

ps/hmhf

16 December 1999

## **NORTHERN IRELAND HUMAN RIGHTS COMMISSION**

### **Minutes of the 12th Commission Meeting**

**Monday 13 December 1999**

**2:00pm**

**Present:** Brice Dickson (Chief Commissioner)  
Frank McGuinness  
Angela Hegarty  
Margaret-Ann Dinsmore  
Tom Hadden  
Tom Donnelly  
Harold Good  
Christine Bell

**Apologies:** Paddy Kelly  
Inez McCormack

**In Attendance:** Paddy Sloan (Chief Executive)

#### **1. MINUTES**

- 1.1 Amendments were noted to the Minutes of the 11<sup>th</sup> Commission meeting.
- 1.2 Section 2.3 refers to a Bill of Rights discussion should have been noted under point 7 Bill of Rights.
- 1.3 Margaret-Ann Dinsmore arrived at the meeting at 4:20pm (not 3:30pm as recorded).
- 1.4 Holocaust Remembrance (5.7) to be amended as follows “Commissioners are concerned that the Holocaust Remembrance be taken in context of current human rights abuses that occur globally. The Chief Commissioner will write expressing the Commission’s desire to ensure that the Remembrance event acknowledges ongoing abuses and makes a positive contribution to the promotion of current human rights protections”.
- 1.5 Bill of Rights(7). The discussion on the eligibility for the selection of the Police Service should be moved to point 2 under the Patten Report debate.

- 1.6 Those being all the amendments the Minutes were agreed and signed by the Chief Commissioner.

## **2. MATTERS ARISING**

### **2.1 Patten Report**

The Commission's response to the Patten Report has been submitted and Commissioners have a copy of the final document.

### **2.2 NIO Response to Business Plan**

It has been clear in discussion and now in correspondence that the NIO in London is prohibiting the Commission from raising any funds outside the core grant. Any income derived from grants, donations or profits from publications or training will be deducted from the core grant. The rationale behind this is that the Commission should not be deviating from its core functions and therefore any income will contribute to the costs of the core functions of the organisation and should therefore be deducted from the core grant. It has been presented to the Commission as standard policy regarding grant in aid to non-departmental public bodies. The Chief Executive is exploring this further with the Financial Services Directorate and will advise Commissioners at the next meeting, at which time Commissioners will decide how to respond to this condition. If necessary the Chief Commissioner will seek a meeting with the Secretary of State for clarification, but in the first instance the Chief Executive will explore options with FSD.

### **2.3 Headed Correspondence**

Concern was expressed regarding the response from the Minister, Adam Ingram, to the Chief Commissioner's letter giving clarification of the Commission's position regarding its role in negotiations on marching in Portadown. The Chief Commissioner had made it clear that the Commission would "make presentations about International Human Rights Law on a purely factual basis to any group or meeting". Mr Ingram had acknowledged this and had used the term 'observer' with reference to the Commission at such a meeting. Angela Hegarty wished to have it recorded that she took exception to the Commission acting as an "observer" at meetings regarding parades. It was agreed that should the Commission be invited to undertake the role of 'observer' at a meeting, the Chief Commissioner will seek clarification of the expectations associated with that role.

### **2.4 Victims Group**

A report on the meeting of victims groups will be compiled by Harold Good and Christine Bell. The development of the victims project will be discussed in January in the light of the responses to the draft Strategic Plan.

### **3. CHIEF COMMISSIONER'S REPORT**

#### **3.1 Terrorism Bill**

Briefing paper on the Terrorism Bill has been prepared and circulated to all Members of Parliament at Westminster for the second reading debate on 14<sup>th</sup> December. A more detailed paper will be produced for the committee stage in January and may involve use of the Register of Researchers. Tom Hadden indicated his interest in assisting with this process.

#### **3.2 ADACS Project**

Some £5,000 is available for this project but it will not now be organised between the Children's Law Centre and the Human Rights Commission before the end of this financial year. The Chief Commissioner will explore the options for use of the money, perhaps in the development of creative ways of consulting on the Bill of Rights.

#### **3.3 Quality Scheme**

Initially Inez McCormack and the Chief Executive and Chief Commissioner will meet in preparation for this Section 75 group to develop a plan for preparing an impact assessment process. There was some discussion regarding a potential framework provided by Schedule 9 for the Strategic Plan of the Commission.

#### **3.4 Meeting with the DPP**

In order to accommodate Commissioners who wish to attend this meeting, it was agreed that it would be deferred until mid January.

#### **3.5 Commonwealth Law Association**

It was acknowledged that it was important that the Commission contribute to the proposed event with the caveat that Commissioners and staff are virtually over-committed on core activities and it will be necessary to prioritise any additional work.

#### **3.6 Standards on the Holding of Detainees**

Again the issue of prioritising work was discussed. It was agreed that this piece of work is timely given the announced intended closure of detention centres. The option of using the Register of Researchers to compile the standards should be considered.

#### **3.7 Press Statements**

Press Statements have been issued this week on the Terrorism Bill and on the attendance of Denise Magill at an international conference in Budapest.

#### **3.8 Equality Commission**

Establishing a Memorandum of Understanding between the Equality Commission and the Human Rights Commission is a priority. In the first instance the Chief Executive will meet with Evelyn Collins, Chief Executive designate of the Equality Commission. It was noted that the Equality Commission is not in charge of Section 76 of the Northern Ireland Act 1998, only Schedule 9 and Section 75. The Human Rights Commission should develop case law and policy on Section 76 on indirect discrimination and the Casework Committee was alerted to seek an appropriate case. The option of developing a joint leaflet with the Equality Commission should be explored in order to clarify the distinction between the two organisations and their individual roles.

#### **4. CHIEF EXECUTIVE'S REPORT**

##### **4.1 Staffing and Personnel**

- 4.1.1 NIPSA has formally been recognised as the official trade union for the Commission and several members of staff have joined.
- 4.1.2 Commissioners requested copies of all employment policies that have been prepared. These will be circulated.
- 4.1.3. Contracts and Terms and Conditions for staff will be reviewed by Commissioners in January. These also will have to be approved by the NIO as part of the proposed Memorandum of Understanding with the organisation.
- 4.1.4. Commissioners wish to review the recruitment procedure so that, if necessary, additional guidance can be provided to the Chief Commissioner and Chief Executive.
- 4.1.5 In the light of a recent security problem it was agreed that an alarm button directly to the police should be arranged for the new premises. The need for a security policy was agreed.

#### **5. TRAINING**

- 5.1 Commissioners agreed to attend a two-day residential to be facilitated by Richard Reoch at the end of January. The programme will begin on Thursday morning 27<sup>th</sup> January to finish at lunch time on Friday 28<sup>th</sup> January. Staff will be invited to attend for dinner and evening session on Thursday and to work with Commissioners on Friday. A venue on the North West side of Belfast was desirable and the Chief Executive will explore options.
- 5.2 Commissioners were interested in the training in lobbying skills but asked that quotations from a variety of consultants be sought.

**6. HUMAN RIGHTS DAY 1999**

It was generally agreed by those in attendance that the Seminar in the Hilton Hotel on Human Rights Day was a useful occasion. It was remarked by some Commissioners that the time of day, particularly on a Friday, and the Belfast City Centre venue are not conducive to a wide attendance.

**7. ACCOMMODATION REPORT**

Further to the report enclosed in papers a supplementary paper had been circulated to Commissioners describing a property in Adelaide Street which appeared to provide for our requirements. 6,000 square feet is available on two floors of 3,000 square feet each, with a shop front all glass ground floor. These premises are immediately available and VLA is prepared to negotiate on our behalf. Commissioners agreed that this location would be acceptable and that the Chief Executive is to pursue this option as a matter of urgency.

**8. STAFFING STRUCTURE**

8.1 The paper was tabled and spoken to by the Chief Executive on proposals for the employment of addition staff.

8.2 After extensive discussion it was agreed that the Chief Executive and Chief Commissioner should proceed with the appointment of an additional administrative worker and an information worker. Further consideration would be given to the need for additional posts in terms of research and case work and the Bill of Rights. More information will be provided to Commissioners for the January meeting.

**9. FINANCE**

The Chief Executive informed Commissioners that almost £400,000 had been committed to date from our budget allocation of £750,000 for this financial year. An additional £200,000 will be needed to refurbish and equip the new office premises. Consequently £150,000 is still not allocated as we approach the final quarter of the financial year. Commissioners were therefore encouraged to review the activities of their various sub committees in order to frontload any predicted expenditure into this financial year. Next year the budget will be of a similar scale but will have to accommodate a great many more staff and there will therefore be no surplus. It is also important that the budget is fully committed this year if we are to seek to secure further resources for years 2 and 3.

**10. BILL OF RIGHTS**

10.1 It was agreed to launch the Bill of Rights on 1<sup>st</sup> March 2000, to coincide with the anniversary of establishment of the Commission. This could also coincide with the opening of the new premises. A preliminary draft of the Bill of Rights will be prepared by December 2000 with advice to the Secretary of State in March 2001.

- 10.2 There was some discussion about the level of work being undertaken by Commissioners and staff and the need to focus on the Bill of Rights if the proposed timetable is to be achieved.
- 10.3 Tom Hadden's paper was tabled outlining his position as described at the Bill of Rights Seminar on Human Rights Day. The paper sets out the options for the scope for a proposed Bill of Rights.

## **11. STRATEGIC PLAN CONSULTATION**

- 11.1 Almost 100 written responses have been received and Miriam Titterton is in the process of tabulating these into a summary form for circulation among Commissioners. These responses will then be structured according to the various sections of the Draft Plan for consideration.
- 11.2 In addition the focus group discussions have been summarised and will contribute to the final form of the Strategic Plan. There was some discussion regarding the attendance and usefulness of some of these focus group meetings and it was acknowledged that important lessons were learnt in this process. Cross-cutting, round-table discussions will be organised in January 2000.
- 11.3 Commissioners will spend a half day in January re-drafting the Strategic Plan on the basis of the consultation responses with a view to producing a final plan in February.
- 11.4 It was agreed that the next Commission meeting would be postponed until 17<sup>th</sup> January at which business would be kept to a minimum with decisions only, in order to dedicate the discussion to the Strategic Plan. The meeting will begin at 12.30pm.

## **12. COMMITTEE REPORTS**

- 12.1 The overlap of responsibilities and interests among the various committees has become apparent as staff are employed. It was agreed to provide a draft paper on the committee structures to the Commission for consideration in January.
- 12.2 **Education Committee**
- 12.2.1 The Education Committee does not wish to have any responsibility for research.
- 12.2.2 The proposal from Amnesty International seeking support from the Human Rights Commission for a schools competition was discussed. The preferred view was that the commission could endorse such a competition but that a more ambitious strategy for accessing schools should be devised. Discussions were taking place with DENI on this. The Commission would be happy to recommend Amnesty's proposal to DENI.

**12.3 Legislation and Policy Committee**

12.3.1 It was clarified that Lord Alderdice as Presiding officer of the Assembly has been one of the initial points of contact for this committee. Many other contacts had been made as well. Any other relevant contacts would be welcomed by the Committee.

12.3.2 An amendment was noted to the minutes of the Legislation and Policy Committee of 18<sup>th</sup> October 1999. The amendment is to the second paragraph of point 3 (c). The first sentence should read “in the context of a discussion regarding the extent to which Standing Orders afforded HRC opportunities at various stages to intervene, they are inadequate”.

12.3.3 The next meeting of LPC is 13<sup>th</sup> January 2000.

**12.4 Communications Committee**

It was agreed that the Chief Executive and Chief Commissioner could proceed with the publication of a standard information leaflet regarding the Human Rights Commission. Acknowledging that the communication strategy on a broad front (incorporating the need for Bill of Rights material) would be going out to tender in early January, it is unlikely that this will result in any actual materials until towards the end of February at the earliest. There is a pressing need for straightforward information on the Commission to be available and Commissioners agreed that an initial leaflet could be produced by staff.

**13. ANY OTHER BUSINESS**

12.1 The Chief Commissioner advised Commissioners that a date to meet with Colin Port had not yet been arranged.

12.2 There being no other business the meeting closed at 5.30pm.



4.6.3 Christine Bell, Frank McGuinness and Paddy Sloan plus two other Commissioners expressed an interest in this training.

#### **4.7 Visits to Places of Detention**

Margaret-Ann Dinsmore and Frank McGuinness have exchanged reports of their visit to Lisnevin with Paddy Kelly and the three will compile a composite report having visited other juvenile justice centres. The Chief Commissioner was unable to accompany the Commissioners on this visit to Lisnevin but is anxious to be involved in the programme of visits. The three Commissioners will meeting with the Chief Commissioner to agree a process that ensures best use is made of the programme of visits.

### **5. CHIEF COMMISSIONER'S REPORT**

#### **5.1 The Legal Aid Consultation Paper**

The Commission's response has been submitted to the Northern Ireland Court Service by the Chief Commissioner.

#### **5.2 LRAC and OLR Consultation Papers**

The Chief Commissioner responded on behalf of the Commission to the Law Reform Advisory Committee on its paper regarding matrimonial property and to the Office of Law Reform on its paper concerning orders charging land. Commissioners with additional comments should submit these directly to the relevant bodies.

#### **5.3 Stephen King**

There was some discussion among Commissioners regarding the response to Stephen King's article about the Commission published in the Belfast Telegraph on 28<sup>th</sup> October 1999. Given the mixed views of Commissioners in terms of responding to the article the Chief Executive agreed to prepare a draft set of procedures for media response to be discussed by the Commission.

#### **5.4 Victims Groups**

Christine Bell and Harold Good will prepare a report on a meeting chaired by the NIHRC on 1<sup>st</sup> November for members of Victims Groups to meet with Father Michael Lapsley from South Africa.

#### **5.5 International Reports**

It was agreed that a schedule of deadlines for submissions will be prepared and circulated to Commissioners. The deadline for the submission on the United Nations Convention on the Rights of the Child is 20<sup>th</sup> November 1999.

#### **5.6 Section 75**

This group needs to meet with some urgency in order to respond to the request from the Equality Commission to comment on their re-issued draft Guidelines on Public Authority Equality Scheme by 1<sup>st</sup> December 1999.

5.7 **Holocaust Remembrance**

It was agreed the Holocaust Remembrance Day designate 27<sup>th</sup> January be endorsed by the Commission as a means of acknowledging human rights abuses in the past; the Chief Commissioner will draft a response.

5.8 **Australian Diplomats**

Three significant Australian Diplomats will be in Belfast on 17<sup>th</sup> November and wish to meet with the Commission from 3:05-3:50pm. Paddy Kelly, Inez McCormack and Angela Hegarty agreed to attend, as did Frank McGuinness if there is no overlap with the Task Force publicity group.

5.9 **Meetings Attended**

With regard to the meeting with Tony McClusker of the Central Secretariat, Commissioners were concerned that the Commission's position had been misrepresented to the Minister, Adam Ingram. The Chief Commissioner agreed to write to the Minister to clarify the potential role of the Commission in the negotiations regarding the marching season.

**6. CHIEF EXECUTIVE'S REPORT**

6.1 It was agreed that Paddy Kelly and Frank McGuinness would act as additional cheque signatories with Paddy Sloan and Brice Dickson.

6.2 The Chief Executive hopes to arrange a brief meeting with each of the Commissioners as soon as is practical.

6.3 It was agreed following a discussion on symbols and emblems in the workplace, that Paddy would discuss with staff the possibility of introducing a harmonious working policy. Commissioners felt that this organisation should seek to be progressive and respectful of diversity in promoting tolerance of individual allegiances as opposed to the neutral, scorched earth policy which is easier to implement. Paddy will report back to Commissioners following discussions with staff.

6.4 **Accommodation**

Commissioners agreed to provide a further month's grace to review the options available in terms of city centre office accommodation. It was also suggested that offices outside the inner city boundary be considered and that the option of purchase rather than rent should be explored with the NIO.

**7. BILL OF RIGHTS**

There was some discussion regarding the eligibility for selection for the Police Service and it was agreed that this discussion would be deferred until the meeting on

the Patten Report on 16<sup>th</sup> November. Tom Hadden will do a briefing paper prior to that meeting.

**8 BUDGET AND BUSINESS PLAN**

- 8.1 Acknowledging the limitations of the discussion, given the timeframe, the Chief Executive explained the thinking behind the current proposal. It is essentially a re-draft of the draft Strategic Plan with the inclusion of an associated budget.
- 8.2 A review of staffing needs was requested for discussion at the December Commission meeting.
- 8.3 A separate budget head was sought for work with victims' rights.
- 8.4 A separate budget head was also sought for the work associated with the Human Rights Commission to be established in the Republic of Ireland. In addition further text was requested around this work.
- 8.5 Commissioners reluctantly agreed that the Business Plan could be submitted to NIO on the understanding that a more detailed Plan for 2000-2002 would be discussed in more depth.

**9. SUB COMMITTEE REPORTS**

Reports of meetings and sub committees were noted.

*The meeting concluded at 6:00pm*

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**Brice Dickson**  
**Chief Commissioner**

**Dated:** \_\_\_\_\_