



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

**24 September 2018**

## **205<sup>th</sup> 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  
Eddie Rooney  
Graham Shields  
John McCallister

**In attendance:** David Russell, Chief Executive  
Colin Caughey, Director (Legal, Research and Investigations,  
and Advice to Government)  
Claire Martin, Director (Communications, Information and  
Education, Public and Political Affairs)  
Lorraine Hamill, Director (Finance, Personnel and Corporate  
Affairs) (agenda items 1-7, 9)  
Rebecca Magee, Personal Assistant (agenda items 8, 10-13)  
Rhyannon Blythe, Senior Legal and Research Officer (Agenda  
item 8)  
Joe McKnight, Independent Chair of the Audit and Risk  
Management Committee (Agenda item 9)  
Hannah Russell, Senior Policy and Research Officer (Agenda  
item 11)

### **1. Apologies and Declarations of Interest**

1.1 There were no apologies or declarations of interest.

## 2. Minutes of the 204<sup>th</sup> Commission meeting and Closed Confidential meeting of 20 August 2018 and matters arising

2.1 The Minutes of the 204<sup>th</sup> Commission meeting held on 20 August 2018 were agreed subject to a minor amendment.

**Action: Approved minutes of the 204<sup>th</sup> Commission meeting to be uploaded to the Commission's website.**

2.2 The Minutes of the Closed Confidential meeting held on 20 August 2018 were agreed subject to a minor amendment.

2.3 The Director (Legal, Research and Investigations, and Advice to Government) confirmed that he had spoken with the Governor of Hydebank to arrange a visit to the women's prison. Dates were currently being sought (item 4.1 of the previous meeting refers).

2.4 It was confirmed that a Roundtable on Older Prisoners and Social Care would be held at the Commission on 23 November 2018 and HM Chief Inspector of Prisons in Scotland would be attending. Commissioner Mageean confirmed he would attend.

**Action: Commissioners to confirm their attendance at the Roundtable as soon as possible.**

2.5 Negotiations were still ongoing with regard to retention of DNA and other material by the PSNI (item 6.1 of the previous meeting refers).

2.6 It was noted that the Commission would be giving evidence to the British/Irish Parliament Assembly Committee D cross-jurisdictional Inquiry into Abortion, being chaired by Lord Dubs, on 12 October 2018.

2.7 The Chief Commissioner reported that the Women and Equalities Westminster Select Committee had launched an inquiry looking into abortion law in Northern Ireland. The deadline for written submissions is 10 December 2018.

2.8 The Chief Commissioner confirmed that he had met with the Permanent Secretaries of the Department of Justice and Department of Health on the aftermath of the Supreme Court Judgement.

- 2.9 It was noted that papers had been lodged for the NM case on access of a common law widow to a pension from the MoD (item 6.2 of the previous meeting refers).
- 2.10 Comments on the draft response to the NIO Consultation on Dealing with the Past had been received by email and subsequently the final response was agreed and submitted to the NIO (item 7 of the previous meeting refers).
- 2.11 The Chief Commissioner reported that he had done an interview for NVTV on Dealing with the Past and had received some media coverage.

### **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 with Arlene Foster.
  - Meeting with Clark Baillie and colleagues, NIHE.
  - Attended Global Conflict, the Human Impact Conference at Queen's University.
  - Meeting with Kris Hopkin, Special Political Advisor to Secretary of State for Northern Ireland.
  - Attended British/Irish Association at Oxford University.
  - Commission hosted ENNHRI three-day conference on Counter Terrorism and Security and the Chief Commissioner Chaired a panel on NHRI engagement on human rights in post-conflict – the Northern Ireland case and made an opening welcome speech.
  - Litigants in Person Conference.
  - Community Engagement in East Belfast.

### **4. Commissioners' Reports**

- 4.1 Commissioner Ferguson reported on the recent Audit and Risk Management Committee meeting held on 17 September 2018.
- 4.2 Papers had been presented to the Committee on GDPR including a detailed Data Retention and Disposal Schedule.

4.3 The Committee had also approved the revisions to the Framework Document with the NIO. It was agreed that the revised Framework Document would be circulated to Commissioners.

**Action: Framework Document with the NIO to be circulated to Commissioners**

4.4 It was noted that the Code of Governance needed to be reviewed now that the Framework Document with the NIO had been approved.

**Action: Code of Governance to be reviewed and amended if required.**

## 5. Finance Report and Risk Register

5.1 The Director (Finance, Personnel and Corporate Affairs) presented the Financial Report for August 2018. It was noted that the Financial Report had been revised as a result of the August monitoring round.

5.2 The Chief Executive reported on the meeting he and the Director (Finance, Personnel and Corporate Affairs) had with staff at the NIO regarding moving to Account NI.

5.3 The Chief Executive reported on the Commission's Risk Register and Commissioners noted that changes in the Risk Trend Reports.

5.4 It was agreed that Brexit needs to be added to the Risk Register as an additional risk.

**Action: Brexit to be added to the Risk Register.**

## 6. Quarterly Report against the Business Plan

6.1 Commissioners reviewed the Quarterly Report against the Business Plan and noted that everything was on target for completion.

6.2 It was noted that there were additional areas of work being completed by staff that were not included in the Business Plan and it was agreed that a narrative should be included in the Quarterly Report on such activities.

**Action: Narrative to be added to the Quarterly Report on activities not included in the Business Plan.**

- 6.3 Commissioner Ferguson congratulated the Director (Communications, Information and Education, Public and Political Affairs) and her team on their work with CCEA and in particular the agreement from them to promote and host Commission materials on their microsite (Pillar 2 (k)).

## **7. Brexit Update**

- 7.1 Commissioners were updated on the role envisaged for the Commission, the Equality Commission NI and the Joint Committee as independent joint monitoring bodies of the commitment to non-diminution of human rights and equality.
- 7.2 Commissioners discussed a paper prepared by the UK government on what was being intended and agreed a draft response to the paper and agreed arrangements for liaising with the Joint Committee and Equality Commission.

## **8. Legal Application for Assistance**

- 8.1 Commissioners were briefed on the Application for Assistance in regards to state retirement pension and gender recognition. Commissioners agreed that contact was to be made with the client in regards to the possibility of obtaining Counsel's opinion including on the issue of whether the inability to backdate an award based on anti-test case rules was contrary to Convention rights.

## **9. Report from the Chair of the Audit and Risk Management Committee**

- 9.1 The Chief Commissioner welcomed the Independent Chair of the Commission's Audit and Risk Management Committee to the meeting.
- 9.2 The Chair had provided a detailed report on the activities of the Audit and Risk Management Committee since he took up office in 2017, and went into detail of the work.
- 9.3 The Chair commended Commissioners and staff for their contribution to the work of the Audit and Risk Management Committee. The Commissioners thanked the Chair for his work.

## 10. Communications Report

- 10.1 Commissioners were briefed on the Communications report and updated on the upcoming visits to Westminster planned for October and November.
- 10.2 Commissioners were updated on the press coverage including on the JR76 case (a challenge to the DPP decision to prosecute a woman who gave pills to her 15 year old daughter to induce a termination).
- 10.3 Commissioners were updated on the event held for Culture Night. The Commission held a 'Human Rights event' celebrating the 70<sup>th</sup> Anniversary of the Universal Declaration of Human Rights.

## 11. Annual Statement Chapters

- 11.1 Commissioners reviewed the remaining Annual Statement chapters. The chapters were approved.
- 11.2 Commissioners discussed the traffic light colour code used to determine status throughout the report and agreed the wording.
- 11.3 Commissioners agreed that the full Annual Statement would come to the next Commission meeting for approval in order for printing to be completed in time for the launch on 10 December.

**Action: Full Annual Statement to come to October Commission meeting for approval before printing.**

## 12. Strategic Plan update

- 12.1 Commissioners were updated on the strategic planning session, including information on the two stakeholder roundtables on 31 October (Belfast) and 8 November (Derry/Londonderry).
- 12.2 Commissioners were informed that a staff session was planned and that a joint staff and Commissioners session would be arranged.

**Action: Staff/Commissioner roundtable to be arranged.**

## **13. Any other Business**

- 13.1 Commissioners were briefed on the Community Engagement planned for 1 October in East Belfast.

*The meeting closed at 15:10*