



**196<sup>th</sup> COMMISSION MEETING  
MONDAY 27 NOVEMBER 2017 AT 10:00 am  
IN THE OFFICE OF  
THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION,  
TEMPLE COURT, 39 NORTH STREET, BELFAST, BT1 1NA**

**Present:** Les Allamby, Chief Commissioner  
Helen Ferguson  
Helena Macormac  
Paul Mageean (*agenda items 5-12*)  
John McCallister  
Eddie Rooney  
Graham Shields

**In Attendance:** David Russell, Chief Executive  
Lorraine Hamill, Director (Finance, Personnel and Corporate Affairs)  
Claire Martin, Director (Communications, Information and Education, Public and Political Affairs) (*agenda items 1-2 and 9-12*)  
Rhyannon Blythe, Senior Legal and Research Officer (*agenda items 10 and 11*)  
Sara Donnelly, Legal and Research Assistant (*agenda items 10 and 11*)

As part of the ongoing induction process for Commissioners, Hannah Russell, Policy and Research Officer gave a presentation on Treaty Monitoring prior to the Commission meeting.

**1. Apologies and Declarations of Interest**

- 1.1 Commissioner Rooney declared that he would need to withdraw from the meeting for one of the cases covered under agenda item 11.

## **2. Minutes and Matters arising (HRC196.1)**

2.1 Commissioners agreed the minutes of 30 October 2017, subject to minor amendments.

**Action: Minutes of the meeting held on 30 October 2017 to be placed on the Commission's website.**

2.2 The meeting to discuss the Bill of Rights in light of withdrawal from the European Union has been arranged for Tuesday 6 February 2018 (paragraph 2.6 of the previous minutes refers).

2.3 The Chief Commissioner confirmed that he had written to, and had received and circulated the response from the Attorney General on the legal issues arising from the rape exemption clause in the two-child limit. (paragraph 4.3 of the previous minutes refers).

2.4 The Chief Commissioner confirmed that a letter had been sent to the Permanent Secretary of the Department of Health seeking a meeting to discuss access to IVF (paragraph 10.2 of the previous minutes refers).

2.5 The Community Engagement has provisionally been arranged for Tuesday 16 January 2018 in Fermanagh. Further details will be circulated to Commissioners when confirmed (paragraph 14.1 of the previous minutes refers).

**Action: Details of community engagement to be circulated to Commissioners when date confirmed**

2.6 The Chief Executive updated the Commission on the recent meeting held with the Policing Board and it was agreed that Commissioners would be kept informed of any developments (paragraph 14.2 of the previous minutes refers).

**Action: Chief Executive to inform Commissioners of any developments**

*Claire Martin left the meeting*

### **3. Chief Commissioner's Report (HRC196.2)**

3.1 The Chief Commissioner reported on meetings and events he had attended since the last meeting. These included:

- Meeting with Bingham Centre on the rule of Law roundtable on Brexit, human rights and devolution issues
- Two day round table in Geneva on transitional justice role in security sector reform and role of civil society in atrocity prevention, co convened by Special Rapporteur on Truth, Justice and Reparations and Special Advisor to UN General Secretary on atrocity prevention
- Visit to Magilligan Prison
- Attendance at the DUP annual conference

### **4. Commissioners' Reports**

4.1 Commissioners reported on the recent visit to Magilligan Prison.

4.2 It was agreed to explore the possibility of visiting Maghaberry prison and the women's prison at Hydebank before arranging the roundtable event.

**Action: Explore possibility of visiting Maghaberry Prison and the women's prison at Hydebank**

### **5. Chief Executive's Report and Risk Register (HRC196.3)**

5.1 The Chief Executive confirmed that following discussion with Capita regarding internal audit, a deed of novation was agreed transferring the contract to Grant Thornton. A detailed audit plan was currently being drafted by Grant Thornton, which would be presented to the next Audit and Risk Management Committee for consideration.

5.2 The Chief Executive updated Commissioners on his recent meetings with UNICEF, UK Foreign and Commonwealth Office, Cabinet Office and Commonwealth Games Federation regarding the Commonwealth NHRI forum.

5.3 Commissioners were updated on progress following the recent correspondence received from the Commission's landlord regarding the regeneration project in North Street and the request for vacant possession of the premises. Details of a potential risk as a result have been included on the Commission's risk register and the NIO and NAO have been informed.

5.4 The Chief Executive confirmed that the business case for the Joint Secretariat post was with the Secretary of State for approval. Commissioners would be kept up to date on progress.

**Action: Commissioners to be kept up to date on progress of business case for Joint Secretariat**

5.5 At the recent Audit and Risk Management Committee, members had discussed the format of the Commission's risk register and it had been agreed that the Chief Executive and Director (Finance, Personnel and Corporate Affairs) would explore alternative presentation formats.

5.6 Commissioners agreed that the inclusion of a risk trend report accompanied by details of any risks where there had been a change in the target compare rating was much more informative.

**6. Finance Report (HRC196.4)**

6.1 The Director (Finance, Personnel and Corporate Affairs) presented the financial report for October 2017 and provided details of committed expenditure and explanations for the variances against budget.

6.2 It was noted that the budget had been amended as part of the November monitoring round.

**7. Quarterly Report against the Business Plan 2017/18 (HRC196.5)**

7.1 The Chief Commissioner presented the Quarterly Report against the Business Plan for the second quarter to September 2017.

7.2 It was noted that due to the transition the next Quarterly Report would be presented to the Commission in January 2018.

**Action: Third Quarterly Report against the Business Plan 2017/18 to be presented to the January 2018 Commission meeting**

7.3 It was noted that there was a risk of not being able to complete business plan objective Pillar 3(a) (Engage in a knowledge exchange with the Research and Information Service in the Northern Ireland Assembly, to scope potential areas for further engagement addressing human rights and departmental public expenditure decision-making) due to the suspension of devolution.

*Claire Martin re-joined the meeting*

## **8. Communications Report and Press Clippings (HRC196.6)**

8.1 The Director (Communications, Information and Education, Public and Political Affairs) presented an animation video on the work of the Commission, which had been produced by StreetMonkey. It was noted that the video was the first of four animations being made for use with post primary schools.

8.2 Commissioners noted that the other animations would be available for preview in December 2017.

**Action: Animation videos to be previewed in December 2017.**

8.3 Commissioners discussed the draft Education Engagement Strategy. The objective of the Strategy was to develop/enhance human rights understanding and awareness including producing/adapting relevant materials, and to build support for this within post primary schools and the wider education sector in Northern Ireland.

8.4 Commissioners approved the draft Strategy subject to some minor amendments.

**Action: Minor amendments to be made to the Education Engagement Strategy**

*Hannah Russell, Policy and Research Officer joined the meeting*

## **9. Investigations Report (HRC196.7)**

9.1 The Policy and Research Officer updated the meeting on the process that had been followed for the investigation on travellers' accommodation.

9.2 The Chief Commissioner reported that drafts of the report had been made available to the outgoing Commissioners for approval and their comments had been taken on board.

9.3 Commissioners went through the report chapter by chapter and made and agreed a number of amendments.

**Action: Amendments to be made to report as discussed**

9.4 It was agreed that the conclusions/recommendations section and the annex would be brought back to the December Commission meeting for final approval.

**Action: Conclusions/recommendations and Annex to be brought to December Commission meeting for approval**

9.5 It was agreed to discuss the launch of the investigation report at the December Commission meeting.

**Action: Launch of report to be discussed at December Commission meeting**

9.6 Commissioners congratulated staff on an excellent report.

*Hannah Russell left the meeting*

*Rhyannon Blythe, Senior Legal and Policy Officer and Sara Donnelly, Legal and Policy Officer joined the meeting*

## **10. Legal Functions Report (HRC196.8)**

10.1 The Senior Legal and Policy Officer updated Commissioners on the various litigation cases including the Termination of Pregnancy Case, which had been heard at the Supreme Court.

10.2 Commissioners agreed the approach that was to be followed for the IVF case and it was agreed that the Senior Legal and Policy Officer would report on any developments.

**Action: Senior Legal and Policy Officer to update Commissioners on any developments with the IVF case**

*Commissioner Rooney left the meeting*

## **11. Applications for Legal Assistance (HRC196.9)**

11.1 Commissioners were briefed on application HRC196.9 DK (request to fund or take carriage of the judicial review to challenge the procedural approach adopted by the Department of Health when issuing alert letters following professional disciplinary proceedings). After discussion, the Commissioners agreed that assistance would not be granted, but the Commission would raise the matter with the Department subject to a discussion with the applicant.

**Action: Commission to raise the matter with the Department subject to discussion with the applicant.**

*Commissioner Rooney re-joined the meeting*

11.2 Commissioners were briefed on application HRC196.9 NM (access to MoD pension for unmarried widow). After discussion, Commissioners agreed to seek legal opinion from Counsel and imposed a cap of £2,000 + VAT.

**Action: Legal and Policy Officer to seek opinion from Senior Counsel**

*Rhyannon Blythe and Sara Donnelly left the meeting.*

## **12. Any Other Business**

12.1 The Chief Commissioner reported that there might be some press coverage as journalists had picked up on advice that the Commission had provided to the Defence Select Committee, which had subsequently been placed on the Commission's website in August

2017. It was agreed that Commissioners would be provided with any press coverage.

**Action: Commissioners to be provided with press coverage**

*Meeting closed at 4.15pm.*