

## NIHRC's review of powers

**Thirteen long months after the Northern Ireland Human Rights Commission issued its review of powers the government has finally and disappointingly responded. The response fails to augment the powers of the Commission in a manner sufficient to ensure its capacity to function fully and effectively. This is a further regrettable example of the lack of commitment shown by this government to the Commission. Despite the centrality of human rights to the Good Friday Agreement, the government has failed to defend the importance and uniqueness of the Human Rights Commission and has stood at the sidelines while the Commission has been judiciously thwarted and publicly undermined.**

CAJ has a number of concerns about the government's response. Most evident throughout the document is the attempt to minimise the pivotal role which the Commission should have in safeguarding human rights protections in Northern Ireland. The government response is keen to emphasise that the Commission is only one of many institutions working on human rights in the jurisdiction. Descriptively this is correct. Substantively it fails to acknowledge the unique role occupied by national human rights institutions in the protection of human rights as outlined in the United Nations Paris Principles. By failing to address the special place of the Human Rights Commission, the government then sets the stage for denying it many of the necessary powers and supports that it requires to discharge its unique role effectively.

Examples of the government's meagre response are rife throughout the document. Oddly enough, also scattered throughout is language which misleadingly suggests the government has accepted the Commission's recommendations. For example, paragraph 9 states that the government "*is proposing to accept many of the (Commission's) recommendations*". Closer examination reveals in fact that only 3 recommendations are fully accepted without reservation, or change from the form and method proposed by the Commission itself.

The government has for example:

- Refused to accept the need for an independent selection process as mandated by the UN Paris Principles.
- Continued to exert its right to control the detailed

parameters for staff remuneration and conditions of service.

- Denied the need to clarify the extent of the Commission's powers. Notably, the government has refused to formally extend the Commission's capacity to review matters of 'policy'. Moreover, it has staunchly decided that the Commission shall not have a statutory basis for its work in reviewing the Human Rights Act 1998 and the Bill of Rights.

- Maintained consistently that the advice of the Commission should have no particular or special standing (para 52 & 59).

Throughout the document there is an attempt to present the Commission as a body asking for totally unreasonable and questionable powers. Furthermore the argument is also framed in a way which patently ignores the social and political context in which the Commission has had to operate since its inception. It should not surprise the intelligent observer that in fact, many national human rights institutions in other countries, including the Human Rights Commission in the Republic of Ireland have been given most of the powers that the Commission has asked for. The powers requested do not exceed the UN Paris Principles (which constitutes the minimum standard in this arena) but merely seek to bring the Commission to a par with equivalent national bodies.

The Human Rights Commission in Northern Ireland, like national human rights institutions in other jurisdictions, plays a unique role in ensuring that human rights protections are mainstreamed and protected. It was created for this reason, and its role is particularly important in this transitional phase of the Northern Ireland conflict. However, its success or failure is not self-created. It needs a sufficient legal basis to undertake its work and the security of consistent support from the government. To date, this has been lacking. The cost of this lies not only with the Human Rights Commission but with the goal of creating a society in which human rights are valued and respected in Northern Ireland.

*Editorial Board*

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## ENFORCING ECONOMIC AND SOCIAL RIGHTS

**In the May 2002 issue of *Just News* Tim Cunningham argued that the current proposals from the Northern Ireland Human Rights Commission for the protection of economic and social rights through a Bill of Rights would not meet the standards expected by the UN's Economic, Social and Cultural Rights Committee. More specifically he says that "the approach adopted by the NIHRC...falls some way short of complying with the recommendations of the UN Committee".**

For two reasons, I don't think that is right. First, the proposals from the Commission go further in guaranteeing enforcement of economic and social rights than Tim, or the CAJ as a whole, seems to assume. Second, the ESCR Committee was not as demanding in this context as Tim makes out.

The Commission has suggested a general provision on economic and social rights. Tim thinks that this merely guarantees that, whatever economic and social rights are guaranteed, they must be allocated in a non-discriminatory fashion and in a way which does not breach the right to a fair hearing. The general CAJ reaction to the provision is even more dismissive: "The proposed wording...when read closely, undermines the very rights it is presumably intended to promote...The formulation of this clause is deeply objectionable, suggesting that socio-economic rights are being afforded when they are not".

In fact the provision in question goes much further than either Tim or the CAJ as a whole portray. The explanatory text in the Commission's consultation document makes this clear. The provision guarantees that all legislative, executive and judicial bodies in Northern Ireland must *develop and enforce* programmatic responses to specified economic and social rights. True, the provision goes on to say that when fulfilling this duty the bodies must not discriminate or breach due process rights, but that clearly does not detract from the primary thrust of the more general duty, which is to devise mechanisms to protect the rights. The rights in question are then set out in some detail – the right to protection of property, the right to health care, the right to an adequate standard of living, the right to housing, the right of access to work and to just and favourable conditions of work and the right to a healthy and sustainable environment.

The UN Committee, which was lobbied quite hard both by the NIHRC and by the CAJ, has strongly recommended to the UK Government the inclusion of effective protection for

economic, social and cultural rights, consistent with the provisions of the UN's Covenant on Economic, Social and Cultural Rights, in any Bill of Rights for Northern Ireland. The Committee does not explicitly call for full incorporation into Northern Ireland law of the Covenant on ESCR (the CAJ's own draft Bill of Rights does not recommend that and nor does its submission on the Commission's consultation document) and the Committee does not suggest that the Commission's proposals for protecting economic and social rights (for of course these were specifically drawn to its attention) would in any way provide ineffective protection. When one looks at the UN's own Covenant there is no contradiction whatsoever with anything in the Commission's proposals. In particular, Part II of the Covenant (dealing with enforcement of ESC rights) seems entirely consistent with what the Commission is recommending.

So I don't think there is any danger, as Tim suggests there might be, of the Commission recommending something which falls short of what has been recommended by the UN Committee. The challenge for the Commission is rather to see how it can go beyond the UN Committee's recommendations. Although the most recent set of Concluding Observations emanating from the Committee are more fulsome than on previous occasions, they are still comparatively lacking in detail. In its General Comments on the ESCR Covenant the Committee has often indicated that there is more than one legitimate way of complying with the Covenant's requirements. In its on-going deliberations on how best to protect economic and social rights through a Bill of Rights the NIHRC will be asking itself whether it can adjust its proposals in a way which will render the rights more real for ordinary people.

Tim Cunningham's article also referred to the fact that the NIHRC's proposals on economic and social rights are "subject to a restrictive clause". By this he may have meant clause 16 of our draft Bill of Rights, which says that non-ECHR rights may be limited "only to the extent that the limitation is prescribed by law, reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors". This is based almost exactly on section 36 of South Africa's Bill of Rights, widely acknowledged to be the best in the world. Recent decisions by South Africa's Constitutional Court (the *Grootboom* case on the right to housing and the *Nevaripene* case on the right to health care) show that the limitation clause does not prevent the judges sending clear messages to the Government as to how public money should be spent to protect economic and social rights. That is precisely the kind of judicial enforcement which the NIHRC's own draft Bill of Rights would allow for.

**Brice Dickson**

## CAJ meet Judge Cory

**The judge appointed by the British and Irish governments to examine six cases of alleged collusion began work in July.**

Judge Peter Cory, former Canadian Supreme Court Justice, will be looking at the cases of Patrick Finucane, Rosemary Nelson, Robert Hamill, Billy Wright, Judge Gibson and his wife, and two senior police officers Superintendent Bob Buchanan and Superintendent Harry Breen.

CAJ and others along with the families of those involved had long argued that there were compelling grounds for public inquiries in the cases of Finucane, Nelson, Hamill and Wright. The British government had long resisted those arguments. During the talks at Weston Park the two governments agreed to appoint a judge of international standing to examine the case. Judge Cory was appointed earlier this year.

CAJ met with Judge Cory along with representatives of Amnesty International and British Irish Rights Watch in London at the beginning of July. The NGO's sought to clarify with the Judge how he intended to pursue his examination of the cases.

The following day in Belfast we were present at a series of meetings between the judge and some of the families involved in the cases he will be dealing with. CAJ and the families made clear to the judge that we felt his mission was unnecessary and that public inquiries should be established without further delay. However, given that his presence is now a reality, we were keen to discover how he intended to carry out his work and how he was going to deal with the many concerns the families and indeed the NGOs continued to have about his appointment.

CAJ will continue to work independently on these cases, and to closely monitor Judge Cory's work.

### ***Latest CAJ publications & submissions now available***

- No. 45 **Dignity, Equality & Inalienable Rights:** Lecture in Belfast, November 2001 by Archbishop Desmond Tutu, July 2002 (Price £3.00)
  - Submission to the **Review of the Parades Commission** (being carried out by Sir George Quigley, 2002), May 2002, £1.00 (S127)
  - Commentary to the **Examination of the United Kingdom by the UN Committee on Economic, Social and Cultural Rights**, May 2002, £1.00 (S128)
  - Commentary on the **Code of Practice on the Functions and Responsibilities of District Policing Partnerships**, May 2002, £1.50 (S129)
  - Commentary on **NIO Code of Practice for Appointment of Independent Members to District Policing Partnerships**, May 2002, £1.00 (S130)
  - Commentary on **NIO Code of Practice on Reports and Inquiries under Sections 59 and 60**, June 2002, £1.50 (S131)
  - Submission to **"Education For The Twenty-First Century": Report By The Post-Primary Review Body**, June 2002, £1.50 (S132)
  - Submission to the **Review of Rating Policy Consultation paper** (issued in May 2002), July 2002, £1.50 (S133)
  - Submission to the **Government's Response to the Northern Ireland Human Rights Commission's Review of Powers Recommendations**, July 2002, £3.00 (S134)
  - Response to consultation document entitled **Review of Opportunities for Public Private Partnerships in Northern Ireland**, July 2002, £2.00 (S135)
- Contact the CAJ office on 90961122**

### ***Up to date with CAJ***

There have been meetings of the Equality and policing subgroups.

Tim and Marny attended the launch of the West Belfast Festival.

Maggie and Tim attended an event organised by Conference of Religious of Ireland (CORI)

Clemens Stolzenberg's time as an Eirene volunteer came to an end. We would like to take this opportunity to thank him for all his work and to wish him well in his future career.

Many thanks to Marny Requa and Lisa Gambone (US interns) for their hard work during the summer, and a special thank you goes to Katie Wiik for her dedicated contribution as a volunteer to CAJ's work over the past 18 months. Katie is returning to the US to complete her studies, and we at CAJ would like to wish them all the very best for the future.

We would like to welcome Mario Woldt from the Eirene Project who will replace Clemens in the CAJ office.

*Liz McAleer*

### **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.

# Criminal Justice Review

**The Justice (Northern Ireland) Bill 2000, received Royal Assent on July 24<sup>th</sup> of this year. The Bill is intended to implement the recommendations set out in the Criminal Justice Review of March 2000, established under the terms of the Good Friday Agreement.**

CAJ has been involved in the Criminal Justice Review process since the Review Group's first meetings in July of 1998. CAJ made three submissions during the consultation period, critiquing the finished Review and its Implementation Plan, and most recently putting forward amendments and briefing Members of Parliament. Our recommendations have ranged from equality issues to the role of the DPP, but we have focused particularly on four areas of concern:

- the Prosecution
- the Court System
- the Judiciary
- Ethos.

While some of these issues have been picked up in the lengthy legislative process, we believe that much more needs to be done if Northern Ireland is to have a properly functioning and independent criminal justice system.

CAJ's initial submission to the Criminal Justice Review highlighted the need to 'increase local accountability of the DPP'. CAJ believes that the decisions of the DPP must be transparent and it must be accountable to the law and the community that it serves.

The response of the Criminal Justice Review Group went some way to meeting our concerns. For example as regards the giving of reasons for non-prosecution, the Review stated that 'it will be a matter for the prosecutor to consider carefully in the circumstances of each individual case whether reasons can be given in more than general terms and, if so, in how much detail, but the presumption should shift towards giving reasons where appropriate.' The Government's Implementation Plan, however, regrettably reaffirmed the practice of DPP discretion.

In May 2002, CAJ proposed an amendment to the Justice Bill which read "Where the Director decides not to institute proceedings against a person or discontinues such proceedings, he shall if requested by a person properly connected to the matter, provide an explanation for his/her decision to that person." Two similarly phrased amendments were put before the House of Lords at the Bill's Grand Committee stage. The Government responded to the amendments by stating that 'where a proper balance can be struck, the Director will endeavor to give reasons for non-prosecution.' They went on to state that imposing a statutory duty 'might give rise to more cases of judicial review of whether there was, in particular circumstances,

a duty to give reasons.' In other words, the current practice of DPP discretion, without the recommended 'shift' toward the giving of reasons, will continue.

## The Judiciary: Representative of the Community?

In CAJ's original submission to the Review, we highlighted the problem of a perceived and actual under representation of certain groups in the judiciary. We called for 'affirmative action measures, such as the express encouragement of applications from under-represented groups where vacancies occur' in order to increase the respect and confidence in the judiciary as a whole'. The Review agreed in part, saying that the judiciary should be 'reflective of Northern Ireland society' but only 'as can be achieved consistent with the overriding requirement of merit.'

CAJ proposed an amendment which read '[t]hose responsible for making appointments...shall as far as practicable ensure that the judiciary, as a group, are representative of the community in Northern Ireland.' During the Grand Committee stage, many Lords expressed worries about the perceived politicisation of the judiciary, as well as the idea that this would somehow interfere with the application of the merit principle of appointment. The government meanwhile, expressed the view that application of the merit principle without a view towards any one group would nonetheless result in a judiciary that would reflect the wider community. Lord Desai's comments mirrored the feelings of CAJ about the government's response, stating 'it seems that, by some mysterious process, they will eventually be reflective...of the community without putting down any stipulation to ensure it. No matter how good those people are, we shall have problems if the community does not consider that they reflect it.'

In the end, during the Report stage, the government moved and received support for an amendment which reads '

*"the Commission must, so far as it is reasonably practicable to do so, secure that a range of persons reflective of the community in Northern Ireland is available for consideration by the Commission whenever it is required to select a person to be appointed, or recommended for appointment, to a listed judicial office"*

However, this is followed by a stipulation that the selection of the person to be appointed is to be based solely on merit. The government has made some positive changes here, but CAJ continues to express its concern at the lack of fundamental reform in the judicial selection process.

**Lisa Gambone**  
US intern

## *Human Rights Commission Judgement*

**The Human Rights Commission successfully appealed a ruling by the Court of Appeal that it did not have the statutory power to intervene in Court cases on June 20th, 2002.**

The case arose out of an inquest held into the deaths of victims of the bomb explosion in Omagh on 15 August 1998. There was some correspondence between the Coroner and the Commission as to whether the Commission had power to intervene in the inquest to raise relevant human rights arguments. The Coroner ruled that the Commission had no statutory power to intervene and that accordingly he could not permit it to intervene.

The Commission challenged the Coroner's decision by way of judicial review. In December 2000, The Lord Chief Justice, Robert Carswell considered that he was required to uphold the Coroner's ruling and he refused to make the declarations sought. The Court of Appeal by a majority (McCullum LJ and Sir John MacDermott, Kerr J dissenting) dismissed the Commission's appeal.

The matter then went to the House of Lords where CAJ, along with Amnesty International and British Irish Rights Watch, successfully applied to make a written intervention in the case. Our submission was divided into four parts. The first was an analysis of the Principles relating to the status of national institutions ("Paris Principles") and the extent to which the powers and functions of the Northern Ireland Human Rights Commission complied with the Principles. Secondly, we examined other principles and recommendations by international governmental and non-governmental organizations relating to the powers and functions of national human rights institutions. Thirdly, we compared the position of the Commission to its counterpart in the Irish Republic. Finally we considered the position of non-governmental organisations in terms of intervening before the Courts.

The judgement of the Lords (with a four to one majority) in favour of the Commission found that the power to intervene in cases was incidental to the powers the Commission already enjoyed under the Northern Ireland Act and therefore the decisions of the Court of Appeal and High Court were over-ruled.

The House of Lords stated that the combination of the relevant sections of the Northern Ireland Act gave the Commission general powers to promote the understanding of human rights law and practice and to review its adequacy and effectiveness. The capacity to make (not a power to insist on making) submissions to the court are incidental to this general power. The House of Lords made clear that the final decision lies with the court which can allow or refuse the Commission's application to intervene.

The Just News Editorial Board wishes to make readers and CAJ members aware of a recent editorial policy decision. From August 2002 onwards, all articles published in Just News which are written by a staff member or the editor will no longer be individually attributed. This change was initiated to ensure a greater uniformity or 'house' style in the publication. Articles solicited from CAJ members and others will remain individually attributed, and readers are invited to comment as before on all material published in Just News.

## Summer 2002

**After extensive involvement in the observing operation around marches, parades and protests every summer since 1996, the Committee on the Administration of Justice (CAJ) decided to adopt a much reduced role this summer. It seems a good opportunity to look back and see what changes have taken place in the six years of our active involvement in the monitoring of public order situations. The changes are in fact very striking.**

Members will know that CAJ's serious involvement in the marching issue began in 1996. The infamous "dogs in the street" knew that there was likely to be serious trouble in the Portadown area that summer. However, the then Secretary of State, Patrick Mayhew insisted that this was a local problem requiring local resolution, rather than any government intervention.

CAJ soon realised that here were two distinct human rights questions involved. One issue related to the conflict of rights. Marchers had rights, and protesters had rights, and this conflict of rights needed a process of adjudication which met relevant international human rights standards. The second issue was one of policing. Regardless of how the conflict of rights was resolved, policing of the resultant decisions must be fair and impartial. The state had to try and resolve the dispute, and to regulate any public order problems arising.

CAJ trained observers to monitor the 1996 summer events and that experience confirmed our two-track approach. So, in subsequent years, we sent out human rights observers in large numbers to a variety of venues. All observers produced reports, both oral and written. These observer reports greatly informed CAJ's interventions and our policy recommendations to the authorities. Apart from extensive correspondence with a wide variety of public authorities, marching organisations and residents' groups, CAJ published two major reports, a video, and seven detailed submissions on public order policing and the conflict of rights.

Much has changed since we first started this work. There is now an adjudication process laid down in law, and the Parades Commission (and the legislation establishing it) draws extensively on human rights principles and specifically on the European Convention on Human Rights. The key outstanding problem in the operation of the Commission is the unwillingness of a key party to the dispute to engage with it. The failure of the Loyal Orders

to cooperate with an adjudication mechanism make it difficult to be confident that the conflict of rights created by the marching dispute will be satisfactorily addressed and resolved in the near future.

On the policing front, the situation in 2002 is also very different from that pertaining in 1996. ID numbers are now highly visible and well displayed, there appears to be a greater awareness on the part of police managers that the police presence can itself contribute to either resolving or exacerbating the situation on the ground, plastic bullet guidelines have been tightened up in important respects and placed in the public domain. At the same time, serious problems remain: plastic bullets are still being used; government reports suggest that the bullets we now have are in some senses more dangerous, and children in particular continue to be injured by them. Aggressive policing tactics and poor police-community communication is frequently alleged by both nationalists and unionists.

Perhaps the biggest change of all is in the nature of the scrutiny mechanisms now beginning to come into play. In 1996, there was no Human Rights Commission, there was no Policing Ombudsman who could independently investigate police complaints and monitor all police firing of plastic bullets, and there was no Policing Board with a responsibility to hold the Chief Constable to account for his/her actions or omissions. Of course, there is a long way to go. These changes are just beginning to work their way through the system. The powers of the Ombudsman have been determined to be too restrictive, and are to be strengthened in forthcoming legislation. The Policing Board has the potential to hold the Chief Constable to account, but will it do so effectively? And is there any risk that greater scrutiny of the police only results in the army being increasingly used in its stead?

There is much work to be done. The abolition of plastic bullets; the creation of a human rights culture within policing and the broader society; and the development of conflict-resolution models acceptable to all the protagonists are prerequisites to a long term resolution of the parading issue. It is however on occasion worth noting some of the positive developments, and express the hope that CAJ, while changing its role, can continue to make a useful contribution.

## In our Care: Promoting the rights of children in custody

**This research into the conditions and circumstances of children in custody is thorough, scrupulously fair and well considered. The research team Dr. Ursula Kilkelly, Dr. Linda Moore and Ms. Una Convery have done an excellent job in difficult circumstances. As is well known, the Commission lacks effective powers of enforcement in relation to its investigations - it cannot compel witnesses or demand disclosure of documents. These limitations impinged on the work of the research team - some information not being disclosed and some workers refusing to be interviewed.**

CAJ has long had concerns in relation to the treatment of children in custody. In the past we have called for public enquiries into alleged assaults on these children and into riots in Lisnevin. We have raised concerns about the government's failure to comply with international human rights standards regarding children in custody. In its concluding observations, published January 1995, the UN Committee on the Rights of the Child (UNCRC) asked the UK government for a complete review of the criminal justice system. While government has undertaken some work since then, this research highlights the continuing deficits in compliance with local and international human rights standards. It can provide a useful basis for discussion between UNCRC and the government at the hearing in June 2002 (*see report in September issue of Justnews*).

The research notes the Human Rights Commission's support for a Minister for Children with an overarching brief to protect and promote children's rights. While welcoming the closure of Lisnevin and some of the more recent legislative changes, it identifies the absence of any "best interests principle" (article 3, UNCRC) in criminal justice law and says that changes are piecemeal.

In relation to non-discrimination (art 2, UNCRC) the Commission expresses concerns about the treatment of girls and children with disability. It criticises the NIO plans to have a single site at Rathgael as likely to disadvantage children whose families have to travel long distances using public transport. It suggests small more locally based units would be preferable. The Commission notes that the two remaining Juvenile Justice Centres (JJC) are situated in predominantly Protestant areas whereas the NIO's own figures show the average resident of a JJC is a 15 year old Catholic boy and that young people from West Belfast are particularly over represented. As with CAJ and others, the Commission expresses concern at the failure of the equality impact assessment to fully study the equality impact of closure of St. Patrick's, located in West Belfast

on young people in the area (p.34) given the high numbers of children from that area receiving custodial sentences.

The Commission has recommended amendments to the Justice (NI) Bill and the Criminal Justice (Children) (NI) Order 1998 to make the principle of non-discrimination explicit. The Commission also notes that, while courts must explain certain sentences and give reasons for them there is no requirement to ensure that children understand what is happening throughout the juvenile justice system. The Juvenile Justice Centre Rules do not recognise the child's right to participate in decision making (art.12 UNCRC).

Innovative recommendations are made in relation to use of fostering on remand; the development of bail accommodation; and the production of materials to help children understand what is happening to them.

By far the most worrying aspect of the research is the continuing history of concerns regarding child protection issues. The Commission says that in Lisnevin over a 5 year period NIACRO documented 20 allegations ranging from extremely serious incidents of assault by staff to bullying by other boys. *"The ...response of Lisnevin management to the allegations involved a mixture of flawed policies and procedures and poor practice."* (p.79).

In terms of care and control, the research raises concerns that young people view the use of separation as a punishment. The Commission recommends an urgent review of the Juvenile Justice Centre Rules and also highlights particular problems regarding use of physical restraint. The care of children with emotional problems and those with suicidal tendencies is poor, exacerbated by inadequate staffing levels of psychologists, social workers and care staff. The Commission believes this could *"result in the permanent damage, injury, or even death of a young person in the care of the (Lisnevin) Centre"* (p.116).

The Commission recommendations in Mental Health Services, Health Services, Education, Privacy and Family Life are similar to those recommended that CAJ and others have previously made to government. It is to be hoped that the government take all the Commission's recommendations seriously and begin to address the inadequacies in law, policy and practice identified by the research.

This comprehensive research is well worth a read for anyone interested in children's rights and criminal justice issues. The Human Rights Commission is to be congratulated on producing it.

**Anne McKeown**

Copies of the report may be obtained from the Northern Ireland Human Rights Commission, Temple Court, 39 North Street, Belfast BT1 1NA Tel: (028) 9024 3987 Fax: (028) 90247844 email: [nihrcc@belfast.org.uk](mailto:nihrcc@belfast.org.uk) or website [www.nihrcc.org](http://www.nihrcc.org).

## Civil Liberties Diary

**June 7** Dr Esmond Birnie MLA has criticised the £450,000 in additional funding to the NI Human Rights Commission.

**June 6** NI has the worst level of homelessness in the UK, according to a new report, which urged Stormont ministers to take urgent action to tackle the problem.

**June 8** Sweeping reforms of rules governing organ retention were announced yesterday by Health Minister de Brun.

**June 11** Two former Sunday Times journalists, (Murray Sayle and Derek Humphry) have stood over their conclusions that the Parachute Regiment had developed a plan to eliminate the IRA leadership in Derry. Mr Sayle also claimed that the operation was rehearsed repeatedly in the weeks before the march.

**June 12** The Belfast based Refugee Action Group wants an end to the practice of detaining some asylum seekers in prison and forcing them to travel to Liverpool for interviews for their claims to remain in NI as refugees fleeing persecution.

**June 19** In a BBC Panorama documentary Ken Barrett, a member of the loyalist paramilitary gang which shot Belfast solicitor Pat Finucane claims that he would still be alive today if RUC officers had not wanted him killed.

**June 21** An independent survey commissioned by the Policing Board has revealed that 49% of respondents felt the body had performed poorly in its handling of the debate over the police investigation into the 1998 Omagh bomb. The survey also revealed that public confidence in the quality of policing by the new police service is dropping.

**June 26** Secretary of State John Reid described new research on sectarian attitudes among young children as "deeply distressing". He was

commenting on a University of Ulster report which found that children already showed preferences for certain symbols as toddlers with sectarian attitudes becoming common by the age of six.

**June 28** The Law Society of Ireland, has called on Tony Blair to establish an independent inquiry into the murder of Pat Finucane. The inquiry calls come after the BBC's Panorama programme revealed fresh allegations that members of the security forces colluded in his murder.

**July 2** The family of a Catholic policeman, Joe Campbell, shot dead in February 1977 has welcomed the Ombudsman's decision to investigate RUC actions before and after the killing. They believe he was a victim of collusion between members of the security forces and the UVF.

**July 4** A year on from the trauma of the Holy Cross dispute, parents and children are still receiving counselling. Ardoyne based New Life Counselling Service, which offers support to many of those affected by the blockade has reported that child referrals have doubled since the dispute started last year.

**July 5** It was reported that the number of Belfast families who have applied to sell their homes under an emergency scheme following sectarian attacks has more than trebled in the past 3 years.

**July 9** The Lord Chief Justice and the Belfast Coroner are to be sued by the family of Pearse Jordan for their failure to uphold a European court directive. Pearse Jordan, an unarmed IRA man was shot dead by undercover RUC officers in 1992.

**July 13** The United Campaign Against Plastic Bullets has welcomed the legal action on plastic bullets launched this week in the High Court against the PSNI, the Chief Constable and the MOD. Peter

Montgomery who suffered an arm injury during disturbances in the Short Strand in May has taken the action.

**July 17** The BBC and Ulster TV were ordered by Judge Patrick Markey to hand over to police, their coverage of rioting at Drumcree. Counsel for both organisations, claiming that the order could put camera crews in danger and jeopardise coverage of future events like Drumcree, opposed the application

**July 19** Police in NI are due to purchase 6 water cannons in a bid to quell riots. The proposal to buy more equipment was made by the Acting Chief Constable and endorsed by the Policing Board.

**July 20** The NI Police Federation has reacted angrily to Denis Bradley's comments following the shooting of Gerard Lawler by the UFF. Mr Bradley who is vice chairman of the Policing Board said he felt there was not an adequate police response to protect vulnerable communities.

**July 24** The policy of equal recruitment of Protestants and Catholics into the PSNI was upheld in the High Court in Belfast yesterday. Mr Justice Kerr said the need to correct the religious imbalance had been recognised for a long time, but earlier attempts to deal with it had foundered.

*Compiled by Peter and Moya Gahan from various newspaper sources.*

### Just News

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

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