

MINUTES OF THE RECONVENED 57TH COMMISSION MEETING

HELD ON MONDAY 15 SEPTEMBER 2003 AT 6.00 PM

AT QUEEN'S UNIVERSITY BELFAST

Present: Brice Dickson, Chief Commissioner
Margaret-Ann Dinsmore
Tom Donnelly
Christine Eames
Harold Good
Tom Hadden
Chris McGimpsey

Apologies: Kevin McLaughlin

In Attendance: Paddy Sloan, Chief Executive.

- 1.0** Frank McGuinness notified the Chief Commissioner on 11 September that he too, like Paddy Kelly, was withdrawing from the Commission. The Chief Commissioner made it clear that this was a reconvened Commission meeting to consider business not dealt with at the meeting on 8 September 2003. Neither Paddy Kelly nor Frank McGuinness wished to participate in this meeting and have withdrawn their paper on Casework which was presented to the 8th September meeting.
- 2.0** The agenda for this meeting will cover items 6, 7 and 8 of the original agenda, dealing with relations with political parties, relations with NGOs, and consideration of the Casework function. Commissioners agreed that the purpose of the meeting was to establish a collective Commission response to the criticisms from political parties, NGOs and those associated with the Casework function. Within the discussion of the Casework function there would be a discussion of a response to Christine Bell's letter of 15 August.
- 3.0** Due to ill health Kevin McLaughlin could not attend by telephone but he had submitted his views in a tabled paper.
- 4.0** There followed some discussion regarding Patrick Yu's resignation and the Commission's decision of 8th September to issue an invitation to various political parties, NGOs and individuals to meet with the Commission to discuss the points he raised. It was agreed that a letter of invitation would be circulated and, if there was time, discussed at the next meeting on 22 September 2003.
- 5.0** Commissioners expressed their anxiety and disappointment at the withdrawal of Paddy Kelly and Frank McGuinness from this discussion and the need, if possible, to encourage their re-engagement with the Commission.

- 6.0** It was also agreed that the Commission should not be deflected from the main focus of its work, which is the protection and promotion of human rights.
- 7.0** The need to restore confidence in the Commission both internally among Commissioners and staff and externally was emphasised, as was the Commission's commitment to the integrity of the Casework function.
- 8.0** Some concern was expressed regarding the political analysis of the Commission's work and the difficulty Commissioners face in confronting that agenda.
- 9.0** Commissioners were agreed that a genuine and honest response is required to the various criticisms faced by the Commission, with some urgency. As currently constituted, with two further Commissioners no longer participating, the Commission's representativeness is questionable.
- 10.0** The Commission should emphasise its commitment to a non-political human rights agenda and draw attention to the need for new appointments to be made.
- 11.0** The Commissioners' responsibilities for the governance of the organisation and for the support of the staff were discussed.
- 12.0** It was noted that staff are very concerned at the current profile of the Commission and the lack of a clear response from Commissioners.
- 13.0** Commissioners fully supported the calls from political parties for additional powers and resources to be made available; for the appointment procedure for new Commissioners to involve an independent element in accordance with the Paris Principles; and for the Bill of Rights process to be re-energised. They are also anxious that the appointment of new Commissioners proceed as quickly as possible.
- 14.0** With regard to the forthcoming visit of the Council of Europe experts on 22-25 October 2003, the Commission is committed to ensuring that the experts have the opportunity to meet with as wide a range of interested individuals and organisations as possible.
- 15.0** The Commission reaffirmed its commitment to the integrity of the Casework function and its decision to fund the 'E' case. The Commission has always accepted the decision of the Casework Committee and acknowledged the integrity of the Commissioners responsible for the Casework function.
- 16.0** In terms of a public statement with regard to the 'E' Case, it was agreed that "the integrity of the Casework Committee is not in question, nor has it ever been". In so far as the Chief Commissioner and others expressed individual reservations about the decision, their action was made in good faith. It has proved to be a difficult situation to manage, however the Commission has continued to support the case, which has now been heard and the judgment is awaited. The Commission is confident that the Casework function, and all

functions of the Commission, will continue to operate with the impartiality and independence required of a Human Rights Commission.

- 17.0** It was agreed that Commissioners would consider a draft statement based on the above points and amend as appropriate.
- 18.0** It was also agreed to highlight the Commission's commitment to the difficult and complex issues involved in its work and the dedication of staff and Commissioners to continue to operate free from any external influence.
- 19.0** Commissioners then considered Christine Bell's correspondence and the Chief Commissioner's draft response.
- 20.0** Commissioners went through each of the seven questions asked by Christine of the Commission and agreed a response.
- 21.0** The Chief Commissioner agreed to incorporate the Commissioners' comments and circulate a draft response prior to sending it to Christine.
- 22.0** The Commission will reconvene to consider the remaining items on the agenda of the 57th Commission meeting at 2.30 pm to 4.30 pm on Monday 22 September at Temple Court.
- 23.0** The meeting closed at 9.00 pm.