



**14 December 2020**

## **230<sup>th</sup> COMMISSION MEETING**

### **Held at via Microsoft Teams**

**Present:** Les Allamby, Chief Commissioner (agenda items 1-10)  
Helen Henderson  
Jonathan Kearney  
David A Lavery CB (agenda items 1-10)  
Eddie Rooney (Chaired agenda items 11-13)  
Stephen White  
Maura Muldoon (agenda items 1-10)

**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)  
Rhyannon Blythe, Director (Legal, Research and Investigations, and Advice to Government)  
Rebecca Magee, Personal Assistant  
Nikita Brijpaul, Boardroom Apprentice (agenda items 1-10)  
Hannah Russell, Senior Policy and Research Officer (agenda item 10)

## **1. Apologies and Declarations of Interest**

- 1.1 There were no apologies.
- 1.2 There were no declarations of interest.

## **2. Minutes of the 229<sup>th</sup> Commission meeting and**

## matters arising

2.1 The minutes of the 229<sup>th</sup> Commission meeting held on 30 November 2020 were agreed as an accurate record.

**Action: 229<sup>th</sup> Commission meeting minutes to be uploaded to the website.**

2.2 It was noted that we had yet to receive a response from the NIO regarding the letter and Counsel's opinion on the Commission's powers (item 2.3 of the 229<sup>th</sup> minutes refers).

**Action: Chief Commissioner to follow up with NIO.**

2.3 It was noted that recruitment for an Independent Chair for the Audit and Risk Management Committee was discussed at the Audit Committee and that recruitment would commence in January (item 2.5 of the 229<sup>th</sup> minutes refers).

2.4 Commissioners agreed that a paper explaining the operational aspects of the Dedicated Mechanism would be provided (item 2.8 of 229<sup>th</sup> Commission meeting refers)

**Action: Dedicated Mechanism paper to be on January meeting agenda.**

## 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:

- evidence to the NI Assembly Economy Committee on the Commission's Business and Human Rights forum with Glenn Bradley of Hardscape and forum chair
- meeting Shadow Civil Justice Council
- meeting RQIA re Abortion Monitoring initiative
- evidence to expert panel re Tackling Educational Underachievement
- Litigant in Person research advisory panel meeting
- Speaker at NICVA policy seminar on Brexit
- meeting Litigants in Person reference group
- joint seminar on dedicated mechanism with ECNI as part of human rights festival
- launch of Annual Statement

- Civil Justice Council annual forum
- speaker at All Party Parliamentary Group seminar on abortion services in Northern Ireland

3.2 It was noted that the following submissions had been made since the previous meeting:

- Submission to Expert Panel on Educational Underachievement

## **4. Commissioners' Reports**

4.1 Commissioners Helen Henderson and Stephen White reported on their first IMNI meeting.

4.2 Commissioners reported their views on the Annual Statement launch and commended the Chief Commissioner for his speech.

4.3 Commissioner Eddie Rooney reported on the Audit and Risk Management Committee which he chaired in the current absence of an Audit Chairperson.

## **5. Chief Executive's Report**

5.1 The Chief Executive updated the board on his meetings since his last report.

5.2 The Chief Executive reported on the recent recruitment for Policy and Research Assistant and Head of the Dedicated Mechanism. There were three successful candidates for the Policy and Research posts, who will start work in January and February. A successful candidate for the Head of the Dedicated Mechanism was identified and will start in February/March.

5.3 The Chief Executive updated on upcoming recruitment for a Solicitor which is taking place in early January and the Audit and Risk Management Committee Chairperson which will take place in January.

- 5.4 The Chief Executive provided an update on the JEGs evaluations with appeals process due to be completed by the end of January.

## **6. Risk Register**

- 6.1 Commissioners considered the risk register report, in particular the risks that were detailed high or critical and the controls in place to mitigate the risk.

## **7. Finance Report**

- 7.1 The Director (Finance, Personnel and Corporate Affairs) presented the financial report for November 2020 and provided details on variances against budget.

## **8. Legal Functions Report including abortion case and Communications discussion**

- 8.1 The Director (Legal, Research and Investigations, and Advice to Government) provided an update on the Legal Functions Report with updates on the NM case (access to an MoD pension case for an unmarried widow partner), MC case (Requirement of candidates to publish home address to stand for local council/EU elections) and Gribben v UK (compatibility of a legacy inquest with Article 2 of the European Convention on Human Rights).
- 8.2 Commissioners received an update on the Abortion legal challenge and agreed to lodge papers before the Christmas break, but not to seek a leave date until after a progress update received from the Secretary of State's legal representatives after 8 January 2021. Commissioner Jonathan Kearney registered his dissent with the decision to lodge papers.
- 8.3 The Director (Communications, Information and Education, and Public and Political Affairs) presented the Communications Strategy for Legal Action on Access to Abortion Services in Northern Ireland. This was agreed by Commissioners

## **9. Legal Clinic Review**

- 9.1 The Director (Legal, Research and Investigations, and Advice to Government) presented the Legal Clinic Review paper.
- 9.2 Given the lack of solicitor in-house, but with recruitment due to take place in January, Commissioners agreed that the Advice Clinic would remain closed with a review of options, at the February Commission meeting.

**Action: Legal Advice Clinic to be reviewed at the February meeting.**

## **10. Children Missing from Care**

- 10.1 Commissioners were provided with the background to the Children Missing from Care report.
- 10.2 Following discussion, it was agreed to publish the report and that the Chief Commissioner would write the foreword and a number of core recommendations to be added to the report.

**Action: Chief Commissioner to write a foreword and core recommendations to be added.**

## **11. Drugs and Human Rights**

- 11.1 Commissioners were provided with the background to the Drugs and Human Rights research paper.
- 11.2 Commissioners noted the report and agreed that this topic should be the basis for substantial research in the new financial year.

## **12. Communications Report**

- 12.1 The Director (Communications, Information and Education, and Public and Political Affairs) updated on highlighted press since the November meeting.

## **13. Any Other Business**

- 13.1 The Chief Executive updated Commissioners on the draft

Business Plan 2021-22 with the first draft to be presented at the January meeting.

**Action: First Draft of Business Plan to be presented at January meeting.**

13.2 Commissioners noted that a paper on a Bill of Rights for Northern Ireland will be presented at the January Commission meeting.

**Action: Paper on a Bill of Rights to be presented at January meeting.**

The meeting closed at 15:10pm.