

24 April 2023

255th COMMISSION MEETING

Held in the Commission's Offices, Alfred House, 19-21 Alfred Street, Belfast, BT2 8ED and via Teams

Present: Alyson Kilpatrick, Chief Commissioner
Helen Henderson
Justin Kouame
Eddie Rooney
Stephen White
Jonathan Kearney

In attendance: David Russell, Chief Executive
Rebecca Magee, Executive Assistant to the Chief
Commissioner and Chief Executive
Rhyannon Blythe, Director (Legal Services)
Colin Caughey, Director (Advice to Government,
Research and Investigations)
Éilis Haughey, Director (Human Rights after EU
Withdrawal)
Claire Martin, Director (Engagement and
Communications)
Lorraine Hamill, Director (Finance, Personnel &
Corporate Affairs) (agenda items 1-4 & 6)
Elsie Trainor, Boardroom Apprentice
Lauren Shaw, Policy and Research Officer (agenda items
10-12)

1. Apologies and Declarations of Interest

1.1 Apologies were received from Commissioner Lavery.

1.2 There were no declarations of interests.

2. Minutes of the 254th Commission meeting

2.1 The minutes of the 254th Commission meeting held on 28 February 2023 were agreed as an accurate record.

Action: Minutes of the 254th Commission meeting to be uploaded to the website.

3. Chief Commissioner's Report

3.1 The Chief Commissioner's Report was noted.

4. Commissioners' Report

4.1 There was nothing further to report since Commissioners met in February 2023.

5. Chief Executive's Report

5.1 The Chief Executive provided an update on the Business Plan for 2023-24. Commissioners noted that the Business Plan could not be approved until the outcome of the Business Case to the NIO and Treasury was agreed. Once the agreement is received the Business Plan will be amended to reflect the result and be presented at the next relevant Commission meeting.

Action: Business Plan to be presented at next relevant Commission meeting following result of Business Case.

5.2 The Chief Executive reported that the post of Senior Finance & Personnel Officer had been filled and the successful candidate started in April.

5.3 The Chief Executive expressed thanks to Commissioner Rooney for his role as GDPR Data Protection Officer in the interim period while the Senior Finance & Personnel post was filled.

5.4 The Chief Executive updated Commissioners on the planned day of Strike by NIPSA members in the NICS, ALBs and NDPBs on 26 April 2023. Those staff who are not in the Union have been asked to work from home and not cross the picket line into the office.

6. Finance Report

6.1 The Director (Finance, Personnel & Corporate Affairs) updated Commissioners on the Finance as work continues on year-end.

7. Quarterly Report against the Business Plan

7.1 The Chief Executive reported on the final quarter of the Quarterly Report against the Business Plan. Commissioners noted that most items are completed for the year and that those that are not completed are due to resources or an external factor beyond our control.

7.2 The Chief Executive informed Commissioners that the plan to include Key Performance Indicators (KPIs) in the Business Plan 2023-24 would impact the format of the Quarterly Report against the Business Plan as the hope is to make it a working document. Further information will be provided at the May Commission meeting.

Action: Further information on KPIs and the reporting aspect to be presented at the May Commission meeting.

8. Legal Functions Report

8.1 The Director (Legal Services) provided an update on:

- JR123 (Rehabilitation of Offenders Order): The hearing took place on 18 March and judgement is expected in mid-May.
- NM (Access to MoD pension): Pre action letters are being drafted.
- Housing (Challenge to NIHE policy on intimidation points): Counsel is currently drafting the Affidavit.

- 8.2 The Director (Legal Services) updated Commissioners on an issue relating to Miscarriage of Justice and a possible written intervention. Further details will be shared, when possible, via email.
- 8.3 The Director (Legal Services) updated Commissioners on the submission to the UK Covid Inquiry. Work is ongoing across multiple teams to gather the information required. It is anticipated that a draft response will be with the Chief Commissioner and Chief Executive next week.

9. Dedicated Mechanism report

- 9.1 The Director (Human Rights after EU Withdrawal) provided an update on the work of the Dedicated Mechanism including:
- Meetings with: Austrian Embassy Deputy Head of Mission, Katherina Rauscher and International Organization on Migration re: human trafficking.
 - Attendance at: Victim Support NI Conference, QUB Post-Brexit Clinic, launch of ESRI / Shared Island report on Integration of Migrants in NI and Ireland, Ad Hoc Group on North-South and East-West Co-operation, discussing ETAs; dataflows under new legislation & engagement under Windsor Framework.
 - Presentations to: NICICTU on PA2 & DM work (with ECNI), Human Rights Consortium (with ECNI).
- 9.2 The Director (Human Rights after EU Withdrawal) provided an update on Policy & Legislation relating to the DM including:
- Retained EU Law Bill
 - Electronic Travel Authorisations
 - DoJ Domestic Violence & Sexual Abuse consultation
- 9.3 The Director (Human Rights after EU Withdrawal) updated Commissioners on the research projects:
- PA2 and Environmental Rights: contract awarded, subject to signature.
 - Protocol Article 2 and Charter of Rights of EU: contract awarded and first draft expected 31 March.
 - Frontier Workers and their families: staff response to

draft under consideration by researchers.

- Asylum research: draft under review

9.4 The Director (Human Rights after EU Withdrawal) updated Commissioners on the recording of videos relating to Protocol Article 2. These had to be rerecorded as the name of the Northern Ireland Protocol changed to the Windsor Framework the day after filming had taken place.

10. Engagement and Communications report

10.1 The Director (Engagement and Communications) provided an update on Engagement and Communications:

- Schools and University workshops including: Princes Trust Youth Committee, North West Regional College, Youth Assembly, Bangor Academy, Eco-Schools NI.
- Sports and Human Rights Forum: the date for the next meeting is 9 May 2023.
- Whitenoise: Contracted for Public Awareness Campaign.

10.2 The Director (Engagement and Communications) updated Commissioners that a pro-active approach was in plan in relation to the publication of the Investigation Report: Relationship and Sex Education in post primary schools in Northern Ireland: A Compelling case for reform.

11. Advice to Government, Research, and Investigations Update

11.1 The Director (Advice to Government, Research and Investigations) provided an update on the engagement in the consultation/legislative/international examination processes. These included:

- Department of Justice, Draft Domestic and Sexual Abuse Strategy 2023 – 2030
- Joint Committee on Human Rights, Human Rights at Work
- Northern Ireland Office, Northern Ireland Troubles (Legacy and Reconciliation) Bill - Parliamentary Bills -

UK Parliament

- The Executive Office, Review of the Race Relations (NI) Order 1997

12. Investigation Report: Relationship and Sex Education in post primary schools in Northern Ireland: A Compelling case for reform

12.1 Commissioners were provided with the background to the Investigation Report: Relationship and Sex Education in post primary schools in Northern Ireland: A Compelling case for reform.

12.2 Commissioners discussed the report and agreed that further amendments could be done via email.

12.3 Commissioners noted that fact-checking of the report was to be completed following board approval of the draft.

12.4 Commissioners agreed that a further conversation would take place on the launch and dissemination of the report once the report was approved.

Action: Discussion to take place on the launch and dissemination of the final report.

13. Any other Business

13.1 The Chief Commissioner raised the Denis Donaldson case following the Joint Committee with IHREC. It was agreed that an options paper would be discussed among the Chief Commissioner, Chief Executive and Director (Legal Services) before next steps are taken.

Action: Meeting between Chief Commissioner, Chief Executive and Director (Legal Services) to take place.

The meeting closed at 12:55pm