



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

25 June 2018

**203rd COMMISSION MEETING
IN THE OFFICE OF THE NORTHERN IRELAND
HUMAN RIGHTS COMMISSION, TEMPLE COURT,
39 NORTH STREET, BELFAST, BT1 1NA**

Present: Les Allamby, Chief Commissioner
Helen Ferguson
Helena Macormac
Paul Mageean
John McCallister
Eddie Rooney
Graham Shields

In attendance: David Russell, Chief Executive
Colin Caughey, Director (Legal, Research and Investigations,
and Advice to Government)
Rebecca Magee, Personal Assistant
Lorraine Hamill, Director (Finance, Personnel and Corporate
Affairs) (agenda items 1-7)
Claire Martin, Director (Communications, Information and
Education, Public and Political Affairs)
Rhyannon Blythe, Senior Legal and Research Officer (Agenda
item 8)
Sara Donnelly, Legal and Research Officer (Agenda item 8)
Hannah Russell, Policy and Research Officer (Agenda items
9+10)
John McVea, Work placement student (agenda item 8)

1. Apologies and Declarations of Interest

1.1 There were no apologies or declarations of interest.

2. Minutes of the 202nd Commission meeting and Special Commission meeting of 6 June 2018 and matters arising

2.1 The minutes of the 202nd Commission meeting of 29 May 2018 were agreed as an accurate record.

2.2 The minutes of the Special Commission meeting of 6 June 2018 were agreed as an accurate record.

Action: Approved minutes to be uploaded to the Commission website.

2.3 Commissioners were informed of the successful applicant for the post of Senior Policy and Research Officer (Temporary) fixed term (for 2 years – subject to review). Recruitment will begin to fill the remaining posts shortly and should be completed by August (item 2.3 of the previous meeting refers).

2.4 Commissioners were updated on training that the Data Protection Officer (DPO) and Data Protection Practitioner (DPP) attended in relation to GDPR (item 2.4 of the previous meeting refers).

2.5 Commissioners were updated on the Strategic Planning process and the commissioning of an opinion survey, with a meeting planned for next week regarding the survey (item 7.1 of the previous meeting refers).

2.6 Commissioners were updated on the Joint Committee work and the work on the Common Travel Area (CTA) with the tender being finalised. The Irish Human Rights and Equality Commission is carrying forward the process for engaging work on criminal and civil justice impacts as a result of Brexit (item 9.1 of the previous meeting refers).

3. Chief Commissioner's Report

- 3.1 The Chief Commissioner reported on meetings and events he had attended since the last meeting. These included:
- meeting of faith groups – a joint NIHRC/ECNI initiative
 - Alex Maskey Sinn Fein re: anti-poverty policy
 - PSNI George Hamilton and Mark Hamilton
 - speech at Business and Human Rights conference in Edinburgh: organised by Scottish Government, University of St Andrews and Danish Institute of Human Rights
 - Baroness May Blood
 - meeting Philip Weir DUP SPAD
 - School visits to Shimna Integrated College and Forthill Integrated College
 - Westminster meetings including Baroness Angela Smith, Max Hill QC and Angela Coomber, JUSTICE CEO
 - UN Special Rapporteur for Privacy in a Digital Age, Professor Joe Canatacci
 - NICRAS/NIHRC roundtable – best practice for immigrants legal advice
 - World Food event with NICRAS
- 3.2 The Chief Commissioner also reported on meetings he had attended as the Joint Committee of the two Commissions on the Island of Ireland with Emily Logan, Chief Commissioner of the Irish Human Rights and Equality Commission in London. These included:
- Robin Walker MP – minister at DEXEU
 - Dinner hosted by The Taoiseach, Mr Leo Varadkar T. D. in honour of H. E. Mr Jean-Claude Juncker, President of the European Commission, in St Patricks Hall, Dublin Castle on 21st June

4. Commissioners' Reports

- 4.1 Commissioner Eddie Rooney reported on the inauguration of the new Presbyterian moderator and opening of the Presbyterian general assembly on Monday 4 June.
- 4.2 Commissioner John McCallister reported on the CRPD committee meeting for IMNI between the NIHRC and ECNI. It was agreed that

the next meeting for the committee would be in November.

5. Finance Report and Risk Register

- 5.1 The Director (Finance, Personnel and Corporate Services) reported on the finance report highlighting any differences from the previous months report. Commissioners welcomed and noted the report.
- 5.2 The Chief Executive reported on the Risk Register highlighting any risk that remained high and the reasons for this rating. After discussion, Commissioners noted the report.

6. Annual Report and Accounts

- 6.1 Commissioners were briefed on the Annual Report and Accounts and were presented with explanations for figures. Commissioners approved the Annual Report and Accounts which will now go to the Audit and Risk Management Committee for final sign off.

7. Quarterly Report against the Business Plan

- 7.1 Commissioners noted the Quarterly Report against the Business Plan.

Lorraine Hamill left the meeting.

Rhyannon Blythe, Sara Donnelly and John McVea joined the meeting.

8. Legal Update and Application for Assistance

- 8.1 Commissioners were updated on the settlement of JT case namely a decision to destroy DNA in this case and to bring forward a policy on arrangements for retention of DNA without conceding on any further substantial points contained in the initial Order 53 application for judicial review.
- 8.2 Commissioners were updated on the NM case namely on access of a common law widow to a pension from the MoD and informed that the Commission is awaiting comment from Counsel in light of the

Commissions standing.

- 8.3 Commissioners were updated on the barriers to same-sex couples accessing publically funded IVF treatment. A letter was sent to the Health and Social Care Board on the NICE guidelines in relation to this (item 2.5 of the previous meeting refers). Commissioners agreed a response to this letter.
- 8.4 Commissioners were briefed on the Termination of Pregnancy case and were updated on the Commission's legal powers following the judgement. It was agreed to write to the chair of the Global Alliance of NHRIs to inform it of the development. A reply is awaited from the Secretary of State to clarify the UK governments position.
- 8.5 Commissioners were briefed on the Application for Assistance from the Children's Law Centre for a written intervention or an affidavit regarding detention under the Mental Health (NI) Order of a minor and the limit to challenges that can be made to such decisions. Commissioners discussed the application and agreed to an affidavit subject to the legal staff seeing the papers covering the case.
- 8.6 Commissioners noted the paper on the process for dealing with requests for assistance and after minor amendments, Commissioners approved the process.

*Rhyannon Blythe, Sara Donnelly and John McVea left the meeting.
Hannah Russell joined the meeting.*

9. Annual Statement Chapter

- 9.1 Commissioners reviewed the Annual Statement chapters on Constitutional Protections. The chapters were approved.
- 9.2 Commissioners agreed that a discussion would take place at the August Commission meeting on the traffic light colour code for the chapter on the European Union.

Action: Colour Coding to be discussed under Annual Statement Chapters in August.

10. Aide Memoir on investigations

10.1 Commissioners agreed and approved the note on investigations.

11. Communications Report

11.1 Commissioners were briefed on the communications report which included an update on press relating to the Supreme Court hearing on the Termination of Pregnancy case.

11.2 Commissioners welcomed and noted the Digital Communications report.

12. Any other Business

12.1 Commissioners were updated on the Community Engagement to the Ards and North Down council area on 29 June 2018.

The meeting closed at 13:40

Commissioners held a session in the afternoon for a reflection of their first nine months in office.