



**28 November 2022**

## **251<sup>st</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  
Helen Henderson  
Jonathan Kearney  
Justin Kouame  
Eddie Rooney  
Stephen White  
David Lavery

**In attendance:** David Russell, Chief Executive  
Rebecca Magee, Executive Assistant to the Chief Commissioner and Chief Executive  
Rhyannon Blythe, Director (Legal Services)  
Colin Caughey, Director (Advice to Government, Research and Investigations)  
Éilis Haughey, Director (Human Rights after EU Withdrawal)  
Claire Martin, Director (Engagement and Communications)  
Elsie Trainor, Boardroom Apprentice  
Michael Black, Solicitor (Legal Officer) (agenda items 8-10)  
Laura Banks, Solicitor (Legal Officer) (agenda items 8+9)  
Lisa Wilson, Senior Engagement and Communications Officer (agenda item 14)

## 1. Apologies and Declarations of Interest

- 1.1 Apologies were received from Lorraine Hamill.
- 1.2 There were no declarations of interests.

## 2. Minutes of the 250<sup>th</sup> Commission meeting

- 2.1 The minutes of the 250<sup>th</sup> Commission meeting held on 30 October were agreed as an accurate record following a minor amendment.

**Action: Minutes of the 250<sup>th</sup> Commission meeting to be uploaded to the website.**

## 3. Chief Commissioner's report

- 3.1 The Chief Commissioner reported on her meetings and events since the last meeting. These included:
  - Joint UPR meeting with MoJ, EHRC and SHRC
  - Met Secretary of State for NI
  - Attend ENNHRI AGM

## 4. Commissioners' Reports

- 4.1 Commissioner Lavery reported on his attendance at the International Bar Association Annual Conference, which he attended in a personal capacity.
- 4.2 Commissioner White reported on his upcoming participation in interviews with RTE on 25 years of the Good Friday Agreement – reflecting on roles of the past, which he is doing in a personal capacity.

**Action: Director of Communications and Engagement to share the Commission statements on the Good Friday Agreement and the Bill of Rights for NI.**

## 5. Chief Executive's Report

5.1 The Chief Executive provided an update on the independent review. A draft is expecting in the coming week and will be shared for discussion at the December Commission meeting.

**Action: Review report to be on the December Commission agenda.**

## 6. Finance Report

6.1 The Chief Executive presented the finance report for October 2022.

6.2 The Chief Executive updated Commissioners that with two members of staff now on maternity leave that the Commission is not in a position financially to back-fill these posts. Commissioners noted this with concern.

## 7. Consultation Report

7.1 The Director (Advice to Government, Research and Investigations) reported on the consultation/legislation the policy team intends, with deadlines in December 2022. These included:

- Northern Ireland Office, Northern Ireland Troubles (Legacy and Reconciliation) Bill - Parliamentary Bills - UK Parliament
- Department of Justice, consultation on increasing the Minimum Age of Criminal Responsibility in NI
- Department of Finance, Miscarriage Leave and Pay, Department for the Economy
- Department of Justice, Abuse of Position of Trust Offences: Extension of the Law – A Call for Evidence - Department of Justice

## 8. Legal update

8.1 The Director (Legal Services) provided an update legal case,

AA (Mears Dispersal Accommodation). Commissioners had asked for a further legal opinion in this case, which was shared and agreed to via email. Commissioners considered the legal opinion and have agreed to intervene in this case. Commissioners will be kept up to date throughout the process.

## 9. Applications for Assistance

9.1 Commissioners considered the PW (requesting that Belfast City Council retract or amend their current policy on "Gender Identity and Expression" with regard to single gender facilities at their premises) application for assistance. It was noted that the application did not meet all the criteria and therefore the Commission was not able to support the application.

9.2 Commissioners considered the application for assistance in relation to the NIHE Housing Selection Scheme on Intimidation Points. Commissioners agreed that the application met all the criteria, and would therefore support the application, however, due to budgetary concerns, the Chief Executive is to speak with the NIO Sponsor branch regarding a business case for the funds to support this case.

**Action: Chief Executive to speak with NIO Sponsor branch regarding a business case for the funds to support this case and report back to Commissioners.**

## 10. Review of Staff decision

10.1 The Director (Legal) provided the background to the review of staff decision. Following consideration, Commissioners agreed with the staff decision that was made.

## 11. Dedicated Mechanism

11.1 The Director (Human Rights after EU Withdrawal) updated Commissioners on the work of the Dedicated Mechanism since the last meeting. This included an update on a recent engagement in Westminster.

11.2 The Director (Human Rights after EU Withdrawal) updated Commissioners on the Three Commission (NIHRC, Equality Commission NI and Irish Human Rights and Equality Commission) meeting that will take place on 29<sup>th</sup> November.

## **12. Working paper on Scope of Article 2 (DM)**

12.1 Commissioners noted the working paper on the Scope of Article 2.

## **13. Three Commission Report (DM)**

13.1 Commissioners endorsed the report of the Three Commissions ahead of its launch at the Three Commission board meeting in Dublin on 29<sup>th</sup> November.

## **14. Engagement and Communications Functions update**

14.1 The Senior Engagement and Communications Officer presented Commissioners with the Communications Strategy. The Strategy was devised following extensive stakeholder consultation as part of the Strategic Planning and our public engagement work. It aims to make a real positive impact on the daily lives of people in NI, whilst supporting the fulfilment of our statutory functions and Strategic Plan 2022-25.

14.2 Commissioners noted the Communications Strategy.

## **15. Any Other Business**

15.1 Commissioners were reminded of two key dates for December:

- Launch of the Annual Statement 2022 on 12<sup>th</sup> December
- December Commission meeting on 19<sup>th</sup> December.

The meeting closed at 1:20pm.