

Bill of Right Forum
Working Group on Criminal Justice and Victims
Minutes of Meeting held on Friday 30th November 2007
The Interpoint Centre, York Street, Belfast

Convened by: The Very Reverend Dr Samuel Hutchinson.

Present: Edel Quinn (Include Youth), Eilis Haughey (SDLP), Alex Maskey (Sinn Féin), Stephen McIlveen (DUP), Stephen Nicholl (UUP), Barry Fitzpatrick (CoSo),

Apologies from: Marian Killen (ICTU), Annie Campbell (Women's Aid Federation), Dr Linda Moore (Human Rights Advisor), Mary O'Rawe (Human Rights Advisor).

In attendance: Lesley Macaulay (Outreach Worker)
Richard Barklie (Notetaker)

Observing: Hanna Munter (WAVE), Paula Malloy (DFA)

1. The Convenor, asked if the minutes from the meeting of the 23rd November 2007 could be passed. Eilis Haughey raised an issue with paragraph 4, she pointed out that regarding the issue of Criminal Responsibility which was discussed, it was only her own view which she was putting forward and in agreement with Sorcha McKenna, she was not agreeing on behalf of the group. Edel Quinn stated that it was agreed prior to the end of the meeting on the 23rd that she would not be required to attend the meeting as stated in the minutes at paragraph 11; the matter had been resolved by the attendance at the meeting of Gillian Preece.

2. The Convenor read out the correspondence received, he mentioned the letter from Dr. Mick Beyers which had been circulated; this was duly recorded and passed as being dealt with. A letter received from the Chairman Chris Sidoti was read out, again it was pointed out that this had been circulated via email. Stephen McI lveen commented that in response to this letter the situation had been made a little better. The Convenor acknowledged a letter received from Gillian Preece, this had since been superseded by the letter from the Chairman.

3. The Convenor reported that he had asked Linda Moore to circulate her completed draft proposals via email to the group for comment. It was pointed out that enough work had been done on Youth Justice; however no substantive discussions had taken place around issues such as Rights of Prisoners.

4. Stephen Nicholl raised issues surrounding substantive discussions on the draft documents and the definition of circumstance. He said that there were a number of issues which require to be clarified. Edel Quinn asked if there were issues which could be clarified at this meeting that it would be an appropriate time to hear what the issues were so the group could discuss them. Eilis Haughey also agreed that the group needs to address conflicting issues. Stephen Nicholl outlined that the issues which he had, may well be debated at another stage of the process, within the forum.

5. Edel Quinn raised the issue of the groups integrity surrounding the groups draft proposals, she expressed her unease and concern at the lack of time which there is to consult with Victims Groups and other Groups connected with the Criminal Justice system and those who could be involved in the whole process which the group is to represent. These people will not have benefited from this process due to the squashed time frame. Stephen McI lveen asked if The Convenor could raise this with the Chair. A discussion centered on the process following submission of the groups draft

proposals. Stephen McIlveen asked if and when the draft is submitted that the report includes all of the work which this group has completed, including the groups it has spoken with. Eilis Haughey stated that in submitting a report, mention the difficulties incurred in getting to consult with victims groups and to make it clear that the draft submissions are not for consultation at this stage, it is what the group has completed so far, a wider audience needs to be consulted.

6. The Convenor asked if Stephen McIlveen would draft a letter to the Chair regarding the disquiet within the group, the content has been discussed previously. Stephen McIlveen agreed to revert back to this undertaking.

7. The Convenor mentioned a received email from Linda Moore asking if there is any agreement on the drafts regarding Youth Justice and Prisoners. Stephen McIlveen stated he wasn't present at the last minute and therefore they are not agreed.

8. The Convenor read over a letter from Mary O'Rawe. The Convenor asked if the group wanted to go through this letter paragraph by paragraph, the letter referred to PACE (Police and Criminal Evidence Order), Policing and Criminal Evidence. Eilis Haughey said that she would invite Mary O'Rawe to draft proposals for discussion. Barry Fitzpatrick stated that it was very difficult to discuss the issue on the basis of a letter. The Convenor said he would contact Mary O'Rawe to see if she could expand upon this email. The group was in agreement. Edel Quinn said that she would like to see what the derogation clauses would be. Barry Fitzpatrick asked if Mary O'Rawe cannot make it perhaps someone else could take us through the proposals. The Convenor stated that Ben Lee may well be under taking this task; he said he would suggest collaboration between the two for a future meeting.

9. The Convenor mentioned an email received from Gillian Preece; Richard Barklie will not be at the meeting on the 7th December 2007, Ian Black will be taking his place.

10. The Convenor invited Lesley Macaulay to give her report. Lesley Macaulay said a letter had gone out to around 100 groups via the CRC, she said that she had booked a room at NICVA for the 13th December 2007 costing £60. A follow up on the letter being sent out will be done by her during the lead up to the 13th to encourage as many groups as possible. The letter being sent out was being done via email. Eils Haughey asked if this could be done with a follow up hard copy, a letter physically being posted to each of the groups on the CRC list. Give the CRC stamped envelopes, Lesley Macaulay said she would follow this up. Stephen Nicholl made reference to the fact that by the time the groups pick up on the email they forward it to their respective committees for approval of attendance; this may not give the groups sufficient time. Lesley Macaulay stated that she had completed initial Bill of Rights training on Wednesday and on Monday 3rd December she will be attending a meeting which will confirm her outreach plan for the next number of months. Lesley Macaulay said that she had drafted her plan which she will be discussing at the Monday meeting. She stated that she will be targeting the previously mentioned "overarching groups". Alex Maskey said that the letter received from Chris Sidoti seemed more flexible than what was being suggested by Lesley Macaulay.

11. Lesley Macaulay said she had been speaking to William Wilkinson from FAIR (Families Acting for Innocent Relatives), they are having a conference on the 11th March 2008. Mr. Wilkinson had asked if he could come and meet the group. Edel Quinn asked if he was aware that he could come on the 13th December. Hanna Munter mentioned that WAVE had attempted to engage with FAIR during their submissions, she pointed out that there are a lot of other victims groups out there who should also be approached. A discussion centered on who should be invited to the

meetings, what rights they have to speak. The Terms of Reference of the Working group were referred to. The group was cautious of creating an open door policy which might affect the work of the group. It was agreed that groups or people may apply and in turn be invited to attend. It was stressed that the group encouraged consultations with other groups interested in talking with them.

12. Edel Quinn asked about the groups which were going to be selected for consultation post-draft submissions, Lesley Macaulay stated that nothing much had changed from last weeks discussion, she was in possession of proposals on an action plan, but this has to be confirmed at the next outreach meeting on Monday 3rd December. Edel Quinn expressed her concern at cherry picking particular groups and wanted this concern noted. A wider discussion on this issue developed with the concerns of the group as a whole noted. Barry Fitzpatrick stated he had very grave concerns for the whole process; he described it as a “belly-up” process, and voiced his concerns over the whole consultative process. There were discussions about the concerns of other groups also. Time limits and the inability to consult were also discussed.

13. The Convenor asked if there was anything to be said regarding Criminal Justice and Prisoners. Stephen McIlveen said that fresh proposals are required for discussion

14. The Convenor invited any other business. A discussion centered on the attendance of the group’s members and the ability of the groups to take decisions. The issue of the quorum of the group was discussed in light of current member’s attendances. It was discussed that under current rulings the group, would on balance, not be quorate at the majority of meetings. The Convenor said that he would contact those on the groups who do not attend to try and do so or to send a replacement. It was discussed that it is important that the group is as representative as possible, each member was

asked to encourage those who do not attend to do so if they had any contact. The Convenor would also make contact with the forum to get a ruling on the decision making formulae in light of the regular numbers who do attend. Alex Maskey said that he would like to see the positions filled first before seeking to amend the rules. The group agreed to leave this in the hands of The Convenor.

15. The Convenor stated that the next meeting is on the 7th December at the Interpoint at 2.00pm and the meeting after that on the 13th December will be at NICVA, Duncairn Gardens.