



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

MINUTES OF THE 82ND COMMISSION MEETING

HELD ON MONDAY 14 NOVEMBER 2005 AT 10:00am AT
THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION,
TEMPLE COURT, 39 NORTH ST, BELFAST, BT1 1NA

Present: Monica McWilliams, Chief Commissioner
Jonathan Bell
Christine Eames
Colin Harvey
Alan Henry
Ann Hope
Eamonn O'Neill
Geraldine Rice

Apologies: Tom Duncan
Kevin McLaughlin

In attendance: Paddy Sloan, Chief Executive
Don Leeson, Head of Corporate Services
Ciarán Ó Maoláin, Head of Legal Services, Policy and
Research
Peter O'Neill, Head of Information, Education and
Development

1. Minutes of the 81st meeting (HRC 82.1)

- 1.1 The minutes of the 81st Commission meeting were agreed as an accurate record.

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2. Matters arising

- 2.1 There were no matters arising.

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3. Report from the Chief Commissioner (HRC 82.2)

- 3.1 Commissioners noted the Chief Commissioner's report.
- 3.2 The Chief Commissioner reported on her visit to the United Nations in Geneva on 31 October–2 November 2005 and the meetings she held there, including with Louise Arbour, the newly appointed High Commissioner for Human Rights. The Office of the High Commissioner for Human Rights (OHCHR) is promoting the Northern Ireland Human Rights Commission as an example of good practice to countries developing their own national human rights institutions and wishes it to participate in events to help guide those countries.
- 3.3 As part of this, OHCHR has invited the Commission to attend two conferences in Uruguay and Turkey respectively, both taking place on 5/6 December 2005, with full costs being met by the UN for the Uruguay event and partial costs in relation to Turkey. Given that these fall within the week of events that the Commission is organising in the lead up to the International Day of Human Rights on 10 December, it was agreed that the Commission could not send representatives to both conferences. It was agreed that Ciarán Ó Maoláin should attend the conference in Uruguay.
- 3.4 OHCHR intends organising a roundtable event on human rights and conflict prevention in June 2006 and has asked the Commission to consider hosting this in Belfast. Commissioners agreed to this.
- 3.5 The Chief Commissioner drew Commissioners' attention to a number of recent international publications, including 'Economic, Social and Cultural Rights – Handbook for National Human Rights Institutions' published by OHCHR in which the Northern Ireland Human Rights Commission's work on promoting human rights through the education curriculum is highlighted, and 'Assessing the Effectiveness of National Human Rights Institutions' published jointly by OHCHR and the International Council on Human Rights Policy, which Brice Dickson, when Chief Commissioner, helped guide. Copies of both publications will be sent to Commissioners.
- 3.6 The Commission has been invited to participate in a seminar convened by the Disability Forum in London on 7 December 2005 to discuss the development of the Commission for Equality and Human Rights in Great Britain. The event coincides with the Commission's conference on the Bill of Rights in Armagh. The Chief Commissioner will consider who should represent the Commission.

- 3.7 As part of the Commission's programme of meetings with the political parties in Northern Ireland, the Chief Commissioner and Chief Executive met with representatives of the SDLP on 3 November 2005. The meeting with the UUP has been rescheduled to 28 November 2005. Meetings with other political parties are being arranged and details will be sent to Commissioners in due course.
- 3.8 It was agreed that the meetings with political parties should be open to all Commissioners to attend, including those who are members of political parties. This will be made clear to the political parties prior to the meetings and the Chief Commissioner will emphasise the confidential nature of the discussions at the start of each meeting.
- 3.9 The Chief Commissioner reported on her attendance at the SDLP conference on 12 November 2005. Denis Bradley, Vice Chairperson of the Northern Ireland Policing Board, addressed the conference and made a number of comments in respect of human rights and policing.
- 3.10 David Hanson MP, Minister of State for Northern Ireland, will visit the Commission on 15 November 2005. He will use the occasion to brief Commissioners on proposals to increase the powers of the Commission and the Northern Ireland (Offences) Bill.

4. Commission Standing Orders (HRC 82.3)

- 4.1 Commissioners considered revised Standing Orders for Commission meetings when they met on 16 September 2005 (HRC 80.3 refers). A further draft, revised in light of those discussions and subsequent comments made by Commissioners, was discussed.
- 4.2 Subject to some minor amendments, the revised Standing Orders were approved. It was agreed that the frequency of Commission meetings would change to bi-monthly with effect from January 2006 – Commissioners will continue to meet on a monthly basis, with Policy Committee meetings taking place on alternate months to Commission meetings. The Standing Orders will be kept under review, particularly in respect of the frequency of meetings and the requirement for Commission meetings to be quorate with 50% + 1 Commissioners.

- 4.3 It is the intention to meet at least once, and preferably more times, each year outside of Belfast, so that Commissioners can engage with local stakeholders. These meetings will be used to generate local awareness of the work of the Commission and might also be used to facilitate some outreach work, such as advice 'surgeries'. It was agreed that the Commission meeting which is scheduled for 13 March 2006 will be held in Enniskillen.

5. Committee Structure (HRC 82.4)

- 5.1 Commissioners considered proposals for a revised structure of standing committees and other working groups to progress Commission business and provide a framework for decision-making and detailed scrutiny of Commission activity.
- 5.2 In addition to the pre-existing Casework Committee, it was agreed to establish an Audit and Risk Management Committee to scrutinise the corporate governance and financial management of the Commission, a Policy Committee to discuss the Commission's position in respect of public policy and legislative proposals, and a Public Affairs Committee to monitor and guide the implementation of the Commission's Public Affairs Strategy and communications management protocol and procedures. Detailed terms of reference for each committee will be prepared for consideration at the next Commission meeting.
- 5.3 It was agreed that, alongside the terms of reference for the committees, a paper should be developed for consideration at the next Commission meeting on decision-making and delegated authorities more generally within the Commission.
- 5.4 Membership of the committees was agreed, subject to confirmation that each committee was balanced in respect of equality categories – this will be confirmed at the next Commission meeting. It was noted that the Northern Ireland Act 1998 (Schedule 7, section 8(1a)) allows for people who are not Commissioners to be members of committees. In due course, Commissioners will consider whether any committees should be supplemented by external people.
- 5.5 It was agreed that the Audit and Risk Management Committee should have an independent Chairperson with extensive financial and corporate governance knowledge. A role description and person specification was agreed, subject to a number of changes.

- 5.6 It was agreed that the Audit and Risk Management Committee Chairperson should be paid an honorarium of £300 per meeting, together with reasonable travel expenses. The position will be advertised for open competition.
- 5.7 A number of Commissioners volunteered to join a working group to review the work to date of the Joint Committee of Representatives of the two Human Rights Commissions on the Island of Ireland (the Joint Committee) and make proposals for its future operation. A meeting of the working group, which also comprises Commissioners from the Irish Human Rights Commission, has been scheduled for 12 December 2005 in Belfast.

6. Draft Annual Report 2004–05 (HRC 82.6)

- 6.1 Subject to some amendments, the Commission's Annual Report for 2004–05 was approved for submission to the Secretary of State for Northern Ireland.
- 6.2 It was agreed that the Chief Commissioner, while not in post during 2004–05, should write a foreword to the Annual Report.

7. Commission response to call for cross–border public inquiry into the Omagh bomb on 15 August 1998 (HRC 82.7)

- 7.1 Commissioners considered a briefing on the request by the Omagh Support and Self–Help Group seeking support for a cross–border public inquiry into the Omagh bombing on 15 August 1998. The Commission's position in respect of the call for such an inquiry was agreed.
- 7.2 It was agreed that Commissioners would consider a draft letter to the Omagh Support and Self–Help Group setting out the Commission's response at its next meeting and that Commissioners should meet with the group to discuss the position with them. In the meantime, the Chief Commissioner will speak to the President of the Irish Human Rights Commission to discuss their approach to this matter.

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8. Report from the Chief Executive (HRC 82.8)

- 8.1 Commissioners noted the Chief Executive's report, which included a summary of the discussions at the residential event for Commissioners on 26/27 October 2005.
- 8.2 Commissioners noted discussions at a meeting of the European Co-ordinating Committee of National Institutions for the Promotion and Protection of Human Rights on 14 October 2005 of the Commission's current status at the UN as a 'sub-national' institution. Designation affects directly the legitimacy, credibility and visibility of national human rights institutions at international level. The Commission's designation will become increasingly important with the development of the Commission for Equality and Human Rights in Great Britain and the Scottish Human Rights Commissioner.
- 8.3 Commissioners noted that Dermot Ahern, the Irish Foreign Minister, is interested in visiting the Commission.
- 8.4 Commissioners noted that Stuart Eldon, the British Ambassador to the Republic of Ireland, paid a courtesy visit to the Commission on 1 November 2005.

9. Staff, Committee and Working Group Reports

9.1 Corporate Services (HRC 82.9)

- 9.1.1 Commissioners noted the Corporate Services report.
- 9.1.2 Commissioners noted that a review of the Commission's budgets will be undertaken to identify pressures and easements. A report on the outcome of this review will be made at the next Commission meeting.
- 9.1.3 In line with other public bodies, Commissioners approved an additional day's leave for staff and closure of the Commission's office on 28 December 2005.

9.2 Information, Education and Development (HRC 82.10)

- 9.2.2 Commissioners noted the Information, Education and Development report.
- 9.2.3 Commissioners noted progress in developing the Commission's magazine, which will be launched shortly, and in redesigning the website.

- 9.2.4 Commissioners noted the high level of media attention that the work of the Commission had received during the previous month on a range of issues, including the availability of the cancer treatment drug, Herceptin, the decision to ban smoking in workplaces and women in prison.
- 9.2.5 Commissioners will be holding a residential event on 18/19 November 2005 at the Canal Court Hotel in Newry to discuss strategic proposals on developing the work on a Bill of Rights. Commissioners will discuss at this event a draft programme for the conference that the Commission is organising on the Bill of Rights project on 7/8 December 2005.
- 9.2.6 Commissioners noted that the Commission will be holding a seminar on human rights education for educationalists and policy makers on the evening of 6 December 2005.

The meeting was suspended for lunch at 13:25.

The meeting resumed at 13:55.

9.3 Legal Services, Research and Policy (HRC 82.11)

- 9.3.1 Commissioners noted the Legal Services, Research and Policy report, which included a briefing on the proposals contained in the Northern Ireland (Offences) Bill to deal with people suspected of terrorism-related offences committed before 10 April 1998, but not tried or convicted of those offences, and the human rights issues raised.
- 9.3.2 Commissioners discussed the legislative proposals. Commissioners expressed deep concern at aspects of the draft legislation in terms of international human rights standards, particularly in respect of information to be provided to victims. A detailed response to the legislative proposals will be prepared for discussion at the next Commission meeting.

9.3.3 A draft paper was tabled at the meeting on the Commission's position in respect of the human rights aspects of the proposals contained in the Terrorism Bill and other developments in the Government's counter-terrorism policy. Subject to further comments by Commissioners, the paper will be used to brief the Joint Parliamentary Committee on Human Rights when representatives of the Commission meet with them in Westminster on 16 November 2005.

9.4 **Casework Committee minutes (HRC 82.12)**

9.4.1 The minutes of the Casework Committee meeting held on 26 September 2005 were noted.

10. Draft Strategic Plan 2006–09 (HRC 82.5)

10.1 Commissioners discussed a revised draft of the Commission's draft Strategic Plan for 2006–09. The draft Plan will be further revised in the light of the discussions for approval by Commissioners at their residential event on 18/19 November 2005. It will then be published for consultation with stakeholders until the end of January 2006.

Note: The draft Strategic Plan for 2006–09 was subsequently approved by Commissioners for consultation. It was emailed to stakeholders during the week commencing 28 November 2005, to be followed by a printed copy. The draft Strategic Plan will also be published on the Commission's website.

11. Any other business

11.1 Commissioners expressed their appreciation of the work to date by staff to organise and deliver induction seminars on human rights law, the criminal justice system and corporate governance. The induction programme will continue with further seminars scheduled to cover work on a Bill of Rights and human rights and vulnerable people.

11.2 Briefing papers produced by the Human Rights Consortium were tabled at the meeting for those Commissioners who had not yet received them.

11.3 It was agreed that a briefing on the process to review the Commission's Equality Scheme should be produced for discussion at the next Commission meeting.

| 12. Next meeting

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12.1 The next meeting of the Commission will be held on 12 December 2005 at 10am in Temple Court.

| The meeting closed at 16:30pm.

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Date: 12 December 2005