

**BUSINESS PLAN
2013-14**



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

April 2013

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This document can be made available in languages other than English, in Braille, on audio tape or in large print by request to the Commission's offices.

It is also available on the Commission's website at www.nihrc.org.

Strategic vision

Introduction:

The Northern Ireland Human Rights Commission (the Commission) has undertaken an extensive process to decide its strategic priorities for the period 2013-2016. In so doing it has reviewed every element of the organisation's past activities and current practices. It has consulted widely with stakeholders and with the Commission's staff. It has reflected deeply on the findings of the review and consultation process. On this basis the Commission has revised its mission statement, affirmed its core principles and identified three pillars on the basis of which it will work.

How we see ourselves:

The Commission was born out of a recognition that human rights values and standards need to be at the heart of our society if we are to achieve well-being, peace and justice. Northern Ireland must continuously re-affirm its commitment to core human rights and invigorate the work of building a fair society that upholds human dignity. All of us will be measured by how best we seek to honour and respect each other's human rights, especially those of the most powerless in society. The Commission recognises the central role it is called on to play in this vital work.

Our Mission Statement:

The Northern Ireland Human Rights Commission (the Commission) champions the human rights of those who live in Northern Ireland. As an "A Status" UN-accredited human rights institution, the Commission is Northern Ireland's human rights guardian and centre of excellence. It holds to account and works in partnership with Government, elected representatives, statutory organisations and civil society. The Commission, established on the basis of the Belfast (Good Friday) Agreement, plays a central role in shaping a society that, as it emerges from conflict, respects the Universal Declaration of Human Rights by upholding human rights and responsibilities.

Our Principles:

The Commission promotes and abides by the core principles of human rights, including:

Legality and Independence: An "A Status" UN-accredited human rights institution must operate on the basis of international human rights law, in compliance with a statutory mandate and independently of the State. The Commission works for the promotion and protection of those human rights to which the United Kingdom (UK) is legally committed at the

national, regional and international levels and does so on the basis of the mandate conferred upon it by law and in full conformity with the UN Paris Principles.

Non-discrimination and equality: The universality of human rights requires that they can be enjoyed by all people on the basis of non-discrimination and equality, a principle that is reinforced in Northern Ireland by provisions of the Belfast (Good Friday) Agreement. The Commission honours this principle, above all, by affording priority to protecting the most powerless in society addressing the needs of vulnerable individuals and those who are marginalised.

The equal status of civil, political, economic, social and cultural rights: Human rights, as recognised in the treaties to which the UK is committed, have equal value and status and must be implemented in an integrated or “indivisible” manner. The Commission respects this principle in its work and promotes full implementation in all engagements with the State and other partners.

Participation: Meaningful enjoyment of human rights must be based on participation by the holders of human rights in any processes that may impact on their well-being. The Commission is committed to involving rights-holders in all relevant areas of its activities and it strives to promote broader participation across society.

Accountability: The enforcement of human rights requires that “human rights duty-bearers” be held accountable. For this to happen, decision making must be transparent. The Commission honours these requirements in all its own actions. It demands similar standards in public life and calls to account all those with responsibility for the promotion and protection of human rights. The Commission supports existing independent oversight and accountability mechanisms.

Partnership: The promotion and protection of human rights requires the commitment of all who live in Northern Ireland, mindful that their rights are balanced by responsibilities. It demands the engagement of Government (central, regional and local), elected representatives, statutory bodies and civil society. The Commission plays a pivotal role in building and sustaining the necessary partnerships. It does so in the context of its role as a National Human Rights Institution with UN-accredited (“A Status”). The Commission also recognises the importance of its partnership with the other UN-accredited human rights institutions of these islands.

Building a culture of human rights: A goal of the human rights system is to establish societies that embed human rights at their heart – that reflect a “culture of human rights”. A society that honours the culture of human rights is one where human rights values explicitly guide society. The Commission is committed to the fostering this culture in Northern Ireland. In so doing it recognises the challenges presented in a society that has experienced a protracted and tragic conflict and within which community divisions run deep.

EQUALITY COMMITMENT

We are fundamentally committed to equality of opportunity in accordance with the Commission's Equality Scheme. We will promote equality of opportunity and good relations within the Commission as well as in the activities we conduct. We will strive to comply fully with our statutory obligations and we will liaise closely with the Equality Commission for Northern Ireland to ensure that the two institutions work effectively together.

How we do our work

In carrying out this work the Commission will base its all of its work on international human rights standards including those of the United Nations (UN) and the Council of Europe. The Commission, in line with the UN 'Paris Principles' guidance of 1993, has 'A' status recognition at the UN as a national human rights institution with access to the Human Rights Council.

The Commission is an independent public body established by the Northern Ireland Act 1998. Its powers and duties are derived from sections 69 and 70 of the Northern Ireland Act 1998 and sections 14-16 of the Justice and Security (Northern Ireland) Act 2007.

The Commission seeks to ensure that during this business plan it will fulfil its obligations set down in law and use its powers to better protect the human rights of the people of Northern Ireland and we use a range of tools across the Commission to achieve the best outcomes.

The Commission has also worked to ensure that all three strategic aims are mutually supportive and so much of the work we have prioritised under any one heading will be part of the satisfaction of the others e.g. responding to austerity and advising government taking into account the impact of the conflict.

Under the Northern Ireland Act 1998, the Commission has the following duties:

- to keep under review the adequacy and effectiveness in Northern Ireland of law and practice relating to the protection of human rights
- to advise the Secretary of State for Northern Ireland and the Executive Committee of the Northern Ireland Assembly of legislative and other measures which ought to be taken to protect human rights
- to advise the Northern Ireland Assembly whether proposed legislation is compatible with human rights standards
- to promote understanding and awareness of the importance of human rights in Northern Ireland by, for example, undertaking or commissioning or otherwise assisting research and educational activities, and
- to provide advice to the Secretary of State for Northern Ireland on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights.

In addition, under sections 69 and 70 of the Northern Ireland Act 1998, the Commission has the following powers:

- to give assistance to individuals who apply to it for help in relation to proceedings involving law or practice concerning the protection of human rights
- to bring proceedings involving law or practice concerning the protection of human rights
- to conduct such investigations as it considers necessary or expedient for the purpose of exercising its other functions, and
- to publish its advice and the outcome of its research and investigations.

The Justice and Security (Northern Ireland) Act 2007 (sections 14-16 which amended sections 69 and 71 of the Northern Ireland Act) gives the Commission the following additional powers, with caveats:

- to institute, or intervene in, legal proceedings concerning human rights where it need not be a victim or potential victim of the unlawful act to which the proceedings relate
- to require a person to provide information and documents in their possession, and to give oral evidence, in respect of an investigation, and
- to enter a specified place of detention in Northern Ireland, in respect of an investigation.

Resources

The greatest resource of the Commission remains the people who work in the organisation.

A list of Commissioners and the Commission's staff as at April 2013 is at Appendix 2.

The Commission has a core budget of £1,456,300, which is funded by grant-in-aid from Parliament through the Northern Ireland Office.

A key feature of Commission work over the next few years will be building partnerships across all sectors. We are convinced that this is the most effective way to best protect human rights in Northern Ireland.

Virginia McVea, Director
April 2013

BUSINESS PLAN 2013-16

This Business Plan describes the work proposed for the incoming year. It aims to focus attention on protecting the most powerless in society by addressing the needs of vulnerable individuals and those who are marginalised.

Pillar One: Human Rights and Good Governance.

Human rights need to be embedded at the heart of the executive and legislature, reflected in our basic legal framework and honoured in the operation of all offices of State. The challenges in these regards include the complexity of our constitutional system, the nature of our devolved jurisdiction and the relative newness of many of the governance structures.

Actions: The Commission will continue to support the development of a strong indigenous framework for human rights-compliance on the part of the State. It will continue to advise Government in support of a Bill of Rights for Northern Ireland. It will monitor, advise and support public servants - including local government and the Northern Ireland Prison Service (NIPS) - to carry out their functions in a human rights-compliant manner. In particular it will help develop capacity for rights-based commissioning and delivery of services in the health and social care sector.

Outcomes: The Commission will have supported the embedding of and capacities for human rights across Northern Ireland's governance structures, at all levels and including in the framework of service delivery, especially in the health sector. It will have published annual statements on human rights in Northern Ireland. It will have continued to advise Government on a Bill of Rights process for Northern Ireland. It will have ensured that UK-wide human rights initiatives take account of the particular circumstances of Northern Ireland and that these do not diminish existing protections.

In Year Targets:

- (a) Deliver the 2013 Annual Statement on Human Rights in Northern Ireland (10 December 2013)
- (b) Deliver the first phase of human rights training to the Northern Ireland Civil Service (by end of March 2014)
- (c) Develop a programme of human rights based approaches in provision of health and social care services (by end of March 2014)

- (d) The Commission will maintain government and stakeholder attention to the need to adopt a Bill of Rights (ongoing)
- (e) Disseminate and provide follow up advices on our report on racially motivated hate crime and provide advices to the NI Executive and Racial Equality Forum (March 2014)
- (f) Produce a report on business and human rights with a focus on the issue of public procurement by public authorities (June 2013)
- (g) Engage treaty monitoring processes, to include a specific focus on the Convention on the Elimination of All Forms of Discrimination Against Woman, the Convention Against Torture, and the implementation of the Convention on the Rights of Persons with Disabilities in accordance with the Commission's remit jointly with the Equality Commission for Northern Ireland as the independent Mechanism for Northern Ireland (under Article 33 (ongoing))
- (h) Follow up with the UK government and the Northern Ireland Executive on implementation of concluding observations from treaty monitoring bodies and Universal Periodic Review (ongoing)
- (i) Scope and develop training opportunities for human rights training for elected representatives, with a particular focus on the NI Assembly and local government (end of March 2014)
- (j) Provide advice to the NI Executive, Assembly and Westminster on proposed legislation, policies and practices on matters such as welfare reform, mental capacity, human trafficking and exploitation, cohesion sharing and integration, non-discrimination and access to goods facilities and services (ongoing)
- (k) Further develop a programme of human rights monitoring and capacity building regarding places of detention including with regard to secure accommodation for children; health needs of prisoners; and the training of staff (ongoing)
- (l) Scope and develop further advice to Government in relation to children in care or detained by the state (March 2014)
- (m) Strategically engage with Northern Ireland Prison Service with regards to healthcare of prisoners (ongoing)

Pillar Two: Human Rights and the Conflict.

The legacy of conflict runs deep in Northern Ireland. There remain serious gaps in accountability, justice and inter-community reconciliation. A failure to address division and sectarianism still result too often in violence and other forms of hate crime. Lives continue to be blighted and lost.

Actions: The Commission will foster a human rights-based understanding of “transitional justice” in Northern Ireland and further develop its own work programme on the topic. In so doing, it will pay particular attention to the situation of victims and survivors and of former prisoners convicted of conflict related offences. The Commission will challenge the racist scourge of sectarianism and all its manifestations and will contribute to the promotion of good community relations. The Commission will undertake pioneering work on the human right to culture (including in terms of the right to acknowledge and celebrate diverse linguistic and other senses of individual and community identity). In recognition of the relationship of peace, equality and non-discrimination, the Commission will continue to play its role in combating discrimination including on such grounds as race, disability, gender, sexual orientation, gender identity, ethnicity and age.

Outcomes: The Commission will have stimulated a new phase of consideration of how Northern Ireland undertakes a wide-ranging programme of transitional-justice, taking account of international good practice. In so doing, it will have ensured that significant advances are made in addressing the particular situation of victims and survivors and of former prisoners convicted of conflict related offences. It will have demonstrated how human rights need to be at the heart of good community relations. The Commission’s work on the protection of the human right to culture in post-conflict societies will have been of international significance. The Commission will have contributed substantially to ensuring that a post-conflict Northern Ireland is a more equal and non-discriminatory society.

In Year Targets:

- (a) Complete research to complete and publish a major review of the undertaking of transitional justice in Northern Ireland (by September 2013)
- (b) Provide advice to the NI Executive and Secretary of State for NI on policy and legislation, including dealing with past and Cohesion, Sharing and Integration (ongoing)

- (c) Develop and deliver an international symposium and UN statement on the right to culture in jurisdictions emerging from conflict (by end of July 2013)
- (d) Develop training materials on the right to culture (by end of March 2014)
- (e) Develop a project engaged with the Ulster Scots community (by March 2014)
- (f) Produce and publish research papers analysing human rights standards and issues of public policy related to conflict, to include the rights of victims and survivors, former prisoners, flags and cultural symbols (March 2014)
- (g) Develop an education programme focused upon rights issues raised in post conflict Northern Ireland and deliver at least two pilot sessions (by end of March 2014)
- (h) Scope the possibility of partnership working with another national human rights institution on an aspect of transitional justice work (by end of March 2014)

Pillar Three: Protecting Human Rights in a Time of Austerity.

Economic recession and austerity measures have led to unemployment and budget cuts that impact deeply on the enjoyment of human rights. While those who are already at a disadvantage suffer the most, it has to be recognised that recession impacts for the human rights of all the people of Northern Ireland.

Actions: The Commission will closely monitor the State's compliance with its socio-economic duties, including that of ensuring an adequate standard of living. It will focus attention on the needs of those who are most powerless including disabled persons; children in the care of or detained by the state, prisoners; ethnic minorities (including travellers) and persons in health and social care. It will advise government and its agencies on the achievement of these rights during a time of public spending constraint. The Commission will provide human rights capacity-building support to the State and other actors.

Outcomes: The Commission will have ensured that legislators and policy decision-makers address economic challenges with the understanding that human rights protection is a priority matter. It will have brought to the forefront of their attention the impact of austerity measures on the most powerless in society addressing the needs of vulnerable individuals and

those who are marginalised. The Commission will support their voices to be heard and those community and voluntary organisation working on their behalf. It will have transferred skills to relevant State actors for rights-based socio-economic decision making.

In year targets:

- (a) Conduct research and recommendations on 'an adequate standard of living' in the specific context of Northern Ireland and publish findings (by end of March 2014)
- (b) Produce new materials for online communications which includes a focus on 'an adequate standard of living' (December 2013)
- (c) Extend the Commission human rights advocacy training course and scope extension into adequate standard of living and pilot two sessions (By end of March 2014)
- (d) Develop engagement with civil society with stakeholder briefing sessions on priority issues under adequate standard of living (at least two engagements by March 2014)
- (e) Deliver a programme of community visits across Northern Ireland visits will engage the public, civil society groups and state agencies. The Commission will provide human rights education and training as well as legal advice (Ongoing with at least 9 visits during the year to the end of March 2014)
- (f) Enhance Commission presence in Derry/Londonderry to include an extended engagement with communities (ongoing)
- (g) Scope the extension of human rights legal advice clinics provided to the public by Commission staff beyond Belfast. This will include the provision of two pilot visits to sites outside Belfast in year (by end of March 2014)
- (h) Advise government on relevant policy and legislation, including welfare reform and health and social care (ongoing)
- (i) Produce advice to Government on the application of human rights based budget analysis tools in the determination of budgetary provision to address social need (September 2013)

Corporate

In year Targets:

In fulfilment of and in compliance with its statutory obligations and the strategic objectives for 2013-2016 the Commission has identified key organisational and institutional development targets:

- (a) Develop and deliver a programme of improvements to effectiveness and efficiency to include updated financial reporting and human resource mechanisms to the Commission Board (by end of March 2014)
- (b) Develop and deliver a Professional formation programme for staff and Commissioners taking account of the Commission's performance against national and international benchmarks of excellence in order to identify areas for continuous improvement (at least five major sessions before the end of March 2014)
- (c) Develop a suite of initiatives to include the production of new materials for use on the Commission website and social media networks to increase the accessibility and applicability of human rights advices (ongoing)
- (d) Scope and develop with other oversight organisations in Northern Ireland proposals around a joint working to include consideration of improving the access of the public to support (by end of March 2014)
- (e) Engage with other UK Commissions in relation to legal and policy matters on cross-jurisdictional issues as appropriate and taking account of our Strategic Plan (ongoing)
- (f) Engage with the Irish Commissions in relation to cross-jurisdictional issues as appropriate to include joint meetings as appropriate and taking account of our Strategic Plan (ongoing)
- (g) Provide support to the new Euro Group secretariat and the specialist groups of the Euro Group of human rights institutions as appropriate (ongoing)

Northern Ireland Human Rights Commission

Budget 2013-14 - expenditure against profile

	2013-14 Budget	2012-13 Budget
EMPLOYMENT COSTS		
Staff	£700,000	£728,000
Commissioners	£175,000	£172,000
Total	£875,000	£900,000
OPERATING COSTS		
<i>Non-negotiable</i>		
Accountancy Fees	£1,000	£1,000
Auditor's (NAO) Remuneration	£12,000	£10,000
Building maintenance and expenses	£30,000	£40,000
Consultancy	£Nil	£4,000
Insurance	£10,000	£9,000
Internal Audit	£10,000	£8,500
IT	£30,000	£30,000
Light and heat	£20,000	£23,000
Printing, postage and stationery	£15,000	£15,000
Professional Fees	£15,000	£40,000
Rates	£50,000	£50,000
Rentals under operating leases	£115,000	£115,000
Telephone	£14,000	£14,000
<i>Negotiable</i>		
Advertising, publicity and publications	£40,300	£29,500
Conferences, seminars and events	£8,000	£16,000
Legal casework (non-recoverable)	£40,000	£50,000
Research	£60,000	£74,000
Staff training and recruitment	£17,000	£25,000
Travel, subsistence and hospitality	£30,000	£30,000
Total	£517,300	£584,000
DEPRECIATION	£64,000	£64,000
GRAND TOTAL	£1,456,300	£1,548,000

LEARNING AND DEVELOPMENT PLAN 2013-14

This plan sets out the main learning and development activities to be undertaken by Commissioners and staff during 2013-14 to achieve the objectives set out in this Business Plan.

Activity	Participants	Business benefits	Cost
Audit and risk	Relevant staff and commissioners	Key elements of audit programmes and risk management strategies. Improved quality of organizational systems and oversight	£1,000
Project management systems and IT processes	Relevant staff	IT forms and processes in new software package. Enhanced capacity to outline and manage projects to ensure quality improvement	£2,000
Team building	Staff	Stage two of training focusing on project teams. Enhanced capacity across the organization to work cross function	£1,000
International developments in Human Rights	Relevant staff and commissioners	Training to ensure currency of knowledge and development capacity through identification of information sources etc. Building knowledge resource of the Commission to ensure centre of excellence	£500
Development of high level human rights policy papers	Relevant staff and commissioners	Practical writing skills to include formatting, language, persuasive development of positions Building capacity and developing new opportunities in policy and legal writing	£500
Council of Europe and the EU	Relevant staff and Commissioners	Exploring human rights development at the EU and the relationship with Council of Europe Increased expert capacity in the	£1500

		Commission for advices to government and at both regional and international level	
Monitoring and Developing human rights based approaches	Relevant staff and Commissioners	Development of organizational skill in the creation of frameworks for the public sector	£1500
Individual development needs	Individual staff and Commissioners	To be identified in personal development plans	£5,000
Gender and human rights	Relevant staff and commissioners	Identifying international developments in gender and human rights Developing the Commission capacity to identify and respond to gender issues in human rights promotion and protection in accordance with Equality Scheme and Strategy	£500
Total cost			£13,500