



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

## **MINUTES OF THE 100<sup>TH</sup> COMMISSION MEETING**

**HELD ON MONDAY 15 SEPTEMBER 2008 AT  
OMAGH DISTRICT COUNCIL, THE GRANGE,  
MOUNTJOY ROAD, OMAGH, CO TYRONE, BT79 7BL**

**Present:** Monica McWilliams, Chief Commissioner  
Tom Duncan  
Colin Harvey  
Alan Henry  
Colm Larkin  
Daphne Trimble

**In attendance:** Peter O'Neill, Chief Executive  
Nazia Latif, Head of Investigations, Policy and Research  
Virginia McVea, Head of Legal Services  
David Russell, Head of Communications and Education

**Apologies:** Jonathan Bell  
Ann Hope  
Eamonn O'Neill  
Geraldine Rice

### **1. Minutes of the last meeting (HRC 100.1)**

- 1.1 The minutes of the 99<sup>th</sup> Commission meeting held on 7 July 2008 were agreed as an accurate record.

## **2. Matters arising**

- 2.1 The Chief Commissioner briefed Commissioners on the outcomes of the Moderating Panel, chaired by Dr Bill Smith, Chair of the Audit and Risk Management, to oversee the administration of the performance bonus scheme for staff and the performance assessment of the Chief Executive. The Chief Commissioner expressed her gratitude for the participation of former Commissioner, Lady Christine Eames, in this process (paragraph 7.1.3 of the minutes of the last meeting refers).
- 2.2 Commissioners were briefed on the outcome of a meeting with Paul Goggins MP, Minister of State, held on 8 July 2008 about the Coroners Bill, which is currently being prepared for consideration in Parliament (paragraph 7.4.3 of the previous minutes refers).
- 2.3 Commissioners noted that discussions with representatives of the School of Law, Queen's University Belfast, had taken place about the potential for joint work on a human rights analysis of public expenditure (paragraph 10.3 of the minutes of the last meeting refers).

## **3. Report from the Chief Commissioner (HRC 100.2)**

- 3.1 Commissioners noted the Chief Commissioner's report.
- 3.2 Commissioners expressed their sympathy to the family and colleagues of David McCall, Chief Officer of the Prisoner Ombudsman, who died recently.
- 3.3 Commissioners noted that the Chief Commissioner is seeking a meeting with Michael Wills MP, Minister of State at the Ministry of Justice, regarding the proposed UK Bill of Rights and Responsibilities.

## **4. Reports from Commissioners**

- 4.1 There were no reports from Commissioners.

## **5. Minutes of committee and working group meetings (HRC 100.3)**

- 5.1 Commissioners noted the minutes of the following meetings:

- Bill of Rights Working Group – meetings held on 28 May, 27 June, 4 July, 7 July and 18 August 2008
- Detention, Policing and Justice Committee – meeting held on 20 May 2008
- Legal Committee – meetings held on 3 June and 8 July 2008
- Moderating Panel – meeting held on 21 August 2008
- Policy Committee – meeting held on 9 June 2008.

## **6. Chief Executive's report (HRC 100.4)**

- 6.1 Commissioners noted the Chief Executive's report.
- 6.2 The Chief Executive briefed Commissioners on the forthcoming training programme on human rights organised by officials from the Office of the First Minister and Deputy First Minister.
- 6.3 The Chief Executive reported on ongoing collaboration in a number of areas with the Scottish Human Rights Commission and Equality and Human Rights Commission in Great Britain.

## **7. Team reports**

### **7.1 Corporate Services (HRC 100.5)**

- 7.1.1 Commissioners noted the Corporate Services report.
- 7.1.2 Commissioners noted that outstanding issues relating to their terms of appointment were under consideration by the NIO.
- 7.1.3 Commissioners noted that, following a tendering exercise, a contract has been let for the development and delivery of workshops for Commissioners and staff on understanding and appreciating anti-prejudice, good relations, and diversity. Dates for these workshops will be circulated in due course.

- 7.1.4 Commissioners noted that the Audit and Risk Management Committee members have discussed an expansion to their role. Details of proposed changes to the terms of reference for the Committee will be submitted to the next Commission meeting for formal approval, as part of the annual review of the operation of committees and working groups. It is envisaged that members of the Audit and Risk Management Committee will report regularly to Commission meetings on the work of the Committee.
- 7.1.5 Commissioners reviewed the Commission's Risk Register and the report on progress in implementing internal audit recommendations. The new Strategic Internal Audit Plan, approved at the Audit and Risk Management Committee meeting held on 9 September 2008, which covers internal audit priorities for the three-year period 2008–11, will be circulated to Commissioners.

## **7.2 Communications and Education (HRC 100.6)**

- 7.2.1 Commissioners noted the Communications and Education report.
- 7.2.2 Commissioners lauded the recent issue of the magazine which was distributed in August 2008 and suggested a number of themes for inclusion in future issues.
- 7.2.3 Commissioners requested details of a new online training resource on human rights due to be finalised by the Communications and Education Team by the end of September 2008.

## **7.3 Legal Services (HRC 100.7)**

- 7.3.1 Commissioners noted the Legal Services report.
- 7.3.2 Commissioners expressed disappointment with a judgment of the High Court, issued on 12 September 2008, in regard to alleged repeated failure by the Prison Service and by the Department of Health, Social Services and Public Safety (DHSSPS) to provide adequate treatment to a person with mental ill health who was detained in Hydebank Wood Prison. The Commission supported this case. The Legal Services Team is currently reviewing the judgment in the light of the recent Bamford Review of Mental Health and Learning Disability.

## **7.4 Investigations, Policy and Research (HRC 100.8)**

- 7.4.1 Commissioners noted the Investigations, Policy and Research report.
- 7.4.2 Commissioners applauded the work of the staff involved in the recent examinations of the UK Government under the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). It was agreed to circulate to Commissioners the Concluding Observations from these examinations and seek follow up meetings with the Northern Ireland Executive and Westminster Departments on relevant issues arising from these examinations.
- 7.4.3 Commissioners agreed to write to DHSSPS welcoming the recent consultation exercise on Guidance on the Termination of Pregnancy.
- 7.4.4 It was agreed that draft responses to consultations on legislation and policy proposals should be considered at future meetings of the Detention, Policing and Justice Committee or the Economic, Social and Cultural Rights Committee as appropriate.

## **8. Memorandum of Understanding – Northern Ireland Commissioner for Children and Young People (HRC 100.9)**

- 8.1 Commissioners approved the Memorandum of Understanding between the Commission and the Northern Ireland Commissioner for Children and Young People.

## **9. Job evaluation of staff posts within the Commission – phase 1 report (HRC 100.10)**

- 9.1 Commissioners noted the outcome of the job evaluation of the grading of staff posts and the approach to the next phase of work to take forward the findings. Recommendations regarding implementation of the findings and any consequential restructuring will be presented to the next Commission meeting.

## **10. Strategic Plan 2009–12: key themes and priorities (HRC 100.11)**

- 10.1 The Chief Executive presented a paper outlining some of the major themes and priorities for consideration in the development of the Commission's Strategic Plan for the three-year period 2009–12.
- 10.2 In relation to the new Strategic Plan, priorities were emphasised in regard to intervening in the legislative phase of the proposed Bill of Rights for Northern Ireland, the process for selecting cases which the Commission could take in its own name, increasing collaboration with the human rights institutions in the UK and Ireland and the greater use of online strategies.
- 10.3 The priorities for the new Strategic Plan will be discussed further at a special Commission meeting on 7 November 2008.

## **11. Any other business**

- 11.1 Commissioners expressed their appreciation to Omagh District Council for hosting the Commission meeting and a reception for local stakeholders due to be held following the meeting.

## **12. Dates of next meetings**

- 12.1 The next meeting of the Policy Committee, comprising all Commissioners, takes place on 13 October 2008.
- 12.2 A special Commission meeting will be held on 7 November 2008.
- 12.3 The next business meeting of the Commission will be held on 17 November 2008.

**The meeting closed at 4.15pm, followed by a reception with local stakeholders.**

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

15 December 2008