



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

20 August 2018

204th COMMISSION MEETING IN THE OFFICE OF THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION, TEMPLE COURT, 39 NORTH STREET, BELFAST, BT1 1NA

Present: Les Allamby, Chief Commissioner (left at 3pm – agenda items - 1-6 + 10)
Helen Ferguson
Helena Macormac
Paul Mageean (left at 3pm – agenda items -1-6 + 10)
Eddie Rooney (Chaired meeting from 3pm – agenda items 7-9 + 11-13)
Graham Shields

In attendance: David Russell, Chief Executive (left at 3pm – agenda items -1-6 + 10)
Colin Caughey, Director (Legal, Research and Investigations, and Advice to Government)
Claire Martin, Director (Communications, Information and Education, Public and Political Affairs)
Lorraine Hamill, Director (Finance, Personnel and Corporate Affairs) (agenda items 1-5 + 10)
Rebecca Magee, Personal Assistant (agenda items 6-13)
Rhyannon Blythe, Senior Legal and Research Officer (Agenda items 6-8)
Sara Donnelly, Legal and Research Officer (Agenda items 6+8)
Hannah Russell, Policy and Research Officer (Agenda item 7)

Apologies: John McCallister

1. Apologies and Declarations of Interest

- 1.1 Apologies were given for John McCallister.
- 1.2 Commissioner Rooney reported that he had agreed to chair the duty of equality work stream as part of the Department of Health's response to the Hyponatremia Inquiry. It was agreed that this would be added to the Commissioner register of interests.

2. Minutes of the 203rd Commission meeting and Special Commission meeting of 6 June 2018 and matters arising

- 2.1 The Minutes of the 203rd Commission meeting and Special Commission meeting held on 6 June 2018 were approved as an accurate record.
Action: Approved minutes of the 203rd Commission meeting to be uploaded to the Commission website.
- 2.2 It was noted that the Commissioners were due to meet on Monday 10 September 2018 to commence discussions on a new Strategic Plan (item 2.5 of the previous meeting refers). The Chief Executive confirmed that the Opinion Survey that had been commissioned would be available at that meeting. External roundtable events are to be organised with stakeholders as part of the Strategic Planning process.
Action: Roundtables to be arranged with stakeholders on Strategic Planning.
- 2.3 Commissioners noted that a joint meeting with the Equality Commission would be on Wednesday 28 November 2018 (item 4.2 of the previous meeting refers).
Action: Chief Commissioner to email Commissioners confirming date of meeting.
- 2.4 The Director (Finance, Personnel and Corporate Affairs) confirmed that the Commission's Annual Report and Accounts 2017-18 were laid in Parliament on Monday 23 July 2018 (item 6.1 of the previous meeting refers).

3. Chief Commissioner's Report

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

- Panel member at co-sponsored event on poverty and the concept of framing with the Joseph Rowntree Foundation.
- Meeting with Eddie Lynch and Evelyn Hoy, Older Persons Commission.
- Meeting with Michelle Gildernew MP and Francie Molloy MP.
- Meeting with Jeffrey Donaldson MP.
- Telephone call with Beate Rudolf, Chair of the Global Alliance of NHRIs.
- Meeting with Stephen Herron, Director of Public Prosecution Service and Michael Agnew, PPS.
- Meeting with Michael Wardlow and Evelyn Collins, Equality Commission NI
- Meeting with Michelle O'Neill MLA.
- Meeting with Andrew McCormick, Director General of International Relations re Brexit.
- Meeting with Kevin Hanratty, Human Rights Consortium
- Meeting with Robin Swann MLA.
- Meeting with Judith Thompson, Commissioner for Victims and Survivors.

4. Commissioners' Reports

4.1 Commissioners discussed the recent visit to Maghaberry Prison. It was agreed that a visit should be arranged to the women's prison at Hydebank.

Action: Visit to be arranged to the women's prison at Hydebank.

4.2 Commissioner Ferguson reported on the recent Audit and Risk Management Committee meeting including consideration of an internal audit report.

5. Chief Executive Report (incl. Finance report and Audit Report)

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

- Meeting with the Sinn Fein policy team.
- Meeting with Chris Flatt, Deputy Director, NIO.
- Joint meeting with the PSNI, Belfast City Council, Extern, Welcome Centre and Destination Cathedral Quarter (CQ) BID.
- Meeting with David Seymour, Independent Reviewer of the Justice and Security (NI) Act (2007).
- Meeting with the Irish Football Association.
- Meeting with the Commonwealth Games Council.

5.2 The Director (Finance, Personnel and Corporate Affairs) presented the Financial Report for July 2018. Commissioners noted that a business case was made to the NIO to vire money from operating costs to capital expenditure to replace the telephone system which suffered water damage.

The open meeting closed at 11.45am to discuss a closed agenda item.

The open meeting resumed at 12.45pm.

6. Legal Report and Applications for Assistance

6.1 Commissioners were updated on the legal functions report and were provided with updates on the litigation files including a legal challenge to retention of DNA and other material by the PSNI, access to IVF by same sex couples and Termination of Pregnancy.

6.2 Commissioners were briefed on the Application for Assistance on the NM case namely access of a common law widow to a pension from the MoD. Commissioners agreed to support the application through to lodging proceedings.

6.3 Commissioners received legal opinion on the Application Mr and Mrs L – this concerned the potential challenge to limiting child tax credit to two children. The Commission considered the circumstances of the case in light of progress with similar challenges in England and

Wales. After considering the legal opinion the Commission decided not to support the application. However, in light of potential developments in legal challenges in England and Wales the Commission remained open to intervening in this or other challenges depending on the circumstances.

7. NIO Consultation on Dealing with the Past

7.1 Commissioners considered the draft response to the NIO Consultation on Addressing the legacy of Dealing with the Past.

7.2 Commissioners agreed a number of amendments and that time be given for further comments before agreeing the final draft.

Action: Comments on NIO consultation on Dealing with the Past are to be sent by email before the end of the week.

8. Children Missing from Care Report Terms of Reference

8.1 Commissioners were given the background to the proposed legal analysis concerning handling the issue of preventing a child or young person from leaving a care home when at risk of child sexual or other exploitation and were presented with the Terms of Reference.

8.2 Commissioners approved the Terms of Reference.

9. Annual Statement Chapters

9.1 It was agreed that the Annual Statement Chapters would be dealt with by email.

Action: Annual Statement Chapters to be dealt with by email.

10. Brexit Update

10.1 Commissioners discussed the Brexit update paper which provided a brief summary of recent developments and how they may impact on the rights of people in Northern Ireland.

10.2 A tender process has been completed on commissioned research for

the Joint Committee on the Common Travel Area and the research aims to be completed by the end of September. A further tendering process is due to take place on commissioned research on Brexit implications on Civil and Criminal Justice.

10.3 It was noted that Minister Robin Walker, Parliamentary Under Secretary of State at DExEU has been invited to attend a roundtable event around the theme of enforceability and development of human rights under the Withdrawal Agreement.

10.4 Commissioners noted that the next joint committee of the Commission and the Irish Human Rights and Equality Commission (the Joint Committee) would be meeting in Dublin on Tuesday 13 November 2018.

11. Communications Report

11.1 Commissioners were briefed on the Communications report and updated on the upcoming visits to Westminster planned for October and November.

11.2 Commissioners were briefed on the digital communications report which included analytics on the page views of the website which will be used to inform the upcoming strategic planning sessions.

11.3 Commissioners were presented with two updated policy documents on media work and the use of social media. These policies were approved by the previous Commission with updated references to the NICS policy which apply to staff. Commissioners noted the policies.

12. Information paper – CEDAW

12.1 Commissioners noted the information paper on CEDAW.

13. Any other Business

13.1 Nothing to report.

The meeting closed at 4:15pm.