



Northern Ireland  
Assembly

Ad Hoc Committee on a Bill of Rights

# OFFICIAL REPORT (Hansard)

Briefing by Professor Colin Harvey

28 January 2021

# NORTHERN IRELAND ASSEMBLY

## Ad Hoc Committee on a Bill of Rights

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**Members present for all or part of the proceedings:**

Ms Emma Sheerin (Chairperson)  
Mr Mike Nesbitt (Deputy Chairperson)  
Ms Paula Bradshaw  
Mr Mark Durkan  
Ms Carál Ní Chuilín

**Witnesses:**

Professor Colin Harvey                      Queen's University Belfast

**The Chairperson (Ms Sheerin):** Members, we will now have a briefing from Professor Colin Harvey from Queen's University. Professor, I will not delay you any longer, if you want to begin your briefing.

**Professor Colin Harvey (Queen's University Belfast):** Thank you very much, Chair and Committee members. I am delighted to present to you, hear your questions and, hopefully, respond to you. I welcome the establishment of the Committee. I am delighted to see the momentum that is back in the conversation about a bill of rights. That is great to see. I really wish you well in your work.

The renewed focus on a bill of rights in the Assembly and in wider civil society is very heartening. I should declare at the start that I, like many people here, have been involved in this for many years. I was a commissioner on the Human Rights Commission when the advice was submitted in December 2008, so I was involved in the drafting process. I have been involved in the process for the past 20 years or more. I have an interest in the work that you are doing, and, hopefully, there will be a successful outcome. I have provided some research that Dr Anne Smith from Ulster University and I did. That was published in the 'Fordham International Law Journal' in December, and we hope that it will be helpful to your reflections and thoughts.

I thought that it might be useful today for me to say something about context and process, briefly say a few words about content and then provide some final reflections. I will be as quick as I can.

First, on context, I want to make it absolutely clear that this is not a blank-page discussion. An enormous amount of work has already been done, and you are very fortunate indeed to be the beneficiaries of that work. It will make your job much easier, because work has been done that you can make active use of, and I encourage you to do so. I say that because I want to pay tribute to all those across this society who, over the past 20 years, have given up their time to participate in this process. I think that we need to demonstrate respect for all contributions to this conversation throughout the decades. Hopefully, in the time ahead, we will build on those and not start from a blank page.

On context, I will mention the B word. There are probably a lot of B words at the moment, but one of them is Brexit and its impact on this society. When reflecting on human rights and equality now, we need to pay attention to the Ireland/Northern Ireland protocol. The fact that there are rights and equality protections in it is in itself a very interesting development. Obviously, a global and local public health emergency is putting a major focus on, for example, the right to healthcare. I think that there has been progress and an appetite for the development of rights in devolved settings and also across these islands. Although we could focus on the negatives and the lack of progress, it has been interesting to watch, for example, the work being done in Scotland to advance the human rights and equality agenda there, and there are other examples.

We know that the Conservative Party has had a longstanding obsession with the Human Rights Act, and not in a good way. It has spoken about repealing and replacing the Human Rights Act; it now wants to update it. As you are all aware, a review of the Human Rights Act is ongoing. That is a significant context, I think, to your work, but, obviously, the work that we are doing here builds on the Human Rights Act, supplementing the European Convention on Human Rights, a Human Rights Act-plus, if you like. Also on context, you are all aware that there are larger constitutional conversations ongoing at the moment across these islands, and rights are playing a part in those discussions too.

Secondly, I thought that it might be helpful to say something about process. I suspect that, as Committee members, you have had an inordinate number of briefings on all of this, so you know this backwards already. The remit for the process is to be found in the Belfast/Good Friday Agreement, which I will not recite here, although, by this stage, I could probably recite it with my eyes closed. Many of us have been grappling with it over a long, long time. That job was given to the Northern Ireland Human Rights Commission, and the process was launched on 1 March 2000. The commission submitted its final advice to the British Government on 10 December 2008, Human Rights Day. In between, there was a lot of debate, discussion, agreement and some disagreement. Moreover, the bill of rights forum that was established as a result of the St Andrews Agreement brought political parties and civil society together to discuss all these matters.

Ultimately, in process terms, the commission's advice was submitted on 10 December 2008, and I think that that advice, envisaged in the Good Friday Agreement as the key step in the process, needs to be seriously dusted off and looked at. Committee members will be aware that we live in a society where there is often talk about documents that are not read as thoroughly as they might be. I think that it is time to engage much more seriously with that advice. I pay tribute to Monica McWilliams, who was chair of the commission at that time, and all those who participated in the conversation leading up to that final advice.

The Northern Ireland Office, as you know, responded in 2009, issuing a consultation on a limited number of the proposals that we advanced. There have been a number of descriptions of the Northern Ireland Office's response to the advice, which was regarded as rather dismissive. However, in dusting off that response, it is interesting to note that there was a range of areas in which it thought that progress might be made. The Human Rights Commission responded in 2010, and the NIO published its responses to the consultation in 2010.

Procedurally, as you will all be aware, the process stalled and was stuck, which is a not uncommon feature of the equality and rights debate in this society. Until New Decade, New Approach, the process was stalled. The establishment of this Committee has seen renewed momentum for the process. You have your own terms of reference and will report in 2022, but you will be aware that many who participated in the process over the last two decades are now looking to you to be the final phase in a process that will lead finally to the delivery of a bill of rights. There is still a view — I share it very profoundly — that we need the sort of bill of rights that the commission anticipated in its advice.

I will end on some thoughts on content. You will have had briefings on the commission's proposals. Again, I underline the seriousness, dedication and thought that went into that document and that your conversation is not a blank-page discussion. There is a real risk in the process of people going round in circles on content because a lot of the content for the discussion is already there. People have thought long and hard about how to resolve some of the tensions that you are grappling with, given the particular circumstances of this society and an ambitious human rights set of proposals.

I urge you — I am sure that you are all doing it already — to pay close attention to what has gone before and to the commission's advice and associated work. I could cite a range of content-based issues, but, following on from the previous discussion, I really think that you should look again at what the commission advised on culture and issues of identity in the agreement. In recent years, we have heard many debates over core aspects of the Belfast/Good Friday Agreement that have not been

incorporated into domestic law, policy and practice. Guess what. During the bill of rights process, many people spotted that and recommended proposals for change that would have made a difference. The commission also recommended a range of social and economic rights in its advice.

As for the content, it seems only yesterday, but it was 2008, which is a long time ago. There is a discussion — a correct discussion — that that was pre-Brexit. How many years are we on from that now? There is a chance to reflect on that advice and update it. As a commissioner who was involved in the process, who was involved in drafting, and who submitted the advice, I stand by the scale of ambition. People deserve a first-class bill of rights. I still think that. Why would you want to give people a second-class bill of rights? You want the best for everyone, so you would want the best bill of rights as well.

I repeat: much of the work has been done. Therefore, you will be delighted to hear that your task is much lighter. A lot has been done that you can build on. As an academic, it has been a great privilege for me to speak to you in an academic capacity. We have enormous experience and expertise in our civil society and people who are the experts on these questions. I urge the Committee to involve yourselves in collaboration and engagement.

Everybody talks about co-design. We have such deep and rich experience across civil society. We have some of the best NGOs around. We have some great experience. Use it. That experience and expertise in civil society can help. There should be wide and deep collaboration and engagement. Harness the expertise that is out there. Make use of it. We are very fortunate to have it. Listen to what is said. A lot of people have been in your shoes on many occasions over the past two decades. Many of you have been in the room for those conversations as well. Listen to what is said and take it on board.

Too many issues of rights and equality in this society have stalled, or there is a political statement on them. Please let your report show a constructive way forward for this discussion. We do not need — I do not need to tell you that this afternoon — another stalled process in the area of equality and human rights. I do not underestimate your task. I wish you well in your work. I am delighted to see the momentum behind the conversation, and I look forward to our conversation now.

**The Chairperson (Ms Sheerin):** Professor Harvey, thanks very much for that overview. I laughed when you talked about 2008 and how much involvement you had at that stage; I was doing my GCSEs. We are still here having the same conversation. You talked about how many years ago it was; it feels like a long time ago.

I do not want to rehash anything that you have covered, but, in the piece that we received from you and Dr Smith, you refer to the fact that a bill of rights is put in place to uphold rights and facilitate political accountability and good governance. People have concerns that a bill of rights would act as an impediment to political decision-making or to the Government of the day doing what they have been mandated to do. A bill of rights should be an accountability mechanism; it should be the gold standard to which Governments should try to act. Will you touch on that?

**Professor Harvey:** That is a good question. The starting point in the answer is that a bill of rights is, ultimately, a framework. At times, it will be a fairly general framework of rights protection. Ultimately, it will be about enriching democratic life, democratic accountability and good governance.

I have always had enormous respect for politicians, for those who enter public life and for the work that you do. Change, invariably, happens through politics. Ultimately, when you are in a courtroom, it is an indication of failure. Human rights provisions try to prevent that in the first place by building it in — mainstreaming it, if you like — at an early stage of all processes in public life, whether that is in the work of the Executive, the Assembly or in public bodies throughout this society, so that we do not end up in courtrooms, although I probably should not say that as an academic lawyer.

Ultimately, it is about improving and enriching democratic life. Too often, this discussion is pitched around politicians and judges. That gets it wrong. Ultimately, it is about making sure that those rights are hard-wired into how we approach decision-making in the public sphere, whether that is in the Executive, the Assembly or any public body. They are not just about arguments in courtrooms.

**The Chairperson (Ms Sheerin):** I share a lot of those views. You referred to Brexit, and we are seeing the impact of that at the minute, including massive questions and conversations about the

constitutional situation, the future of the United Kingdom and the North's place in it, and Irish unity. I do not have to declare an interest. As a Sinn Féin MLA, my view is well known.

When we had the presentation from Albie Sachs, we talked about rights for different groups and how you could break down the barriers for people who oppose the idea of a bill of rights or are reluctant to see a bill of rights implemented. What is your view on how a bill of rights, and putting rights into legislation, could help people of a British identity or those who identify as unionist or Northern Irish, if we move to Irish reunification? It could be a protection for people who do not want that to happen.

**Professor Harvey:** The clue to human rights and to a bill of rights has always been in the title. It is illogical to say that a bill of rights is just about Colin Harvey or just about one community or another, because, if enacted, it will protect everyone in this place. That cannot be said often enough. These are human rights that belong to everyone; they are owned by no one. That is essential.

In the Good Friday Agreement, there is a specific remit for a bill of rights. What is striking about the commission's advice is that it tries to do a number of things. It tries to recognise that we live in a post-conflict society where there are two main communities with divergent national aspirations. It also places that in the context of a broader human rights conversation. It is interesting to see the way in which, for example, culture and identity protections are written into the advice that the commission proposed in addition to all the other things. A bill of rights provides guarantees and assurances to everyone and to all communities, whatever constitutional change or other change or turbulence may come in the future.

One concept in the Good Friday/Belfast Agreement that is perhaps worth reminding ourselves of is the notion of equivalence. If there were to be change, there would have to be equivalence in the new arrangements. Any protections that are won now will be carried into any new arrangements and the assurances and guarantees that come with them. Ultimately, we are talking about the Good Friday Agreement process and about recommendations that have already acknowledged some of those concerns, but it is about protecting people and giving guarantees and assurances to all communities, whatever comes in the future. It might have been nice to have that bill of rights as we faced into the turbulence of Brexit, and who knows where we might be going in the future? If I was thinking about assurances, guarantees and protections, I would be dusting off a lot of the work that has been done on the bill of rights to date.

**The Chairperson (Ms Sheerin):** If you watched the last session, you will have seen that I asked Professor Bryan about this. You said that, all too often, rights that might be deemed controversial or that people have political objection to end up being denied to people because of political stalemate or politicking. At the minute, we have healthcare rights that people cannot access because of political decision-making. That applies to women's healthcare in particular, which was legislated for last year. We also have gender identity services that are currently unavailable. How could a bill of rights rectify that?

**Professor Harvey:** Thank you very much for the question. It is important to say that a bill of rights is a framework within and under which other things will develop. What has happened to our society is that too much pressure has been put on the politics. One reason why the Belfast/Good Friday Agreement talked about a bill of rights was to take the heat out of some of our politics. One of the problems is that many issues get stuck or stalled or are not implemented in human rights terms. Having a bill of rights of the sort anticipated by proposals thus far takes the heat out of issues. It takes issues out of the political arena as well and puts them into a human rights framework.

In relation to your question, I do not need to highlight the fact that we are very aware of the way in which this society has fundamentally failed people in human rights terms. This week, we are seeing the scandalous abuses of the rights of women and children, the failures across this island and the shameful treatment of women and children. Although a bill of rights will not solve all the problems of this society, it will give us the right human rights-based starting point for the conversations.

**The Chairperson (Ms Sheerin):** Absolutely. Thanks, Professor Harvey. With the release of both reports, North and South, over the past month, we are reminded of the human rights abuses carried out by different organisations and by the state. Their release is a good reminder for us of the mistakes of the past, and they should be used to recalibrate how we can prevent such things happening in the future. We need to challenge the societal acceptance of the denial of rights that allows those things to be perpetuated.

**Mr Nesbitt:** Good afternoon, Colin, and thanks for engaging with us. I share your ambition that the Committee and the report that we will publish in a year or so will move the debate on positively.

I want to pick up on a couple of things. First, on equivalence, I take it that you are referring to the fact that the agreement states that, if we do something in this jurisdiction, the Government of Ireland have to look at it as well.

**Professor Harvey:** Yes. This has probably not had enough attention in the discussions so far: any human rights gains made now would have to be replicated in any process of constitutional change here.

I am conscious that Emma raised that question, and there is the current discussion on referendums and so on. If we were to adopt a bill of rights here, in the event of change, we would look for that change to be replicated in the South of Ireland. Sometimes, that is a bit forgotten about. It is not an either/or debate. What is gained now in human rights terms will carry forward into other conversations, whatever they happen to be.

**Mr Nesbitt:** When Judge Richard Humphreys gave evidence, I got the impression that he was a bit cautious about the idea of one jurisdiction legislating in a way that would force the other jurisdiction to bring in equivalent legislation.

**Professor Harvey:** Ultimately, the logic of this discussion is that nobody here should be disadvantaged by whatever constitutional decision is made, whether that is to remain within the UK or opt for a united Ireland. The logical corollary of that is that, if we adopt a bill of rights along the lines anticipated, that needs to be carried forward into the conversation to come.

**Mr Nesbitt:** OK. You said in your oral evidence that this should not be about courtroom arguments. I think that you are also concerned about judicial activism. Is that true?

**Professor Harvey:** I am concerned about the unbalanced either/or nature of the debate. It is not simply a debate about judges versus politicians; it is a debate about all of the elements of our society working together to ensure that the values in a bill of rights are actively implemented. Obviously, the role of judges, the judiciary and lawyers is to uphold the rule of law. As you know, Mike, on the argument around the Human Rights Act, in some senses, the judges quite rightly say, "We are doing what Parliament asked us to do when it legislated". Therefore, if you enact a bill of rights, and lawyers seek to uphold the rights in it, you cannot really blame them. That is their job. However, sometimes, people neglect the extent of the implications. You and the Committee know the number of briefings and other information that you get on the rights implications of what you do in the Assembly and what Ministers do in the Executive. That would be precisely the same with a bill of rights. You would be reflecting from day one. As a policy was being developed, your advisers would be telling you the bill of rights implications of that policy. That preventative aspect of the discussion is too often neglected.

**Mr Nesbitt:** Yes. Judges uphold the rule of law but also have to interpret it, so, as you say, it is important for us to make sure that we mean what we say and that we make it very clear and explicit.

**Professor Harvey:** Yes. I absolutely agree with that. Again, I think that the Human Rights Commission's advice from 2008 merits another look.

**Mr Nesbitt:** Yes. That leads on to my final question, Colin. You have been saying that we need to move away from the old arguments. However, to a certain extent, does that document from 2008 not represent old arguments, in that, as you know, the unionist commissioners did not sign up to it?

**Professor Harvey:** I am as aware as you all are that the key division down the years has, essentially, been party political between unionism and nationalism. I am trying to underline the fact that much work has been done and many efforts made to grapple in a credible way with some of the issues that you are trying to grapple with. The material that has gone before needs to form part of that discussion. To me, the Human Rights Commission's advice remains invaluable. The number of events elsewhere at which people commend the work done to try to deal with a human rights instrument in the context of an ethnationally divided society but also in a wider human rights framework is remarkable. Mike, we know that the problem in the process thus far has been political stalemate. It is great to see the work that the Committee is doing, and I really hope that the Committee and the political parties represented on it will be able to find a constructive way forward in this debate.

**Mr Nesbitt:** I will sign up to that, Colin, because I am into my tenth year at Stormont, and I have seen enough political stalemate. I have faith that this Committee can find a positive way forward over the next 12 months. Thank you again for your engagement.

**Professor Harvey:** Thank you, Mike.

**Ms Bradshaw:** Colin, thank you very much. It has been very interesting. How do we ensure that the voice of the emerging middle ground — people who do not necessarily identify as unionist or nationalist — especially over the last number of election cycles, is heard and that their aspirations for the future are reflected in a bill of rights?

**Professor Harvey:** Thank you very much, Paula. It is a great question. One of the things that I tried to underline in my opening statement was that we are very fortunate in this society to have a remarkable range and depth of experience in civil society. One of the challenges for the Committee is how you harness all voices in this society, including new voices. I am sure that people have heard enough of people like me talking about a bill of rights. I want to hear new voices in this society talking about this conversation and hearing what the aspirations and ambitions are for a bill of rights. The only way to do that is to find ways to collaborate and engage with wider civil society. You are right: what is the conversation in 2021, not the conversation in 2008? The only way to do that is to try to make the process as participative as possible, engage with people and bring those voices into the conversation.

My starting point was that people from across this society have participated in this discussion for the last 20 years. We need to respect, commend, credit and acknowledge that as well. There is a rich and deep body of work out there that you can draw upon to reflect those concerns. Paula, I am repeating myself — cliché alert — but, ultimately, the clue to human rights is in the title. They are rights for everyone here. They belong to no one person, no one political party and no one community. They are rights for everyone here.

**Ms Bradshaw:** Thank you for that. Another question has just come into my head. Much of what we are picking up from different experts is on the justiciability of rights. Having sat on the Bill of Rights Forum in 2007 and so on, I have always been very concerned about building people's expectations that there will be sections for disability, for women, for children and so on. The last thing that we need to do is raise people's hopes and then let them down. If we produce a bill of rights that fits on one page or two pages, many may not see their particular section of society there. At the same time, if we go down the road that we did in 2007 and 2008, a very expansive bill of rights may not get political agreement. Have you any thoughts on how we should present it and, ultimately, what its contents should be?

**Professor Harvey:** Again, it is a great question. We had a discussion earlier about protections that are useless to people. We had a discussion earlier about promises that have not been implemented. No one wants a bill of rights for this society that people cannot do anything about: they cannot go to court and ask a judge to uphold those rights. I have tried to frame that in a particular context. We want a bill of rights that is meaningful and can be enforced. We have already mentioned areas where people are struggling to get their rights enforced in practice.

We have to be clear in our expectations of what a bill of rights is. Ultimately, it will be a framework of protection. From the briefings that you have had from other organisations and individuals, you know that bills of rights are often drafted quite generally and in quite open terms. That needs to be underlined. A bill of rights will not solve all the problems of this society.

Also neglected is the fact that having a bill of rights does not mean that you will not have specific legislation in the future to enhance protections in particular areas. For example, you might have a right to accommodation or housing in your bill of rights, but you will also have detailed housing legislation that maps out how that works in practice. It is not an either/or. There will be a framework and a values-based statement. I do not need to tell members of this Committee how much this place needs a coherent, comprehensive, values-based commitment to human rights. However, it will not solve all the problems. Other legislation and so on will go further in the future. It is about managing that expectation and being clear about what it can and cannot do.

**Ms Bradshaw:** Thank you very much.

**Ms Ní Chuilín:** Hi, Colin. Thank you very much for your presentation. One of the things that I have found really frustrating is that, even in some of the commentary up to now, there are still two camps on

a bill of rights. That is still prevalent, which is disappointing. A bill of rights is not like a Programme for Government, where you have two big parties and other parties in between. That is the difficulty in all this.

I advocate using the 2008 process. As you said, a lot of work was put into it. It has been a go-to for a lot of people doing this work, including us. I asked Professor Bryan about equality legislation. The issue remains that we do not have a single equality Act. Should we therefore incorporate reference to equality legislation into a bill of rights?

**Professor Harvey:** Thank you very much, Carál. That was a great set of points. I am tempted just to say yes in answer to the question. There are two things there. One is the importance of talking to people in this society. Sometimes, we walk around with caricatures and stereotypes in our mind of what is actually happening out there. I remember, from when I was involved in the Human Rights Commission and the work of organisations like the Human Rights Consortium, that, when surveys and polling were done, there was quite remarkable support among people across all communities for a bill of rights and for socio-economic rights. Sometimes, it is about listening to that evidence. Although there might be party political issues in advancing that, what has really struck me during this process of the last 20 years is that, when you listen to what people want on core well-being issues and core bread-and-butter issues around socio-economic protections, you hear the message loud and clear. When I was on the commission, we heard that people want social and economic guarantees on issues like housing and work. They want basic socio-economic rights. It is important to underline that.

The commission, in its advice in 2008, had what was, I think, quite a robust equality guarantee in the bill of rights. For any bill of rights to be credible, it needs to have an enforceable and robust equality guarantee. That does not rule out the subsequent development of more comprehensive single equality legislation, which has joined the list of things here that are stuck or have stalled. The commission's advice had an equality guarantee, so it is well worth looking at. An equality guarantee that is robust and enforceable could, I think, be a useful part of any credible bill of rights.

**Ms Ní Chuilín:** I am really pleased to hear that. Human rights and equality belong to everyone. They are universal. However, I come back to the real world. These discussions happened in the first place because there was an institutionalised and systemic denial of rights. In my recent experience in the Department for Communities, which I have just left, we brought forward proposals to reform housing. Had there been a bill of rights or stronger equality legislation, the housing inequality, particularly in Catholic areas, would have been challenged in court, and it has now been challenged. That may still happen in relation to different issues, even with a bill of rights. If people feel that their rights have been denied, they should have redress. We all support that.

The worrying thing for me in this process is that I still hear — I heard it in the last presentation — that the legislation on equality and good relations needs almost to be rebooted. I believe that equality has primacy over everything else. I am therefore encouraged to hear you saying that there needs to be a strong reference to equality, if not its inclusion. If we were to try to cobble together a compromise, I would be concerned about it becoming so diluted that no one recognised themselves in it. The 2008 work has to be reflected in the new bill of rights as a minimum.

**Professor Harvey:** My view is that you cannot have a credible bill of rights without a robust equality guarantee at its centre. As, I hope, I have made clear, people here deserve an ambitious human rights instrument. Why would you want to give a second-, third- or fourth-class bill of rights to the people of this society? They deserve a lot better than that.

It was great to see the launch of the housing policy and the new approach to housing. It was really encouraging to see the extent to which human rights were, if you like, mainstreamed in that approach. In a sense, that is a great example of what the future might look like, with a Minister standing up and announcing a new policy while paying attention to the bill of rights from day one. That would be very helpful.

Finally, I honestly believe that this society has missed having a bill of rights. Some of the problems that we have experienced — the logjams, stalemates and other political difficulties that have put a lot of pressure on our political system — could have been resolved had we had the sort of bill of rights that was anticipated in the advice from the Human Rights Commission. It is tragic that that was never enacted.

**Mr Durkan:** Some of the points that Carál made were almost identical to those that I was going to make. It is good to see you again, Colin, even if you cannot see me, although maybe that is better for you.

I will start by saying that I concur 100% with you that everybody in this society deserves a first-class bill of rights. I found it interesting when you spoke about the renewed interest and vigour in a bill of rights, not just in the Assembly but in civil society. Where did you pick that up? How has that interest manifested itself? You spoke about how these things tend to be pitched at the judiciary, solicitors and politicians, and that is where Carál crossed over into what I was going to raise. Through the consultation process, I have been heartened by the number of "ordinary" people or groups on the ground who have contacted me to share their thoughts prior to responding to the consultation.

**Professor Harvey:** Thank you very much, Mark. Again, those are great questions.

I repeat the point about civil society here: we are very fortunate to have a lot of experience and real experts on human rights in our civil society. Brexit has refocused discussions on the debate. It has caused turbulence and anxiety, and people have fears and worries. At times like that, people look for more comprehensive guarantees, assurances of stability and guarantees in a human rights framework. In the current context, it is not surprising that people are revisiting the bill of rights conversation and asking why we do not have those protections copper-fastened in law so long after the Belfast Agreement and so long after the commission submitted its advice. Where are they? People are right to ask that, and Brexit has been a big part of that discussion. Mark, my sense is that we have some very good organisations, such as the Human Rights Consortium and others, that are very engaged as umbrella organisations in civil society and in drawing on a range of experiences and feeding into a wider conversation.

When I engage with and talk to people here, I find that they still want a bill of rights. They still feel that there is a need for a bill of rights, and they still feel that the sorts of rights that the commission proposed are the ones that they would like to see. What has been really striking in the last while has been the talk about social and economic rights protections, and perhaps that is connected in some way to the global pandemic and the focus on healthcare. There is a sense in which people ask, quite rightly, "Why are some of these things not fully legislated for? Why are the guarantees not there in law?". Personally, I would find it a fitting tribute to healthcare workers and others who have seen us through the current crisis to enshrine, in a bill of rights, strong protections for social and economic guarantees, including healthcare.

**Mr Durkan:** Yes, in the conversations that I have had, groups have thrown up ideas that I would never have dreamt of, and I am sure that we will see more of that as the consultation responses come through. At the same time, I confess that it petrifies me a wee bit that we will have a large number of responses to this. Who will wade through all the responses and discern what should be rights and what should not, what could be addressed elsewhere or what should have already been addressed in legislation? It will be difficult. A lot of people will, of course, be thinking about themselves, their own organisations and their expertise in that area, and it will be, "What about me?".

**Professor Harvey:** Mark, I will respond to that. A lot of expertise in this region is in collaboration, engagement and harnessing the views of wider society, so I urge the Committee to think about designing processes that draw upon that expertise in civil society and harness it in a collaborative way. I know that you are all, as Committee members and as elected representatives, concerned about issues of co-design and developing things in partnership, so let us be creative and imaginative and think about ways in which we can work together to draw in that experience and design a process that takes all those views on board in the final report that you produce.

**Mr Durkan:** Thanks a million, Colin.

**The Chairperson (Ms Sheerin):** Thank you very much, Professor Harvey. We have lost our quorum. There are only three members at the meeting, but we managed to get through everyone's questions, so thank you very much for your patience and for joining us this afternoon. It was really interesting, and your answers to all the questions were brilliant. Thank you very much. We will close the meeting there.

**Professor Harvey:** Thank you very much, and I wish you all the best in your work.

**The Chairperson (Ms Sheerin):** Thanks. Bye, Colin.