



**195th COMMISSION MEETING
MONDAY 30 October 2017 AT 10:00 am
IN THE OFFICE OF
THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION,
TEMPLE COURT, 39 NORTH STREET, BELFAST, BT1 1NA**

Present: Les Allamby, Chief Commissioner
Helen Ferguson
Helena Macormac
Paul Mageean
John McCallister
Eddie Rooney
Graham Shields

In Attendance: David Russell, Chief Executive
Colin Caughey, Director (Legal, Research and Investigations, and Advice to Government)
Lorraine Hamill, Director (Finance, Personnel and Corporate Affairs) (*agenda items 1-7*)
Claire Martin, Director (Communications, Information and Education, Public and Political Affairs) (*agenda items 1-3 and 7-14*)
Rhyannon Blythe, Senior Legal and Research Officer (*agenda items 3, 8-10*)
Sara Donnelly, Legal and Research Assistant (*agenda items 3, 8-10*)
Rebecca Magee, Personal Assistant (*agenda items 7-14*)
Zara Porter, Communications and Public Affairs Officer (*agenda item 13*)

The Chief Commissioner welcomed the Commissioners to their first Commission meeting as the new Board.

1. Apologies and Declarations of Interest

1.1 There were no apologies or declarations of interest.

2. Minutes and Matters arising

2.1 The Chief Commissioner confirmed that the minutes of the previous meeting held on 24 August 2017 had been agreed by the previous Commissioners as an accurate record of the meeting.

2.2 A minor amendment was made the minutes.

2.3 Commissioners agreed the minutes of 24 August 2017, subject to the minor amendment.

Action: Minutes of the meeting held on 24 August 2017 to be placed on to the Commission's website.

2.4 It was agreed that the research paper on the adequacy of services for injured victims of the Troubles would be made available to Commissioners (paragraph 3.1 of the previous minutes refers).

2.5 The Chief Commissioner reported on an issue that had been raised by a previous Commissioner of whether all meetings/engagements with political parties should be listed in the Commission's Annual Report. Commissioners agreed that it was not necessary to include details in the Annual Report (paragraph 4.3 of the previous minutes refers).

2.6 It was agreed that the draft model of a Bill of Rights for Northern Ireland drawing on the Commission's 2008 report, which was launched at the Ulster University, would be shared with Commissioners (paragraph 5.1 of the previous minutes refers). It was also agreed that a meeting would be arranged for Commissioners to discuss the Bill of Rights in light of the implications for human rights of the EU withdrawal.

Action: Meeting to be arranged to discuss the Bill of Rights in light of withdrawal from the European Union.

2.7 The Chief Executive updated Commissioners on progress regarding the Joint Secretariat with the Irish Human Rights and Equality Commission (IHREC). It was hoped that the Commission would know the

outcome of the business case submitted to the Northern Ireland Office (NIO) within the next few weeks (paragraph 6.1 of the previous minutes refers).

2.8 It was noted that the IHREC had written to Simon Coveney, Minister for Foreign Affairs and Trade and Deputy Leader of Fine Gael regarding hosting the next Joint Committee meeting due to be held in Dublin on 23 January 2018.

2.9 It was agreed that the Commission should write to the NIO inviting a Minister to attend the Joint Committee meeting when it next met in Belfast.

Action: Letter to be sent to the NIO inviting a Minister to host the Joint Committee meeting in Belfast.

2.10 The Chief Executive updated Commissioners on ongoing discussions with the Cabinet Office, Foreign and Commonwealth Office and the Commonwealth Games Federation.

2.11 Commissioners were updated on progress regarding the recruitment of the Communications and Public Affairs Officer and Assistant posts.

2.12 The Chief Executive reported that discussions were taking place with the Northern Ireland Assembly regarding a temporary redeployment opportunity to the Commission.

2.13 The Chief Executive informed Commissioners that Fiona O'Connell, Policy and Research Officer would be leaving the Commission on 3 November 2017 to take up a post at Queen's University Belfast.

2.14 The Chief Commissioner reported that the Investigation into Travellers' Accommodation Report was currently with public authorities, who had been involved in the investigation, for an accuracy check. The intention was to have the report ready for issue to Commissioners for discussion at the November Commission meeting with the launch of the report planned for early 2018 (paragraph 9.5 of the previous minutes refers).

Action: Investigation into Travellers' Accommodation Report to be included in papers and discussed at November Commission meeting.

Rhyannon Blythe, Senior Legal and Research Officer and Sara Donnelly, Legal and Research Assistant joined the meeting.

3. Presentation on process for Legal Assistance

- 3.1 The Senior Legal and Research Officer and Legal and Research Assistant made a presentation on the process for legal assistance to Commissioners.
- 3.2 Commissioners noted that the process for legal assistance was currently being reviewed and that it would be brought to a Commission meeting for final sign off.

Rhyannon Blythe and Sara Donnelly left the meeting.

4. Chief Commissioner's Report

- 4.1 Commissioners agreed to support the Human Rights Festival due to take place in December 2017.
- 4.2 Commissioners discussed the role the Commission has played in the recent introduction of a two-child limit for new claimants of child tax credit and universal credit.
- 4.3 It was agreed that details would be included in the Annual Statement 2017 and that the Commission would write to the Attorney General on the legal issues arising from the rape exemption clause in the two child limit.

Action: Details of work to date to be included in the Annual Statement 2017 and a letter to be sent to the Attorney General

- 4.4 The Chief Commissioner reported on meetings and events he had attended since the last meeting. These included:
 - Meeting with Phillip Weir, Special Political Advisor for the Democratic Unionist Party (DUP)
 - Meeting with Stephen Agnew MLA, Green Party
 - Meeting with Bernadette Roberts, US Vice Consulate
 - Meeting with Damien McAllister and Bernie Owens, Belfast HSCT
 - Meeting with Ken Fraser, The Executive Office – head of racial equality unit
 - Spoke at Women's Social Policy forum meeting

- Delivered speech on human rights, social care and ageing to Chartered Institute for Housing annual conference
- Spoke at NHSCT forum in Ballymena on Safe Space, Shared Space initiative on rights of migrant workers as part of cultural relations week
- Presentation to NICRE training programme on Brexit, racial equality and human rights issues
- Meeting Kevin Hanratty, Human Rights Consortium
- Joint meeting with Chief Commissioners of Equality Commission, NICCY, Older Persons Commissioner
- Presentation of NIHRC/Princes Trust film and discussion at Princes Trust for World Mental Health day
- Attended joint HSCB/PSNI multi agency workshop on children and young people missing from care
- Spoke on a panel after Lives in Translation play on Somalia women asylum seekers experience as part of Queens International Festival

5. Commissioner's Reports including update from Audit and Risk Management Committee

- 5.1 Commissioner Rooney provided an update from the Audit and Risk Management Committee. He commended staff on the clarity of presentation of papers.
- 5.2 The Director (Finance, Personnel and Corporate Affairs) provided an update on the internal auditors and confirmed that Grant Thornton would be taking over the contract from 1 November 2017.

6. Finance Report

- 6.1 As this was the first meeting of the new Commissioners, the Director (Finance, Personnel and Corporate Affairs) provided a detailed overview of the financial report, including opening and closing accruals and prepayments, commitments to the end of the financial year and provided information on any variances in expenditure.

Rebecca Magee, Personal Assistant joined the meeting.

7. Annual Statement

- 7.1 Commissioners were updated on the process for the approval of the Annual Statement 2017.
- 7.2 Commissioners discussed the chapters and recommendations of the Annual Statement and agreed that following a number of agreed amendments it was approved for publication ready for the launch on 11 December 2017.

Lorraine Hamill left the meeting.

Rhyannon Blythe and Sara Donnelly joined the meeting

8. Legal update on Supreme Court Case

- 8.1 Commissioners were briefed on the recent Supreme Court Case into Termination of Pregnancy in cases of rape, incest and serious malformation of the foetus (including fatal foetal abnormalities).
- 8.2 The Chief Commissioner thanked staff for the phenomenal amount of work that was completed.

9. Applications for Assistance

- 9.1 Commissioners were briefed on application HRC195.1.1 (retention of DNA).
After discussion, the Commissioners agreed that assistance would be granted in principle subject on further information being sought and counsel's opinion following any information update.

Action: Senior Legal and Research Officer to seek further information.

- 9.2 Commissioners were briefed on application HRC195.1.2 (availability of accommodation). After discussion, the Commissioners agreed that the Court would be written to and unless otherwise directed a watching brief be kept.
- 9.3 Commissioners were briefed on application HRC195.1.3 (damages sought following ECHR claim). After discussion, the Commissioners agreed that assistance

would not be granted on the condition that there was no breach of human rights principles.

- 9.4 Commissioners were briefed on application HRC195.1.4 (retention of Housing Benefit during prolonged absence from home). After discussion, the Commissioners agreed to give written assistance.

10. Access to IVF Legal Briefing

- 10.1 Commissioners were updated on the background to the IVF legal briefing paper.

- 10.2 Commissioners discussed the briefing and agreed additional information be sought to provide further clarity and that a meeting be sought with the Permanent Secretary of the Department of Health.

Action: Senior Legal and Research officer to seek further information from the Department of Health and return to the board.

Action: Meeting to be sought with Permanent Secretary of the Department.

Rhyannon Blythe and Sara Donnelly left the meeting

11. Code of Governance amendment

- 11.1 The Chief Commissioner discussed the proposed amendment with Commissioners regarding paragraph 14 (appendix 1) of the Standing Orders in relation to quorum and providing necessary flexibility to allow Commissioners to attend by telephone in urgent cases when a board meeting is called at short notice.

- 11.2 Commissioners agreed to the amendment.

Zara Porter, Communications and Public Affairs Officer joined the meeting

12. Social Care in Prisons

- 12.1 Commissioners were provided with a background to the Social Care in Prisons paper.
- 12.2 Commissioners agreed that a visit should be arranged for HMP Magilligan.
- 12.3 Commissioners agreed to hold a roundtable event for relevant stakeholders as suggested in the paper.

Action: Visit to HMP Magilligan to be arranged.

Action: Preparation to begin for a roundtable.

13. Communications Report and Press Clippings

- 13.1 Commissioners were updated on the Communications function. This included an update on social media, upcoming animation films for the website and upcoming events including the Commission's Annual Statement launch on 11 December 2017.
- 13.2 Commissioners noted the press clippings in relation to the recent Supreme Court case.

Zara Porter left the meeting

14. Any other Business

- 14.1 Planning for the next Community Engagement has begun and will hopefully take place in Fermanagh in late January 2018.
- 14.2 Correspondence from the Policing Board was discussed and agreed the Chief Executive would meet his counterpart and report back to the Commission.

Action: Chief Executive to report back to board.

The meeting closed at 4:10pm.