



27 August 2019

**215th 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 (except agenda item 10)
Helen Ferguson
Helena Macormac
Paul Mageean (Jointly chaired agenda item 10)
John McCallister (Jointly chaired agenda item 10)
Eddie Rooney
Graham Shields

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)
Julia Stella, Boardroom Apprentice
Lorraine Hamill, Director (Finance, Personnel and Corporate Affairs) (Agenda items 1-7 and 10)
Rebecca Magee, Personal Assistant (Agenda items 6, 8, 9 and 11-14)
Joe McKnight, Independent Chair of the Audit and Risk Management Committee (Agenda item 7)

Eilis Haughey, Brexit Advisor (Agenda item 11)
Sara Donnelly Clegg, Legal and Research Officer
(Agenda items 8-10)
Rhyannon Blythe, Senior Legal and Research
Officer (Agenda items 8-10)
Zara Porter, Communications and Public Affairs
Officer (Agenda item 13)
Jason McKeown, Communications and Public
Affairs Officer (Agenda item 13)

1. Apologies and Declarations of Interest

- 1.1 There were no apologies for the meeting.
- 1.2 The Chief Commissioner declared a conflict for agenda item 10. It was agreed that this item would be chaired by Commissioner Paul Mageean and Commissioner John McCallister.

2. Minutes of the 214th Commission meeting

- 2.1 The minutes of the 214th Commission meeting held on 24 June 2019 were agreed as an accurate record subject to a minor amendment.

Action: 214th Commission minutes to be uploaded to Commission website

3. Chief Commissioner's Report

- 3.1 The Chief Commissioner reported on meetings and events he had attended since the last Commission meeting. These included:
 - chaired NIHRC travellers forum
 - meeting Home Office Vulnerability Advisory Group in London
 - speech to NI Council of Racial Equality conference on Human Rights Protection post Brexit: the case for

- protections on the island of Ireland
- visit by researchers from Landman Economics and Kings College London – meeting with DfC, politicians and civil society organisations
 - meeting with Jonathan Hall QC, Independent Reviewer of Terrorism
 - attended community engagement in Mid-Ulster District Council
 - meeting Equality Commission
 - meeting Peter May, Permanent Secretary DOJ
 - meeting John Finucane, Lord Mayor of Belfast
 - meeting Alex Maskey MLA
 - meeting Clark Bailie CEO, NIHE
 - meeting Katrina Godfrey, Permanent Secretary, DoI
 - NVTV interview alongside Koulla Yiasouma on ending physical punishment of children
 - meeting Sue Gray, Permanent Secretary, Department of Finance
 - launch of Joint Committee Justice and Security report

4. Commissioners' Reports

- 4.1 Commissioner Rooney reported on the recent Community Engagement held in Mid Ulster. There was a good turnout from different types of community organisations at the meeting in the morning and the Commission had the opportunity to engage with the PSNI in the afternoon. The Commission also presented to the Council in the evening. The format of the day worked well.

5. Staffing, CSR and Budget Update

- 5.1 The Chief Executive updated Commissioners on the following:
- one-year Comprehensive Spending Review (CSR)

- proposed move to new premises
- staffing structure
- Dedicated Mechanism and Brexit
- External Review
- Internal Audit – salary benchmarking exercise

5.2 It was agreed that Commissioners would meet separately outside of a Commission meeting to reflect further on these issues and future planning. The meeting is to be arranged for October 2019.

Action: Reflection meeting for Commissioners to be arranged for October 2019.

5.3 Commissioners approved the salary benchmarking exercise to be carried out by the Internal Auditors. This was to commence as soon as possible.

Action: Chief Executive to liaise with Internal Auditors.

6. Finance Report and Risk Register

6.1 The Director (Finance, Personnel and Corporate Affairs) presented the financial report for July 2019 and the variances between budget and actual spend to date were noted.

6.2 The Chief Executive presented the risk register for July 2019 and highlighted the risks that had changed since the previous meeting.

7. Annual Review by the Chair of the Audit and Risk Management Committee

7.1 The Chief Commissioner welcomed the Independent Chair of the Commission's Audit and Risk Management Committee to the meeting.

7.2 The Independent Chair provided a detailed report on the activities of the Audit and Risk Management Committee

for the period April 2018 to date.

7.3 The Chair commended Commissioners and staff for their contribution to the work of the Audit and Risk Management Committee.

7.4 Commissioners thanked the Independent Chair for his work. It was noted that the Chair's term of office was due to finish in July 2020.

8. Legal functions report

8.1 Commissioners were updated on the legal functions report and were provided with updates on the litigation files.

9. Application for Assistance (x2)

9.1 Commissioners were briefed on the application for assistance for GB. This is a review of a previous decision of the Commission to not offer legal assistance around an approach and decisions taken by the Charity Commission. Commissioners agreed that further assistance would not be granted on the basis that there is no specific human rights issues raised in the application.

9.2 Commissioners were briefed on the application for assistance re: the Rehabilitation of Offenders (NI) Order and the absolute legislative approach which means that convictions of over 30 months duration can never be spent in which the Commission agreed to obtain an opinion. Following discussion on the opinion, Commissioners have agreed to provide further assistance to the litigation stage.

10. Further Application for Assistance

10.1 Commissioners were briefed on the application for

assistance for RFTA and a challenge to a Housing Association's policy of not granting the rights to buy rented property. Following discussion Commissioners agreed that they would not grant assistance to the applicant.

11. Update on Joint Committee work and Cumulative Impact Assessment (CIA)

11.1 Commissioners were provided an update on the Joint Committee work which included the launch of the Justice research. Commissioners were also updated on the contract for the research into Brexit that will examine what EU law could be covered by the commitment to 'non-diminution of rights' under the Belfast (Good Friday) Agreement within the Withdrawal Agreement and the legal analysis of how UK nationality and immigration law could be made consonant with the Belfast (Good Friday) Agreement birth-right provisions.

11.2 Commissioners were updated on the CIA research with the final report due at the end of August. It is the intention to bring the researchers over to host a round of meetings and/or a roundtable.

11.3 Commissioners discussed the budget for the CIA research and if there was any monies available to add additional areas for assessment and analysis to the parameters of the current research.

Action: Chief Executive to discuss budget availability with Director (finance, personnel and corporate affairs) and report back to Commissioners.

12. Analysis of UN CAT Committee's 2019 Concluding Observations

12.1 Commissioners considered the Analysis of the UN CAT

Committee's 2019 Concluding Observations and any amendments to Commission policy positions and approved it subject to minor amendments.

13. Communications Report

13.1 Commissioners were presented with the Digital Communications update on social media hits, the top trending posts and press coverage.

13.2 The Director (Communications, Information and Education, Public and Political Affairs) highlighted upcoming events which included Culture Night, Business and Human Rights Forum and the Sport and Human Rights workshop in Kigali.

14. Any Other Business

14.1 There was no other business discussed.

The meeting closed at 4:10pm.