

# Just News

Human Rights in Northern Ireland

## Bill of Rights Forum Wraps Up

**Just News has been tracking the progress of the Bill of Rights Forum over the last fifteen months, and in this edition we are pleased to report its conclusion! This edition comments on some sections of the report produced by the Forum and handed over to the NI Human Rights Commission on 31<sup>st</sup> March. Future editions will continue this commentary, and invite input from all the parties and sectors represented on the Forum.**

As the representatives of the so-called the human rights sector on the Forum, our analysis is that the report contains many solid recommendations which, if brought forward in a Bill of Rights, would go a long way to securing and protecting the rights of everyone in Northern Ireland. In this edition of Just News we provide some of our own initial analysis of the proposals, as well as some expert external commentary. We intend to produce and disseminate a fuller analysis of the report and the process in the coming weeks.



In terms of Forum process, it is important to note that this was the first time a mechanism of this nature had been put in place in Northern Ireland; indeed it is possibly the first time such a mechanism has been tried internationally to advance a Bill of Rights.

So did it work? Yes and no. It will be clear from reading the 245 page report that there are a variety of positions on the rights' options presented. However, this should not detract from the achievements of the Forum. Prime amongst these was its immense value as a mechanism for delivering a hitherto absent cross-community debate on a Bill of Rights for Northern Ireland. Upon its establishment, many doubted the ability of the Forum to keep everyone at the table for the duration. Not only was that achieved, but it is clear – both from the deliberations and the final product – that there is much support across the political spectrum for the protection of human rights in Northern Ireland that needs to be built upon.

As a member of the Forum, looking around the room over the last fifteen months and listening to the various debates that took place, it was clear that while there may not have

been cross-community support on all the recommendations, more importantly there was cross-community participation and engagement throughout.

Given more time, there would have been much more we agreed upon. The discussions were too compressed at the end, as a result there was no time to negotiate higher levels of agreement on text or engage in greater consensus building. In hindsight, the Forum's timetable should have started after the process issues - which took six months of its time - had been agreed. There are many other lessons to be learned from the process, and these will be documented by CAJ in the coming months.

The Human Rights Commission now face the task of taking the Forum's work forward in its advice to the Secretary of State, which they have committed to doing on International Human Rights Day (10<sup>th</sup> December) this year. Thereafter, the government will respond to this advice and proceed with legislation, and has promised further consultation at that stage. So this has been another - crucial - stage of the process, and there are more stages to come. We are reminded of comments from a Canadian colleague that the process of developing the Canadian Charter of Rights took some fifteen years and that Bills of Rights are not developed overnight. Time needs to be taken to get it right and create the necessary ownership. The Forum was a key mechanism for building cross-community participation and ownership. This needs to be built upon, and CAJ is keen to continue the debate with the political parties and beyond.

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## ACLU Meeting

CAJ attended a meeting in London on April 14<sup>th</sup> jointly hosted by Shami Chakrabati of Liberty and Anthony Romero of the American Civil Liberties Union. They convened the meeting for heads of civil rights/civil liberties organizations in order to allow for a measure of networking and discussing of common concerns. In attendance were the directors of the national/jurisdictional organizations from Argentina, Israel, Hungary, Canada, South Africa, the Republic of Ireland and Northern Ireland.

The meeting was an opportunity to consider thematic and organizational challenges along with consideration of successful projects and methodologies which might be replicated in different contexts. Of particular interest were inputs on:

- the campaign in Britain against the government's attempts to increase pre-trial detention to 42 days. The Campaign entitled **Charge or Release** is successfully pulling together a wide coalition of political interests ahead of key parliamentary votes in the next weeks;
- the difficulties facing campaigns and litigation on behalf of unpopular defendants in the US. The ACLU has filed a number of legal challenges all of which have been defeated by the state tactic of claiming state secrecy. In the end, the only way to invoke the issues has been to take on as a client one of the leaders of the 9/11 attacks who has indicated great satisfaction with the results of his activities;
- the dynamics and contradictions of developing critical working relationships with state agencies in Ireland. The ICCL has worked with the police there to develop best human rights practice a range of operational areas. The perennial question is to what extent one is prepared to critique those with whom one has worked effectively should the need arise;
- using "unexpected advocates" such as former police officers or army generals in support of human rights perspectives. The ACLU has retained a former FBI agent as a political lobbyist at Washington while in Israel, the Association there has used evidence from former generals in litigation against military practices in the Occupied territories; and
- the dynamics of party political affiliation on governance bodies. Both in Britain and in South Africa, Board members and staff have been aligned to political parties in the context of government change. The impact on organizational relationships can be surprising.

Two caveats arise on reflection a tendency to look to overly formal a structure rather than to accept the value of an occasional opportunity for networking; and a danger of concentrated Anglo/American a focus, particularly with regard to the absence of representation from Palestine or the Muslim world. Overall, however, it was an opportune and useful meeting.

## Bill of Rights Forum Report summary

On 31 March 2008, the Bill of Rights Forum released its Final Report, containing its recommendations on what rights should be included in a Bill of Rights for Northern Ireland.

The Forum's report lays a foundation for a Bill of Rights. It is a sizeable document, and the main part contains the Forum's recommendations to the Commission. In a nutshell, the report's 7 chapters contain:

- a summary of the Forum's discussion of its terms of reference (chapter 2),
- discussion around a preamble and its possible contents (chapter 3),
- the substantial rights recommended (chapter 4),
- recommendations of technical provisions in relation to enforcement (chapter 5),
- recommendations on implementation (chapter 6),
- and the Forum's conclusions (chapter 7).

As the essence of the report, the substantive rights recommended are the outcome of consultation, detailed discussion, and intensive legal research. A range of civil and political as well as economic, social and cultural rights make up the substantial rights, all drawn from existing international human rights standards with due regard to the "particular circumstances" of Northern Ireland. Some of the rights recommended relate to provisions in the European Convention on Human Rights and importantly offer added protection.

The report clusters the substantive rights into 7 main groups:

- dignity and equality,
- personal integrity,
- freedoms,
- social and participation,
- justice including victims' rights,
- citizens' rights,
- rights particular to specific groups including children and young people, and women.

Under each cluster, proposals are made and levels of support from each sector are indicated for these proposals or in some cases alternatives are offered. Statements of position are then recorded outlining why support has either been opened or withheld.

The remainder of this edition of Just News examines a number of these proposals.

**Devika Prasad**  
CAJ Volunteer

# Rights, Equality and Identity

**In order to properly assess the equality provisions in the Bill of Rights Forum report, it is first necessary to appreciate the nature of the current equality framework that exists in Northern Ireland. That framework is somewhat akin to a patchwork quilt, consisting of a range of various acts of parliament and orders in council, which have been added to, and which have evolved over the past thirty years**

One of the advantages of the admittedly imperfect system is that the incremental increase in protection against discrimination has been matched by corresponding limitations on the scope of the legislation in order to allow for those areas of public life in which differences of treatment on grounds of race, or gender for example are not merely acceptable, but are actually to be encouraged. Treating people differently on grounds of their gender, race, or religion is not necessarily a bad thing – and the current law allows for this.

Under the current law in relation to discrimination in employment for example, it is not always unlawful to refuse to give a woman a job because of her gender. Only Catholic males can train to be Catholic priests for example – disadvantaging any Protestant, or indeed Catholic females who may wish to take up such a position. Most people however would accept that this is “fair and legitimate discrimination”.

There are however also other cases in which an employer, or service provider, such as the health service, may wish to fund a women’s centre, employ an outreach worker, or fund specific services for children to address their particular needs. Crucially however, the reason for doing this is not to exclude, but actually to promote, greater equality, and address existing inequalities.

Given that any Bill of Rights worth its salt would seek to cover a wide range of areas of public life, it is clearly imperative that the wording of any equality clause is broad enough to allow legitimate differences in treatment. This problem is not unique to Northern Ireland – the same issue arose with respect to the South African Bill of Rights. The South African solution was a legislative model of “fair” and “unfair” discrimination, which has now found its way into the final working group report as part of the recommended equality clause

The clause, while not perfect, like many aspects of the final report was the best compromise that could be cobbled together in the time available. Clearly such a clause would give a somewhat greater degree of discretion to the judiciary to determine what is fair and what is unfair than has hitherto been the case.

The recommended equality clause was supported by the overwhelming majority of those who took part in the process, with the exception that the DUP and UUP proposed an alternative clause. Significantly, their alternative clause does not contain the same caveat about fair and unfair discrimination meaning that arguably, under the DUP/UUP proposal, it would be unlawful to discriminate on grounds of religion or politics *in any circumstances*. Such an approach would, in our view be practically unworkable for the reasons identified above.

Perhaps the most potentially problematic clause in the whole document from an equality point of view however is contained not in the equality section of the report but is one of the options in the section on culture, language and identity. Here, the recommended clause contains a provision which states that

“everyone belonging to a cultural, ethnic, religious or linguistic minority or community has the right to choose whether or not to be treated as such and no disadvantage should result from their choice”. (Our emphasis)

This clause represents a distortion of the Framework Convention for the Protection of National Minorities which was designed to protect national *minorities* from forced assimilation, by giving minorities the right to determine how they would be treated, ie they could retain their minority identity, or they could in effect assimilate. They could not however be *forced* to do either.

This distorted version of the Convention however, applied within the context of a Northern Ireland Bill of Rights would provide grounds for challenging measures such as equality monitoring and 50:50 recruitment to the PSNI which require identification. Moreover, the current cross-community voting system in the assembly would be open to challenge given that the current system can be argued to disadvantage parties like the Alliance Party who do not wish to identify as either nationalist or unionist. For these reasons, the Council of Europe, the drafters of the Framework Convention, argued that such a provision should not be included in a Bill of Rights for Northern Ireland.

CAJ of course takes no position on the constitutional status of Northern Ireland – in our view political structures are a matter for political parties. We do however have a strong view that the fundamental principle underpinning any future Bill of Rights is that it must, in the first instance, abide by the maxim so beloved of physicians - *primum non nocere* – first do no harm. Unfortunately, the proposals relating to self-identification of communities as opposed to minorities do just that.

# Criminal Justice & Victims' Rights

**Given the centrality of victims' experiences and needs in a post-conflict society, allied with the history of due process violations that accompanied the conflict experience in Northern Ireland, it has long been evident that these provisions would be central to the perceived success of the Bill of Rights in Northern Ireland. While understanding the time and resource constraints the Forum was operating under, the structural placement of victims' rights with the criminal justice provisions in one working group raised CAJ's concern from the outset that neither set of critical needs would be well serviced by cohabitation with one another. The Working Group report in this area has some strengths but was disappointing in a number of critical ways.**

CAJ reiterates its view that drafters and others involved in the writing of a Bill of Rights need to understand the fundamental distinction between legislation (as well as legislative form) and the kind of legal language and form that is appropriate to a Bill of Rights. Moreover there is a danger that such writing tends to alienate rather than bring on board valuable legal and political allies (both in Northern Ireland and the United Kingdom) who are essential to the political passage of a Bill of Rights. At times, the Working Group Report on Criminal Justice and Victims seems not to advance this important distinction, and since the work of the Forum drew on Working Group reports this problem transfers to the final proposals.

A significant degree of internal confusion also permeated the original Working Group report, with varying terms being used to describe the same rights or limitations, and the internal organisation of the rights presented and their appropriate hierarchies were difficult to follow.

While as an NGO committed to the broadest possible reach of international human rights law norms we suggest in certain respects the proposals may be substantially outside the consensus of rights protections that might be acceptable in a politically framed process and subject to the ultimate review of courts. A clear example of this arises in the context of the right to physical (and psychological) integrity which sets out the right to be free from violence from either public or private sources. We are in favour of horizontal application of human rights' norms. Nonetheless, mainstreaming this approach into the core rights protected in the Bill of Rights holds many risks. There is no absolute consensus on this issue in international human rights law, through significant advances have been made particularly in the arena of women's rights, in bringing the state into areas of responsibility when third party violations occur.

But, there is no independent right or enforcement of third party rights against other third parties. While laudable as an ethical position, the social, legal and political consensus that would need to be developed to create this kind of consensus goes far beyond what a Bill of Rights can we think realistically achieve.

Looking forward CAJ would suggest that in any further drafting in this arena particular attention is paid to using legal terms in an accurate and focused way. For example, avoiding policy statements or the kind of detailed double reiteration found particularly in relation to detention rights, or highly detailed specifics are generally not in our view the best means to advance the protection we agree can be provided by a Bill of Rights.

We urge some further consideration of the proposed collapse of the distinction between the victims of crime and victims of human rights abuses. We are not fully convinced that the differences between them can be entirely collapsed as proposed here. We stress the importance of conceiving of the Bill of Rights as a forward looking document and not only one that is framed in terms of the past.

CAJ has been and remains an adamant supporter of Children's Rights, and as such offered qualified support to these rights in the final Forum report. The proposals originally put forward in the Criminal Justice & Victims Working Group report - which mirrored the juvenile justice section of the Children and Young People's Rights Working Group report - seemed in our view to tilt that fine balance of leaning too much to enunciation of one set of micro-rights articulation in multiple contexts when a generality would have, in our view been the wiser and more prudent course. Our general qualification on support for children's rights in the final report is centred around this concern.

One very positive aspect of the original Working Group report which did not make it into the final proposals was the idea of incorporating the right to dignity in the Bill of Rights. The right to dignity has a long jurisprudential background in international law, there is lots of comparative case-law and it could have subsumed a significant amount of minor provisions. It is disappointing that in removing it from the right to equality (which is where the Chair had originally proposed it be placed, but which was not supported by most Forum members) that it got dropped altogether.

In conclusion, CAJ hopes that the next stages of the process have a steep learning curve and suggests key lessons in the drafting arena:

- First, sometimes less is actually more. Constitutional like documents are not pieces of legislation, they are a vehicle in which principles can be set out in a way that allows growth, interpretation and if necessary further legislation or administrative regulations.
- Second, consolidation of rights protections, limitations clauses and other mechanisms are the key ingredient of the drafter's tool-box. They need to be put to use in presenting a Bill of Rights that actually stands some chance of legislative success and community support.
- Third, the Bill of Rights should build on existing international standards not open up those standards to weakening by inept re-drafting and over-reach on the scope of rights protections which states will actually sign up to.

A Bill of Rights is within our reach but it requires the proposals to be taken on board by a canny drafter with a keen sense of what is legally practicable and politically possible.

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## The Forum's Recommendations on Children's Rights in the Bill of Rights

**The inclusion of strong provision for children's rights in the Bill of Rights is vital if the rights of children and young people in Northern Ireland are to be promoted and protected now and in the future. How and why this should be done has been the subject of discussion and analysis by academics and policy makers. Opposition to the inclusion of children's rights in the Bill of Rights has been regularly expressed throughout the process on the basis that it is not relevant to 'the particular circumstances of Northern Ireland'.**

The latest proposals – submitted to the Northern Ireland Human Rights Commission by the Bill of Rights Forum on March 31<sup>st</sup> 2008 – reflect the continuing reality that while there is strong support among civic society and some political parties about the importance of detailed provision for children's rights, unanimous political support still does not exist on this issue. Without it, the proposals made by the Forum's final report will not lead to a Bill of Rights which meets international standards for children's rights and fulfils its potential to improve the lives of Northern Ireland's children.

In terms of substance, the Forum's final report contains recommendations for the inclusion of children's rights in a range of areas including 34 (equality and definition of a child) 35 (the best interests of the child), 36 (the right to participate), 37 (family life and care), 38 (protection from harm) and 39 (right to play). The range of rights covered is impressive as is the detail of provision. Indeed, in places, international standards are exceeded; for example, the requirement that the child's best interests be paramount in all actions and decisions concerning or affecting children is a strengthening of the equivalent CRC provision.

Similarly, provision is made for the child's right to be heard and to have his/her views taken into account in decision-making and proposals both recognise the child's right to be informed of this right and impose a duty on public authorities to both promote and protect it. At the same time, the proposed wording of some provisions needs to be strengthened and in others, indeed, they fall short of international standards such as the Convention on the Rights of the Child and the recommendations of the children's rights sector, who work with and for children. For example, the failure to reach consensus on the age of criminal responsibility is regrettable in light of the UN Committee recommendation that the age be set at 14 years (Yanghee Lee, Chair of the UN Committee on the Rights of the Child, 2008) and the provision on the involvement of children in armed conflict would appear, similarly, to be out of line with international obligations.

However, the fact that the proposals fall short in some areas is not the main concern here. What is striking about the Forum's report is the continuing opposition to the inclusion of children's rights in the Bill of Rights on the basis that children's rights are not relevant to the 'particular circumstances of Northern Ireland'. Thus, while civil society groups, among others, strongly support the proposed children's rights provisions, the opposition means that the stalemate continues. Unless a solution can be found, the potential of the proposals to ensure the protection and promotion of children's rights in Northern Ireland will remain unfulfilled.

**Dr Ursula Kilkelly,**  
**Senior Lecturer, Faculty of Law, University College Cork**

## Civil and Political Rights in the Bill of Rights Forum Report

The European Convention on Human Rights (ECHR) is predominantly a document of civil and political rights. Thus a Bill of Rights for Northern Ireland provides an opportunity to take stock of rights protected in the ECHR, consider how they have been interpreted by domestic courts and the European Court of Human Rights, and address gaps in rights protection. The Bill of Rights Forum Report takes a robust approach to this task, supplementing all of the core rights in the ECHR, placing on equal footing certain rights currently in ECHR protocols (thus not enforceable in domestic courts by way of the Human Rights Act (HRA)), and introducing provisions not protected by the ECHR. The Report elucidates rights in more concrete terms than the ECHR in many instances, limiting to an extent the scope of future interpretation by the governments and courts. The number and breadth of the rights prohibit a full discussion here, but among notable points that can be raised from the Report are the following:

- Protection of the right to life would require an effective investigation of suspicious deaths, whether the death occurred before or after the enactment of the Bill of Rights. This provision would have implications for the investigation of conflict-era controversial deaths, in particular those where the European Court has found that an effective investigation did not take place. Domestic courts have held that there is no domestic obligation under the HRA to ensure an effective investigation in cases that pre-dated the HRA (see, e.g., *McKerr*, HL 2004 and *Jordan*, HL 2007), and the government has made no indication of re-investigating closed cases except by way of the Historic Enquiries Team. The proposed clause, could thus ensure cases are re-opened and re-investigated, marking a divergence from the HRA and potentially compensating for gaps in right to life protection in Northern Ireland.
- Similarly related to the issue of “dealing with the past,” a clause in the freedom of expression section provides for “right of access to information, including any information held by public authorities and any information that is required for the exercise or protection of any rights in the Bill of Rights.” While this clause could be significant for those seeking disclosure of information on policy and budgetary decisions, or indeed individual case files in the areas of health, housing, education, etc, it would also create a legal obligation to disclose information implicated in right to life cases. For example, documentation on shoot-to-kill policies or information obtained through informants. This provision is not without restriction: It contains a clause, limiting the right as necessary in the

interests of public safety, for the prevention of disorder or crime, for the protection of the reputation or rights of others and for preventing disclosure of information received in confidence (among other limitations). Thus the right to information would be balanced not only by public concerns, but also by additional rights found in the Bill of Rights that relate to other individuals. More broadly, an access to information clause is important to promote transparency, social inclusion, and participation of individuals in all aspects of political life.

- The rights of women are emphasized in numerous provisions of the Report, both directly and indirectly. For example, the clauses protecting the right to physical (and psychological) integrity encompass a right to be free from domestic violence, sexual violence, and sexual harassment, among other conduct, and the right to make decisions within the law concerning reproduction. Similarly, the freedom from torture provision includes freedom from rape and other forms of sexual assault. These additional elements make the prohibition of sexual violence unambiguous and raise the profile of the need to prevent gender-related violence. More directly, a political participation provision allows for temporary measures to achieve balance in men and women holding public positions. Where the ECHR avoids gender-specific content, these clauses address existing inequalities.

- Under the Forum’s proposals, the right to liberty would include that “No one shall be deprived of liberty on the ground of failure to pay maintenance or a debt, fine or tax.” This provision is an important step toward decarceration of non-violent offenders and could in part alleviate one form of discrimination in the criminal justice system, as imprisonment for debt and non-payment of fines disproportionately affects the poorest in the community and represents a large portion of imprisoned women in Northern Ireland. A less specific clause of this type is included in Protocol 4 of the ECHR (not given effect by the HRA). The Report’s clause could have a significant impact in Northern Ireland; for example, a 2007 Northern Ireland Human Rights Commission investigation reported that 119 women were imprisoned for non-payment of fines in 2005-06.

- Finally, there is one provision addressing a specific community that has faced multifarious forms of discrimination on the island of Ireland: Travellers. The Report provides for a “right to choose a nomadic or settled lifestyle.” Travellers are perhaps greater protected by equality provisions, but the inclusion of this right may play a symbolic role in demonstrating respect for a nomadic lifestyle choice and this minority’s place in our society.

**Marny Requa**  
**Queens University**

# Preamble, Enforcement and Implementation

**A Bill of Rights without strong and effective enforcement and implementation mechanisms is essentially meaningless. In many ways, therefore, these clauses are the most important in any Bill of Rights. It is perhaps noteworthy then that this section of the report is the one with the highest levels of agreement and support.**

CAJ, as human rights sector representatives on the Forum, convened the Working Group tasked with making recommendations on these three key areas. The report produced by the Working Group was the only one to be supported by all political representatives and other members of the Forum. This was made possible by virtue of the approach adopted in the report of recording all the options and the levels of support for these. Crucial to this approach was the articulation of quite a full rationale, which provided thorough analysis of the legal and other arguments for and against each option, which in turn provided an explanation for the positions taken by the various members of the Working Group. Importantly, however, the discussion of the rationale in the Working Group meetings allowed for a full exploration of the issues at hand, which in fact made it easier to reach agreement on many of the recommendations. Such was the level of support for the report of the Working Group that in the Forum plenary it was agreed that its proposals be transferred en masse into the final report of the Forum.

It is also worth noting that the approach taken in the report of the Preamble, Enforcement and Implementation Group was in fact then agreed among Forum members as a template for the overall report of the Forum. However, time pressures precluded the discussion and development of the same level of rationale, to the detriment of the final report and the levels of agreement therein.

As regards preamble, there was consensus that there should be a short preamble at the beginning (as opposed to preambular text for specific sections which had been suggested by a number of other Working Groups). The Working Group had not proposed any particular text as there were a variety of views on what constituted short. In plenary the Chair proposed a number of potential elements, and the unionist parties also proposed a draft preamble. However, this was one of the last items to be discussed and negotiations were really carried out at the eleventh hour, as a result of which there was no overall agreement on a form of words. This is one instance where it is clear that with more time a text could have been agreed.

The proposals in relation to enforcement cover such technicalities as limitations, derogations, standing, remedies etc and again the levels of support for many of these are noteworthy.

One of the most important enforcement issues addressed in the report and which remains to be decided is the relationship between the Human Rights Act (HRA) and the supplementary rights and how the latter should sit alongside the former. There are three potential models:

- Repeal the HRA as it applies to Northern Ireland and adopt a new Bill of Rights that incorporates both rights contained within the HRA and any newly proposed Supplementary Rights.
- Pass legislation to introduce new rights for Northern Ireland and in the process amend the HRA to address what may be regarded as its present shortfalls (e.g. standing, application, enforcement and substantive rights).
- Retain the HRA in its present form and introduce Supplementary Rights in separate legislation for Northern Ireland. Enforceability/implementation proposals beyond those in the HRA would only be applicable to the Supplementary Rights contained in the separate statute.

This is not just a layout issue (although it does have implications for this), but has important ramifications for a range of enforcement and wider issues. While the first model would at first sight be preferable for the purposes of delivering a comprehensive, inclusive and accessible Bill of Rights for Northern Ireland, it also opens up the possibility of undermining the Human Rights Act, which - for all its faults - would not be tolerated by the human rights community.

Another particularly significant clause in this section - which again achieved consensus among the Forum - is the non-diminution clause which makes it clear that nothing in the Bill of Rights shall be interpreted as restricting or adversely affecting human rights as recognised by international law to which the UK is a party. This effectively ensures that the Bill of Rights cannot undermine existing domestic and international human rights standards and is extremely important.

The measures proposed regarding implementation - which achieved consensus among all Forum members - contain some excellent recommendations covering accessibility, education and litigation support. Importantly, they make it clear that there must be a central government authority with primary responsibility for co-ordinating and funding implementation activities, thus ensuring that the government takes ownership and leadership in promoting the Bill of Rights, something that was arguably lacking as regards the Human Rights Act.

## Civil Liberties Diary

### 4<sup>th</sup> March

Police officers involved in the fatal shooting of Steven Colwell at a checkpoint in Ballynahinch two years ago could face criminal charges. The Police Ombudsman's Office announces that it is in the process of preparing a file on the incident to be passed to the Public Prosecution Service.

### 6<sup>th</sup> March

The PSNI is on track to reach a government target of 30% Catholic officers within the next three years. At that stage the policy of 50:50 recruitment could be halted. Paul Goggins told parliament that the number of Catholics in full-time policing had trebled since 1998 and now stood at almost 24%.

### 7<sup>th</sup> March

PSNI Chief Constable Sir Hugh Orde tells the NI Policing Board that public inquiries and inquests contentious deaths during the Troubles are taking much needed police resources away from tackling current crime.

### 11<sup>th</sup> March

Strangford MLA Michelle McIlveen calls for the gender imbalance to be addressed in relation to the number of female head teachers employed by the Department of Education. Figures released in response to an Assembly question show that while 80% of primary school teaching posts are filled by women, they still remain under-represented in the principal pay grades.

### 12<sup>th</sup> March

Sir John Wheeler, a former NIO Security Minister, tells the Billy Wright Inquiry that he never received an intelligence report in which an MI5 agent handler warned that RUC Special Branch that INLA prisoners at the Maze prison were plotting to murder Wright.

The PSNI are accused of providing useless and unintelligible documents to lawyers trying to prepare for the inquest into the death of an IRA man

shot dead by police in controversial circumstances. The inquest into the killing of Pearse Jordan will likely be delayed until the autumn.

The Assembly's Executive Review Committee recommends that a single government department should be set up to oversee policing and justice when they are devolved. However the committee was unable to agree when those powers should be devolved. A deadline of 1<sup>st</sup> May set by the two governments has been opposed by Unionist parties.

### 13<sup>th</sup> March

Researchers from the Northern Ireland Commissioner for Children and Young People (NICCY) said 16 and 17 year old school leavers should earn the same amount as 21 year olds. The report said they should also be given more money through benefits and be given better information on how to access the cash as part of an action plan to target child poverty.

The appointments of the four victims' commissioners are to be challenged in the High Court in Belfast. Mr Justice Gillen ruled there was enough public importance in the case brought by Michelle Williamson to grant leave to apply for a judicial review. The applicant, whose parents were killed in the 1993 Shankill Road bomb, claims that the new panel is unacceptable.

Lawyers for two former IRA prisoners are to take their case to the House of Lords after the pair lost a legal challenge over being rejected as employees of the organisation once details of their paramilitary convictions were disclosed.

### 18<sup>th</sup> March

Figures released show that just half of almost 2,000 Freedom of Information questions put to police have been answered in full since the legislation passed in January 2005. The force has also failed to answer 30% of inquiries within the statutory deadline.

Figures which show sectarian and racist crimes to have dropped by a third over the last 12 months are criticised as inaccurate. It is feared that hundreds of hate crimes are not being recorded following changes to the police system for logging offences. A PSNI spokeswoman said that final hate crime statistics are likely to be higher.

### 26<sup>th</sup> March

CAJ tells the Northern Ireland Affairs Committee that the decision to withhold a police report on security force collusion in Northern Ireland's paramilitary murders could be open to challenge. A coroner investigating the 1989 murder of solicitor Pat Finucane has been given access to the dossier compiled by Sir John Stevens while his family have not.

### 31<sup>st</sup> March

The Bill of Rights Forum chairman Chris Sidoti presents recommendations to the Northern Ireland Human Rights Commission. The Forum was comprised of 28 representatives from politics, business, trade union, Churches, community and voluntary sectors and aimed at securing cross community support for a Bill of Rights for Northern Ireland.

*Compiled by Mark Bassett from various newspapers*



*Just News welcomes readers' news, views and comments.*

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*Correspondence should be addressed to the Editor, Fionnuala Ni Aoláin, CAJ Ltd.*

*45/47 Donegall Street, Belfast BT1 2BR  
Phone (028) 9096 1122*

*Fax: (028) 9024 6706*

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