



30 September 2024

270th COMMISSION MEETING

Held in the Commission's Offices,

Alfred House, 19-21 Alfred Street, Belfast, BT2 8ED and via Teams

Present: Alyson Kilpatrick
Mairead Holder
Jonathan Kearney
Justin Kouame
Stephen White (agenda items 1-8)

In attendance: David Russell, Chief Executive
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) (agenda items 5-13)
Rebecca Magee, Executive Assistant
Hannah Russell, Senior Policy & Research Officer (agenda item 9)

Apologies: Helen Henderson
David Lavery

1. Apologies and Declarations of Interest

- 1.1 Apologies were received from Commissioners Henderson and Lavery.
- 1.2 There were no declarations of interest.

2. Draft minutes of the 269th Commission meeting and Closed minute and matters arising

2.1 The minutes of the 269th Commission meeting were agreed.

Action: Minutes of the 269th Commission meeting to be uploaded to the website.

3. Chief Commissioner's report

3.1 Commissioners noted the Chief Commissioner's report.

3.2 The Chief Commissioner updated the board on legal case MD (disability housing points). This case was handled in house and was settled out of court.

4. Commissioners' reports

4.1 Nothing to report.

5. Chief Executive's report

5.1 The Chief Executive provided an update on the Baseline Review currently taking place and confirmed that there was a meeting this afternoon with the Panel. An update will be provided at the next meeting.

6. Finance Report

6.1 The Director (Finance, Personnel & Corporate Affairs) presented the budget finance report for core and dedicated mechanism.

6.2 The Director (Finance, Personnel & Corporate Affairs) reported that there was a slight increase in the fee for the internal auditors for the financial year 2024-25. The internal audit is due to take place in February/March 2025.

7. Business Plan

7.1 The Chief Executive discussed the Business Plan for 2024-25 in light of the recent confirmation of budget. Commissioners

approved the report and agreed that with the budget now agreed, that the report can be published on the website.

Action: Business Plan to be uploaded to website.

8. Strategic Plan

- 8.1 The Director (Engagement and Communications) presented Commissioners with the Cognisance Report which is a General Public Omnibus Survey commissioned by the Human Rights Commission. The survey is issue focused and not a brand survey. Commissioners noted the survey.
- 8.2 The Chief Executive provided a draft Strategic Plan 2025-2028 and explained that the content now aligned with the Key Performance Indicators (KPI) direction the Commission now takes.
- 8.3 Commissioners discussed the draft Strategic Plan and agreed that following a final proof that the Plan could be shared with stakeholders for consultation.

Action: Following a final proof, draft Strategic Plan 2025-2028 to be shared with stakeholders for consultation.

9. Annual Statement

- 9.1 The Senior Policy and Research Officer presented Commissioners with the initial draft of the Annual Statement 2024 which gave Commissioners a sense of the proposed format, content and areas that staff are tracking.
- 9.2 Commissioners discussed the content and wording of all recommendations and approved it pending final approval.
- 9.3 Commissioners agreed to the proposal to combine 'Emergency Healthcare' and 'National Health Service waiting lists'.
- 9.4 Commissioners agreed to changing the traffic light system to the following sections:
 - Reform of UK asylum system
 - Compensation of miscarriage of justice
 - Visitation in health and social care settings
 - Access to reproductive healthcare
- 9.5 Commissioners agreed that a further draft of the Annual Statement 2024 will be submitted to the October Commission

meeting. This draft will be submitted for the purposes of sign-off by Commissioners at the end of October.

Action: Full Annual Statement to be presented for approval at the October meeting.

9.6 Commissioners agreed, as in previous years, any factual updates to the context required after sign-off will be made at the staff's discretion, within the boundaries of the approach agreed by Commissioners, to ensure that the publication is as up to date as possible. In the unlikely event of any updates to the Commission's position/recommendations being required, the proposed amends will be submitted to Commissioners for sign-off as they arise prior to publication.

10. KPI Report: Dedicated Mechanism

10.1. The Director (Human Rights after EU Withdrawal) presented the KPI report for the dedicated mechanism team. Updates included:

- Policy and Legislation responses in:
 - Strategy for Victims and Survivors
 - UK-EU Data Adequacy Agreements
 - Civil Legal Aid
 - PACE codes
 - Gaps in Equality Law

- Research:
 - Annual Report 2023-24: Launched on 12 September
 - Windsor Framework Art.2 (WFA2) and the Charter of Rights of the EU: research launched 12 September (deferred due to elections). Approx 90 in attendance. Very few participants filled in evaluation forms (4) but these largely confirmed other very positive feedback received informally
 - WFA2 and Environmental Rights: peer review of draft report ongoing; final version expected by year-end.
 - WFA2 and Remedies under EU law: bid accepted, subject to contract
 - WFA2 and UN CRPD: call for tenders re-issued jointly with ECNI, closing date 28 October

- Legal:
 - Re: NIHRC [2024] NIKB 35 – the High Court handed down judgment on 13 May in respect of the Commission’s own-motion challenge to the Illegal Migration Act 2023
 - Dillon & Ors [2024] NIKB 11 (challenge to Legacy Act)– Court of Appeal hearing w/c 11 June. NIHRC and ECNI intervened. Judgment to be handed down 20 September.

- Engagement:
 - evidence to EO Committee
 - presented to German section of International Commission of Jurists
 - evidence to the Northern Ireland Affairs Committee on the ECHR, including on WFA2
 - Joined meeting of Civil Society Alliance on Data Protection & Digital Information Bill
 - Met Human Rights Consortium
 - Met trade union rep on TCA Domestic Advisory Group
 - Met Deputy Head of Mission, Irish Embassy, London
 - Met EU officials
 - met UK Chief of Mission, International Organisation for Migration
 - met with UK Congressional staff
 - Joined meeting of Ad Hoc Group on North-South and East-West Co-operation

11. KPI Report – Core Policy

11.1 Director (Advice to Government, Research, and Investigations) presented the KPI report for Core Policy. Updates included:

- Westminster:
 - A briefing to the secretariat of Joint Committee on Human Rights
 - Inclusion in the Bingham Commission Rule of Law Restoration Project
 - Contribution to Independent Commission on UK Public Health Emergency Powers

- Evidence session with NI Affairs Committee on ECHR and Belfast (Good Friday) Agreement and follow up correspondence from Chair to Secretary of State NI
- NI Assembly:
 - Evidence session Education Committee on Restraint and Seclusion
 - Evidence session Education Committee on Relationship and Sexuality Education
 - Meeting with Minister of Justice
 - Briefings provided to for Department of Justice officials
 - Department of Health consultation on Public Health Bill contains specific recommendation relating to National Human Rights Institutions
 - The NIHRC received proposals for Private Members Bills from fourteen MLAs. The Commission has held meetings with six MLAs and provided initial assessments on nine of the proposals.
- International Examinations:
 - Committee for Elimination of Racial Discrimination – Concluding Observations – Ten recommendations partially or fully reflect NIHRC positions.
 - UN Human Rights Committee – Concluding Observations – Twenty Six recommendations partially or fully reflect NIHRC positions.
 - Meeting Treaty Working Group

12. KPI Team updates –Engagement & Communications

12.1 Nothing to report.

13. Any other business

13.1 Nothing to report.

The main meeting closed at 12:50pm.