



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

MINUTES OF THE 95TH COMMISSION MEETING
HELD ON MONDAY 26 NOVEMBER 2007 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
Tom Duncan
Christine Eames
Colin Harvey
Alan Henry
Ann Hope
Kevin McLaughlin
Eamonn O'Neill
Geraldine Rice

Apologies: None

In attendance: Peter O'Neill, Chief Executive
Don Leeson, Head Corporate Services
Miriam Titterton, Acting Head of Communications and
Education

Commissioners noted that this was the final Commission meeting for Christine Eames and Kevin McLaughlin, whose appointments as Commissioners were due to end on 30 November 2007, after six years' of service. Commissioners expressed their appreciation for the substantial contribution made by Christine and Kevin to the work of the Commission during the past six years and, in particular, for ensuring a smooth and effective transition from the first cohort of Commissioners to the current Commissioners in 2005.

Commissioners noted the appointments of Colm Larkin and Daphne Trimble as Commissioners to take over from Christine Eames and Kevin McLaughlin, with effect from 1 December 2007.

Peter O'Neill was formally welcomed to his first Commission meeting in his new capacity as Chief Executive.

Miriam Titterton was welcomed to her first Commission meeting in her new capacity as Acting Head of Communications and Education.

1. Minutes of the last meetings (HRC 95.1)

- 1.1 The minutes of the 94th Commission meeting held on 17 September 2007 were agreed as an accurate record.

2. Matters arising

- 2.1 Commissioners noted that questionnaires for the survey of the views of stakeholders on the Commission's work will be issued during the week commencing 26 November 2007 (paragraph 6.2.4 of the minutes of the last meeting refers). The survey results will be presented to Commissioners in due course.
- 2.2 Commissioners noted that the Commission's Annual Report and Accounts will be laid before Parliament on 13 December 2007 (paragraph 9.2 of the minutes of the last meeting refers).

3. Report from the Chief Commissioner (HRC 95.2)

- 3.1 Commissioners noted the Chief Commissioner's report.
- 3.2 Commissioners noted that the resources and contractual arrangements for a fixed term post to support the work of the Joint Committee with the Irish Human Rights Commission will be discussed at the next Joint Committee meeting, which is scheduled for 3 December 2007 in Dublin [note: this meeting was subsequently rescheduled to 29 January 2008].
- 3.3 The Chief Commissioner reported on her meeting with Michael McGimpsey, the Minister for Health, Social Services and Public Safety on 7 November 2007, together with Alan Henry and Ann Hope. Commissioners noted a delay in the transfer of responsibility for health care provision in prisons to DHSSPS.

- 3.4 The Chief Commissioner gave a brief report on her attendance, with the Chief Executive, at a conference for Commonwealth National Human Rights Institutions on 19–21 November 2007 in Uganda. A full report is being prepared and will be circulated to Commissioners in due course.
- 3.5 The Chief Commissioner gave a brief report on her attendance, with Jonathan Bell, at a roundtable discussion on the role of NHRIs in the promotion of transitional justice, hosted by the South African Human Rights Commission and the Office of the United Nations High Commissioner for Human Rights, on 23/24 November 2007, in South Africa. This event built on discussions at a similar event held in June 2006 in Belfast. A full report and papers from the event will be circulated to Commissioners in due course.

4. Reports from Commissioners

- 4.1 Eamonn O'Neill reported on his attendance at an event, hosted by the Northern Ireland Council for Integrated Education, on the role of education in promoting equality and social cohesion on 21 November 2007. The event was addressed by Trevor Philips, Chair of the Equality and Human Rights Commission in Great Britain.
- 4.2 Alan Henry reported on his attendance at an event hosted by the BBC Trust.
- 4.3 Ann Hope reported on her attendance at the Equality Commission's annual conference on 23 October 2007.
- 4.4 Colin Harvey reported on his attendance at a conference organised by the Coalition on Sexual Orientation (CoSO) entitled "Sexual Orientation Equality, Human Rights and Our Shared Future" on 17 November 2007, at which he was a keynote speaker.
- 4.5 Kevin McLaughlin reported on his attendance at the launch by the Northern Ireland Statistics and Research Agency of the first report from the Northern Ireland Survey of People with Activity Limitations and Disabilities.

5. Minutes of committee and working group meetings (HRC 95.3)

- 5.1 Commissioners noted the minutes of the following meetings:
- Audit and Risk Management Committee – 28 June 2007
 - Bill of Rights Working Group – 3 and 17 August and 11 September 2007
 - Detention, Policing and Justice Committee – 22 August, 11 September and 17 October 2007
 - Economic, Social and Cultural Rights Committee – 9 August 2007
 - Legal Committee – 14 August and the emergency Legal Committee meeting held on 28 August 2007
 - Policy Committee – 20 August 2007.

6. Chief Executive's Report

- 6.1 Commissioners noted the Chief Executive's report.
- 6.2 Commissioners noted the launch of the Commission's new exhibition resource, which will be held at the Art College, York Street, Belfast on 28 November 2007. The exhibition, which uses art and DVDs to help promote human rights, will be shown in schools, libraries, community centres and other public places across Northern Ireland.
- 6.3 Commissioners noted the programme of events for Human Rights Week (10–14 December 2007), which includes a reception to be co-hosted with the Bar Council on 10 December 2007 in the Royal Courts of Justice.
- 6.4 Commissioners noted that the Commission will host a reception for stakeholders on 17 December 2007.
- 6.5 Commissioners noted that there will be a staff residential event on 21/22 January 2008 to develop the Commission's Business Plan for 2008–09.

7. Team reports

7.1 Corporate Services (HRC 95.4)

- 7.1.1 Commissioners noted the Corporate Services report.
- 7.1.2 Commissioners noted the forthcoming appointment of three new members of staff to fill vacancies that arose during the summer. The Commissioners who took part in the selection process were thanked for their participation.
- 7.1.3 Commissioners approved a request by the Head of Legal Services, Research and Policy for a one-year career break.
- 7.1.4 Given the breadth and depth of responsibilities, the Management Team is considering restructuring the Legal Services, Research and Policy Team. NIPSA is being consulted on this issue. Commissioners noted that the posts to lead the new teams might be filled through internal trawls for the duration of the Head of Legal Services, Research and Policy's career break.
- 7.1.5 Commissioners noted that a training workshop on conducting screening and equality impact assessments has been arranged for 16 January 2008 for Equality Committee members and appropriate staff. There will then be a follow-up workshop to review the outcome of screening exercises.
- 7.1.6 Commissioners noted the Commission's revised travel and expenses policy, which was agreed with NIPSA on 5 October 2007. The revised policy was distributed to Commissioners.
- 7.1.7 Commissioners noted the Commission's current financial position and its submission to the NIO in respect of the review the current year's expenditure plans.
- 7.1.8 Commissioners noted with concern that the NIO has not yet reached agreement with the Treasury on the outcome of Comprehensive Spending Review, which will set budgets for the three-year period from 2008–11, which is constraining business planning for 2008–09.

7.1.9 Commissioners noted the Commission's revised Management Statement and Financial Memorandum, which governs the relationship with the NIO in its capacity as the Commission's sponsoring department. The revised document has been approved by the Treasury and came into effect from 1 November 2007.

7.2 Communications and Education (HRC 95.5)

7.2.1 Commissioners noted the change of the title of the team from 'Information, Education and Development' to 'Communications and Education' to more succinctly reflect the nature of the team's work.

7.2.2 Commissioners noted the Communications and Education report.

7.2.3 Commissioners noted the positive feedback received in respect of the Commission's annual conference on 21 September and the Rights and Righteousness conference on 1/2 November 2007 and congratulated everyone involved in making them a success. The Chief Commissioner expressed her appreciation to Ann Hope for chairing the annual conference at short notice.

7.3 Legal Services, Research and Policy (HRC 95.6)

7.3.1 Commissioners noted the Legal Services, Research and Policy report.

7.3.2 Commissioners noted the list of cases currently undertaken by the Commission.

7.3.3 Commissioners noted the list of current consultations, which are being reviewed by the Commission for possible response.

7.3.4 It was agreed that the Commission's response to the Programme for Government, published recently by the Northern Ireland Executive, should be discussed at the next Policy Committee meeting on 17 December 2007.

7.3.5 Commissioners noted that the guides for migrant workers, which the Commission helped develop, are being used by government departments in the Ukraine.

8. Programme and arrangements for Commissioners' residential (30 November – 1 December 2007) (HRC 95.7)

- 8.1 Commissioners were briefed on the programme for their residential event, which is planned for 30 November – 1 December 2007. The event will be attended by Colm Larkin and Daphne Trimble, who take up their appointments as Commissioners with effect from 1 December 2007.
- 8.2 The event will focus on the Bill of Rights for Northern Ireland. It was noted that this work is entering an important phase, with the Bill of Rights Forum expected to submit its conclusions to the Commission in March 2008.
- 8.3 Commissioners noted that the Chief Commissioner has been invited to address the Bill of Rights Forum on 7 December 2007.
- 8.4 Commissioners noted that the Commission's advice has been sought in respect of the relationship between the proposed Bill of Rights for Great Britain and the Bill of Rights for Northern Ireland. This matter will be discussed at the residential event.

9. Chief Executive's pay arrangements (HRC 95.8)

- 9.1 Pending the appointment of the new Chief Executive, the weighting of the post was evaluated by the NIO. This review concluded that the post should be graded as part of the Senior Civil Service, which meant that the post is outwith the Commission's current pay arrangements for staff.
- 9.2 Commissioners approved a proposal to adopt the pay arrangements set down by the Cabinet Office for Senior Civil Servants for the Chief Executive's post and link pay awards to the average increase paid to Senior Civil Servants in the NIO.
- 9.3 It was noted that these arrangements include a basic pay award and performance-related bonus. The performance assessment will be made by the Chief Commissioner, using guidance developed by the Cabinet Office for Senior Civil Service appraisals. This assessment will then be reviewed by a pay committee, as recommended by the Cabinet Office. It was agreed that the Moderating Panel, which oversees the operation of Commission's Performance Bonus Scheme, should take on this function.

10. Report on progress against Business Plan 2007–08 (April to September 2007) (HRC 95.9)

- 10.1 Commissioners noted progress made in implementing the Commission's Business Plan for 2007–08.
- 10.2 Most objectives are progressing in line with the plan. Commissioners expressed their appreciation to staff for substantial amount of work undertaken to date.

11. Review of the effectiveness of committees and working groups (HRC 95.10)

- 11.1 Commissioners considered the operation and effectiveness of the current structure of committees and working groups.
- 11.2 Commissioners agreed that the current structure is working effectively.
- 11.3 Commissioners agreed that the Detention, Policing and Justice Committee should, for the time being, retain its focus on these issues, rather than take on a broader civil and political rights remit. It was agreed that the committee should be the forum for meetings with the Police Service of Northern Ireland.
- 11.4 Commissioners noted that appointments to the Commission are the responsibility of the Secretary of State for Northern Ireland. It was agreed that, to ensure the views of under represented groups are heard, a standing consultative forum might be established to provide input to the Commission's planning and comment on key strategic issues for the Commission. This idea will be considered further.
- 11.5 In the meantime, Commissioner's noted the Commission's commitment to re-establish a forum to discuss issues affecting black and minority ethnic groups.

12. Memorandum of Understanding – Prisoner Ombudsman for Northern Ireland (HRC 95.11)

- 12.1 Commissioner approved the Memorandum of Understanding with the Prisoner Ombudsman for Northern Ireland, which sets out arrangements for sharing information on issues of mutual interest and dealing with areas of potential overlap.

- 12.2 Commissioners welcomed the recent announcement that the Prisoner Ombudsman will be put on a statutory basis.
- 12.3 Commissioners noted that the MoU with the Northern Ireland Commissioner for Children and Young people is pending and MoUs are needed with the Northern Ireland Policing Board and the Public Prosecution Service.
- 12.4 It was also noted that some MoUs have been in place for several years and will be reviewed and updated as appropriate.

13. Any other business

- 13.1 Commissioners noted that the Commission's international conference on health and human rights has been scheduled for 7 February 2008.

14. Dates of next meetings

- 14.1 The next meeting of the Policy Committee, comprising all Commissioners, takes place on 17 December 2007 in Temple Court, Belfast.
- 14.2 The next business meeting of the Commission will be held on 14 January 2008 in Temple Court, Belfast.

The meeting closed at 1.15pm.

Approved: _____

Date: 14 January 2008