

European Court Finds Violation of the Right to Life in Finucane Case

The European Court of Human Rights found on July 1 that Patrick Finucane's right to life, which is protected under Article 2 of the European Convention on Human Rights, had been violated in a number of ways:

- The RUC, who were suspected of issuing threats against Patrick Finucane, were not sufficiently independent to conduct an effective investigation into the murder. The Court concluded that there were "serious doubts as to the thoroughness or effectiveness with which the possibility of collusion was pursued". The Court observed that, "As later events were to show however, there were indications that informers working for Special Branch or the security forces knew about, or assisted in, the attack on Patrick Finucane."
- The inquest, which had refused to accept evidence of threats made against Mr. Finucane, "failed to address serious and legitimate concerns of the family and the public and cannot be regarded as providing an effective investigation into the incident or a means of identifying or leading to the prosecution of those responsible"
- The Court criticised the DPP for failing to give reasons for the many decisions taken in relation to cases touching on the murder. The Court noted that where the police investigation is itself open to doubts about its independence, "it is of increased importance that the officer who decides whether or not to prosecute also gives an appearance of independence in his decision-making". They found, "Notwithstanding the suspicions of collusion however, no reasons were forthcoming at the time for the various decisions not to prosecute and no information was made available either to the applicant or the public which might provide re-assurance that the rule of law had been respected. This cannot be regarded as compatible with the requirements of Article 2..."
- While Stevens 1 and 2 apparently did not focus on the Finucane case, in any event the reports were never made public and the Finucane family were never informed of their findings, "the necessary elements of public scrutiny and accessibility of the family are therefore missing"
- The Stevens 3 investigation, coming some ten years after the murder, "cannot comply with the requirement that effective investigations be commenced promptly and conducted with due expedition. It is also not apparent to what extent, if any, the final report will be made public, though a summary overview has recently been published." Of some importance are the substantial references in the judgement to the need for the full application of international

human rights standards when the government is suspected to have been involved in the death in some way. The Court made particular reference to section D of the Minnesota Protocol (the model UN mechanism for dealing with Extra-Legal and Arbitrary Executions) which states that "where government involvement is suspected, an objective and impartial investigation may not be possible unless a special commission of inquiry is established".

Surprisingly, in light of the above, the Court declined to state that a government was required to hold a new investigation if the previous investigation was found to be inadequate (as in the Finucane case). While the possibility of a new investigation is not ruled out, it would clearly have been preferable for the Court to affirm the importance to the rule of law for full, impartial and thorough investigations to be carried out following a finding of investigative inadequacy. Instead, much emphasis was placed on the role of the Committee of Ministers in persuading the state to address the issues of compliance as identified in the judgements of the Court. In this context, it is important that the Committee is robust and committed to the full enforcement of rights protected in the Convention.

CAJ has called on the Government:

- To publish the reports of Stevens 1, 2 and 3.
- To ensure that the DPP gives full reasons for the many controversial decisions that have been made in relation to the Finucane case, and
- Most importantly of all, to immediately establish an independent, international public inquiry.

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Welcome, Marhaba, Dobro Pojalovat, Ni Hao, Bienvenue.... to Maghaberry

In October 2001 David Blunkett announced that asylum seekers were no longer to be imprisoned unless they had committed or were suspected of having committed a crime. The practice of using prisons to house refugees was, he said: "A scandal that shouldn't have happened and it is time it was over."

But it isn't over. In Northern Ireland, a small number of asylum seekers and other Immigration Detainees regularly find themselves behind bars in Maghaberry Prison. Despite Government policy, they are held in a high security prison without having committed, or being suspected of having committed a crime. Yet some detainees have spent up to 13 months in Maghaberry.

In the past year there have been over 80 detainees from 20 different countries including Algeria, Zimbabwe, Sierra Leone, China, Lithuania, Romania, and Bangladesh. Male detainees are housed on a dedicated landing below segregated loyalist paramilitaries (currently Johnny Adair) while female detainees are held with the local female prisoners. Pregnant women and women with children have been detained for several weeks; families have been split up; women have been bullied by local inmates; some detainees have gone on hunger strikes to highlight their plight and several have even attempted suicide.

Detainees who have just arrived in Maghaberry are quite visibly shocked at being both perceived and treated as criminals. The reality of the prison regime does nothing to ease that initial blow. Immigration detainees are held under the same regulations as remand prisoners. They are at best locked up in their individual cells from 8.00PM to 8.00AM (4.00PM to 8.00AM on Sundays) and for another 3 hours during the day.

According to the Northern Ireland Prison Service website, "special arrangements are made to recognise the culture, communication, religious beliefs and practices, diet and health and welfare needs of detainees." Reality tells a different tale:

- Detainees only have access to reading material, TV, radio and music in English (other than a bible in Chinese, an English-Romanian dictionary, and a Quran provided through our visits).
- Communication with friends and families often means long distance phone calls that detainees cannot afford—the prison authorities having refused access to cheap international call providers or to restricted Internet and email facilities.
- The prison food revolves around all the local variations of potato dishes and the tuck shop list (through which prisoners are allowed to purchase items) does not provide for the needs of non-local prisoners.

- Access to recreational facilities or activities (sport, library, work opportunities, workshops) is more limited for detainees than for local prisoners in the main section of Maghaberry. There are very few opportunities for distraction other than the twice-weekly English classes provided by the prison (which detainees greatly benefit from and enjoy).
- Interpreters are now provided more systematically but access to health care still remains an issue.

Prison staff have mostly been extremely helpful and sensitive to the situation of the immigration detainees. However individual goodwill falls short of providing adequate and consistent facilities and implementing public authority duties under section 75 of the Northern Ireland Act.

A recent local survey published by Amnesty International during refugee week in June 2003 revealed that 79.3% of the public think that putting asylum seekers in a prison is unacceptable. During that week, a cross-party delegation of former MLAs also went to Maghaberry to visit the detainees. Following their visit, they wrote to the Immigration Minister to express their opposition to the current practice: *"As elected representatives interested in the human rights of all people in Northern Ireland and in the welfare of asylum seekers who come here seeking refuge, we are gravely concerned with the continuing practice of detaining these individuals within a prison regime, a practice which, we believe, contravenes United Nations guidelines on the treatment of asylum seekers."*

Immigration Minister Beverly Hughes replied: *"We believe that the current arrangements, although not perfect, are the only viable way to provide an immigration detention facility in Northern Ireland for the very small number of persons concerned"*.

The use of detention is defended largely on the grounds that it prevents asylum seekers from absconding. Most Asylum Seekers who have stayed in Maghaberry over long periods have eventually been released on bail; none of them have absconded and some of have since been granted full refugee status. This begs questions on the purpose of detention.

The number of Immigration Detainees in Maghaberry is indeed small. However, knowing that one can be put in a prison for a week, a month or a year without charge or trial, not only affects the entire asylum seekers and migrant community, it is also an affront to the moral values of society as a whole.

Nathalie Caleyron

Multi-Cultural Resource Centre/Refugee Action Group

The Refugee Action group is a coalition of NGOs, voluntary sector organisations, refugees and individuals with an interest in refugee and asylum-seeker issues in Northern Ireland.

Learning to Grow Up

The Northern Ireland Human Rights Commission has launched a report, entitled *Learning to Grow Up*, which looks at the multiple identities of young lesbians, gay men and bisexual people (LGB people) in Northern Ireland and at how this multiplicity of identities impacts on their access to health care.

The report highlights the difficulties faced by young LGB people because of their age and sexual orientation. It shows that young LGB people are often exposed to prejudice and to physical and emotional violence. As a result they feel invisible and isolated.

In the report the Commission recommends that the following measures (amongst others) be taken:

- The Department of Health, Social Services and Public Safety (DHSSPS) and the British Medical Association should draft a policy and code of practice protecting the right to privacy of young LGB people in Northern Ireland.
- As recommended last year by the UN's Committee on the Rights of the Child, adequate information and structures should be provided to support young LGB people in Northern Ireland.
- In its plans for the forthcoming Single Equality Bill the OFMDFM should consider extending the forthcoming law on discrimination based on sexual orientation and age so that it covers access to goods, facilities and services.

The report has been written by Dr Christine Loudes, an Investigations Worker in the Human Rights Commission.

Concern over Funding from the NIO to the Ombudsman's Office

The Police Ombudsman Nuala O'Loan has been turned down for further financial support which would have facilitated a fuller investigation into serious allegations of Special Branch involvement with a loyalist informer. This decision followed an initial investigation by the Ombudsman's office. It is believed that the informer was allegedly involved in serious offences and was not arrested despite knowledge of his criminal activities by Special Branch.

Press speculation has indicated that the Northern Ireland Office is reluctant to fund a full investigation into the claims that the informer - a key figure in the UVF's 3rd Battalion - allegedly killed or sanctioned the murders of a number of individuals. Newspaper reports state that the north Belfast loyalist was recruited as an informer in 1993. After striking a deal for immunity from prosecution for his crimes, it is alleged that the informer led police to major arms dumps across Belfast and also informed on other loyalists, who were subsequently charged with terrorist offences. Allegedly evidence in Special Branch files shows the informer was recruited as an RUC agent at the age of 23 after he allegedly murdered Sharon McKenna in 1993. Sharon, a 27-year-old Catholic was shot at the home of a Protestant pensioner for whom she was cooking dinner. Other alleged victims of the informer include Gary Convie, a Catholic father-of-one, aged 24, who died in a hail of gunfire on a building site on May 17, 1994; Eamon Fox, a 44-year-old Catholic father-of-six who died alongside Convie; and Billy Harbinson, the Shankill Road Protestant, 39, who died on May 19, 1997, after being handcuffed and beaten in an alley on Belfast's Shore Road, where the UVF's 3rd Battalion is based. The Ombudsman's Office has, it seems, made significant attempts to secure further funding to investigate these allegations but has not been supported by the NIO.

The funding point raises serious and critical issues about the willingness of the NIO to give meaningful support to the Ombudsman's Office in serious cases, where funding constitutes the difference between accountability and impunity. Moreover, it touches on the full independence of the Ombudsman's office, and the willingness of the NIO to support the expert judgement of the office around the investigations it deems necessary. The particular case has not only come to the attention of the Ombudsman's office but has also been studied by the Metropolitan Commissioner Sir John Stevens' team, in his investigation of collusion between the RUC and loyalist paramilitaries. The Police Ombudsman's office has made clear that substantial financial support is required to investigate these cases of collusion. What is open to question is both the good will and practical commitment of the NIO to facilitate such investigations. This in itself undermines the overall commitment of government to tackling police impunity and making the public as fully aware as possible about the degree and substance of the relationship between police agents and loyalist paramilitaries throughout the course of the conflict.

Review

COMMENTARY ON THE MULTI-CULTURAL HANDBOOK published by THE SOUTHERN AREA HEALTH AUTHORITIES

In response to the Race Relations (NI) Order (1997) and the Northern Ireland Act (1998), a Multi Cultural handbook has been co-produced by a number of Northern Irish health and social services organisations.

The Handbook serves as an introduction to various minority populations, giving details of each selected religion and culture's specific needs as applicable to their healthcare. There is the refreshing suggestion that the health professional should admit to their patient whenever they do not understand a certain practice and they are encouraged to open such intercultural dialogue by asking pertinent questions.

The publication contains information on 27 distinct ethnic communities and religious groups. The approach of each distinct culture toward death, birth, diet, medical treatment and a variety of other health care issues is included along with recommendations on how to deal with such diversity. Here health care professionals are encouraged to fully explain treatments and procedures to all patients as, it is rightly pointed out, "all information is subject to misinterpretation". The reader is also encouraged not to patronise or make assumptions, which may seem benign but will nonetheless affect practice and interaction with the patient, based upon their own culture.

It is pointed out that it is common in stressful situations, such as those generally associated with hospital stays, for a patient's grasp of English to decrease. Some of the information can seem basic but it could prove to be vital to the effective treatment of a patient.

The 'Culturally Sensitive Health and Social Care Checklist' is particularly interesting. Although it appears simple it nonetheless provides the healthcare professional with an instant overview of their patient's cultural needs such as those of daily prayer requirements and level of dietary observation. The concept of 'family' is also acknowledged to be complex and varying requiring sensitivity to who may be considered to be in the immediate family or the next of kin. In addition to this a patient's family may expect to be fully involved in all decisions relating to care, so in these interactions it may also be necessary that the doctor clarifies which person is considered to be the 'head of the family'.

An issue highlighted is the position of asylum and refugee seekers. The practitioner is reminded that "the detrimental impact of the asylum process on the health of asylum seekers is a recognised concern", while most figures of authority, including doctors and interpreters, may not be trusted by refugees. This means that their health problems may go without satisfactory treatment. Awareness that

some refugees may be survivors of torture which may complicate their interaction and treatment, is also raised.

Gender differences are also highlighted within each tradition, with the need for same sex health professionals and interpreters being required by both male and female members of a variety of cultures. If a Muslim woman is treated by a male doctor, particularly in genital health instances, it can bring 'great shame' upon her while men from male-dominant societies will not find it acceptable to receive treatment or advice from a female doctor. Modesty issues also vary greatly between communities. Thus, for example an alternative to the traditional short hospital gown should be provided to certain communities receiving treatment. Mixed wards being uncomfortable for Hindu women and nudity being difficult for members of the Sikh community further illustrates the breadth of tact required.

The need to see behaviour as cultural practice may be vital in doctor-patient treatments, especially when some behaviour may be contrary to generally accepted western norms. The definition of child abuse varies between cultures with some physical punishment being acceptable to some as a way to raise a child. Some Middle-Eastern attitudes may result in men preventing medical examination of their wives leaving diagnosis to be made from patient history.

The process of death can have huge cultural significance with a wide diversity of opinion. Staff should prepare themselves to expect large numbers of visitors in a Rastafarian's final days while a dying Buddhist patient will attempt to approach death positively and will require both a side room and complete information about their imminent demise so that they may adequately prepare themselves. Most cultures and their relevant ingrained religious attitudes will dictate the Last Offices which may require that hair and nails are not cut nor religious objects removed. Family consultation is again recommended in all those circumstances.

The handbook gives a fascinating oversight of the main minority groups that populate Northern Ireland, with details that will help those working within the health and social care sector to deal more sensitively with a variety of patients.

Karen O'Connor

A Bill of Rights for Northern Ireland – *Through the years – the views of the political parties*

Those who have been following the Bill of Rights debate here will often have heard the phrase “all the political parties in Northern Ireland have supported the idea of a Bill of Rights”, but the evidence supporting that claim has never been brought together in one place. Until now.

CAJ's latest contribution to the Bill of Rights debate is a summary account of the position taken over the years by Northern Ireland's political parties on the idea of a Bill of Rights. This research draws upon party statements, manifestos and other policy documents from the various parties, and is designed to give an overview of how the debate has evolved over the years.

Some interesting material has been unearthed.

- In 1977, a spokesperson for the **Alliance Party** said that: “It would be a mistake to believe that a Bill of Rights for Northern Ireland would be the panacea or some sort of instant solution for our problems. It would however be an important part of any solution.”
- In 1984, the **DUP** stated that it “would be prepared to accept a proposal for a Northern Ireland Bill of Rights which would incorporate a range of statutory safeguards against abuse of power.”
- The **NI Women's Coalition's** submission to the first strand of the multi-party talks stated that “a Bill of Rights should be negotiated and implemented which responds to the very specific circumstances and concerns which arise among the different sections of the community.”
- The **PUP** issued a proposal for a new initiative to achieve peace and democracy in Northern Ireland in 1981 which stated that “A Bill of Rights ... should be drawn up and ratified by the Westminster Parliament.”

- “After more than 30 years of conflict, with suffering and human rights violations perpetrated on all sides, **Sinn Fein** strongly advocates the creation of a free-standing comprehensive Bill of Rights that is rooted in impartial implementation and enforcement mechanisms.”

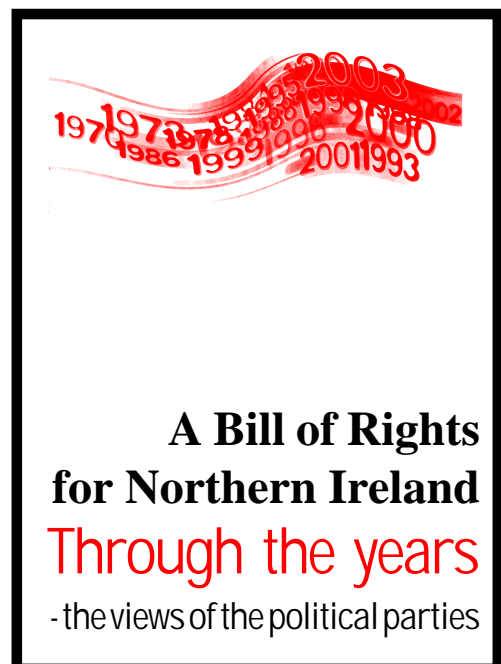
- In 1988, **SDLP** stated that a Bill of Rights “..would allow for a development of human rights law within the Northern Ireland legal system and would be a welcome development in public life.”

- In 1996, an MP for the **UUP** said that the introduction of a Bill of Rights “could be an important catalyst in breaking down mistrust” and “is a very important ingredient in drawing people together and dealing with the underlying issues here.”

The report also contains a brief examination of the attitudes of the two governments to the Bill of Rights. Most relevant is that of the British government, given that the Bill of Rights will be a piece of Westminster legislation, although the Irish government is also obliged to ensure in its jurisdiction an equivalent level of protection of human rights as pertains in Northern Ireland.

Also of interest is the opinion of the wider public as evidenced by a recent survey by Research Evaluation Services – in this a majority of people of the two main communities were in favour of a Bill of Rights.

This report contains these and many other fascinating facts about attitudes to a Bill of Rights and is a must-read for



anyone who is interested in this debate, and particularly the views of the political parties. It is especially timely in the current process, and CAJ hopes in particular that it will contribute to the roundtable forum of political parties and civil society that has been proposed to further the Bill of Rights debate.

It is certainly encouraging to see the breadth of support that exists for a Bill of Rights, and the challenge now is to turn this into a strong and inclusive Bill of Rights that protects everyone in Northern Ireland. That is what we must all turn our attention to.

Copies of the report are available from the CAJ office, cost £3.50 (p&p 70p).

Imbalance of Powers: How Changes to U.S. Law & Policy Since 9/11 Erode Human Rights and Civil Liberties

Imbalance of Powers: How Changes to U.S. Law & Policy since 9/11 Erode Human Rights and Civil Liberties (March 2003) is the Lawyer Committee For Human Rights' update to A Year Of Loss: Re-examining Civil Liberties Since Sept 11th (Sept. 2002). Imbalance of Powers examines post-9/11 emergency laws as a pattern in which "core U.S. values are being undermined by aggressive executive branch actions that are usurping the constitutional powers of the federal courts and Congress."

The report suggests that modern violations of individual rights via civil liberties and human rights are the consequence of the irresponsible allocation of power eroding the government lines that enable political deliberation and accountability through the division of powers. Although the report does recognize the need to protect national security, it severely questions the intentions and methods utilized by executive agencies.

The report's analysis of the drafting and passage of the USA PATRIOT Act I (2002) provides the most glaring example of a shift in power in favour of the executive resulting in a gross reduction of accountability. During this period, the report indicates administrative agencies such as the Department of Justice denied the legislature the opportunity to play any substantive role in properly considering any emergency legislation. Ironically, to protect "American values," the Bush Administration has set aside the core American constitutional policy of separation of powers.

Imbalance of Powers thoroughly details the "air of secrecy" surrounding the initiatives of various executive agencies by denying the public and other branches of government information on the planning and execution of executive led emergency initiatives. The Lawyer's Committee points out that the executive branch has created initiatives to collect more and more information on all Americans, while providing less and less information to the public on what the government is doing. In other words, military and law enforcement agencies may, without public explanation, investigate and arrest individuals without suspicion of a criminal act or connection to a terrorist organisation.

The lack of accountability sets frightening domestic precedents. Traditionally, American civil liberties and rights issues have primarily focused around the Bill of Rights and various amendments. However, the possibility that the rights of individuals can now be circumvented by realigning the fundamental constitutional structures calls into question the foundations of American government.

Recently, the Inspector General of the Department of Justice, an independent administrator, blasted the handling of 9/11 detainees where 700 persons were incarcerated with little or no evidence of terrorist conduct or association. During this period, little or no information on the status of detainees was made public or available to the legislature. The Inspector General's report essentially confirms the Lawyer's Committee's findings that American law enforcement agencies have used 9/11 initiatives to strip individuals of their civil liberties and human rights without being held accountable by other branches of American government.

The Lawyer's Committee also warns of the dangerous precedent set on the international level. According to *Imbalance of Powers*, "a significant number of governments have attempted to co-opt the war on terrorism, expressing support for U.S. measures while simultaneously labelling domestic opponents members of al Qaeda or similar terrorist groups." In transitional states such as Northern Ireland, this would be particularly problematic. Under this "national security" paradigm, goals for peace, justice, and accountability would become eclipsed by newfound paranoia of terrorist activities and links.

Imbalance of Powers acts as a warning to those that hastily concede individual liberties to protect American interests.

Michael Yim

(visiting student from US)

Imbalance of Powers: How Changes to U.S. Law & Policy Since 9/11 Erode Human Rights and Civil Liberties. This report is available online at www.lchr.org. Printed copies cost US\$10.00 ISBN: 0-934143-98-6

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 in the office.

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

Civil Liberties Diary - June/July

June 2 Chief Constable Hugh Orde has acknowledged that the '50/50' recruitment process clearly discriminates against the non-Catholic population but, given successful recruitment levels, it had to be accepted. In addition he commented upon the increasing public pressure on the police to reinvestigate 'historic' cases, saying that it was impossible to get closure on the vast number of unsolved cases (1700+), he has also suggested that a truth and reconciliation commission may help bereaved families. Nonetheless the process of setting up a murder review team is under way.

June 5 Ken Barrett, the Special Branch Informer charged with the murder of Pat Finucane, had his application for bail denied on grounds that his safety must be guaranteed in accordance with the European Convention.

June 5 The General Assembly of the Presbyterian Church called for an end to inquiries, particularly republican claims against security forces. Simultaneously the Foreign Secretary Jack Straw has questioned the effectiveness of the Saville Inquiry, citing its length and expense as a deterrent for setting up an inquiry into the handling of pre-war intelligence on Iraq's military capacity

June 6 One of the investigators within the police ombudsman's office has been sacked due to complaints lodged by a police officer who was under investigation. The allegations of serious misconduct were the subject of an internal disciplinary process, which resulted in the dismissal of the male investigator.

June 11 Relatives of victims alleged to have been killed with the state's collusion have announced that they may ask the United Nations Special Rapporteur on Summary and Arbitrary Executions to examine the cases. Particular focus was on the murder of Roseanne Mallon and the apparent SAS ambushes of June 1991 and February 1992.

June 11 Defence Secretary Geoff Hoon has announced that no decision has been made to disband the RIR's home battalions. Further consideration will take place once there have been paramilitary acts of completion.

June 12 An inquest into the bombing of Dublin city centre on May 12 1974 is to be held after the publication of Justice Barron's findings. The report is due to be published in September.

June 12 A number of Protestants and ex-RUC officers are to take discrimination cases against the Policing Board. These claims are due to their being overlooked as independent members of the regional DPP. They claim that their rejection was due to religion, background or gender.

June 18 The High Court in Belfast granted permission for Freddie Scappaticci to seek judicial review of NI security minister Jane Kennedy's refusal to comment upon the allegations that named Mr. Scappaticci 'Stakeknife', a British agent in the IRA. Mr Justice Kerr accepted that there was a threat to Mr Scappaticci's life and therefore, under human rights legislation and in such circumstances it was reasonable to expect the British Government to have made a statement to lessen such dangers.

June 18 The position of Northern Ireland's Minister for Criminal Justice, Human Rights and Equality was filled by John Spellar. While Mr. Spellar was Minister for Armed Forces he was on the military panel that permitted two Scots Guards with murder convictions to continue their army careers. This week the Court of Appeal, contradicting this decision, found that the soldiers should both have been discharged from the army. An updated criminal justice review implementation plan is also to be published, designed to enhance the effectiveness of the current NI criminal justice system and to promote its culture of human rights. Lord James Clyde was appointed to the post of Justice Oversight

Commissioner and Kit Chivers as Chief Inspector of Criminal Justice.

June 20 A cross-party political delegation visited Maghaberry prison, where all asylum seekers in Northern Ireland are held in the same sections as convicted criminals. The visit came after the second detainee in a week went on hunger strike while lawyers for another potential deportee, who has suffered an apparent mental breakdown, have twice been refused access to him. A Ghanaian woman being held in the prison is 8-months pregnant.

June 24 The family of Pat Finucane have asked Nelson Mandela to back calls for an independent inquiry into the lawyer's murder. A report on the assassination has been presented to former President Mandela.

June 26 Police Ombudsman Nuala O'Loan has said it is her statutory duty to investigate incidents where officers use plastic bullets, such as at last year's Drumcree. The ombudsman concluded in that instance, where there was a "serious and immediate risk to life", that the restrained use of plastic baton rounds was consistent with police guidelines, criminal law and human rights legislation.

June 26 Hugh Orde has published his first annual report; in this he admitted, "the demands of crime remain high...[which] places a great strain on our officers." Some success in meeting some of the Policing plan targets tempered the increases in most forms of crime. Overall though crime has risen by just 1.9% compared with the 2.9% increase in clearance rate.

June 27 Nigel Williams has been appointed as Northern Ireland's first Commissioner for Children and Young People.

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Civil Liberties Diary - June/July

July 2 The European Court of Human Rights this week found the British Government to have been in breach of the European Convention on Human Rights in the death of Patrick Finucane. The Court held that Mr Finucane's right to life had been violated.

July 3 The Chief Constable Hugh Orde has gained permission of the Policing Board to set aside the 50:50 PSNI quota in order to recruit experienced detectives from the UK and Republic of Ireland to fill the acute skills gap. During the presentation of implementation plans for recommendations made by the independent Compton, Stevens, and Blakey investigations Mr Orde pledged that 90-95% of all recommendations would be put into practice through the planned major programme for restructuring the PSNI.

July 3 The government promised a new Justice Bill for Northern Ireland by September. This was part of a 'work plan', which also includes completion of the police estate review, increased co-operation on criminal justice, secondary legislation on cross-border police secondments, appointment of Commissioners to the Human Rights body and a Single Equality Bill.

July 8 Commissioner Patrick Yu resigned from the Northern Ireland Human Rights Commission. His decision was made due to "two particular concerns" as to the direction of the proposed Bill of Rights, which he could foresee undermining the Good Friday Agreement. His resignation comes after serving 19 months on the Commission. He concluded "that the commission cannot fulfil its mandate." The NICEM director is the third commissioner to resign in the last 10 months.

July 10 The Police Ombudsman, Nuala O'Loan, has concluded that the British intelligence service "did not influence" Chief Constable Hugh Orde in his decision to remove a senior Special Branch officer from his duties with the PSNI.

The Parades Commission has imposed conditions on 31 out of the nearly 600 parades due to take place on the 12th July.

July 10 The spy Kevin Fulton has said that he is preparing to take the British government to the European Court of Human Rights in an effort to get the government to provide him with a new identity and financial support.

July 11 The Human Rights Commission has published its fourth annual report in which it criticises the British government for its failure to give the commission necessary powers; to fully investigate all Northern Irish killings and; to overhaul the inquest system. Further concern was expressed at the continuing paramilitary violence, the need for replacements to plastic bullets and the lack of government response to the needs of children in custody.

July 11 Martin McGuinness of Sinn Fein is expected to give evidence in November to the Saville Inquiry, with the tribunal's final report due to be published in the autumn of 2004.

July 17 An independent assessors report has shown that there was a substantial increase in the number of plastic bullets fired last year by the army but that the civil unrest has been such that none have been shot this year.

Following the release of a report on the NIHRC by the Westminster Joint Committee on Human Rights two former commissioners have spoken to the press about their concerns about the Commission's work. Inez McCormack and Christine Bell have both backed the criticisms made in that report.

July 18 Protests within Maghaberry prison over overcrowding and segregation issues have continued to escalate, with around 20 republican inmates now participating in a 'dirty protest'. Earlier in the month a state of emergency was called in the prison following a roof protest against the

same conditions. Legal representatives of some prisoners claimed that the resulting suspension of visits was contrary to article 6 of the European Convention on Human Rights and suggested that applications for judicial review may be filed.

The US House of Congress has voted in favour of allocating government funding to the PSNI. If the bill is indeed passed by September, it will authorise the United States Agency for International Aid (USAID) to provide "computer-based, human rights and other professional training" to the PSNI.

July 24 Brice Dickson, Chief Commissioner for the Northern Ireland Human Rights Commission, has stated that he will not be resigning from his post. Mr Dickson has conceded that he "might have dealt differently" with his reservations about the merits of a NIHRC-sponsored judicial review case concerning the policing of the Holy Cross situation. The commission has also released a statement reiterating its commitment to drafting a Bill of Rights which will serve to build upon the Good Friday Agreement and existing human rights protections.

Compiled by Karen O'Connor from various newspapers.



Just News welcomes readers' news, views and comments.

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