

Bill of Rights Forum

Preamble, Enforcement & Implementation Working Group

Notes of Tenth Meeting, 4th December 2007

Present: Aideen Gilmore; Laura McMahon; Colin Harper; Martina Anderson; Neil Faris; Peter Weir.

Apologies: Brian Crowe; Barry Fitzpatrick; Stephen Farry; Patrick Yu; Alban Maginness.

Observers: Paula Molloy (DFA)

1. Notes of previous meeting

These were accepted as an accurate account of what was discussed and agreed upon.

2. Final interim report

Aideen had incorporated the amendments discussed and agreed at the last meeting and submitted the draft report to the secretariat and this final copy was distributed to Working Group members. It will be discussed at the Forum plenary on 14th December. Aideen was thanked for her work on this.

3. Outreach update

There are ongoing problems in relation to outreach – there are no clear terms of reference for the work, and different views exist about what the workers should be doing, how the funding should be allocated etc. Colin, who represented this Working Group on the sub-group, has resigned from it due *inter alia* to the lack of progress being made and doubts over its ability to deliver.

Martina sought clarity on who is charged with co-ordinating and insuring implementation of the work suggested by the sub-group and it was confirmed that this should be done by the secretariat. Peter suggested that greater direction was also needed from the Forum plenary in relation to outreach as it is clear the sub-group system is not working. However it was stressed that the sub-group should not be scapegoated for the problems as there is also a lack of central direction and support.

Laura reiterated her concerns in relation to the need to be careful about the legal implications related to consultation and asked that they be fed in to the Forum plenary where it is to be discussed. It was agreed that the Working Group return to the issue at its next meeting and after this plenary discussion.

4. Implementation

Catherine (who is ill and couldn't make the meeting) had prepared a discussion paper on implementation. Discussion ensued under each of the headings outlined therein. The group agreed as a starting point that implementation is key to making rights real and ensuring access to justice.

Education

There was general agreement that education was an important element of implementing human rights and with the basic components of this highlighted in Catherine's paper.

Neil highlighted the importance of educating the general public as to what human rights are and what they mean, in terms of building both ownership and understanding of rights. He suggested that the failure to do this for the Human Rights Act was one of the main reasons that people did not feel any attachment to it and misunderstood many of its provisions. He felt that there was a need to make the Bill of Rights and human rights more generally real and relevant to people.

Laura highlighted the importance of schools and suggested that education on the Bill of Rights/human rights could be made a mandatory part of the curriculum (although allowing flexibility in delivery).

Martina emphasized the importance of accessing those marginalized and hard to reach groups who most need human rights protection. She suggested that there should be a central funding stream to allow this education to take place.

Peter expressed wariness of trying to educate "everyone." He felt that where resources might be limited priority should be given to reaching vulnerable groups.

Colin felt that we should be ambitious in our proposals in relation to implementation.

Agreed:

- ✓ Human Rights Education should be integrated into formal education.
- ✓ Those tasked with implementing a Bill of Rights (lawyers, judges, civil servants etc) also need to be trained on its implementation.
- ✓ There should be wider promotional and public awareness-raising.
- ✓ There should be some kind of central/governmental responsibility for and co-ordination of these activities.
- ✓ Priority should be given to vulnerable and hard to reach groups.

Accessibility

All were in agreement that the Bill of Rights needed to be as accessible as possible.

Agreed:

- ✓ The Bill of Rights and any accompanying promotional or educational materials should be produced in alternative formats, including child-friendly, plain English, different languages, Braille, large print etc.
- ✓ A copy should be sent to every household in Northern Ireland.
- ✓ The lead responsibility for co-ordinating and funding this lies with government.

Funding

The group agreed that as highlighted above, the provision of adequate resources is key to ensuring adequate implementation.

Agreed:

- ✓ Money should be ring-fenced in the budget on an ongoing basis for promotion of the Bill of Rights.
- ✓ The legal aid system should be such as to ensure access to justice via the Bill of Rights.
- ✓ Other non-legal remedies/alternatives to litigation could be identified and funding prioritized for these (to be discussed further under enforcement)

5. AOB

A question was asked as to how the final report of the Working Group would be drawn up. Aideen suggested that she envisaged a much increased role for the Human Rights Adviser at that stage in looking at the details of the proposals emerging from the other groups, and any submissions received with a view to analyzing their implications for our Group and where necessary drafting proposals for discussion. This was agreed as a way forward.

6. Date of next meeting

The next meeting will be held at 4pm on Tuesday 18th December in Room 21. The topic under is devolution (*postscript: this meeting was subsequently postponed*).