

# Just News

Human Rights in Northern Ireland

## Balancing Parades

**The Parades Commission has been much in the news lately, albeit for reasons not of its own doing. Specifically, appointments made to the body by the Secretary of State last year have been the subject of much controversy, and most recently legal proceedings.**

A member of the Garvaghy Road Residents Coalition in a judicial review challenged the decision of the Secretary of State to appoint two members of the Loyal Orders to the Parades Commission. The review was argued on a number of grounds, and had mixed success in the court of first instance.

In the course of the judicial review application it emerged that the Secretary of State had written to community leaders asking them to encourage anyone whom they considered would be appropriate for appointment to apply to become Commissioners. Those contacted in this way were the leaders of the main political parties, church leaders and the heads of the three loyal institutions, the Apprentice Boys of Derry, the Grand Orange Lodge of Ireland and the Royal Black Institution. Morgan J, at first instance, held that the officials who were responsible for the appointments process had an obligation to consider whether it was necessary to target those groups within the nationalist community which opposed the perspective of the loyal orders. He concluded that because they did not do so, the Secretary of State had *“failed to take into account a material consideration as a result of which he failed to secure as far as was practicable that membership of the Commission was representative of the community in Northern Ireland.”*

The Secretary of State then appealed this decision to the Court of Appeal, and in a judgment issued earlier this month, his appeal was upheld. In a decision from which one member of the three-member bench dissented, the Lord Chief Justice ruled that the Secretary of State was not required to achieve a balance between individual members of the Commission (as this would be impractical and beyond the level of balance needed to fulfil the requirement of representativeness envisaged by Parliament). As a result, the failure to address the question of whether residents' groups should be targeted did not render the Secretary of State's decision unlawful.

However, in his dissenting judgment, Nicholson LJ stated that he was *“satisfied that the decision of the Secretary of State was flawed from the start of the selection process because it was decided to write to leaders of the Loyal*

*Orders inviting applicants regardless of any conflict of interest. This was an act of positive discrimination. In order to redress this and establish balance, it would have been necessary to write to leaders of nationalist community groups inviting applicants from those affected by contentious parades.”*

CAJ intends to pursue the issue of public appointments with the Public Appointments Commissioner. We believe that this recent controversy highlights a number of problems. CAJ's stance has always been that the Commission should either include all the parties to the dispute (i.e. representatives of the Loyal Orders and residents' groups), or none. Moreover, the issues raised about “representativeness”, “balance” and considerations of “conflict of interest” have a significance beyond the Parades Commission and these principles are clearly something that the Public Appointments Commissioner could usefully study and advise on.

Of great concern to CAJ also was the final paragraph of the Lord Chief Justice's ruling, which held that *“the decision considered in this case was par excellence a political one”* and there is a clear implication that therefore the issue is not appropriately addressed by the courts. CAJ considers the issues of representativeness, balance and potential conflicts of interest to be fundamental issues of accountability and human rights, to which international human rights standards apply. While they may raise issues of political controversy, they are not political in the sense that they fall out-with the realm of the courts. Any human rights activist would indeed argue the exact reverse: that the courts perform one of their most important functions when ensuring an independent, impartial and non-partisan check and balance against the abuse of political power.

### Contents

<b>Balancing Parades</b>	1
<b>Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights visits United Kingdom</b>	2
<b>50, 000 volts for five seconds...</b>	3
<b>Irish Council for Civil Liberties: the first Three Decades</b>	4/5
<b>Enforcing the Human Rights Act abroad</b>	6
<b>Challenging the Inquiries Act</b>	7
<b>Civil Liberties Diary</b>	8

## ***Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights visits United Kingdom***

**As reported in last month's edition of Just News, the International Commission of Jurists (ICJ) has appointed an independent panel of eight eminent jurists to conduct a global inquiry into the impact of terrorism laws and policies on human rights and to explore real or perceived policy challenges in confronting the threat of terrorism. The independent panel is chaired by Justice Arthur Chaskalson, former Chief Justice of South Africa and first President of its Constitutional Court. To date, it has held hearings in Colombia, Australia, East Africa and the United Kingdom.**

Subsequent to its hearing in Northern Ireland, which examined the impact of long-standing emergency laws and measures, the Panel visited London to consider counter-terrorism measures and policies in the United Kingdom, particularly those taken since 2001. The UK has enacted numerous counter-terrorism laws in recent years, some of which have considerable influence over laws and policies in other countries. Members of the UK Government have also questioned the application of the Geneva Conventions and the UK Human Rights Act in the context of combating terrorism.

Witnesses who attended the London public hearing agreed that the UK faces a real risk of terrorist attacks, as evidenced by last year's London bombings. The Home Secretary, Charles Clarke MP, argued at the hearing that the Government's measures were necessary and proportionate to current threats in the UK, an assertion disputed by many of the witnesses. The introduction of legal procedures which operate in parallel to the criminal justice system and which allow decision-making on the basis of secret intelligence was criticised at the hearing for its potentially corrosive affect on the legal system of the UK. The example of imposition of control orders, without a trial or sufficient judicial safeguards, in circumstances where an individual cannot effectively challenge information forming the basis of decisions, was highlighted. Similar measures, modelled on UK legislation, have been introduced in Australia and were considered by the Panel at its Australian hearing.

In London, submissions to the Panel highlighted the scope of such orders and the severe implications such conditions have for an individual's rights to liberty, freedom of movement and association. In a public discussion with the Home Secretary, Justice Arthur Chaskalson talked about his experience of the use of similar orders in apartheid South Africa. He described control orders as very severe impairments of liberty, personality and dignity and emphasised that they have a devastating impact on the lives of the individuals concerned.

In response, the Home Secretary defended the use of control orders and argued that, after 11 September 2001, a new approach to counter-terrorism activities was required. He maintained that the State could not always proceed through the criminal justice system, as it was

increasingly necessary to take preventative action, based on intelligence information, to thwart terrorist attacks. He stated that this necessity requires new responses, such as control orders, and structures such as the Special Immigration Appeals Commission (SIAC). Those at the hearing with experience of proceedings before the SIAC discussed the fundamental lack of fairness caused by such structures, due to the inability of individuals to answer allegations made on the basis of information that they cannot see.

A number of other issues were highlighted in submissions, including concerns that, in order to allow deportation of individuals suspected of involvement in terrorism, the Government was weakening the prohibition. This occurred by deporting persons to countries where they face a real risk of torture and by entering into unenforceable agreements with countries which routinely use torture. A recurring theme was the perception by members of the Muslim community that police counter-terrorism measures are directed, in a discriminatory manner, toward them, increasing their sense of insecurity and alienating their community. Some speakers referred to the past experience of policing in Northern Ireland and suggested that recent reforms to the Police Service for Northern Ireland (PSNI) were a positive model for policing throughout the UK. Keir Starmer QC referred to the positive effect within the PSNI of the introduction of a disciplinary Code of Ethics drawing on human rights standards and the appointment of an internal human rights adviser.

A final issue, discussed by attendees in London, was the positive influence of the Human Rights Act in providing clarity and guidance on human rights issues to the police (a point which was also made by representatives of the PSNI during the Panel's Northern Ireland visit). The importance of a strong and independent judiciary and legal profession, an active civil society, and other institutional safeguards, to provide a framework within which UK anti-terrorism laws and measures are implemented was emphasised.

The next hearing of the Panel will be a sub-regional hearing for North Africa and will take place in Morocco on 4 July 2006. For further information on the Eminent Jurists Panel on Terrorism, Counter-terrorism and Human Rights please visit <http://ejp.icj.org>.

**Stephen Coakley**  
**Assistant Legal Officer**  
**Global Security and Rule of Law Programme**  
**International Commission of Jurists**

## 50, 000 volts for five seconds...



**That's the level of electric shock delivered by the tasers currently being considered by the PSNI for use in Northern Ireland. As one of the speakers commented at a recent seminar organised by the NI Human Rights Commission on this topic, five seconds does not sound too long until you think of how quickly you jump when you have had even a mild electric shock from some household appliance!**

The seminar was extremely useful since it brought together a range of groups interested in the human rights aspects of the weapon, the police who might be asked to use it, and the Police Ombudsman who might have to investigate complaints into its usage. The Policing Board was not particularly well represented but their human rights advisers intend to organise a follow up meeting to discuss "less lethal" police technologies, so it is presumed that this is a debate that the Board intends to follow closely.

The seminar also allowed for an exchange of useful factual information about the operation of tasers to date in other jurisdictions. For example:

- The taser consists of 2 electrical cables with ½" barbs that penetrate clothing and skin to deliver 50,000 volts.
- The weapon can give up to 5 seconds of shock and can be fired to give further shocks; while initially described as a "stand-off" weapon (fired from a distance) it also has a "touch-stun" mode to allow direct application to the skin.
- The target is immediately immobilised with instantaneous pain and a collapse in the muscular system.
- Previously advertised as "non-lethal" it is now promoted as "less lethal" and 75 deaths have occurred in one year in North America in circumstances where a taser was used (direct cause-and-effect is clearly more difficult to ascertain).
- There are only a limited number of manufacturers who combine training, officer support, legal fund to contest claims, and who commission most of the "independent" medical research.
- Amnesty research has found that 80% of firings in the US were aimed at unarmed people including a 6 year old, a 9 year old handcuffed at the time, a pregnant woman (who subsequently lost her child) and a person in a wheelchair.

The horrendous stories of abuse of the weapon in situations in the US led to extensive exchanges among participants at the seminar about the kinds of safeguards that would need to be built in, and also the limitation of safeguards. Experience shows that however tight and controlled

weapons may be at the outset, a "mission creep" develops and abuses become all too common. The weapon can all too easily become used as a "pain compliance" tool, moving detained suspects more speedily into police vehicles, handling self-abusing young adults, or 'calming' otherwise distraught individuals who are not posing any serious threat to themselves or others.

All these issues will need to be considered in the widespread equality impact assessment that the PSNI will have to engage in (this recommendation was made very clearly at the seminar). Consultees may have some serious difficulty however in commenting knowledgeably on the likely impact of this weapon on children, on pregnant women, on people with heart problems, since little research has been carried out on such vulnerable groups.

Many other problems, however, also need to be considered. Who, in the final analysis, will make the decision about whether or not to introduce tasers? Is it an operational matter for the Chief Constable, or can the Board prohibit the police from the purchase or deployment of this weapon? If tasers are deployed, what role, if any, will the Ombudsman play? Will her Office only be engaged if a formal complaint arises, or should she treat this weapon as she does firearms currently, which is to investigate all cases where firearms are used? What consistency, if any, is expected of her Office in investigating usage of all lethal and "less lethal" weapons – firearms, plastic bullets, CS spray, tasers.....? In what circumstances, if any, may a police officer use a taser?

Earlier research indicated that tasers were totally unacceptable in situations where accelerant is present – therefore ruling it out in most public order situations in Northern Ireland. But, on the basis of testimony to the Joint Committee on Human Rights by the Policing Board's human rights advisers, there may be different understandings about what a ban on usage in public situations means. Everyone would agree that untargeted firing of tasers would be unacceptable, but would 'targeted' firing of tasers, even in a public order situation, meet the threshold that the Board's advisers appear to have set for the (proper) use of plastic bullets?

Lots of questions ... let us hope that the next phase of broader public consultation will provide an opportunity to try and find the right answers.

# Irish Council for Civil Liberties

As the CAJ celebrates its twenty-fifth anniversary, its Dublin-based partner organisation, the Irish Council for Civil Liberties (ICCL) has just turned thirty. Founded by, amongst others, Mary Robinson, former President of Ireland and UN High Commissioner for Human Rights and Kadar Asmal, anti-apartheid campaigner and Minister in the first democratic government of South Africa, the ICCL remains a strong and independent advocate for the promotion and protection of human rights.



On the same evening, we launched a new logo for the organisation and the specially-commissioned book *Protecting Civil Liberties, Promoting Human Rights* by Carl O'Brien, the Social Affairs Correspondent of the Irish Times. Carl sets the last thirty years of the ICCL's rights-based work against a shifting backcloth of civil and social unrest, bombings and ceasefires, the peace process and the eventual emergence of a nascent human rights culture. He specifically highlights the ICCL's longstanding cooperation with the CAJ, through events such as the jointly-organised 1993 conference *The States We Are In*, which reviewed restrictions on civil liberties and human rights and added momentum to calls for an end to emergency legislation throughout the island.



Maggie Beirne, Director, CAJ, Shami Chakrabarti, Director, Irish Council for Civil Liberties (ICCL) pictured at the Law Library in Dublin.

*"Looking back on the early days of the Irish Council for Civil Liberties I recall the passion with which we addressed twin challenges:*

*The need to create political and personal space in Ireland through reform of the Constitution and laws, and the need to affirm standards of civil liberties in the context of the increasing violence in Northern Ireland.*

*It was an enjoyable and memorable experience from which I learned a great deal."*

**Mary Robinson**

Our 30th anniversary celebrations began in early May with a public lecture in Dublin by Shami Chakrabarti, Director of Liberty (UK). Shami, who is a leading expert on UK anti-terrorism laws, told a capacity audience that her recent experience in the United Kingdom has shown that it is never safe to assume that governments will continue to protect our fundamental human rights and freedoms.

*"Ireland has been spared the more flagrant attacks on civil liberties that we have witnessed in the UK; however, none of us can afford to be complacent about the future. So I'm delighted to be here in Dublin to celebrate thirty years of campaigning and advocacy by the Irish Council of Civil Liberties. The need for a truly independent voice such as that of the ICCL is now greater than ever."*

**Shami Chakrabarti**

Our co-founder Professor Kadar Asmal joined us in Dublin a couple of weeks later to launch the ICCL's new report *Equality for All Families*, which outlines the need for constitutional and legislative changes in order to bring the protection of family life in Ireland into line with international best practice. Drawing upon his South African experience, Kadar emphasised that families should be valued for what they do rather than how they are labeled, and that giving legal protection between children and their gay, lesbian or non-biological parents is first and foremost a question of children's rights.

# ities: the first Three Decades

*"Ireland has prospered greatly and much has been achieved in promoting human rights since I co-founded the ICCL 30 years ago with Mary Robinson, the former President of Ireland. However, there is a pressing need for constitutional reform to ensure that legislation is child focused rather than the current situation, which only protects traditional families"*

**Kadar Asmal**

Less festive events during my first couple of weeks in the job (I replaced Aisling Reidy as Director on 8 May 2006) have included the occupation of St Patrick's Cathedral by a group of Afghan hunger strikers. The ICCL publicly called

for the situation to be brought to an end through negotiation rather than by the use of force and, thankfully, the protest ended peacefully.

More recently, a Council of Europe report has stated that Ireland could be held responsible for collusion in unlawful prisoner transfers by allowing Shannon Airport to be used as a "stopover point" for CIA rendition flights. The ICCL has emphasised that reliance on diplomatic assurances is not sufficient to protect detained persons against the risk of being subjected to torture and other forms of ill treatment, whether during or after such flights.

*"Ireland now has serious reasons to believe that aircraft that have refuelled on its territory may have carried prisoners with the intention of transferring them to countries where they would face ill treatment in violation of Article 3 of the European Convention on Human Rights. In these circumstances, the State has a positive obligation under the Convention to take all necessary measures to prevent this from taking place".*

**ICCL press statement on rendition flights**

If I had any illusions that I was opting for a quieter life as Director of the ICCL, then they have been swiftly dispelled.

In fact, I consider myself very fortunate to be taking on the management of the organisation at this particular time. The ICCL has core funding for the years ahead, is recruiting new staff, and has recently moved into purpose-designed (and fully-accessible) offices. We are beginning our fourth decade in perhaps the most secure position that the organisation has ever enjoyed. Carl O'Brien's book lists and rightly celebrates some of the more high-profile contributions to the ICCL's growth (such as those of Mary Robinson and Kadar Asmal). However, it is evident to me that the ICCL could not have endured for thirty years as an independent civil society force for change without the commitment and support of many more members, supporters and staff. Sincere thanks are due to all of those who, often through sheer persistence and force of will, have helped to craft the ICCL that we know today.

As for the future, the Irish Council for Civil Liberties will continue to campaign around three main "pillars" of work: fostering a human rights culture (through strengthening the implementation of international human rights obligations in Irish law); promoting justice (for example, by lobbying for fully effective accountability structures for the Gardaí) and securing equality (such as recognition for all of equal rights in personal and family relationships).

For my part, I am greatly looking forward to the challenge of leading an organisation that never has been – and never need be – afraid to speak truth to power.

**Mark Kelly**  
**Director**  
**Irish Council for Civil Liberties**

*Protecting Civil Liberties, Promoting Human Rights* by Carl O'Brien can be ordered from the Irish Council for Civil Liberties, 9-13 Blackhall Place, Dublin 7.  
[www.iccl.ie](http://www.iccl.ie) Price £ 5.50 plus



Director of Liberty (UK) and Mark Kelly, Director, at the ICCL's 30th Anniversary Celebrations in the

# Enforcing the Human Rights Act abroad

## The Al-Skeini case

On 14 September 2003 in Basra, Iraq, Baha Dawood Salem al-Maliki (also referred to as Baha Mousa) was among eight Iraqi citizens arrested and reportedly beaten in a hotel by members of the UK military. Four days later Baha Mousa's father was asked by a military police unit to identify his son's body. It has been alleged that Baha Mousa died as a result of torture or other ill-treatment at the hands of UK armed forces personnel during his detention in a UK military prison in Iraq.

In December 2005, the Court of Appeal of England and Wales ruled in the case of *R (Al-Skeini) v Secretary of State for Defence* arising from Baha Mousa's death and the deaths of five other Iraqis killed in separate incidents involving the use of armed force by members of the UK military. The families of the six victims said that the Ministry of Defence (MoD) had refused to carry out independent and thorough investigations as required by Articles 2 and 3 of the European Convention on Human Rights (ECHR) and by the Human Rights Act 1998. The MoD claimed that neither the ECHR nor the Human Rights Act was applicable to the conduct of its military in Iraq at the time of the deaths, because Iraq was outside Europe and was not a party to the ECHR.

The following is a short account of the facts surrounding treatment and death in UK custody of Baha Mousa set out in the leading judgment in the case given by Lord Justice Brooke.

*"Baha Mousa was 26 years old. ...In the early morning of 14th September 2003 a unit from 1 QLR [Queen's Lancashire Regiment] raided the hotel ....they rounded up a number of the men they found there, including Baha Mousa. Four days later he [Baha Mousa's father] was invited by a military police unit to identify his son's dead body. It was covered in blood and bruises. The nose was badly broken, there was blood coming from the nose and mouth, and there were severe patches of bruising all over the body. The claimants' witnesses tell of a sustained campaign of ill-treatment of the men who were taken into custody, one of whom was very badly injured, and they suggest that Baha Mousa was picked out for particularly savage treatment .... The men who were arrested had been taken from the hotel to a British military base in Basrah City called Darul Dhyafa."*

The Court of Appeal ruled that the ECHR and the HRA applied to the case of Baha Mousa and thus the authorities were required to ensure an independent investigation into this death. However, the Court held that the notion of jurisdiction was not broad enough to apply to those persons who were at liberty and not yet in the control of UK forces, including the other five named persons who were shot dead by UK soldiers.

The Defence Secretary has appealed the ruling in the Court of Appeal in respect of its findings in the Baha Mousa case; the families of the other five Iraqi civilians have also appealed the ruling. It is likely that the appeal will be heard by the Law Lords in the first half of 2007.

At the time of writing court-martial proceedings remained pending against seven military personnel, including the commanding officer who has been charged with negligent performance of duty. Three of the seven military personnel have been charged with "inhuman treatment" of Baha Mousa.

## The al-Jedda case

Hillal 'Abdul Razzaq 'Ali al-Jedda is a 48-year-old dual national with UK and Iraqi citizenship residing in London. Mr al-Jedda was seized by US troops on 10 October 2004 in Baghdad and handed over to UK armed forces. Since then he has been interned by UK armed forces near Basra. He has not been granted the right to appeal to a fully independent and impartial tribunal the decision detain him.

The UK has asserted that the authority to intern people derives from UN Security Council Resolution 1546 on the grounds of "imperative reasons of security". It claims that this resolution displaces the obligations (relating to the right to liberty and security of the person) of the UK under domestic and international human rights law.

In November 2005 the UK Ministry of Defence wrote to Amnesty International stating that:

*"Mr Al-Jedda is being held in Iraq under procedures authorised by ... Security Council Resolution 1546... which give coalition forces in Iraq the power to intern people, where necessary, for imperative reasons of security....[he] is held ....because it is assessed he poses a serious security risk and is therefore a threat to the lives of coalition servicemen and women in Iraq, and to Iraqi security personnel and Iraqi civilians."*

Mr al-Jedda applied for a judicial review of his detention by UK armed forces in Iraq. In March 2006 the Court of Appeal of England and Wales dismissed his appeal holding that: Security Council Resolution 1546 gave the multi-national force in Iraq power to intern people of every nationality for imperative reasons of security; and that although internment was inconsistent with the ECHR due process requirements, Resolution 1546 qualified any obligations contained in human rights conventions insofar as it was in conflict with them. It is likely that Mr al-Jedda will appeal this ruling to the House of Lords.

**Livio Zilli**  
**Amnesty International**

## Challenging the Inquiries Act

**Billy Wright was murdered by INLA members inside the Maze Prison on 27<sup>th</sup> December 1997. In October 2003 Peter Cory, a former judge of the Canadian Supreme Court, who had been asked to investigate the murder and five other cases, found that there had been collusion in the murder and that this warranted a public inquiry. The inquiry was eventually established in November 2004.**

On 23 November 2005, the Secretary of State agreed to the request made by Lord MacLean, Chair of the Billy Wright Inquiry, to convert the statutory basis for the Inquiry from the Prisons Act (Northern Ireland) 1953 to the Inquiries Act 2005. Billy Wright's father, David, challenged this decision by way of a judicial review. The High Court in Belfast sat for four days in May to consider the issue.

The Applicant, represented by Seamus Treacy QC, forwarded multiple reasons why the decision to convert should not be upheld. One of the main arguments was that the inquiry into Billy Wright's murder must comply with the procedural aspects of Article 2 (right to an effective and independent investigation) of the European Convention on Human Rights (ECHR). This means it must be effective, independent and impartial and capable of involving the family to the extent necessary to protect their interest. An inquiry held under the Inquiries Act 2005 is unable to achieve this because the Act gives the Minister extensive control over key aspects of the inquiry, such as the publication of the report. Such an inquiry also does not have sufficient administrative independence, judicial authority, security of tenure and financial security. Seamus Treacy drew attention to the criteria outlined by Judge Cory in his report on the murder of Billy Wright, and the minimum standards for an investigation laid out in *ex parte Amin*, and emphasized how the government had failed to provide such an effective investigation.

The Respondent, represented by Bernard McCloskey QC, argued that many of the areas of the Inquiries Act which allow for strong Ministerial control, would only be exercised on rare occasions, and objections to these powers were thus highly theoretical. He argued that an inquiry under this legislation would discharge, or at least contribute to the discharge of the procedural obligations of Article 2.

Discussion on the issue of public interest immunity and disclosure formed a key part of the proceedings. Of particular significance was the issue that the Minister, or Department, could withhold the fact that they were not disclosing documents to the inquiry. This was used by Seamus Treacy to illustrate how the inquiry could not be considered independent. Bernard McCloskey argued that the Secretary of State had given several assurances to

David Wright personally, that documents would not be withheld from the Inquiry. However, Mr Wright has been given assurances before, not least that the inquiry would not be converted, and it was accepted by all parties that a minister cannot "fetter his discretion" by giving an undertaking which is binding for all time.

The question of whether the Human Rights Act 1998 (HRA) applied in this case was raised. Seamus Treacy sought a declaration of incompatibility under s.4 of the Act, arguing that, while Mr. Wright's death occurred before the commencement of the Human Rights Act, that the judgement in the *McKerr* case (which found that the act did not apply retrospectively) was not relevant to this situation and that in this case it was section 3 of the Act that should be considered. Section 3 provides that, so far as possible, all legislation must be read and given effect in a way which is compatible with Convention rights and that if it is not compatible then section 4 applies. Section 4 allows the court to make a declaration of incompatibility for any provision of primary legislation which cannot be read in a way which is compatible with the Convention.

Somewhat surprisingly, John Larkin QC, representing Lord MacLean, Chair of the Billy Wright Inquiry, argued that David Wright could not be considered a victim under the HRA; and hence he was not entitled to an Article 2 compliant inquiry. He defended the position that it was completely rational for Lord MacLean to seek conversion to the standard model offered by the legislation, in this case the Inquiries Act.

CAJ, British Irish RIGHTS WATCH, and Amnesty International intervened and were granted leave to make a joint written submission to the court in respect of this application. The Northern Ireland Human Rights Commission was also afforded intervener status and made two written submissions.

Judgement was reserved. The outcome will be eagerly awaited by Mr. Wright and many other families in Northern Ireland, not least the family of Patrick Finucane.

**Caroline Parkes,  
British Irish Rights Watch**

### LLM in Human Rights Law at TJI/Ulster University

The Transitional Justice Institute (TJI) in conjunction with the School of Law at the University of Ulster (Northern Ireland) is now accepting applications for enrolment in its LLM in Human Rights Law (2006/07). The programme is available on a full- or part-time basis at the University's Jordanstown and Magee campuses. For further information, please visit the website: [www.transitionaljustice.ulster.ac.uk](http://www.transitionaljustice.ulster.ac.uk).

## Civil Liberties Diary

**May 3** The Irish News claims that British Prime Ministers were aware of collusion between loyalist paramilitaries and security forces and claims that documents show one army sub-machine gun was used in 11 attempted sectarian murders and that the UDR was the single biggest source of weapons.

SDLP and the Orange Order meet for an initial exchange of views on the coming marching season.

**May 4** A specialist cross-border team to detect and deport illegal immigrants is to be established to tackle human trafficking in Ireland.

Equality Commission is found guilty of sexual discrimination against one of its own staff, Ms. Helen McGowan.

**May 5** Self-harm in Northern Ireland's jails has trebled in four years. The statistics are revealed in response to a parliamentary question.

Report by Bamford Review on mental health reveals that suicide trends in Northern Ireland have increased by 27% in 10 years. It also highlighted the fact that only 10% of health budget is spent on mental health although it is attributed to 30% of deaths.

Chief Inspector of Prisons reveals that the high level of additional costs in segregating Maghaberry prison, claiming it costs almost twice as much.

**May 7** Michael McIlveen(15) is murdered in Ballymena in a sectarian attack.

**May 10** Police Ombudsman publishes the findings of an investigation into the shooting of Alice McLoughlin in Portadown in July 1991 while travelling in a police car. It clears the officer of any involvement in the death but is highly critical of the RUC investigation.

**May 11** Final report of the Saville Inquiry into Bloody Sunday is delayed and now will not be released until next

year, some two and a half years after hearings finish.

**May 13** Office of the Police Ombudsman denies it was the source of a leak concerning the investigation into the fatal shooting by the PSNI of Steven Colwell in Ballynahinch.

**May 15** Relatives of the victims of the Dublin/Monaghan bombings have renewed their appeals for a full public inquiry into the attacks which claimed the lives of 33 people.

**May 16** In Dublin a number of Afghan asylum seekers vow to starve themselves to death unless they are allowed to remain in Ireland.

**May 17** Don McKay resigns from the Parades Commission.

**May 19** NIO minister David Hanson announces that a triple lock safeguard would have to be approved before criminal justice powers would be devolved to the Northern Ireland executive.

High Court declares appointment of David Burrows to the Parades Commission unlawful.

PSNI criticised for being unable to provide statistics on the level and target of sectarian attacks in Ballymena.

**May 22** SDLP welcomes NI Secretary of State's assurance that community based restorative justice schemes will have to be consistent with the rule of law and agreed with the PSNI.

**May 23** Daily Telegraph agrees to pay substantial damages to families of the Bloody Sunday victims after a libel action settled out of Court. It concerned articles written in June 1999 around the time discussions were taking place about granting soldiers anonymity at the Bloody Sunday inquiry.

**May 24** Ken Barrett, the man convicted of murdering Belfast

solicitor Pat Finucane, is freed from Maghaberry prison after serving less than two years of a life sentence under the Good Friday Agreement.

**May 25** Monica McWilliams criticises statements by British ministers portraying human rights legislation as a threat to public safety.

**May 29** Irish government representatives meet FIFA representatives to ensure an appeal of their decision that all Northern Ireland footballers must carry British passports.

**May 30** The rise in the number of reported racially motivated attacks, including pipe bombs, is blamed on loyalist paramilitaries. During 2005-2006 the PSNI recorded 746 racist crimes.

Transsexual takes a landmark legal case in Northern Ireland over her treatment at work in the High Court in Belfast. She alleges she has been subject to less favourable treatment because she changed her gender.

Report by the Combat Poverty Agency reports that 1 in 5 or 65 000 children in the Republic lives in income poverty.

Polish man is attacked in Magherafelt days after a similar racist attack occurs in the Waterside area of Derry.

*Compiled by Mark Bassett from various newspapers.*



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

**Just News** is published by the Committee on the Administration of Justice Ltd. Correspondence should be addressed to the Editor, **Fionnuala Ni Aolain**, CAJ Ltd.

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

Fax: (028) 9024 6706

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