



**198th COMMISSION MEETING
MONDAY 29 JANUARY 2018 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
John McCallister
Eddie Rooney
Graham Shields

In Attendance: David Russell, Chief Executive
Lorraine Hamill, Director (Finance, Personnel and Corporate Affairs) (*agenda items 1-8*)
Colin Caughey, Director (Legal, Research and Investigations, and Advice to Government) (*agenda items 8-13*)
Claire Martin, Director (Communications, Information and Education, Public and Political Affairs) (*agenda items 8-13*)
Rebecca Magee (Personal Assistant) (*agenda items 9-13*)
Sara Donnelly, Legal and Research Officer (*agenda items 9-10*)
Eilis Haughey, Temporary Redeployment, NI Assembly (*agenda item 11*)
Zara Porter, Communications and Public Affairs Officer (*agenda item 12*)

As part of the ongoing induction process for Commissioners, the Chief Executive gave a presentation on 'Investigatory Powers' prior to the Commission meeting.

1. Apologies and Declarations of Interest

- 1.1 There were no apologies.
- 1.2 The Chief Commissioner and Commissioner Rooney declared that they would need to withdraw from the meeting for one of the applications for legal assistance, which was to be discussed under agenda item 10.
- 1.3 It was agreed that Commissioner Mageean would chair the meeting for the specific agenda item 10 in the absence of the Chief Commissioner.

2. Minutes and Matters arising (HRC198.1)

- 2.1 Commissioners agreed the minutes of 18 December 2017.

Action: Minutes of the meeting held on 18 December 2017 to be placed on the Commission's website.

- 2.2 The Chief Commissioner confirmed that the meeting with the Permanent Secretary of the Department of Health would take place on Thursday 15 February 2018. Commissioner Rooney will also attend (paragraph 2.2 of the previous minutes refers).
- 2.3 As it would not be possible to hold two Community Engagements before the end of the financial year, it was agreed to continue with arrangements to visit Fermanagh by the end of March and to visit the North Coast in April 2018 (paragraph 2.5 of the previous minutes refers).

Action: Continue with arrangements for Community Engagement in Fermanagh for March and confirm date with Commissioners as soon as possible

- 2.4 It was agreed that the number of Community Engagements, dates and venues were to be agreed by Commissioners as part of the Business Planning process for 2018/19. Consideration was also to be given to a cross-border Community Engagement with the Irish Human Rights and Equality Commission (IHREC).

Action: Community Engagements to be discussed as part of the Business Planning process for 2018/19

2.5 It was noted that the Commission would formally hand over the Chair of the Commonwealth Forum of National Human Rights Institutions (CFNHRI) to the Equality and Human Rights Commission (EHRC) at the Commonwealth Heads of Government Meeting (CHOGM) in April 2018 (paragraph 2.5 of the previous minutes refers).

2.6 The Chief Executive confirmed that he and the Director (Finance, Personnel and Corporate Affairs) were having a further meeting with the landlord to continue discussions regarding the premises. Commissioners would be kept updated on progress (paragraph 2.6 of the previous minutes refers).

Action: Commissioners to be kept informed of progress

2.7 It was noted that there had been no further progress with the Northern Ireland Office (NIO) on the business case for the Joint Secretariat (paragraph 2.7 of the previous minutes refers).

Action: Commissioners to be kept updated on progress of business case with the NIO for the Joint Secretariat

2.8 Commissioners noted that the animation video on LGBTI would be launched at Hazelwood Integrated College on Thursday 8 February 2018 (paragraph 2.8 of the previous minutes refers).

2.9 The Chief Commissioner confirmed that letters had been sent to Sinn Féin and the Northern Ireland Housing Executive but responses had not yet been received (paragraph 3.4 of the previous minutes refers).

2.10 It was noted that scoping papers on housing, mental health and poverty would be available in due course (paragraph 7.3 of the previous minutes refers).

2.11 The Chief Commissioner confirmed that letters had been sent to Maghaberry Prison and Hydebank Prison to arrange a visit, which hopefully would take place by the end of March 2018 (paragraph 8.2 of the previous minutes refers).

2.12 The dates for the launch of the Investigation Report have been confirmed as Tuesday 6 March 2018 in Belfast (awaiting confirmation from Belfast City Hall as a venue) and at the Migrant Workers' Centre in Derry/Londonderry on Monday 12 March 2018 (paragraph 9.3 of the previous minutes refers).

2.13 The Chief Executive confirmed that there had been no further developments on the NI Deliberative Forum Report. He would contact the Board of the Northern Health and Social Care Trust (NHSCT) and report back to Commissioners (paragraph 12.1 of the previous minutes refers).

Action: Chief Executive to contact the NHSCT Board and provide update to Commissioners

3. Chief Commissioner's Report (HRC198.2)

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

- Meeting Phillip Weir, DUP Special Political Adviser
- Meeting with Brian Grymczk, Department of Justice
- Meetings in Westminster, namely Owen Smith MP, Shadow Secretary of State for NI, Alistair Carmichael MP, Liberal Democrat, Emma Little-Pengelly MP and Gavin Robinson MP, DUP, Deirdre Brock MP, SNP, Lord Alf Dubs, Labour peer, Andrew Murrison MP, Conservative chair of NI Affairs Committee and Conor McGinn MP, Labour
- Meeting Michael Wardlow and Evelyn Collins, Equality Commission
- Meeting Sylvia Hermon MP, Independent Unionist
- Meeting Nick Perry, permanent secretary- Department of Justice

4. Commissioners' Reports

4.1 Commissioner Ferguson provided an update to Commissioners on the Audit and Risk Management Committee meeting held on 6 December 2017.

5. Chief Executive's Report (including Risk Register) (HRC198.3)

5.1 The Chief Executive reported on events and meetings he had attended. These included:

- Meeting with the Chief Executive of the Commission for Victims and Survivors
- Conference call with the newly appointed Chief Executive of the Human Rights Commission in the Turks and Caicos Islands
- Meeting with the Department for Communities
- Conference call with the Deputy Director of the Constitutional Policy & Rights Group of the NIO
- Meeting with the Director of Mental Health and Learning Disability and Social Work from RQIA
- Meeting with the Ombudsman and Deputy Ombudsman
- Meeting with the Director of Football Development, Irish Football Association

5.2 The Chief Executive reported on the Commission's Risk Register and Commissioners noted the changes in the risk trend report.

5.3 It was noted that the business case for the Joint Secretariat post was still awaiting approval from the Secretary of State and that the risk of failure to appoint was included in the risk register.

5.4 It was also noted that the final saving of £25,000 from the Spending Review 2015 outcome had still to be made in the 2019/20 financial year.

6. Quarterly Report against the Business Plan – 3rd Quarter (HRC198.4)

6.1 The Chief Executive presented the third quarterly report against the Business Plan 2017/18.

6.2 It was noted that Pillar 1 (c) – the partnership project on developing an operational human rights based approach to emergency health care with the Belfast Health and Social Care Trust had not been completed due to a delay by the Trust.

- 6.3 Consideration to how the issue of developing and delivering work addressing the human rights of looked after children who go missing from home or whilst in the care of the state Pillar 1 (f) needs to be addressed through Business Planning 2018/19.

Action: To be considered during Business Planning 2018/19

- 6.4 It was noted that Pillar 3 (a) had not been completed due to the suspension of devolution.

7. Finance Report (HRC198.5)

- 7.1 The Director (Finance, Personnel and Corporate Affairs) presented the financial report for December 2017 and provided details of committed expenditure and explanations for the variances against budget.
- 7.2 Commissioners noted that the interim accounts for the nine months to 31 December 2017 had been completed and were due to be submitted to the National Audit Office (NAO) and the Northern Ireland Office (NIO).

Colin Caughey, Director (Legal, Research and Investigations, and Advice to Government) and Claire Martin, Director (Communications, Information and Education, Public and Political Affairs) joined the meeting

8. Annual Statement discussion

- 8.1 Commissioners discussed the process involved in the production of the Annual Statement including the traffic light system.
- 8.2 Commissioners agreed that the format of the Annual Statement was appropriate, however, it was agreed that Commissioners should consider whether to include a table detailing the subjects marked red, which require immediate action by the UK Government, NI Executive or relevant public authorities.

Action: Commissioners to consider including a table in the Annual Statement 2018

8.3 It was agreed that the wording in the explanations of the traffic light system should be reviewed.

Action: Wording in explanations of the traffic light system to be reviewed

8.4 Commissioners confirmed that the process of receiving chapters on a monthly basis for review should continue and that the full draft Annual Statement should be made available in October 2018 for review and approval.

Action: Annual Statement chapters to be made available on a monthly basis for review with full draft available in October 2018

8.5 Commissioners agreed that the Annual Statement should continue to be launched on or around Human Rights Day and that, the use of the Long Gallery at Stormont should still be considered.

Lorraine Hamill left the meeting.

Rebecca Magee, Personal Assistant and Sara Donnelly, Legal and Research Officer joined the meeting.

9. Termination of Pregnancy Update and Discussion Paper (HRC198.6)

9.1 Commissioners were briefed on the background of the expectations on the case hearing and agreed to seek costs from Counsel for the next step.

Action: Seek costs from Counsel

9.2 Commissioners discussed the current Commission position in depth and agreed that a substantive agenda item should be given to discuss further.

Action: Substantive item to be on the February/March Commission meeting agenda

10. Legal Update (including two applications for assistance) (HRC198.7)

10.1 Commissioners were given a legal services update.

- 10.2 Commissioners discussed the NM Application for Assistance (failure to pay an unmarried partner an MOD pension) and agreed to offer assistance.

Commissioner Rooney and Chief Commissioner Allamby left the meeting

- 10.3 Commissioners discussed the WMcM Application for Assistance (request for a human rights investigation into the Police Ombudsman Office) and agreed that assistance would not be granted as there was no new evidence in the case.

Sara Donnelly left the meeting.

Commissioner Rooney and Chief Commissioner Allamby rejoined the meeting

Eilis Haughey, Temporary Redeployment, NI Assembly joined the meeting

11. Policy Update on Brexit (HRC198.8)

- 11.1 Commissioners were briefed on the policy update paper presented in the meeting and the Chief Commissioner explained that the paper was in collaboration with the Irish Human Rights and Equality Commission (IHREC) as part of the Joint Committee work stream.

- 11.2 Commissioners agreed that they were content for the work to continue with the IHREC and that a meeting should be sought with Mr Michel Barnier, EU Chief Negotiator and Guy Verhofstadt, EU Parliament Chief Brexit representative. Commissioners also agreed that meetings should be sought with Northern Ireland MEPs and the Secretary of State for NI.

Action: A joint letter from IHREC and NIHRC to seek meeting with Mr Barnier.

Action: Meetings with MEPs and the Secretary of State for NI to be sought.

Eilis Haughey left the meeting.

Zara Porter, Communications and Public Affairs Officer joined the meeting.

12. Communications Report (including press clippings) and preview of Animations (HRC198.9)

12.1 Commissioners were briefed on the Communications function and were briefed on the APP, which is currently going live on Apple and Android.

12.2 Commissioners were briefed on the on-going work on the Style Guide and the upcoming events to launch the "Out of Sight, Out of Mind: Travellers' Accommodation in NI" investigation report.

12.3 Commissioners were given information on the videos and an update on the launches.

Actions: Links to the videos to be shared with Commissioners.

Zara Porter left the meeting.

13. Any Other Business

13.1 Nothing to report.

The meeting closed at 3.50pm.