



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

MINUTES OF THE 85TH COMMISSION MEETING

**HELD ON MONDAY 13 MARCH 2006 AT 10:00am
AT FERMANAGH DISTRICT COUNCIL, TOWNHALL,
ENNISKILLEN, BT74 7BA**

Present: Monica McWilliams, Chief Commissioner
Jonathan Bell
Tom Duncan
Colin Harvey
Alan Henry
Ann Hope
Kevin McLaughlin
Eamonn O'Neill

Apologies: Christine Eames
Geraldine Rice (due to ill health)

In attendance: Paddy Sloan, Chief Executive
Don Leeson, Head of Corporate Services
Ciarán Ó Maoláin, Head of Legal Services, Policy and
Research
Peter O'Neill, Head of Information, Education and
Development

The meeting was held in Enniskillen as part of the Commission's commitment to increasing its presence outside of Belfast.

Commissioners expressed their appreciation to the elected members, Chief Executive and staff of Fermanagh District Council for hosting the meeting.

1. Minutes of the 84th meeting (HRC 85.1)

- 1.1 The minutes of the 84th Commission meeting were agreed as an accurate record.

2. Matters arising

- 2.1 There were no matters arising.

3. Report from the Chief Commissioner (HRC 85.2)

- 3.1 Commissioners noted the Chief Commissioner's report.
- 3.2 The Chief Commissioner, Tom Duncan, Christine Eames and Eamonn O'Neill met with representatives of the Omagh Support and Self-Help Group on 20 January 2006 to discuss the Commission's views on the Group's call for a cross-border public inquiry into the Omagh bombing on 15 August 1998. Before responding to the Group's call, further information is needed on the legal possibilities regarding cross-jurisdictional inquiries. The issue will be further discussed at the next Joint Committee meeting with the Irish Human Rights Commission on 26 April 2006.
- 3.3 The Commission's programme of meetings with faith groups is continuing. It was agreed that the Commission will seek to convene a meeting of all faith groups to discuss issues of mutual interest.
- 3.4 The Chief Commissioner, Jonathan Bell and Colin Harvey met with Sir Hugh Orde, the Chief Constable, on 3 February 2006 to discuss a range of issues including human rights training, surveillance by MI5, community based restorative justice and the work of the Historic Enquiries Team. The Commission will meet with representatives of the Historic Enquiries Team on 22 March 2006.
- 3.5 The Commission will also meet with the Surveillance Commissioner regarding human rights issues and covert surveillance. This issue will be discussed at the next meeting of the Commission's Policy Committee.

- 3.6 The Chief Commissioner met with senior representatives of the Public Prosecution Service on 10 February 2006 to discuss human rights training and policies on prosecution and witness support. The Commission has been invited to view new facilities in the courts in Belfast.
- 3.7 The Chief Commissioner met with Bertha McDougall, the recently appointed interim Victims' Commissioner on 15 February 2006 to discuss a range of issues, including her remit in respect of establishing a forum for victims and survivors.
- 3.8 The Chief Commissioner, Christine Eames, Alan Henry, Ann Hope and Eamonn O'Neill met with Nuala O'Loan, the Police Ombudsman, on 28 February 2006 to discuss a range of issues, including a review of the Memorandum of Understanding between the two organisations and the possibility of a staff secondment from the Commission to the Office of the Police Ombudsman.
- 3.9 Commissioners noted the visit by Dermot Ahern, the Irish Minister for Foreign Affairs, to the Commission's offices on 3 March 2006.
- 3.10 The Chief Commissioner met with representatives of the Grand Orange Lodge of Ireland at their request on 6 March 2006 to discuss issues in relation to the Orange Order. Further invitations have been received to meet with representatives of other Orange institutions.
- 3.11 The Chief Commissioner met with representatives of Northern Ireland (Greater Shankill) Alternatives on 6 March 2006 to discuss issues in relation to community based restorative justice. The Commission agreed to monitor the impact of recent consultation on guidelines for community based restorative justice schemes and visit the Shankill project. It was proposed that representatives of the Joint Committee might visit the Shankill project when they next meet in Belfast.
- 3.12 The Chief Commissioner met with Kit Chivers, the Criminal Justice Inspector, on 6 March 2006 to discuss a range of issues, including establishing a Memorandum of Understanding to cover communication and the handling of areas of overlap between the two organisations.

4. Reports from Commissioners

- 4.1 Ann Hope reported on her attendance at a conference in Belfast on equality and social inclusion on 1–3 February 2006.
- 4.2 Kevin McLaughlin reported on his attendance at a conference in Edinburgh on mental health and human rights on 6 March 2006 and interviews he gave to local media during his visit.

5. Report from the Chief Executive (HRC 85.3)

- 5.1 Commissioners noted the Chief Executive's report.
- 5.2 Commissioners noted that some late responses to the consultation on the Commission's powers had been received by the NIO. The NIO is now considering the consultation responses and next steps.
- 5.3 The Commission has been approached by the Office of the High Commissioner at the United Nations to host a workshop for national human rights institutions on their role in conflict resolution on 20–22 June 2006. Commissioners agreed that the Commission should hold a reception during the workshop for delegates and local stakeholders.
- 5.4 Commissioners noted that concerns have been raised about the Scottish Commissioner for Human Rights Bill by the Justice 1 Committee of the Scottish Parliament, particularly in respect of potential overlaps with other organisations. It was agreed that the Commission should write to the Committee with additional comments about the Commission's own experiences as a national human rights institution, which might allay some of the concerns.
- 5.5 Commissioners noted that Justice Michael Kirby from the High Court of Australia will be in Dublin at the invitation of the Law Society of Ireland to present the Annual Human Rights Lecture at the end of June 2006. It was agreed to invite Justice Kirby to the Commission's offices to give a presentation on his work at a seminar on 30 June 2006, which will be targeted at the judiciary and legal profession.

6. Staff, Committee and Working Group Reports

6.1 Corporate Services (HRC 85.4)

6.1.1 Commissioners noted the Corporate Services report.

6.1.2 Commissioners noted the appointment, following a recruitment exercise, of Dr Bill Smith as Chairperson of the Commission's Audit and Risk Management Committee. The inaugural Committee meeting is scheduled for 3 April 2006. Dr Smith will attend a Commission meeting as part of his induction in due course and periodically thereafter for specific discussions within the remit of the Committee's work.

Colin Harvey declared a professional interest in the next item to be discussed and withdrew from the meeting.

6.1.3 Commissioners approved a proposal to contribute funding towards the costs of a higher education course for a member of staff.

Colin Harvey rejoined the meeting.

6.1.4 Commissioners approved a pay award for Commission staff equivalent to that recently agreed for NIO staff.

6.1.5 Commissioners noted the award of a contract for expert consultancy support for research into suicide and self-harm in prisons. The invitation to tender for the contract had been re-issued following receipt of one tender.

6.1.6 Commissioners noted that invitations to tender have been issued for a contract to provide accountancy support to the Commission.

6.2 Pay Working Group minutes (HRC 85.5)

6.2.1 The minutes of the meetings of the Pay Working Group held on 6 and 17 January 2006 were noted. Commissioners noted the intention to bring proposals for revised pay arrangements for Commission staff to the next Commission meeting.

6.3 Information, Education and Development (HRC 85.6)

- 6.3.1 Commissioners noted the Information, Education and Development report.
- 6.3.2 Commissioners approved the Commission's financial contribution to the publication and translation of guidance materials on the rights of migrant workers. The project is being co-funded with OFMDFM and co-ordinated by the Law Centre.
- 6.3.3 Commissioners noted a range of publications under development by the Commission, which will be published during 2006.
- 6.3.4 Commissioners noted the programme of meetings and events to be attended by the Chief Commissioner, Jonathan Bell, Colin Harvey and the Head of Information, Education and Development when they visit Washington DC on 15–18 March 2006 to promote the work of the Commission.
- 6.3.5 Commissioners noted a report produced for the Commission, following workshops with staff, on managing stakeholder relationships. It was agreed that the Public Affairs Committee should consider how to operationalise the recommendations made in the report.
- 6.3.6 Commissioners noted that the awards ceremony for the Commission's arts competition, 'Screensaving Our Rights', which has been organised and funded in collaboration with the Arts Council, the Community Foundation (NI) and the University of Ulster, will be held on 29 March 2006. The entries submitted to the competition will be exhibited in the Commission's offices on 30 March to 1 April 2006.

Colin Harvey declared a professional interest in the next item to be discussed and withdrew from the meeting.

- 6.3.7 Commissioners approved a proposal to sponsor an award for dissertations submitted by postgraduate students on the LLM courses in human rights law at Human Rights Centre at Queens University Belfast and the Transitional Justice Institute at the University of Ulster. The successful entrants would be selected by the relevant academic department and ratified by the Commission. Criteria for determining the dissertations to be awarded will be developed by the Commission. As part of the award, the successful recipients will deliver a presentation on the topic of their dissertation at a Commission event and allow the Commission permission to publish the work.

Colin Harvey rejoined the meeting.

6.4 Legal Services, Research and Policy (HRC 85.7)

- 6.4.1 Commissioners noted the Legal Services, Research and Policy report.
- 6.4.2 Commissioners noted that work to review the Commission's legal services function was nearing completion and recommendations for change would be brought to the next Commission meeting for approval.
- 6.4.3 Commissioners agreed in principle, pending further advice from senior counsel, to intervene in the judicial review of the format of a death inquiry, which has been converted from that determined by the Prisons Act (Northern Ireland) 1953 into one to be undertaken under the Inquiries Act 2005.
- 6.4.4 Commissioners noted that the period for the fieldwork for further research into the conditions of women prisoners in Ash House, Hydebank Wood, which was approved in September 2005, has been extended to take account of a transfer of prisoners while building work was undertaken. The fieldwork is now expected to be completed in April 2006.

- 6.4.5 Commissioners noted a report by an Investigations Worker on her study visit to Australia to look at the handling of investigations of deaths in hospitals, and the follow-up work being undertaken. Commissioners also commended the seminar on this issue, which was led by Professor Allan Spigelman for an audience of hospital managers and health oversight professionals, which was held at the Commission on 27 February 2006.
- 6.4.6 Commissioners noted the excellent contribution made by the Research Worker to a conference in Tajikistan on the establishment of a national human rights institution. The conference was co-organised by the UN's Tajikistan Office of Peace-building (UNTOP) and the Organisation for Security and Co-operation in Europe (OSCE). The Commission's participation in this event was funded by UNTOP and OSCE.
- 6.4.7 Commissioners passed on their congratulations to all of the staff involved in organising a seminar on human trafficking, which was held at the Commission's offices on 8 March 2006, International Women's Day, and which received very positive feedback from participants.

6.5 Casework Committee minutes (HRC 85.8)

- 6.5.1 The minutes of the Casework Committee meetings held on 19 December 2005 and 30 January 2006 were noted.

7. Strategic Plan 2006–09 (HRC 85.9)

- 7.1 Commissioners noted the responses to consultation on the Commission's Strategic Plan for 2006–09
- 7.2 Subject to some drafting changes, Commissioners approved the Strategic Plan, which takes account of the consultation exercise. The Strategic Plan will be revised in the light of discussions and sent to the NIO for approval.

The meeting was suspended for lunch at 1:10pm.

The meeting resumed at 2:10pm.

8. Draft Business Plan 2006–07 (HRC 85.10)

- 8.1 The Commission's draft Business Plan for 2006–07 was discussed. The draft Plan will be revised in the light of the discussions and circulated to Commissioners and staff for further comment. It will then be submitted to the next Commission meeting for approval.

9. Corporate Risk Management (HRC 85.11)

- 9.1 Commissioners approved a framework for managing the risks facing the achievement of the Commission's objectives, which involves regular reviews of the risks by the Management Team and the Audit and Risk Management Committee.
- 9.2 The Audit and Risk Management Committee will scrutinise the Commission's draft 'risk register' on 3 April 2006, which will then be submitted for ratification by Commissioners at the next Commission meeting.
- 9.3 It was agreed to ask the Audit and Risk Management Committee to consider the training and development needs of Commissioners in respect of risk management and make recommendations as to how these might be met.

10. Update on the Bill of Rights

- 10.1 The NIO is in discussion with the political parties about forming a round table to consider taking forward the development of a Bill of Rights for Northern Ireland. As part of these discussions, consideration is being given to who might chair the round table and the role of civic society and the Minister is expected to have replies from the political parties by mid-April 2006.
- 10.2 In light of this, it was agreed to postpone the Commission's residential event on a Bill of Rights, which had been planned for April 2006. The NIO's round table proposals will continue to be factored into the Commission's thinking.
- 10.3 The Commission will meet with David Hanson MP, Minister of State for Northern Ireland, on 23 March 2006 to discuss a range of issues and it is hoped that he will be in a position to give an update on progress towards establishing the round table.

- 10.4 Commissioners noted the minutes of the inaugural Bill of Rights Working Group meeting, which was held on 30 January 2006 (HRC 85.12).

11. Any other business

- 11.1 Commissioners congratulated Colin Harvey on his inaugural lecture at Queen's University Belfast on "Governing After the Rights Revolution", which was presented on 9 March 2006.
- 11.2 Roger Poole, Chair of the Parades Commission, wrote to the Chief Commissioner on 31 January 2006 to invite the Commission to feed into a review of its work and guidelines. It was agreed to remit consideration of this to the next Policy Committee meeting.
- 11.3 Commissioners agreed to support a conference on inequalities in health in autumn 2006, which is being organised by the Institute of Public Health for equality and human rights bodies in Northern Ireland and the Republic of Ireland.

12. Next meetings

- 12.1 The next meeting of the Policy Committee, comprising all Commissioners, takes place on 10 April 2006 in Temple Court, Belfast.
- 12.2 The next business meeting of the Commission will be held on 15 May 2006 in Temple Court, Belfast.

The meeting closed at 4pm.

Approved: _____

Date: _____

15 May 2006