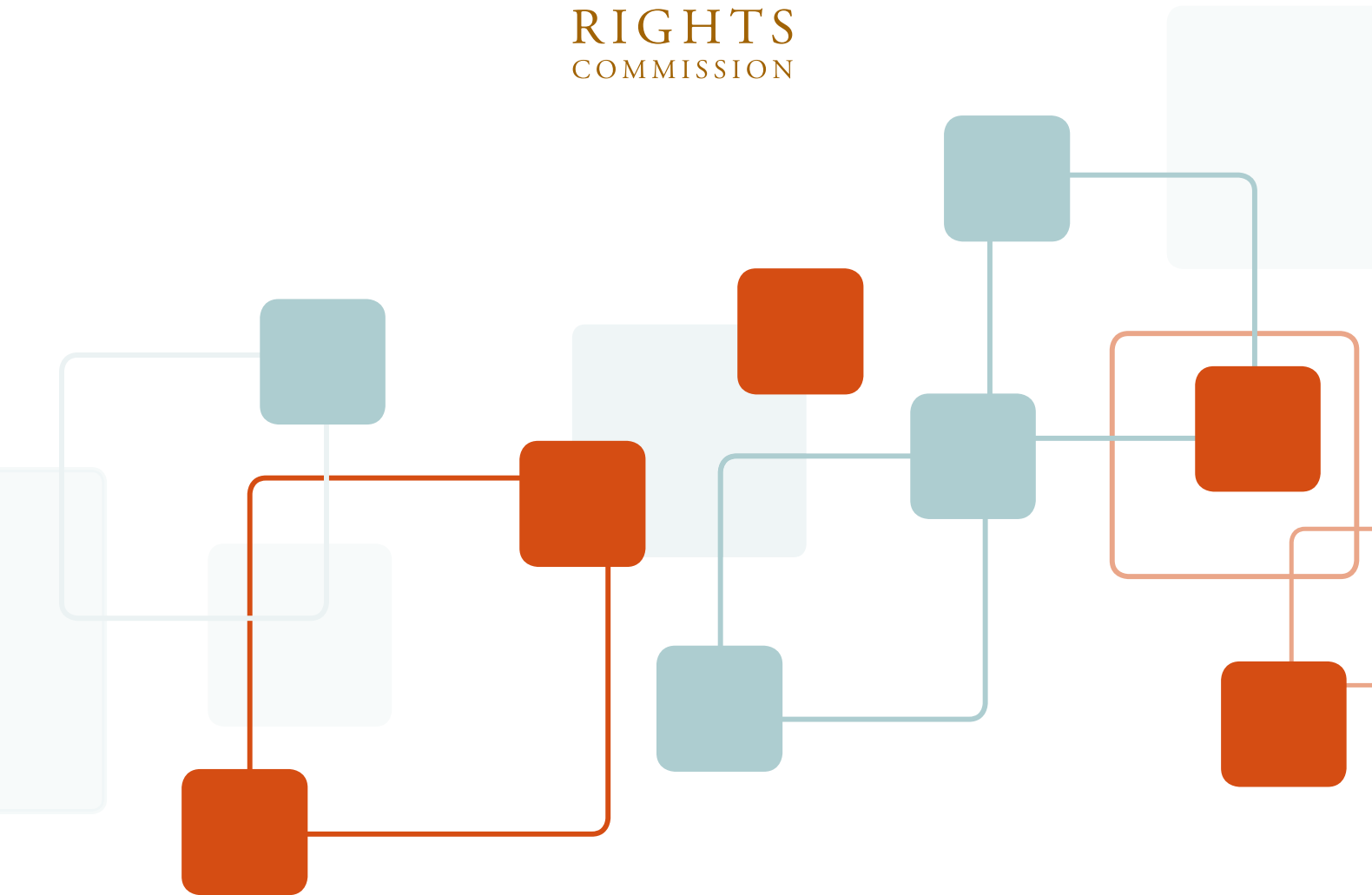




NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION



# Annual Report and Accounts 2009-2010



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

# Annual Report and Accounts 2009-2010

Annual report presented to Parliament  
pursuant to paragraph 5(2) of Schedule 7  
of the Northern Ireland Act 1998 and Accounts  
presented to Parliament pursuant to  
paragraph 7(3)(b) of Schedule 7  
of the Northern Ireland Act 1998.

Ordered by the House of Commons  
to be printed on 16 December 2010

© Northern Ireland Human Rights Commission (2010)

The text of this document (this excludes, where present, the Royal Arms and all departmental and agency logos) may be reproduced free of charge in any format or medium providing that it is reproduced accurately and not in a misleading context.

The material must be acknowledged as Northern Ireland Human Rights Commission copyright and the document title specified. Where third party material has been identified, permission from the respective copyright holder must be sought.

ISBN: 9780102949094

Printed in the UK for The Stationery Office Limited  
on behalf of the Controller of Her Majesty's Stationery Office

PC2839 12/10

Printed on paper containing 75% recycled fibre content minimum.

6 December 2010

Rt Hon Owen Paterson MP  
Secretary of State for Northern Ireland  
Block B, Castle Buildings  
Stormont  
Belfast BT4 3SG

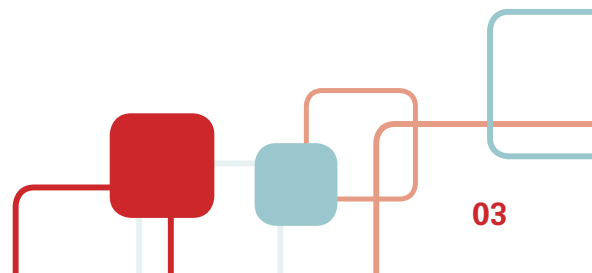
Dear Secretary of State

I have pleasure in submitting to you, as required by paragraph 5(1) of Schedule 7 of the Northern Ireland Act 1998, the eleventh Annual Report of the Northern Ireland Human Rights Commission. It shows how the Commission has performed its functions during the period 1 April 2009 to 31 March 2010.

The Annual Report includes the Commission's financial statements for the year ending 31 March 2010, which have been prepared in accordance with Paragraph 7 of Schedule 7 of the Northern Ireland Act 1998, and which were approved and certified by the Comptroller and Auditor General on 29 November 2010.

Yours sincerely

**Professor Monica McWilliams**  
**Chief Commissioner**



Photography by: Charlene Craig, Dariusz Boron, Leonardo Falaschini, Horton Group, Kevin Cooper Photoline, Ivan Prole, Lesley Doyle, Mark Soult, NIHRC, Northern Ireland Assembly, Ralph Morris, Ribuck

# Contents

<b>Chief Commissioner's Foreword</b>	<b>7</b>
<b>Commissioners</b>	<b>10</b>
<b>Management Commentary</b>	<b>11</b>
<b>Meeting Aims</b>	<b>21</b>
Aim 1: Building and embedding a human rights culture	<b>21</b>
Aim 2: Challenging and seeking to prevent human rights violations	<b>26</b>
Aim 3: Communicating and promoting human rights in an accessible way	<b>35</b>
Aim 4: Ensuring organisational effectiveness and efficiency	<b>41</b>
 <b>Accounts</b>	 <b>45</b>
Remuneration report	<b>46</b>
Statement of Accounting Officer's responsibilities	<b>51</b>
Statement on internal control	<b>52</b>
The certificate and report of the Comptroller and Auditor General to the Houses of Parliament	<b>56</b>
Financial statements for the year ended 31 March 2010	<b>58</b>
 <b>Appendices</b>	 <b>77</b>
Commissioners' meetings	<b>78</b>
The Commission's committees	<b>79</b>
The Commission's staff	<b>81</b>
Consultation responses and other policy advice	<b>83</b>
Publications and press releases	<b>87</b>

This document can be made available in alternative formats upon request.  
It is available for download at [www.nihrc.org](http://www.nihrc.org).



## Chief Commissioner's Foreword



*Professor Monica McWilliams, Chief Commissioner*

The Commission celebrated its tenth anniversary this year. As part of our programme of activities celebrating this anniversary, our annual conference focused on the theme of Humans without Rights: The Impact of Immigration Law, Policy and Practice. The focus of the conference in many ways shows how far we have come since the Commission's establishment in 1999 when so much of our attention at the time focused on the legacy of the past.

That is not to say that there are still not many outstanding concerns from our troubled past that have yet to be dealt with. One example of this is the mandate given to the Commission, by the Belfast (Good Friday) Agreement, to advise on a Bill of Rights for Northern Ireland. We submitted our advice on a Bill of Rights to the Secretary of State for Northern Ireland in December 2008. Since then, we held a number of high profile engagements to ensure that our advice would be taken forward. In the past year, we presented evidence to the Joint Committee on Human Rights at Westminster, the Northern Ireland Affairs Committee and the British/Irish Parliamentary Assembly.

The Commission has also engaged with the Council of Europe's Human Rights Ombudsman and the Office of the High Commissioner for Human Rights at the UN, as well as Members of the United States House of Representatives and Senate. We were very encouraged by the responses from all these bodies and from civil society representatives, who continued to support the Commission throughout the past year.

Following the submission of our advice, we urged the Northern Ireland Office to respond by publishing a timely consultation. However, despite stating its intentions to Parliament that it would do so on a number of occasions, the consultation document, A Bill of Rights for Northern Ireland: Next Steps, did not appear until the end of November 2009. This meant that there was insufficient time for government to summarise the responses, or indeed state its own position, before Parliament was suspended six weeks before the general election.

We welcomed the Northern Ireland Office's commitment in the document to bring forward legislation for a Bill of Rights for Northern Ireland. We also noted that government had concluded that there was "no incompatibility" between a possible UK Bill of Rights and the proposal for a Bill of Rights for Northern Ireland. Beyond these welcome commitments, however, the tone and content of the consultation paper was disappointing. The Commission concluded that it was not possible for a national human rights institution to accept the consultation paper as a genuine effort to increase human rights protections in Northern Ireland.

It remains our opinion that legislation of such significance to the peace process,



and the constitutional position of Northern Ireland within the UK, deserves greater consideration and analysis than government has invested to date. Yet again, we are left to move this process forward in the coming year and will continue to raise this issue with the British and Irish governments. Given this context, it has proved difficult to take forward, with the Irish Commission for Human Rights, the proposals for a Charter of Rights for the island of Ireland, which were also outlined in the Belfast (Good Friday) Agreement.

During the past year, the Commission attracted considerable media coverage on a range of issues. This included coverage of our investigation into homelessness for people with no or limited access to public funds (No Home from Home) and of our investigation into the human rights compliance of the UK Border Agency's powers of detention (Our Hidden Borders). The scoping study on human trafficking, which we undertook with the Equality Commission, also received media attention.

We have also witnessed a particularly successful year with the launch of our investigation into the treatment of older people in nursing homes. The launch included a public call for evidence which involved staff across the Commission collecting information from individuals using the free helpline that had been put in place for a two-week period. A new programme of work with the Equality Commission for Northern Ireland to monitor and promote implementation of the UN Convention on the Rights of Persons with Disabilities was also developed. We had a busy year in our UN treaty reporting as well as in our litigation,

training, education and legislative scrutiny work which is set out here.

This year's important work could not have been completed without the support from my fellow Commissioners and the staff in the Commission. During the year, Jonathan Bell and Daphne Trimble resigned their positions as Commissioners to allow them to engage more fully in politics. I would like to thank both Jonathan and Daphne for their contributions to the work of the Commission and, join with the Commissioners, in wishing them well.

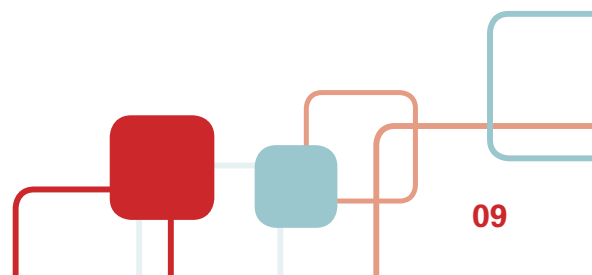


*Investigation report – No Home from Home*

In the coming year, the devolution of policing and justice powers to the Northern Ireland Assembly will lead to an increased engagement with local politicians in the field of human rights. The Commission is one of the few institutions to remain non-devolved and will continue to be accountable to Parliament for the fulfilment of our statutory duties. With the new Conservative/Liberal Democrat government at Westminster, I predict an even busier year ahead and look forward to the challenges that go with it.

Finally, I would like to pay a special tribute to the countless organisations and individuals who have contributed to the Commission's work in the past year. I hope that you will continue to help us protect and promote the human rights of everyone in Northern Ireland in these challenging times.

**Monica McWilliams**  
Chief Commissioner



## Commissioners



**Professor  
Monica McWilliams**

appointed from 1  
September 2005



**Mr Jonathan Bell**

appointed from 1  
September 2005  
until 21 January 2010



**Mr Tom Duncan**

appointed from 1  
September 2005



**Professor  
Colin Harvey**

appointed from 1  
September 2005



**Mr Alan Henry OBE**

appointed from 1  
September 2005



**Ms Ann Hope**

appointed from 1  
September 2005



**Mr Colm Larkin**

appointed from 1  
December 2007



**Mr Eamonn O'Neill**

appointed from 1  
September 2005



**Ms Geraldine Rice  
MBE**

appointed from 1  
September 2005



**Lady Daphne  
Trimble**

appointed from 1  
December 2007 until  
25 February 2010

# Management Commentary

## Introduction

I am pleased to report on the performance of the Northern Ireland Human Rights Commission during this busy year and to acknowledge the work of our staff in producing this report.

The Commission was established as a result of the Belfast (Good Friday) Agreement 1998 and has been in operation since 1 March 1999, under its governing legislation, the Northern Ireland Act 1998, amended by the Justice and Security (Northern Ireland) Act 2007. We are a non-departmental public body (NDPB), with core funding provided by government through the Northern Ireland Office, and reporting to Parliament through the Secretary of State.

Our role is to protect and promote the human rights of everyone in Northern Ireland.

The Commission's role is to promote awareness of the importance of human rights, to review law and practice and to advise government on what steps need to be taken to fully protect human rights in Northern Ireland. We base our work on international human rights standards, including those of the United Nations (UN) and the Council of Europe. The Commission, in line with the 'Paris Principles' guidance of 1993, has 'A' status recognition at the UN as a national human rights institution. This gives us special access to the Human Rights Council, treaty bodies and other organisations (further information on the 'Paris Principles' is available at: [www.ohchr.org/english/law/parisprinciples](http://www.ohchr.org/english/law/parisprinciples)).

## What we do

The primary role of the Commission is to protect and promote the human rights of everyone in Northern Ireland. We do this by providing:

- legal assistance and strategic litigation
- policy and legislative scrutiny
- investigations and research
- reports on the government's international human rights treaty obligations
- education and training
- consultation and engagement
- public relations and promotional work
- information services and awareness-raising, and
- advice to government and other stakeholders.

## Powers and duties

The Commission's powers and duties are derived from sections 69 and 70 of the Northern Ireland Act 1998 and sections 14 to 16 of the Justice and Security (Northern Ireland) Act 2007. Under the 1998 Act as amended, the Commission has the following duties:

- to keep under review the adequacy and effectiveness in Northern Ireland of law and practice relating to the protection of human rights
- to advise the Secretary of State for Northern Ireland and the Executive Committee of the Northern Ireland Assembly of legislative and other measures which ought to be taken to protect human rights
- to advise the Northern Ireland Assembly whether proposed legislation is compatible with human rights standards

- to promote understanding and awareness of the importance of human rights in Northern Ireland by, for example, undertaking or commissioning or otherwise assisting research and educational activities, and
- to provide advice to the Secretary of State for Northern Ireland on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights.

In addition, under sections 69 and 70 of the Northern Ireland Act 1998, the Commission has the following powers:

- to give assistance to individuals who apply to it for help in relation to proceedings involving law or practice concerning the protection of human rights
- to bring proceedings involving law or practice concerning the protection of human rights
- to conduct such investigations as it considers necessary or expedient for the purpose of exercising its other functions, and
- to publish its advice and the outcome of its research and investigations.

The Justice and Security (Northern Ireland) Act 2007 (sections 14 to 16 of which amended sections 69 and 71 of the 1998 Act) gives the Commission the following powers, with caveats:

- to institute, or intervene in, legal proceedings concerning human rights where it need not be a victim or potential victim of the unlawful act to which the proceedings relate
- to require a person to provide information and documents in their possession, and to give oral evidence, in respect of an investigation, and



*Commissioners meet Secretary of State, the Rt Hon Shaun Woodward MP*

- to enter a specified place of detention in Northern Ireland, in respect of an investigation.

### Vision

Our vision is a society in Northern Ireland where everyone is aware of their internationally and domestically recognised human rights and those of others, and can enjoy those rights in a society which respects diversity and in which they can feel safe and valued.

### Mission

Our mission is to promote awareness of the importance of human rights, to review existing law, policy and practice and to advise government on what steps need to be taken to fully protect human rights in Northern Ireland.

### Values

The Commission is committed to working in accordance with the following key values:

#### Independence

We are accountable for our public funding but independent from any outside influence.

## Participation

We will actively engage with a wide variety of groups and individuals so that everyone in Northern Ireland feels that the Commission is their Commission and to avail of people's expertise and share good practice in all areas of our work.

## Accessibility

We will ensure that our services are accessible to all and take account of the views expressed to us on our work. Our decisions will be clearly communicated and open to public scrutiny. We will strive to ensure that all our public events are accessible and our publications are as easy to understand as possible.

## Fairness

We will conduct our work and build relationships with stakeholders in a professional, objective, and fair manner. We will be objective when assessing evidence, and to use internationally accepted rules and principles on human rights as our baseline when doing so.

## Effectiveness

We aim to deliver an efficient and effective service to the people of Northern Ireland and to demonstrate value for money.

## Sustainability

We are committed to the effective protection of the environment, including the prudent use of natural resources.

## Strategic aims

- building and embedding a human rights culture
- challenging and seeking to prevent human rights violations
- communicating and promoting human rights in an accessible way, and

- ensuring organisational effectiveness and efficiency.

The Commission's aims and objectives are set out in its Strategic Plan for 2009-11, operationalised through annual business plans. Further details of our work during 2009-10 are set out in the Meeting Aims section of this Annual Report on pages 21 to 44.

## Funding and financial accountability

The Permanent Secretary, who is the Principal Accounting Officer of the Northern Ireland Office, designates the Chief Executive as the Accounting Officer for the Commission.

The Commission operates under a Management Statement and Financial Memorandum agreed with the Northern Ireland Office (NIO), and financed by grant-in-aid, the allocation of which comes from the NIO Request for Resources 1.

The Commission's accounts for 2009-10 are included with this Annual Report at pages 45 to 75. These financial statements have been prepared in accordance with the requirements of paragraph 7(2)(a) of Schedule 7 to the Northern Ireland Act 1998 and in a form directed by the Secretary of State for Northern Ireland with the approval of the Treasury. The financial statements demonstrate the resources we have used to deliver the Commission's objectives. These financial statements have been prepared in accordance with the guidance set out in the Government Financial Reporting Manual for 2009-10 (available at: [www.financial-reporting.gov.uk](http://www.financial-reporting.gov.uk)).

The Commission spent in full its agreed resource allocation from the Northern



Ireland Office for 2009-10, save for a modest underspend. We also received and spent over £90,000 in additional funding to support a programme of work to promote the Commission's advice on the Bill of Rights for Northern Ireland and for work with the Equality Commission for Northern Ireland to monitor and promote implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD), from The Atlantic Philanthropies ([www.atlanticphilanthropies.org](http://www.atlanticphilanthropies.org)) and the Office for Disability Issues ([www.officefordisability.gov.uk](http://www.officefordisability.gov.uk)) respectively.

All the Commission's successes are achieved through our people and employment costs are the largest expenditure item. Overall, there was only a slight increase in these costs (less than 1 per cent), with expenditure held down by delaying recruitment to vacant posts.

We continued our longstanding commitment to support the families in two inquests into deaths that occurred in the 1990s, which are seen as key human rights cases from this jurisdiction at the Council of Europe and internationally. Each year, the Commission reviews the accruals made in our accounts for these cases. However, our liability in respect of the inquests has been difficult to estimate accurately, given uncertainties over their duration, the number of witnesses likely to be called and the nature of their evidence to be given. This review showed that the Commission needed to increase its accruals for these cases by almost £70,000.

Other notable aspects of the Commission's expenditure during 2009-10, as compared to the previous year, detailed in Note 5 to the accounts, are as follows:



**CRPD**

Independent Mechanism  
for Northern Ireland

Promote | Protect | Monitor

*UN Convention on the Rights of Persons with Disabilities*

- an increase in the number of publications produced, most notably the report of our investigation into homelessness for people with no or limited access to public funds (No Home from Home) and papers from our conference on faith and human rights (Rights and Righteousness)
- increased National Audit Office costs, arising from the requirement for an additional audit of our accounts for 2008-09. These were restated in 'shadow' form using International Financial Reporting Standards (IFRS). Conversely, internal audit costs were reduced as the previous year included additional expenditure to develop the Commission's Strategic Internal Audit Plan for the period 2008-11 increased work on a Bill of Rights for Northern Ireland, funded entirely outside of the Commission's core grant-in-aid by The Atlantic Philanthropies
- increased conference and seminar expenditure associated with a major conference in April 2009 to launch the investigation report Our Hidden Borders, which was published in the previous year

- reduced consultancy costs associated with the job evaluation exercise, which concluded in 2009-10, but for which most of the work was conducted during the previous year
- investigation expenditure in the previous year included the costs of joint research with the Equality Commission into human trafficking, which was contracted out
- increased IT expenditure resulted from enhanced business continuity arrangements and the development of the Commission's stakeholder management system. We also developed a database to record evidence from the public as part of our ongoing investigation into the rights of older people in nursing home care
- funding for the further development of the Joint Committee with the Irish Human Rights Commission (IHRC), which was supported in the previous year by the IHRC
- reduced light and heat expenditure resulting from turning off lights and electronic equipment when not in use, and savings associated with moving to electronic payments
- an increase in expenditure on professional fees resulting from legal advice being required in developing the Commission's corporate governance arrangements and personnel matters
- efficiency savings in travel, subsistence and hospitality, from reduced travelling and use of external catering for meetings and events
- further, more modest, efficiency savings in other areas, including greater use of second class post and ending Royal

Mail collections. We also stopped providing car parking for staff, resulting in savings in rent and rates, and we got improved deals in mobile phones contracts, and

- a new programme of activity in respect of work with the Equality Commission for Northern Ireland to monitor and promote implementation of the UN Convention on the Rights of Persons with Disabilities.

Details of our activities for 2010-11 are in our Strategic Plan at [www.nihrc.org](http://www.nihrc.org).

During the forthcoming financial year, the Commission aims to:

- develop, consult on and implement a new Strategic Plan for the three-year period 2011-14
- carry out investigations and support individual cases that highlight human rights concerns
- advise government in Northern Ireland and at Westminster on the human rights implications of legislation and policy
- through research, education, publications and seminars, promote a culture and understanding of human rights across Northern Ireland, and
- work with government to secure implementation of the Commission's advice on a Bill of Rights for Northern Ireland.

Further details of these activities are given in the Strategic Plan for 2009-11 and Business Plan for 2010-11, which are available on our website: [www.nihrc.org](http://www.nihrc.org).



### Financial reporting standards

The 2008 Budget announced that, from 2009-10, the annual financial statements of government departments and other entities in the public sector will be prepared using International Financial Reporting Standards adapted as necessary for the public sector. The Commission has applied these international standards from 1 April 2009.

Details of the Commission's accounts for 2009-10 can be found from page 45.

### Commissioners and Chief Executive

The Commission is governed by its Commissioners. The following served as Commissioners during 2009-10:

- Professor Monica McWilliams
- Mr Jonathan Bell (until 21 January 2010)
- Mr Tom Duncan
- Professor Colin Harvey
- Mr Alan Henry OBE
- Ms Ann Hope
- Mr Colm Larkin
- Mr Eamonn O'Neill
- Ms Geraldine Rice MBE
- Lady Daphne Trimble (until 25 February 2010)

Details of attendance by Commissioners at Commission meetings and their participation in committees and working groups are set out at Appendices 1 and 2.

The Commission's Chief Executive during 2009-10 was Mr Peter O'Neill. The Northern Ireland Office has appointed the

Chief Executive as the Accounting Officer for the Commission. His responsibilities as the Accounting Officer are set out on page 51. As Accounting Officer, the Chief Executive is responsible for maintaining a sound system of internal control. The Statement on Internal Control on pages 52 to 55 sets out how this responsibility has been discharged in 2009-10.

Details of remuneration can be found in the Remuneration Report, which is included with this Annual Report at pages 46 to 50.

A register of interests of the Commissioners and senior staff can be found on our website: [www.nihrc.org](http://www.nihrc.org).

### Corporate governance and risk management

The Commission is committed to ensuring a high standard of corporate governance. We have responsibility for defining strategy and determining resource allocations to ensure the delivery of the Commission's objectives. There is a corporate structure of committees that have clear terms of reference to support the Commission.

All Commissioners have received training in the role and responsibilities of board members of non-departmental public bodies, and induction into the work of the Commission.

The Commission has a risk management framework in place to identify risks and minimise as far as possible the likelihood of identified risks occurring and their impact.

During the year, we developed a new Code of Governance to replace and update the Code of Practice for Commissioners. Following consultation with the Northern Ireland Office, the Commission plans to

complete and implement the new Code prior to the appointment of new Commissioners, which is expected in 2010-11.

### Audit and Risk Management Committee

The Commission's Audit and Risk Management Committee met seven times during the year. The Committee is chaired by an external chairperson to ensure independence and access to a full range of financial and governance expertise.

The Audit and Risk Management Committee comprises:

- Dr Bill Smith (Independent Chairperson)
- Mr Alan Henry OBE
- Ms Ann Hope
- Mr Eamonn O'Neill
- Ms Geraldine Rice MBE
- Lady Daphne Trimble (until 25 February 2010)

The Chief Executive, Head of Corporate Services, Internal Auditor and External Auditor attend Audit and Risk Management Committee meetings.

The Audit and Risk Management Committee supports the Accounting Officer, and the Commission, by monitoring and reviewing the risk, control and governance systems, and the associated assurance processes. This is achieved by providing an independent perspective and through a process of constructive challenge. The Chairperson or nominated Committee member reports on the activities of the Audit and Risk Management Committee at Commission meetings. Minutes of Audit and Risk Management Committee meetings are circulated to all Commissioners.

The Audit and Risk Committee monitors the Commission's risk, control and governance systems.

### Auditors

The financial statements are audited by the Comptroller and Auditor General. The audit fee for this year is £8,000 (2008-09: £7,000). In addition, an audit fee of £2,800 was incurred from a separate audit of the Commission's financial statements for 2008-09 as restated using IFRS.

The Commission's internal audit is provided independently by ASM Horwath.

### Sustainability

#### Environmental policy

We are committed to helping to protect the environment. We seek to do this through recycling paper and card, plastic bottles, and cans; using 100 per cent recycled paper; and encouraging staff to turn off lights and electronic equipment when not in use. The Commission's paper recycling programme has saved at least 14 trees from destruction in 2010. Energy saving activities have contributed to a 10 per cent reduction in the Commission's light and heat costs in 2009-10.

#### Communities

The Commission seeks to support charitable work. We do this through the operation of a payroll-giving scheme which enables Commissioners and staff to make tax effective donations to charity. We also allow community and voluntary sector organisations to use our meeting facilities when possible, and we encourage social events for Commissioners and staff to raise funds for charity.



### Suppliers

Where available, we buy from Fair Trade sources and the Commission is a member of Fairtrade Belfast.

### Creditor payment, policy and performance

Monthly statistics submitted to the Northern Ireland Office, and subsequently reviewed at Cabinet meetings, highlight that the Commission has consistently achieved more than 90 per cent of payments to suppliers within 10 working days during the financial year. In terms of the overall performance for 2009-10, 96 per cent of invoices were paid within 10 working days following receipt of a properly rendered invoice (compared to 97 per cent during the four months to 31 March 2009 following the introduction of this new government target).

In addition, the Commission supports the code of practice launched by the Department for Business Innovation and Skills in December 2008 to help increase the speed of payments between customers and their suppliers. The prompt payment code was developed in partnership with the Institute of Credit Management and aims to establish a

clear and consistent policy in the payment of business bills. Further details about this are available at: [www.promptpaymentcode.org.uk](http://www.promptpaymentcode.org.uk).

### Research and development

The Commission engages in research and development work on human rights and the support of individual cases. These research reports are listed in Appendix 5 and are available on our website: [www.nihrc.org](http://www.nihrc.org).

### Staff issues

#### Equal opportunities policy (including that for the employment of disabled people)

We are fundamentally committed to equality of opportunity in accordance with our Equality Scheme, prepared under Section 75 of the Northern Ireland Act 1998. The Commission therefore strives to promote equality of opportunity within the organisation as well as in the activities it conducts. We strive to comply fully with our statutory obligations and we liaise closely with the Equality Commission for Northern Ireland to ensure we work together effectively.

The Commission's Equality Committee meets regularly to oversee the implementation of the Equality Scheme and support other work to ensure that we meet our equality commitment.

We aim to be an exemplar in how we meet the requirements of the Disability Discrimination Act 1995 and associated legislation, and aim to ensure that disability is not a bar to recruitment or advancement. All disabled applicants who meet the essential criteria for posts with the Commission are guaranteed an interview.

Our work to promote positive attitudes towards disabled people and encourage participation by disabled people in public life are set out in our annual report to the Equality Commission for Northern Ireland, on the discharge of our duties under the Disability Discrimination Order 2006. This report is available on our website: [www.nihrc.org](http://www.nihrc.org).

### Learning and development

During the year, we continued to give high priority to training and developing our entire staff to enhance their professionalism to support the Commission's objectives. Several staff are enrolled on a range of courses, including Masters degree level programmes.

We are working towards achieving the Investors in People Standard and aim to be formally assessed against the Standard towards the end of 2010-11.

### Employee consultation

Our Strategic Plan is implemented through our staff. We recognise that involving staff in planning and decision-making is essential in achieving business objectives. Staff involvement is maximised through the combined use of, for example, regular team meetings, staff briefings, an annual staff residential and joint staff/union consultative meetings. The Northern Ireland Public Service Alliance (NIPSA) is the Commission's recognised trade union.

### Health and safety

We recognise and accept our legal responsibilities in relation to the health, safety and welfare of our employees and for all people using our premises. We comply with the Health and Safety at Work (Northern Ireland) Order 1978 and all other appropriate legislation. Three members of staff have been trained in first aid, with one

designated as the Health and Safety Officer. The Commission agreed a revised Health and Safety Policy with NIPSA in 2009.

We use an Employee Assistance Programme which provides 24-hour access to counselling and support services for Commissioners, staff and close family members.

We work to promote positive attitudes towards disabled people and encourage participation.

### Personal data

We are committed to safeguarding personal data we hold. Risks in this area are recorded in the Commission's risk register and the Audit and Risk Management Committee receives regular reports on activities to minimise the likelihood of the occurrence of these, and other, risks. No personal data-related incidents occurred during 2009-10.

### Days lost due to absence

The Commission encourages a culture where good attendance is expected and valued. However, we recognise that from time to time absences for medical reasons may be unavoidable. We aim to treat staff who are ill with sympathy and fairness and where possible provide them with support which will enable them to recover their health and attend work regularly. This approach is reflected in the Commission's Leave and Attendance Management Policy, which has been agreed with NIPSA and was updated in 2009.

In 2009-10, the percentage of working days lost was 6.6 per cent or an average of 16 days a year per employee (2008-09: 4.8

per cent and 12 days respectively).  
The increase resulted from the long-term absence on sick leave of a number of staff.

As Accounting Officer, I confirm that I have taken all steps to ensure that I am aware of any relevant audit information and to ensure the Commission's auditors are aware of that information. As far as I am aware, there is no relevant information of which the Commission's auditors are unaware.

**Peter O'Neill**  
**Accounting Officer**

# Meeting Aims

## Aim 1: Building and embedding a human rights culture

### Introduction

Building and embedding a human rights culture is critical to the success of the Commission. We encourage and help public authorities and other organisations to mainstream human rights in their work. We use our statutory powers to advise government on compliance with legislation and international standards. To strengthen protections, throughout the year the Commission continued to advocate a Bill of Rights for Northern Ireland and defend the Human Rights Act. We have summarised below our work in 2009-10 to meet this aim.

### A Bill of Rights for Northern Ireland

The Commission was mandated by the Belfast (Good Friday) Agreement 1998 to consult and advise the Secretary of State on a Bill of Rights for Northern Ireland. We completed this work on 10 December 2008. The Commission recommended there should be a Bill, reflecting the particular circumstances of our society, and that it ought to provide a set of judicable protections supplementing the European Convention on Human Rights and the Human Rights Act.

We have sought to explain our advice to as many people as we possibly can. To help us with this work, we published and circulated several resources, including:

- a summary document, an Irish translation, and an easy-read version of our advice on a Bill of Rights
- a supplement in three Northern Ireland daily newspapers, and



*Advice on a Bill of Rights for Northern Ireland*

- an education pack, containing a lesson plan and poster, for post-primary schools and youth groups.

In April, we presented evidence to the Oireachtas Joint Committee on the Implementation of the Agreement. This was followed by a meeting with the Irish Minister for Foreign Affairs, Micheál Martin TD, in November.

A series of meetings also took place at Westminster with MPs and human rights organisations in November. Then, in December, we held a roundtable event sponsored by the Joint Committee on Human Rights.

In September, the Commission organised a well attended roundtable in Belfast for community and voluntary groups. Two roundtable events also took place in October for public authorities, policy advisers and political parties. We also provided evidence to the Northern Ireland Assembly All Party Group on Ethnic Minority Communities, in December, to explain our recommendations.



During the year, the Northern Ireland Affairs Committee carried out a short inquiry on the Bill of Rights. The Commission provided written and oral evidence to the Committee. The inquiry ended in May 2009 and the Committee published *A Bill of Rights for Northern Ireland: An Interim Statement* in March 2010. We welcomed the interim statement and recommendation that, post-general election the successor Committee “may wish to consider future proposals on a Bill of Rights for Northern Ireland as part of its work programme”.

In November, the Northern Ireland Office issued a public consultation: *A Bill of Rights for Northern Ireland: Next Steps*. We welcomed government’s restated commitment “to bringing forward legislation” for a Bill of Rights for Northern Ireland. We also noted that, in principle, government had concluded there is “no incompatibility” between a possible UK Bill of Rights and the proposal for Northern Ireland.

Beyond these welcome commitments, the tone and content of the consultation paper was, however, disappointing. The Commission found itself analysing a document that:

1. showed a lack of understanding of the purpose and functions of a Bill of Rights
2. failed to take proper account of international human rights standards
3. appeared to suggest the lowering of existing human rights standards in Northern Ireland
4. arguably failed to satisfy the minimum common law consultation requirements, and
5. misrepresented the advice given by the Commission to the Secretary of State.



*Easy-read version of our advice on a Bill of Rights for Northern Ireland*

We concluded that it was not possible for a national human rights institution to accept the consultation paper as a genuine effort to increase human rights protections in Northern Ireland. In our view, government has not fully taken into account the evidence provided by international human rights bodies and the many individuals and organisations that have contributed to the formulation of the Commission’s advice.

The government consultation ended in March 2010. It remains our opinion that legislation of such significance to the peace process, and the constitutional position of Northern Ireland within the UK, deserves greater consideration and analysis than government has invested to date. We will endeavour to move this process forward in the coming year.

### **The Human Rights Act**

Throughout the year, the Commission worked to defend the Human Rights Act. In July, we provided evidence to the Joint Committee on Human Rights expressing our disappointment at the way in which government was approaching the issue of future human rights protections.



*Human Rights Act 1998*

We were encouraged when government published the Green Paper, Rights and Responsibilities: Developing our Constitutional Framework, in March 2009. This paper drew attention to the specific context of Northern Ireland, stating: "Importantly, the Government does not wish the public debate around a UK instrument to detract from the process relating to a potential Bill relating to the particular circumstances of Northern Ireland". In July, however, the Commission told the Joint Committee on Human Rights that an important opportunity was lost to bring forward legislation in 2009.

By end of the year, we were sufficiently concerned, over the tone and content of the debate on a future of the Human Rights Act, to agree a joint position with the Scottish Human Rights Commission. Ahead of the general election, with our Scottish counterparts, we issued a press statement that called for:

"...the UK Human Rights Act 1998 to be ring fenced and built upon as part of further progress in the promotion and protection of human rights within and across all jurisdictions including devolved, excepted and reserved areas."

We also stated:

"...that any process towards establishing a Bill of Rights and Responsibilities, or other similar statute, for the UK or any of its constituent parts, which seeks to repeal the UK Human Rights Act 1998 in part or whole would be retrogressive in terms of the promotion and protection of human rights. Both Commissions agree that they will oppose any such process."

### **Partnership with the Irish Human Rights Commission**

The Commission worked throughout the year with the Irish Human Rights Commission (IHRC) on issues of common interest. Under the Northern Ireland Act 1998, and as described in the Belfast (Good Friday) Agreement 1998, a Joint Committee was created of representatives of the two Human Rights Commissions on the island of Ireland.

The Committee was formally established in late 2001 and has generally met bi-monthly with alternate meetings taking place in Belfast and Dublin. The Committee met four times during the year.

In October, the Chief Commissioner and the President of the Irish Human Rights Commission, Dr Maurice Manning, addressed the British-Irish Parliamentary Assembly on the Committee's work.

The Agreement requires the Joint Committee of the two Commissions to consider, among other matters:

"....the possibility of establishing a charter, open to signature by all democratic political parties, reflecting and endorsing agreed measures for the protection of the fundamental rights of everyone living in the island of Ireland."



To promote debate on a charter, the School of Law at University College Dublin and the Committee organised, in November, a well-attended conference in Dublin. Professor Brendan O'Leary, Lauder Professor of Political Science at the University of Pennsylvania, gave the keynote address. We will be taking this work forward in the coming year.

The Committee continues to have a sub-committee to work on racism. In December, both Commissions launched a consultation on the protection of migrant workers' rights. The Joint Committee believes the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is the best international standard to protect these rights. Both Commissions have urged the Irish and UK governments to ratify this important treaty.

In this work, the Joint Committee was assisted by Brian Gormally who was contracted during the year to provide support.

### Presswork

During the year, the Commission attracted considerable media coverage. We featured, or were referred to, in over 400 print articles (newspapers and magazines) producing over 7,000 column inches. The Commission also contributed to TV and radio broadcasts, including BBC Newsline, UTV, GMTV, U105, BBC Radio Ulster and Downtown Radio. We took part in 47 broadcast interviews, issued 37 press releases and nine opinion pieces, and hosted several briefings.

Our media work covered a range of subjects, including:

- the launch of our free and confidential telephone line to investigate the

treatment of older people living in nursing homes

- our response to government's consultation on a Bill of Rights for Northern Ireland
- the right to health
- condemnation of hate crime attacks
- human trafficking in Northern Ireland
- concerns that government's plan to reintroduce border checks may lead to racial discrimination
- the human rights of homeless non-UK nationals, and
- a call for government to sign up fully to the UN Convention on the Rights of Persons with Disabilities.

The Commission also responded to 47 media requests for comment or clarification on a range of subjects, including death in custody cases, conditions in Northern Ireland prisons, dealing with the legacy of the past and the imprisonment of women for defaulting on paying fines.

### Parliamentary engagement

Throughout the year, the Commission provided advice to government, MPs, members of the House of Lords and the Northern Ireland Assembly. We prepared briefing papers on a range of issues and proposed legislation, including:

- the UN Convention on the Rights of Persons with Disabilities
- the Borders, Citizenship and Immigration Bill
- the Coroners and Justice Bill
- the Workers Registration Scheme, and
- the National Identity Card Scheme.

The Commission also had high profile engagements with scrutiny committees and parliamentary bodies.



*Northern Ireland Assembly, Parliament Buildings*

On 24 September, we gave evidence to the Northern Ireland Assembly's Social Development Committee on the draft Housing (Amendment) Bill. The Commission also gave evidence to the Northern Ireland Assembly Committee on Standards on 17 February.

On 27 August, we met with the Clerks of the Northern Ireland Assembly's Bills Office and legal advisers to consider legislative processes and the Commission's scrutiny role. We envisage this work becoming increasingly significant and our role expanding following the transfer of policing and justice powers.

## Visits

In this reporting period the Commission was delighted to host a number of high level meetings which are detailed below:

- The Commission hosted a seminar on women in the criminal justice system, on 28 April, led by Dr Margaret Malloch, University of Stirling.
- Representatives of the Palestinian Electoral Commission visited the Commission on 8 May.
- On 26 May, the Chief Commissioner, Chief Executive and several staff met with a Bangladeshi parliamentary delegation preparing for the establishment of an independent human rights commission.
- A meeting with Paul Goggins MP and Robin Masefield, Director of the Northern Ireland Prison Service, took place in the Commission's offices on 27 May.
- The chairperson of the Dutch Equal Treatment Commission, which is in the process of becoming a full national human rights institution, visited the Commission on 16 September.
- Representatives of the new policing oversight body in Bosnia and Herzegovina visited the Commission on 1 October.
- A visit from Minister for Foreign Affairs Micheál Martin TD, took place at the Commission offices on 11 November, at which the Bill of Rights process was discussed. The Minister was also interested in hearing about our work on the Charter of Rights for the island of Ireland.
- The annual meeting with the Equality Commission for Northern Ireland took place on 27 November.
- On 4 February, the Commission hosted a meeting with Dominic Grieve MP and Owen Paterson MP.
- The Chief Commissioner, on 4 March, hosted a delegation from Nepal for the UK Department for International Development.

### Aim 2: Challenging and seeking to prevent human rights violations

#### Introduction

The Commission's statutory functions include providing advice on individual items of legislation and policy that impact on the protection of human rights, and carrying out investigations into systemic issues. We also provide legal services, including advice to individuals and occasional involvement in litigation. We have summarised, below, our work in 2009-10 to challenge and prevent human rights abuse.

#### Responses to legislation and policy proposals

During the year, we made approximately 70 consultation responses and other submissions to the Northern Ireland Assembly, the UK Parliament, Ministers, government departments and the regional and international human rights bodies. These are listed in Appendix 4.

#### Detention, policing and criminal justice

A key area of work focused on the management of women within the criminal justice system, in particular, the gender specific needs of women in prison. We also responded to proposals about strengthening the provision of alternatives to custody and prosecution. We highlighted the need for alternatives to custody for fine defaulters who currently make up a disproportionate number of short-sentence prisoners.

In preparation for the devolution of policing and criminal justice, the Commission's Detention, Policing and Justice Committee identified key concerns to bring to the attention of the new Department of Justice



*Launch of research into human trafficking*

and its Assembly Committee. The inclusion in the Hillsborough Castle Agreement of several issues highlighted by the Commission was a welcome development. These included a review of the conditions of detention, the management and oversight of prisons and consideration of a new women's prison that meets international obligations and best practice. We will seek to make sure that our work on women's imprisonment, ensuring meaningful alternatives to custody and support for women in the criminal justice system, including adequate mental health support, will form an important aspect of future policy development. During the year, we responded to the Prison Service's review of Prison Rules. Human trafficking, including trafficking for sexual exploitation, is a matter of increasing concern in Northern Ireland. The Commission, jointly with the Equality Commission for Northern Ireland, launched a scoping study at a seminar in January. Since then, we have followed up recommendations with the Northern Ireland Office, the Department of Justice, the Police Service of Northern Ireland (PSNI) and other agencies on improved service provision and training in the identification of victims.

The use of stop-and-search and questioning powers exercised by the police under two counter-terrorism Acts increased significantly during the year, and the Commission, while recognising the need to maintain security and public order, is monitoring the use of these powers.

### Dealing with the past

We submitted detailed responses on the proposals contained in the report of the Consultative Group on the Past to the Northern Ireland Affairs Committee and to the Northern Ireland Office. The responses included discussion of the proposed process of review and investigation, information recovery, the rights of victims and examination of themes arising from the conflict. In particular, we explored the compatibility of the Group's proposals with human rights law, including the right to life as defined in Article 2 of the European Convention on Human Rights.

### Migration and citizenship

We responded to government plans to reform the Common Travel Area (CTA) and to introduce the 'e-borders' scheme. The CTA has existed since the 1920s as a passport-free zone allowing free movement of British and Irish citizens between the UK, the Republic of Ireland, the Channel Islands and the Isle of Man.

Government's proposal would, in effect, abolish the CTA by introducing passport checks on flights and ferries, and ad hoc mobile checkpoints on the Irish land border. Our main concern was that land border checks could lead to racial discrimination. This concern was shared by MPs and Lords in Parliament where the change in the law to bring in the proposals (through the Borders, Citizenship, and



Immigration Bill) was defeated following a vote. Government then stated its intention to introduce the reforms through different legislation. The Commission has since submitted views on several matters relating to the CTA.

Government consulted on, and legislated for, 'earned citizenship' reforms which were intended to take effect in July 2011. We raised concerns about the rationale and implications of reforms to naturalising as a British Citizen or getting permanent residence. The concerns related to measures through which migrants would be expected to 'earn' rights and spend longer periods without social protection. We responded to consultations on the review of asylum support and the 'points for citizenship' proposals and provided briefing papers to parliamentarians during the passage of what became the Borders, Citizenship and Immigration Act 2010. We are considering further steps to address provisions that may be incompatible with the European Convention on Human Rights. Evidence was also provided to the UN Special Rapporteur on the Human Rights of Migrants which was referenced in his report to the Human Rights Council.



### Privacy

In September, we published an expanded and updated version of *More than Just a Card*, our research paper on the implications in Northern Ireland of introducing the UK National Identity Scheme. The paper covered the general issue of human rights compliance and identity card schemes, the detail and implications of the British National Identity Scheme, and the specific impacts of the scheme on the particular circumstances of Northern Ireland.

We responded to the Home Office consultation on retention of data on the national DNA database, produced because of the *S and Marper v UK* judgment in the European Court of Human Rights (December 2008). The Court found that the “blanket and indiscriminate nature” of the power of retention of DNA data of innocent people (those arrested for offences but subsequently acquitted, or those who have had charges dropped) breached Article 8 (right to private life) of the European Convention on Human Rights.

We also communicated our concerns to the Council of Europe’s Committee of Ministers which oversees the execution of the judgment. The Committee of Ministers was critical of government’s first response, and a revised approach was included in a Crime and Security Bill that completed its parliamentary passage at year-end. The Commission remains concerned that the retention regime does not meet the requirements of the judgment.



### Treaties and international work

The Commission remained active in the regional and global networks of national human rights institutions and received many international visitors. We provided comments on the draft International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) state report and took part in two examinations of the state’s compliance with international treaties.

#### International Covenant on Economic Social and Cultural Rights (ICESCR)

We submitted a Parallel Report to government’s Fifth Periodic Report under this treaty. These reports were considered by the UN Committee on Economic, Social and Cultural Rights which monitors compliance with the ICESCR. The Commission then contributed to the UK’s examination under the treaty by the Committee in May, and met with the Committee. Several of our main concerns were reflected in the Committee’s concluding observations.

### European Charter for Regional or Minority Languages (ECRML)

In May, the UK gave its Third Periodic Report to the Council of Europe's Committee of Experts (COMEX). COMEX checks compliance with the ECRML, under which the UK has made a range of commitments relating to the Irish language and to Ulster Scots. We facilitated the COMEX monitoring visit in September 2010, submitted a Parallel Report and engaged in discussion with the Committee. COMEX was due to issue its monitoring report in April 2010.

### Convention on the Rights of Persons with Disabilities (CRPD)

In 2008, the Commission was designated (with the Equality Commission and the two human rights commissions in Great Britain) as part of the independent mechanism promoting, protecting and monitoring implementation of the CRPD. During the year, the two Northern Ireland Commissions secured a grant from the Office for Disability Issues. This enabled us to produce a full-text and a plain language version of the CRPD, and an information leaflet, and to commission a legal opinion analysing the adequacy of the legislative framework for implementation in this jurisdiction. With no extra core funding, work on the CRPD has had to be accommodated alongside many other priorities. We have worked closely on the CRPD with the Equality Commission, with the other UK commissions and within the European Group of National Human Rights Institutions.

### Investigations

The Commission published two investigation reports (detailed below) during the year and began work on an investigation into nursing home care.

We continued to follow up on previous investigations into women's imprisonment and juvenile justice. Our primary research informs the submissions we make to government on legislative and policy proposals.

Throughout the year, we also liaised closely with relevant bodies designated under the Optional Protocol to the UN Convention Against Torture as National Preventive Mechanisms to communicate our investigation report findings.

The Human Rights Commission and the Equality Commission will promote, protect and monitor the CRPD in Northern Ireland.

### Our Hidden Borders

We launched the investigation report, *Our Hidden Borders: The UK Border Agency's Powers of Detention*, at our annual conference in April 2009. This investigation examined how immigration enforcement officers arrived at the decision to detain perceived immigration offenders or asylum seekers. In particular, we found this process does not provide the same standards and protections for individuals as those in a criminal justice setting. The report contends that the current legislation provides immigration officers with powers that are too discretionary. It also includes recommendations about existing legislation and the independent oversight arrangements of the UK Border Agency (UKBA).

Since the report launch, we have disseminated the findings to a range of audiences and at several public events in Northern Ireland. We also produced articles explaining the findings and

recommendations for external publications.

We had regular meetings with the UKBA and discussions with other relevant agencies, such as the Police Ombudsman for Northern Ireland and Her Majesty's Inspectorate of Prisons, to monitor implementation of the recommendations.

We were pleased to accept an invitation from the Refugee Action Group (RAG) to advise them on a research project following on from Our Hidden Borders. The RAG report will present further case studies of immigration detainees.

We are closely monitoring the arrangements for detention of perceived immigration offenders and some asylum seekers in the UK.

### No Home from Home

In September, we launched the investigation report about homelessness for people with no or limited access to public funds. No Home from Home examines the impact of legislation that can prevent non-UK nationals from accessing homelessness assistance and welfare benefits. As well as the legislation, the report focused on the practices of three government agencies: the Northern Ireland Housing Executive (NIHE), the Health and Social Care Trusts and the Social Security Agency (SSA). The report's recommendations call for legislative change and improvements to the day-to-day practices of government agencies so that the rights of non-UK nationals can be better protected.

Since the report launch, the Commission has been raising awareness and following up on the recommendations. We provided articles about the report for publications, including the Belfast Telegraph, CAJ's Just

News and the Law Centre (NI) journal, Frontline.

We engaged with the Northern Ireland Assembly, including presenting Recommendation 9 to the All Party Assembly Group on Ethnic Minority Communities. This recommendation calls for an interim emergency fund to be established which can be accessed by voluntary organisations that help homeless people in these situations. In January, we submitted written evidence to the Joint Committee on Human Rights at Westminster on asylum support.

During the year, we met with the three government agencies involved. We had discussions about how they will implement the recommendations and contributed to some of their action plans. This work will continue in the coming year.

We are closely monitoring arrangements for detaining perceived immigration offenders and asylum seekers.

### Older people in nursing homes

The Commission began a scoping exercise into the rights of older people in nursing care in June and the terms of reference for an investigation were agreed in August 2009. We decided to carry out this investigation because older people in nursing homes are a particularly vulnerable group given their reliance on twenty-four hour care. We identified the following areas of focus for the investigation:

- sedation: appropriate prescription and use of sedatives
- review of medication: appropriate use of medication

- nutrition: including malnutrition and methods of feeding
- dignity: focusing on the day-to-day experiences of residents, and
- non-discrimination: exploring the extent to which older people face discrimination because of their age as well as, for example, gender or ethnicity.

Drawing on international best practice, the Commission decided to open a public call for evidence. In February, we provided a two-week, free and confidential telephone line to allow members of the public to share their experiences of nursing home care. Trained staff received a high volume of calls from people with friends or family in nursing homes. To supplement the telephone line, we placed a questionnaire on our website where people could answer questions about their experiences of nursing homes. We also carried out fieldwork in four nursing homes in Northern Ireland, interviewing staff, residents and family members. We intend to publish the final report in 2011.

## Legal Services

The Commission provides human rights legal services, including providing information to individuals, assisting individuals to bring legal proceedings, bringing proceedings in our own name and intervening in proceedings as a third party or *amicus curiae*.

We provide a publicly accessible telephone information line two mornings a week. We also receive requests for advice and support through our website, correspondence and other forms of communication. Our legal staff dealt with a wide range of issues during the year, with a significant increase in the number of



new enquiries: from 512 in 2008-09, to 904 in the current year.

Everyone who contacts the Commission is given the human rights information relevant to their situation or, if it falls outside the jurisdiction of human rights law, an explanation of why that is the case. For those cases falling within our areas of strategic priority, consideration is given to the case for suitability for informal resolution and, failing that, for formal legal proceedings. Most cases are dealt with by providing information, advice or referral, with only those cases appearing to present significant human rights law issues advancing to a formal application for assistance.

Our areas of strategic priority for the year were:

- protection of life
- effective investigation into death
- access to appropriate physical and mental health care, particularly for older people living in nursing homes and people who self-harm, and
- accommodation needs and rights of members of the Traveller community.



We can exercise discretion to accept cases not falling under those areas should the abuse of human rights complained of be exceptional. This may be in terms of the numbers of people affected, the apparent pattern of abuse or the seriousness of the violation.

Legal Services handled 904 enquiries during the year.

The Commission's Legal Committee decides on all formal applications for assistance. Over the course of the year, the Committee held eight scheduled meetings and one emergency meeting. It considered nine new applications for formal legal assistance and, of those, two were granted, with one awaiting a decision.

### Ongoing litigation

An application to the European Court of Human Rights has been made by the applicant in the 'Holy Cross' case. If this application is admitted by the Court, we will consider whether we wish to seek any further role in the case as intervenor.

We are still waiting for the judgment in the immigration case, In the matter of an application by Amanda Menzies Pretorius for Judicial Review.

Our application to intervene in a Fair Employment Tribunal case was granted. The case was delayed for some time during the year and we lodged our submissions in February. By the end of the year, this case had settled without going to hearing.

### New litigation

The Commission granted legal assistance to a mother who sought judicial review of the refusal of the Secretary of State to exercise his discretion and award compensation to her children after the killing of her husband. Her husband was a prisoner released under the Belfast (Good Friday) Agreement. He was subsequently killed in a non-conflict related incident but the children were refused compensation because of their father's previous association with an unlawful organisation. The mother sought to rely on an international human rights treaty, the UN Convention on the Rights of the Child. On 27 April, the mother was refused leave to bring the judicial review (McCallion, Re Judicial Review [2009] NIQB 45).

We assisted an applicant who sought to challenge the Motor Vehicles (Taxi Driver's Licences) Regulations 1991. The Regulations provide for automatic refusal of a taxi driver licence to people who are deemed to be insulin dependent. On 8 May, the applicant was granted leave to proceed with an application for judicial review, including on the grounds whether the refusal of the taxi driver licence is in breach of ECHR rights under Articles 6 (right to a fair hearing), Article 8 (respect for private and family life) and 14 (prohibition of discrimination). At year-end, European Directives 2009/112/EC and 2009/113/EC have been issued which remove the discriminatory bar. The Commission is monitoring progress in the implementation of these Directives.

### Other cases

As the Commission can only grant formal legal assistance to a few cases each year, most of our legal work is conducted outside the court arena. Two examples of cases supported without litigation from the current year are:

- **Complainant A** is a 64-year-old woman who suffered a heart attack and a stroke. She is unable to use her left arm (she is left-handed) and uses a wheelchair. Her disabilities prevent her from using the stairs at home and she resides, and tends to all her personal needs with her husband's help, in the kitchen. In April 2008, the occupational therapist recommended that the home be adapted to provide ground level facilities. 'A' complained to the Commission, in the summer of 2009, about the delay in progressing her application for a Disabled Facilities Grant. We engaged with the relevant authorities and sought Counsel's opinion. By the end of the year, the grant had been approved and we were waiting on a timetable for building works to start.

We are concerned at the difficulties of disclosure in legacy inquests.

- **Complainant B** is a 19-year-old woman remanded to Hydebank Wood who was unable to secure bail because she had no suitable alternative address. 'B' was diagnosed with a personality disorder and she engages in severe self-harming behaviour. She was homeless and

hostels were reluctant to offer her accommodation due to her highly complex needs. We visited B in prison and engaged with the probation services and mental health teams to help progress her application to be housed. At year-end, these efforts were continuing. This case illustrates the particular difficulties in accessing services experienced by people with personality disorder in Northern Ireland.

In relation to cases of historical institutional child abuse, we were in contact with a solicitors steering group set up to collate information on the numbers of victims and the specific institutions involved. We sought information from the Minister for Health about the Executive's view on the way forward, and will continue to monitor the issue.

### Inquests

The Commission continues to support families in a number of inquests, referred to in the last Annual Report, that have still not been heard:

- Pearse Jordan was shot and killed on 25 November 1992 by an officer of the RUC.
- James McDonnell died in Maghaberry prison on 30 March 1996.
- Gareth O'Connor disappeared on 11 May 2003 and his body was recovered from the Newry Canal in June 2005.
- Baby 'A' died in February 2001. A family member was arrested on suspicion of her murder but the test for prosecution was not met. The inquest is on hold since the Coroner referred the matter back to the Public Prosecution Service and a police investigation is ongoing.



We are concerned at the slow progress of these inquests and at the particular difficulties experienced in respect of disclosure in the legacy inquests.

### Nursing home investigation

The Commission's legal staff worked closely with investigative staff in the call for evidence for the nursing home investigation. We based this new model of practice on the work of the Ontario Ombudsman who stresses the merits of public calls for evidence in investigations. Legal staff helped set up the call for evidence, designing questionnaires and meeting with stakeholders during the months preceding the call for evidence. In February, we invited members of the public to contact the Commission to share their experience of nursing homes. Legal staff focused on analysing evidence to decide whether any individual case warranted further action, or whether the evidence as a whole revealed a systemic issue that warranted further consideration and action. This work is continuing.

### **Aim 3: Communicating and promoting human rights in an accessible way**

#### **Introduction**

The Commission has a duty to engage with the public at all levels and in a more accessible way. This includes a responsibility to help people understand and learn about their human rights and the Commission. We have summarised, below, our work in 2009-10 to meet this aim.

#### **Publications, information and promotions**

In this section we highlight the key publication, information and promotional activities which have taken place during the year. A list of the publications produced is at Appendix 5.

##### **NIHRC Review**

We published the eighth issue of the Commission's magazine during the year. This 10th Anniversary issue provided a snapshot of the issues we work on. We also updated readers on the Bill of Rights process.

Also in this issue, several people in public life reflected on how human rights impact on their work, including Anna Lo MLA, Sir Hugh Orde, Mike Ritchie, Director of CAJ, Jeffrey Donaldson MP MLA and Gerry Kelly MLA.

##### **Immigration report**

In April, we published the report of our investigation into the UK Border Agency. Our Hidden Borders: The UKBA's Powers of Detention examines the extent to which human rights are protected in decisions by immigration officials to detain individuals who are not nationals of the UK.

##### **Homelessness report**

In September, we published our investigation report into homelessness and people excluded from accessing public funds. No Home from Home: Homelessness for People with No or Limited Access to Public Funds shows that restrictions in current immigration legislation often prevent access to even the most basic levels of support from government agencies.

##### **Trafficking report**

In partnership with the Equality Commission, we published a scoping study of the nature and extent of human trafficking in Northern Ireland. The report, written by the Institute for Conflict Research, was launched at a seminar in January.

##### **Faith report**

In February, the Commission and the Irish School of Ecumenics published Rights and Righteousness: Perspectives on Religious Pluralism and Human Rights, a collection of papers by experts in the fields of human rights and faith. Many of the papers originate from a conference held by the two organisations in 2007.

##### **Bill of Rights**

We published and disseminated several resources on a Bill of Rights for Northern Ireland. These included a summary document, an Irish translation, a poster and an easy-read version of our advice on a Bill of Rights. We also produced a newspaper supplement which circulated through the three Northern Ireland daily newspapers in January, and an education pack for post-primary schools and youth groups.

### Online communication

The Commission circulated 10 issues of its e-Newsletter to an ever-expanding subscriber list. There were 300 new subscribers, bringing the total distribution list to over 1,500 people. We also circulated a special issue to coincide with government's consultation on a Bill of Rights.

The Commission's main website ([www.nihrc.org](http://www.nihrc.org)) continues to attract new visitors and has proved to be a successful means of providing publicity for our work. On average, 200 people visit the site at least once every day. We continued to update our website dedicated to the Northern Ireland Bill of Rights process ([www.borini.info](http://www.borini.info)) with information on developments.

During the year, we expanded our presence in online communities. We set up a Twitter page and quickly gained many followers. Our Facebook page also grew in popularity. By the end of the year, we had 800 followers through these two sites and many more people heard about our work via 'likes' and 'retweets'.

Follow us: [www.twitter.com/nihrc](https://www.twitter.com/nihrc) and [www.facebook.com/nihrc](https://www.facebook.com/nihrc).

Other online work included:

- several new videos added to our YouTube channels, including podcasts of events and human rights animations
- setting up a Flickr page to store and promote photographs from our events
- setting up a communitiesNI page, and
- contributing to other organisations' websites and e-newsletters.

We use these social networks and websites to promote our work and monitor public opinion about the Commission and



*Peter O'Neill, Chief Executive and Christine Blaney, University of Ulster at Exchange Mechanism*

human rights issues. They are also a useful and inexpensive way to communicate and reach out to new audiences.

### Library and resource centre

We continued to develop our library mainly as a professional resource for the Commission. An internal information service contributes to the skills and knowledge of the organisation. We added new material throughout the year and the library catalogue now contains almost 6,000 items, including important journals on international, European and domestic human rights policy and protection. Students, academics and members of the public continue to use the library to access the specialist reference collection.

Bronagh McCrudden joined the Commission for two months as a library intern. Bronagh was a great addition to the team and helped us catalogue and maintain the library.

### Enquiries

The Commission's information staff processed over 500 enquiries during the year on a range of issues. These included





*Visit of Kilcooley Women's Group*

the right to family life, privacy, disabled people's rights, migrant rights, police powers and environmental rights. Most of these were received through the website and they included over 100 legal enquiries and 45 requests from people interested in interning or working for the Commission.

## Education

During the year, much of the Commission's education and development work focused on a Bill of Rights and the Human Rights Act (HRA). An introduction to the Act was made available through the Annual Training Programme. We also delivered custom-made training and workshops on a number of themes, including the Bill of Rights for Northern Ireland, the HRA and social work, the HRA and community development, and the HRA and mental health.

## Training

During November, we delivered the Introduction to Human Rights workshops in Omagh, Derry/Londonderry and Belfast, attracting 57 participants with positive evaluation feedback.

"... excellent, professional and used plain English. Also all questions were dealt with

in a succinct, encompassing manner." Workshop participant

"...thought-provoking and professional." Workshop participant

We collaborated with Amnesty International to deliver training to Key Stage 4 teachers on teaching citizenship through human rights. Teachers from 45 post-primary schools attended.

We assisted An Munia Tober to develop an equality and human rights training programme for Travellers. In October, we delivered the human rights elements of the programme. Our work with third level education students included delivering the annual human rights lecture at St Mary's University College and a human rights session for Belfast Metropolitan College.

In addition, we designed training on human rights and social work for inclusion in the Family and Child Care module of the Initial Professional Development Award for Qualified Social Workers. During January and February, we delivered the training to 64 social workers from all five Trusts and voluntary organisations.

One-off education sessions were also delivered to a student group from the University of Essex, the Kilcooley Women's Group, Our Lady of Mercy Girls' School and the European Young Lawyers Group.

## Mainstreaming human rights in the education system

The Commission met with the Minister of Education and departmental officials during the year to discuss the promotion of human rights in the curriculum and the evaluation of progress against the United Nations World Programme for Human Rights Education.

We also engaged with the Council for the Curriculum, Examinations and Assessment (CCEA) on the human rights content of the Learning for Life and Work curriculum and on the equality and human rights assessment of new GCSE specifications.

We supported Amnesty International to publish the Making Human Rights Real resource for secondary schools and in the delivery of related training to teachers (detailed above).

In January, we produced an Education Pack for Citizenship Teachers and Youth Leaders on the Bill of Rights for Northern Ireland. This pack was designed to develop young peoples' knowledge and understanding of a Bill of Rights and help them take part in government's consultation. We sent 1,000 packs to secondary schools, youth groups, alternative education providers, church groups and other relevant organisations.

### Human Rights Education and Training Network

We undertook a review of the Human Rights Education Forum and re-established this as the Human Rights Education and Training (HRET) Network.

The HRET Network aims to promote best practice in the field and encourage information sharing by hosting seminars and talks for practitioners. In addition, network members will have the opportunity to contribute to a good practice archive, setting standards for future work.

After an initial recruitment exercise, we launched the Network in November. This event focused on human rights education in the curriculum and the Making Human Rights Real resource was also launched.



*Launch of Making Human Rights Real, a resource for secondary schools (KS4)*

### Supporting other organisations

The Commission supports other organisations to understand and apply human rights effectively in their work. Some of the ways we do this include providing information about our services, explaining and exploring human rights values, principles and standards, and promoting discussion of how human rights apply in a post-conflict society.

We provided awareness-raising sessions to many organisations, including the Migrant Workers Support Network, the REAL network of disability rights activists, UNIFEM, the Royal College of Nursing and Belfast and Lisburn Women's Aid. We also provided one-off sessions to a number of visiting groups, including Canadian parliamentary interns, a parliamentary delegation from Bangladesh considering the creation of a national human rights institution, and visiting students from a variety of courses and countries.

### Capacity building

Throughout the year, we worked closely with civil society, engaging with



*Participants at our annual conference*

community and voluntary organisations to build their capacity to understand and address human rights issues. This inevitably focused on progress on a Bill of Rights for Northern Ireland (See Aim 1 above). We met regularly with the Human Rights Consortium, an important network of voluntary and community groups, faith organisations and trade unions. We delivered capacity building sessions on our Bill of Rights work and human rights principles for organisations such as the Community Foundation for Northern Ireland and Disability Action

An important part of our development work is taking part in policy discussions, such as those in the community women's sector. This work addresses mainstreaming of women's equality and ending inequalities affecting women and girls, who comprise half the population but who are inadequately represented in public and political life. We promote a human rights approach, stressing, for example, the requirement on government to fully implement the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and UN Resolution 1325 on women's role in post-conflict societies.

## Events

### Annual conference

As part of a programme of activities celebrating our 10th anniversary, our annual conference on 20 April, focused on the theme, Humans without Rights: The Impact of Immigration Law, Policy and Practice. Over 200 delegates from community, voluntary and statutory organisations in the UK and Ireland attended the conference.

Dr Nazia Latif and Agnieszka Martynowicz (co-authors) presented Our Hidden Borders, the Commission's investigation report into the UK Border Agency's (UKBA) powers of detention. Phil Taylor from the UKBA responded to the report findings and recommendations.

Other conference speakers included Minister Paul Goggins MP, Shami Chakrabarti (Director of Liberty), Mungo Deans (Resident Senior Immigration Judge) and Don Flynn (Director of the Migrant Rights Network).

### Trafficking seminar

In partnership with the Equality Commission for Northern Ireland, we launched a trafficking report at a well-attended seminar in January. The seminar explored the legislative, policy and practical responses to the equality and human rights issues presented by the phenomenon of human trafficking and, in particular, trafficking for sexual exploitation.

### Exhibition

The Commission, with the University of Ulster, showcased student films from our Animate your Rights project as part of Exchange Mechanism at the Belfast Exposed Gallery on 26 February. This was an exhibition that questioned the demands and denials of freedom in contemporary life.





*Professor Monica McWilliams and Cllr Kieran McGuire,  
Chairman of Strabane District Council*

### Launch of homelessness report

In September, we launched our investigation report, *No Home from Home*, at two events, one in Belfast and one in Dungannon. Both events were well attended and included local community, voluntary and statutory organisations involved in the investigation.

### Public meetings

Commissioners held their March 2010 board meeting in Strabane and afterwards held a public meeting. We had a similar event in Coleraine in September 2009. The respective local Councils hosted both events.

At these public meetings Commissioners listen to the views and human rights concerns of local business, community and voluntary organisations. This helps us develop work plans and strategic priorities.

## Aim 4: Ensuring organisational effectiveness and efficiency

### Introduction

Being effective and efficient is central to the Commission's external relationships as well as to our governance, operations and management of resources. We anticipate continuing change in respect of increased demands for our services and support, against a background of severe financial constraints. We are committed to continually improving our work, evaluating what we do and how we do it, to ensure that we always provide value for money. We are enthusiastic about embracing opportunities for innovation and being an organisation that is fit for purpose. A large part of the Commission's success in the future will come through building a learning organisation, investing in our staff and nourishing a culture of excellence.

### Resources

Following consultation in 2009, we published a Strategic Plan for 2009-11 and associated equality impact assessment. This was reduced to a two-year plan to align the strategic planning period with our funding cycle.

Internal audit showed that our control systems are satisfactory and we work effectively and efficiently to achieve objectives. The focus of internal audit during the year was a high level financial review, payroll, pensions and travel expenses and legal services, as well as a follow-up review of previous audit recommendations.

We received funding from the Office for Disability Issues to promote the UN CRPD.

We received a grant of £110,000 from The Atlantic Philanthropies in 2009 to fund a programme of work on a Bill of Rights for Northern Ireland. Earlier sections of this report show how we used this grant. Funds unspent at the year-end have been carried forward into 2010-11 to support a major international conference in September 2010. The conference will focus on the future of human rights in the UK and the next steps towards a Bill of Rights for Northern Ireland.

The Commission also received funding of over £15,000 from the Office for Disability Issues for work with the Equality Commission for Northern Ireland to monitor and promote implementation of the UN Convention on the Rights of Persons with Disabilities.

The funding described above is credited to the Net Expenditure Account (page 58) as Operating Income. Unspent funds have been carried forward into 2010-11 as deferred income (see note 11 to the financial statements).

In line with the HM Treasury decision to adopt the International Financial Reporting Standards (IFRS) for all central government sector accounts, the Commission restated 'shadow' accounts for 2008-09. We submitted the accounts to the Northern Ireland Office (NIO) on time and they were audited separately in autumn 2009. The restated accounts provide the comparator figures for the accounts contained in this Annual Report.

During the year, we finished a long running exercise to evaluate the weighting of all staff posts, using external independent assessors. All posts within the Commission's Legal Services, Policy and Research Team were evaluated as being one grade higher and, following NIO

approval, were regraded with effect from April 2010.

Our budget allocation for 2010-11 was reduced by the NIO as part of its contribution to planned public sector spending cuts. This disproportionately impacted the Commission as we also had to absorb the costs of regrading posts following job evaluation. In preparation for these cuts, we undertook a major review of our spending to identify potential savings during 2009-10, while seeking to minimise the impact on the Commission's core work.

We developed a new Code of Governance and revised standing orders for board meetings.

### Corporate governance

We undertook a major review of our corporate governance arrangements during the year. As a result, we developed a new Code of Governance, with revised Standing Orders for board meetings. This will replace the current Code of Practice for Commissioners, once it has been approved by the NIO and formally adopted by the Commission.

During the year, we responded to 36 requests for information made under the Freedom of Information Act 2000 and/or the Data Protection Act 1998, all within the statutory timescale. This was more than the cumulative total number of requests received each year since access rights under the Act came into effect in 2005.

The Commission submitted all equality and other statistical returns on time.



*Engaging with stakeholders.*

### The Commission's powers

The Justice and Security (Northern Ireland) Act 2007, which gave the Commission new powers in legal proceedings and investigations, requires us to make recommendations to the Secretary of State about the effectiveness and adequacy of these aspects of the legislation within two years of enactment.

We wrote to the Secretary of State in July, having completed two investigations and embarking on a third since the enactment of the Justice and Security (Northern Ireland) Act 2007. In our submission, we provided evidence of how the Commission's investigation reports help public authorities to meet their duties under human rights law.

We recommended the removal of certain restrictions on our powers of investigation: in particular, that we should not be required to give 15 days' notice in order to access places of detention and that the restriction on the Commission to investigate anything relating to national security should be removed. The Secretary of State at that time did not

commit to revising the legislation; however, we will continue to raise these issues in the future.

## Staff

The Commission continued to invest significantly in the learning and development of Commissioners and staff during the year. This included providing funding towards the study for Masters degree programmes for four members of staff. We also organised training in using the media effectively, as well as 'learning lunches' and seminars on specialist human rights topics.

From April, we introduced a new monthly team briefing system to improve the effectiveness of internal communication across the Commission.

We provided two internships during the year, as well as work placements for school age students and a trainee from the Orchardville Society.

## Equality, diversity and good relations

We undertook a full equality impact assessment of our draft new Strategic Plan during the year, which concluded that there was no adverse impact on people in equality categories. We also published the outcome of equality screenings of the Commission's human resource management policies, legal services function, Information and Communications Access Policy and Legislation and Policy Strategy.

The Commission's Equality Committee met with Disability Action to review how we might better promote disability equality. Disability Action commended our work in a number of areas, including guaranteeing

interviews to disabled applicants for jobs who meet essential selection criteria, providing placements for disabled students and publishing an easy-read version of our advice on a Bill of Rights.

## Stakeholders

We are committed to continually improving our relationships with our stakeholders. The annual survey of stakeholders provides a broad measure of the views of stakeholders about our work and general impressions about the Commission. The second annual survey ran from March to June and involved a postal survey. The overall results indicated that stakeholders were satisfied with the services we provide and held largely positive views about the Commission, with 97 per cent of respondents satisfied, or more than satisfied, with our contribution to protecting human rights. We are looking at ways to improve levels of satisfaction in areas which the survey identified as needing attention. A short summary of other main findings is provided below and more detail can be found on our website: [www.nihrc.org](http://www.nihrc.org).

- The majority of respondents (80 per cent) were satisfied or more than satisfied with their contact with the Commission, and more than three-quarters (79 per cent) were content with our events.
- Three-quarters (76 per cent) of respondents were content with the design, ease of use and content of our website, a 6 per cent increase on 2007-08.
- Most (84 per cent) of respondents were satisfied, or more than satisfied, with our publications, an increase of 14 per cent on the 2007-08 survey.



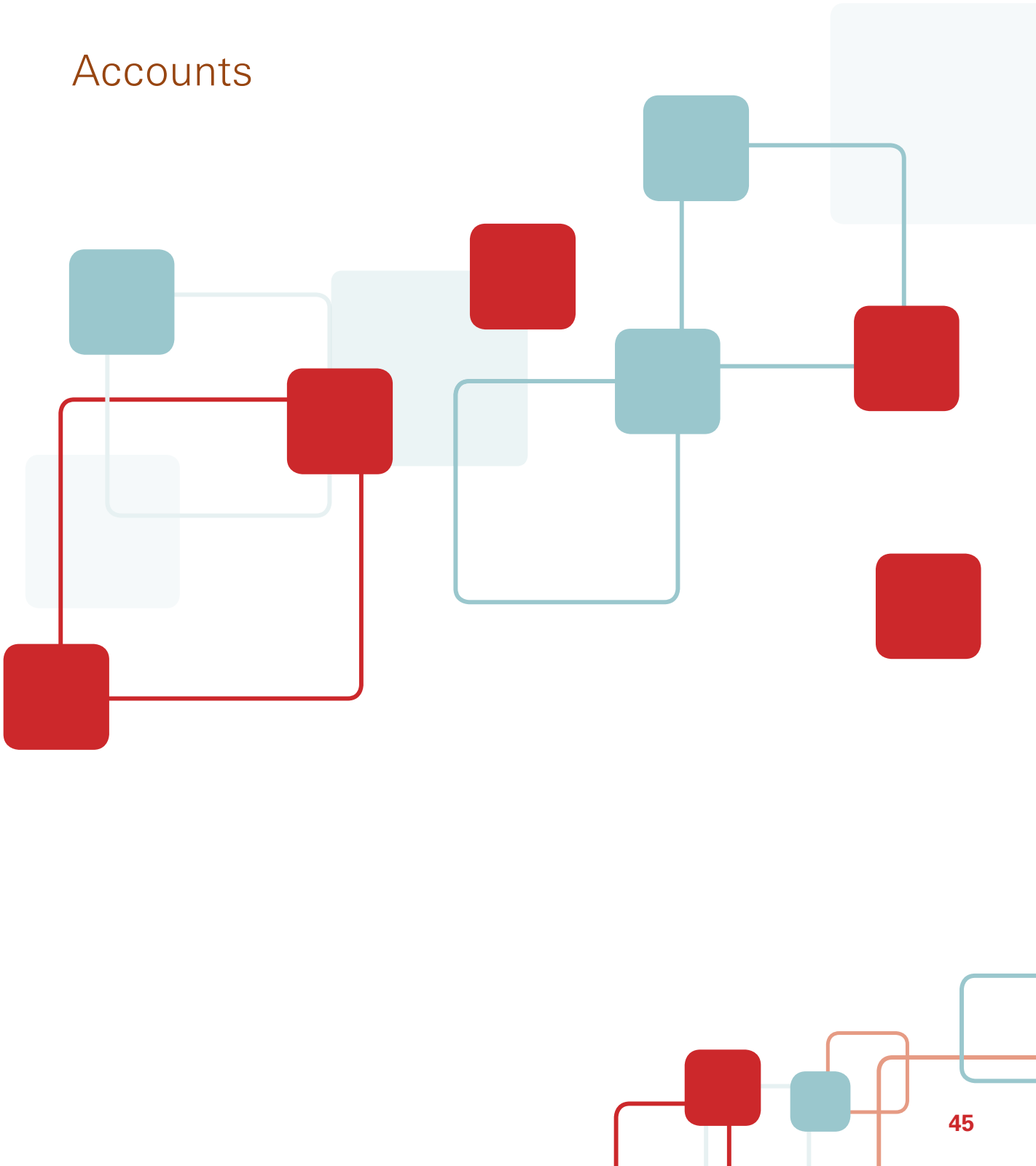
*Launch of the Human Rights Education and Training Network*

- Positive views of our regular e-newsletter increased by 41 per cent on 2007-08 and almost all respondents (91 per cent) were content with our magazine.

- Almost all respondents (91 per cent) were satisfied, or more than satisfied, with the availability of information on key policy issues.
- All respondents (100 per cent) were satisfied with their level of awareness in our work and 94 per cent had a satisfactory, or higher, level of confidence and trust in the Commission.

The Commission agreed a number of Memoranda of Understanding (MoU) with other statutory authorities during the year, including the Commission for Victims and Survivors, and one governing the working relationship between ourselves, the Scottish Human Rights Commission and the Equality and Human Rights Commission. The MoU with the Northern Ireland Court Service was also reviewed without amendment.

Accounts





# Remuneration Report

## Remuneration policy

The remuneration of the Chief Commissioner and Commissioners is determined by the Secretary of State for Northern Ireland.

The Chief Executive's post is graded within the Senior Civil Service (SCS). Pay and performance management arrangements for the Chief Executive are in line with guidance issued by the Cabinet Office: Managing Performance in the Senior Civil Service: A Guide for Permanent Secretaries and Members of the Senior Civil Service, published in March 2009. Increases in the Chief Executive's base pay, and the level of performance-related bonuses, are linked to average increases for SCS staff within the Northern Ireland Office.

The remuneration of Commission staff is set within Northern Ireland Office pay structures and is performance-related. Performance is appraised by line managers in respect of achievement of agreed objectives. The Commission is not involved in NIO pay negotiations.

The Chairperson of the Commission's Audit and Risk Management Committee was appointed through open competition from 1 March 2006. The Chairperson is remunerated at a rate of £320 per meeting (the Committee usually meets six times per year) and £320 per day (*pro rata*) for other work undertaken on behalf of, and at the request of, the Commission.

## Contracts of employment

The Chief Commissioner and Commissioners are public appointments made by the Secretary of State for Northern Ireland in line with the requirements of the Northern Ireland Act 1998 and guidelines laid down by the Commissioner for Public Appointments ([www.ocpa.gov.uk](http://www.ocpa.gov.uk)). Appointments cannot be for more than five years at a time for the Chief Commissioner and for more than three years at a time for Commissioners. There is an option for a second term of appointment, at the Secretary of State's discretion.

Staff appointments are made in accordance with the Commission's recruitment and selection policy, which requires appointments to be made strictly on merit and through fair and open competition. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

The Commission's age retirement policy enables members of staff who have reached the age at which they are entitled to draw their Commission pension (which for most staff is their sixtieth birthday) to choose the age at which they will retire.

## Remuneration (audited information)

The following section provides details of the remuneration and pension interests of the Commissioners and the Commission's Chief Executive.

	2010 £	2009 £
<b>Commissioners</b>		
Professor Monica McWilliams	<b>75,702</b>	72,021
Mr Jonathan Bell (until 21 January 2010)	<b>8,077</b>	10,000
Mr Thomas Duncan	<b>10,000</b>	10,000
Professor Colin Harvey	<b>10,000</b>	10,000
Mr Alan Henry OBE	<b>10,000</b>	10,000
Ms Ann Hope	<b>10,000</b>	10,000
Mr Colm Larkin	<b>10,000</b>	10,000
Mr Eamonn O'Neill	<b>10,000</b>	10,000
Ms Geraldine Rice MBE	<b>10,000</b>	10,000
Lady Daphne Trimble (until 25 February 2010)	<b>9,090</b>	10,000
	<b>162,869</b>	162,021
<b>Chairperson of the Audit and Risk Management Committee</b>		
Dr Bill Smith	<b>6,520</b>	6,584
<b>Senior staff</b>		
Mr Peter O'Neill, Chief Executive	<b>58,826</b>	57,503

## Salary

'Salary' includes gross salary; performance pay or bonuses; overtime; and any other allowance subject to UK taxation.

This presentation is based on payments made by the Commission and thus recorded in these accounts.

## Benefits in kind

The monetary value of benefits in kind covers any benefits provided by the employer and treated by the Inland Revenue as a taxable emolument (salary). No benefits in kind were received during the 2009-10 financial year.

## Pension benefits (audited information)

### Commissioners

The Commission is liable for pension contributions of £10,264 to the University of Ulster for the year ended 31 March 2010 for Professor Monica McWilliams (2008-09: £9,315).

No further pension contributions were made for Commissioners in the year ended 31 March 2010 (2008-09: £nil).

### Chairperson of the Audit and Risk Management Committee

Pension contributions of £1,063 were made for the Chairperson of the Audit and Risk Management Committee (2008-09: £1,074).

### Senior staff

	Accrued pension at pension age as at 31/3/10 and related lump sum £'000	Real increase in pension and related lump sum at pension age £'000	CETV at 31/3/10 £'000	CETV at 31/3/09* £'000	Real increase in CETV £'000	Employer contribution to partnership pension account Nearest £100
Peter O'Neill Chief Executive	5-10 plus lump sum of 0-5	0-2.5 plus lump sum of 0-2.5	81	62	13	—

\* The figure may be different from the closing figure in the last year's accounts. This is due to CETV factors being updated to comply with The Occupational Pension Schemes (Transfer Value) (Amendment) Regulations 2009.

Pension benefits are provided through the Civil Service pension arrangements. From 30 July 2007, Commission staff may be in one of four defined benefit schemes; either a final salary scheme (classic, premium or classic plus); or a whole career scheme (nuvos).

These statutory arrangements are unfunded, with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus and nuvos are increased annually in line with changes in the Retail Prices Index (RPI). Members joining from October 2002 may opt for either the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (partnership pension account).

Employee contributions are set at the rate of 1.5 per cent of pensionable earnings for classic and 3.5 per cent for premium, classic plus and nuvos. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years' initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. Classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium. In nuvos, a member builds up a pension based on his pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March), the member's earned pension account is credited with 2.3 per cent of their pensionable earnings in that scheme year and the accrued pension is uprated in line with RPI. In all cases, members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

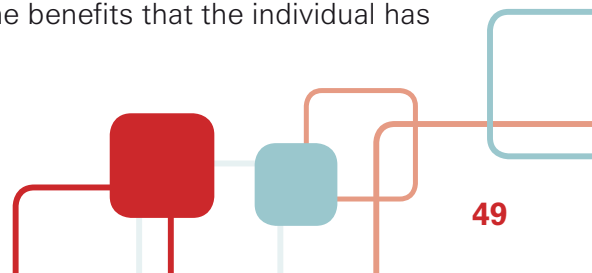
The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 3 per cent and 12.5 per cent (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of three providers. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3 per cent of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.8 per cent of pensionable salary to cover the cost of centrally provided risk benefit cover (death in service and ill-health retirement).

The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus and 65 for members of nuvos.

Further details about the Civil Service pension arrangements can be found at: [www.civilservice-pensions.gov.uk](http://www.civilservice-pensions.gov.uk).

### Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has



accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

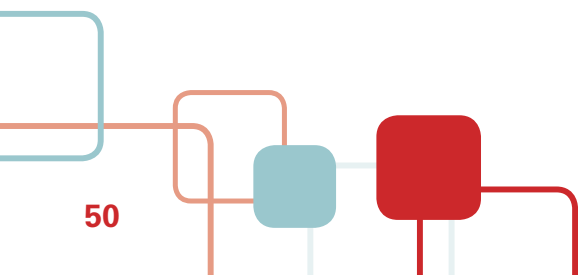
The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out within the guidelines and framework prescribed by the Institute and Faculty of Actuaries and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

### Real increase in CETV

This reflects the increase in CETV that is funded by the employer. It does not include the increase in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

Peter O'Neill  
**Accounting Officer**

Date: 1 November 2010



# Statement of Accounting Officer's Responsibilities

Under Section 7(2)(a) of Schedule 7 to the Northern Ireland Act 1998, the Secretary of State for Northern Ireland (with the consent of HM Treasury) has directed the Northern Ireland Human Rights Commission to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the Northern Ireland Human Rights Commission's state of affairs at the year-end and of its income and expenditure, changes in Taxpayers' Equity, and cash flows for the financial year.

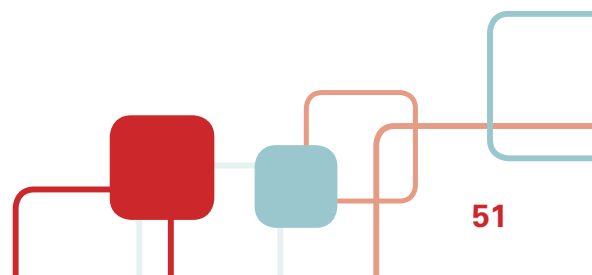
In preparing the accounts, the Accounting Officer is required to comply with the requirements of the HM Treasury's Financial Reporting Manual and, in particular, to:

- observe the Accounts Direction issued by the Secretary of State for Northern Ireland, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis
- make judgements and estimates on a reasonable basis
- state whether applicable accounting standards as set out in the HM Treasury's Financial Reporting Manual have been followed, and disclose and explain any material departures in the financial statements, and
- prepare the financial statements on a going concern basis.

The Accounting Officer of the Northern Ireland Office has designated the Chief Executive as Accounting Officer of the Northern Ireland Human Rights Commission. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Northern Ireland Human Rights Commission's assets, are set out in Managing Public Money, published by HM Treasury.

Peter O'Neill  
**Accounting Officer**

Date: 1 November 2010





# Statement on Internal Control

## Scope of responsibility

As Accounting Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of the Commission's policies, aims and objectives, as set by Commissioners, and approved by the Secretary of State for Northern Ireland, whilst safeguarding the public funds and the Commission's assets for which I am personally responsible, in accordance with the responsibilities assigned to me in Managing Public Money.

The Chief Commissioner and Commissioners have corporate responsibility for promoting the efficient and effective use of staff and other resources by the Commission, demonstrating high standards of corporate governance at all times. This role includes ensuring that they receive and review regular financial information concerning the management of the Commission, are informed in a timely manner about any concerns about the activities of the Commission, and provide assurance to the Department that appropriate action has been taken on such concerns.

The Commission is a non-departmental public body (NDPB), sponsored by the Northern Ireland Office, responsible to Parliament through the Secretary of State for Northern Ireland. As such, discussions on financial matters and risk are normally held with officials at the NIO, rather than directly with Ministers. However, the Chief Commissioner and Commissioners have access to the Secretary of State on request.

## The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Commission's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. The system of internal control has been in place in the Commission for the year ended 31 March 2010 and up to the date of approval of the annual report and accounts, and accords with Treasury guidance.

## Capacity to handle risk

The Commission's risk management framework, set out below, involves all Commissioners and staff in reviewing and assessing risk on a regular basis, so that risk is an integral part of the ongoing planning and monitoring processes of the Commission. Commissioners and staff have received training on risk management.

The Chairperson of the Commission's Audit and Risk Management Committee, who is independent of the Commission, also provides an additional source of expertise for management and Commissioners to consult on specific issues as they arise.

### The risk and control framework

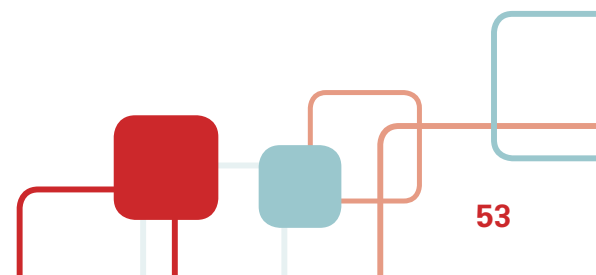
The Commission has a continuous, proactive and systematic approach to understand, manage and communicate risk across the organisation. The risk management framework is comprehensive and involves Commissioners, managers and staff as follows:

- Overall responsibility for ensuring that risks are identified and an appropriate framework is in place to manage those risks down to an acceptable level rests with the Commission's Accounting Officer.
- Individual members of the Management Team are nominated as 'risk owners', delegated with responsibility from the Chief Executive for monitoring and reporting on specific risks within their area of work.
- The risk register, and the effectiveness of activities to manage identified risks, is reviewed monthly by the Management Team.
- The Audit and Risk Management Committee, which meets every other month, reviews the entire risk register and reports to the Commission, through the Head of Corporate Services, on the effectiveness of activities to manage identified risks following each meeting.
- Standing committees of the Commission consider specific identified risks within their remit and the work being undertaken to minimise the occurrence and impact of the risks to ensure that it is effective, and report on this at each Commission meeting through the appropriate staff report.
- The Commission formally reviews the risk register and the effectiveness of the risk management framework annually.
- The external environment is assessed for any new risks as part of the annual business planning process.

Information risk is managed by the Commission within the context of the risk management framework. The Commission seeks to manage down the likelihood of the risk materialising through an Information Assurance Policy and Information and Communications Technology (ICT) policies and procedures, supported by training for staff on these.

### Review of effectiveness

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control. My review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the Commission who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports. I have been advised on the implications of the result of my review of the effectiveness of the system of internal control by the Commission (the board), the Audit and Risk Management Committee and a plan to address weaknesses and ensure continuous improvement of the system is in place.



The Audit and Risk Management Committee comprises an independent Chairperson, who has extensive financial management experience at a senior level in the public sector, who was appointed following an open recruitment competition, and up to five Commissioners with a range of experience in corporate governance. Audit and Risk Management Committee minutes are tabled at Commission meetings and the Committee reports annually to the Commission. Further, the Chairperson has direct access to the Chief Executive and Chief Commissioner as appropriate.

The Audit and Risk Management Committee reviews its effectiveness by assessing its operation and constitution against good practice guidelines issued by the National Audit Office. It also benchmarks itself against practice in sister organisations, through discussions between the Chair of the Audit and Risk Management Committee and his counterparts. In 2009-10, the Committee benchmarked itself against its equivalent in the Northern Ireland Legal Services Commission. The Chairperson also established liaison arrangements with his counterpart in the Northern Ireland Office, the Commission's sponsoring department.

An annual Learning and Development Plan is agreed for the Audit and Risk Management Committee each year to help ensure that Committee members have the knowledge and skills to perform their role effectively and maintain a focus on continuous improvement.

The Audit and Risk Management Committee reviews the effectiveness of the Commission's internal control mechanisms, including receiving and approving internal audit plans and reports, approving the Commission's Financial Procedures Manual and significant changes to it, overseeing the risk management framework and reporting to the Commission on the effectiveness of activities to manage the occurrence or impact of identified risks. The Committee also reviews all international travel undertaken by Commissioners and staff, expenses claims submitted by the Chief Commissioner and the Chief Executive, and purchases over £1,000, with a particular focus on any contracts let by single tender action.

The Commission's Strategic Internal Audit Plan covers the period 2008-11. This focuses audit activity on areas of greatest risk, and provides comprehensive assurance of the effectiveness of our system of internal control. The most recent audit took place in October 2009 and covered:

- high level financial review
- payroll, pensions and travel expenses, and
- Legal Services

It also followed up on recommendations arising from the previous internal audit that took place in 2008.

The internal audit concluded that the overall level of control within the Commission is satisfactory, and identified areas for further improvement, for which an action plan was agreed by the Commission's Audit and Risk Management Committee – progress in implementing the action plan is reported to each Committee meeting.

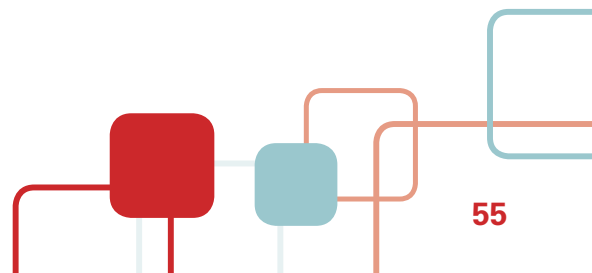
Commissioners receive bi-monthly reports on financial performance and audit activity, and regular updates on the risk register. The recent internal audit awarded a substantial assurance rating to the financial and management information provided.

### **Significant internal control issues**

There are no significant internal control issues within the Commission at present.

Peter O'Neill  
**Accounting Officer**

Date: 1 November 2010



# The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament

I certify that I have audited the financial statements of the Northern Ireland Human Rights Commission for the year ended 31 March 2010 under the Northern Ireland Act 1998. These comprise the Net Expenditure Account, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

## Respective responsibilities of the Accounting Officer and auditor

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. My responsibility is to audit the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require me and my staff to comply with the Auditing Practices Board's Ethical Standards for Auditors.

## Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the Northern Ireland Human Rights Commission's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Northern Ireland Human Rights Commission; and the overall presentation of the financial statements.

In addition, I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income reported in the financial statements have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

## Opinion on regularity

In my opinion, in all material respects the expenditure and income have been applied to the purposes intended by Parliament and the financial transactions conform to the authorities which govern them.

## Opinion on financial statements

In my opinion:

- the financial statements give a true and fair view, of the state of the Northern Ireland Human Rights Commission's affairs as at 31 March 2010 and of its net expenditure, changes in taxpayers' equity and cash flows for the year then ended; and
- the financial statements have been properly prepared in accordance the Northern Ireland Act 1998 and the directions made thereunder by the Secretary of State for Northern Ireland.

## Opinion on other matters

In my opinion:

- the part of the Remuneration Report to be audited has been properly prepared in accordance with HM Treasury directions made under Northern Ireland Act 1998; and
- the information given in the Management Commentary for the financial year for which the financial statements are prepared is consistent with the financial statements.

## Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements are not in agreement with the accounting records or returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Statement on Internal Control does not reflect compliance with HM Treasury's guidance.

## Report

I have no observations to make on these financial statements.

**Amyas C E Morse**  
**Comptroller and Auditor General**  
**National Audit Office**  
**157-197 Buckingham Palace Road**  
**Victoria**  
**London**  
**SW1W 9SP**

Date: 29 November 2010



# Financial Statements for the Year Ended 31 March 2010

## Net expenditure account for the year ended 31 March 2010

	Notes	2010 £	2009 Restated £
<b>Expenditure</b>			
Staff costs	4	1,052,447	1,037,673
Other operating costs	5	682,728	650,400
Depreciation	5	32,428	47,810
Cost of capital	5	4,803	6,931
Net downward revaluation	5	22,905	—
<b>Total expenditure</b>		<b>1,795,311</b>	<b>1,742,814</b>
<b>Income</b>			
Operating income	6	91,915	6,000
<b>Total income</b>	6	<b>91,915</b>	<b>6,000</b>
<b>Net expenditure</b>		<b>(1,703,396)</b>	<b>(1,736,814)</b>
Cost of capital	5	4,803	6,931
Interest payable	1.8	(93)	—
<b>Net expenditure after cost after cost of capital charge and interest</b>		<b>(1,698,686)</b>	<b>(1,729,883)</b>

All amounts above relate to continuing activities.

The notes on pages 62 to 75 form part of the financial statements.

## Statement of financial position as at 31 March 2010

	Notes	2010		2009 Restated		2008 Restated	
		£	£	£	£	£	£
<b>Non-current assets:</b>							
Property, plant and equipment	7		237,928		282,158		294,958
<b>Total non-current assets</b>			237,928		282,158		294,958
<b>Current assets:</b>							
Trade and other receivables	9	42,841		22,383		44,947	
Cash and cash equivalents	10	355,709		209,899		259,253	
<b>Total current assets</b>			398,550		232,282		304,200
<b>Total assets</b>			636,478		514,440		599,158
<b>Current liabilities:</b>							
Trade and other payables	11		(522,402)		(350,910)		(362,290)
<b>Total current liabilities</b>			(522,402)		(350,910)		(362,290)
<b>Non-current assets less net current liabilities</b>			114,076		163,530		236,868
<b>Non-current liabilities:</b>							
Other payables	11		(1,227)		(1,900)		(2,550)
<b>Assets less liabilities</b>			<b>112,849</b>		<b>161,630</b>		<b>234,318</b>
<b>Taxpayers Equity</b>							
Revaluation reserve			—		7,095		—
General reserve			112,849		154,535		234,318
			<b>112,849</b>		<b>161,630</b>		<b>234,318</b>

The financial statements were approved by the Commission on 30 June 2010 and were signed on its behalf by:

**Peter O'Neill**

Accounting Officer

Date: 1 November 2010

The notes on pages 62 to 75 form part of the financial statements.

## Statement of cash flows for the year ended 31 March 2010

	Notes	2010 £	2009 Restated £
<b>Cash flows from operating activities</b>			
Net expenditure after cost of capital and interest		(1,698,686)	(1,729,883)
(Increase)/decrease in trade and other receivables	9	(20,458)	22,564
<i>Less movements in receivables relating to items not passing through the net expenditure account</i>			
Increase/(decrease) in trade payables	11	170,819	(12,030)
Depreciation	5	32,428	47,810
Net downward revaluation	5	22,905	—
Net cash outflow from operating activities		<b>(1,492,992)</b>	<b>(1,671,539)</b>
<b>Cash flows from investment activities</b>			
Purchase of property, plant and equipment	7	(18,198)	(27,815)
Net cash outflow from investment activities		<b>(18,198)</b>	<b>(27,815)</b>
<b>Cash flows from financing activities</b>			
Net cash outflow from financing activities		1,657,000	1,650,000
		<b>1,657,000</b>	<b>1,650,000</b>
<b>Net increase/(decrease) in cash and cash equivalents in the period</b>	10	145,810	(49,354)
<b>Cash and cash equivalents at the beginning of the period</b>	10	<b>209,899</b>	<b>259,253</b>
<b>Cash and cash equivalents at the end of the period</b>	10	<b>355,709</b>	<b>209,899</b>

The notes on pages 62 to 75 form part of the financial statements.

## Statement of changes in taxpayers' equity for the year ended 31 March 2010

	Notes	Revaluation Reserve £	General reserve £	Total reserves £
<b>Balance at 31 March 08</b>	<b>2</b>	–	<b>280,033</b>	<b>280,033</b>
Effect of changes under International Financial Reporting Standards	<b>2</b>	–	<b>(45,615)</b>	<b>(45,615)</b>
Restated balance at 1 April 08	<b>2</b>	–	<b>234,418</b>	<b>234,418</b>
<b>Changes in taxpayers' equity 2008-09</b>				
Release of reserves to net expenditure account		–	(1,736,814)	(1,736,814)
Non-cash charges – cost of capital	<b>5</b>	–	6,931	6,931
Revaluation of leasehold improvements	<b>5</b>	7,095	–	7,095
<b>Total recognised income and expense for 2008-09</b>	<b>2</b>	<b>7,095</b>	<b>(1,729,883)</b>	<b>(1,722,788)</b>
Grants from NIO	<b>1.5</b>	–	<b>1,650,000</b>	<b>1,650,000</b>
<b>Balance at 31 March 2009</b>	<b>2</b>	<b>7,095</b>	<b>154,535</b>	<b>161,630</b>
<b>Changes in taxpayers' equity for 2009-10</b>				
Release of reserves to net expenditure account		–	(1,703,396)	(1,703,396)
Non-cash charges – cost of capital	<b>5</b>	–	4,803	4,803
Revaluation of leasehold improvements	<b>5</b>	(7,095)	–	(7,095)
Interest payable	<b>1.8</b>	–	(93)	(93)
<b>Total recognised income and expense for 2009-10</b>		<b>(7,095)</b>	<b>(1,698,686)</b>	<b>(1,705,781)</b>
Grants from NIO		–	<b>1,657,000</b>	<b>1,657,000</b>
<b>Balance at 31 March 2010</b>		–	<b>112,849</b>	<b>112,849</b>

The notes on pages 62 to 75 form part of the financial statements.

## Notes to the financial statements for the year ended 31 March 2010

### 1. Statement of accounting policies

The financial statements have been prepared in accordance with the Government Financial Reporting Manual (FReM) for 2009-10, issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS), as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Northern Ireland Human Rights Commission for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Northern Ireland Human Rights Commission for the year ending 31 March 2010 are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

#### 1.1 Accounting convention

The financial statements have been prepared in accordance with the historical cost convention.

The accounts comply with the accounting standards issued or adopted by the Accounting Standards Board, FReM and accounting and disclosure requirements issued by HM Treasury, insofar as those requirements are appropriate.

#### 1.2 Critical accounting estimates and key judgements

The preparation of financial statements in conformity with IFRS requires the use of accounting estimates and assumptions. It also requires the Commission to exercise judgement in the process of applying the accounting policies. We continually evaluate our estimates, assumptions and judgements based on available information and experience. As the use of estimates is inherent in financial reporting, actual results could differ from these estimates. The estimates and assumptions which have the most significant risk of causing a material adjustment to the carrying amounts of assets and liabilities are discussed below.

##### (i) Depreciation of property, plant and equipment

Depreciation is provided in the accounts so as to write-down the respective assets to their residual values over their expected useful lives and as such the selection of the estimated useful lives and the expected residual values of the assets requires the use of estimates and judgements. Details of the estimated useful lives are as shown in Note 1.6.

##### (ii) Impairment of property, plant and equipment

Where there is an indication that the carrying value of items of property, plant and equipment may have been impaired through events or changes in circumstances, a review will be undertaken of the recoverable amount of that asset.

### 1.3 Accounting standards, interpretations and amendments to published standards adopted in the year ended 31 March 2010

The Commission has reviewed the standards, interpretations and amendments to published standards that became effective during 2009-10 and which are relevant to its operations. The Commission considers that the adoption of these standards has not had a significant impact on its results or financial position.

### 1.4 Accounting standards, interpretations and amendments to published standards not yet effective

Certain new standards, interpretations and amendments to existing standards have been published that are mandatory for the Commission's accounting periods beginning on or after 1 April 2010, or later periods, but which the Commission has not adopted early. The Commission does not anticipate that the adoption of these standards will have a material impact on the Commission's accounts in the period of initial application.

### 1.5 Income

Revenue grant-in-aid represents funding from the Northern Ireland Office to fund the Commission's current expenditure and, in accordance with the FReM, is credited to the General Reserve.

Other income is received from contributions to joint research and other projects, and delegate fees in respect of conferences and events, and is credited to the Net Expenditure Account as Operating Income.

### 1.6 Property, plant and equipment and depreciation

Property plant and equipment comprises leasehold improvements to Temple Court, fixtures and fittings and information technology equipment.

Items of property, plant and equipment are capitalised if they are intended for use on a continuous basis and their individual original purchase cost is £1,000 or more. Items with an individual cost of less than £1,000 but, when taken together, represent a significant investment will be grouped.

Leasehold improvement expenditure has been capitalised and is restated at current cost using professional valuations. Valuations are carried out annually using indices compiled by the Office for National Statistics, and every third year by professional external valuers employed by the Land and Property Services (Valuations) in accordance with the Appraisal and Valuation Manual prepared and published by the Royal Institution of Chartered Surveyors, as at 31st March. The unexpired term in respect of the lease for the Commission's offices at Temple Court, 39 North Street, Belfast, BT1 1NA is 5 years.

Any surplus/loss on revaluation is treated as follows:

- Unrealised surplus arising from revaluation of property, plant and equipment is credited to the Revaluation Reserve unless it reverses a revaluation decrease of the same asset previously charged to the Net Expenditure Account;



- Losses arising from the revaluation of property, plant and equipment are debited to the Revaluation Reserve to the extent that gains were recorded previously, and otherwise to the Net Expenditure Account.

All property, plant and equipment is reviewed annually for impairment.

All other property, plant and equipment is valued on the basis of historical cost less depreciation as an approximation of fair value due to short life or low value of the individual assets.

Depreciation is provided on a straight line basis at rates calculated to write-off the cost less estimated residual value of each asset over its expected useful life. The estimated useful lives for depreciation purposes are:

Leasehold improvements	10 years (or the life of the lease, whichever is least)
Computer equipment	3 years
Fixtures, fittings and equipment	5 years

### 1.7 Operating leases

Rentals payable under operating leases are charged against the net expenditure account on a straight line basis over the lease term.

### 1.8 Finance leases

Finance leases are valued using the net present value of future lease payments using real rate of interest set by HM Treasury (currently 3.5 per cent).

### 1.9 Pensions

Past and present employees are covered by the provisions of the Principal Civil Service Pension Schemes (PCSPS) which are described in Note 4. The defined benefit schemes are unfunded and are non-contributory except in respect of dependants' benefits. The Commission recognises the expected cost of these elements on a systematic and rational basis over the period during which it benefits from employees' services by payment to the PCSPS of amounts calculated on an accruing basis. Liability for payment of future benefits is a charge on the PCSPS. In respect of the defined contribution schemes, the Commission recognises the contributions payable for the year.

Separate arrangements are in place for the Chief Commissioner's pension scheme, which is not part of the PCSPS.

### 1.10 Value Added Tax

The Commission is ineligible to reclaim input VAT on expenditure. Therefore, all expenditure is inclusive of VAT.

### 1.11 Legal casework expenditure

Section 70 of the Northern Ireland Act 1998 enables the Commission to support legal cases in relation to the protection of human rights. Some of these cases can span several years.

In some cases, costs are recoverable from the respondent if the applicant is successful. Given this, while the Commission decides to support cases, contingent on the outcome, payments are not normally made until judgment is passed, and the judge decides on a cost order (i.e. whether the 'losing' side should pay all costs or each side should bear their own costs). Given that a criterion for Commission support is whether a case has a 'reasonable chance of success', it does not expect to incur costs in many cases. However, cases can be lost. In these cases, it is possible that the applicant could be asked to pay the respondent's costs. Where this happens, the Commission may pay these costs on behalf of the applicant. Any such potential liabilities are noted in the financial statements as contingent liabilities. There are currently no such liabilities.

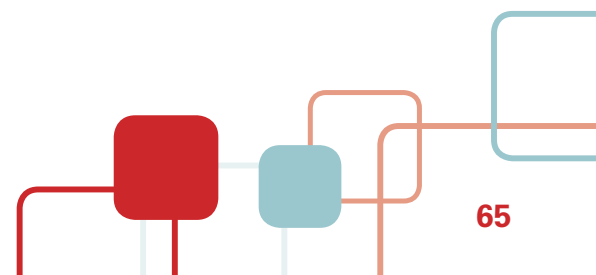
### 1.12 Capital charge

A charge, reflecting the cost of capital utilised by the Commission, is included in the Net Expenditure Account. The charge is calculated at the real rate set by HM Treasury (currently 3.5 per cent) on the average carrying amount of all assets less liabilities, except for property, plant and equipment where the cost of capital charge is based on opening values, adjusted pro rata for in-year:

- additions at cost
- disposals as valued in the opening statement of financial position (plus any subsequent capital expenditure prior to disposal)
- impairments at the amount of the reduction of the opening statement of financial position value (plus any subsequent capital expenditure), and
- depreciation of property, plant and equipment.

### 1.13 Staff costs

Under IAS19 Employee Benefits legislation, all staff costs must be recorded as an expense as soon as the Commission is obligated to pay them. This includes the cost of any untaken leave as at the year-end.



## 2. First-time adoption of IFRS

### Reconciliation of UK GAAP reported taxpayers' equity to IFRS at the end of UK GAAP reporting period 31 March 2008

	General Fund £	Total Reserves £
Taxpayers' equity at 31 March 2008	280,033	280,033
Adjustments for:		
IAS 16 – Property, plant and Equipment	(21,476)	(21,476)
IAS 17 – Leases	(137)	(137)
IAS 19 – Employee benefits	(24,002)	(24,002)
Taxpayers' equity at 1 April 2009	234,418	234,418

### Reconciliation of UK GAAP reported taxpayers' equity to IFRS at the end of final UK GAAP reporting period 31 March 2009

	Revaluation Reserve £	General Fund £	Total Reserves £
Taxpayers' equity at 31 March 2009	–	177,635	177,635
Adjustments for:			
IAS 16 – Property, plant and Equipment	7,095	9,517	16,612
IAS 17 – Leases	–	(53)	(53)
IAS 19 – Employee benefits	–	(32,564)	(32,564)
Taxpayers' equity at 1 April 2009	7,095	154,535	161,630

### Reconciliation of UK GAAP reported net expenditure to IFRS for year ended 31 March 200

	£
Net expenditure for 2008-09 under UK GAAP	(1,752,398)
Adjustments for:	
IAS 16 – Property, plant and Equipment	30,993
IAS 17 – Leases	84
IAS 19 – Employee benefits	(8,562)
Net expenditure for 2008-09 under IFRS	(1,729,883)

### 3. Analysis of net expenditure by segment

In line with the provisions of IFRS 8, Operating Segments, the Commission does not analyse its net expenditure by operating segment as it has concluded that it has no separately identifiable operating segments. This conclusion is based on the Commission's current system / format of internal management reporting to the Board, which considers financial performance at whole organisation level.

### 4. Staff numbers and related costs

	2009-10 total £	Commissioners £	Permanently employed staff £	Others £	Restated 2008-09 total £
Wages and salaries	868,530	162,868	598,150	107,512	846,560
Social security costs	65,374	13,736	44,771	6,867	65,175
Other pension costs	118,543	10,253	104,553	3,737	125,938
Total net costs	1,052,447	186,857	747,474	118,116	1,037,673

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but the Commission is unable to identify its share of the underlying assets and liabilities. The scheme actuary valued the scheme as at 31 March 2007. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation at: [www.civilservice-pensions.gov.uk](http://www.civilservice-pensions.gov.uk).

For 2009-10, employers' contributions of £106,705 were payable to the PCSPS (2008-09: £115,548) at one of four rates in the range 16.7 per cent to 24.3 per cent of pensionable pay, based on salary bands. The scheme's Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2009-10 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contributions of £887 were paid to one or more of the panel of three appointed stakeholder pension providers (2008-09: £1,021). Employer contributions are age-related and range from 3 per cent to 12.5 per cent of pensionable pay. Employers also match employee contributions up to 3 per cent of pensionable pay. In addition, employer contributions of £54, 0.8 per cent of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill-health retirement of these employees (2008-09: £53).

Contributions due to the partnership pension providers at the reporting date were £644 (2008-09: £nil). Contributions prepaid at that date were £nil (2008-09: £nil).

No person retired early on ill-health grounds during 2009-10.

Average number of persons employed

The average number of whole-time equivalent persons employed during the year was as follows:

	2009-10 total	Permanently employed staff	Others	2008-09 total
Directly employed	23.0	20.0	3.0	24.0
Other	1.5	–	1.5	0.5
Total	24.5	20.0	4.5	24.5

## 5. Other expenditure

	2010 Restated £	2009 £
Accountancy fees	3,995	4,025
Advertising, publicity and publications	37,777	33,016
Auditors (NAO) remuneration	10,800	7,000
Bill of Rights	75,551	58,931
Building maintenance and expenses	27,805	27,309
Conferences and seminars	10,678	7,505
Consultancy	3,135	24,826
Education	1,529	2,754
Insurance	7,217	8,112
Internal audit	6,790	9,102
Investigations	880	18,537
IT	32,553	15,797
Joint Committee	10,500	—
Legal casework (realised contingencies)	—	1,565
Legal casework (non-recoverable)	135,341	111,068
Light and heat	21,987	24,305
Rentals under operating leases	101,831	106,314
Other expenses	1,108	2,324
Printing, postage and stationery	26,190	26,806
Professional fees	33,838	19,405
Rates	45,102	45,515
Staff training and recruitment	21,590	20,125
Telephone	11,308	12,700
Travel, subsistence and hospitality	39,659	63,359
UN Convention on the Rights of Persons with Disabilities	15,564	—
	682,728	650,400
<b>Non-Cash Items:</b>		
Depreciation	65,761	69,286
Depreciation Adjustment	(33,333)	(28,571)
Revaluation Reserve	—	7,095
Net Depreciation	32,428	47,810
Cost of capital	4,803	6,931
Downward revaluation	30,000	
Revaluation Reserve movement in Reserve	(7,095)	
Net downward revaluation	22,905	—
	742,864	705,141



## 6. Income

Operating income received during 2009-10 is £91,915 (2008-09: £6,000). Of this, £15,564 was received from the Office for Disability Issues for work with the Equality Commission for Northern Ireland to develop the independent monitoring mechanism under Article 33 of the UN Convention on the Rights of Persons with Disabilities, and £76,351 relates to funding received from The Atlantic Philanthropies for a programme of work on the Bill of Rights.

## 7. Property, plant and equipment

	<b>Buildings</b>	<b>Information technology</b>	<b>Furniture &amp; fittings</b>	<b>Total Restated</b>
	£	£	£	£
<b>Cost or valuation:</b>				
At 1 April 2009	200,000	126,674	198,128	524,802
Additions	–	16,088	2,110	18,198
Revaluation	(30,000)	–	–	(30,000)
At 31 March 2010	170,000	142,762	200,238	513,000
<b>Depreciation:</b>				
At 1 April 2009	–	107,538	135,106	242,644
Charged in year	33,333	8,492	23,936	65,761
Depreciation adjustment	(33,333)	–	–	(33,333)
At 31 March 2010	–	116,030	159,042	275,072
Net book value at 31 March 2009	170,000	26,732	41,196	237,928
Net book value at 31 March 2009	200,000	19,136	63,022	282,158
<b>Asset financing:</b>				
Owned	170,000	26,732	39,275	236,007
Finance leased	–	–	1,921	1,921
Net book value at 31 March 2010	170,000	26,732	41,196	237,928

	Buildings £	Information technology £	Furniture & fittings £	Total Restated £
<b>Cost or valuation:</b>				
At 1 April 2008	200,100	110,930	196,677	507,707
Additions	(100)	15,744	12,171	27,815
Disposals	–	–	(10,720)	(10,720)
At 31 March 2009	200,000	126,674	198,128	524,802
<b>Depreciation:</b>				
At 1 April 2008	–	91,628	121,021	212,649
Charged in year	28,571	15,910	24,805	69,286
Depreciation Adjustment	(28,571)	–	–	(28,571)
Disposals	–	–	(10,720)	(10,720)
At 31 March 2009	–	107,538	135,106	242,644
Net book value at 31 March 2009	200,000	19,136	63,022	282,158
Net book value at 31 March 2008	200,000	19,302	75,656	294,958
<b>Asset financing:</b>				
Owned	200,000	19,136	60,409	279,545
Finance leased	–	–	2,613	2,613
Net book value at 31 March 2009	200,000	19,136	63,022	282,158

## 8. Financial instruments

As the cash requirements of the Commission are met through grant-in-aid provided by the Northern Ireland Office, financial instruments play a more limited role in creating and managing risk than would apply to a non-public sector body. The majority of financial instruments relate to contracts to buy non-financial items in line with the Commission's expected purchase and usage requirements and the Commission is therefore exposed to little credit, liquidity or market risk.

The Commission has no powers to borrow or invest surplus funds and has limited year-end flexibility. Financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks facing the Commission in undertaking activities.

## Liquidity risk

The Commission is financed by grant-in-aid from the Northern Ireland Office and is accountable to Parliament through the Secretary of State for Northern Ireland and is not therefore exposed to significant liquidity risk. No changes have been implemented as part of devolution of policing and justice. The Northern Ireland Office will continue to be our sponsor department for the foreseeable future.

## Interest rate risk

All financial assets and financial liabilities of the Commission carry nil rates of interest and therefore are not exposed to interest rate risk.

## Currency risk

The Commission does not trade in foreign currency and therefore has no exposure to foreign currency risk.

## Fair values

The book value and fair value of the Commission's financial assets and financial liabilities as at 31 March 2010 are set out below:

### Primary financial instruments:

	Book value £	Fair value £
<b>Financial assets</b>		
Cash and cash equivalents	355,709	355,709

## 9. Trade receivables and other current assets

	2009-10 £	2008-09 £	2007-08 £
<b>Amounts falling due within one year:</b>			
Trade receivables	16,118	921	3,500
Prepayments and accrued income	26,723	21,462	41,447
	<b>42,841</b>	<b>22,383</b>	<b>44,947</b>

## 10. Cash and cash equivalents

	2009-10 £	2008-09 £	2007-08 £
<b>Balance at 1 April</b>	209,899	259,253	204,388
Net change in cash and cash equivalent balances	145,810	(49,354)	54,865
<b>Balance at 31 March</b>	<b>355,709</b>	<b>209,899</b>	<b>259,253</b>
The following balances at 31 March were held at:			
Commercial banks and cash in hand	355,709	209,899	259,253
<b>Balance at 31 March</b>	<b>355,709</b>	<b>209,899</b>	<b>259,253</b>

## 11. Trade payables and other current liabilities

	2009-10 £	2008-09 Restated £	2007-08 Restated £
<b>Amounts falling due within one year:</b>			
Other taxation and social security	24,978	26,563	22,100
Trade payables	57,586	58,939	19,139
Other payables	6,204	3,259	1,423
Accruals	399,219	261,383	317,051
Deferred income	33,649	—	—
Current part of finance leases	766	766	2,577
	<b>522,402</b>	<b>350,910</b>	<b>362,290</b>
<b>Amounts falling due after more than one year:</b>			
Finance leases	1,227	1,900	2,550
	<b>1,227</b>	<b>1,900</b>	<b>2,550</b>

## 12. Commitments under leases

### 12.1 Operating leases

Total future minimum lease payments under operating leases are given in the table below for each of the following periods.

	2009-10 £	2008-09 £	2007-08 £
<b>Buildings:</b>			
Not later than one year	101,638	99,475	101,638
Later than one year and not later than five years	406,550	406,550	406,550
Later than five years	—	101,638	203,276
	508,188	607,663	711,464
<b>Other:</b>			
Not later than one year	2,318	2,281	—
Later than one year and not later than five years	1,160	3,478	—
	3,478	5,759	—

### 12.2 Finance leases

Total future minimum lease payments under finance leases, which all relate to photocopiers, are given in the table below for each of the following periods.

	2009-10 £	2008-09 £	2007-08 £
<b>Other:</b>			
Not later than one year	766	766	2,577
Later than one year and not later than five years	1,341	2,107	3,437
Later than five years	—	—	—
	2,107	2,873	6,014
Less interest element	(114)	(207)	(887)
	1,993	2,666	5,127

### **13. Contingent liabilities disclosed under IAS 37**

The Commission has no contingent liabilities.

### **14. Capital commitments**

The Northern Ireland Human Rights Commission does not have any capital commitments.

### **15. Related-party transactions**

The Commission is a non-departmental public body sponsored by the Northern Ireland Office (NIO). The NIO is regarded as a related party. During the year the Commission had various transactions with NIO, associated with the receipt of grant-in-aid.

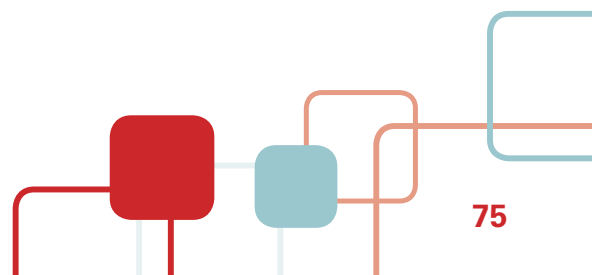
None of the Commissioners, senior management or other related parties has undertaken any material transactions with the Commission during the year.

### **16. Post-balance sheet events**

There have been no significant events since the end of the financial year which would affect the results for the year or assets and liabilities at the year-end.

While policing and justice powers were devolved to the Northern Ireland Assembly on 12 April 2010, this did not impact on the Commission, which remains under the control of the Secretary of State for Northern Ireland.

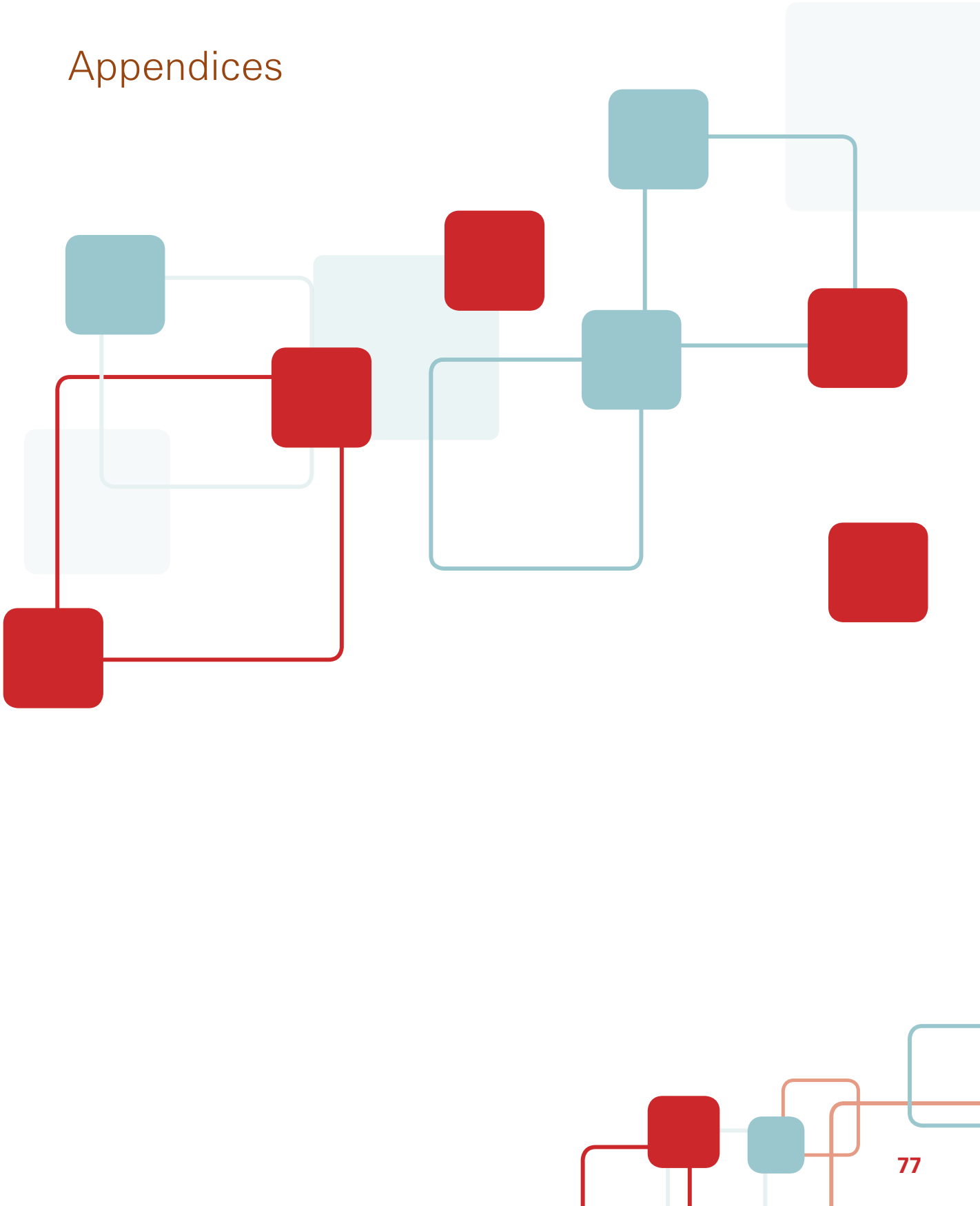
The Annual Report and Accounts are authorised for issue on the same date as the Comptroller and Auditor General signed the audit certificate.







Appendices



## Appendix 1: Commissioners' Meetings

The Commission met 16 times during the year, constituted either as the Commission to progress matters of corporate governance and other business, or as a Policy Committee.

The following served as Commissioners during 2009-10:

	<b>Meetings attended</b>
Professor Monica McWilliams	16
Mr Jonathan Bell (resigned with effect from 21 January 2010)	12
Mr Tom Duncan	13
Professor Colin Harvey	11
Mr Alan Henry OBE	13
Ms Ann Hope	16
Mr Colm Larkin	15
Mr Eamonn O'Neill	14
Ms Geraldine Rice MBE	10
Lady Daphne Trimble (resigned with effect from 25 February 2010)	13

In keeping with the our commitment to hold two meetings outside Belfast each year to meet local political representatives and members of voluntary and community groups, the Commission meetings held on 21 September 2009 and 22 March 2010 took place in Coleraine and Strabane respectively.

## Appendix 2: The Commission's Committees

### **Audit and Risk Management Committee** (met seven times)

Members: Dr Bill Smith (Independent Chairperson)  
Mr Alan Henry OBE  
Ms Ann Hope  
Mr Eamonn O'Neill  
Ms Geraldine Rice MBE  
Lady Daphne Trimble (until 25 February 2010)

### **Bill of Rights Committee** (met nine times)

Members: Ms Ann Hope (Chairperson)  
Mr Jonathan Bell (from 14 December 2009 until 21 January 2010)  
Mr Tom Duncan  
Professor Colin Harvey  
Mr Alan Henry OBE  
Mr Colm Larkin  
Professor Monica McWilliams  
Mr Eamonn O'Neill  
Ms Geraldine Rice MBE  
Lady Daphne Trimble (from 14 December 2009 until 25 February 2010)

### **Detention, Policing and Justice Committee** (met six times)

Members: Mr Eamonn O'Neill (Chairperson)  
Mr Jonathan Bell (from 21 September 2009 until 21 January 2010)  
Mr Tom Duncan  
Mr Alan Henry OBE  
Ms Ann Hope (from 22 March 2010)  
Professor Monica McWilliams  
Ms Geraldine Rice MBE

### **Economic, Social and Cultural Rights Committee** (met five times)

Members: Lady Daphne Trimble (Chairperson until 25 February 2010)  
Professor Colin Harvey (Chairperson from 22 March 2010)  
Mr Jonathan Bell (until 21 January 2010)  
Mr Tom Duncan (from 22 March 2010)  
Ms Ann Hope (until 22 March 2010)  
Mr Colm Larkin (from 25 January 2010)  
Professor Monica McWilliams  
Ms Geraldine Rice MBE (until 6 July 2009)

### **Equality Committee** (met three times)

Members: Ms Ann Hope (Chairperson until 23 November 2009)  
Ms Geraldine Rice MBE (Chairperson from 23 November 2009)  
Mr Jonathan Bell (until 21 January 2010)  
Professor Colin Harvey (until 21 September 2009)  
Mr Alan Henry OBE  
Professor Monica McWilliams  
Mr Eamonn O'Neill (from 22 March 2010)

### **Legal Committee** (met eight times)

Members: Mr Alan Henry OBE (Chairperson)  
Mr Tom Duncan  
Professor Colin Harvey  
Ms Ann Hope  
Mr Colm Larkin (until 25 January 2010)  
Professor Monica McWilliams  
Ms Geraldine Rice MBE  
Lady Daphne Trimble (until 25 February 2010)

In addition to formal committees, the Commission also establishes working groups to progress specific projects. A Moderating Panel was formed to oversee the performance assessment of the Chief Executive and administration of the Commission's staff bonus scheme, which is part of our performance-related pay arrangements.

## Appendix 3: The Commission's Staff

Róisín Carlin	Administrative Officer (Finance / Personnel)
Charlene Craig	Information and Publications Worker
Roisin Devlin	Investigations Worker
Nadia Downing	Information Worker
Rebecca Dudley	Policy Worker (until 30 June 2009)
Louise Furber	Administrative Officer (Reception)
Lorraine Hamill	Finance Supervisor
Grace Hamilton	Executive Assistant (until 31 July 2009)
Mairead Hegarty	Caseworker
Daniel Holder	Policy Worker
Ann Jemphrey	Policy Worker
Khara Khan-Glackin	Caseworker (from 1 October 2009)
Nazia Latif	Research and Investigations Worker
Don Leeson	Head of Corporate Services
Angela Lloyd-Stevens	Caseworker
Deirdre McAliskey	Education Worker
Sorcha McKenna	Investigations Worker
Gemma McKeown	Caseworker (until 30 June 2009)
Virginia McVea	Caseworker / Investigations Worker (until 31 July 2009)
Brenda Madden	Acting Research Assistant (until 30 June 2009)
	Administrative Officer (from 1 July 2009)
	Acting Policy Assistant (from 1 September 2009)
Rebecca Magee	Administrative Officer (until 31 July 2009)
	Executive Assistant (from 1 August 2009)
Denise Magill	Research Worker
	(on career break from 1 January 2010)
Claire Martin	Press and Public Affairs Worker
Gillian Neill	Housekeeper
Ciarán Ó Maoláin	Head of Legal Services, Policy and Research
Peter O'Neill	Chief Executive
Grace O'Sullivan	Administrative Officer
	(from 21 September 2009 until 18 March 2010)
Bernadette Rooney	Acting Legal Assistant
David Russell	Head of Communications and Education
Miriam Titterton	Development Worker
Una Woods	Administrative Officer
	(from 21 September 2009 until 20 November 2009)



Interns

Bronagh McCrudden  
Kathryn McNeilly                      Queen’s University, Belfast

Work experience

John Faloon                              Aquinas Grammar School, Belfast  
Grahame Gaw                          Orchardville Society  
Thomas McKenna                      St Mary’s Grammar School, Magherafelt

## Appendix 4: Consultation Responses and other Policy Advice

### **April 2009**

Policing and Crime Bill: Submission to the Home Office

Fifth Periodic Report of the UK under ICESCR: Parallel Report to the UN Committee on Economic, Cultural and Social Rights

Transfer 2010 Guidance: Submission to the Department of Education

UN Disability Convention: Briefing to the House of Lords Grand Committee

School Transport: Advice to the Department of Education on Irish-medium education

### **May 2009**

Coroners and Justice Bill: Briefing to the House of Lords, second reading

Borders, Citizenship and Immigration Bill: Briefing to the House of Commons, second reading

### **June 2009**

Together We Can End Violence against Women and Girls: Submission to the Home Office

Draft Strategy for the Management of Women Offenders: Response to the Northern Ireland Office

Housing (Amendment) Bill: Submission (letter) to the Minister for Social Development

Report of the Consultative Group on the Past (Eames/Bradley): Submissions to the Northern Ireland Office, Northern Ireland Affairs Committee

Northern Ireland Inputs to Treaty Reporting: Submission to the Office of the First Minister and deputy First Minister

Inquiries Act and 'secret' inquests: Submission to the Northern Ireland Office

### **July 2009**

Draft Planning Policy Statement 21: Submission to the Department of Environment

Review of NIHRC Powers under the Justice and Security (NI) Act 2007: Submission (letter) to the Secretary of State

Rights and Responsibilities Green Paper: Submission to the Joint Committee on Human Rights

Keeping the Right People on the DNA Database: Submission to the Home Office

A Bill of Rights for the UK: Evidence to the Joint Committee on Human Rights

### August 2009

DNA Database: Submission to the Council of Europe Committee of Ministers

Presumption of Death Bill: Submissions to the Northern Ireland Courts Service and the Committee for Finance and Personnel

Private Member's Bill on Dual Mandates: Advice to Sponsor

### September 2009

Concluding Observations on the UK Examination under the ICCPR: Submission (letter) to the UN Human Rights Committee on Civil and Political Rights

Proposed Amendments to Prison Rules: Submission to the Northern Ireland Prison Service

European Charter for Regional or Minority Languages, Third Periodical Report of the UK: Parallel Report to the Committee of Experts

Consultative Group on the Past: Submission to the Northern Ireland Office

Housing (Amendment) Bill: Oral evidence to the Committee for Social Development

Housing (Amendment) Bill: Further evidence (letter) to the Committee for Social Development

Common Travel Area: Submission to the Home Office

Prosecuting Hate Crime: Response to the Public Prosecution Service

### October 2009

Reform of the Planning System in Northern Ireland: Submission to the Department of Environment

Draft Family Strategy 2009-2014: Response to the Northern Ireland Prison Service

Supervised Activity Orders: Submission to the Northern Ireland Office

Earning the Right to Stay: A New Points Test for Citizenship: Response to the Home Office

European Charter for Regional or Minority Languages: Supplementary memorandum to the Committee of Experts

Draft Legislative Programme: Evidence to the Joint Committee on Human Rights

Victims and Survivors Service: Submission to the Office of the First Minister and deputy First Minister

## **November 2009**

Gender Specific Standards for Working with Women Prisoners: Submission to the Northern Ireland Prison Service

Draft Caravans Bill: Advice to sponsor

Victims (Disqualification) Bill: Advice to sponsor

Framework Convention on National Minorities (FCNM): Comments on draft UK State Report

Retention of Data on the National DNA Database: Further submission to the Committee of Ministers

Prosecuting Cases of Rape: Response to the Public Prosecution Service

Special Educational Needs and Inclusion: Response to the Department of Education

## **December 2009**

European Convention Reservation: Submission to Government on the Right to Education

ICESCR: Follow-up on Concluding Observations with NIO, Department for Social Development, Department of Health, Social Services and Public Safety (DHSSPS), Department for Enterprise and Learning and Office of the First Minister and deputy First Minister

Guidance on the Offence of Assisted Suicide: Submission to the Public Prosecution Service

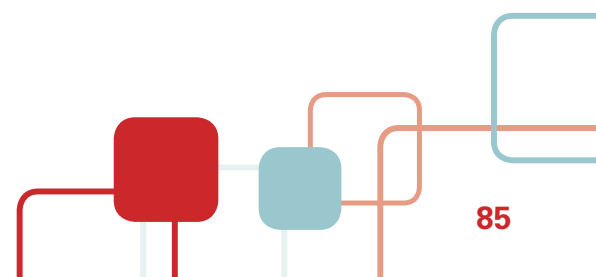
Assembly Commissioner for Standards and Code of Conduct: Submission to the Assembly Committee

Convention on the Elimination of Racial Discrimination: Comments on draft state report to Department of Communities and Local Government

A Commissioner for Older People in Northern Ireland: Response to the Office of the First Minister and deputy First Minister

Women Offenders within Criminal Justice System: Submission (letter) to the Northern Ireland Office

Mental Health Legislation: Submission (letter) to the Minister for Health, Social Services and Public Safety



### January 2010

Police (Northern Ireland) Act 2000: Review of Temporary Recruitment Provisions (50:50): Submission to the Northern Ireland Office

Legislative Scrutiny of Asylum Support: Evidence to the Joint Committee for Human Rights

Human Rights of Migrants: Submission to the UN Special Rapporteur

CoE Commissioner for Human Rights: Monitoring information

### February 2010

UK Border Agency: Response on asylum support

Bill of Rights for Northern Ireland: Response to the Northern Ireland Office

Assembly Commissioner for Standards: Oral evidence to the Assembly Committee

Migrant Eligibility for Health Care: Advice to the Department of Health, Social Services and Public Safety

Fine Default: Submission to the Northern Ireland Courts Service

### March 2010

Regulation of Sunbed Industry: Advice to the Department of Health, Social Services and Public Safety

Agreement at Hillsborough Castle and justice issues: Submission (letter) to the Northern Ireland Office

## Appendix 5: Publications and Press Releases

### April 2009

e-Newsletter, April

Parallel report to the UN Committee on International Covenant on Economic, Cultural and Social Rights (ICESCR)

'Right to health is a priority' \*

'Extension of Worker Registration Scheme raises concerns' \*

'New Inquiry': Human Rights Bill for Northern Ireland \*

'Commission launches immigration report' \*

'Bill of Rights Advice presented at the Oireachtas' \*

### May 2009

e-Newsletter, May

'Commission responds to DNA database proposals' \*

'Welcome for withdrawal of secret inquests plans' \*

'UN Committee calls on Bill of Rights to be enacted without delay' \*

'Commission welcomes human trafficking operation' \*

### June 2009

Parallel report to the UN Human Rights Committee under the International Covenant of Civil and Political Rights on the Sixth Periodic Report of the UK

Draft Strategic Plan 2009-12 for consultation

Business Plan 2009-10

Human Rights Act autumn training programme

e-Newsletter, June

'Consultation begins on two year plan for human rights'

'Call for government to sign up to Disability Convention in full' \*

'Concern as government moves to reintroduce border checks' \*

'UK's human rights and equality Commissions call for fresh impetus on delivering disability rights' \*

'Human Rights Commission condemns recent hate crime attacks' \*

### July 2009

NIHRC Review, issue 8

Summary – A Bill of Rights for Northern Ireland: Advice to the Secretary of State for Northern Ireland

Report on Visit to Antrim Police Station on 23 March 2009

'Human Rights Commission welcomes prison report' \*

'Human rights education and training network' \*

### August 2009

e-Newsletter, August

### September 2009

e-Newsletter, September

Achoimre: Bille Ceart do Thuaisceart Éireann: Comhairle ar Státrúnaí Thuaisceart Éireann (Irish translation – Summary: A Bill of Rights for Northern Ireland: Advice to the Secretary of State for Northern Ireland)

No Home from Home: Homelessness for People with No or Limited Access to Public Funds

More than Just a Card: Intrusion, Exclusion and Suspect Communities: Implications in Northern Ireland of the British National Identity Scheme – Research paper

Making Human Rights Real: Teaching Citizenship through Human Rights (in association with Amnesty International)

Parallel Report on the European Charter for Regional or Minority Languages, Third Periodical Report of the UK

'Report finds serious human rights concerns for homeless non-UK nationals' \*

'Commission meets Kilcooley Women's Centre' \*

'Human Rights Commission visits Coleraine' \*

### October 2009

'Commission provides evidence on Housing Bill' \*

'Bill of Rights advice presented to British-Irish Parliamentary Assembly' \*



## **November 2009**

A Bill of Rights for Northern Ireland: An easy-read booklet explaining what we told the Government about a Bill of Rights for Northern Ireland

e-Newsletter, November

Strategic Plan 2009-11

'Launch of human rights education initiatives' \*

'Commission responds to Bill of Rights consultation' \*

## **December 2009**

More than Just a Card: Intrusion, Exclusion and Suspect Communities: Implications in Northern Ireland of the British National Identity Scheme – updated research paper

Equality Scheme Annual Progress Report

'Commissions welcome Promoting Social Inclusion report on Disability' \*

'Launch of consultation on the rights of migrant workers on the island of Ireland' \*

'Commission responds to inspection report on the treatment of vulnerable prisoners' \*

## **January 2010**

Education Pack for Citizenship Teachers and Youth Leaders - A Bill of Rights for Northern Ireland

Newspaper Supplement - A Bill of Rights for Northern Ireland: Advice to the Secretary of State for Northern Ireland

Poster - A Bill of Rights for Northern Ireland: Advice to the Secretary of State for Northern Ireland

The Nature and Extent of Human Trafficking in Northern Ireland: A Scoping Study (with Equality Commission for Northern Ireland)

'Resignation of Commissioner Jonathan Bell' \*

'Commissions launch human trafficking report' \*

## **February 2010**

e-Newsletter, February

Annual Report and Accounts 2008-09

Rights and Righteousness: Perspectives on Religious Pluralism and Human rights (with the Irish School of Ecumenics)

'Human Rights Commission's Annual Report 2008-2009' \*

'Commission launches freephone line to investigate treatment of older persons living in nursing homes' \*

'Commission rejects NIO consultation on a Bill of Rights' \*

'Resignation of Lady Daphne Trimble' \*

### March 2010

e-Newsletter, March

Poster: International Convention on the Elimination of Racial Discrimination (CERD)

'International Women's Day 2010' \*

'Commission holds public meeting in Strabane' \*

'Commission comments on Northern Ireland Affairs Committee Report on a Bill of Rights' \*

'Commission comments on historical enquiries' \*

'Commissions defend the Human Rights Act' \*

\* *denotes press release*

Published by TSO (The Stationery Office) and available from:

**Online**

[www.tsoshop.co.uk](http://www.tsoshop.co.uk)

**Mail, Telephone, Fax & e-mail**

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

Fax orders: 0870 600 5533

e-mail: [customer.services@tso.co.uk](mailto:customer.services@tso.co.uk)

Textphone 0870 240 3701

**TSO@Blackwell and other Accredited Agents**

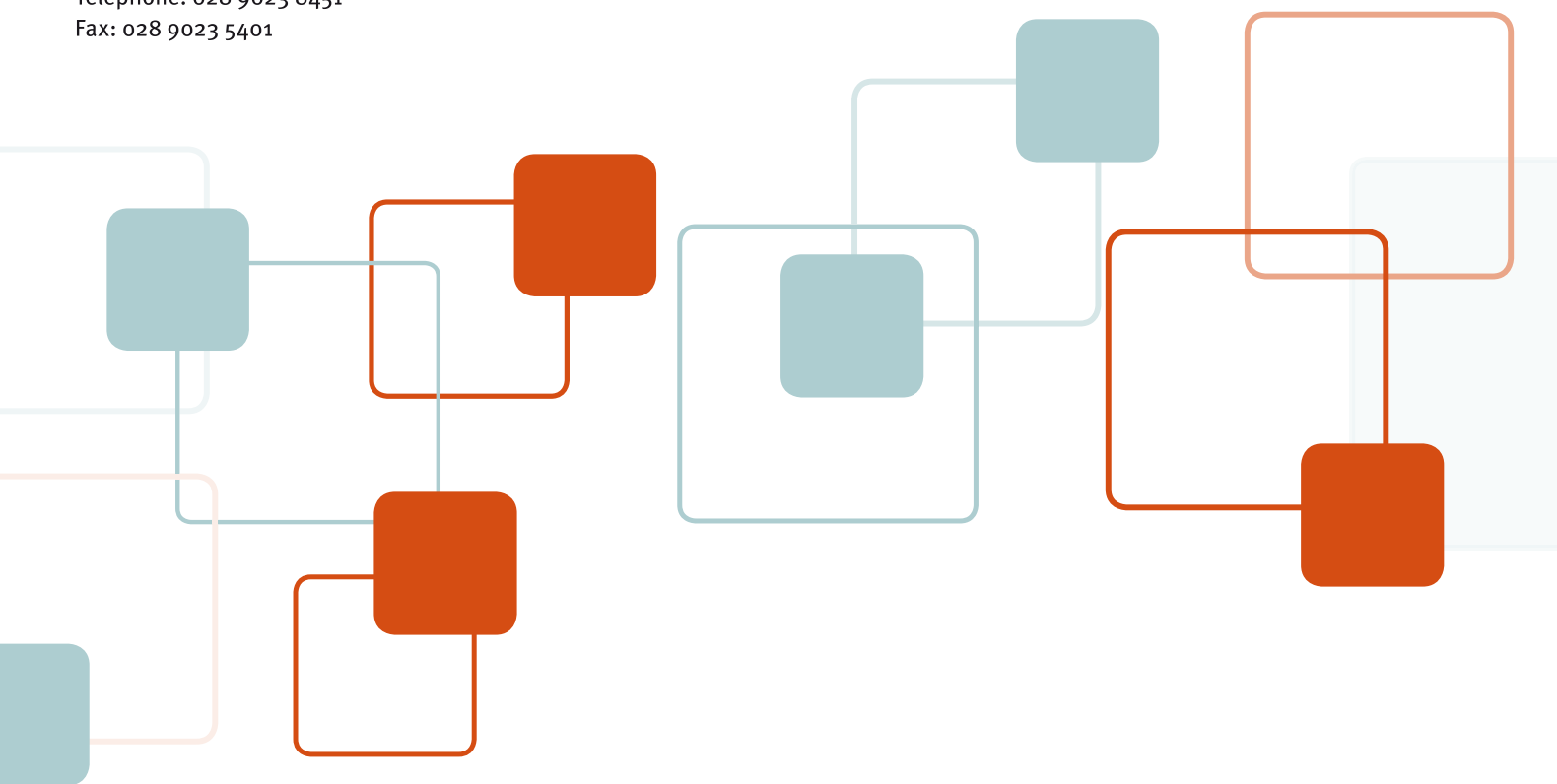
**Customers can also order publications from:**

TSO Ireland

16 Arthur Street, Belfast BT1 4GD

Telephone: 028 9023 8451

Fax: 028 9023 5401



**Northern Ireland Human Rights Commission**

Temple Court

39 North Street

Belfast BT1 1NA

Tel: (028) 9024 3987

Fax: (028) 9024 7844

Textphone: (028) 9024 9066

SMS Text: 07786 202075

Email: [information@nihrc.org](mailto:information@nihrc.org)

Website: [www.nihrc.org](http://www.nihrc.org)

Protecting and promoting your rights

