

NORTHERN IRELAND HUMAN RIGHTS COMMISSION

Minutes of the 27th Commission Meeting

Held on Monday 12 March 2001

**At 2.00 pm in the NIHRC Offices, Temple Court,
39 North Street, Belfast**

Present: Brice Dickson, Chief Commissioner
Christine Bell
Margaret-Ann Dinsmore
Tom Donnelly
Harold Good
Tom Hadden
Paddy Kelly
Frank McGuinness

In Attendance: Paddy Sloan, Chief Executive

Apologies: Inez McCormack

1.0 Minutes of the Previous Meeting

1.1 At point 7.5 the minute should be amended to read that it was agreed “to consider the establishment of a Finance and General Purposes Committee”.

2.0 Matters Arising

2.1 Offensive Website

The Chief Commissioner will write to the Bar Council and Law Society to review their action on this website and see if there is a role for the Commission. In addition a letter will go to Dato Param Cumaraswamy, the UN Special Rapporteur on the Independence of Judges and Lawyers, regarding the position of the one solicitor who has contacted the Commission.

2.2 Secretary of State

The Chief Commissioner should write again to the Secretary of State seeking a meeting with the Commission.

2.3 The Protocol with the OFM/DFM

The Commission is still awaiting final comments from OFM/DFM officials. The Protocol is unlikely to be complete for at least a month.

3.0 **Paper on the Policing of Parades**

- 3.1 The paper was presented to the Commission by the authors Hamilton, Jarman and Bryan. Following the presentation Commissioners discussed the options for publication and dissemination of the paper. It was agreed that the paper was a useful piece of work and that the Commission should publish it as advice prepared by the authors, Dominic Bryan, Michael Hamilton and Neil Jarman at the request of the NIHRC. The paper should state that it does not necessarily reflect the NIHRC position on every point covered. The Commission will not undertake any proactive dissemination. Paddy Kelly said she would have preferred publication to be delayed by a month. The title is to be amended.

4.0 **Chief Commissioner's Report**

4.1 Report on Commission's Effectiveness

The report on the Commission's effectiveness will be published on Wednesday 14 March with a press release to go out on Tuesday 13 March.

4.2 Presenting Evidence to Congressional Sub Committee

As Brice is unwell it is unlikely that he will be able to attend the US Congress Sub Committee of the House of Representatives which is examining the state of human rights protection in Northern Ireland. Inez McCormack is there already and may be able to present on behalf of the Commission. It was agreed that it was best if Brice could attend but a prepared document would be presented at a minimum with Inez in attendance. The document will then be included in the record of the US Congress Sub Committee on International Relations in Human Rights.

4.3 Protocols

The protocol with the NIO will be revisited with officials. A draft of a Memorandum of Understanding with the Police Ombudsman will be circulated to Commissioners.

4.4 Tribunal Case

Counsel's written advice is being sought and should be available to Commissioners by the end of the week. Commissioners will meet briefly to discuss this prior to the proposed meeting with the complainant and the Labour Relations Agency scheduled for 20 March 2001. Advice would be

sought from the Commission's solicitors as to what further steps, if any, require to be taken by the Commission.

4.5 Republic of Ireland Human Rights Commission

There has been no recent contact from the Irish Human Rights Commission.

4.6 The Anniversary of Rosemary Nelson's Death

The Commission will issue a press release on 15 March, the anniversary of Rosemary Nelson's murder. One Commissioner asked to see a copy of the draft in advance of release. The text of Ed Lynch's speech at the memorial lecture will be obtained and circulated to Commissioners. A further meeting will be sought with Colin Port and in a few weeks time the Commission should write to Paul Nelson asking to meet him and advising him of the Commission's intention to meet again with Colin Port.

4.7 Commissioners' Register of Interests

A copy of Commissioners individual registers will be sent for immediate review.

5.0 Chief Executive's Report

5.1 A financial report was submitted indicating an overspend for this financial year around the Bill of Rights in particular.

5.2 The priority of finalising policies and procedures was emphasised.

5.3 Commissioners cannot commit any further time to the planning exercise with staff as suggested. However they are interested in the process and the outcome and may subsequently meet with staff to review the operational plan.

6.0 Standing Orders

6.1. The amended Standing Orders were tabled and agreed.

7.0 Policing

7.1 The Commissioners felt the report presented on the human rights section of the Patten Implementation Plan was very useful. The Chief Commissioner should write again to the Government asking why we have not received the full Implementation Plan. In addition Christine Bell will circulate Brendan O'Leary's paper as presented in Derry. Paddy Kelly is to be circulated with a copy of the human rights section of the implementation plan. The Commission also agreed to continue working on the proposed Code of Ethics

for the new Police Service, even though the Policing Board has not yet been established.

8.0 Committee Reports

8.1 Investigations Committee

8.1.1 The paper on plastic baton rounds has gone to the Chief Constable and the Ombudsman both of whom have returned comments. It was agreed that Michael Waters would be commissioned to address the comments and queries raised by the Chief Constable and the Police Ombudsman and that this work would be supervised by Linda. The goal was to circulate the new draft to all Commissioners prior to the next Commission meeting on 9 April.

8.2 Education Committee

8.2.1 The meeting with the Burns Review Body on Post Primary Education would be attended by Paddy Kelly and Frank McGuinness. Christine Bell is to receive a copy of Laura Lundy's paper.

8.3 Casework Committee

8.3.1 It was agreed that it would be helpful if a one-line synopsis of each case could be provided in the minutes and if the costs involved in each case could be tabulated.

8.3.2 The case which is possibly going to the House of Lords needs to have a more realistic and upward revision of the costs involved.

8.4 Legislation and Policy Committee

8.4.1 The administration in support of this committee needs to be reviewed by the Chief Executive.

8.5 Bill of Rights

8.5.1 An agenda and papers for the next full Commission meeting on the Bill of Rights will be circulated in advance.

8.5.2 Eldred de Klerk from South Africa is on placement in Belfast and will be addressing the Commission prior to the Bill of Rights meeting on Tuesday 20 March.

8.6 Information Worker's Report

8.6.1 This work is going well and Commissioners are pleased with the material available on the website.

9.0 Any other Business

It was agreed that at a future Commission meeting the question of asking persons who are members of the Republic's Human Rights Commission to do paid work for the NIHRC should be discussed.