



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

**BUSINESS PLAN
2018-19**

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Our mission:

The Northern Ireland Human Rights Commission champions and guards the rights of all those who live in Northern Ireland.

Who we are:

The Commission was established as a result of the Belfast (Good Friday) Agreement. Our governing legislation is the Northern Ireland Act 1998, as amended by the Justice and Security (Northern Ireland) Act 2007.

The Commission is a National Human Rights Institution with A status accreditation from the United Nations. This recognition means that the organisation operates independently in full accordance with the United Nations General Assembly Resolution 48/134 (the Paris Principles).

The Commission is also a non-departmental public body, and receives grant-in-aid from the United Kingdom government through the Northern Ireland Office. We report to Parliament through the Secretary of State for Northern Ireland.

There are seven Commissioners (a full time Chief Commissioner and six part-time Commissioners) appointed by the Secretary of State. As far as practicable, the Commissioners, as a group, are representative of the community in Northern Ireland.

Our core activities

The Commission's role is to make sure the government and other public authorities protect the human rights of everyone in Northern Ireland. We help people understand what their human rights are and what they can do if their rights are violated or abused.

The statutory functions of the Commission include:

- (i) providing advice on legislative Bills introduced in the Northern Ireland Assembly and on policy proposals made by Ministers in the Northern Ireland Executive. We also provide advice to the United Kingdom government and Parliament on matters affecting human rights in Northern Ireland.
- (ii) conducting investigations on systemic human rights issues. To do so, we may enter places of detention, and can compel individuals and agencies to give oral testimony or to produce documents.
- (iii) promoting understanding and awareness of the importance of human rights in Northern Ireland. To do so, we may undertake or support research and educational activities.

- (iv) providing legal advice and initiating strategic legal cases.
- (v) monitoring the implementation of international human rights treaties.
- (vi) engaging with other National Human Rights Institutions in the United Kingdom and working in partnership with the Irish Human Rights and Equality Commission.

Our Annual Statement, published in December each year, records how much progress has been made in Northern Ireland towards meeting human rights obligations. This strongly informs our future work priorities and is a key feature of our Strategic Plan.

In 2015, the Commission was elected to the chair of the Commonwealth Forum of National Human Rights Institutions. We will complete our tenure in April 2018.

The Commission also works in partnership with the Irish Human Rights and Equality Commission through a statutory Joint Committee established under the Belfast (Good Friday) Agreement to consider human rights issues in the island of Ireland. Given the imperative for even greater collaboration following the decision of the United Kingdom to leave the European Union, the two Commissions have successfully secured additional resources to bolster the Committee's work.

The principles that underpin our work:

The Commission's core principles are:

Building a culture of human rights: The Commission is committed to fostering a society that embeds human rights at its heart and where human rights values demonstrably guide society. In doing so, we recognise the challenges presented in a society moving forward that has experienced a protracted and tragic conflict and where community divisions can run deep.

Legality and independence: The Commission operates on the basis of international human rights law in compliance with our statutory mandate and independently of the State. We work to promote and protect the human rights that the United Kingdom is legally committed to at the national, regional and international levels. We do so on the basis of our mandate conferred by law and in conformity with the United Nations Paris Principles.

Non-discrimination and equality: Human rights must be enjoyed by everyone on the basis of non-discrimination and equality, a principle that is reinforced in Northern Ireland by the provisions of the Belfast (Good Friday) Agreement. The Commission honours this principle, above all, by

protecting the most powerless in society addressing the needs of vulnerable individuals and those who are marginalised.

The equal status of civil, political, economic, social and cultural rights:

Human rights, as recognised in the international treaties, have equal value and status. They are interdependent, which means that in order to guarantee civil and political rights, we must also ensure economic, social and cultural rights. The Commission applies this principle in our work and promotes full implementation in all engagements with the State and other partners.

Participation: Meaningful enjoyment of human rights requires the participation of those affected in any processes that may have an impact on their well-being. The Commission is committed to involving rights-holders in all relevant areas of our activities and we strive to promote broader participation across society.

Accountability: Decision-making must be transparent to enable the enforcement of human rights as a mechanism for accountability. The Commission honours this requirement in our own actions. We demand similar standards in public life and call to account all those with responsibility for the promotion and protection of human rights. The Commission promotes human rights compliance through independent oversight.

Partnership: The promotion and protection of human rights needs the commitment of everyone in Northern Ireland, mindful that rights are balanced with responsibilities. This requires the engagement of government (central, regional and local), elected representatives, public bodies and civil society. The Commission plays a pivotal role in building and sustaining necessary partnerships. We also recognise the importance of engaging with the United Nations accredited institutions to develop human rights values.

The context in which we are working

The Commission enters this new business year having gone through substantive changes. Six part time Commissioners have joined us and internal restructuring has taken place.

We have agreed an ambitious programme of work for what remains a small but dedicated team. The Commission will consult on and publish a new Strategic Plan for 2019-2022. Our legal, research and investigatory powers will all be utilised and we will continue to advise government on matters affecting human rights in Northern Ireland both upon request and on other occasions as the Commission sees appropriate.

2018 will be marked by another budget cut. This has been the situation each year since 2011 and it is projected to continue until at least 2020.

We are now functioning with less staff and programme costs than seventeen years ago (when inflation is taken into account). To date there has been three rounds of staff redundancies, plus a reduction in both the number of Commissioners and their contracted days. Our legal budget is significantly reduced and the non-recoverable annual spend this year is set at £58,000. One substantial strategic case can, in effect, consume all of the budget as has been demonstrated for the last number of years with the litigation challenging termination of pregnancy laws.

The Commission's grant-in-aid from the Northern Ireland Office has been reduced to £1,099,000. This amounts to an approximate 37% decrease in real terms since 2011 and a loss of £581,000 in our annual finances. At the same time, our basic running costs are projected to increase over the next two years. This will include a potential doubling of rent (based on comparable market rates) as the lease in our Temple Court building ends. Whilst the Commission accepts that it must be seen to contribute to the overall reduction in public spending, the continuing squeeze on funds is an exercise of diminishing returns. It is pushing the institution towards evermore difficult decisions in terms of fulfilling statutory obligations and utilising its powers to protect and promote human rights.

On a positive note, the Commission has secured an additional £70,000 per annum for the next 2 years from the Northern Ireland Office to provide a dedicated staffing resource and programme costs in support of our joint committee work with the Irish Human Rights and Equality Commission. This is an important commitment as required by the Belfast (Good Friday) Agreement. The overall financial situation remains however demanding and the Commission's ability to function effectively as a National Human Rights Institution may be increasingly questioned if further projected cuts are imposed.

In December 2017 we published our Annual Statement. The Chief Commissioner noted that it was difficult to write in a positive vein on developments, since there was not a single green light in the report denoting an effective response to addressing specifically identified human rights issues in Northern Ireland. The lack of progress reflects the absence of a working legislative Assembly and serves to illustrate why an effective devolved administration is so important. In this context of political instability, litigating and seeking a remedy through the courts becomes an option that the Commission has to increasingly consider. But this approach is also limited by our diminished budget.

As devolution continues to stall, with little indication of a fix in the short term, negotiations on the United Kingdom's decision to leave the European Union have thrown the Belfast (Good Friday) Agreement aim of ensuring equivalent human rights protections across the island of Ireland into sharp relief. The potential loss of the Charter of Fundamental Rights of the European Union and proposed withdrawal from the jurisdiction of Court of Justice will amount to a regression of human rights in practice.

Twenty years since the Belfast (Good Friday) Agreement human rights remain a vital underpinning of a new Northern Ireland. It is one of our priority objectives in 2018 to work alongside the other human rights and equality commissions of the United Kingdom and Ireland to ensure that those responsible for negotiating the terms of the United Kingdom's withdrawal from the European Union guarantee 'no diminution' of human rights and equality and a commitment to an 'equivalency' of protections on the island of Ireland.

Dr David Russell
Chief Executive
April 2018

BUSINESS PLAN 2018-19

This Business Plan sets out the Commission's work for the year April 2018 to the end of March 2019. It is based on three key work-streams or 'pillars' agreed in our Strategic Plan 2016-19. Each area is one of substantive public interest, where we believe a real and lasting impact can be made to benefit the lives of people in Northern Ireland. The priority is to focus attention on protecting the most powerless in society addressing the needs of vulnerable individuals and those who are marginalised.

Pillar one: Delivering human rights through excellent services to the public

This work stream builds on our previous programmes to embed human rights at the heart of government, and in how the state's policies and strategies are shaped and delivered. We want to develop this work further with stakeholders to ensure human rights are applied to delivery of services to the public. In this work, the Commission is committed to a participatory approach including working with and supporting government and its agencies, civil society and the business community. The actions and outcomes committed to in our strategic plan are as follows:

Actions	To advise, support and build the capacity of government and public authorities to apply a human rights based approach to the design and delivery of services to the public; develop a programme to embed a human rights based approach to statutory complaints processes and health and social care trust services and keep under review policy and practice in prison and other places of detention. In addition we will: enhance human rights standards in business and procurement through our Business and Human Rights Forum.
	Advise government on its responsibilities for human rights in the context of existing and potential future changes to domestic human rights laws and frameworks alongside Belfast (Good Friday) Agreement commitments to a Bill of Rights for Northern Ireland and the possibility of 'A Charter of Rights for the island of Ireland'.
Outcomes	The Commission can identify demonstrable improvement in the delivery of services to the public which have arisen from our work.

In year targets:

- (a) Conduct a six month progress review of the 2017 Annual Statement on Human Rights (July 2018), publish and publicly launch the 2018 Annual Statement on Human Rights (December 2018).
- (b) Continue to develop and deliver human rights training for the Northern Ireland Civil Service, in partnership with the Executive Office and the Centre for Applied Learning, including delivery of online training and the review and delivery of at least two direct training sessions (March 2019).
- (c) Work in partnership with the Department of Finance to develop guidance for government departments on procurement and human rights compliance, and provide further advice on its implementation (March 2019).
- (d) Provide secretarial support and assist the Northern Ireland Business and Human Rights Forum to deliver its programme of work for 2018-2019, including the development of a proposed National Action Plan (September 2018).
- (e) Work in partnership with Northern Ireland Public Services Ombudsman, including the provision of three training sessions focusing on a human rights-based approach to complaints handling and investigations and one training session on the operation of own motion investigatory powers (December 2018).
- (f) Produce and publish an analysis of the human rights of children who go missing whilst in the care of the state, with a particular focus on the balance between deprivation of liberty and the duty to protect children from harm, including inhuman and degrading treatment (February 2019).
- (g) Engage in International Treaty Monitoring and, in particular:
 - submit a parallel report to, and engage with the United Nations Committee on the Elimination of Discrimination Against Women and its pre-sessional working group (July 2018), submit a follow up response to the publication of the list of issues and engage with the Committee's examination process (February 2019);
 - submit a follow up response to the United Nations Committee Against Torture list of issues and engage with the Committee's examination process (March 2019);
 - submit a parallel report to the Committee of Experts for the Council of Europe Charter on Regional and Minority Languages and facilitate an in-country visit (March 2019).

Pillar two: Human rights and building the future in Northern Ireland

Tolerance recognises the universal human rights and fundamental freedoms of others. A tolerant society based on mutual respect and understanding requires the enforcement by the state of human rights laws and standards, as well as public education and awareness. In building a positive future, the Commission will continue to advise government and its agencies as it deals with Northern Ireland's past, and we will also focus our attention more broadly on those who are marginalised due to intolerance and hate crime. The actions and outcomes committed to in our strategic plan are as follows:

Actions	Develop a programme of work to build the capacity of government and public authorities to respond to all forms of hate crime and promote tolerance and non-discrimination.
	Provide advice to Government on implementation of relevant strategies to address the past and take action on rights engaged in relation to conflict related deaths, those who are injured, and legacy inquests.
Outcomes	The Commission can demonstrate examples of changes to policy and practice as a result of our work.

In year targets:

- (a) Work in partnership with other National Human Rights Institutions and domestic equality authorities in the United Kingdom regarding the human rights implications of the United Kingdom's exit from the European Union, including the provision of advice to government on relevant Westminster legislation (March 2019).
- (b) Work in partnership with the Irish Human Rights and Equality Commission to deliver a programme of work that addresses the human rights implications of the United Kingdom's exit from the European Union on the island of Ireland (March 2019).
- (c) Provide advice to government on a Bill of Rights for Northern Ireland, including in the context of the United Kingdom's withdrawal from the European Union and protection of the Charter of Fundamental Rights of the European Union (March 2019).
- (d) Develop and deliver a series of communications activities to incorporate the 20th anniversaries of the Belfast (Good Friday) Agreement (April 2018) and the Commission (March 2019), and the 70th anniversary of the Universal Declaration on Human Rights

(December 2018). Some of these activities will be delivered in partnership with the Equality Commission Northern Ireland.

- (e) Provide advice to government on any public consultation regarding the Stormont House Agreement and the implementation of mechanisms that aim to address the legacy of the Northern Ireland conflict (March 2019).
- (f) Host a peer-to-peer exchange for National Human Rights Institutions operating in (post) conflict societies, in partnership with the Capacity Building and Engagement Programme of the European Network of National Human Rights Institutions (September 2018).
- (g) Facilitate a forum, in partnership with the Equality Commission Northern Ireland, that provides an opportunity for the Commissions and faith communities to share their views on broad areas of equality and human rights (March 2019).
- (h) Develop a series of products to promote human rights through visual arts, film and animation. This will include co design with the business sector (September 2018) sports governing bodies (December 2018) and schools (March 2019).
- (i) Develop a partnership with the Northern Ireland Commonwealth Games Council on sport and human rights in preparation for the Belfast 2021 Commonwealth Youth Games (March 2019).
- (j) Develop a partnership with the Irish Football Association (September 2018), and scope the possibility of a wider set of partnerships with sports governing bodies to deliver a programme of work supporting human rights in and through sport (March 2019).
- (k) Develop a pilot programme of engagement with post primary education providers in Northern Ireland (December 2018).

Pillar three: Social and economic rights in a time of change

This work recognises the importance of social and economic rights and their equivalent status with other rights. Social and economic rights include the right to an adequate standard of living, to housing and protection against destitution. In the current economic environment, this work seeks to ensure individuals social and economic rights are protected and promoted. The actions and outcomes committed to in our strategic plan are as follows:

Human rights also embrace issues of tax justice in tackling poverty and addressing social and economic rights issues.

Actions	Through a focus on tax and spending decisions taken by government, to build the capacity of government to promote and protect social and economic rights Undertake a human rights inquiry to examine the rights of particular groups living in poverty or at risk of destitution incorporating a tax justice dimension As part of access to justice, undertake research and then work to implement recommendations on the needs of litigants in person.
Outcomes	The Commission can identify demonstrable rights based approaches to tax and spending decisions by government in Northern Ireland arising from our work.

In year targets:

- (a) Complete a joint research project with the Ulster University School of Law on the right to access to justice and experiences of litigants in person, to include the launch of a final report and conference (September 2018).
- (b) Deliver an implementation plan to ensure the recommendations are met from the Commission's travellers' accommodation investigation, to include six month (September 2018) and 12 month reviews (March 2019).
- (c) Scope a subject of significant public concern, for example in an area affecting economic and social rights, in which the Commission may engage its investigatory powers (February 2019).
- (d) Deliver a programme of work on access to social care in prisons, including hosting a round table discussion with key stakeholders (December 2018).
- (e) Attend the United Nations Commission on Status of Women's 2019 session on social protection systems, access to public services and sustainable infrastructure for gender equality and the empowerment of women and girls. Present the Commission's legal case on termination of pregnancy and scope the possibility of organising a side event on the case (March 2019).

Core activities

In year targets:

In fulfilment of and in compliance with its statutory obligations and the strategic objectives for 2016-19 the Commission has identified the following key corporate targets:

- (a) Consult on and publish a Strategic Plan for April 2019 – March 2022 (March 2019).
- (b) Complete implementation of the Commission's move to paperless systems (December 2018).
- (c) Deliver a minimum of four Commission community engagements across Northern Ireland, to include Belfast (May 2018) Craigavon (September 2018) Omagh (November 2018) and at least one other area (March 2019).
- (d) Complete a review of the Commission's Framework Document with the Northern Ireland Office (June 2018).
- (e) Provide advice to government on any proposed legislation and policies affecting the protection and promotion of human rights in Northern Ireland (March 2019).
- (f) Provide assistance to individuals through up to 50 weekly advice clinics (March 2019).
- (g) Exercise the Commission's powers to support and initiate litigation (March 2019).
- (h) Review the Commission's corporate processes and develop an operational manual (December 2018).
- (i) Work in partnership with the Equality Commission Northern Ireland, to deliver a programme of work promoting the implementation of the United Nations treaty body concluding observations for Convention on the Rights of Persons with Disabilities (March 2019). This function is carried out under the Commission's mandate as the Independent Monitoring Mechanism.
- (j) Establish a permanent secretariat for the Joint Committee with the Irish Human Rights and Equality Commission (May 2018).
- (k) Provide continuing support to the Global Alliance of National Human Rights Institutions and its advisory group on ageing; continue to support the European Network of National Human Rights Institutions and its working groups on disability, conflict, asylum and migration,

communications, business and human rights, socio-economic rights and legal issues; continue to support the Operational Platform for Roma Equality and the Collaborative Platform on Economic and Social Rights (March 2019).

- (l) Review (May 2018) and develop the Commission's digital platforms (March 2019).
- (m) Revise the Commission's corporate brand and style (December 2018).
- (n) Develop and run four pop up engagement events to include, Culture Night 2018, Refugee Week 2018, and on the right to freedom of thought conscience and religion (March 2019).
- (o) Engage in and support the Northern Ireland Human Rights Festival (December 2018).
- (p) Deliver an annual human rights lecture (March 2019).
- (q) Review the Commission's premises and consider a possible relocation (March 2019).
- (r) Consult on and submit the Commission's Equality Scheme (December 2018).
- (s) Review the Commission's Disability Action Plan (March 2019).

BUDGET 2018-19

	Revised 2017-18	2018-19
	Budget	Budget
EMPLOYMENT COSTS		
Staff	£620,283	£674,529
Commissioners	£173,987	£148,682
Total	£794,270	£823,211
OPERATING COSTS		
Advertising, Publicity and Publications	£16,500	£33,115
Auditor's (NAO) Remuneration	£15,000	£ 15,000
Building maintenance and expenses	£15,000	£ 24,900
Conferences, seminars and events	£3,950	£9,000
Insurance	£5,775	£5,568
Internal Audit	£8,220	£8,214
IT	£24,000	£19,524
Legal casework (non-recoverable)	£65,520	£57,496
Light and heat	£10,765	£10,272
Printing, postage and stationery	£6,000	£7,200
Professional fees	£18,000	£10,740
Rates	£24,000	£17,508
Rentals under operating leases	£38,400	£38,400
Rent for car park	£1,500	£1,020
Research	£24,000	£40,000
Staff training and recruitment	£7,500	£9,000
Telephone	£9,600	£8,832
Travel, subsistence and hospitality	£36,000	£30,000
Total	£329,730	£345,789
CAPITAL	£0	£0
GRAND TOTAL	£1,124,000	£1,169,000*
DEPRECIATION	£20,004	£ 23,424

*The above budget has been increased by £70,000 to include the additional funding approved by the Northern Ireland Office for the Joint Committee.

LEARNING AND DEVELOPMENT PLAN 2018-19

In addition to personal development, this plan sets out the main learning and development activities to be undertaken by Commissioners and staff during 2018-19.

Activity	Benefit	Staff
Training on how to assist members of the public and improve service provision	To increase staff capacity	Staff
Training on the General Data Protection Regulation	To maintain compliance and increase staff awareness	Staff and Commissioners
Fraud Awareness for staff and commissioners	To ensure good governance standards are maintained	Staff and Commissioners

Appendix 1 - Commissioners

Chief Commissioner: Les Allamby

Commissioners: Helen Ferguson
Helena Macormac
Paul Mageean
John McCallister
Eddie Rooney
Graham Shields

Appendix 2 – Staff

