



**17 December 2018**

**208<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  
John McCallister  
Paul Mageean  
Eddie Rooney (Agenda items 1-7)  
Graham Shields

**In attendance:** David Russell, Chief Executive  
Colin Caughey, Director (Legal, Research and Investigations,  
and Advice to Government)  
Lorraine Hamill, Director (Finance, Personnel and Corporate  
Affairs) (Agenda items 1-8)  
Rebecca Magee, Personal Assistant (Agenda items 9-13)  
Claire Martin, Director (Communications, Information and  
Education, Public and Political Affairs)  
Eilis Haughey, Temporary Redeployment, NI Assembly (Agenda  
item 7)  
Hannah Russell, Senior Policy and Research Officer (Agenda  
item 7 + 10)  
Rhyannon Blythe, Senior Legal and Research Officer (Agenda  
item 8 + 9)

Zara Porter, Communications and Public Affairs Officer (Agenda item 12)

Jason McKeown, Communications and Public Affairs Officer

## 1. Apologies and Declarations of Interest

1.1 There were no apologies or declarations of interest.

## 2. Minutes of the 207<sup>th</sup> Commission minutes, and matters arising

2.1 The Minutes of the 207<sup>th</sup> Commission meeting held on 26 November 2018 were agreed.

**Action: Approved minutes of the 207<sup>th</sup> Commission meeting to be uploaded to the Commission's website.**

2.2 Initial work has commenced on the arrangements for the joint Community Engagement with the Irish Human Rights and Equality Commission (IHREC) (item 2.3 of the previous meeting refers). Commissioners were asked to hold 26 and 27 March 2019 in their diaries and to confirm their availability as soon as possible.

**Action: Commissioners to hold dates for joint Community Engagement and to confirm availability as soon as possible.**

2.3 Commissioners were reminded that they needed to confirm as soon as possible that they had checked their computers and that any personal information that fell under GDPR had been deleted (item 2.8 of the previous meeting refers).

2.4 The Director (Finance, Personnel and Corporate Affairs) confirmed that IT were currently working through the deletion of Commission papers from surfaces (item 2.9 of the previous meeting refers).

2.5 It was noted that the Chief Commissioner would circulate the revised Code of Governance to Commissioners (item 6.2 of the previous meeting refers).

**Action: Chief Commissioner to circulate the revised Code of Governance to Commissioners.**

2.6 It was noted that the Chief Commissioner would send the summary briefing for stakeholders on human rights implications of Brexit and draft Withdrawal Agreement political declaration to Commissioners (item 7.2 of the previous meeting refers).

**Action: Chief Commissioner to send the summary briefing re Brexit for stakeholders to Commissioners.**

2.7 The launch of the Procurement Guidance Note: Human Rights in Public Procurement will take place on Tuesday 29 January 2019 at the Irish Secretariat Offices, Linenhall Street, Belfast. The guest speaker will be Sue Gray, Permanent Secretary, Department of Finance (item 12.3 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 with Barry McCaffrey, The Detail.
- Meeting with Sue Gray, Permanent Secretary, Department of Finance.
- Meeting with Tony Lloyd MP, Shadow Secretary of State for Northern Ireland.
- Meeting with Peter May, Permanent Secretary, Department of Justice.
- Westcourt Centre - Panel member on Homeless – Giving People a Voice.
- Speech at Civil Justice Council annual assembly in London
- Attended CAJ AGM/event on attacks on human rights defenders in Northern Ireland.
- Speech to Centre for Cross Border Studies – launch of journal.

### 4. Commissioners' Reports

4.1 Commissioners Shields, Macormac and Mageean provided an update on the Commission's recent visit to Hydebank Prison.

- 4.2 Commissioner Macormac attended the Business and Human Rights Forum event 'Are Rights in Fashion?' on 10 December 2018. She congratulated staff on an excellent event, which was well attended.
- 4.3 Commissioner Ferguson provided an update on the recent Audit and Risk Management Committee meeting held on 12 December 2018, including:
- The Chairperson had completed the Audit and Risk Assurance Committee Effectiveness Checklist issued by the National Audit Office, and confirmed that the Committee is performing effectively against the core elements of the principles.
  - The Internal Auditors submitted the Annual Audit Plan and it was agreed that they would complete an audit on GDPR and compliance.

## **5. Chief Executive Report (including Finance Report and Risk Register)**

- 5.1 The Chief Executive reported on events and meetings he had attended. These included:
- Speaking at the Newcastle Forum for Human Rights and Social Justice and Durham University.
  - Delivering information session to the Alliance Party (similar sessions offered to all political parties).
  - Attended Roundtable on the Common Travel Area hosted by the Northern Ireland Office.
  - Brexit – State of Play event for the Human Rights Festival at the MAC.
  - Attended Human Rights: Where are we now? event as part of the Human Rights Festival at the Peter Frogatt Centre, Queen's University Belfast.
- 5.2 The Chief Executive confirmed that Liz Griffith had been appointed to the temporary fixed-term post of Policy and Research Officer and would start with the Commission on 7 January 2019.
- 5.3 It was noted that the only significant change to the Commission's risk register was the addition of Brexit as a risk.

- 5.4 The Director (Finance, Personnel and Corporate Affairs) presented the financial report for November 2018.
- 5.5 The Chief Executive updated Commissioners on the NIO Budget Build for 2019-2020 and its impact on the proposed Business Plan.

## 6. Strategic Plan

- 6.1 Commissioners considered the first draft of the Strategic Plan. It was noted that the priorities reflected recent discussions between Commissioners and staff and the feedback from the two stakeholder events.
- 6.2 Commissioners agreed the draft Strategic Plan subject to minor amendments.
- 6.3 It was agreed that the draft Strategic Plan would be issued as soon as possible including through social media to stakeholders with a 12-week consultation period.

**Action: Draft Strategic Plan to be issued to stakeholders for consultation as soon as possible.**

## 7. Human Rights Inquiry/Initiative update

- 7.1 Commissioners considered the option of one or more discrete pieces of work as part of a human rights inquiry/initiative, namely, homelessness and housing need, working age poverty and looked after children and education. They also considered the time-frame in light of the publication of the Commission's Strategic and Business Plans.
- 7.2 It was agreed that the Commission would not commit to an inquiry/investigation in 2019/20, instead alternative approaches covering specific initiatives would be pursued.
- 7.3 It was agreed that in the context of business planning, costings would be sought for potential research on cumulative impact assessments on tax and social security reforms, which may address

issues related to welfare reform mitigations and working age poverty.

**Action: Costings to be sought for potential research on cumulative impact assessments.**

7.4 It was agreed that with regard to homelessness that this would be considered in the context of the Commission's Strategic Plan.

**Action: Homelessness to be considered in context of Commission's Strategic Plan.**

## 8. Women and Equalities Select Committee paper

8.1 The Chief Commissioner reported that he had met with the Women and Equalities Select Committee during their visit to Belfast. The Commission was asked to consider doing a supplementary submission covering a number of issues.

8.2 It was agreed that the Senior Legal and Research Officer would draft a supplementary submission, which would be emailed to Commissioners for approval.

**Action: Senior Legal and Research Officer to draft supplementary submission for approval by Commissioners.**

## 9. Legal Functions Report

9.1 Commissioners were updated on the legal functions report and were provided with updates on the litigation files including a legal challenge to retention of DNA and other material by the PSNI, which has been settled on the basis of a policy being brought forward to clarify the circumstances in which DNA and other bio-metric material is maintained.

9.2 Commissioners also agreed to provide a written intervention in the Sarah Ewart legal challenge to the law on termination in cases of fatal foetal abnormality.

## 10. CEDAW paper

- 10.1 Commissioners were provided with the background to the proposed submission to the UN Committee on the Elimination of the Discrimination Against Women (CEDAW Committee) which provides an overview of the women's rights landscape in Northern Ireland.
- 10.2 Commissioners discussed each section of the submission in detail.
- 10.3 Commissioners approved the submission following minor amendments.

**Action: CEDAW submission to be circulated to be amended as agreed and submitted.**

## 11. Brexit update

- 11.1 Commissioners were provided an update on Brexit which included information on an invitation received to give evidence to the Oireachtas Committee in Dublin on 23 January 2019. It was agreed to accept the invitation.

## 12. Communications Report

- 12.1 The Director (Communications, Information and Education, Public and Political Affairs) presented the Communications Report for December 2018.
- 12.2 Commissioners were updated on planned press for January 2019 on the JR76 case (retention of DNA). It is hoped that this will be launched in the second week of January.
- 12.3 Commissioners were updated on the ongoing visits to schools and production of lesson and teaching plans to accompany the Commission's human rights animations and films due in January 2019.
- 12.4 Commissioners were updated on events since the last Commission meeting, which included the launch of the Annual Statement with Lord Ian Duncan, Parliamentary Under-Secretary for Northern

Ireland as keynote speaker, and the Business, and Human Rights Forum's annual event with Safia Minney MBE as keynote speaker.

12.5 Commissioners were updated on the work on the Charter for Sports and Human Rights which is being done with the Commonwealth Games Council.

### **13. Any other Business**

13.1 The Chief Executive presented the Commissioners with information on the Mental Health Charter, run by the Equality Commission, to seek approval for the Commission to sign up to the Charter. The Charter commitments are:

- To create an open and inclusive workplace culture which displays respect for those with mental ill health
- To promote equality of opportunity and challenge discrimination in the workplace
- To promote equality of opportunity in recruitment and selection for those with mental ill health
- To identify and provide sources of information and support regarding mental ill health
- To adopt Every Customer Counts recommendations – working towards taking positive steps to make services accessible to people with mental ill health

13.2 Commissioners endorsed the Charter and approved the Commission signing up to the Charter.

*The meeting closed at 3.25pm.*