MINUTES OF THE 8TH MEETING OF THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION

Temple Court, 39 North Street, 9 August 1999

Present Brice Dickson (Chair)
Christine Bell
Margaret-Ann Dinsmore
Tom Donnelly
Harold Good
Tom Hadden
Angela Hegarty
Patricia Kelly
Inez McCormack
Frank McGuinness

In attendance: Denise Magill (Research Officer)

1. There were no apologies.

2. The minutes of the 7th meeting were approved and signed subject to two amendments at the bottom of page 6, namely:
   7. Intimidation of Defence Lawyers – The first sentence should be amended to read: "Ms Hegarty spoke to her detailed report cataloguing the history and extent to allegations of intimidation of defence lawyers". A further sentence should be added to the end of this paragraph, namely: "The Commission also agreed to ask for a meeting with John Stevens and Colin Port."

3. Matters Arising

3.1 Professional Indemnity Insurance

The Chief Commissioner reported that one or two quotations had been obtained and that the position would be finalised as soon as possible. It was suggested that the NIHRC seek information from the Law Centre and from the Children's Law Centre regarding the nature of their professional indemnity insurance.

3.2 Meeting with the RUC

The Chief Commissioner explained the background to the meeting, namely that the RUC had approached the Commissioner to suggest a meeting between the Commission and RUC Working Group on Incorporation of the ECHR. The Chief Commissioner

confirmed that the meeting was designed to facilitate a mutual exchange of views between the NIHRC and the RUC. It was decided that a planning meeting for those attending the meeting with the RUC on 11 August would be held at 6pm at the conclusion of today's meeting.

3.3 Visit to the UK of the European Committee on the Prevention of Torture
The Chief Commissioner advised that no notice of the visit had yet been received.

3.4 Plastic Bullets
It was decided that this issue would be deferred for discussion at the September meeting when it was hoped that a final draft of Naomi Doherty's paper would be available.

3.5 Commission Logo
The Chief Commissioner reported that the meeting planned to take place between Ms Kelly, Mr McGuinness and the Chief Commissioner regarding the logo had not yet taken place.

3.6 Joint Committee with the Irish Human Rights Commission
Ms McCormack asked whether any progress had been made in the establishment of the Joint Committee. The Chief Commissioner indicated that no further progress could be made in advance of the establishment of the IHRC.

4. Discussion on Progress on Draft Strategic Plan

The Chief Commissioner indicated that today's discussion should focus on the substance of the draft plan and should not consider issues of tone or style. He also indicated that he was aware of omissions in the current draft such as budget and milestones for measurement. A detailed discussion ensued and many suggestions for amendment of the draft strategic plan were made including:

- The need to ensure an awareness of gender issues is reflected in specific sections of the plan;
- The section dealing with the rights of the elderly should refer to the Royal Commission Report on care of the elderly;
- As regards ex-prisoners, the draft strategic plan should acknowledge the difficulties of balancing the need for the re-integration of sex offenders with the need to protect children;
- The second paragraph of page 19 regarding who is a victim should be re-worded;
- As regards the Bill of Rights project, the reference to the Civic Forum should be nuanced;
- The section on education should be amended to make more specific reference to education in the curriculum and also to the need for broader public education. There should also be more emphatic statement of point 3 on page 17 regarding supporting existing initiatives;
- On page 30 "funding" should be replaced by "co-funding" and the culture of co-operation should be emphasised. References to specific groups should be removed;

- The Commission's policy on funding should be outlined only and not included in full. There should be a separate heading in this section for funding. In addition, this section should be amended to read that the Commission will not normally fund conferences;
- The Draft Strategic Plan should clarify the extent to which the 'initial areas of work' slant the Commission's decisions regarding what case work and investigations it will undertake – i.e. point 3 on page 40 should be dealt with more fully on page 14;
- Where the Draft Strategic plan refers to groups deserving of special protection it should make it clear that there is no other organisation/agency working on their issues;
- The section on initial areas of work on page 14 needs to be set within a context with a greater explanation of the reasons why the Commission is choosing certain areas. It was agreed that Ms Bell, Ms Hegarty and Ms McCormack would draft a section for inclusion in page 14 to contextualise the Commission's decision;
- Page 32 should include a short paragraph reinforcing the importance of international human rights standards, the international community as a watchdog and the Commission's commitment to campaign for the UK to accept the right to individual petition;
- The Commission should approach the Coalition on Sexual Orientation to ensure that the correct language was used to describe gay, lesbian and trans-sexual/trans-gender issues;
- On page 22 the reference to a "forgiving society" should be amended to read a "healthy society";

There was discussion about the need to ensure that the draft strategic plan be widely circulated to all of the right individuals and groups. It was decided the Appendix I which provides the initial distribution list for the plan should not be categorised. However the Commission should compile specific/categorised mailing lists in-house so the Commissioners can consider who the plan is being sent to and why. It was suggested that those receiving the Draft Strategic Plan should include the homeless, the 26 district councils, the CBI and the Trade Unions.

It was decided that Ms Bell and Ms. McCormack would re-draft page 14 and Ms. Hegarty would draft an additional paragraph for insertion in the policing/criminal justice section.

Addendum: Further discussion of the process for preparing the Draft Strategic Plan during the training session with Professor Christopher McCrudden on S.75 and schedule 9 of Northern Ireland Act 1998, 9 August 2pm-5.30pm.
Following detailed discussion, it was decided that the existing schedule 9 Working Group should meet as soon as possible to carry out an impact assessment for the compliance of initial areas of work with the s.75 and schedule 9 duties. The impact assessment should be guided by the draft guidelines for equality schemes prepared by the Equality Commission Working Group. The schedule 9 Working Group would draft a framework for inclusion in the Draft Strategic Plan and this should be circulated with the next draft of the strategic plan.

5. Premises

There was a lengthy discussion regarding the existing options for new premises for the NIHRC. A number of views were expressed about both the location of the premises and the overall accommodation budget of the Commission.

It was decided that:

i. 3 Commissioners should view the office space available in Lindsay House, Callender Street on Wednesday 11 August. At the meeting it was decided that these 3 would be: Mrs Dinsmore, Professor Hadden and Ms Hegarty
ii. the Chief Commissioner should contact the NIO for confirmation regarding any monies available for fit-out/start-up costs in accommodation.

An update on progress regarding this matter would be provided at the September meeting.

6. Staffing

The Research Officer left the room and the Chief Commissioner reported the progress to date in recruitment.
The Chief Commissioner tabled a new version of HRC 8.34 (HRC 8.34a) which summarised the position on recruitment, including an analysis of the monitoring forms returned by applicants. It was pointed out that the monitoring figures relating to applicants for the post of Research Worker did not add to 100% and the Chief Commissioner undertook to rectify this.

Following a review of the discussion of the issue at the Commission meeting on 2 July, it was agreed that the Commission's Standing Order requiring all committee decisions to be approved by the Commission as a whole could be suspended as regards decisions taken by interviewing panels to appoint an applicant to a post. This meant that the Chief Commissioner *could* act on panel decisions even in the absence of confirmation of the panel decision by the full Commission. The Chief Commissioner could not, however, so act if one of the panel members raised reservations about the process adopted during selection for the post in question: in that case the panel decision would first need to be confirmed by the Commission as whole.

Following discussion it was reaffirmed that no Commissioner should take part in either shortlisting or interviewing unless he or she had been adequately trained in recruitment procedures. Each Commissioner would review his or her position in this regard and, if necessary, contact the Commission's consultants on recruitment, Jones and Cassidy.

The Chief Commissioner agreed to send to each Commissioner a copy of the adverts and all job descriptions for the posts currently being recruited.

As regards offers of salary to successful applicants it was agreed that each interviewing panel should agree the appropriate salary. The Chief Commission would provide each panel with information about salary levels agreed by other panels.
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7. Expenditure March-July 1999-08-27

After discussion it was agreed that the budget planning should include allocation for promotional literature, publication and start-up costs. Further discussions should also be held with NI Audit Office for guidance on the preparation of the quarterly expenditure reports.

8. Chief Commissioner's Report

Due to lack of time this item was not discussed. The Chief Commissioner invited written comments on his report from all Commissioners.

9. Council of Europe (Adacs Programme 1998-1999)

Following discussion as to how best to use this source of funding was agreed that a series of events should be organised across Northern Ireland perhaps over a two-day period. These events should be held in part to mark the 10th anniversary of the UN Convention on the Rights of the Child (20 November 1999) and, in part, to address how children and young people can play a role in the NIHRC Bill of Rights project. It was decided that the Chief Commissioner should liase with the CAJ in relation to the organisation of the event, (given that the funding arose from an application by the CAJ on behalf of the NIHRC prior to its establishment). Possible speakers to attend these events would be Graca Machel and a relevant expert from the Council of Europe.

10. Training on the HR Act 1998

Due to lack of time discussion of this item of the agenda could not take place.