



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

## **119<sup>th</sup> COMMISSION MEETING (POLICY)**

**HELD ON MONDAY 21 JUNE 2010 AT 10.00am  
AT THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION,  
TEMPLE COURT, 39 NORTH ST, BELFAST, BT1 1NA**

**Present:** Monica McWilliams, Chief Commissioner  
Tom Duncan  
Colin Harvey  
Alan Henry  
Ann Hope  
Colm Larkin  
Eamonn O'Neill  
Geraldine Rice

**In attendance:** Peter O'Neill, Chief Executive  
Don Leeson, Head of Corporate Services  
Ciarán Ó Maoláin, Head of Legal Services, Policy and  
Research (agenda items 1–6)  
David Russell, Head of Communications and Education  
Roisin Devlin, Investigations Worker (agenda item 7)  
Nazia Latif, Investigations Worker (agenda item 7)

**Apologies:** None

### **1. Minutes of the previous meeting**

- 1.1 The minutes of the 118<sup>th</sup> Commission (Governance) meeting held on 17 May 2010 were agreed as an accurate record, subject to a number of changes.

## 2. Matters arising

- 2.1 Commissioners noted that the Memorandum of Understanding with the Northern Ireland Legal Services Commission is awaiting approval by the NILSC Board (paragraph 2.2 of the minutes of the last meeting refers).
- 2.2 Commissioners noted that a meeting with the First Minister and deputy First Minister is being scheduled to discuss a range of issues, including institutional child abuse, remains pending (paragraphs 2.5 and 2.6 of the minutes of the last meeting refer).
- 2.3 Commissioners noted that tenders for a consultant to undertake the management review have been received and will be considered shortly (paragraph 2.8 of the minutes of the last meeting refers). The Chair of the Audit and Risk Management Committee will feed lessons learnt from the job evaluation exercise into the review (paragraph 5.4 of the minutes of the last meeting refers).
- 2.4 Commissioners noted that the Prisoner Ombudsman has completed an investigation into the treatment of separated prisoners at Roe House, Maghaberry prison (paragraph 3.2 of the minutes of the last meeting refers). All recommendations made by Prisoner Ombudsman have been accepted by the Northern Ireland Prison Service. The Detention, Policing and Justice Committee will consider whether any further action by the Commission is necessary. In the meantime, the Commission has responded to the families of separated prisoners who have raised concerns with the Commission.
- 2.5 The Commission commended the work of the Prisoner Ombudsman and will continue to press for the role to be placed on a statutory basis.
- 2.6 Commissioners noted the appointments to the review of prisons, which has been announced by the Justice Minister (paragraph 3.4 of the minutes of the last meeting refers).
- 2.7 Commissioners noted the appointment of John Larkin QC as the new Attorney General for Northern Ireland (paragraph 3.6 of the minutes of the last meeting refers). The Commission will seek a meeting with him as soon as possible.

- 2.8 The Commission will meet Justice Weir and the Coroner on 28 June 2010 to discuss delays in the coronial system in dealing with legacy cases (paragraph 3.8 of the minutes of the last meeting refers).
- 2.9 The Chief Commissioner reported back on her meeting with the Chief Constable on 18 May 2010. A number of issues were discussed, including the use of 'stop and search' powers by the PSNI, retention of DNA, institutional child abuse and the work of the Historical Enquiries Team (paragraph 3.9 of the minutes of the last meeting refers). Commissioners noted that the Chief Constable had stated his support of a Bill of Rights at a recent meeting of the Policing Board.
- 2.10 Commissioners noted the programme for the Commission's forthcoming conference to consider the future of human rights in the UK, which will be held on 16 September 2010, in the Waterfront Hall, Belfast. A number of high profile speakers have confirmed their participation in the event; confirmation of the UK Government representative is awaited (paragraph 5.8 of the minutes of the last meeting refers).
- 2.11 The joint statement by the Northern Ireland Human Rights Commission, the Scottish Human Rights Commission and the Equality and Human Rights Commission on the future of human rights protections and the Bill of Rights for Northern Ireland (paragraph 2.1 of the minutes of the last meeting refers) will be issued in the context of the conference.
- 2.12 Commissioners noted that the Commissioners' planned visit Westminster to meet Parliamentarians and other stakeholders to discuss the Bill of Rights has been put back until October 2010 (paragraph 5.9 of the minutes of the last meeting refers). Further details of the Government's proposed review the Human Rights Act and proposals for a UK Bill of Rights should be available at this time.
- 2.13 The Chair and members of the Detention, Policing and Justice Committee reported back on their visit to the Knockbracken Healthcare Park on 28 May 2010 (paragraph 5.13 of the minutes of the last meeting refers). Issues raised by the visit will be discussed in detail at the next Committee meeting.
- 2.14 The Head of Legal Services, Policy and Research circulated a summary paper on the outcome of workshop hosted by the UN Human Rights Council on 'Enhancing co-operation between regional and international mechanisms for the promotion and protection of human rights' (paragraph 7.3.2 of the minutes of the last meeting refers).

- 2.15 The Commission will meet with members of the Parades Working Group on 22 June 2010 to discuss the Commission's concerns about the Public Assemblies, Parades and Protests (Northern Ireland) Bill (paragraph 9.6 of the minutes of the last meeting refers). In the meantime, Commissioners noted the success of a briefing event for stakeholders on the Commission's concerns about the draft legislation, which was held on 16 June 2010.
- 2.16 The Chief Commissioner reported back on her meeting with Hilary Jackson, the new Director General at the NIO, on 27 May 2010 to discuss, among other issues, the appointment of new Commissioners (paragraph 10.1 of the minutes of the last meeting refers).

### **3. Annual Report and Accounts for 2009–10 (HRC 119.2)**

- 3.1 Commissioners considered the Commission's Annual Report and Accounts for 2009–10.
- 3.2 Commissioners expressed their appreciation to staff for their achievements in 2009–10 and paid tribute to everyone involved in drafting the report.
- 3.3 Approval of the Annual Report and Accounts was deferred, pending further information, to a special Commission meeting, which will be held on 30 June 2010.

### **4. Code of Governance (HRC 119.3)**

- 4.1 Consideration of this agenda item was postponed until the next Commission (Governance) meeting.

### **5. Sunbeds Bill (HRC 119.4)**

- 5.1 The Commission's submission to the Northern Ireland Assembly on draft legislation on the use of sunbeds was noted.

## **6. Current consultation documents (HRC 119.5)**

- 6.1 Commissioners noted the list of current consultations which are being reviewed by the Commission for possible response, and progress on thematic work and follow-up action on previous policy responses.

## **7. Emerging findings from the investigation into the rights of older people in residential nursing care**

- 7.1 Commissioners were briefed on the emerging findings of the investigation into the rights of older people in residential nursing care.
- 7.2 Commissioners noted that the draft report on the outcome of the investigation will be discussed at the next Commission (Policy) meeting in September 2010.
- 7.3 It was agreed to aim to launch the final report on the investigation on 10 December 2010, the International Day of Human Rights.
- 7.4 In the meantime, Commissioners expressed their appreciation to everyone involved in the investigation for their work to date.

## **8. Any other business**

- 8.1 The Commission will meet Hugo Swire MP, the new Minister of State at the NIO, on 28 June 2010. A meeting with the new Secretary of State is being sought.
- 8.2 The Commission will seek a meeting with the Policing Board's Human Rights Adviser to discuss the oversight arrangements for investigations in respect of Operation Ballast and related cases, which have been transferred from the Historical Enquiries Team.
- 8.3 Commissioners noted that the Irish Human Rights Commission has recently published its Annual Human Rights Lecture, which was delivered by Seamus Heaney on the eve of last year's International Human Rights Day on 9 December 2009. The lecture will be circulated to Commissioners and staff.

- 8.4 Commissioners agreed to conduct fresh job evaluations of the Head of Communications and Education and Head of Corporate Services posts in line with their current job descriptions.
- 8.5 Commissioners agreed to postpone discussion of the Report of the Bloody Sunday Inquiry (the Saville Report) until the next Commission (Policy) meeting.

## **9. Dates of next Commission meetings**

- 9.1 The next Commission (Governance) meeting will be held on 16 August 2010, in Temple Court, Belfast.
- 9.2 The next Commission (Policy) meeting will be held on 13 September 2010 in Larne.

**The meeting closed at 1.30pm, and was followed by a presentation for Commissioners on the use of social networking websites to promote the Commission's work.**

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

Date: 16 August 2010