



28 October 2019

**217th 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
Helen Ferguson
Paul Mageean
John McCallister
Eddie Rooney
Graham Shields

In attendance: David Russell, Chief Executive
Julia Stella, Boardroom Apprentice (Agenda items
1-4 and 6-13)
Lorraine Hamill, Director (Finance, Personnel and
Corporate Affairs) (Agenda items 1-6)
Rebecca Magee, Personal Assistant (Agenda items
7-13)
Rhyannon Blythe, Senior Legal and Research
Officer (Agenda item 8)
Zara Porter, Communications and Public Affairs
Officer (Agenda item 11)

1. Apologies and Declarations of Interest

- 1.1 Apologies were received from Commissioner Helena Macormac.
- 1.2 There were no declarations of interest.

2. Minutes of the 216th Commission meeting

- 2.1 The minutes of the 216th Commission meeting held on 30 September 2019 were agreed as an accurate record.

Action: 216th Commission minutes to be uploaded to Commission website

- 2.2 It was agreed to discuss the reflection day for Commissioners scheduled for Monday 18 November 2019 under any other business (item 2.2 of the previous meeting refers).
- 2.3 It was noted that the Chair of the Commission's Audit and Risk Management Committee had been informed verbally of the extension to his contract. It was agreed that a formal letter of notification would be issued at the start of the new financial year (item 2.3 of the previous meeting refers).

Action: Director (Finance, Personnel and Corporate Affairs) to issue formal letter confirming extension to contract

- 2.4 It was noted that the final version of the Cumulative Impact Assessment would be signed off today. A small number of copies would be printed for the launch, which would be held at Stormont on Monday 4 November 2019. A roundtable briefing from the researchers has also been planned with MLAs after the launch and a meeting with DfC officials. A report on progress with any renewed mitigations package has to be presented to the Secretary of State for issue to Parliament, a copy

will also be provided to the Northern Ireland Office. Commissioners wishing to attend are to confirm their attendance with the Personal Assistant (item 2.4 of the previous meeting refers).

Action: Report to be sent to the NIO

Action: Commissioners to confirm their attendance with the Personal Assistant

- 2.5 It was noted that the NIO had agreed at officials level in principle to the appointment of Commissioner Mageean as Interim Chair during the Chief Commissioner's sabbatical. There may be a slight delay as the appointment requires ministerial approval by the Secretary of State (item 3.3 of the previous meeting refers).
- 2.6 It was noted that the amended version of the Code of Governance had been uploaded to the Commission's website (item 11.2 of the previous meeting refers).
- 2.7 It was noted that the Commission had published the advice made to the Secretary of State on abortion law reform, equal marriage and a victims of the troubles compensation scheme relating to the Executive Formation Act 2019 (item 11.3 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 Commission meeting. These included:
- Meeting with Marie Anderson and Olwyn Laird, Police Ombudsman for Northern Ireland
 - Meeting with Michelle Bachelet, UN High Commissioner for Human Rights in conjunction with IHREC
 - Speech to European Criminal Bar Association

- Meeting with Trócaire re Business and Human Rights
- Briefing from Department of Health on progress with hypernatremia inquiry
- Joint faith groups meeting with Equality Commission (NI)
- Meeting with Sylvia Hermon MP
- Meeting with David Lavery, Law Society
- Meeting with Peter McBride, Chair of Inter-Departmental Working Group on Mother and Baby Homes/Magdalene Laundries and Historical Clerical Child Abuse
- Meeting with families from Owen Mor nursing home in Derry
- Meeting with Desmond Marrinan, Hate Crime Inquiry Chair
- Panel member at Fast Fashion film showing at One World Festival
- Speech to Law Centre annual conference
- Attendance at PILS 10th anniversary event

3.2 The Chief Commissioner also reported on upcoming meetings and events that he would be attending. These included:

- Roundtable meeting on PSNI biometric policy
- Meeting with CAJ
- Joint meeting with ECNI/NIHRC

3.3 It was noted that Chris Patton has agreed to be the speaker for the joint event with the Equality Commission to mark both Commissions 20th anniversaries. The event will take place on 26 February 2020. Commissioners were asked to keep the date free.

Action: Commissioners to keep 26 February 2020 free in their diaries

3.4 It was noted that policy submissions had been made to the following:

- Response to Sinn Fein anti-poverty strategy
- Response to Department of Education Policy on Newcomer Children
- Response to DUP re consultation policy on childcare

4. Commissioners' Reports

- 4.1 Commissioner Shields reported on his attendance at the opening of the new prison building at Magheraberry.
- 4.2 Commissioner Ferguson reported that the Code of Practice on Special Educational Needs would be published next month.
- 4.3 Commissioner Ferguson also reported on her attendance at the European Conference on Mental Health event to mark the release of a Statement on Mental Health and Deafness, which the Commission endorsed.

5. Finance Report / Resource Update

- 5.1 The Director (Finance, Personnel and Corporate Affairs) presented the financial report for September 2019 and provided details on variances between budget and actual spend.
- 5.2 **Premises**
The Chief Executive provided an update on the Business Case for the premises move, which was now with the National Property Controls department of the Cabinet Office. It was hoped that the Commission would know the outcome of the Business Case by 6 November 2019 and the next steps.
- 5.3 **Recruitment**
Commissioners were updated on the recent recruitment

exercise for the Policy and Research Assistant, Legal and Research Officer and Director (Legal, Research and Investigations, and Advice to Government).

5.4 It was noted that there were no applicants for the post of Legal and Research Officer.

5.5 The temporary post of Senior Policy and Research Officer also remains vacant.

5.6 Commissioners discussed what options were available to fill the vacant posts and it was agreed that the two posts would remain vacant and would be revisited.

5.7 **Powers**

It was noted that if the Withdrawal Bill was approved by Parliament, the Commission's powers would be restored.

6. Risk Register

6.1 The Chief Executive presented the risk register for September 2019 and highlighted the risks that had changed since the previous meeting.

6.2 It was agreed that the risk status for the legal budget should be changed to critical to reflect that the budget was overspent.

Action: Director (Finance, Personnel and Corporate Affairs) to update risk register

6.3 It was agreed that risks relating to resources would be discussed further at the Commissioners' reflection day meeting on 18 November 2019.

Action: To be discussed at Commissioners' reflection day

7. Annual Statement

- 7.1 Commissioners discussed the Annual Statement in detail. Commissioners were updated on the sections that will be updated in line with current developments.
- 7.2 Commissioners were briefed on the publication schedule for the report and agreed to send any comments on the updates via email before publication.
- 7.3 Commissioners signed off the Annual Statement in principle.

Action: Final version of the Annual Statement to go to Commissioners for comment on any updates by email.

8. Legal Report (and Policy for Granting Legal Assistance)

- 8.1 Commissioners were updated on current litigation files including Termination of Pregnancy following the judgement of the Sarah Ewart case, the ending of the prosecution in the JR 76 case.
- 8.2 Commissioners were briefed on the change to the Policy for Granting Legal Assistance. The amendment to the Policy was discussed and following a minor amendment, Commissioners approved the Policy.

9. Joint Committee Research Update

- 9.1 Commissioners were updated on the Joint Committee research into Citizenship and birthright including that a round-table event would be organised in London for officials of the NIO and Home Office.
- 9.2 Commissioners were briefed on the details of the launch of Cumulative Impact Assessment of Tax and Social Security Reform 2010-2022 and Recommendations for

Mitigation Package 2020, which is taking place on 4 November in Parliament Buildings, Stormont. The main launch will be followed by a roundtable for political representatives.

10. Lesson Plans

10.1 This agenda item was deferred until November 2019.

11. Communications Report

11.1 Commissioners were updated on the Communications Report including an update on the screening documentary of 'The True Cost' as part of the One World Festival and the school visits.

11.2 Commissioners were updated on the social media posts, which included the highlighting of the Northern Ireland (Executive Formations) Act advice papers to the Northern Ireland Office.

11.3 Commissioners noted the press clippings.

12. Information Paper – Sarah Ewart Judgment

12.1 Commissioners noted the information papers on the SE Judgment.

13. Any Other Business

13.1 Commissioners were updated on the Commissioner Away day planned for 18 November. It was agreed that an agenda and papers would be sent in advance of the meeting.

The meeting closed at 2.30pm.