



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

121st COMMISSION MEETING (GOVERNANCE)

**HELD ON MONDAY 18 OCTOBER 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 (agenda items 1–7)
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

Apologies: None

1. Minutes of the 120th Commission (Governance) meeting (HRC 121.1)

- 1.1 The minutes of the 120th Commission (Governance) meeting held on 16 August 2010 were agreed as an accurate record, subject to an amendment.
- 1.2 It was noted that there were insufficient Commissioners present for the meeting scheduled for 13 September 2010 to proceed as a Commission meeting.

2. Matters arising

- 2.1 Commissioners noted that a bid, jointly submitted with the Equality Commission, to the Office for Disability Issues for further funding to host a conference on the UN Convention on the Rights of Persons with Disabilities was successful (paragraph 6.3 of the minutes of 120th Commission (Governance) meeting refers). The conference is scheduled for 1 December 2010, in Templepatrick.
- 2.2 Commissioners noted that the Government will announce the outcome of the Spending Review on 20 October 2010 (paragraph 8.4 of the minutes of 120th Commission (Governance) meeting refers). Commissioners noted that the Commission is not included in the published list of arms length bodies to be retained, abolished or reformed – the Chief Commissioner will raise this with the NIO.

3. Report from the Chief Commissioner (HRC 121.2)

- 3.1 Commissioners noted that the Chief Commissioner's Report will be circulated in due course.
- 3.2 The Chief Commissioner reported on a meeting with Hugo Swire MP, Minister of State for Northern Ireland, which was held on 6 September 2010. A range of issues were discussed, including the Spending Review, possible sources of additional funding for the Commission, progressing the Bill of Rights for Northern Ireland, international human rights treaty reporting, and the State's obligations under the European Charter for Regional or Minority Languages.
- 3.3 The Chief Commissioner reported on a meeting with John Larkin QC, the Attorney General for Northern Ireland, which was held on 10 September 2010 to discuss a range of issues. Commissioners noted that the Commission and the Attorney General's office will liaise on the scrutiny of draft legislation.
- 3.4 The Chief Commissioner reported on expressions of support she has received for the work of the Commission, both locally and internationally, at the Commission's annual conference on 16 September 2010. Commissioners expressed their appreciation to everyone involved in organising the conference. A conference report is being prepared and will be published in due course.

- 3.5 The Chief Commissioner reported on the meeting of the Joint Committee with the Irish Human Rights Commission, which was held on 14 October 2010, in Dublin. Commissioners noted that the Joint Committee subsequently issued a statement calling for the signature, ratification and implementation of key United Nations instruments by both Governments to ensure the principle of equivalence as set out in the Belfast (Good Friday) Agreement. The next Joint Committee meeting is scheduled for 14 December 2010, in Belfast.
- 3.6 Commissioners noted the intention of the two Commissions to prioritise work on the Charter of Rights for the island of Ireland through the Joint Committee. The Chief Commissioner will write to the North South Parliamentary Forum, on behalf of the Joint Committee, to request an opportunity to address it about the Charter of Rights.
- 3.7 Commissioners noted that a report, *'Roadmap to a Strengthened Equality and Human Rights Infrastructure in Ireland,'* written by Niall Crowley, contains references to the Joint Committee and the Charter of Rights. The report will be circulated following its publication in November 2010 by the Equality and Rights Alliance.
- 3.8 The Chief Commissioner briefed Commissioners on the programme of meetings with Parliamentarians and other stakeholders for the Commission's visit to Westminster on 19–21 October 2010 to discuss developments in respect of the Bill of Rights. This will be followed up with meetings with MPs and members of the House of Lords, and a further meeting with the Minister of State for Northern Ireland. The Chief Commissioner will attend the British Irish Parliamentary Assembly on 21 November 2010, on the Isle of Man.

4. Reports from Commissioners

- 4.1 Eamonn O'Neill reported on his attendance at a conference entitled *'Northern Ireland – Solved but not Settled?'*, which was organised by The Irish Association on 16 October 2010, in Newry. The conference included discussion on the Bill of Rights and other matters relating to the work of the Commission. The conference papers will be circulated to Commissioners.

5. Reports from Committees

Audit and Risk Management Committee

- 5.1 Geraldine Rice reported on the work of the Audit and Risk Management Committee.

Bill of Rights Committee

- 5.2 Ann Hope reported on the work of the Bill of Rights Committee.
- 5.3 Commissioners noted that 21 members of the US Congress have sent a letter to the Prime Minister urging him to support a Bill of Rights for Northern Ireland, as proposed in the Belfast (Good Friday) Agreement.

Detention, Policing and Justice Committee

- 5.4 Eamonn O'Neill reported on the work of the Detention, Policing and Justice Committee was noted.
- 5.5 Commissioners noted that the Commission's planned visit to Maghaberry prison will be discussed by the Detention, Policing and Justice Committee on 26 October 2010.

Economic, Social and Cultural Rights Committee

- 5.6 Colin Harvey reported on the work of the Economic, Social and Cultural Rights Committee.
- 5.7 Commissioners noted that a particular focus of the next Committee meeting, which is scheduled for 1 November 2010, will be consideration of policy priorities relating to economic, social and cultural rights for inclusion in the Commission's next Strategic Plan.

Equality Committee

- 5.8 Commissioners noted that Equality Committee meetings scheduled for the autumn to progress anticipated work on the Commission's new Equality Scheme have been postponed. Work on the Equality Scheme is not now expected to be commissioned by the Equality Commission until 2011.

Legal Committee

- 5.9 Alan Henry reported on the work of the Legal Committee.

Minutes of committees and working groups (HRC 121.3)

5.10 Commissioners noted the minutes of the following meetings:

- Audit and Risk Management Committee – meeting held on 11 June 2010.
- Bill of Rights Committee – meetings held on 29 March and 6 May 2010.
- Detention, Policing and Justice Committee – meeting held on 8 June 2010.
- Economic, Social and Cultural Rights Committee – meeting held on 5 May 2010.
- Legal Committee – meetings held on 8 June and 6 August 2010.
- Moderating Panel – meeting held on 6 September 2010.

Commission and Committee meeting arrangements to August 2011 (HRC 121.4)

- 5.11 Pending the appointment of new Commissioners, proposals for managing Commission business in the light of a reduced complement of Commissioners were considered.
- 5.12 Commissioners agreed that work on the Bill of Rights and Charter of Rights will be progressed as a standing agenda item at each Commission meeting, rather than through a separate committee.
- 5.13 Commissioners agreed that the work of the Equality Committee will be progressed through Commission meetings, rather than through a separate committee. The Equality Committee will consider the programme of work on equality issues at its next and final meeting, which will be on 14 December 2010.
- 5.14 Ann Hope agreed to join the Economic, Social and Cultural Rights Committee, and Alan Henry agreed to join the joint committee with the Equality Commission which oversees work on the UN Convention on the Rights of Persons with Disabilities, to replace Colm Larkin whose term of office as a Commissioner ends on 30 November 2010.

- 5.15 The Chief Commissioner agreed to write to the Secretary of State for Northern Ireland to stress the urgency of commencing the appointments process for new Commissioners as soon as possible.

6. Report from the Chief Executive (HRC 121.4)

- 6.1 Commissioners noted the Chief Executive's Report.
- 6.2 The Chief Executive reported on recent visits to the Commission by representatives of the Ugandan and New Zealand Human Rights Commissions. Chairperson Med Kaggwa and Commissioner Agaba Maguru visited on 5 October 2010 to consider the lessons of conflict transformation processes in Ugandan and Northern Ireland. Rosslyn Noonan, Chief Commissioner and Joanna Collinge, Chief Executive, visited on 11–12 October 2010, to share experiences of work on group and community rights in New Zealand and Northern Ireland.
- 6.3 The visit of Rosslyn Noonan, who is also Chairperson of the International Co-ordinating Committee of National Institutions for the Promotion and Protection of Human Rights at the United Nations, provided an opportunity for her to brief Commissioners and staff on the role and functions of the ICC and consider opportunities for greater input internationally by the Northern Ireland Human Rights Commission. The Chairperson stated her intention to write to the Secretary of State for Northern Ireland following her visit.
- 6.4 Commissioners noted that the draft report of the Commission's investigation into the rights of older people in residential nursing care will be considered at the Commission meeting in January 2011, and published in early summer 2011.

7. Team reports

7.1 Corporate Services (HRC 121.5)

- 7.1.1 Commissioners noted the Corporate Services report.
- 7.1.2 It was agreed to defer consideration of a request relating to a career break until the next Commission meeting, pending further information.

- 7.1.3 Commissioners noted that the outcome of the audit of the Commission's Annual Report and Accounts for 2009–10 was reported to the Audit and Risk Management Committee on 28 September 2010. No significant issues were identified. Certification of the Commission's Annual Report and Accounts for 2009–10 by the Comptroller and Auditor General is expected to take place in November 2010, which will then be laid before Parliament and published shortly afterwards.
- 7.1.4 Commissioners approved the closure of the Commission's offices on 24 December 2010 and a 'privilege' day's leave for staff, in line with the Civil Service and other public bodies.

7.2 Communications and Education (HRC 121.6)

- 7.2.1 Commissioners noted the Communications and Education report.
- 7.2.2 Commissioners noted that the next issue of the *NIHRC Review* is being prepared and will be published in January 2011.

7.3 Legal Services, Policy and Research (HRC 121.7)

- 7.3.1 Commissioners noted the Legal Services, Policy and Research report.
- 7.3.2 Commissioners noted that a programme of work on dealing with the past is being developed by a staff working group, which may include a roundtable event for stakeholders in spring 2011. The Commission will continue to liaise with Dr Patricia Lundy, from the University of Ulster, who gave a presentation to Commissioners and staff on the work of the Historical Enquiries Team on 13 September 2010.
- 7.3.3 Commissioners noted the Commission's response to consultation on the draft Code of Conduct for parades, which had been submitted to OFMdFM in September 2010, and subsequent developments in respect of proposed new arrangements for governing parades.
- 7.3.4 Commissioners noted a summary of the Commission's legal work.

8. Commission's response to OFMdfM's Cohesion, Sharing and Integration (CSI) Programme (HRC 121.9)

- 8.1 Commissioners approved the Commission's response to consultation by OFMdfM on the proposed Cohesion, Sharing and Integration (CSI) Programme.
- 8.2 Commissioners noted that a round table event will be held on 21 October 2010 to brief stakeholders on the Commission's response to the CSI Programme.
- 8.3 Commissioners expressed their appreciation to the staff involved in preparing the Commission's response.

9. Draft Strategic Plan 2011–13 (HRC 121.10)

- 9.1 Commissioners noted progress in developing the Commission's next Strategic Plan.
- 9.2 It was agreed that the Strategic Plan should be for a two-year period, which will allow time for new Commissioners to be fully inducted into their role and consult widely on the longer term strategic direction of the Commission.
- 9.3 The draft Strategic Plan for 2011–13 will be considered further at the next Commission meeting.

10. Code of Governance (HRC 120.10)

- 10.1 Commissioners reviewed the draft Code of Governance, which has been further developed in consultation with the Audit and Risk Management Committee.
- 10.2 The Code of Governance was approved in principle, subject to further comments from Commissioners, which should be sent to the Chief Executive by 5 November 2010.
- 10.3 The Code of Governance will also be sent to the NIO for comments, with a view to it being linked to the terms and conditions of Commissioners.
- 10.4 Commissioners expressed their appreciation to everyone involved in the development of the Code of Governance.

11. Management Review (HRC 121.12)

- 11.1 Decisions on the outcome of the Management Review were held over for a special Commission meeting, which will be held on 1 November 2010.

12. Any other business

- 12.1 There was no other business

13. Dates of next Commission meetings

- 13.1 The next Commission (Policy) meeting will be held on 15 November 2010, in Bangor.
- 13.2 The next Commission (Governance) meeting will be held on 13 December 2010, in Temple Court, Belfast.

The meeting closed at 1.15pm.

Approved: _____

Date: 15 November 2010