



**188th COMMISSION MEETING
HELD ON MONDAY 23 JANUARY 2017 AT 10:00 am
IN THE OFFICE OF
THE NORTHERN IRELAND HUMAN RIGHTS COMMISSION,
TEMPLE COURT, 39 NORTH STREET, BELFAST, BT1 1NA**

Present: Les Allamby, Chief Commissioner
Christine Collins *from 10.15am*
John Corey
Milton Kerr
Grainia Long
Alan McBride
Marion Reynolds
Paul Yam *from 10.30am*

In Attendance: Virginia McVea, Director
David Russell, Deputy Director
Lorraine Hamill, Finance & Administration Manager

1.0 Declarations of interest

1.1 There were no conflicts of interest.

**2.0 Draft minutes of the 187th Commission meeting
(HRC188.1)**

2.1 The draft minutes of the 187th Commission meeting held on 16 December 2016 were agreed.

Action: Minutes of the 187th Commission meeting to be uploaded to Commission website

3.0 Matters arising

3.1 The Chief Commissioner reported that arrangements had still to be made for the proposed joint interview with the Irish Human Rights and Equality Commission (IHREC) in the Irish Times. This will be followed up with the Chief Commissioner of IHREC (paragraph 3.1 of the minutes of the previous meeting refers).

Action: Chief Commissioner to follow up with IHREC

3.2 It was agreed that the meeting to discuss the Human Rights Inquiry, scheduled to take place in January 2017, would now be held on Monday 6 February 2017 (paragraph 3.2 of the minutes of the previous meeting refers).

Action: Meeting to discuss the Human Rights Inquiry confirmed for Monday 6 February 2017.

3.3 Commissioner Corey reported he had received a draft report on the workshop and roundtable he had attended on Brexit and the Bill of Rights at Edinburgh Law School. The publication of the report would be finalised following the forthcoming Supreme Court judgment (paragraph 3.3 of the minutes of the previous meeting refers).

3.4 The Chief Commissioner reported that he assumed that the report from the Independent Chair of the Audit and Risk Management Committee would come before the Audit Committee meeting scheduled to take place on Monday 30 January 2017 and would then come to the Commission in February for discussion. It was agreed that the report would be an agenda item for the meeting on Monday 6 February 2017 (paragraph 4.0 of the minutes of the previous meeting refers).

Action: Report from the Independent Chair of the Audit and Risk Management Committee to be discussed at meeting on Monday 6 February 2017.

The open meeting closed at 10.25am for the report from Commission members of the Audit and Risk Management Committee.

The open meeting resumed at 10.30am.

4.0 Chief Commissioner's Report (HRC188.2)

- 4.1 The Chief Commissioner reported on meetings and events he had attended since the last meeting. These included:
- Meeting with Brian Scott on behalf of Lord Rana re Belfast bid to host Commonwealth Heads of Government meeting
 - Meeting with George Hamilton, Chief Constable, PSNI
 - Joint meeting with the Equality and Human Rights Commission, Scottish Human Rights Commission, Irish Human Rights and Equality Commission and the Equality Commission NI.

5.0 Commissioners' Reports

- 5.1 Commissioner Long reported that invitations have been issued for a meeting on Tuesday 7 February 2017 to discuss Brexit implications and children's rights as part of the all-island civil dialogue.

6.0 Director's Report (HRC188.3) including application for assistance

- 6.1 The Director reported that there had been a delay with IHREC in progressing the Joint Secretariat. The Deputy Director was aware of the situation and he would continue to liaise with IHREC on the post. The joint sub group would need to await news on progress from IHREC.

Action: Deputy Director to continue to liaise with IHREC re Joint Secretariat

- 6.2 It was confirmed that Capita had been appointed as the Commission's internal auditors for the next three years. They were currently drafting a three year Strategic Internal Audit Plan which would be taken to the Audit and Risk Management Committee on Monday 30 January 2017 for consideration and approval.
- 6.3 The Deputy Director provided an update on access to IVF and the difference in approach between Northern Ireland and the rest of the UK in certain circumstances.

Sara Donnelly, Legal and Research Assistant joined the meeting at 11.10am.

6.4 Commissioners discussed the application for assistance (HRC188.3). It was agreed that the Commission could not provide financial support for the case.

6.5 It was agreed that the Legal and Research Assistant would inform the applicant of the Commission's decision.

Action: Legal and Research Assistant to inform applicant of Commission's decision.

6.6 It was also agreed that the Commission would write to the Regulation, Quality and Improvement Authority (RQIA) around issues arising from disputes between family members and nursing/residential care home providers.

Action: Letter to be sent to RQIA.

Sara Donnelly left the meeting at 11.30am.

6.7 The Chief Commissioner referred to correspondence received from the Attorney General for Northern Ireland on the termination case that the Commission would respond to.

Action: Commission to respond to correspondence received from the Attorney General

6.8 Commissioners discussed recruitment arrangements for the new Commissioners and it was agreed that the Chief Commissioner would follow this up with the NIO.

Action: Chief Commissioner to follow up recruitment process for new Commissioners with the NIO.

7.0 Transitional arrangements – interim staffing arrangements

7.1 Commissioners were referred to the transitional arrangements paper they had received earlier in the month from the Director which also outlined that a request had been made to the Northern Ireland Office (NIO), following Commission approval, for the Deputy Director to be appointed Accounting Officer.

The open meeting closed at 12.25pm to discuss the paper on interim staffing arrangements.

Lorraine Hamill left the meeting.

The closed meeting broke for lunch at 1.55pm.

The closed meeting resumed at 2.30pm to discuss the recruitment of the Director.

Lorraine Hamill re-joined the meeting; David Russell left the meeting.

The open meeting resumed at 2.45 pm.

8.0 Business Plan update 2017/18

8.1 Commissioners were updated on progress on the development of the Business Plan for 2017/18.

8.2 The first draft had been completed and it was agreed that this would be brought to the meeting on Monday 6 February 2017 for detailed consideration by Commissioners.

Action: Draft Business Plan 2017/18 to be considered at the meeting on Monday 6 February 2017.

David Russell re-joined the meeting at 2.50pm.

9.0 Quarterly report against the Business Plan 2016/17 (HRC188.4)

9.1 Commissioners discussed the third quarter report on the Business Plan 2016/17, which had been deferred from the December 2016 meeting.

9.2 It was noted that the programme of work to scope a subject of significant public concern in the area of economic and social rights for a human rights inquiry (Pillar Three (d)) was currently amber. Commissioners had been unable to meet to discuss the inquiry and it was agreed to change the rating to red.

Action: Pillar Three (d) rating to be changed to red.

9.3 It was noted that specific changes to social security affecting families would not be introduced until April 2017 and it was agreed to amend the rating on the impact of welfare reforms on families with children and young people (Pillar Three (e)) to black as the target would not be met in the current business year.

Action: Pillar Three (e) rating to be changed to black.

9.4 It was noted that budget did not include a costing of staff time and it was agreed that going forward the budget heading should be changed to cash budget.

Action: Budget heading to be changed.

10.0 Finance Report (HRC188.5)

10.1 The Finance and Administration Manager presented the finance report for December 2016 and confirmed changes that had been made as part of the November 2016 monitoring round.

10.2 It was noted that the receipt of funding from the Foreign and Commonwealth Office (FCO) for the Commission as Chair of the Commonwealth Forum of National Human Rights Institutions was due in the next few weeks. Any outstanding funds due at year end would be detailed in the Commission's annual accounts as accrued income.

Claire Martin, Communications Worker joined the meeting at 3.05pm.

11.0 Communications Report (HRC188.6)

11.1 The Communications Worker provided an update on events that had taken place during December 2016 including social media.

11.2 Commissioners discussed the recent external events organised by the Commission. It was agreed that the timing, format, invitation lists and other arrangements would be reviewed to maximise impact.

Action: Events format etc to be considered going forward.

Claire Martin left the meeting at 3.20pm.

12.0 Database Annual Statement - Freedom from Slavery and Constitutional updates (Commission's Position) (HRC188.7)

12.1 The position statements on this issue in the Annual Statement was reviewed.

12.2 The Commission's position was agreed subject to a number of amendments.

Action: Freedom from Slavery and Constitutional sections to be amended as per discussion.

13.0 Northern Trust Pilot Study Presentation

13.1 The Director provided an update on the Northern Trust Pilot Study.

13.2 It was agreed that the briefing paper and questionnaire that had been developed for engagement with the community would be shared with Commissioners.

Action: Northern Trust Pilot briefing paper and questionnaire to be shared with Commissioners.

14.0 Article 3 Update

14.1 The Director provided an update on the work on Article 3 of the Convention. At present the Commission is considering contracting out this piece of work.

14.2 It was agreed that the Deputy Director would take this forward with a view to having the work completed by the end of the financial year.

Action: Deputy Director to progress Article 3 work.

15.0 Prisons – Health and Social Care

15.1 The Chief Commissioner provided an update on the recent meeting with the Prisoner Ombudsman, and reported that social care in prisons was a significant issue. The Chief Commissioner was conscious that health and social care in prisons was not an objective in the current Business Plan but thought the Commission may wish to prioritise it in the Business Plan for 2017/18.

15.2 Further discussion took place on health and social care in prisons and it was agreed that a scoping paper would be drafted for consideration by Commissioners.

Action: Scoping paper to be drafted for consideration by Commissioners.

16.0 Any Other Business

17.1 The Chief Commissioner was not available to attend the next Commission meeting scheduled for Monday 27 February 2017. It was agreed that the Commission meeting would go ahead and that Commissioner Corey would Chair the meeting.

17.2 It was noted that this was the last formal Commission meeting of the Director. Commissioners congratulated the Director on her new appointment as Chief Electoral Officer for Northern Ireland and wished her well in her new role.

17.3 The Director conveyed her thanks to the Chief Commissioner, Commissioners and staff.

The open meeting closed at 4.30pm to continue discussions on the interim staffing arrangements.

Lorraine Hamill left the meeting.

The closed meeting ended at 4.50pm.