

EQUALITY COMMISSION FOR NORTHERN IRELAND**ONE HUNDRED AND NINETY SIXTH MEETING HELD ON
WEDNESDAY 26 OCTOBER 2022 AT 1.30 PM****PRESENT**

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|--------------------|---------------------------|
| Geraldine McGahey | Chief Commissioner |
| Neil Anderson | Deputy Chief Commissioner |
| Siobhan Cullen | |
| Duane Farrell | (Part) |
| Ellen Finlay | |
| Helen Ferguson | |
| Jarlath Kearney | (Part) |
| Colin Kennedy | |
| Deepa Mann-Kler | Remotely (Part) |
| Carmel McKinney | |
| Sheena McKinney | Remotely |
| John McCallister | Remotely |
| Monica Fitzpatrick | |
| Preeti Yellamaty | |
| Harry Robinson | Boardroom Apprentice |

APOLOGIES

Maureen Brunt

IN ATTENDANCE

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| Evelyn Collins | Chief Executive |
| Keith Brown | Head of Corporate Services |
| Louise Conlon | Director, Communications |
| Craig Gartley | Director, Finance and Corporate Services |
| Simon Hookham | Senior Research Officer |
| Lisa King | Director, Investigations and Research |
| Roisin Mallon | Director, Dedicated Mechanism |
| Jacqui McKee | Director, Advice and Compliance |
| Eoin O'Neill | Director, Legal Services |
| Kathryn Barr | Senior Policy Officer |
| Alexandra De La Torre | Research Officer |

1. Introduction

The Chair welcomed all to the Commission meeting.

2. Minutes of the one hundred and ninety fifth meeting held on 28 September 2022

EC/22/09/01

The minutes of the one hundred and ninety fifth meeting held on Wednesday 28 September 2022 were **signed** as a true and accurate record.

3. Matters Arising

Page 2 Human Rights: Policy positions: the policy positions would be finalised for publication shortly.

Pg 4 Recommendation from the SDIC for an investigation of the NIO, under paragraph 11 of Schedule 9 of the NI Act 1998: This decision has been communicated to the Northern Ireland Office.

Pg 4 Review of Procedures for Complaints and Investigations: The updated procedure is now operational and available on the Commission's website.

4. Conflict of Interest

No conflicts of interest were declared.

5. Policy Issues

- Communications Strategy 2022 - 2024: for approval EC/22/09/02

Louise Conlon, Director of Communications, presented the draft Communication Strategy 2022 – 2024. She explained that the Strategy builds on significant improvements over the last corporate plan period and useful information from the 2022 Public Awareness Survey about perceptions of the Commission and awareness of equality issues. This showed the impact of work undertaken under the last Strategy. She drew attention to some changes from the last Strategy including in relation to the key messages and target audiences.

Commissioners welcomed the draft Strategy. They commented on the good progress made in respect of communications over the period of the previous

Strategy, in terms of impact and reach, despite the level of resources. The specific inclusion of minority ethnic communities and young people as audiences was welcomed and Commissioners made some suggestions in relation to reaching these audiences, including for example through further use of social media. The importance of storytelling and use of different faces/voices to connect with audiences was highlighted as well as the use of understandable language.

Commissioners **approved** the draft Communications Strategy, 2022 - 2025.

[Duane Farrell joined]

- Law Reform: The Need for a Single Equality Act EC/22/09/03

Kathryn Barr, Senior Policy Officer, presented this paper which outlined the Commission's positions relating to single equality legislation for Northern Ireland. This would provide the basis for future engagement on advancing single equality legislation in Northern Ireland.

Commissioners welcomed the paper noting that it was timely and important to build the case for a Single Equality Act and to continue to promote the need for equality law reform generally. It was acknowledged that the political context would shape progress being made on any of the law reform areas and there was brief discussion on the positions of the various political parties on this issue as well as the need to consider how to progress in the absence of an Executive. It was noted that the upcoming conference on equality law reform provided opportunity to bring the issue to the fore with policy makers as well as to build support for change across the Commission's wide range of stakeholders.

Commissioners **approved** the contents of the paper at Annex A and the proposed next steps.

- Elections Act 2022 compliance with Article 2: update EC/22/09/04

Roisin Mallon, Director, DMU updated Commissioners on developments, including legal advice received, in relation to potential legal action by the Commission relating to the Elections Act 2022 and its compliance with Protocol Article 2.

Commissioners welcomed this paper which provided useful information on this important matter. It was noted that, in light of Counsel's advice, it was not proposed to commence judicial review proceedings at this stage under

the Commission's own motion powers. It was also noted that there was an ongoing need for vigilance regarding the Government's intentions on human rights and equality issues generally.

It was agreed that the Commission could consider the matter again if an individual makes a complaint of a potential breach of Protocol Article 2 in the future.

Commissioners **noted** the update and the proposed next steps.

6. Business Reporting

- Finance Report: 1 April 2022 – 30 Sept 2022 EC/22/09/05

Keith Brown, Head of Corporate Services, presented the Q2 Finance Report, highlighting the budgetary position as at 30 September 2022. He outlined the variations from budget profiles and the proposed remedial action to address areas of current or forecast year end potential overspend and under spend.

Commissioners discussed the overall budget situation, including the ongoing uncertainty and impacts this was having, and expressed concerns about this and the level of resources for the Commission generally. The Chief Executive recalled her meeting with the TEO Permanent Secretary which she had reported at the previous meeting. She has followed up in writing about the budget position in the current year. She also outlined a number of recruitment exercises which were ongoing or about to start. It was noted that the business case in relation to DMU funding had been submitted to NIO and engagement was ongoing between officials on this matter.

Commissioners **noted** the financial position as of 30 September 2022, and the proposed ongoing actions outlined.

- Progress Report: 1 April 2022 – 30 Sept 2022 EC/22/09/06

The Chief Executive outlined progress against performance measures for the key actions set out in the Business Plan 2022-2023 for the period 1 April 2022 – 30 September 2022. She noted that the Plan had been based on several bids being successful during monitoring rounds and on planned recruitment. In light of the ongoing budget uncertainty, recruitment had been delayed and this had impacted on delivery of the Plan as well as no additional resource being made available.

The Chief Executive explained that, given the current budget situation and that it was now past the mid-year point, with ongoing uncertainty regarding the budget, the Business Plan will be reviewed.

Commissioners agreed that the situation was disappointing, and that it was inevitable that the original Plan would have to be revised in light of the budget situation. Commissioners also noted that the progress report contained information about much important work being progressed by staff and that this was valuable to see.

It was noted that a revised Business Plan would be presented to November Commission meeting for approval.

Commissioners **noted** the Progress Report 1 April 2022 – 30 June 2022

[Deepa Mann-Kler left]

- Legal Services Report 1 April 2022– 30 Sept 2022 EC/22/09/07

Eoin O'Neill, Director, Legal Services presented a report on the provision of legal advice services from 1 April and 30 September 2022, outlining the work undertaken and the patterns and trends for the period.

Commissioners discussed the report, including asking for more information on the Court of Appeal cases

Commissioners **noted** the report.

[Jarlath Kearney left]

- Communications Report: 1 April 2022– 30 Sept 2022 EC/22/09/08

Louise Conlon presented this report, outlining media, social media, and website engagement for the period 1 April 2022 – 30 September 2022.

Commissioners noted the content of this Report, commending the work undertaken over the period.

7. Other Matters for Commission Decision

8. Chief Commissioner's Business EC/22/08/07

The Chief Commissioner outlined the meetings/engagements she had attended since the last meeting. This included attendance at a PPR event on

its Report on asylum seekers in contingency accommodation on 14 October. She attended a launch of Advance Care Planning Policy and, along with the Chief Executive, met with Civil Service Commissioners. She also attended a meeting of the Article 2 Working Group and represented the Commission at the Belfast Chamber Business Awards.

Commissioners were reminded that the Three Commission Board meeting was taking place in Dublin on 29 November.

The Chief Commissioner would be in contact regarding dates for Commissioner appraisals.

Commissioners **noted** the update from the Chief Commissioner.

9. Chief Executive's Report

EC/22/08/08

The Chief Executive referred to her previously circulated report. She updated Commissioners on the upcoming Judicial Review in respect to Protocol Article 2.

She updated on a number of other engagements during the period including attendance at the Equinet AGM.

Commissioners **noted** the update from the Chief Executive's Report.

10. Matters for Information

11. Minutes of Committee Meetings

12. Any Other Business

There was no other business discussed.

13. Date of next meeting: One hundred and ninety seventh Commission Meeting on **Wednesday, 23 November 2022.**

Staff left the Commission meeting and discussion took place on progress with the recruitment plan for a new Chief Executive.

Meeting ended at 4.10pm