

Agenda

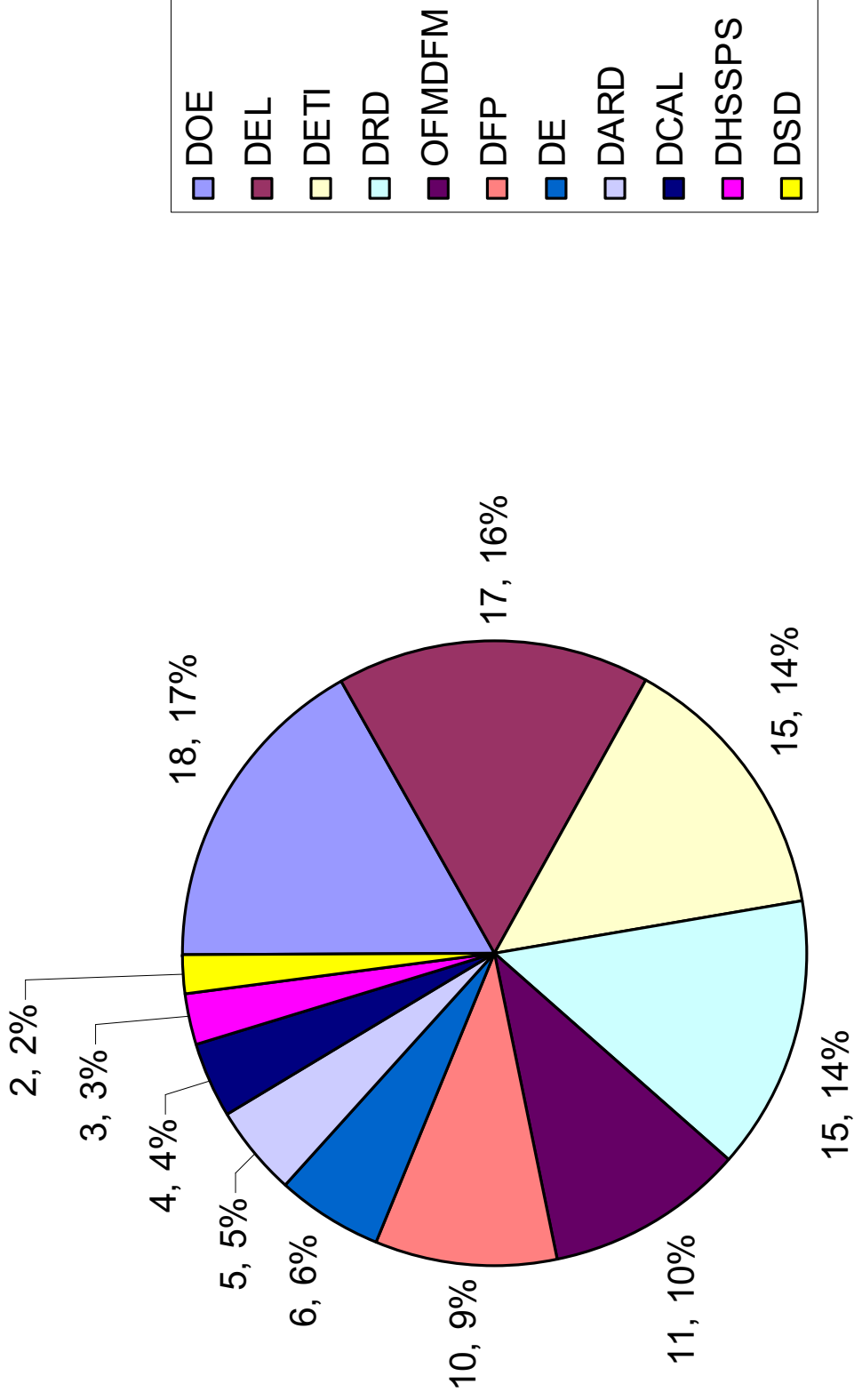
- 9:15 - Registration
- Welcome and Introductions – Gerry Mulligan
- 9:30 - Human Rights Effectiveness in the Public Sector - Peter O'Neill
- 9:45 - Questionnaire Results – Dale Heaney
- 10:00 - Human Rights Compliance in Police Service NI – Joe Ferguson
- 10:30 - Break
- 10:45 – Amnesty International – “Lift Off” Project – Mary Kerr
- 11:30 – Ask the Audience – Patricia Carey
- 12:30 – Q&A with Speakers
- Lunch

Results of Human Rights Survey Conducted Sep 2008

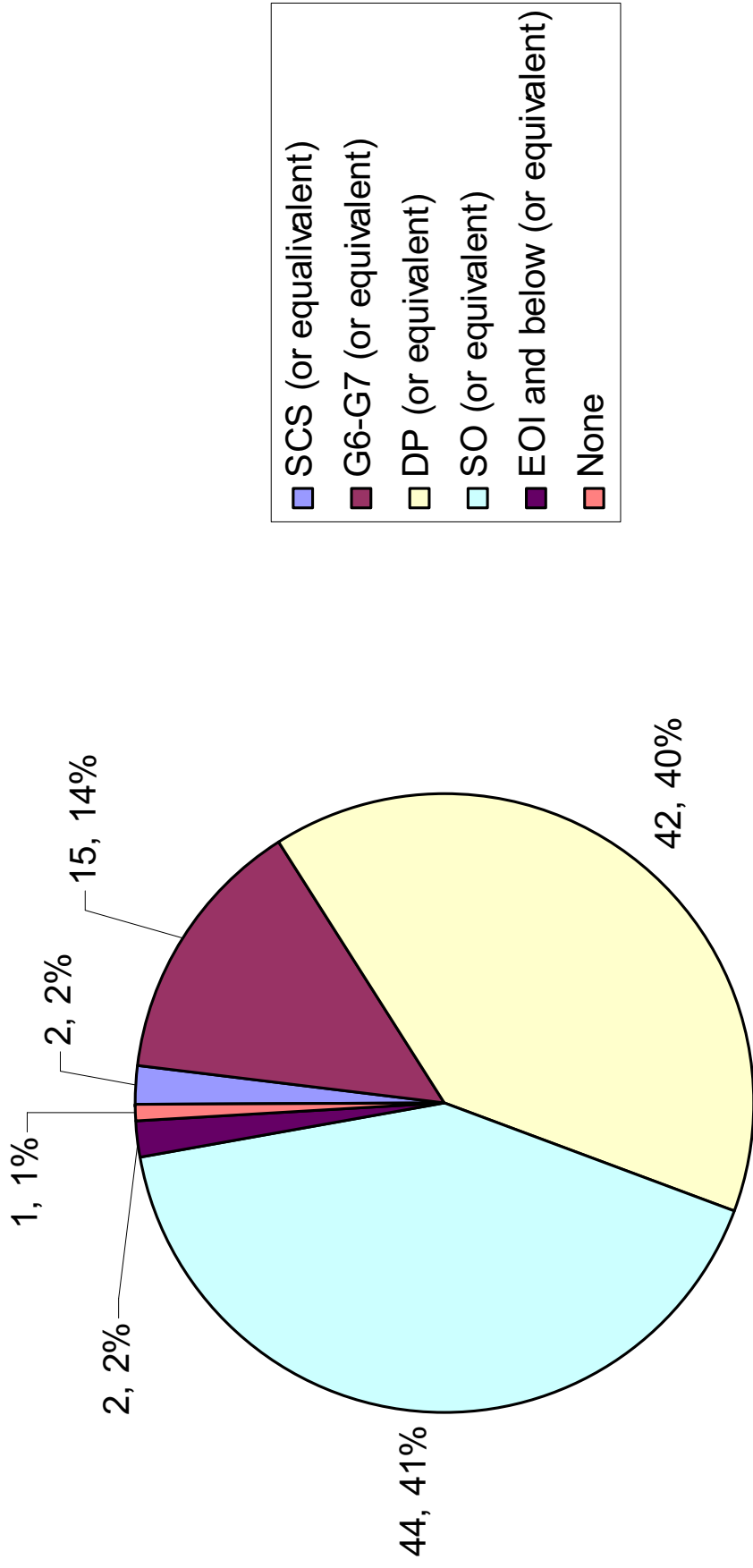
Dale Heaney

[106 returns / 140 attendees =
76%]

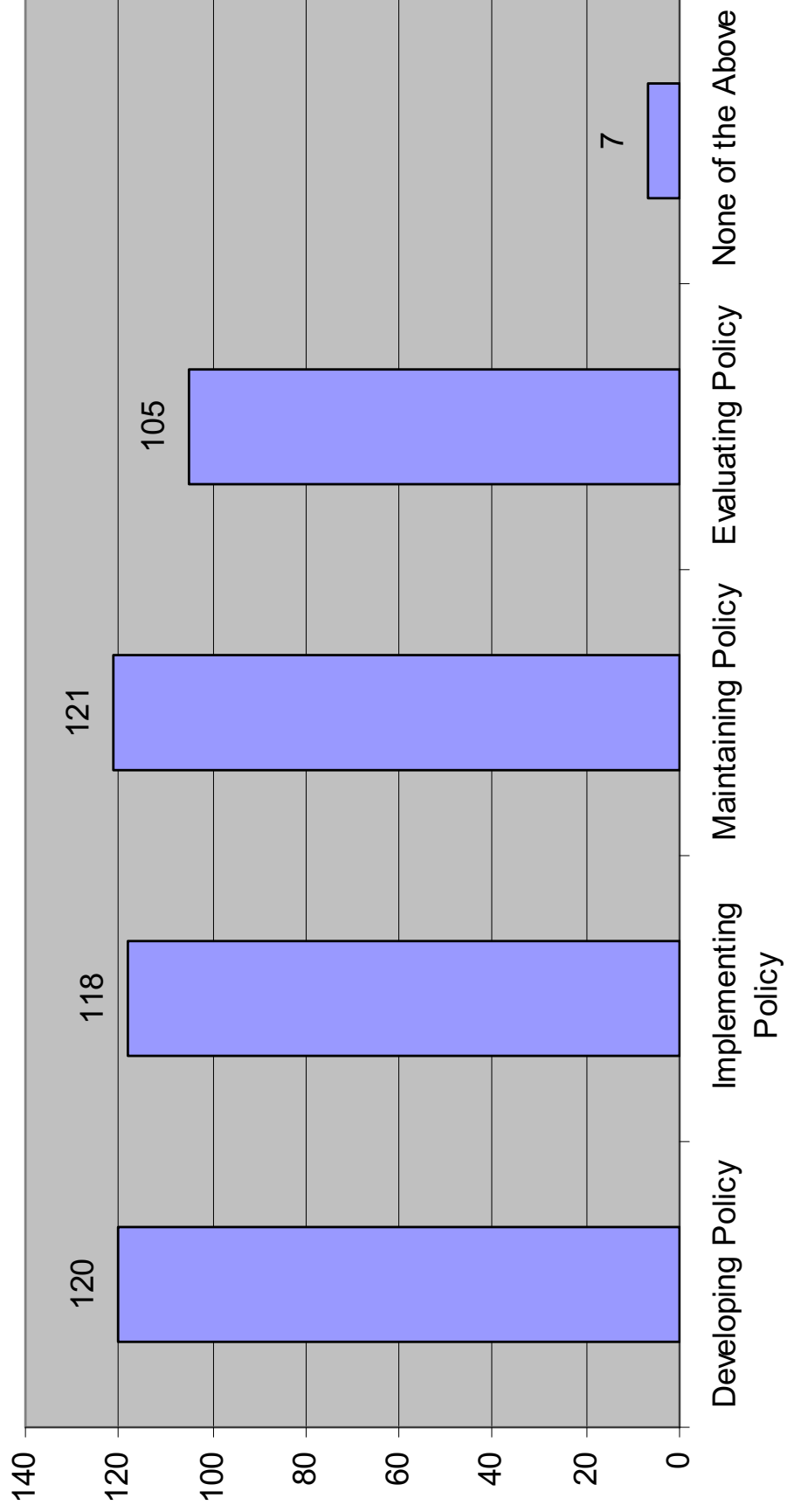
Total Number of Staff by Department



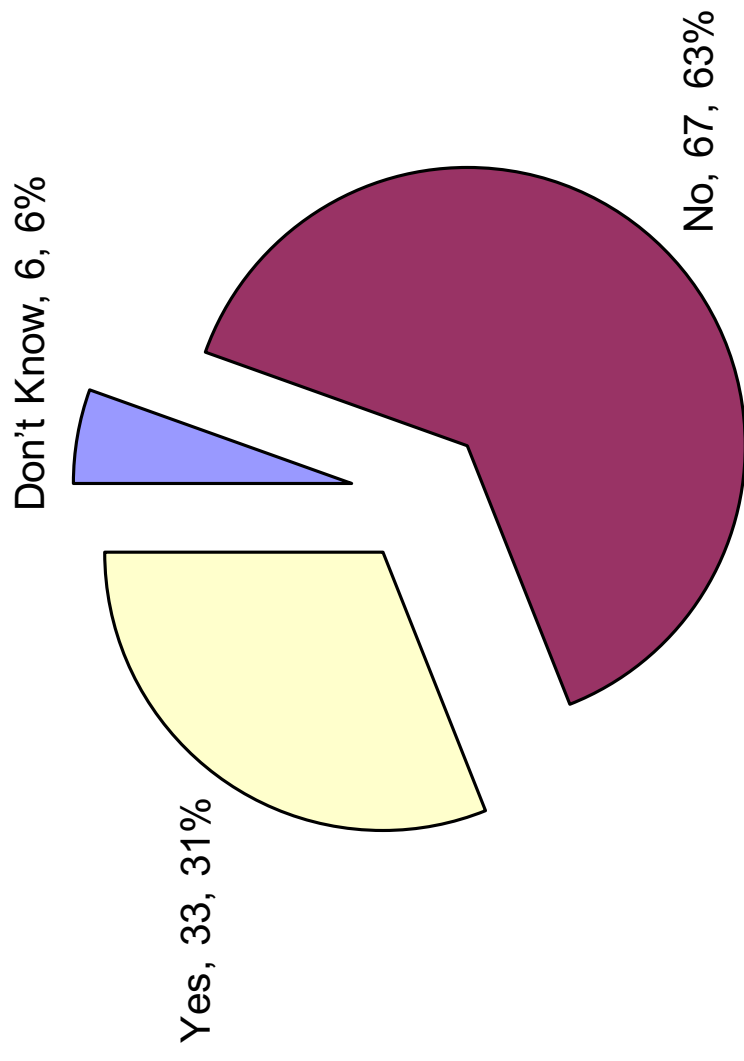
Total Number of Staff by Grade



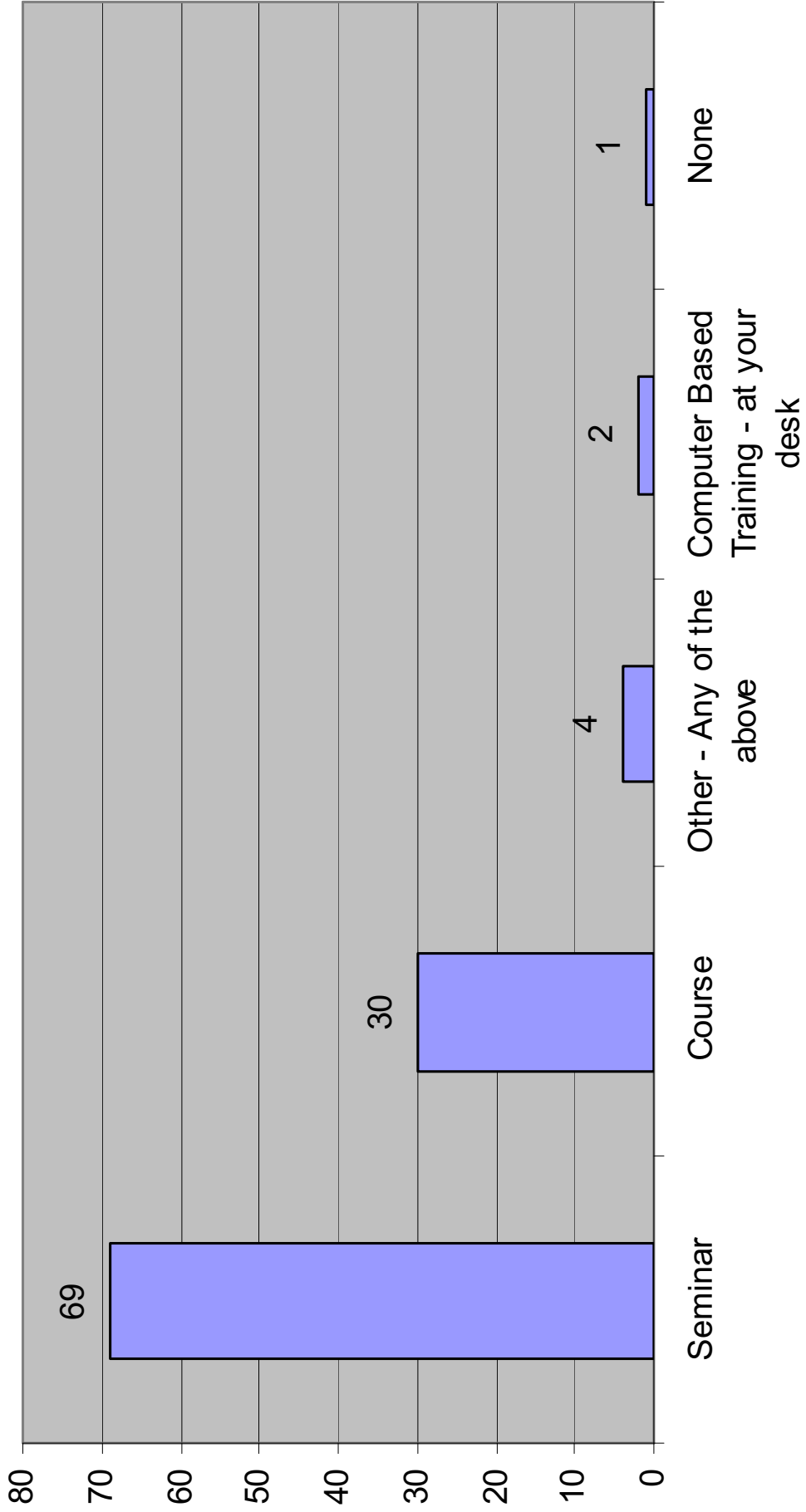
Number of People Involved in Policy



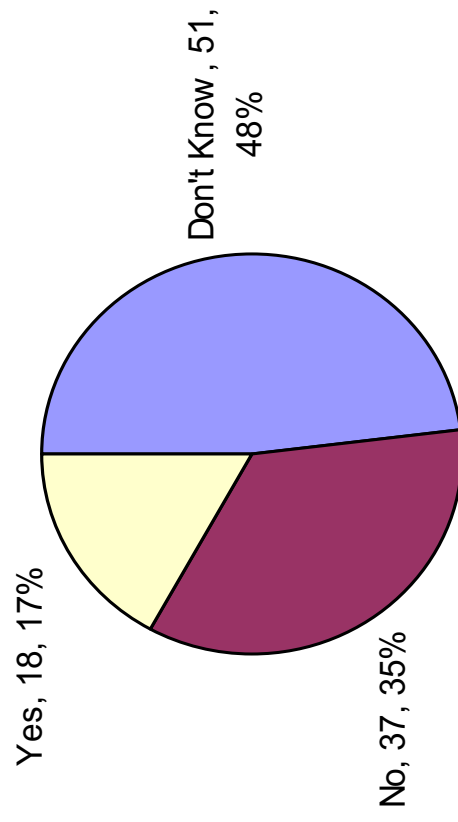
Training to Date in Human Rights



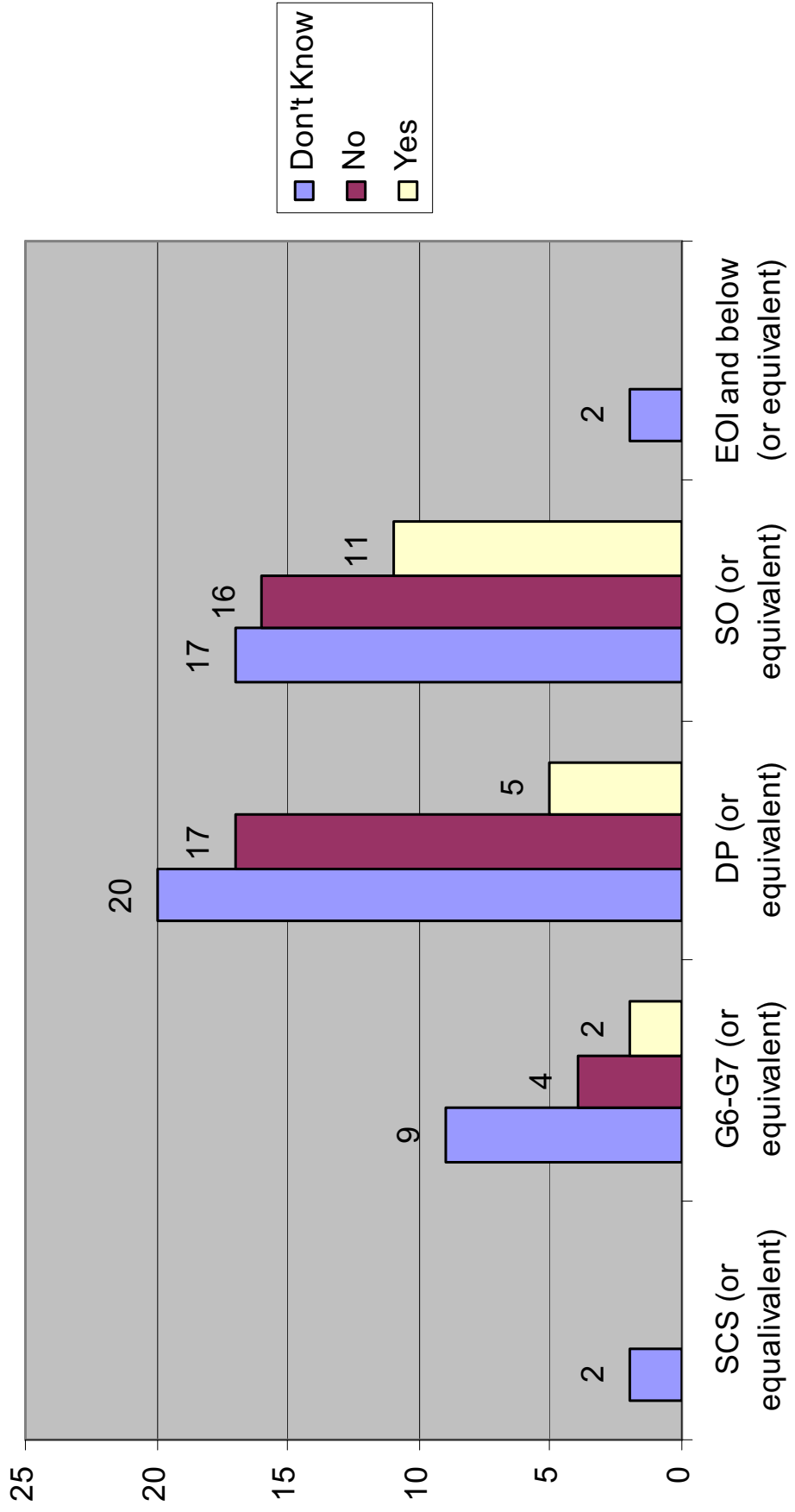
What type of training would you prefer?



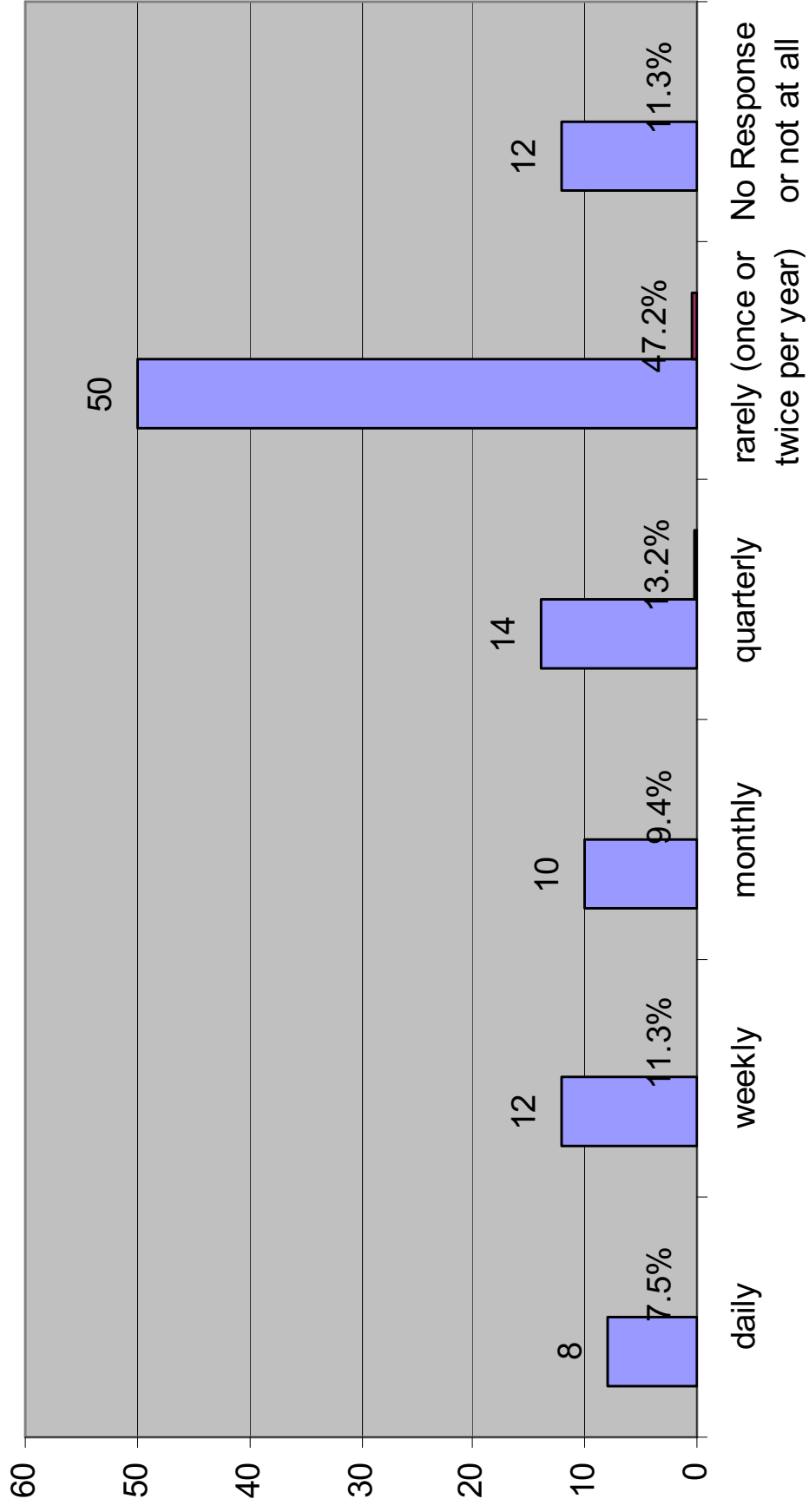
Do you feel you have appropriate level of knowledge?



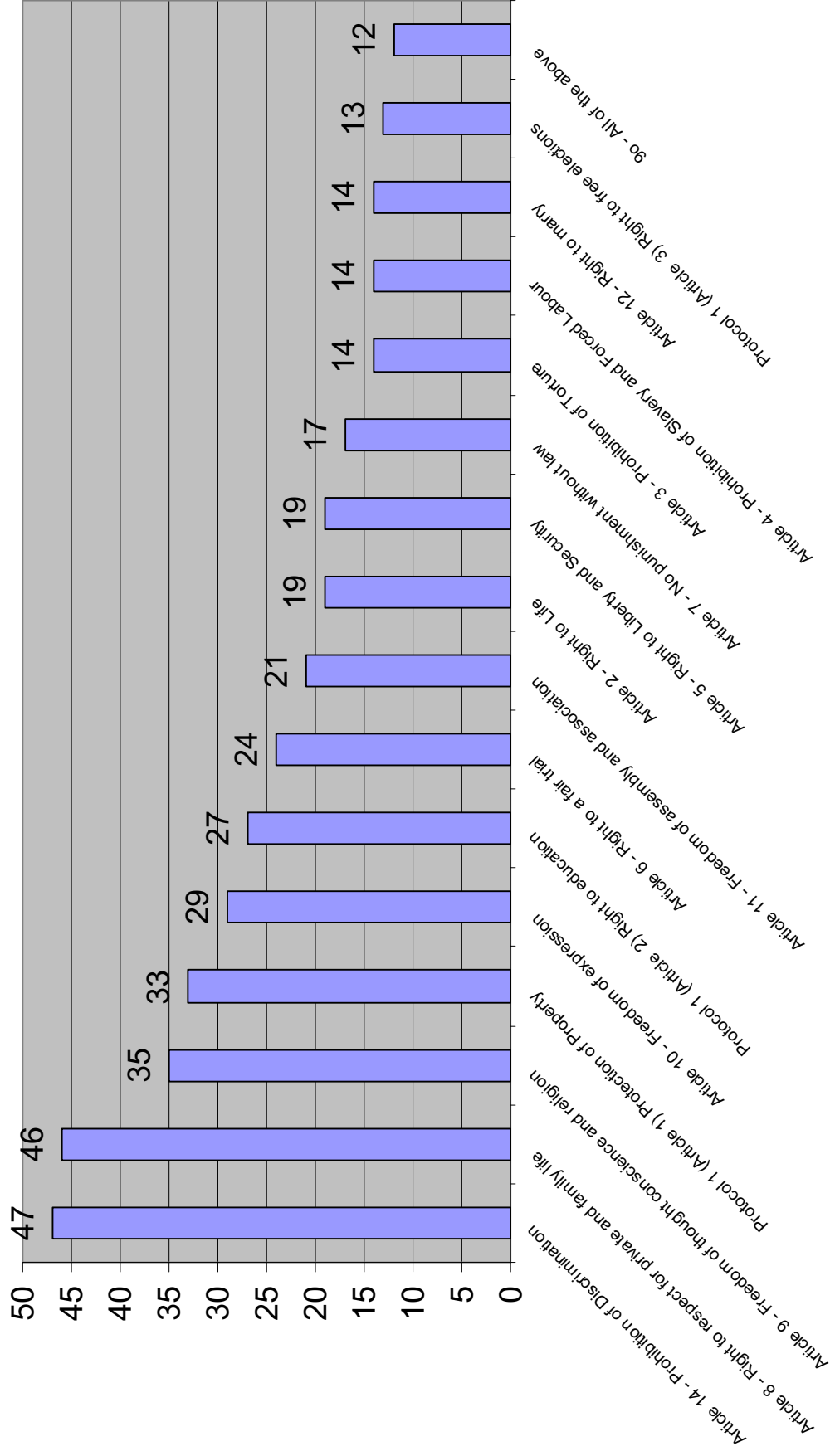
Appropriate Level of Knowledge by Grade



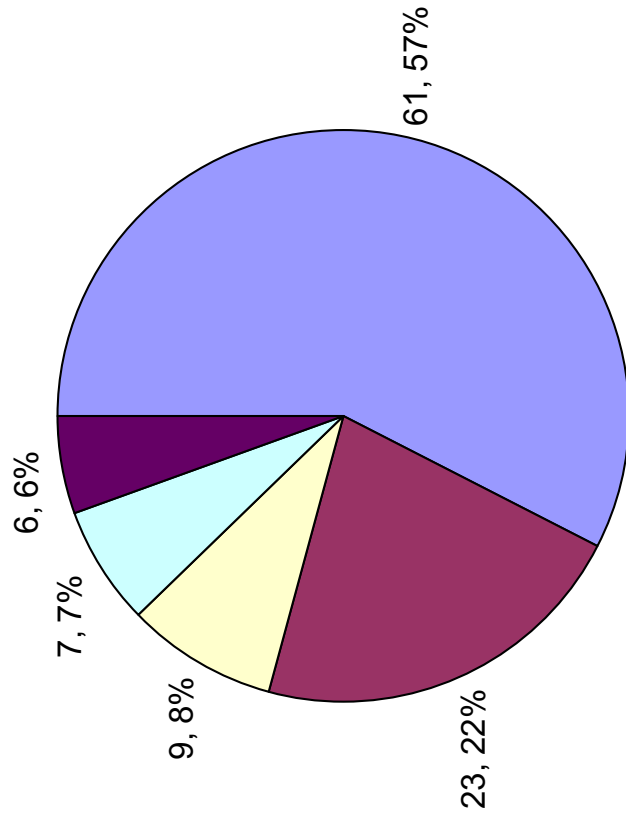
How often do you consider Human Rights?



Do you consider any of the following HR Articles?



What Sources of HR Advice have you used?



None / Unable to answer

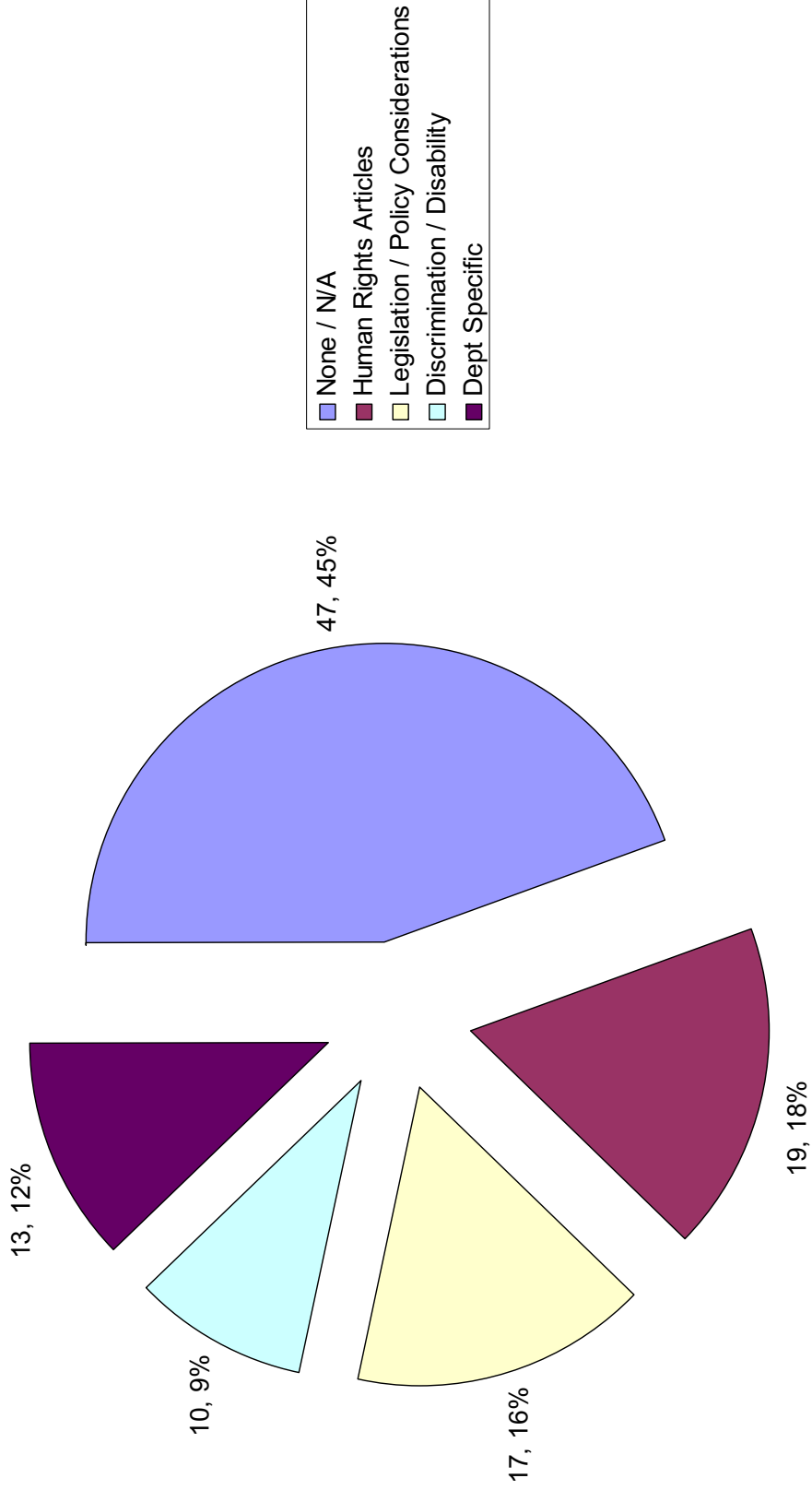
Human Rights Conventions, NIHRC, OFMDFM guidance (Get in on the Act), OFMDFM Policy Making, Home Office, Case-law of European Court of Human Rights, Departmental Guidance

Departmental Solicitors Office, Office of Legislative Counsel, Senior Counsel, Legislative guidance on the Web

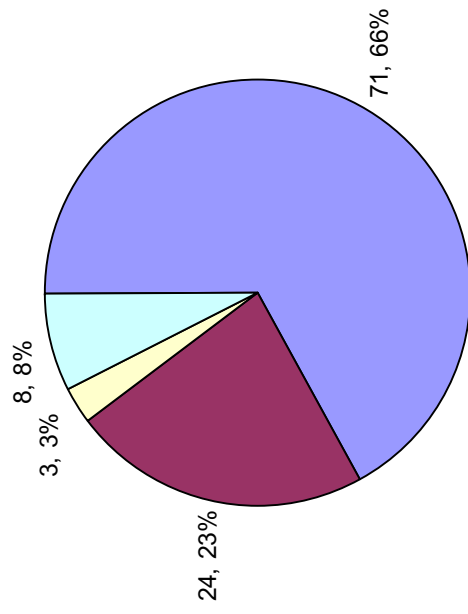
Existing experience in the office; Previous training knowledge, course material

Equality Commission / Section 75 / Equality Scheme / NICS Staff Handbook, CS Circulars, Equality legislation, Liaison with Personnel Branch in relation to staffing issues

What Human Rights Issues have you encountered?



How have these issues affected your thinking / decision making?



- None / N/A / Not significant / Not Sure
- Issues Considered and Evaluated / Robust Evidence
- Other
- General Awareness

Issues Considered

- Consideration of **potential infringement of HR of third parties**
- Decisions based on **ensuring rights are upheld**
- Had to ensure we had **robust evidence** for making decisions which may have an undesirable impact on certain people
- Have had to read relevant information to ensure that **policy proposals were in keeping with HR Act**. To ensure that decisions made could not be challenged/judicial reviewed
- **Issues need to be considered and evaluated** - and then decide how to proceed. Conflicts with other , say, EU requirements also need to be considered. All leads to **more defensible policy development**
- It adds another **important dimension to be taken into consideration before reaching a decision** on disclosure
- Led to a **more considered decision making process**
- These issues have **made me think more carefully about human rights issues** when reviewing policy
- They have **broadened my thought process**
- They have **made me more aware of the requirements of the Human Rights Act** and the expectations of the road user
- **To ensure policies and processes do not have the potential to discriminate**

Other

- Mostly these fall within current Section 75 guidelines, rarely needing to be considered as separate issues, so they are already mainstreamed
- That they are a waste of time as so few people seem to understand them

General Awareness

- Reinforced the **need to consider impact on and rights of the individual** in all policy areas

What improvements need to be made to sources of information?

- A **practical toolkit** for those involved with developing policy or preparing legislation which enables them to discharge their HR responsibilities (and for audit purposes, to demonstrate how they have done so)
- A **simple guide** to the HRA would be helpful
- **Detailed guide/handbook** to all aspects of human rights for developers of legislation and policy (with regular updates) would be a handy addition
- Advice needs to be **clear, concise and the legal jargon simplified**
- An **overview** would be helpful as would **access to reference material**
- Awareness of Human Rights and **how such issues can affect work needs to be raised**
- Better insight into case law and advice on **relevant scenarios and proportionality / "landmark" rulings**
- Better signposts about **where advice can be obtained**
- Human Rights **does not tend to be mainstreamed** into policymaking decisions at the moment. It should become an integral part of the process from the outset
- I think there needs to be more guidance about **how public authorities factor Human Rights in the policy making process**

What improvements need to be made to sources of information?

- It should **not be considered an afterthought**; Departments should, have **worked examples** of how Human Rights issues can impact on routine decision-making
- It would be helpful to have **contact details for designated NICS staff** with responsibility within this field
More detail on **how to apply** these to type of work I undertake. **Setting up of standard pro-forma**
- **More publicity required**
- **More user friendly HR advice** relating to workplace/personnel issues would be welcome
- **Online guidance available for staff**
- Perhaps a **greater awareness of sources of information/help available**
- **Refresher training helpful**
- **Regular refresher courses / mandatory courses for those involved in policy work**
- The most useful training would be to **show staff how to use the HR Pro Forma and give them an overview of the sort of things to consider when completing it**
- Would like to see **something tailored and specific to our role as an NDPB**

Are Human Rights Relevant?

Disclaimer: The following examples are for illustration only and are provided on a “without prejudice” basis

Parents angry over school strike



- Parents of pupils at Movilla High School in Newtownards have said they are angry that they feel they have had to intervene in the strike
- Threatened to take legal proceedings against the NASUWT union, if the deadlock remains

Potential HR Articles?

- Article 11 – Freedom of Assembly and Association &?
- Balanced against?
 - Protocol 1 / Article 2 – Right to Education

Severe Flooding in NI – Aug 2008

- Aug 2008
- More than 6cm of rain
- hundreds of homes badly damaged
- Some people rescued with lifeboats
- Many cars stranded or abandoned
- Belfast Tunnel flooded by more than 7m of water
- Experts now trying to find out why



Severe Flooding in NI

- The Executive said it would "not be found wanting" after torrential rain caused chaos on Tuesday
 - June 2007
- Deputy chair of DRD Committee Jim Wells, told Radio Ulster's "Nolan" Show – "some houses had been built in areas with a history of flooding"
- Articles at stake?
 - Protocol 1 / Article 1 – Peaceful enjoyment of possessions?

Any Questions?

OFMdFM Human Rights Information:

<http://www.ofmdfmi.gov.uk/index/equality/human-rights.htm>

European Court of Human Rights legal cases:

<http://cmiskp.echr.coe.int/tkp197/search.asp?sessionid=11902997&skin=hudoc-en>