

**MINUTES OF THE 10TH MEETING OF THE
NORTHERN IRELAND HUMAN RIGHTS COMMISSION**

11 OCTOBER 1999

**TEMPLE COURT, 39 NORTH STREET, BELFAST
2.00PM**

PRESENT: BRICE DICKSON (Chief Commissioner)

CHRISTINE BELL

MARGARET ANN DINSMORE

TOM DONNELLY

TOM HADDEN

ANGELA HEGARTY

HAROLD GOOD

PADDY KELLY

FRANK MCGUINNESS

IN ATTENDANCE: DENISE MAGILL (Research Worker)

PATRICIA SLOAN (Chief Executive Designate)

The Chief Commissioner welcomed Paddy Sloan, the new Chief Executive of the NIHRC who was sitting in on today's meeting prior to taking up her post formally on 1 November 1999. The Chief Commissioner formally advised Commissioners of the death of Mr Tony Beeton, Head of the NIO Rights and Equality Division, in the Paddington Rail disaster. The Chief Commissioner indicated that he had written to Mr Beeton's widow and to the NIO expressing the condolences of the NIHRC and that he would attend Mr Beeton's funeral on the Commission's behalf. The meeting then observed a minute's silence in memory of Mr Tony Beeton.

1 APOLOGIES:

An apology had been received from Ms Inez McCormack

2 MINUTES:

The minutes of the 9th meeting were agreed. It was further agreed that the minutes should indicate when Commissioners arrive at and leave meetings. The Chief Commissioner advised that from next month one of the administrative staff would be asked to sit in and take minutes at the monthly Commission meeting and that, in future, the goal would be to issue the minutes to Commissioners within a week of the meeting taking place.

3 MATTERS ARISING:

3.1 Insurance

The Chief Commissioner reported that Insurance cover had been obtained to cover all staff, Commissioners and agents of the Commission at an annual premium of £1,000.00 approximately.

3.2 Logo

The Chief Commissioner reported that he, Ms Kelly and Mr McGuinness had met just prior to this meeting to discuss not only the need for a Commission logo but, more broadly, a communications strategy for the Commission. It was the Chief Commissioner's view that the tendering process to date had not been wide enough to encompass these two goals.

Following detailed discussion it was agreed that a small group of Commissioners (to include the Chief Commissioner, Ms Kelly and Mr McGuinness) should meet to draw up terms of reference for a communications strategy for the Commission. These terms of reference should be circulated to all Commissioners for comment before the tendering process commenced.

Mrs Dinsmore indicated that she had to leave today's meeting at 4.30pm. She would, however, welcome the opportunity to take part in the discussion of agenda item 9 'Attendance at Meetings'. It was agreed that this item should move up the agenda to facilitate Mrs Dinsmore and that the aim was for the meeting to end at 5.00pm. It was agreed in accordance with a suggestion from one Commissioner that the Chief

Commissioner should establish a 'time-table' to guide the length of discussion on each item of the agenda. This 'time-table' should be indicated when the agenda is first issued

3.3 Minutes of the meetings with the RUC and the CAJ

The Research Worker advised that these minutes would be tabled at today's meeting. The minutes of the RUC meeting were in draft form and required the approval of Commissioners prior to issue to the RUC. Commissioners should provide comment on these draft minutes as soon as possible.

3.4 Premises

The Chief Commissioner reported that the top floor of New Cathedral Buildings was not, unfortunately, now available to the NIHRC as the Landlords were negotiating to lease the entire building to another prospective tenant. This had only been discovered at the end of the previous week. No other suitable alternative building had been identified at present. Professor Dickson also indicated that, to date, he had received no confirmation from the NIO regarding the availability of additional start-up monies to meet the cost of the internal fit-out of the new premises. This would certainly not be resolved without the submission of a business plan.

It was agreed that Cecil Greer of the Valuations and Lands Agency should be retained to conduct a further search for suitable premises. The Chief Executive should prepare an options paper for the Commission regarding premises. One Commissioner requested that this options paper include consideration of the Commission purchasing its own premises. It was further agreed that, at this stage, all options should be considered including Windsor House and renting additional space in the ground floor of Temple Court.

3.5 Northern Ireland Social Omnibus Survey

It was generally agreed that these figures would prove extremely useful in informing the Commission's work on the Bill of Rights. Professor Hadden offered to turn the tables and figures into a user-friendly statement.

3.6 Human Rights Act Training

The Chief Commissioner confirmed the decision at the last Commission meeting that a member of staff be appointed on a short term contract to provide self-financing training on the Human Rights Act. It was agreed that the advertisement and job description for this post should be drafted and circulated to all Commissioners. The Commission must have regard to the activities of other individuals, institutions and organisations in the training for the Human Rights Act. The Chief Commissioner reported that he had raised the question of the NIHRC charging for training and publications with the NIO. The NIO's initial reaction was not positive but further discussion is possible in this regard. While the NIHRC's understanding is that the EOC and FEC have not charged in the past for training, this position should be confirmed.

3.7 Council of Europe ADECS Funding

The Chief Commissioner reported that the Council of Europe were not very enthusiastic about funding a series of events to mark the 10th anniversary of the UN Convention on the Rights of the Child, however, there remains scope to organise events in the context of the Bill of Rights. The Chief Commissioner reported that he was still liaising with the Children's Law Centre with regard to the organisation of the series of events.

3.8 Cost of Translations

The Research Worker confirmed the total cost of translating the Draft Strategic Plan into 5 languages was £6,906.62. The draft plan was translated into Irish, Ulster-Scots, Cantonese and Urdu as agreed at the 2 September Commission meeting. In addition it had also been translated into Hindi as no objective criteria had been available for deciding upon the need for translation among the various communities in Northern Ireland from the Indian sub-continent. It was also reported that one Braille copy of the draft strategic plan had been requested and supplied at a cost of £28.80. It was agreed that the Commission should monitor the demand for the various translations.

3.9 Correspondence with Mary Nelis

One Commissioner raised a concern arising out of the Chief Commissioner's letter to Ms Nelis. It related to possible inconsistencies in the burden of proof required by the NIHRC before deciding to investigate a particular issue. Another Commissioner shared these concerns and it was decided that the matter should be referred to the Investigations Committee for consideration.

3.10 Letter to Mr McKenna

Concerns were expressed by some Commissioners that the Chief Commissioner's recent letter to Mr McKenna departed from the Commission's agreed line regarding non-state abuses. It was acknowledged by Commissioners that the 'line' was less of a policy and more of a 'holding language' pending the adoption of a firm policy on non-state abuses. The Chief Commissioner apologised for his departure from the 'holding language' in any of his correspondence.

It was agreed that it would be helpful if the Commission could move quickly to agreeing a policy in respect of non-state abuses.

4 STAFFING UPDATE

The Research Worker and the Chief Executive designate left the room for this item.

The Chief Commissioner summarised the current staffing position, noting in particular that the Development Worker and the Education Worker would be starting on 18 October and the Chief Executive on 1 November. A US volunteer, Dr Laura Donohue, would be here for the first two weeks of November. Interviews for the post of Investigations Worker would be completed during November and it was likely that the successful candidate would not be able to start work before January 2000.

It was agreed that no decision should be taken on the recruitment of further staff until the post of Investigations Worker had been filled.

5 SELECTION OF COMMISSIONERS TO REPRESENT THE COMMISSION:

As earlier agreed, discussion of this item was moved up the agenda to facilitate Mrs Dinsmore who had to leave at 4.30pm today. A number of views were expressed regarding the selection of Commissioners to represent the Commission. Following considerable discussion it was agreed that for more formal meetings (e.g. with statutory bodies) efforts should be made to balance the NIHRC delegation in terms of both gender and community balance. However, the overall policy in respect of attendance at meetings is one of self-selection.

(Mrs Dinsmore left at 4.30pm and Professor Hadden left at 5.00pm)

6 DRAFT BUSINESS PLAN

Paper 10.25 was tabled by the Chief Commissioner. It was agreed that a budget should be set aside for conducting investigations as well as for the Commission's research and legislation and policy work. It was agreed that each of the Committees should have an initial budget of £5,000.00 and that the budget for investigations should be £25,000.00. Patricia Sloan, Chief Executive designate indicated that she would like to have an input into the financial planning at this key stage in advance of her taking up her post on 1 November 1999, and this was welcomed by Commissioners.

The Chief Commissioner stressed the urgency of the draft business plan which must be submitted by the end of October. Ms Sloan indicated that a pro forma could be issued to the Chair of each of the Committees for their assessment of the budget required for the work of their committee. The Chief Commissioner referred to commitments made under the Draft Strategic Plan which must be carried out by the end of the financial year (paper 10.25a). There was a suggestion that this be turned by the Chief Executive into a monthly action plan, tied to finances and to key performance indicators.

7 BILL OF RIGHTS PROJECT

Ms Bell spoke to a paper she had prepared and tabled that day. Ms Bell sought comments on the paper by Friday 15 October. These comments, which should be made to Ms Bell at her home telephone number, would then inform the discussions of the Working Group made up of Christine Bell, Tom Hadden and Brice Dickson. Immediate responses were that the results of the NI Social Omnibus Survey should be used in the Bill of Rights project and that the failure to incorporate Article 13 of the ECHR (the right to a remedy) should be addressed. Following comments by Commissioners to Ms Bell, Brice Dickson, Tom Hadden and Christine Bell should meet and come back to the Commission with a more detailed proposal.

8 REPORT ON PLASTIC BULLETS

It was decided that the report prepared by Naomi Doherty, summer post-grad intern with the NIHRC, should for the time being remain an internal document and be referred to the Investigations Committee for further work. Tom Hadden offered to provide a one page summary as to how the Investigations Committee should proceed in its work on developing the report.

9 CHIEF COMMISSIONER'S REPORT

The Chief Commissioner's report was tabled as paper 10.3.

9.1 Consultation on Draft Strategic Plan:

It was agreed that this should proceed by taking the following three initiatives:

- (i) the Commission should request other organisations to hold meetings with their sector/constituency in order to gather views on the Draft Strategic Plan,
- (ii) an advertisement should be placed in the newspapers reminding people of the existence of the Draft Strategic Plan and encouraging responses before the closing date,
- (iii) the Commission should organise a number of consultation meetings itself.

9.2 Equality Scheme for the NIHRC

It was agreed that preparation of this Scheme should, in the first instance, be delegated to the Section 75 group of the Commission, convened by Ms McCormack.

9.3 Register of Commissioners' Interests

The Chief Commissioner referred once again to the request from a member of the public to view the Commissioners' Register of Interests. The Chief Commissioner requested that the 3 outstanding forms be returned by 15 October 1999. He would otherwise have to release an incomplete Register.

9.4 Response to the Report of the Independent Commission on Policing

It was agreed that the Chief Commissioner would prepare a draft response for circulation as soon as possible.

9.5 Murders of Rosemary Nelson and Pat Finucane

The meetings with Colin Port and John Stevens were still to be arranged. It was agreed that these should be arranged on a Monday or a Tuesday to suit Ms Hegarty.

9.6 Organisation of Seminars

It was agreed that the Commission should organise a series of early evening seminars to consider the impact of the Human Rights Act, particularly in the field of criminal justice.

9.7 Meeting with the Secretary of State

Because of the departure of Dr Mowlam, announced today, the meeting arranged for Tuesday 12 October would not now take place. It was agreed that the Chief Commissioner should write to both the outgoing and incoming Secretaries of State and should seek a meeting with Mr Mandelson as soon as possible.

9.8 Media Training

The Chief Commissioner outlined the possibilities for media training for Commissioners either in a group of 6 or in 2 sessions each attended by 3 people. Five Commissioners, (plus the Chief Executive) expressed an interest in undergoing such training: Brice Dickson, Patricia Sloan, Tom Donnelly, Christine Bell, Frank McGuinness and Harold Good. Mrs Dinsmore and Professor Hadden who had left the meeting at this stage should also be asked if they had an interest in such training. In addition, Ms McCormack, who was not present at today's meeting should also be asked if she had an interest.

Rev. Harold Good pointed out that he had been present at the launch of the Draft Strategic Plan although one of the papers for today's meeting had failed to record his attendance.

10 VISITS TO PLACES OF DETENTION

The Chief Commissioner spoke to paper 10.11 and expressed the view that, while he did not wish to be prescriptive, there was a need for the Commission to be systematic about its visits with a maximum number of 4 – 5 Commissioners per visit. One Commissioner was not happy with having a rota system. It was agreed that in deciding who will attend these visits Commissioners should be entitled to self select but that an attempt should be made to ensure that any delegation is both community and gender balanced.

11 APPLICATIONS FOR FUNDING/ENDORSEMENT OF PROJECTS

Endorsement: The Rainbow Project - It was agreed to endorse the campaign being organised by the Rainbow Project. However, the NIHRC should request sight of a draft of the publicity materials before they are issued.

NI Youth Forum – It was decided not to consider this project at this meeting, as insufficient detail had been provided at the meeting. It was also decided that nothing should be discussed at meetings without a supporting paper for Commissioners.

Funding: Amnesty International – It was decided that more information should be sought from Amnesty and this request referred to the Education and Research Committee and/or the Bill of Rights Committee for further consideration.

Irish Refugees Council – It was decided that the subject-matter of this application related, potentially, to the work of the Joint Committee of the NIHRC and the Irish Human Rights Commission. It was decided that the request should be held in abeyance for referral to the Joint Committee on its establishment.

12 COMMITTEE BUSINESS

The Chief Commissioner referred to the papers which had been circulated from the Legislation and Policy Committee (HRC 10.9 and 10.13).

The Chief Commissioner reported on the recent decision of the Casework Committee to assist two applicants in respect of inquest proceedings.

The meeting concluded at 6.10pm.

