

# Just News

## Human Rights in Northern Ireland

### ***Human Rights in Northern Ireland: an opportunity for further progress***

*On 20th January 2003, the following statement was issued on behalf of Amnesty International, British Irish Rights Watch, Committee on the Administration of Justice, Human Rights Watch, Irish Council for Civil Liberties, Lawyers Committee for Human Rights, Liberty, and the Scottish Human Rights Centre.*

Given the prospect of renewed political negotiations in Northern Ireland, we urge that human rights issues be at the heart of such discussions. We believe that it is appropriate at this juncture to re-state the human rights concerns that we think deserve particular attention. Our eight organisations have consistently argued that human rights abuses have fed and fuelled the conflict in Northern Ireland. We believe that the conflict, and the human rights abuses associated with it, have also had a significant negative impact on the protection of civil liberties throughout Britain and Ireland.

Peace cannot be permanently secured without addressing the long-term protection of everyone's human rights and, despite the advances in recent years, obstacles have been placed in the way of change. Much still remains to be done to effect real change on the ground. Accordingly, we call on governments, political parties and broader civil society to commit themselves to developing concrete benchmarks against which progress in the advancement of human rights and equality in Northern Ireland and all neighbouring jurisdictions can be delivered.

In particular, we call for:

1. political commitment to the process of developing, legislating for, and subsequently enforcing a strong and inclusive Bill of Rights for Northern Ireland.
2. the establishment of mechanisms for dealing with Northern Ireland's legacy of past human rights abuses. Mechanisms are needed to ensure accountability for human rights abuses, with a view to ending impunity, and such mechanisms must operate in accordance with international human rights principles.
3. the repeal of emergency legislation, which undermines rather than ensures people's security.
4. guarantees to ensure that the outcome of any devolution of policing and criminal justice responsibilities in Northern Ireland be compliant with human rights norms. Consideration should be given to establishing an expert

independent commission with international human rights expertise to advise on these issues.

5. compliance with recommendations by human rights treaty bodies, most recently the UN Committee on the Rights of the Child.

6. the building on and advancing of efforts to mainstream human rights and equality considerations into all policy making, in particular the Assembly and its scrutiny committees, the Executive, the public service, and – of particular importance also to the other jurisdictions - the North-South Ministerial Council, the British-Irish Council and the British-Irish Inter-Governmental Conference.

7. the carrying out of independent reviews into the work of the statutory bodies created explicitly to further the human rights and equality agenda in Northern Ireland - the Human Rights Commission and the Equality Commission. The reviews should assess what further powers, resources, and changes are needed for these bodies to enhance their capacity to conform to best international practice for such work.

8. a renewed effort to resource local community and participatory initiatives to address deep social divisions, including sectarianism and other forms of discrimination, segregation, and continuing high levels of violence in Northern Ireland. Detailed programmes of action must be urgently developed to address problems such as racism, violence in the home, and particularly sectarianism. Human rights language, concepts and principles have much to offer to tackling these problems.

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9. tackling socio-economic inequalities and long term unemployment, much more effectively than has been the case to date. The political will to set clear targets and timetables for change, and then to bring those targets about, is vital.

10. a re-visiting of several of the human rights concerns addressed in the Agreement which have received relatively little attention. The concerns there around language, cultural diversity, the importance of women participating in public life, unemployment differentials, the needs of victims, of ex-prisoners, of young people, and the need to promote efforts at reconciliation and greater tolerance, require re-visiting and receiving more priority than has been the case to date.

This programme focuses on Northern Ireland, since that is largely the focus of the current political discussions. However, the conflict has had an impact on the neighbouring jurisdictions; it is our fervent hope that human rights advances made in Northern Ireland will have an impact throughout these islands. The Irish government has already committed itself in the Agreement to ensuring in the Republic at least an equivalent level of human rights protection as prevails in Northern Ireland. Realisation of this commitment will contribute significantly to advancing an environment for progress.

We believe that, in conformity with their international obligations, both the UK and Irish governments should ensure effective protection of human rights throughout these islands.

[**Note: Signatory organisations have different mandates. Some do not work on socio-economic rights, others differ about how best to ensure effective accountability for past human rights abuses. All share an interest in human rights in NI, and agree on the importance of the international human rights principles that give rise to this general action programme.**]

### **CAJ's latest submissions!**

**Response to consultation document issued by the Coroners Review Team**, December 2002; A4 format; £3.00 (Ref. S.136)

**Comments and Suggested Amendments to the Police (Northern Ireland) Bill**, December 2002; A4 format; £1.00 (Ref. S.137)

**Response to Sir George Quiqley's review of the Parades Commission and Public Processions (NI) at 1998**, January 2003; A4 format; £1.50 (Ref. S.138)

*Anyone interested in obtaining a copies of the above, should contact the CAJ office on 028 90961122.*

## **Amnesty International's future work on policing**

**As a former Amnesty International staff member, but with a CAJ “hat” on and bringing a local human rights perspective, I was recently delighted to be invited to a strategy meeting about Amnesty’s future work on policing. Apart from holding the meeting in Amsterdam, one of my favourite places, the meeting was fascinating. It brought together Amnesty members, policing experts, and country expertise from around the world. Experts from Afghanistan, East Timor, Venezuela, Southern Africa, Slovenia, and several West European and North American countries came together to exchange their experiences and develop guidelines for working to ensure that “policing” and “human rights” become integrally related concepts.**

Most of the recommendations related to Amnesty’s future work in the area, but from CAJ’s perspective it was fascinating to explore how issues of composition, training, recruitment, and most importantly accountability structures have international parallels. It was also immensely satisfying to learn that CAJ’s work on international good practice in policing (the book Linda Moore and Mary O’Rawe produced in 1997, entitled Human Rights on Duty) is considered a key ‘primer’ in the area. Whether it was the Afghan training consultant, the East Timor Amnesty researcher, or the Dutch coordinator of Amnesty policing groups world-wide, they all had found the material of great value in helping them develop change programmes for policing in their different areas.

People present were of course very interested in learning about the policing change process underway in Northern Ireland. This international interest made it seem all the more important to ensure that the promises of the Patten change programme really deliver change on the ground.

*Maggie Beirne*

## *The Quigley Review of the Parades Commission*

**Sir George Quigley's Review of the Parades Commission and Public Processions (Northern Ireland) Act 1998 was circulated by the Northern Ireland Office at the end of November. CAJ's response will be raising the following kinds of concerns.**

Sir George proposes three options for the future of the Parades Commission. The first is to maintain the Commission largely as is, in the belief that it will over time prove able to guide the various protagonists towards local accommodation. The second is to close some contentious routes (given demography and the history of the parades) for the foreseeable future, with the possibility of review of the closure in the long term. The third option, which is adopted by Sir George, is to reshape radically the existing regulatory machinery.

CAJ found it surprising that Sir George did not argue more clearly why such a radical re-think was needed. After all, as the report indicates "The (Parades) Commission believes that, whilst there is no seismic change, there is now considerably more engagement and that the 'green shoots of resolution are breaking through what was once particularly stony ground.'"

### **CAJ's concerns**

The CAJ has many concerns with the Quigley Report's proposals for the formal determination process and believe they do not achieve their proclaimed goal of clarity. Sir George believes that the criteria the Parades Commission uses to make its decisions are unclear and too complex. He recommends replacing the section of the 1998 Act, which contains the existing criteria, with the language of article 11 of the European Convention on Human Rights ("ECHR"), which addresses freedom of peaceful assembly and association. There are several problems with this approach.

First, the ECHR is already incorporated into all domestic legislation via the

Human Rights Act. Second, it is problematic to select article 11 of the ECHR and not the other articles of the ECHR cited by different parties to the parades dispute, such as articles 8, 9, 10, 14 and 17. Third, Sir George does not suggest incorporating all of article 11 in the same way.

Article 11 of the ECHR allows for restrictions on the right to peaceful assembly which are "in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others." For some reason, Sir George believes that a new Rights Panel for Parades and Protests would determine whether restrictions must be made to a parade "for the protection of health or morals or for the protection of the rights and freedoms of others," and that the Police Service of Northern Ireland would make a second determination on whether restrictions must be made "in the interests of national security or public safety, for the prevention of disorder or crime."

### **Decision making structures**

Apart from being unclear why one would establish different decision-making structures for different parts of the same Convention article – the distinction being proposed is in fact quite problematic. Sir George seems to want to leave all rights-based evaluation to the Rights Panel.

But the police are bound by the Human Rights Act and cannot simply disregard the rights implications of their actions.

More importantly in our view is the fact that this proposal would put the police

back into a central decision making role once again. Decisions about public safety and public order, taken by the police, would become the crucial determinant as to whether a parade could or could not proceed.

While the Parades Commission is the current recipient of much criticism from all sides about the decisions taken, the Quigley proposals are simply likely to put the police back in the hot seat again. Given the importance of the police being seen by all sides of the community as impartial, and as upholders of the law (not the law-makers), this seems a completely retrograde move.

### **Need for transparency**

CAJ recognises the concerns that Sir George raised about the need for transparency. Clearly natural justice requires transparency, CAJ was however greatly surprised at the report's conclusion that "it is difficult to envisage circumstances in which many need feel any inhibitions about expressing their views fully."

CAJ in its submission argued for transparency but also raised concerns in its submission about people – both marchers and residents – who have indicated to us that they have very serious concerns about their safety. The concerns reported to us related both to the possible reaction on the part of other parties to the dispute, but also the reaction of those within one's own community or group, with whom one might disagree.

A copy of CAJ's final submission is available from the office.

**Most of the debate recently around the publication of the census figures focussed on when one might expect a majority of people to vote for a united Ireland. This was unfortunate as the census contained hard evidence of the continued unacceptable levels of deprivation and inequalities in Northern Irish society. Amidst debates about the likely date for a border referendum, an opportunity to hold decision-makers to account for failure to address the shocking levels of need in our society seems to have been missed.**

### **Never worked**

According to the latest census figures, the percentage of those who have never worked as a percentage of unemployed persons across Northern Ireland as a whole is 12%. The highest figure for any individual District Council area is almost 18% for Strabane followed by Omagh and Belfast (both on 16%), Derry (14%), with Lisburn, Fermanagh, Dungannon and Cookstown all just over 13%. The lowest figure for unemployed who have never worked is Banbridge with just over 6%, followed by Castlereagh and North Down (both less than 8%).

In relation to Belfast the breakdown by ward level reveals that those wards with the highest percentage of unemployed who have never worked are Whiterock (32%), Upper Springfield (30%), Falls (27%) and New Lodge (25%). Outside of Belfast the figures show that the highest percentage is to be found in Shantallow East in Derry at 32%, followed by a number around 27%, namely Coagh and Killycolpy in Cookstown (28%), Belcoo and Garrison (Fermanagh), Crossmaglen (Newry and Armagh), Camowen (Omagh) and East Strabane.

### **Long-term unemployed**

Looking at the figures for 'percentage of unemployed who are long-term unemployed' (ie those who have stated that they have not worked since 1999 or earlier), the overall figure for Northern Ireland is just over 40%. Those District Council Areas with the highest figures are Derry and Armagh (over 45%), followed by Belfast, Coleraine, Cookstown, Craigavon, Larne, Moyle, Newry and Armagh, Omagh and Strabane all with between 40 and 45%. Again, the Council areas that come out best are Castlereagh and North Down with just under 34% of the unemployed therein being long-term unemployed.

Looking at individual wards, the figure for the Shankill at over 55% is the highest for Belfast, followed by Crumlin 52%, Andersonstown 51%, with Clonard, Duncairn, Glencairn and the Glen Road all just over 49%. In fact with respect to Belfast, no fewer than 29 out of 51 Belfast wards

have 40% or over of their unemployed as long-term unemployed. Outside of Belfast the wards with the highest figures are Glenshesk in Moyle at just over 64%, Parkgate in Antrim has a figure of 58%, while Bannside and Dromore North, both in Banbridge, have figures of 58% and 56% respectively. Also on 56% are Creggan Central and Strand in Derry.

It is perhaps worth pointing out that the census figures do not relate solely to 'economic activity'. The 'key statistics' also include information for example on amenities and central heating, which reveal that almost 0.3% of all households in Northern Ireland are without central heating or sole use of a bath/shower and toilet. In Fermanagh the figure rises to almost 1%, (or over 200 households), with one ward in Fermanagh having almost 3% of households without central heating or sole use of a bath/shower and toilet. Other key statistics include persons with limiting long-term illness, educational qualifications, travel to work catchment areas, etc.

### **Monitoring data**

The census figures are of course not the only ones which have just been published and which should be guiding public policy makers. The latest monitoring figures from the Equality Commission for example show that the steady increase in Catholic participation of approximately 0.5% per annum which occurred throughout the 1990s has now levelled off, and for a second year in succession no increase in Catholic participation in the workforce has been apparent. This is in spite of the fact that the Catholic share of the monitored full-time workforce now stands at 39.5%, and in spite of the fact that Catholics make up about 43% of those available for work.

Another worrying development is that the trend is currently towards an increasingly Catholic and female public sector, with a correspondingly Protestant and male private sector. The unemployment differential, though not as pronounced, is also still very much a part of the statistical scene in Northern Ireland.

### **Catholic "versus" Protestant disadvantage**

That is not to suggest that Catholics have a monopoly on deprivation, although they are clearly disproportionately affected. The figures above clearly also reveal what everyone has known for some time – namely that Protestant disadvantage is more likely to be concentrated in 'pockets of deprivation' in otherwise fairly affluent District Council Areas.

# Statistics

Thus, while Banbridge District Council has two of the wards with the highest levels of long-term unemployed, overall it is actually the best Council District to live in, in terms of percentage of unemployed who have never had a job. In general, Catholic deprivation tends to be more evenly spread.

## Location of jobs

The most striking thing about viewing these figures is that most people could probably have predicted them without the aid of the census – none of the information is particularly surprising. For example, the recent equality impact assessment on the location of civil service jobs in Northern Ireland sought to examine ways in which a policy could be formulated which would better promote equality across the Section 75 categories. Clearly, the current situation in which over 70% of civil service jobs are in the greater Belfast area adversely impacts those living in the Council areas listed above such as Strabane, Derry, Newry and Mourne etc.

CAJ argued for a programme of job dispersal for the Civil Service to be implemented immediately, which would have the effect of promoting equality between people of different religious beliefs, political opinions, genders, those with dependant children, those with caring responsibilities (to name but a few Section 75 groups), as well as actively Targeting Social Need.

Job dispersal would mean that unemployed and long-term unemployed people living beyond the current concentration of civil service jobs in the Greater Belfast area could benefit. As would those currently employed within the civil service who live 'West of the Bann' and have to travel long distances which inconveniences not only themselves but also their family members – not to mention the adverse impact it creates on the transport infrastructure and environment.

## Procurement Review

As stated above however, in addition to the need to redirect resources 'West of the Bann' there is also the issue of 'pockets of deprivation'. Given the shocking figures cited above for wards such as Upper Springfield, Falls, and the Shankill, implementation of the West Belfast and Greater Shankill Task Force Report assumes greater urgency – again something CAJ has argued for some time.

It is also worth recalling that the Procurement Review (which sounds boring but is actually a crucially important document) recommended that pilot projects to assist the unemployed should be instituted. This would involve

conditions being included in certain contracts requiring suppliers to implement a concise plan for utilizing the unemployed in the work on the contract - including work carried out by sub-contractors. The review recommended that the pilot should contain a critical mass of projects, at least 20, and at least one by each Department, and should apply to all Northern Ireland Departments, Agencies, Non-Departmental Public Bodies (NDPB), and public corporations and should be commended to local authorities for their consideration.

Significantly, the report did not distinguish between Catholic or Protestant unemployed – all would benefit – Shankill, Crumlin, Andersonstown, Clonard, Duncairn, and Glencairn take note!!! Unfortunately, since this recommendation was put forward last May, it is unclear what progress – if any, has been made in implementing the review. Again, CAJ has been pursuing this actively.

In addition we have also argued the need for resources to be targeted on the basis of need in relation to the activities of the Housing Executive, allocation of resources to Health Boards and Trusts, activities of public bodies such as Invest NI, EU Spending Programmes, Employment Training Initiatives, etc. Doesn't that already happen I hear you ask? Well, not really.

The pattern of the past has tended to be one in which resources are allocated on a per capita basis, ie based on the number of people, not the level of need in an area. Furthermore, it is worth recalling that last year a decision was taken to withdraw funding for a community based job club in the New Lodge Area of North Belfast, where as the census reveals, 25% of the unemployed are long-term unemployed. Surely, these cannot be seen as actions commensurate with the promotion of equality and the targeting of social need.

### In the Headlines

CAJ holds newspaper clippings on more than 50 civil liberties and justice issues (from mid 1987-December 2000).

Copies of these can be purchased from CAJ office. The clippings are also available for consultation at the office.

Anyone interested in this service, should phone (028) 9096 1122.

## Update on the Police Bill

**CAJ has been following the Police (NI) Bill and its passage through the House of Lords. We have met with NIO officials to discuss our concerns and have also successfully persuaded a number of peers to raise points of concern identified by us and to put down amendments to the legislation which will deal with those concerns.**

We welcome some of what has been proposed but we have grave concerns in relation to a number of the draft clauses, particularly those relating to the Public Meetings of the Board, the Reports from the Chief Constable, Board Inquiries and the new investigations power for the Police Ombudsman. We believe these proposals as they stand do not fulfil the terms of the Patten report and in some cases do not meet what was promised in the revised Implementation Plan.

Some of the positive aspects of the Bill include provisions which have as their aim the strengthening of the powers of the Board. Under the Police (Northern Ireland) Act 2000 which was designed to implement Patten, the Secretary of State (SoS) had the power to determine and revise long term objectives for the policing of Northern Ireland. If he did that he had to consult with the Board. The new Bill obliges the Secretary of State to consult the Board "with a view to obtaining its agreement to the proposed objectives or revision".

A disappointing aspect of the Bill is the proposal to reduce the number of public meetings the Board has to hold each year which is a clear departure from Patten who recommended that the Board should "meet in public once a month" (para 6.36). The 2000 Act in fact set the minimum number of public meetings each year at ten. This proposal will reduce it still further to eight. This is a retrograde step in terms of transparency and public accountability. Nothing in the revised Implementation Plan nor the public part of the Weston Park agreement indicated that this departure was envisaged.

We have long argued that the Ombudsman should have the power to investigate policies and practices so we welcome the introduction of that power in this Bill. It is noteworthy that the Bill as originally published envisaged a situation where the Chief Constable would be able to appeal decisions of the Ombudsman to investigate in this way to the Secretary of State in much the same way as he can appeal decisions of the Board to hold inquiries. However, after intense lobbying the government amended the relevant section. We are still concerned at the restriction placed on this power in the Bill which means that the Ombudsman can only investigate "current" policies and practices. There is no such restriction on the Ombudsman's power to

investigate individual complaints. In relation to such complaints she has the power to investigate subject to certain time constraints which can be overcome in cases of public importance.

The Bill also had a restriction on the power of the Police Board to request information from the Chief Constable. He was under an obligation to provide information which the Board "reasonably" requested. CAJ argued, along with others, that the inclusion of the word "reasonably" was an undue restriction on this power and is not included in the sections which detail the Board's powers to obtain reports from the Chief Constable. The government accepted this argument and the word was deleted.

The new Bill also deals with the problematic issue of reports requested from the Chief Constable by the Board and the holding of Inquiries by the Board. The 2000 Act allowed the Board to request reports from the Chief Constable and to hold inquiries but both powers were subject to appeal by the Chief Constable to the SoS on four grounds: national security; relates to information regarding an individual and is of a sensitive *personal* nature; would prejudice proceedings which have commenced in a court; or would prejudice the prevention or detection of crime or the apprehension of offenders.

Under this Bill the grounds are three fold: national security; information is sensitive *personnel* information or would be likely to put an individual in danger; the information would prejudice proceedings which have commenced in a court of law.

The removal of the fourth criterion is welcome but the three remaining criteria are sufficiently broad to cause potentially grave problems.

In addition, the phrase "information the disclosure of which would be likely to put an individual in danger" has no basis in Patten and was not included in the 2000 Act yet it has been added to this draft clause. In the revised Implementation Plan the NIO did not mention this additional ground.

**CAJ will continue to monitor the Bill and try to ensure that it fully reflects Patten and international human rights principles.**

## Asylum and Citizenship in Ireland

In recent years, Ireland has experienced unprecedented numbers of applications for asylum. According to the 2001 annual report of the Organisation for Economic Co-operation and Development (OECD), "Trends in International Migration", asylum seekers represent 9.27% of the total foreign population in Ireland – a percentage which ranks as the highest of all 27 OECD countries. Various factors combine to explain this trend, including the very generous citizenship laws currently operating in the State. Ireland is one of the few remaining common law countries which bases its citizenship laws on the *jus soli* principle (citizenship by virtue of birth within the State territory) as opposed to *jus sanguinis*, which grants citizenship on descent.

Section 6 of the Irish Nationality and Citizenship Act, 1956 accordingly provides that: "(1) Every person born in Ireland is an Irish citizen from birth." Furthermore, Article 2 of the Irish Constitution as amended in 1998 for the purposes of the Good Friday Agreement also guarantees that: "It is the entitlement and birthright of every person born on the island of Ireland.....to be part of the Irish nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland." It should be emphasised that the amended Article 2 does not diminish or increase the grounds for citizenship for any person born in the Republic of Ireland although it does confer the right to citizenship on any person born in Northern Ireland.

It has been acknowledged that Irish citizenship laws in their current form may potentially be open to abuse by failed asylum seekers who hope to claim residence on the basis of the constitutional rights of their Irish children, born in the State pending the processing of their asylum applications. However amending the citizenship laws to sew up this loophole would not only raise questions on humanitarian grounds but would require a referendum in order to amend Article 2 of the Constitution. There is obvious reluctance on the part of the State to follow this course, given the potential implications for Irish citizens in NI.

It was in this context that the Irish Supreme Court was called upon, in the cases of Lobe and Osayande, to deliver judgment on the correctness of decisions taken by the Minister for Justice to refuse the right of residence in the State to the parents of Irish citizens.

### Ruling of the Supreme Court in L. and O. v. Minister for Justice

On 23 January 2003, the Supreme Court held by a 5-2 majority that: the right of the child to enjoy the care and society of its non-national parents, in the State, did not necessarily flow from the family rights under Articles 41 and 42; that the case of *Fajujonu v. The Minister for Justice* [1990] 2 I.R. 151 was not a precedent for entitling non-national parents of Irish citizens to reside in the State and could be distinguished on the basis of its complex facts; and finally that even if it were construed that the child's rights to the family under Articles 41 and 42 could confer on the parents a right to remain in the State, it was considered that these rights, on balance, could yield to the rights of the common good in upholding the integrity of the asylum and immigration systems. On these bases, the majority held that the Minister's decisions had been correctly taken and dismissed the appeal.

### Implications of the Ruling

By distinguishing *Fajujonu* - a case where non-national parents of Irish citizens were entitled to remain in the State owing to, inter alia, the duration of their stay and the number of Irish children born to them - the majority ruling gives a wide discretion to the Minister to decide applications based on the particular facts of each case. The judgment however fails to deliver guidelines as to what grounds might be considered sufficiently compelling to prevent deportation. Whilst such an approach allows for the flexibility to respond to individual cases it has the danger, as underlined in the dissenting judgments of McGuinness and Fennelly JJ., of giving rise to inconsistent and arbitrary decisions. In the absence of a Government statement on how it now intends to proceed in the area of asylum and citizenship, the Supreme Court judgment in its present form may not have the desired policy impact of reducing unfounded claims for asylum nor accordingly will it appease those who are demanding a constitutional referendum to reform citizenship laws.

### Conclusions

Both the majority and minority judgments of the court have raised many interesting issues. Clarification is needed on the extent to which the child's rights to the family under A.41 and 42 can effectively confer entitlements on their parents, since this point was accepted by the minority and not entirely refuted as a possibility by the majority. Furthermore, the legal reasoning applied when balancing the personal rights of the individual with the rights of the State in citizenship debates, requires some consideration, particularly in light of the reliance by the minority judges on natural law arguments to establish the precedence of family rights. It is clear that these issues and others will need to be revisited in order to establish some kind of cogent law and policy in the area of asylum and citizenship for the future.

## Civil Liberties Diary

**Dec 3** The Northern Ireland Human Rights Commission held an event to present plans for the proposed Bill of Rights for Northern Ireland. The meeting involved representatives of the public, private and voluntary sectors and representatives of political parties. Professor Brice Dickson expressed his hope that the Commission would be able to finalise their views by the end of 2003.

**Dec 4** The Victims Minister Des Browne, claimed that the investigation carried out into the circumstances surrounding the killing of 15 year old Daniel Hegarty, who was unarmed, on the morning of Operation Motorman, was full and sufficient. However the Minister also said that the government now accepted that the teenager was not a gunman.

**Dec 5** It was revealed that the two soldiers who were found guilty of murdering North Belfast teenager, Peter McBride, and were said to have lied by the trial judge, are in line for promotion. This follows earlier controversy over the decision allowing the two to remain within the Army, which the High Court in Belfast eventually refused to overturn.

**Dec 9** A report into racial inequality recommends that a new anti-racism agency is needed to tackle inequalities faced by ethnic minorities in Northern Ireland. The investigation carried out by University of Ulster academics also suggests that changes be made to the school curriculum to enhance awareness of ethnic diversity among school children from an early age. The study also found significant levels of racism, which was said to be twice as prevalent as sectarianism, and an under-reporting of racially motivated attacks. The report concluded that this meant the extension of the new racially motivated offences legislation from England and Wales was all the more vital.

**Dec 10** Campaigners from almost 100 community groups across Northern

Ireland gathered at the Belfast City Hall to demonstrate their support for a strong and effective Bill of Rights for Northern Ireland as part of a Human Rights Consortium event. Supporters representing many different community, voluntary and trade union organisations came together to express their seasonal wish for a Bill of Rights which would have the potential to make a significant difference to people's lives.

**Dec 11** Homelessness is a bigger problem in Northern Ireland than any other region of the U.K. or Ireland. This is according to a new campaign which was launched in Belfast. The "No Place Like Home Campaign" also said that applications from homeless people to the Housing Executive have risen by 40% in the last decade, and that urgent and effective action was needed to tackle the problem.

**Dec 12** The Oversight Commissioner of Policing Reform, Tom Constantine, has issued his sixth report into the implementation of the Patten proposals. Many of the previously reported concerns feature prominently again. Some of the concerns highlighted include insufficient progress towards civilianisation of some policing structures, inadequate training facilities, the need for new policing and human rights legislation. As well as this, progress in relation to the amalgamation of Special Branch and CID is so slow that the Commissioner's remit may end before the changes are in line with Patten.

**Dec 15** Army evidence gathering teams should use video cameras to film soldiers firing baton rounds when a "riot is anticipated". This was according to a report published by the Independent Assessor for Military Complaints. The number of plastic bullets fired by the Army between January and October 2002 rose from 17 the previous year to 85. However, despite these figures, the Assessor refuted suggestions that the Army were used to fire rounds instead of the

police, who now come under the scrutiny of the Police Ombudsman.

**Dec 18** Relatives of murdered Solicitor Rosemary Nelson have issued fresh demands for a full inquiry into the case and said that they do not believe that the police will ever catch those who carried out the killing. The family said that in the light of the absence of arrests for the killing and the recent revelation that the officer heading the investigation, Colin Port was standing down, only one avenue remains – a full independent inquiry.

**Dec 20** Assistant Chief Constable Sam Kincaid delivered an interim report into the recent reinvestigation of the police's files relating to the Claudy bombing. He revealed that police at the time had suspected that a priest was involved in the bombing, and also other incidents at the time. The police said the individual in question was never interviewed in relation to the bombing, however the suspect was said to have provided two other suspects with an alibi. The police officer went on to say that both Cardinal Conway and the British government knew of the allegations.

*Compiled by Conor McCarthy from various newspaper sources.*



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

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*The views expressed in Just News are not necessarily those of CAJ.*