the first function very broadly, in that it is interested not just in the extent to which education and training in the formal and informal sectors is provided but also in the curriculum content of such education. The Commission is guided in this by various international human rights standards. The Universal Declaration of Human Rights of 1948, for example, states in Article 26(2) that 'Education shall be directed to the strengthening of respect for human rights and fundamental freedoms'. This recommendation was enhanced by the commitment in the European Convention on Human Rights (1950) to promoting a common understanding and observance of human rights. In addition, the United Nations' Convention on the Rights of the Child (1989) makes many references to education and, specifically, to human rights education. It particularly emphasises the need for the voice of the child to be heard. In its most recent declaration on human rights education, issued in 1997, the United Nations defined human rights education as "training, dissemination and information efforts aimed at the building of a universal culture of human rights through imparting of knowledge and skills and the moulding of attitudes." Finally, over the next four years the Commission plans to draw attention to, and contribute to, the United Nations' International Decade of Human Rights Education which commenced in 1995 and will end in 2004.

The establishment of the Northern Ireland Human Rights Commission is only one of a number of initiatives which are set to change dramatically the human rights framework in Northern Ireland. The management of education services and the delivery of the curriculum will also be affected by the incorporation of the European Convention on Human Rights into domestic legislation by way of the Human Rights Act 1998 (*see page 9 above*). When the Home Office Minister spoke of the government's intention that the Human Rights Act 1998 should give rise to a human rights culture, he said that 'every public authority will know that its behaviour, its structures, its conclusions and its executive actions will be subject to this culture.'

The incorporation of the Convention will have two types of effect as far as education is concerned. It will mean that people will have easier access to the enforcement of their rights, which in turn suggests that they would benefit from being better educated about their rights in the first place. But it will also mean that providers of education will themselves have to comply with the duty to respect the rights of their clients. The European Convention says that no one shall be denied the right to education and it protects the right of parents to have their children educated according to the parents' religious or philosophical convictions.

The Commission has identified several issues within the education system that may be of concern under the Human Rights Act 1998. They include the following:

- education services for Irish Travellers and other minority groups;
- the selection of pupils at age 11;
- the provision of integrated education;
- the provision of education for persons who have a disability;
- the provision of Irish-medium education;
- exempting the appointment of teachers from fair employment legislation; and
- the imposition of fees for higher and further education.

The Commission wishes to play as significant a role as possible in ensuring that everyone is aware of the implications of the incorporation of the European Convention. It will do this by working in partnership with public authorities and raising the general level of awareness through the provision of training courses and the production of education materials. To date, the Commission has responded to two Department of Education policy documents: *Towards a Culture of Tolerance* and *Learning for Tomorrow's World* and it will contribute next year to the review of the school curriculum being conducted by the Northern Ireland Curriculum Council for Examinations and Assessment. The Commission intends to base its advice on the type of human rights education that should be provided in the Northern Ireland curriculum by conducting research into the nature of the demand for human rights education among young people themselves.

### ***Promoting an understanding and awareness of human rights***

The Commission has focused its work in this area on developing resources, on raising human rights awareness and on supporting the existing network of providers of human rights education. In its initial audit of human rights education materials the Commission identified significant gaps in the range of materials addressing human rights issues in Northern Ireland. The lack of local materials is being dealt with, to some degree, by the production of the Commission's Bill of Rights materials (*see page 00 below*). However, it is anticipated that the development of human rights education materials will be a constant feature of the Commission's work over the next few years.

The Commission has given assistance to those who carry out education and training courses, such as college lecturers, workers from non-governmental organisations, community and youth workers and trainers from the health and social services sector. It

has also conducted and contributed to a significant number of education and training programmes. For example, 110 people participated in Human Rights Education Seminars, which the Commission held in Belfast, Londonderry / Derry and Ballygawley. The Commission is grateful for the co-operation it received in running these events from the Washington-based *Street Law Inc.*

Having examined a significant number of human rights education projects, the Commission is aware of the variety of work that is occurring in this area as well as of the need for improved information exchange and collaboration. In response, the Commission's Education Committee has decided to bring together the relevant voluntary and statutory organisations to discuss the feasibility of establishing a Human Rights Education Forum. The terms of reference of this group might include the exchange of information on human rights education and training, the identification of areas for further research and the creation of guidelines for those delivering human rights education and training.

In October 1999 the Commission co-published with a non-governmental organisation, British Irish Rights Watch, the second edition of a book entitled *Human Wrongs, Human Rights* by Jane Winter. It is a guide to the human rights machinery of the United Nations. We have sought to distribute copies of the book as liberally as possible because we do believe it is probably the best publication of its type on the market. The Commission is grateful to Jane Winter for allowing us to co-publish the book. During the year the Education Committee also decided that steps should be taken to prepare another book which would make available for everyone in Northern Ireland all the international rules and principles which the UK government has agreed to abide by in this part of the world. We see it as important that a human rights institution such as ourselves does it best to distribute copies of essential international documents, with explanation in plain English when necessary. This publication is due to appear towards the end of 2000.

In November 1999 the Commission identified the need for education on a Bill of Rights for Northern Ireland as the most important education issue facing the Commission. The lack of human rights knowledge among the population was seen as a challenge to the creation of a genuinely participative consultation process on the envisaged Bill of Rights and the participation of local people in the design of a Bill of Rights for Northern Ireland was seen as crucial to its ultimate success as a piece of legislation. The Commission is therefore in the process of producing education materials and a video, which will be ready for the launch of the Bill of Rights education campaign in June 2000. Over the following eight months or so, approximately 350 Bill of Rights facilitators will be trained in human rights awareness. These facilitators will then be able to "cascade" their knowledge down to others. This will ensure that a large number of local people will receive human rights education, enabling them to contribute to the Commission's consultation on a Bill of Rights for Northern Ireland. In addition, as explained in the next section of this report, the Commission has identified education rights as a topic worthy of inclusion in its proposed Bill of Rights and has established a working group to deal specifically with this issue.

## **A BILL OF RIGHTS FOR NORTHERN IRELAND**

Shortly after its establishment the Commission was asked by the Secretary of State to provide advice on what should be contained in a Bill of Rights for Northern Ireland, in line with paragraph 4 of the "Human Rights" section in the Belfast (Good Friday) Agreement (*see the box below*). The Commission responded that it would provide such advice by the end of 2000. It has since resolved to submit its advice in draft form by that date and then to take a further two to three months to receive views on that draft advice before submitting its final advice to the government in March 2001.

### ***Paragraph 4 of the "Human Rights" section of the Belfast Agreement***

The new Northern Ireland Human Rights Commission will be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and - taken together with the ECHR - to constitute a Bill of Rights for Northern Ireland. Among the issues for consideration by the Commission will be:

- the formulation of a general obligation on government and public bodies fully to respect, on the basis of equality of treatment, the identity and ethos of both communities in Northern Ireland; and
- a clear formulation of the rights not to be discriminated against and to equality of opportunity in both the public and private sectors.

In the summer of 1999 the Commission arranged for a research organisation to conduct a survey of people in Northern Ireland in order to measure the degree of support there might be for various types of rights to be protected in a Bill of Rights. The outcome of the survey was extremely heartening in that there was overwhelming support for all of the rights we suggested for inclusion in a Bill, especially the social and economic rights such as better and equal access to health care and education services. The results were summarised in a pamphlet produced by the Commission for the launch of the consultation exercise on 1 March 2000.

In October 1999 the Commission appointed a Development Worker, Ms Miriam Titterton, to work initially on the consultation around a Bill of Rights. The Commission wants the consultation to be a very deep and broad one, reaching people and groups who are not usually involved in responding to official consultations. We want all sections of the community to play a genuine part in shaping a Bill of Rights and to have a sense of ownership of its ultimate content. Advertisements urging people to contribute to the

consultation will be placed in newspapers and on billboards in the late summer and autumn of 2000.

Submissions will be taken in any form, from individuals or from organisations. They should reach the Commission by the end of November 2000, although there will, as stated, be a further opportunity to comment on the Commission's draft proposals during the first couple of months of 2001. As explained in the section on the Commission's education work above, the consultation on the Bill of Rights is combined with a programme of education on the issues involved and on rights currently enjoyed in Northern Ireland. Since the Bill of Rights is to contain rights *supplementary* to those in the European Convention on Human Rights, which are being made part of the law of Northern Ireland from 2 October 2000 by virtue of coming into force on that date of the Human Rights Act 1998, people need to be well informed as to what their European Convention rights already mean in practice.

The Commission's consultation process is being planned by its Bill of Rights Committee, which is serviced by both the Development Worker and the Education Worker. The Committee has identified key "gaps" in the protection afforded by the European Convention and has decided to establish working groups to study these gaps in a concentrated manner during a four to six month period in 2000. The gaps identified were in the areas of criminal justice, culture and identity, education, equality, language, social and economic rights and victims' rights. It was also felt to be important that a specialist working group should be set up to look at how the provisions of a Bill of Rights could be effectively *implemented* and further consideration was being given at the year's end to the creation of a working group on the rights of children and young people. Pamphlets are being prepared to provide further guidance to consultees on the relevant issues for consideration regarding all of these types of rights and their implementation.

On its first anniversary, 1 March 2000, the Commission officially launched its Bill of Rights consultation process at dual events in the City Hall in Belfast and the Calgach Centre in Derry / Londonderry. Mr Brian Keenan, the journalist who was held hostage in the Lebanon for more than five years in the 1980s, spoke movingly at both occasions about how essential it is for us to start thinking of rights as beginning in our private lives and within our own homes. The Lord Mayor of Belfast, Councillor Robert Stoker, and the Mayor of Derry / Londonderry, Councillor Pat Ramsey, also lent their support to the initiative. Since then a number of meetings have been held with organisations interested in discussing the Bill of Rights. These will continue throughout 2000 and the early part of 2001 and will make use of the video referred to in the section on education work above. Some 3,000 copies of this will be distributed to groups throughout Northern Ireland. A set of educational materials drawing the attention of young people in particular to what a Bill of Rights actually means is also being prepared and will be distributed widely during the summer of 2000. Articles are being written for a variety of local magazines. An extensive database of relevant contacts for the Bill of Rights consultation has been compiled by an administrative officer who was temporarily employed at the Commission, Ms Eithne Donaghy.



The Commission is particularly conscious that it must consult with children and young people in a way which suits their special needs and interests. Both Commissioners and staff have experience of working on children's rights issues and know the level of support required to make a consultation process accessible to children. The Commission will work in co-operation with schools, children's organisations and the Northern Ireland Youth Forum to address these concerns. An on-line conference organised in conjunction with the Greater East and South Belfast Partnership Board is planned for early April 2000.

## **CASEWORK**

In the 13 months following 1 March 1999, the Commission received 211 telephone inquiries in connection with potential casework. For the first six months these were largely handled by the temporary Research Worker, Ms Denise Magill. From September 1999 the work was undertaken by the newly appointed Case Worker, Ms Maggs O'Connor. The inquiries resulted in information being given, in referrals being made to more appropriate agencies, in decisions being made that the matter was outside the Commission's remit or in invitations to those inquiring to make a formal application for assistance from the Commission.

The Commission is empowered under section 70 of the Northern Ireland Act 1998 to grant assistance if certain criteria are satisfied (see box below). On account of the high number of applications being made to it, and the vagueness of the criteria in the Act itself, the Commission has refined those criteria by (a) requiring all three paragraphs in section 70(2) to be satisfied in any particular application, not just any one of them, and (b) specifying what it will take to be the "special circumstances" referred to in section 70(2)(c).

### ***Criteria for granting assistance to individuals***

Section 70(2) of the Northern Ireland Act 1998 requires the Commission to consider:

- (a) whether the case raises a question of principle;
- (b) whether it would be unreasonable to expect the applicant to deal with the case without assistance because of its complexity, or because of the applicant's position in relation to another person involved, or for some other reason;
- (c) whether there are other special circumstances which make it appropriate for the Commission to provide assistance.

In considering whether there are special circumstances such as those mentioned in para. (c) above, the Commission will ask itself:

- 1) does it appear that the application relates to non-compliance with a rule or

- 2) does it appear that there is no other body in the circumstances which might be better placed to provide assistance to the applicant, and
- 3) does it appear to be practicable for the Commission to provide assistance to the applicant having regard to the above criteria and to any other relevant criteria, *e.g.* the profile of the Commission's existing caseload or the Commission's resources, and
- 4) does it appear that the application relates to an area of work included in the Commission's Strategic Plan or to another human rights issue which would benefit from the Commission's attention, and
- 5) does it appear that this case is likely to have a significant impact on the protection of human rights (*e.g.* by affecting a large number of people or by addressing an outstandingly serious violation of human rights)?

During the year the Case Worker received 145 applications for assistance. Some of these derived from telephone inquiries, others from correspondence or referrals from solicitors or voluntary or community groups. All of the applications were, or will be, considered by the Commission's Casework Committee, which comprises five Commissioners and is chaired by the Chief Commissioner. The Commission has delegated decision-making powers concerning applications for assistance to this Casework Committee.

The issues raised by the applications varied greatly. Many of them were issues which are *not* addressed by the European Convention on Human Rights. By way of example, assistance was sought in cases involving access to education, discrimination against people with a disability, denial of access to health care, objections to planning applications and the re-integration of former prisoners. Other applications raised more traditional issues such as the right to life, freedom of expression, privacy, the treatment of prisoners and discrimination on the basis of sexual orientation.

### ***Outcomes***

During the year 11 applications were withdrawn and 23 related to cases which were resolved before they were considered by the Casework Committee.

The Casework Committee considered 45 cases. Assistance was refused, after a careful assessment against the Commission's published criteria, in 34 cases. Assistance of some kind was therefore granted in 11 cases. In nine of the 34 cases where assistance was refused, other follow up action was taken. The Commission is maintaining a watching brief on five further applications and 61 are pending before the Committee.

Of the 11 applications where some form of assistance was granted, seven were in relation to actual or possible judicial review proceedings.

By way of example of the cases assisted, one involved a challenge against the refusal of the Northern Ireland Office to grant someone key person protection status after he had received death threats. The Commission wrote a letter on the applicant's behalf and later the protection was in fact granted. In another case, which arose prior to the commencement of the Equality Commission's jurisdiction to grant assistance in cases of alleged unlawful discrimination on the grounds of disability, the Human Rights Commission granted assistance for representation by counsel at a disability discrimination hearing. Assistance was also given in four cases involving inquests. The Commission was concerned that the unavailability of legal aid at inquests produced an "inequality of arms". In one of these cases the coroner called a new inquest after the first inquest was adjourned in order to allow the next-of-kin to study documentation received by the coroner. Contrary to a Home Office Circular drawn up as a result of the Macpherson Report into the murder of Stephen Lawrence in England, this documentation had not previously been transferred to the next-of-kin.

At the end of the year the Commission was awaiting the outcome in 10 of the 11 cases assisted.

### ***Third party interventions***

The Commission has also sought to involve itself in court proceedings by applying to judges for permission to make submissions as an interested third party. The criteria applied by the Casework Committee when deciding whether to apply to intervene in this capacity are as follows:

- 1) Do the proceedings relate to the law as it applies to Northern Ireland?
- 2) Is a rule or principle for the protection of human rights relevant to the proceedings?
- 3) Is the rule or principle one which relates to an area of work included in the Commission's Strategic Plan or to another human rights issue which could benefit from the Commission's attention?
- 4) Is there a possibility that if the Commission were to make a submission explaining the relevant rule or principle it might assist the court in coming to a conclusion on the matter?
- 5) Is it practicable for the Commission to make a submission in view of the time and resources available to prepare it?
- 6) Is intervention as a third party the most appropriate course of action for the Commission to take on this matter?

Among the seven cases in which the Commission has intervened in this way are a planning inquiry concerning applications to develop sites for Irish Travellers in Craigavon and the joint hearing before the European Court of Human Rights in four joined applications involving the right to life (*Jordan v UK*, *Kelly v UK*, *McKerr v UK* and *Shanaghan v UK*). The Commission also intervened in a case involving the long-term segregation of a prisoner in solitary confinement, in another case where the DPP had failed to give reasons for not prosecuting any police officers after a suspect had suffered a

serious assault on arrest, in a court challenge to the requirement that barristers make a particular form of declaration before being appointed as Queen's Counsel and in a judicial review of the composition of the Parades Commission.

On the whole the judiciary seem to have appreciated the Commission's interventions and the Commission is aware of the value its submissions have had in drawing attention to international human rights norms and standards which may not be that well known to lawyers or judges. The Commission's aim in this context is to have the judges apply the Bangalore Principles of 1988 (as amended), which say that when judges are developing the common law they should have regard to relevant international human rights norms. In this way the Commission wishes to contribute to the development of a human rights culture in Northern Ireland.

At the end of the year none of the seven cases in which the Commission had intervened as a third party had reached the stage of judgment being delivered.

### ***Cases brought in the Commission's own name***

The Commission has yet to take a case to court in its own name. Generally, public authorities and agencies have been co-operative and have been willing to disclose information requested by the Commission. There have, however, been instances where the lack of specific powers to compel disclosure has hampered the Case Worker's ability to progress matters. The Commission is currently considering whether any of these instances would justify the commencement of court proceedings in its own name.

## **INVESTIGATIONS**

The Human Rights Commission has a power to conduct investigations under section 69(8) of the Northern Ireland Act.

The Commission's first step in the area of investigations was to establish an Investigations Committee to ensure that topics for investigations are properly identified and investigations properly conducted. The investigations work of the Commission began effectively in January 2000 with the appointment of an Investigations Worker, Dr Linda Moore.

Before embarking on any investigations the Committee decided that it was important to develop *Guidelines for Investigations*. These were subsequently drafted after the procedures of several other comparable bodies had been examined. The *Guidelines* set out the processes by which decisions will be taken by the Commission on what matters to investigate and how investigations will be conducted. The *Guidelines* will shortly be printed and made freely available to the public and to anyone involved in an investigation. They will also be on the Commission's website.

The Commission has decided that it will select matters for investigation in two situations:

- where a pattern of alleged abuse has been identified, or
- where a serious human rights abuse has allegedly occurred.

Investigations can be of different types and scales and can focus on specific incidents or general themes.

In deciding what to investigate the Commission is guided by what issues are given priority in its Strategic Plan.

Through its investigations the Commission aims to make recommendations to government that will ensure the better protection of human rights in Northern Ireland. It hopes that each investigation will make a significant contribution to:

- a better understanding of human rights standards;
- an understanding of the application of these rights and a benchmarking of best practice; and
- the creation of a human rights discourse and good relations in Northern Ireland.

By the end of March 2000 the Commission was still considering which topics to make the object of its first investigations. Those being considered internally were:

- the care of children in custody in Northern Ireland (since the future of juvenile justice in Northern Ireland was raised by the Review of the Criminal Justice System in Northern Ireland, published in March 2000); and
- the rights of individuals and communities affected by parades (since the Commission recognizes that there are diverse and sometimes competing human rights involved in the marching issue).

After investigations have been conducted, recommendations will be made to government seeking to ensure the best protection and promotion of human rights in the areas in question.

The Investigations Committee has also identified other issues of concern. Research will be carried out on these pending possible investigation. In line with the Commission's Strategic Plan, these issues focus on the criminal justice process and include the use of plastic baton rounds, threats against defence lawyers, the transparency of the processes used in the office of the Director of Public Prosecutions and the process of investigating lethal force killings. The Commission is particularly keen to develop an oversight relationship regarding the Office of the Director of Public Prosecutions. At the end of the year it was involved in a court case challenging the Director's refusal to give reasons for not prosecuting any police officers in the case of a man who had been severely beaten up while in police custody.

The Investigations Committee has also had to consider whether to launch investigations into particular incidents, especially incidents that occurred before the announcement of

the paramilitary ceasefires in 1994. Unfortunately it has not been able to do so, primarily because of its lack of powers in this context and by its serious lack of resources. While the Commission has the power to investigate issues, it has no concurrent powers of enforcement, such as the power to compel oral testimony from witnesses or the disclosure of documents. In this respect its remit falls short of the United Nations' "Paris Principles" for National Human Rights Institutions, agreed by the General Assembly in 1993. The Commission intends to use its investigations to test the government's commitment to fully co-operate with the Commission's inquiries (a commitment given to Parliament in 1998) and hopes that its lack of powers will be revisited in light of the review of its powers due to take place after March 2001.

## **LEGISLATION AND POLICY**

Early in the life of the Commission it realised that any work it might want to do on "law and practice" would only make sense if it could also embrace "policy". A Legislation and Policy Committee was therefore set up, chaired by Mrs Margaret-Ann Dinsmore QC and serviced by the Commission's Research Worker, Ms Denise Magill.

At each of its meetings the Committee considers whether any law, policy or practice in Northern Ireland requires to be reviewed to assess whether it adequately and effectively protects human rights. Any such review measures the law, policy or practice against internationally accepted rules and principles for the protection of human rights. During the year the Committee decided to initiate reviews of the law, policy and practice affecting the rights of older persons and those affecting the rights of persons who are gay, lesbian, bisexual or transgendered. It also decided that during the second year of the Commission a review should be initiated into the rights of people who have, or who have had, learning difficulties.

The Committee put in place arrangements for a series of visits to all places of detention in Northern Ireland. The purpose of these visits is to ensure that international standards are fully complied with in such institutions. By the end of the year visits had already taken place to two of the juvenile justice centres in Northern Ireland, Lisnevin and Rathgael.

The Legislation and Policy Committee is also charged with examining draft legislation, whether emanating from the Assembly or the Executive at Stormont, from Parliament or the government in London, or from the European Union. Little legislation with human rights implications was issued by the Assembly during the first period of devolution (2 December 1999 to 11 February 2000), so the Committee's attention focused on Bills going through Westminster. It made considerable efforts to protect the human rights of immigrants and asylum-seekers when the Asylum and Immigration Bill was debated in the summer of 1999 and it commented on an early draft of the Freedom of Information Bill. Towards the end of the year, several briefing papers were produced for MPs and peers on those aspects of the Terrorism Bill which disconcerted the Commission. An oral briefing session was organised within the House of Lords under the chairmanship of Lord Lester of Herne Hill QC and a separate meeting took place with Simon Hughes MP. The

Commission also commented on the Equality (Disability, etc.) (NI) Order, which started life as an Assembly Bill but moved to become an Order in Council after the suspension of Stormont.

The NIHRC is concerned to ensure that it has appropriate and early opportunities to comment on proposals for both Stormont and Westminster legislation. Its Legislation and Policy Committee is therefore in the process of negotiating what it hopes will be a very useful Protocol with the Office of the First Minister and Deputy First Minister and the Northern Ireland Departments. This Protocol will set out the arrangements whereby the Commission will receive early information about proposed laws, policies and practices concerning devolved matters that may have human rights implications. The Commission is negotiating a similar agreement with the Northern Ireland Office for laws, policies and practices concerning reserved and excepted matters. To date the Commission feels that it has not been properly consulted about legislation on these matters. It would have preferred to have been taken more closely into the Government's confidence as regards the initial version of the Terrorism Bill. The Commission was certainly unhappy at not being given a meaningful opportunity to comment on a draft of the Police (NI) Bill (which was intended to implement the Patten Report on policing) before it was officially published. Nor was the Commission appropriately notified about the government's plan to bring the Human Rights Act 1998 into force earlier than expected for the specific purpose of allowing challenges to be brought against the determinations of the Parades Commission (though eventually our views on this matter were officially asked for and, apparently, accepted). The Commission has had to indicate to the government its grave disappointment at this apparent neglect of the Commission's important advice-giving role.

The Legislation and Policy Committee is also the Commission's mechanism for giving initial consideration to consultation documents which are sent to the Commission for a response. The Committee decides whether the subject-matter of the document is one which concerns the Commission sufficiently to justify the preparation of a response and, if so, how such a response should be drawn up.

Like all of the Commission's other Committees, the Legislation and Policy Committee can both refer matters *to* other Committees and consider matters referred *from* other Committees. The responses issued during the year are included in the publications listed in Appendix 4 of this report.

## **INTERNATIONAL WORK**

Although the remit of the Commission is limited to Northern Ireland, we are conscious that many international bodies want to hear how we are performing and what effect we are having on the government and other public authorities. To that end the Chief Commissioner attended sessions of the United Nations' Human Rights Commission in Geneva in April 1999 (where he was able to make an address at the session dedicated to national human rights institutions). He also spoke at a conference for lawyers in

Rhineland-Westphalia, Germany, in May 1999 and presented a paper at the Commonwealth Law Association Conference in Malaysia in September 1999. The Commonwealth Human Rights Initiative supplied the Commission with a most useful analysis of its statutory remit as early as May 1999.

The Commission was delighted to welcome several international visitors to its premises during the course of the year, including the Prime Minister-in-Exile of Burma, the Minister of Justice of Israel, the Adviser to the UN High Commissioner for Human Rights on National Human Rights Institutions, the Human Rights Commissioner of Australia, a former Chief Commissioner of the New Zealand Human Rights Commission and the Vice-Chair of the Truth and Reconciliation Commission in South Africa. For a full list of visitors from overseas, see Appendix 5.

The Commission was heavily involved in making arrangements for an International Conference due to be co-sponsored with the British Council in May 2000 on the theme of *Democracy, Equality and Human Rights*. Some 60 experts from around the world are expected to attend this event. The Commission acknowledges with gratitude the support of the British Council in this and other ventures. We are always pleased to welcome visitors sponsored by the British Council to the Commission's premises. The Commission is grateful too for the services of an intern, Ms Fatima Ismail from the Nigerian Human Rights Commission, who visited Northern Ireland at the Council's expense for a four month period and worked for the Commission during that time.

During the year the Commission assisted the Lord Mayor of Belfast, Councillor Robert Stoker, with his efforts to develop a proposed "Charter for Human Rights in the City". This is an exciting project which involves a large number of major cities from across Europe. The Commission was happy to make comments on a draft of the Charter for the Lord Mayor's benefit.

The Commission has observed with great interest the efforts being made within the European Union to agree a Charter of Fundamental Rights, although pressure of work prevented us from submitting evidence to the inquiry into this matter conducted by the House of Lords' Select Committee on the European Union. At the time of writing it is not clear when, or even whether, this Charter will be finally agreed, or whether it will permit people to seek enforcement in the courts of the rights it confers. The relationship between the proposed Charter and the European Convention on Human Rights also remains uncertain. The Commission will obviously have to bear the Charter in mind when it is preparing its advice on a Bill of Rights for Northern Ireland.

The Commission has involved itself enthusiastically in conferences on human rights in England, Scotland, Wales and the Republic of Ireland. We have found these good opportunities to explain our work and to lend support for the idea of creating human rights commissions in other jurisdictions. In particular, the Commission was represented at the Government of Ireland's NGO Forum in June 1999 and its Council of Europe conference in March 2000. The Chief Commissioner spoke on this theme at three events in Scotland and at several events in London.



The Commission has also sought to fulfil the function which the United Nations wants national human rights institutions to perform as far as treaty-monitoring bodies are concerned. In other words, the Commission submitted comments to the UN's Committee on the Elimination of Discrimination Against Women when it was considering the UK government's report on its adherence to the Convention on the Elimination of Discrimination Against Women. The Commission also submitted comments to the Council of Europe's Committee on Economic and Social Rights at the time it was considering the UK government's report on its adherence to certain provisions in the European Social Charter.

In December 1999 the Commission played a central role at an important conference in Budapest where the Council of Europe drew upon the recent experience of the Northern Ireland Human Rights Commission in order to help countries in Eastern Europe to develop appropriate national human rights institutions. In February 2000 the Commission again participated prominently in the first Council of Europe Round Table for National Human Rights Institutions and the Third European Meeting of National Human Rights Institutions. The next such meetings will, it is hoped, take place in Northern Ireland in 2002.

The Commission helped to facilitate a visit to Northern Ireland by representatives from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in December 1999. Earlier in the year it met with two UN Special Rapporteurs - Mr Param Cumaraswamy, the Rapporteur on the Independence of Judges and Lawyers, and Mr Abdul Hussain, the Rapporteur on Freedom of Expression.

## Appendix 1: The Commissioners

Professor Brice Dickson, Chief Commissioner  
 Professor Christine Bell  
 Ms Margaret-Ann Dinsmore QC  
 Mr Tom Donnelly MBE JP DL  
 Rev Harold Good OBE  
 Professor Tom Hadden  
 Ms Angela Hegarty  
 Ms Paddy Kelly  
 Ms Inez McCormack  
 Mr Frank McGuinness

## Appendix 2: The Staff of the Commission

Ms Paddy Sloan	Chief Executive	From November 1999
Ms Denise Magill	Research Worker	From March 1999
Dr Linda Moore	Investigations Worker	From January 2000
Ms Maggs O'Connor	Case Worker	From September 1999
Ms Edel Teague	Education Worker	From November 1999
Ms Miriam Titterton	Development Worker	From November 1999
Ms Claire Coulson	Administrative Officer	From March 1999 to August 1999
Ms Eithne Donaghy	Administrative Officer	From March 2000
Ms Hannah Foster	Administrative Officer	From September 1999 to January 2000
Ms Lisa Gormley	Administrative Officer	From March 1999
Ms Bernadette McFadden	Administrative Officer	From September 1999
Ms Mary Gribben	Administrative Officer	From January 2000
Ms Anny Patterson	Administrative Officer	From June to August 1999
Ms Naomi Doherty	Intern	From June to August 1999
Ms Nadine Fourie	Intern	From June to August 1999
Dr Laura Donohue	Intern	November 1999
Ms Fatima Ismail	Intern	From January to April 2000

### **Appendix 3: Meetings with Officials and Organisations (meetings with private individuals are not included)**

- March 1999 Dr Joan Stringer, Chair of the Working Group on Equality in Northern Ireland  
Halya Gowan, Amnesty International  
Lawyers' Committee for Human Rights  
John Rowe QC, Independent Reviewer of Emergency Laws
- April 1999 St Patrick's Day Carnival Committee  
Joan Harbison, Chair of the Commission for Racial Equality (NI)  
Northern Ireland Council for Ethnic Minorities  
Dr Alan Smith (University of Ulster) and the Northern Ireland Council on Curriculum, Examinations and Assessment  
Chrysalis Women's Project, Brownlow  
Fiona McTaggart MP, member of the All-Party Parliamentary Human Rights Group  
Families Against Intimidation and Terror  
Dr Mo Mowlam MP, Secretary of State for Northern Ireland  
The Law Society of Northern Ireland  
The Progressive Unionist Party  
The Parades Commission  
The Workers' Party  
Justin Russell, Policy Adviser to the Home Secretary
- May 1999 The Ulster Unionist Party  
The Social Democratic and Labour Party  
Law Centre (NI)  
Alan Hunter, Northern Ireland Court Service  
Human Rights Committee of the Bar Council  
Patrick Corrigan, Regional Organiser, Amnesty International  
Kieran McEvoy, Institute of Criminology, Queen's University  
The Alliance Party  
Homes United by Ruthless Terror  
Sinn Féin  
Alan and Janet Quilley, Quaker House  
Sarah Spencer, Institute for Public Policy Research  
David Byrne SC, Attorney-General of Ireland, Dublin  
The Women's Coalition
- June 1999 Dato' Param Cumaraswamy, UN Special Rapporteur on the Independence of Judges and Lawyers  
Sir Ronnie Flanagan and Chief Superintendent Sam Kinkaid, RUC  
Committee on the Administration of Justice  
Trond Waage, Ombudsman for Children, Norway  
Voluntary Aids Forum

- Coiste na n-Iarchimí  
 United Campaign Against Plastic Bullets  
 WAVE  
 Pat Finucane Centre, Derry  
 North West Forum for Disabilities, Derry  
 Criminal Justice Review Group  
 The De Borda Institute  
 Criminal Cases Review Commission  
 Raymond Abernethy, Education Officer, Northern Ireland Deaf Association
- July 1999      Mo Sykes, Northern Ireland Youth Forum  
 Terry Carlin (ICTU) and Patrick Yu (NICEM)  
 Save the Children representatives  
 Ex-Prisoners' Interpretative Centre  
 Coalition on Sexual Orientation  
 Dr Mo Mowlam MP, Secretary of State for Northern Ireland  
 Juvenile Justice Campaigning Group  
 Irish American Unity Conference  
 Warren Allmand, International Centre for Human Rights and Democratic Development  
 David Kinley, Human Rights and Equal Opportunities Commission, Australia  
 British Council Human Rights Network, London  
 Molly Meacher, Deputy Chair, Police Complaints Authority, London  
 Future Ways  
 Falls Community Council
- August 1999    RNIB and Guide Dogs for the Blind  
 RUC Human Rights Act Implementation Working Group  
 Families Acting for Innocent Relatives  
 Teresa Watson, Chryalis Project  
 Patrick Corrigan, Amnesty International  
 Dr Colin Irwin, Queen's University
- Sept 1999      Oliver Wilkinson, Victim Support (NI)  
 Northern Ireland Youth Forum  
 Nelson McCausland and Lee Reynolds, Ulster Scots Heritage Council  
 Friends of Muckamore Abbey  
 Will Glendinning, Community Relations Council  
 Lord Alderdice, Presiding Officer at Northern Ireland Assembly
- Oct 1999        Professor Harry Mika (expert on restorative justice)  
 NSPCC  
 David Lock MP, Minister in Lord Chancellor's Department

Joe Stewart, Chief Executive, Police Authority of Northern Ireland  
 Probation Board of Northern Ireland  
 Rt Hon Peter Mandelson MP, Secretary of State for Northern Ireland  
 Alan Hunter, Northern Ireland Court Service  
 Billy Stevenson, Victims' Liaison Unit  
 Northern Ireland Council on Integrated Education  
 Dr Marie Smyth, Community Conflict Impact on Children  
 Home Office's Asylum Support Directorate  
 Rainbow Project  
 Bar Council  
 Chrysalis Project meeting on "The Colour of Justice", Craigavon  
 Kate Fearon, The Women's Coalition  
 Carol O'Bryan and Fiona Boyle, Simon Community  
 Mark de Pulford, Home Office Task Force, London  
 David Lock MP, London  
 Abid Hussain, UN Special Rapporteur on Freedom of Expression  
 Integrated Education Fund

Nov 1999    Fr Michael Lapsley and representatives of victims' groups  
 Dr Bill Lockhart (Extern) and Annie Quinn (Short Strand)  
 Maranatha Community  
 Northern Ireland Council for Ethnic Minorities  
 Dr Silvia Casale, Sentencing Review Commission and member of the  
                 European Committee for the Prevention of Torture, etc  
 NI Guardian Ad Litem Association  
 Nuala O'Loan and Lesley Foster, Police Ombudsman's Office  
 Lord Mayor of Belfast, Councillor Robert Stoker  
 Lawyers' Committee for Human Rights  
 Joint Equality Group, Edinburgh  
 UK Permanent Representative to Council of Europe, Strasbourg  
 Tom Gillen and Eamonn Oakes, NIC-ICTU  
 William McCarney, Lay Panellists' Association  
 Disability Rights Round Table, Derry  
 Victims' Rights Round Table, Omagh  
 Older Persons' Rights Round Table  
 Children's Rights Round Table  
 Family Planning Association  
 Ex-Prisoners' Interpretative Centre  
 Criminal Justice Round Table  
 Ex-Prisoners' Rights Round Table  
 George Gray, Office of the Legislative Counsel  
 Sexual Orientation Rights Round Table

Dec 1999    Delegates from European Committee for the Prevention of Torture, etc  
 The Social Democratic and Labour Party  
 Stephen Peover and Christine Jendoubi, Department of Education

Johanna Keenan, Pat Finucane Centre  
 David Cargo, Chief Executive of BELB  
 Paul Maguire and Martin McIlvenny, Customs and Excise  
 Northern Ireland Committee of the Irish Congress of Trade Unions  
 Law Society's Legal Aid Committee  
 Pobal  
 Brian Currin, Sentencing Review Commission  
 Mary O'Rawe, Chair of the Committee on the Administration of Justice  
 Northern Ireland Association for Mental Health  
 Gerry Burns, Assembly Ombudsman  
 John Stevens  
 Joan Harbison, Bronagh Hinds, Stephen Livingstone (Equality  
 Commission for Northern Ireland)  
 Christian Action on Religious Education (CARE)  
 Departmental Solicitors Office  
 The Alliance Party  
 Professor Stephen Livingstone (Centre for International and Comparative  
 Human Rights Law, Queen's University, Belfast) and Ciaran  
 White (Centre for Human Rights and Equality, University of  
 Ulster)  
 Tom Haire, NI Prison Service  
 David Lavery and Brian Barrington, Office of the First and Deputy  
 First Ministers  
 Round Table on Terrorism Bill  
 Director of Public Prosecutions

Jan 2000      Joan Harbison, Bronagh Hinds, Harry Goodman and Evelyn Collins  
 (Equality Commission for Northern Ireland)  
 Colin Port and Arthur Prebost  
 Norma Patterson, Northern Ireland Voluntary Trust  
 John Wark, Planning Appeals Commission  
 St Patrick's Carnival Committee  
 Chair and Members of the Law Commission, London  
 Andrew Soper, Human Rights Unit, Foreign and Commonwealth  
 Office, London  
 Peter Robinson, Minister for Regional Development  
 Brian McCargo, Head of Community Affairs, RUC  
 Round Table on Review of Diplock Courts  
 Lady Sylvia Hermon, Ulster Unionist Party  
 John Semple, Head of the Northern Ireland Civil Service  
 Portadown District Lodge, Orange Order

Feb 2000      Representatives of Garda Síochána Human Rights Initiative  
 Rev Martin Smyth MP  
 Rathgael Juvenile Justice Centre  
 Nuala O'Loan, Police Ombudsman

West Tyrone Voice  
 Ards Borough Council, External Affairs Committee  
 Martin O'Brien, Executive Director, Committee on the Administration of  
 Justice  
 Derry City Council  
 Sean Farren, Minister for Further and Higher Education, Training and  
 Employment  
 Rt Hon David Trimble MP and Seamus Mallon MP, First and Deputy First  
 Ministers  
 Christine Collins, Anglo-Irish Secretariat  
 Dr Aideen McGinley, Permanent Secretary, Department of Arts, Culture  
 and Sport  
 Disability Committee of NIC-ICTU  
 Maranatha Community  
 Eric Berboriak, US Consulate  
 Human Rights Directorate of the Office of the First Minister and Deputy  
 First Minister

March 2000 RUC Human Rights Act Implementation Working Group  
 Shankill Alternatives  
 Niall Crowley, Chief Executive, Equality Authority  
 Magheralave Residents' Group  
 John M Taylor MP  
 Northern Ireland Environmental Link  
 Grand Lodge, Orange Order  
 Ambassador Justin Harman, Permanent Representative of Ireland to the  
 Council of Europe  
 Rowena Dawe, RNID  
 Researchers from Scottish Parliament  
 Dr Wanda Wigfall-Williams  
 Lady Helena Kennedy QC, Chair of the British Council  
 Lempit Öpik MP

## Appendix 4: Documents issued by the Commission

April 1999	Response to the consultation paper, <i>Legislation Against Terrorism</i>
June 1999	Submission to the UN's Committee on the Elimination of Discrimination against Women Submission to the Royal Commission on the House of Lords
July 1999	Submission to the Review of the Criminal Justice System in Northern Ireland
October 1999	Response to Northern Ireland Court Service Consultation Paper, <i>Public Benefit and the Public Purse</i> Jane Winter, <i>Human Wrongs, Human Rights: A Guide to the Human Rights Machinery of the United Nations</i> (2nd ed.), with British Irish Rights Watch
November 1999	Response to the Report of the Patten Commission on Policing
December 1999	Response to the Equality Commission's <i>Guidelines on Section 75 of the Northern Ireland Act 1998</i>
January 2000	Response to the Department of Education's papers, <i>Towards a Culture of Tolerance</i> and <i>Learning for Tomorrow's World</i> Response to the Criminal Cases Review Commission's Consultation Paper, <i>Ordering Cases for Review</i> Response to the UK Periodic Report to the Council of Europe's Committee on Economic and Social Rights
February 2000	Response to the Law Commission's Consultation Paper, <i>Double Jeopardy</i> <i>The Northern Ireland Human Rights Commission: Who We Are, What We Do, How We Do It</i> (leaflet) Response to the Northern Ireland Office's Review of the Diplock Courts
March 2000	<i>A Bill of Rights for Northern Ireland</i> (pamphlet) Response to the Office of Law Reform Consultation Paper, <i>Divorce Law Reform</i> Response to the International Council on Human Rights Policy Report, <i>Ends and Means: Human Rights Approaches to Armed Groups</i> Response to the NIO proposal to commence the Human Rights Act 1998 for certain sections of the Public Processions (NI) Act 1998



## **Appendix 5: Visitors to the Commission from Overseas**

March 1999	Dan Orenstein (Ministry of Justice), Rachel Benziman (Israel Women's Network) and Hadas Tagari (Association of Civil Rights), Israel The Prime Minister-in-exile of Burma (Dr Sein Win) and Dr Harn Yawngghwe, Director of the European Office for the Development of Democracy in Burma
April 1999	Chris Sidoti, the Human Rights Commissioner on the Human Rights and Equal Opportunities Commission of Australia Brian Burdekin, Adviser to the UN High Commissioner for Human Rights on National Human Rights Institutions Norris Obadage, Dr Don Raveen Hanwella and Christie Silva, members of the Sri Lankan Presidential Task Force on Human Disaster Management Professor Mool Chand Sharma, Professor Pam Rajput, Professor Gopal Guru and Alpa Vohra, experts on Human Rights Education from Indian University Grants Commission
June 1999	Richard Bennett, researcher with the New Zealand Human Rights Commission Dr Jayampathy Wickramaratne and Nishan Muthukrishna, members of the Sri Lankan Constitution Review Group George Ferguson, UK consul in Boston Jim Harris, UK consul in New York
Nov 1999	Director-General of the Indian Human Rights Commission Jánis Butkevičs, Complaints Department Lawyer, Latvian National Human Rights Office Susana Villaran, Institute for the Defence of Human Rights, Peru
Dec 1999	Margaret Bedggood, former Chief Commissioner of the New Zealand Human Rights Commission
Jan 2000	Georges Assaf, Institute for Human Rights, Lebanon Yossi Beilin, Minister of Justice, Israel
March 2000	Dr Alex Borrairie, Vice Chair of the Truth and Reconciliation Commission, South Africa Edson Vismona and Denise Hirao (Sao Paulo Human Rights Programme) and Dermi Agevedo (Brazilian State Programme for Witness Protection)