

ps/mg

4 April 2000

NORTHERN IRELAND HUMAN RIGHTS COMMISSION

Minutes of the 15th Commission Meeting

Monday 13 March 2000

2.00 pm

Present: Brice Dickson (Chief Commissioner)
Christine Bell
Tom Donnelly
Tom Hadden
Angela Hegarty
Harold Good
Paddy Kelly
Frank McGuinness
Inez McCormack
Magaret-Ann Dinsmore arrived 3.20 pm

In Attendance: Paddy Sloan (Chief Executive)

Apologies: None

1. MINUTES

1.1 Amendments were noted to the minutes of the 13th Commission Meeting as follows:

1.1.1 in Section 2.3: Angela Hegarty's name should be deleted and replaced by "Chair of the Investigations Committee" and 1.1.2 in Section 2.3: the word "for" should be substituted for "on".

1.2 Amendments were noted to the minutes of the 14th Commission Meeting as follows:

1.2.1 In Section 3.2 on the Stevens Investigation Jane Winters's name should be deleted and replaced by "British Irish Rights Watch" and the first sentence should now read "the terms of reference provided to the Commission by Mr Orde of

the Stevens enquiry are different from those available from British Irish Rights Watch”.

1.2.2 In Section 3.5 Mr John O’Donoghue is Minister for Justice (delete Department of Foreign Affairs).

1.2.3 In Section 3.7 UNESCO “may be keen to contribute to a seminar” (delete “*is keen*”).

1.2.4 In Section 3.10 under Parades the second sentence should read “at an information gathering meeting with Stephen Webb...” In the second paragraph the opening sentence should read ...“the introduction of the Human Rights Act in October....”

1.2.5 Point 6 should become point 7 and a new point 6 introduced. This should read:
“Following consideration of the forthcoming conference in Strasbourg of European Human Rights Institutions, it was decided that the Chief Commissioner could represent the Northern Ireland Human Rights Commission and that it was not necessary to send an additional Commissioner”.

2. MATTERS ARISING

2.1 Diplock Review

Brice Dickson had prepared a paper on the Diplock Review based on the outline provided. The paper has been submitted to the NIO, and circulated to all Commissioners.

2.2 Irish Human Rights Commission

The Chief Commissioner has prepared a letter in draft form to the Minister of Justice in the Republic of Ireland regarding the establishment of their Human Rights Commission.

2.3 Relatives for Justice

Further to correspondence received by all Commissioners from Relatives for Justice,

the Chief Commissioner had written to the group and had agreed to meet with their representatives. He will be accompanied by Angela Hegarty, Harold Good, Frank McGuinness and Tom Donnelly.

3. STRASBOURG CONFERENCE

- 3.1 A business meeting has been arranged following the Strasbourg conference for European National Human Rights. In the light of that and of the need to develop networks among active Human Rights Institutions in Europe, it was proposed that Paddy Sloan as Chief Executive accompany the Chief Commissioner to this conference. The Commission agreed that this would be appropriate.

4.00 CHIEF COMMISSIONER'S REPORT

4.1 Strategic Plan

The final version of the Strategic Plan needs to be distributed during the month of April. It is not possible to arrange a full day for all Commissioners to discuss this Plan until May. It was therefore agreed that Brice Dickson will review the Strategic Plan in the light of Tim Cunningham's comments (the Consultant undertaking Section 75 analysis of the Responses to the Draft Plan). Papers will be circulated to all Commissioners week-ending 7th April for comments to be received by week-ending 14th April. This will allow the final version to be prepared for distribution by the end of April.

4.2 Equality Scheme

The Equality Scheme is on a similar time frame. It needs to go out to consultation by the end of April in order to submit a final version of the Scheme by the end of June,

as required by legislation. Ideally the Equality Scheme will be presented to the next Commission Meeting on 10th April 2000.

4.3 Confidentiality

The points to be addressed in a policy document (on this issue) have been noted and a

brief will go to Jones and Cassidy, solicitors, for advice.

4.4 Conference in Rabat and UN Commission on Human Rights in Geneva

The Northern Ireland Human Rights Commission is the only UK body invited to attend this conference in Rabat, Morocco from 13-15th April, the Fifth international Meeting of International Human Rights Institutions. This is followed immediately by the relevant session of the UN Commission on Human Rights in Geneva (17-19th April). The Chief Commissioner will attend both events and it was decided that it was not necessary for another delegate to attend although the invitation to Rabat was extended for two places. Accommodation costs are covered but the NIHRC is responsible for travel costs.

4.5 Date of next Commission Meeting

It was agreed that the 17th Human Rights Commission Meeting should be re-arranged from 8th to 15th May at 2.00 pm.

4.6 US Department of State Country Report on the UK 1999

A review of the report will be prepared and sent to the State Department asking for full and proper consultation on the report in future years. The review will be circulated to all Commissioners prior to submission. Paddy Sloan and Brice Dickson are to arrange for this review to be carried out.

4.7 RUC

Angela Hegarty will prepare a paper regarding police issues for the agenda of the May Commission meeting.

5.00 CHIEF EXECUTIVE'S REPORT

5.1 Staffing

Commissioners agreed that locum cover should be provided for the Case Worker and

Investigations Worker during their absence on extended annual leave and maternity leave respectively. It was suggested that the Law Society Register of local solicitors be consulted.

5.2 Residential

It was agreed that Richard Reoch be approached to provide a half day's facilitated discussion on the outstanding issues from the residential on staffing and committee structures.

5.3 Performance related pay

Commissioners agreed that annual increments be awarded independently of performance. The nature of the work and the size of the organisation render performance-related pay difficult to administer.

5.4 Fatima Ismail

With regard to Fatima Ismail's internship with the Commission, the Chief Executive was asked to review the insurance position for Fatima when travelling to conferences or other events on behalf of the Commission.

5.5 Accommodation

Commissioners agreed that it would be necessary to tender for design and refurbishment of new premises, regardless of the time scale.

5.6 Finance

Tom Donnelly agreed to review tenders to undertake financial services to the Commission with the Chief Executive.

6.00 VICTIMS PROJECT

6.1 Some amendments were proposed to the terms of reference. Under point C the right

to have someone held to account should replace the right to hold someone to account.

Point B – The right to “appropriate” compensation should be inserted.

- 6.2 Commissioners had an extensive discussion on the definition of “victim” that would be used in the proposed project and eventually agreed on the one given in the proposal. It was agreed in principle that this project be included in the Business Plan for 2000-2002; that the Victims Committee would be re-visited in terms of its membership; that a more detailed breakdown of salary and programme costs would be developed and that the project would be more strategically located within the Commission’s broader priorities. The Chief Commissioner and Chief Executive will take this forward. It was also agreed that the Victims Committee should consider what work could be undertaken on behalf of victims other than victims of violence as defined in the Victims’ Rights Project.

7.00 PARADES

- 7.1 Papers by Tom Hadden and Angela Hegarty were considered in discussion regarding the introduction of the Human Rights Act to apply to part of the parades legislation only.
- 7.2 Brice Dickson had prepared an outline response to the government’s proposal to bring forward the commencement of the Human Rights Act 1998 for the purposes of sections 8, 9 and 11 of the Public Processions (NI) Act 1998. There was a comprehensive discussion of this paper and the Commission amended points 7, 8 and 9 of the paper and agreed that there was no further discussion required at this stage with the representatives of the NIO.
- 7.3 It was agreed that the amended paper would be submitted to the Security Policy and Operations Division of the NIO in advance of St Patrick’s Day, as requested by the NIO officials.

8.00 MURDER OF PATRICK FINUCANE

- 8.1 Consideration was given to the British Irish Rights Watch paper on the murder of Patrick Finucane and the recommendation of the Chief Commissioner to endorse the report’s call for an independent judicial inquiry. Commissioners agreed that with

regard to Pat Finucane's murder, the NIHRC should support the call for an independent enquiry. A press statement would be issued on this matter in due course.

- 8.2. It was agreed that the Commission would release a press statement on the first anniversary of Rosemary Nelson's murder offering sympathy to the family, friends and colleagues of Rosemary Nelson and also saying that "it appears at this stage that it is likely that only an independent inquiry will uncover the evidence which will reveal the truth about Rosemary Nelson's murder". Paddy Kelly asked to see a copy of the press release in advance of its circulation.
- 8.3. Meetings are still to be arranged with both Geraldine Finucane and the Nelson family.

9.00 BILL OF RIGHTS

- 9.1 Commissioners offered a vote of thanks to staff on the success of the Bill of Rights launches in Belfast and Derry. Inez McCormack and Margaret-Ann Dinsmore offered their apologies and regrets at being unable to attend either launch.
- 9.2. Thanks were reciprocated to those Commissioners who were involved in the launches, particularly in Derry where those Commissioners present took part in a panel question and answer session.
- 9.3. The Bill of Rights sub-group will meet as a matter of urgency to plan the follow-up to the launches and the implementation of the main consultation programme.

10.00 COMMITTEE REPORTS

- 10.1 Committee Reports were noted. With regard to the Investigations Committee, Tom Hadden will be represented on the Juvenile Justice Investigation Team and Angela Hegarty on the Parades and Policing Investigation Team.

11.00 ANY OTHER BUSINESS

- 11.1 The Chief Commissioner had been invited by telephone last Wednesday to attend the White House Reception for the Taoiseach on St Patrick's Day. The event coincided with the Strasbourg conference and Brice was therefore unable to attend. Commissioners agreed that at such short notice it was impracticable to send a

representative from the Commission but that the invitation should be welcomed and future contact gratefully anticipated.

11.2. There being no other business the meeting closed at 5.45 pm.

Brice Dickson
Chief Commissioner

Dated: _____

