



## **Summary of ICRIR Board meeting – 18/19 January 2024**

The Board met over two days and discussed a wide range of matters relating to strategy, people and governance and risk.

On strategy, the Board noted that there was domestic legal challenge to the Legacy Act in the High Court, which had been brought and heard prior to the Commissioners being appointed. The Board also noted the interstate case brought by Ireland. Where appropriate, it would be important for the Commission to assist the courts coming to determinations, whether in any appeal or in Strasbourg. The eventual determinations would be important to the Commission's overall stated principle for compliance with the European Convention on Human Rights, and if aspects of the Legacy Act that affected the Commission were not found to be compliant, then, subject to any appeals, in the Commission's view it would be necessary for the legislation to be amended.

The Board also discussed the importance of following a trauma-informed approach in its work. It heard a presentation about where this had been followed in other work and what it could mean in this context. The Board emphasised the need for proper resourcing of this and to build it into all work, rather than just viewing it as a training module or phrase to be used. It asked for consideration of a public statement of detail and intent to be developed. The Board approved the appointment of the independent member of the Audit and Risk Committee. Board members agreed a proposal to amend the terms of reference for the Remuneration and Nomination Committee and were updated on the work of that Committee.

On governance and risk, the Board considered a number of issues, including the setting of Board objectives and business plans and budgets for the coming financial year. Both would need more detailed consideration at future meetings.

The Board also discussed the framework by which complaints against the Commission would be established. For the most serious matters regarding use of police powers by ICRIR designated officers, external oversight from the relevant police regulatory body (such as PONI, or IOPC) was agreed. The general approach to resolving complaints and disagreement about decisions in the conduct and handling of an investigation was also discussed. Fulsome and personal explanation of decisions and how they had been arrived at, and a proportionate opportunity for review were considered the best approach, noting that there would always be recourse to judicial review if necessary. And, for more administrative matters about the behaviours of general ICRIR staff against the Code of Conduct, a complaints procedure modelled on good practice in other public authorities was endorsed, subject to further consideration about how it would operate in practice alongside the other routes.