

NORTHERN IRELAND HUMAN RIGHTS COMMISSION

Minutes of the 13th Commission Meeting

17th January 2000 at 12.30 pm

Present: Brice Dickson (Chief Commissioner)
Angela Hegarty
Inez McCormack
Frank McGuinness
Tom Donnelly
Tom Hadden
Paddy Kelly
Harold Good
Christine Bell

In attendance: Paddy Sloan (Chief Executive)

Apologies: Margaret-Ann Dinsmore will arrive later in the meeting.

1. Minutes

Clarification was given by the Chair of the Investigations Committee at 2.3 under Correspondence. The Chair had not taken exception to the use of the term “observer” but objected to the Human Rights Commission acting as an “observer” at meetings regarding parades. The minute has been amended accordingly.

2. Matters Arising

2.1 Regarding the correspondence from Adam Ingram on the role of the Commission on parades, it was agreed that the minute should more clearly reflect the Commission’s decision to provide information only. It was recorded that Brice Dickson’s letter to Adam Ingram details that position which will be more clearly reflected in the revised minute.

2.2 The revised minute now reads “Concern was expressed regarding the response from Adam Ingram to the Chief Commissioner’s letter giving clarification of the Commission’s position regarding its role in negotiations on marching in Portadown. The Chief Commissioner had made it clear that the Commission would make presentations about International Human Rights Law on a purely factual basis to any group or meeting, and that the role of the Human Rights Commission in such negotiations is only to provide information”.

3. Chief Commissioner’s Report

3.1 Draft Equality Scheme

This has been prepared by Brice Dickson and is to be discussed at a meeting of the Section 75 Group. (Inez McCormack wished to record her thanks for the help and

support of members of the Commission and staff over the difficult time of her husband's illness.)

3.2 Memorandum of Understanding with the Equality Commission

It was agreed that both full Commissions should meet once this draft memorandum has been agreed between officials. A date in April is being considered when the two Commissions should meet and this will be confirmed at a meeting between officials on the 10th February at which the draft memorandum should be finalised.

3.3 Report on Recruitment

A paper (HRC 13.7) was discussed outlining the recruitment process. The monitoring exercise shows an over representation of women and Catholics on the staff and in a future recruitment exercise the Commission will proactively seek applications from male Protestants, those with disabilities and representatives of ethnic minority groups. It was noted that the appointments reflect the patterns of application. It was also agreed that in any future recruitment exercise the use of external assessors should be continued.

3.4 Staffing Needs

It was agreed that the Commission would finalise the Strategic Plan and then seek to allocate resources accordingly to implement the priorities set. Paper HRC 13.8 was considered and it was agreed that the job description for the Information Officer post would be discussed and approved by the Communications Strategy Working Group. The Committee structure of the Commission will be reviewed at the residential and will also form part of the discussion of the Strategic Plan.

3.5 Relationships with the Executive Committee of the Assembly

Margaret-Ann Dinsmore and Brice Dickson had met with David Lavery and Brian Barrington and it had been agreed that the Commission should meet David Trimble and Seamus Mallon to review procedures for the Human Rights Commission's involvement in legislation and policy within the Assembly. It was agreed that in order to secure a balanced representation, Paddy Kelly and Frank McGuinness should be included in the delegation to meet the First and Deputy First Ministers.

3.6 Meetings with John Stevens, the DPP and Colin Port

Paper HRC 13.10 reporting on these meetings was discussed. The DPP has written to the Commission seeking details of the Commission's procedures prior to his approach to the Attorney General. Brice Dickson will draft a response and circulate all Commissioners with a copy of the DPP's letter and the draft response. A joint meeting of the Investigation and Case Work Committees will explore how best to take forward the conclusions of the meetings with Stevens, Port and the DPP.

3.6.1 Brice Dickson will write to the DPP seeking clarification of his decision not to prosecute police officers regarding threats against Rosemary Nelson and a copy will go to all Commissioners.

3.6.2 It was noted that pre-meetings are important for Commissioners in advance of critical meetings such as those with Stevens, Port and the DPP. It is important that Commissioners all articulate and agree a position and do not dissent individually from that position.

- 3.6.3** Angela Hegarty's attendance at the John Stevens meeting needs to be recorded.
- 3.6.4** A distinction was made between the DPP meeting which is a Case Work Issue and the Port and Stevens Meetings which refer to Investigations. The Commission should consider seeking a meeting with the Chief Constable in order to revisit some of the recommendations in the Cumaraswamy Report as well as the Commission's own concerns in relation to Rosemary Nelson's murder.
- 3.6.5** The Commission has also not met the Nelson family and should consider doing so to complete the range of meetings around this issue.
- 3.6.6** It was agreed that Commissioners could improve the notes of the meetings that had been circulated and those who have supplementary information will send this to the Chief Executive in order to amend the current notes.
- 3.6.7** It was agreed that a strategy was required on how to take forward the information gleaned from the various meetings and documents. The Chief Commissioner will prepare a strategy paper and will write to the Chief Constable seeking various reports and to Paul Nelson to arrange a meeting with the Nelson family. This will be discussed at the next Commission meeting.

3.7 Visits to Places of Detention

The agreed delegation will visit Rathgael Juvenile Justice Centre on the 4th February 2000.

3.8 Visits to the United States

Commissioners require a paper on who would go, what the purpose would be, where would be visited etc and associated costs in order to explore this further.

3.9 Register of Trainers

A register of Trainers and Researchers will be circulated to Commissioners. The management of this register will be discussed at a subsequent Commission Meeting.

3.10 Paramilitary Abuses

Individual enquiries seeking support from the Commission should be referred to Base 2 as a referral agency. Any confusion with Vincent McKenna's Human Rights Bureau on our web site will be explored. A list of approved statutory or voluntary organisations to which enquires can be referred will be compiled.

3.11 Parades

Tom Hadden agreed to prepare a paper which will be discussed at the next Commission Meeting. A meeting with Adam Ingram will not be arranged until a discussion takes place and the Commission has agreed a position.

There will be a pre-meeting at 9.15 am prior to the 10 am meeting on 31st January with the Portadown Orange Lodge.

3.12 Consultation Documents

Comments on the Responses to the Review of Anti-Discrimination Law and the Department of Education's Cultural Diversity Paper should be submitted by the Commissioners as soon as possible.

3.13 Assessment of Commissioners

It was agreed that the Commission should establish its own independent monitoring process and a paper will be prepared by the Chief Executive for consideration by Commissioners.

3.14 Media Training

A further tender should be prepared for Carr Communications that would provide training for all Commissioners on presentation and the purpose of a communications strategy. The Chief Executive will take that forward.

4. Chief Executive's Report

4.1 Accommodation

The Commissioners were pleased with the proposal to move to Adelaide Street and the Chief Executive was thanked for her work in this area.

4.2 Finance

It was agreed that the Chief Executive could tender for Banking Services.

4.3 Staff

The problem with accommodation was noted and it was explained that the current intern from Nigeria was accepted when the Commission anticipated having moved to bigger premises. The policy for taking on interns may be considered at the forthcoming Residential. Commissioners agreed to considering Fatima Ismail in any events or programmes that may have relevance to her during her stay with the Commission.

Selection panels were identified for the posts to be advertised. The Information Worker will involve Frank McGuinness, Paddy Kelly, Brice Dickson and Inez McCormack if available, and the Administrative Workers will involve Paddy Sloan, Brice Dickson and Tom Donnelly. Kate Duffy will be asked again to act as an independent observer during the interview process.

4.4 Residential

The residential will begin at 10 am on Thursday 27th January and will finish after lunch on Friday 28th January.

5. Business Plan

5.1 The Bill of Rights Project needs more money and the Commission should take a political approach seeking adequate resources to implement the Good Friday Agreement.

5.2 Case Work

Again there is an issue of finance in that the Commission may be open to judicial review as happened with the EOC if it cannot take a case simply because there is not enough money to do so.

5.3 Investigations

Investigations will not be able to proceed on the budget described.

5.4 The Business Plan needs to be amended to accommodate the Strategic Plan and to include specific reference and budget lines for criminal justice and policing.

5.5 There was a substantial discussion regarding the budgetary limitations and it was agreed that the revised plan should be submitted simultaneously to the NIO and Peter Mandelson asking for a meeting. The Chairs of the various Committees will speak to the Chief Executive as soon as possible regarding the content of the Business Plan and their proposals for activities in the next two years. In addition there should be explicit reference to the level of public support and an enhanced introductory section that provides more contextual information.

6. Committee Reports

6.1 Education Committee

The Education Seminar that was held in Belfast should be held again in other locations outside of Belfast. Consideration should be given to employing a field worker for outside Belfast.

6.2 The relationship between the Education Committee and the Bill of Rights Working Group needs to be further explored at the Residential.

6.3 Christine Bell will advise on contacts regarding access for deaf people.

7. Strategic Plan

7.1 Commissioners expressed disappointment at the standard of paper work provided on the Strategic Plan consultation process. Difficulty was experienced in structuring the information gathered to refine the draft plan into a clear strategic document for the next three years.

7.2 Christine Bell had prepared a *pro forma* to facilitate Section 75 analysis of the responses that would allow the Commission to use an equality agenda to prioritise responses.

- 7.3 It was agreed to review the reports on the Round Table Discussions and to seek to provide fuller information in a more consistent form.
- 7.4 It was agreed that original responses would be divided among Commissioners for their information and to allow them to contribute to the analysis directly. Christine will receive responses regarding sexual orientation, Paddy Kelly will look particularly at children, Angela Hegarty at criminal justice, Tom Hadden at victims, Margaret-Ann Dinsmore at disability, Harold Good at prisoners and Inez McCormack would cover other issues.
- 7.5 It was agreed that staff would process a sample of responses through the Schedule 9/ Section 75 analysis provided by Christine and would send ten responses out to Commissioners with a copy of this first impact assessment. This would then be discussed at the residential.
- 7.6 Brice outlined the main areas where the Strategic Plan was thought to require additional focus as identified by the responses received to date. These included homelessness, non-State abuses, dealing with the past, the Human Rights Act, abortion, Targeting Social Need, language and education rights.
- 7.7 Margaret-Ann Dinsmore joined the meeting at 4.50 pm.
- 7.8 It was agreed that there is merit in a member of staff of the Commission developing Section 75 expertise in order to provide regular analysis to the Commission.

8. Any Other Business

Margaret-Ann Dinsmore recorded that with regard to the case of the two barristers that is being supported by the Commission, she herself will have no part in this process. It would be inappropriate for her to be engaged in the decision-making process although she will be, as a member of the Commission, kept advised of progress.

The meeting concluded at 5.40 pm.

Brice Dickson
Chief Commissioner

Dated:
