



29 January 2024

263rd COMMISSION MEETING

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

Present: Alyson Kilpatrick
Helen Henderson
Jonathan Kearney
Justin Kouame
David Lavery
Stephen White

In attendance: David Russell, Chief Executive
Rhyannon Blythe, Director (Legal Services)
Colin Caughey, Director (Advice to Government,
Research, and Investigations)
Lorraine Hamill, Director (Finance, Personnel &
Corporate Affairs)
Éilis Haughey, Director (Human Rights after EU
Withdrawal)
Claire Martin, Director (Engagement and
Communications)

1. Apologies and Declarations of Interest

- 1.1 Apologies were received from Vivienne Fitzroy, Boardroom Apprentice.
- 1.2 There were no declarations of interest.

2. Draft Minutes of the 262nd Commission meeting

2.1 The minutes of the 262nd Commission meeting held on 18 December 2023 were approved.

Action: Minutes of the 262nd Commission meeting to be uploaded to the website.

3. Chief Commissioner's Report

3.1 The Chief Commissioner reported that Dmytro Lubinets, Ukrainian Parliament Commissioner for Human Rights was keen to come to Belfast. It was hoped this could be arranged in the near future.

3.2 The recruitment by the Northern Ireland Officer for a part-time Commissioner has been completed and details will be confirmed by the Secretary of State in due course.

3.3 The Chief Commissioner met with Jon Boutcher, the new Chief Constable of the Police Service Northern Ireland, who is keen to meet quarterly and also to meet with Commissioners.

3.4 The remainder of the Chief Commissioner's report was noted.

4. Commissioners' Reports

4.1 Commissioner Lavery reported on the Audit and Risk Management Committee which took place on Thursday 25 January 2024.

4.2 The Audit Committee had noted, that although there was an underspend in the core budget the majority of this was the additional funding secured in-year to recruit to vacant posts, which the Commission had been unable to fill.

4.3 The Committee also noted that a long-term financial review was needed to set a sustainable footing for the Commission.

4.4 Other areas discussed at the Committee meeting included updates on freedom of information requests, progress with internal audit, the planned external audit of the Annual Report and Accounts 2023-24 and the Commission's risk register.

4.5 Commissioner Helen Henderson agreed to join the Audit and Risk Management Committee.

Action: Director (Finance, Personnel and Corporate Affairs) to inform the Chair of the Committee and circulate future meeting dates.

5. Chief Executive's Report

5.1 The Chief Executive updated Commissioners on the following:

- Baseline Review -
The Terms of Reference for the Baseline Review have been signed off by the Northern Ireland Office (NIO) and are currently with the Chief Secretary of HM Treasury for final approval. A Chair has been appointed to lead the Review. It was hoped the Review would commence shortly.
- Professor Michael O'Flaherty, a previous Chief Commissioner, has been appointed as Commissioner for Human Rights of the Council of Europe.
- Sinead Gibney, Chief Commissioner, Irish Human Rights and Equality Commission intends to resign with effect from 15 March 2024.
- Cath Denholm has been appointed Interim Chief Executive of the Equality and Human Rights Commission.
- Planning is underway to celebrate the Commission's 25th anniversary on Friday 1 March 2024.
- The Commission continues to work with the Foreign Commonwealth and Development Office in establishing a permanent secretariat for the Commonwealth Forum of National Human Rights Institutions.
- The Business Plan for 2024/25 has been drafted and is currently being discussed with staff. It will come to the Commission for consideration and sign-off in February/March 2024.

Action: Business Plan to be brought to Commissioners in February/March 2024 for consideration and sign-off.

- A draft of the Human Rights Business Index, which is being developed in conjunction with Queen's University Belfast using the grant from the European Network of National Human Rights Institutions, will be completed by the end of next month.

6. Finance Report

- 6.1 The Director (Finance, Personnel and Corporate Affairs) presented the finance reports for core and dedicated mechanism expenditure to the end of December 2023.
- 6.2 It was noted that the Commission had received additional in-year funding to recruit to vacant posts. Recruitment commenced in November for a Policy and Research Officer and an Engagement and Communications Officer. The post of Policy and Research Officer was unable to be filled and it is unlikely that anyone will be in post by the end of the current financial year. Recruitment for the Engagement and Communications Officer has just been completed with the post holder only able to start in the new financial year. This has resulted in a considerable underspend. Discussions are ongoing with the NIO on next steps regarding the underspend.

7. KPI Functions Update – Finance, Personnel and Corporate Affairs

- 7.1 The Director (Finance, Personnel and Corporate Affairs) provided an update on progress of the key performance indicators for the following areas:
- Learning and Development
 - Internal Audit
 - External Audit
 - Comprehensive Review
 - Monthly Reporting to the NIO
 - Prompt Payment
 - Equality
 - Complaints to the Parliamentary Ombudsman
- 7.2 It was agreed that the Director (Advice to Government,

Research, and Investigations) would contact the Equality Commission Northern Ireland (ECNI) regarding the training they offered on Disability Equality training for Commissioners on the CRPD Committee to check if this could be rolled out to other Commissioners and staff.

Action: ECNI to be contacted regarding Disability Equality training.

8. KPI Report

- 8.1 The Chief Executive reported that the KPI Report had been shared with the Audit and Risk Management Committee at their meeting on Thursday 25 January 2024.
- 8.2 It was noted that it was still a work in progress and would be updated at the end of each quarter and presented the following month to the Commission board.
- 8.3 It was hoped that by the end of quarter four, the information from the report could be extracted to produce the narrative for the Commission's Annual Report and Accounts 2023/24.
- 8.4 Commissioners agreed it was a useful tool to track progress but wanted to ensure that it was not proving to be an overly onerous task for staff.
- 8.5 It was noted that KPI reporting was recently audited as part of the Systems for Tracking Legislation and Policy Developments internal audit. One recommendation was made with five parts which were fully accepted. The timeframe to complete the recommendations is the end of June 2024.

9. Team Updates

Legal

- 9.1 The Director (Legal Services) provided updates on the following:
 - IMA case commenced 29 January 2024 and will run until 1 February 2024.
 - The Commission has received written confirmation that the Home Office will bear their own costs.

- Housing – waiting on final date. The leave hearing has been arranged for 17 April 2024. Commissioners will be updated on progress closer to the time.
- JR123 (Rehabilitation of Offenders Order) – it is likely there will be a one-day hearing at the Supreme Court in the autumn. The Commission is awaiting confirmation if we will be liable for costs of the other side.
- Legacy case – awaiting judgement.
- Pensions case – heard in October 2023 and awaiting judgement.
- Interstate case – application made to the European Court of Human Rights last week.

Policy

9.2 The Director (Advice to Government, Research, and Investigations) updated Commissioners on the following:

- The Rwanda briefing has been published.
- The submission on UNCPRD is currently with Commissioners for comment.
- The policy team will be hosting the UN Special Rapporteur on Violence Against Women on 19 February 2024.

Dedicated Mechanism

9.3 The Director (Human Rights after EU Withdrawal) provided the following update on the work of the Dedicated Mechanism:

- Commissioners were thanked for their comments on the Data Protection Briefing.
- A further draft of the EU Charter Research had been received and was being reviewed. It was hoped that it would be launched on 21 March 2024.
- A tendering exercise was completed for UNCPRD research and unfortunately the Commission was unable to appoint.
- A meeting was held with the Department of Foreign Affairs on 17 January 2024 – discussions included IMA, Data Protection and Frontier Workers.

Engagement and Communications

- 9.4 The Director (Engagement and Communications) provided updates on the following:
- All Freedom of Information (FoI) requests are reported at each of the Audit and Risk Management Committee meetings. It was noted that a complaint had been made to the Information Commissioner's Office (ICO) regarding a recent FoI response. The complaint was not upheld, however, the complainant can appeal the ICO decision.
 - A fact sheet had been drawn up to respond to any queries regarding the IMA case currently being heard.
 - The latest Shared Goals podcast features an interview with James Martin MBE and Karen Gilgun from Mencap.
 - Civil Service Policy and Human Rights Training is planned for February and March 2024.
- 9.5 Commissioners asked the Director to pass on their congratulations to Michael Boyd, Project Manager on receiving an OBE in the King's New Year Honours.

10. Any other business

- 10.1 There being no other business, the meeting ended at 11.30am and went into a closed session.