

**152nd COMMISSION MEETING**

**HELD ON MONDAY 23 SEPTEMBER 2013 IN THE OFFICE OF THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION, TEMPLE COURT, 39 NORTH STREET, BELFAST, BT11NA**

**In attendance: Professor Michael O’Flaherty**

 **Alan McBride**

 **Milton Kerr**

 **Marion Reynolds**

 **John Corey**

 **Paul Yam**

**Neil Bodger (Chair of Audit & Risk Committee)**

**Present: Virginia McVea**

 **David Russell**

 **Rebecca Magee**

**Apologies: Grainia Long**

 **Christine Collins**

Mr Neil Bodger, Chair of the Audit and Risk Committee reported the Audit and Risk Committee Annual Report (2012-13). This report included:

* Terms of Reference for the Committee
* Internal Audit update
* Risk Management
* Financial Management
* Policy Development
* Propriety
* Training and Development

Mr Bodger expressed thanks to Mrs Lorraine Hamill, Finance and Administration Manager.

**1. Minutes of 151st Commission meeting and additional meeting on 30 August**

1.1 The minutes of the meeting 151st Commission meeting held on 16th August were adopted.

1.2 The minutes of the reconvened 151st Commission meeting held on 19th August were adopted.

1.3 The minutes of the Additional Commission meeting on 30th August were adopted following minor amendments.

**2. Matters Arising**

 2.1 There were no matters arising.

**3. Chief Commissioner Report**

3.1 Commissioners noted the Chief Commissioner’s report on his meetings since the last Commission meeting. These included:

* Police Ombudsman Michael Maguire and Chief Executive Adrian McAllister
* Plenary speaker, Third Bi-Annual Conference of the International Consortium for Law and Religion Studies (“ICLARS”), University of Virginia, USA

(Externally funded)

* British-Irish Association Conference, Cambridge
* Dr Anne Smith, TJI, University of Ulster
* Panel speaker Human Rights Council event on the prevention of reprisals against human rights defenders, Geneva (externally funded)
* 14th Annual Association of Human Rights Institutions Conference, London (Externally funded)

**4. Commissioner Report**

4.1 Commissioner John Corey reported on the meeting with the HAASS team on 20 September. Commissioners agreed to also forward the Parades paper once it has been finalised and approved.

**Action: Final Version of the Parades paper to be send to the HAASS team.**

**5. Directors Report**

5.1 Commissioners noted and discussed the Directors Report.

 5.2 Commissioners discussed the financial report.

*Commissioner John Corey left the room to avoid any potential conflict of interest at 11:25.*

5.3 Commissioners discussed the remuneration of Commissioner John Corey as Acting Chair of the Commissioners.

5.4 Commissioners discussed Commissioner John Corey stepping down from his role on the Audit and Risk Committee as he will be acting Chair of the Commissioners from 1 November. Commissioners agreed and Commissioner Alan McBride was nominated and accepted.

*Commissioner John Corey re-joined the meeting at 11:35*

5.5 The Director provided updates on Service Level Agreements (SLA) and the Commissioners discussed the current SLA between the NIHRC and the NI Ombudsman and the SLA between the NIHRC and the Health and Social Care Board.

**6. Quarterly Report against the Business Plan**

6.1 Commissioners discussed the Quarterly Report against the Business Plan.

6.2 Commissioners discussed the ongoing projects as listed in the paper HRC152.3.

6.3 Commissioners noted the upcoming training with the Kosovo Ombudsman’s office and the Council of Europe in October.

**7. Procurement Paper**

*Kellie Turtle, Education Worker joined the meeting at 11:45.*

7.1 Commissioners discussed the Procurement Paper in general.

 7.2 Commissioners reviewed for the purpose of adopting.

 7.3 Chapter 1, Introduction – adopted as amended.

 7.4 Chapter 2, Public Procurement and Human Rights –

* 2.1 What is Public Procurement? – adopted
* 2.1.1 Public Procurement: Legal principles – adopted
* 2.2 Using Public Procurement to promote public policies – adopted as amended
* 2.3 Realising Economic and Social Human rights in Northern Ireland – adopted
* 2.4 Supply chain Management in the Private Sector – adopted

7.5 Chapter 3, Legal Framework –

* 3.1 European Union Law – adopted
* 3.1.1 EU procurement law – adopted
* 3.1.2 EU equal treatment law– adopted
* 3.2 National Law – adopted as amended (now Domestic Law)
* 3.2.1 Procurement – adopted
* 3.2.2 Equal treatment– adopted
* 3.2.3 Human Rights – adopted
* 3.3 International Human Rights Law – adopted as amended

7.6 Chapter 4, Public Procurement in Northern Ireland: Policy and Practice –

* 4.1 Central Government – adopted as amended
* 4.1.1 Responsible bodies – adopted
* 4.1.2 General procurement policy – adopted
* 4.1.3 Procurement and equal treatment – adopted
* 4.1.4 Procurement and sustainability – adopted
* 4.1.5 Procurement guidance – adopted as amended
* 4.2 Other public authorities – adopted as amended
* 4.2.1 Health and Social Care services – adopted as amended
* 4.2.2 Local councils – adopted as amended
* 4.3 Excepted and reserved matters – adopted

7.7 Chapter 5, Conclusions –

* 5.1 Legal and Policy frameworks – adopted as amended
* 5.2 Guidance and other support for implementation – adopted as amended
* 5.3 Public Services – adopted as amended
* 5.4 Local councils – adopted as amended
* 5.5 Excepted and Reserved matters – adopted

7.8 The paper has been adopted except for the forward.

*Kellie Turtle, Education Worker, left the meeting at 12:45*

**8. Legal Process**

*Angela Stevens, Caseworker joined the meeting at 2:25*

8.1 Commissioners noted and discussed the Legal Process paper.

8.2 Commissioners discussed the reporting of legal enquires to the board.

8.3 The paper was adopted as amended. It was agreed that the new process will be explained in our materials.

*Angela Stevens, Caseworker left the meeting at 2:40.*

**9. Investigation Report update**

9.1 Commissioners discussed the Investigation Report Launch.

**Action: Commissioners are to confirm attendance at the event.**

**10. Bill of Rights**

10.1 Commissioners discussed Bill of Rights being raised at the meeting with the HAASS team on 20 September.

10.2 Commissioners will review the action plan with consideration at the next Commission meeting in October.

**11. De Silva Report**

11.1 This item will be dealt with at the October Commission meeting.

**Action: Summary paper to be in papers for October meeting.**

**12. Culture Paper**

*Kellie Turtle, Education worker joined the meeting at 2:50*

 12.1 Commissioners discussed the Culture paper.

 12.2 Commissioners discussed each section of the paper.

 12.3 Foreword – adopted

12.4 Part I, The International legal Framework: Cultural Rights as Human Rights –

* 1. Cultural Rights in the International Bill of Rights and Regional Human Rights instruments – adopted
* 2. Cultural Rights as an Integral Part of Minority Rights – adopted
* 3. Cultural Rights and the UN Declaration on the Rights of Indigenous Peoples – adopted
* 4. Giving Effect to Cultural Provisions in Post – Conflict Societies – adopted as amended

12.5 Part II, Rights to Cultural Heritage and Diversity of Cultural Expression: Recent International Treaties –

* 1. European Charter for Regional or Minority Languages – adopted
* 2. Rights to Cultural Heritage – adopted as amended
* 3. Rights to Cultural Expression and Diversity – adopted
* 4. Rights to Cultural Heritage and Expression in Post-Conflict Societies – adopted

12.6 Part III, Historical and Cultural Narratives in Post-Conflict Societies: Developing a more inclusive symbolic landscape –

* 1. The Role of Cultural Symbols – adopted as amended
* 2. Participation – adopted
* 3. Improvement of Lives – adopted
* 4. Further Challenges for the Role of culture in Post – conflict Societies – adopted

12.7 Part IV, Case-study on Cultural Rights: The Derry/Londonderry City of Culture Imitative-

* 1. Introduction – adopted
* 2. Cultural Rights in Northern Ireland – adopted as amended
* 3. Approach to the Research – adopted as amended
* 4. The City of Culture bid – adopted
* 5. Realising the Right to Participate in Cultural Life: the Opportunities present by City of Culture – adopted
* 6. Challenges to Realisation of Cultural Rights – adopted as amended
* 7. Developing a New Story – adopted
* 8. Conclusion: Looking beyond 2013 – adopted as amended

12.8 Part V, Conclusions and Recommendations – adopted as amended

12.9 Commissioners deleted Appendix A and all relevant cross references.

12.10 The paper was adopted.

**Action: The Chief Commissioner to précis paper to 30 pages by the middle of October.**

*Kellie Turtle, Education worker left the meeting.*

**13. Any other Business**

*The Chief Commissioner left the meeting at 3:55. Commissioner John Corey took over as Chair.*

 **13.1 Prison Healthcare**

13.1.1 This will be tabled at the October Commission meeting and a paper on engagement in this area will be provided.

**Action: Item to be tabled and paper shared.**

 **13.2 De Silva Report**

13.2.1 This will be tabled at the October Commission meeting and a summary paper will be provided.

**Action: Item to be tabled and paper shared.**

 **13.3 Dissemination of reports and papers**

13.3.1 This will be tabled at the October Commission meeting and a summary paper will be provided.

**Action: Item to be tabled and paper shared.**

 **13.4 Community Engagements**

13.4.1 This will be tabled at the October Commission meeting.

  **Action: Item to be tabled**

The meeting closed at 4:05.

 Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_