

**27 June 2022**

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

### **Held in the Commission's Offices, Alfred House, 19-21 Alfred Street, Belfast, BT2 8ED and via Teams**

**Present:** Alyson Kilpatrick, Chief Commissioner (agenda items 1-15)  
Helen Henderson  
Jonathan Kearney  
David A Lavery CB (agenda items 1-13)  
Eddie Rooney  
Stephen White  
Sean Donaghy, Chair of the Audit and Risk Management Committee

**In attendance:** David Russell, Chief Executive (agenda items 1-15)  
Rebecca Magee, Executive Assistant (to Chief Commissioner and Chief Executive)  
Lorraine Hamill, Director (Finance, Personnel & Corporate Affairs) (Agenda items 1-9)  
Rhyannon Blythe, Director (Legal, Research and Investigations, and Advice to Government)  
Éilis Haughey, Director (Human Rights after EU Withdrawal)  
Claire Martin, Director (Engagement and Communications)  
Laura Banks, Solicitor (agenda item 12)  
Htaik Win, Solicitor (agenda item 12)  
Claire McCann, Senior Policy and Research Officer (Human Rights after EU Withdrawal) (agenda item 13+14)

## 1. Apologies and Declarations of Interest

1.1 There were no apologies or declarations of interests.

## 2. Report from the Chair of the Audit and Risk Committee

2.1 Commissioners welcomed Sean Donaghy, Chair of the Audit and Risk Management Committee to the meeting.

2.2 The Chair of the Audit and Risk Management Committee provided Commissioners with a breakdown of the work of the Audit and Risk Management Committee for 2022. This included an update on the Annual Report and Account 2021-2022.

## 3. Minutes of the 246<sup>th</sup> Commission meeting

3.1 The minutes of the 246<sup>th</sup> Commission meeting held on 31 May 2022 were agreed as an accurate record.

**Action: Minutes of the 245<sup>th</sup> Commission meeting to be uploaded to the website.**

## 4. Chief Commissioner's report

4.1 The Chief Commissioner's report was noted.

## 5. Commissioners' Reports

5.1 Commissioner Henderson reported on an 'Future Relationships' event she chaired hosted by Holywell Trust, Derry. Commissioner Henderson participated in a personal capacity.

## 6. Chief Executive's Report

6.1 The Chief Executive updated Commissioners on the Independent Review of the Commission with the Lead Reviewer of the Panel having been appointed. Introductory meetings with the Panel Chair are being arranged. Final Terms of Reference will be shared.

**Action: Final Terms of Reference to be shared with Commissioners.**

6.2 The Chief Executive updated Commissioners on the Framework Document with the NIO. The final version is expecting in the coming weeks and will be shared once received.

**Action: Framework document to be shared with Commissioners.**

6.3 The Chief Executive provided an update on recruitment with the Senior Finance and Personnel Officer due to be advertised. Following discussion, Commissioners agreed that the grade of the post should be Deputy Principal (DP).

6.4 The Chief Executive reported on the recent visit to Rwanda for the Commonwealth Heads of Government Meeting (CHOGM) that he attended with the Chief Commissioner and Senior Engagement and Communications Officer. At CHOGM the Commission met with the New Zealand, Australian and Canadian Commissions. The Chief Executive also presented on Sports and Human Rights, highlighting Transgender and Sports. The Chief Commissioner also made a visit to lay flowers at the Kigali Genocide Memorial.

## **7. Finance Report**

7.1 The Director (Finance, Personnel & Corporate Affairs) presented the April 2022 Finance Report for Core and Dedicated Mechanism.

## **8. Quarterly Report Against the Business Plan**

8.1 The Chief Executive presented the Quarterly Report Against the Business Plan which was noted by Commissioners.

## 9. Annual Report and Accounts

- 9.1 The Director (Finance, Personnel & Corporate Affairs) presented the Annual Reports and Accounts 2021-22 which had already been approved by the Audit and Risk Management Committee. Commissioners noted the report and thanked staff for their hard work.

## 10. Engagement and Communications Report

- 10.1 The Director (Engagement and Communications) presented the Engagement and Communications report highlighting media around the Bill of Rights, Health, and Trafficking.
- 10.2 The Director (Engagement and Communications) reported on events that have taken place in the last month, including the Business and Human Rights Forum, Annual Lecture with Baroness Hale, and the Dedicated Mechanism Annual Report launch.

## 11. Annual Statement chapters

- 11.1 The Senior Policy and Research Officer provided an update to the Annual Statement chapters.
- 11.2 Commissioners discussed the chapters and approved them following minor amendments and further updates.
- 11.3 Commissioners discussed the need to meet regarding the traffic light system within the Annual Statement. Further discussion is need.

**Action: Commissioners to discuss the traffic light system within the Annual Statement.**

## 12. Legal update and Applications for Assistance

- 12.1 The Director (Legal, Research and Investigations, and Advice to Government) provided an update on:
- JR123 (Rehabilitation of Offenders): a settlement may happen.
  - MMcD (NIHE Intimidation points): a pre-action letter has

been drafted and will be issued in the coming weeks.

- Love for Life: awaiting legal advice and a date for hearing.

12.2 Commissioners were updated on the RSE Investigation. A pre-action letter was received from the Department of Health highlighting that there will be no services in place this year.

12.3 The Solicitor briefed Commissioners on Legal Application for Further Assistance (JR123) to appeal of a recent decision of Mr Justice Colton in declining to make an award of damages to the applicant, JR 123, subsequent to a successful judicial review of Article 6(1) of the Rehabilitation of Offenders (NI) Order 1978. Commissioners discussed the Application for Further Assistance and agreed that further assistance would not be granted in this case.

12.4 The Solicitor briefed Commissioners on Legal Application for Assistance, LK (employment tribunal case). Commissioners discussed the Application for Assistance and agree that assistance would not be granted in this case.

### **13. Dedicated Mechanism update**

13.1 Director (Human Rights after EU Withdrawal) provided an update on the work of the Dedicated Mechanism since the last meeting. This included the launch of the 'Brexit, Health, and its Impact on Article 2 of the Ireland/NI Protocol' report.

### **14. Dedicated Mechanism Annual Report**

14.1 The Senior Policy and Research Officer (Human Rights after EU Withdrawal) briefed Commissioners on the Dedicated Mechanism Annual Report co-published with the Equality Commission. Commissioners noted the report and thanked staff for their hard work.

### **15. Any other Business**

15.1 Nothing to report.

## **16. Induction Refresher on Legal Processes**

16.1 Commissioners were provided with a refresher briefing on the legal processes used within the Commission.

The meeting closed at 14:10pm.