

Just News

Human Rights in Northern Ireland

Inside the Cory Reports

After years of campaigning, the families of Robert Hamill, Rosemary Nelson and Billy Wright, expressed pleasure recently at the release of the reports of Canadian Judge Cory, and the government response to those reports. "Pleasure" may seem a strange choice of word, but as Diane, Robert Hamill's sister, said in a radio interview, an inquiry is something that the family has long fought for, so they were pleased at the fact that the inquiry was established, apparently in compliance with demands for effective powers and independence. Of course, only time will tell if the latter is true.

The family of Patrick Finucane was, however, left deeply disappointed. The failure of the government to heed the very clear call from Judge Cory to privilege a public inquiry over prosecution in the Finucane case is seen by many as confirmation that it is this case which will reveal the most about security force involvement in serious human rights abuses and collusion.

The Cory reports were provided to the families 24 hours before they were released to the media and before the government issued its formal response to Cory's recommendations. The reports are damning, and the following extracts simply give a flavour of some of the concerns Judge Cory raised.

PAT FINUCANE

"They (FRU) were aware that (Brian) Nelson was a central player within the UDA, and that he had considerable influence in directing targeting operations. They were also aware that Nelson often played a direct and active role in reconnaissance missions. The provision of information to Nelson in these circumstances may be seen as evidence of collusive behaviour that had the potential to facilitate the deadly operations planned by the UDA." (page 102)

"The documents I have examined disclose that Army handlers and their superiors turned a blind eye to the criminal acts of (Brian) Nelson. In doing this they established a pattern of behaviour that could be characterised as collusive." (page 103)

"Similarly, they indicate that Special Branch rarely took any steps to document threats or prevent attacks by the UDA, whereas pro-active steps were routinely taken in connection with PIRA and other Republican threats. The failure to issue warnings to person targeted by the UDA often led to tragic consequences. This is indicative of attitudes with RUC Special Branch." (page 105)

"If criminal prosecutions are to proceed, the practical effect might be to delay the public inquiry for at least two years. The Finucane family will be devastated. A large part of the Northern Ireland community will be frustrated. Myths and misconceptions will proliferate and hopes of peace and understanding will be eroded. This may be one of the rare situations where a public inquiry will of greater benefit to a community than prosecutions (page 110)."

contd. on page 3

STEPHEN LIVINGSTONE

It is with great regret that we at CAJ have to report that Professor Stephen Livingstone, long time chair of CAJ and human rights activist, is missing, feared dead.

At the time of going to print, no further news is available.

Contents

Inside the Cory reports	1/3
CAJ goes to Washington	2
"Plus ça change?"	4/5
Too Firm to be Fair?	6
Human rights implications of the Review of the Agreement	7
Civil liberties diary	8

CAJ goes to Washington

On the fifth anniversary of the murder of former CAJ executive member Rosemary Nelson, Paul Mageean represented the organisation in Washington seeking to keep human rights firmly on the agenda of US decision makers. Speaking on a panel with British Irish Rights Watch and Human Rights First (formerly the Lawyers Committee on Human Rights), before Congressman Chris Smith and others at the Commission on Security and Cooperation in Europe, Paul was asked to focus particularly on issues of policing, but set this within the wider context of human rights measures in the wake of the Agreement.

In 2003, CAJ and other human rights non-governmental organisations (NGOs), had argued that concrete benchmarks be developed against which progress in the advancement of human rights and equality could be monitored, and we had that statement placed on the Congressional record.

We noted in particular the need for political commitment to developing, legislating for, and subsequently enforcing a strong and inclusive Bill of Rights for Northern Ireland, and our inability to report on much progress in the year since the statement was issued. Unsurprisingly, given the importance accorded in the US to its written constitution and its codified Bill of Rights, the Commission listened sympathetically to an update on current initiatives to bring about a text which would protect the rights of all.

Congress was also made aware of the failures to date in seriously addressing the Agreement's proposals with regard to tackling socio-economic inequalities, long-term unemployment, persistent differentials in employment, and sectarian and other divisions. We argued human rights abuses fed and fuelled the conflict, and – if not addressed in a fundamental and consistent way – will fuel the terrible legacy of conflict.

Strong concerns were also expressed around the issues of criminal justice and emergency laws. The panel argued that whilst significant changes were promised by the Criminal Justice Review, change has been slow in coming. CAJ noted that it was difficult to avoid the conclusion that there is institutional resistance to many of the changes being proposed. Moreover we used the occasion to note that ten years after the first cease-fires non-jury Diplock courts are still operating in Northern Ireland. Post September 11th, it is vital for Northern Ireland human rights activists to use every opportunity to say that emergency powers do not solve problems - they tend to exacerbate them.

The testimony went onto argue that mechanisms are needed to ensure accountability for past human rights abuses, and made the link between this debate and the Cory proposals which were shortly to be released.

The main bulk of the testimony however focused on policing and we argued that the test of policing change is not the mere existence of new institutions, but whether they are working, and most importantly, are they effecting policing change on the ground. Our testimony recognised the many many advances made to date, including the establishment of the Office of the Police Ombudsman for Northern Ireland; the move from the Royal Ulster Constabulary to the Police Service of Northern Ireland; the introduction of measures to increase Catholic representation; and the creation of the Northern Ireland Policing Board and the local District Policing Partnerships.

We noted, however, also that while there have been improvements, CAJ has continued to hear reports of heavy-handed raids; the protection of informers involved in crime; the recruitment of children as police informers; the unnecessary and disproportionate practice of stopping and questioning people on the street; and an intimidating approach to public order policing, which tends to fuel rather than ease tensions.

In addition there are also continuing problems relating to the failure to implement important aspects of the Patten report – we referred to the problems of Special Branch and the many Patten recommendations which still await operationalisation in this regard. We noted recent allegations about the independence of the Forensic Science Agency and asked that a copy of the UTV Spotlight documentary on the topic be included in the Congressional record. We noted that the extent to which these matters are aggressively dealt with by the new institutions in the policing and criminal justice fields will be a test of how far things have really changed in Northern Ireland. We reported on concerns around the PSNI's handling of issues around sectarianism and, amongst other things, commented on the need for US Members of Congress, who have expressed great interest in a state-of-the-art Police Training College, to use their good offices to ensure that the quality of the training in the College meet similar standards.

The testimony noted the positive steps of creating a much more accountable and powerful Policing Board than its predecessor, and a fully independent Police Ombudsman. As elsewhere, however, we noted that it is the work of these institutions, not their very existence, that must be monitored, and we commented on our experience in this regard. We placed our commentary on the Policing Board onto the Congressional record, and indicated that a similar commentary was underway into the Police Ombudsman

In conclusion, CAJ noted that the human rights situation in Northern Ireland had improved dramatically in recent years. Human rights discourse is everywhere and employed by everyone. Expectations have been raised that change is on the way. But it is vital that government and its agencies in not only "talk the talk" but they must now "walk the walk".

contd from front page

ROBERT HAMILL

"Police forces must not act collusively by ignoring or turning a blind eye to the wrongful acts of their officers or of their servants or agents. Nor can the police act collusively by supplying information to assist those committing wrongful acts or by encouraging them to commit wrongful acts." (page 69)

"First and foremost the actions of Reserve Constable B, if established, are capable of being found to constitute the most flagrant type of collusion. His actions did not constitute the simple turning of a blind eye. Rather they could be found to be carefully planned and premeditated

actions taken to frustrate a murder investigation and to protect or to exonerate an individual who might have been guilty of murder." (page 71)

"Steps should have been taken to obtain the clothing of Robert Hamill and those identified as the scene as taking part in the assault...the failure to take steps may indicate a bias in the police force that could amount to institutional collusion." (pages 74-75)

ROSEMARY NELSON

"I am satisfied that there is evidence of collusion by governmental agencies in the murder of Rosemary Nelson that warrants holding a public inquiry" (page 71)

"RUC officers are alleged to have made highly demeaning and threatening remarks about Rosemary Nelson while questioning her clients. Among other things, they are said to have questioned her morality, made insulting sexual innuendos, described her facial scarring in cruel and debasing terms, belittled her ability as a lawyer and, perhaps most disturbingly, to have threatened her life. It is for a public inquiry to determine whether or not these remarks were made. If it is found that they were, this could constitute strong evidence of collusion." (page 66)

"The NIO's mishandling of documents that were directly pertinent and vitally important to the safety of Rosemary Nelson may also indicate a level of neglect or disregard that could be found to be collusive." (page 69)

"[The NIO's] failure to take any action to protect Rosemary Nelson could be found to be troubling when it is considered against the background of the earlier murder of Patrick Finucane. By disregarding a significant body of evidence of threats against Rosemary Nelson, it could be found that the NIO engaged in conduct that was collusive in nature." (page 70)

BILLY WRIGHT

"This case will turn primarily on the response to these questions. First, and most importantly, did the Northern Ireland Prison Service turn a blind eye to the very dangerous situation they knew or ought to have known would arise from billeting the INLA and LVF prisoners in the same H block in the Maze? Similarly, did another governmental agency fail to advise or supply to the Prison Service information they had received and considered reasonably reliable which indicated that a dangerous situation had arisen or was arising in the prison?" (Page 78)

"One or two of the incidents that occurred on the day of the murder may, in themselves, have little significance. On the other hand when they are all considered together, the resulting effect may be sufficient to take them out of the realm of coincidence and make them components of a plan to murder Billy Wright that was collusive in nature". (page 89)

"There is, in my view, sufficient evidence of acts or omissions that could, after hearing the testimony of witnesses, coupled with a review of the relevant documents result in a finding that there had been acts of collusion by Prison Services, their directors, officers or employees. (page 89)

CAJ's reactions

CAJ, in commenting publicly on the failure of government to proceed with the Finucane inquiry, argued that the government was clearly using ongoing prosecutions as a pretext for refusing to reveal the truth about what happened to Pat Finucane. We argued that the Finucane report made it clear that Judge Cory has found evidence of widespread collusion infecting all aspects of the security apparatus in Northern Ireland and that the collusion reached levels of political responsibility.

Given that Judge Cory had examined the arguments of public inquiry 'versus' prosecutions, he made clear his own view that "[T]his may be one of the rare situations where a public inquiry will of greater benefit to a community than prosecutions." CAJ noted in its own press release that the stance of Judge Cory, and the frequently stated desire of the family to hold a public inquiry, led one to the unavoidable conclusion that it was fear of revealing the depth and breadth of collusion that appeared to be the motivation for the government's continuing prevarication on the Finucane case. The alternative motivation suggested by government – an (albeit very belated) interest in justice for the Finucane family – defies belief.

For full Cory reports see NIO website www.nio.gov.uk/press/040401a.htm and for more information on CAJ's response see www.caj.org.uk

“Plus ça change?”

There is an expression in French – “plus ça change” – which roughly means “the more things change, the more things stay the same”. Well that seems a very appropriate way to sum up this Spring’s CAJ planning session.

The staff and executive met for their regular annual planning session in February and with the recent departure of Martin O’Brien, after sixteen years as Director, and the even more recent resignation of Paul Mageean, as CAJ’s Legal Officer, there was a sense of major change and even uncertainty about future directions. It was clear however that all the other long term staff members, Maggie Beirne, Tim Cunningham, Aideen Gilmore and Liz McAleer, were staying on, and were well placed to give the organisation the necessary stability and continuity that good staffing provides. The planning session therefore provided a perfect opportunity to take stock and make some assessment of work priorities over the coming year.

The general context

As usual, the context within which CAJ works was discussed initially, with a wide ranging discussion of the current challenges such as: the suspension of the Assembly, the risk that the human rights and equality gains made in the Good Friday/Belfast Agreement could be rolled back in any review process, the problems being experienced by some of the new institutions (most recently the NI Human Rights Commission), the lessening of interest internationally in Northern Ireland, the weakening of the community and voluntary sector in which CAJ would normally find many partners and allies etc. The conclusion was that human rights issues are still very much part of the mainstream agenda, but now the task of the CAJ and its coalition partners is to point out gaps between the promises and the fulfilment. “Talking the talk” is fine, but as we urged in recent testimony to Congress, we need to see the authorities “walk the walk” too.

The purpose of the planning session however was to move from a more general analysis of the context within which CAJ works, to develop a more practical agenda-setting process for the coming year. The executive confirmed that it wanted to continue to

focus on the four over-arching areas of work agreed some time ago, and the following programme of action was agreed.

Criminal Justice

Firstly, on criminal justice, the executive received a report on CAJ work over recent months regarding – on the one hand – models for devolved criminal justice powers and – on the other – the implementation of the Criminal Justice Review. Next steps regarding our international comparative research project were agreed, with particular emphasis on the nature of the final report and its possible dissemination via an array of different academic and activist networks. In the course of the debate it was also thought that CAJ should examine how best it might engage in a more systematic way with those who consider themselves “stakeholders” in the Criminal Justice Review follow-up.

Protection of Rights

Secondly, on the Bill of Rights, the executive confirmed the value to CAJ of continuing to work closely with the broad Human Rights Consortium (now a network of over 100 groups). The Consortium’s call for a strong and inclusive Bill of Rights is very powerful. It was agreed that CAJ should be very clear about its expectations from the process and have a number of core principles that we would like to see enshrined in a Bill of Rights. It has always been CAJ’s position that a Bill of Rights that undermines, rather than builds upon, current human rights protections would not be acceptable, so the next few months with further draft texts likely to be in circulation, will be very important.

Policing

Thirdly, on policing, there was agreement on the priorities proposed regarding completion of a series of commentaries on the new policing institutions. The Policing Board commentary had been extremely well received, and a commentary on the Police Ombudsman is currently in preparation. The executive also agreed upon the value of holding a conference for District Policing Partnership members. There was a clear recognition that the departure in the not too distant future of the Policing Project Worker and the Criminal Justice project worker (both

contd from previous page

18 month contract appointments) made it all the more vital to set realistic objectives in these areas for the outstanding period.

Equality

Last but not least, on equality, the priority was thought to be the development of an incremental litigation strategy in the equality area. Section 75 is, by definition, an attempt to be preventative and pro-active, and an attempt to move away from the potentially sterile judicial approach. However, in the final analysis, it will be important to find out if the equality duty has the necessary teeth, and to engage strategically in litigation efforts accordingly. A more 'fun' idea was for CAJ to establish "Equality Awards", to go to those who, each year, were judged to have contributed most towards equality, and also to those who had made the worst contributions.

Autumn planning session

A wide range of more organisational issues (regarding communications strategy, membership work etc) were left to an Autumn planning session when the new director would be in post.

Altogether, a real sense of "plus ça change"! The staff of any organisation is always an important element in its work programme, and CAJ has been very fortunate in the calibre of staff it has attracted over the years. The departure of Martin and Paul will be a great loss but, after this invigorating planning session the executive was left in no doubt that the work would be carried on with the same level of commitment and professionalism that they have grown to expect.

Update on CAJ staff

There have been significant changes to the staffing of CAJ in recent months. Martin O'Brien, long time Director of CAJ, left at the end of January to take up a position with Atlantic Philanthropies. Paul Mageean, CAJ's Legal Officer, acted as Director in the interim but he then accepted an offer to move to the NI Court Service's Criminal Justice Secretariat. After eight years with CAJ, he will be sorely missed, but it is expected that he will bring his energy and his commitment to human rights into the NICS's process of change. Staff, executive, and - most of all - the families that he worked so closely with, will miss him very much.

Interviews for the position of Director were held on 30th March, and Maggie Beirne, CAJ's Research & Policy Officer, was appointed. Maggie has worked at CAJ since 1995, was a CAJ volunteer previously, and came to the organisation after 17 years on staff at the International Secretariat of Amnesty International.

Notice to Members

Each year, we hold "new members meetings" and the next of these is to be held on:

Tuesday, 20th April at 7.00 pm at the CAJ offices

This is a general information evening when we hope that any questions you might have about the organisation can be answered. Although this is generally for members who have joined the organisation within the last year, we would like to extend the invitation to all our members. Please contact Liz on 90961122 for further information.

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.

Too Firm to be Fair?

Remarks at conference: "Combating Racism and Promoting Equality"

There is clearly no necessary contradiction between mainstreaming equality and human rights, and the efficient and effective management of immigration and asylum law and policy. The promotion of racial equality, for example, should be a central part of what it means to talk of high quality public services. A well-managed asylum and immigration system is one that is guided by applicable equality and human rights norms.

International law provides recognition that asylum is a human right, even if it is weak on the duties which follow. On immigration policy, the entry into force of the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families 1990 is, for example, a significant development. The UK and Ireland should ratify this Convention as soon as possible.

At the regional level also there have been significant developments. The EU is attempting to establish a Common European Asylum System, while equality and human rights standards are assuming a more prominent place within the 'European project'. However, limitations still exist and relate to the tendency to focus on EU citizens; leaving questions about the treatment of those within the EU who are not citizens.

It is at the national level where law and policy still have the most decisive impact. While there are important differences between law and practice in Ireland and Britain, it is no coincidence that there are also broad similarities. The existence of the Common Travel Area has historically prompted bi-lateral co-operation. In terms of the development of national asylum law with equality and human rights in mind the following general but practical points, mainly drawn from experience with the British asylum system, may be useful.

- The importance of forging a clear link between equality and human rights standards and asylum policy should be stressed. This must be based on an open acknowledgement of the different functions of the asylum

and immigration systems. Exemptions aside, the use of statutory duties is of particular relevance and they represent an important contribution to the mainstreaming agenda.

- Effectiveness and efficiency should not be assessed with exclusive reference to the reduction of applications.

- A problem is that governments do not see asylum seekers as necessarily included in policies normally discussed in terms of integration and citizenship. There is, for example, a tendency to link equality to citizenship even when the major problems relate to groups who do not possess this status. In the asylum process governments increasingly have one eye on possible future removal and yet this contrasts with the logic of building a culture of respect for human rights and equality.

- There is a need for evidence-based policy formulation i.e. policy based on reliable research and an accurate assessment of the facts. Too much of the current debate relies on speculation about the nature of asylum, and inaccurate representations of the asylum-seeking community.

- Ministerial advice should contain specific reference to the impact on racial equality, as well as to equality and human rights commitments more generally.

- The 'proofing' of major new policy proposals to assess their impact with reference to equality and human rights commitments. Such policies should be 'tracked' once implemented.

- Ensuring that policies are monitored and assessed no matter where they happen to be implemented.

- Accurate and responsible reporting of asylum seeking is vital to

building a rational asylum policy. There is a culture of ignorance and prejudice around asylum which can only be tackled by objective and easily accessible information.

- Enhanced scrutiny and questioning of laws which permit exemptions to anti-discrimination legislation in the asylum and immigration context.

- Investment in high quality first instance decision making. This is arguably the main issue in asylum determination in Ireland and Britain. Questions have been raised recently in Britain about the use of judicial review. Evidence suggests it has been left to judges to uphold basic standards of fairness in the asylum process. The number of first instance decisions which do not stand on appeal suggests there is a real problem at this level.

- Linked to this is the importance of good legal advice and adequate support arrangements.

- If dispersal is used (and there are sound arguments against the restriction of choice implicit in the policy), it should be managed properly.

- The existing racial harassment structures should deal with the concerns of asylum seekers.

- Recognition that employment is arguably the key factor in the integration of recognised refugees. Recognised refugees need to be sure that they will not experience racial discrimination in their search for employment.

These are only some of the current themes to be addressed and my argument is simply that equality and human rights should be fully linked to the development and operation of asylum and immigration policy. Delivery of high quality public services depends on mainstreaming rights and equality norms in public administration. Asylum and immigration should not be an exception to this rule.

Colin Harvey

(extracts from a speech by Colin Harvey, of the School of Law, University of Leeds, at the Irish Human Rights Commission/Amnesty International conference.

Human rights implications of the Review of the Agreement

The current review of the Good Friday/Belfast Agreement started in February 2004 and has come under significant political criticism since its inception. The criticism includes concerns about a lack of urgency to the review as well as debates between the parties as to which party political representatives should be allowed into the review process.

The review has been nicknamed the “paragraph 8” review because in section 11, paragraph 8 of the Agreement it says: “The two governments and the parties in the Assembly will convene a conference four years after the Agreement comes into effect, to review and report on its operation”. However, it was not the imperatives of paragraph 11 that mandated this review, but the suspension of the local Assembly and the reinstatement of direct rule in the past 14 months. CAJ is concerned both about the pace of the review and, more importantly, about the extent to which a commitment to fundamental human rights norms remain the keystone of any current assessment.

CAJ has no position on the Agreement *per se*. As an organization that takes no position on the constitutional status of Northern Ireland, we can have nothing to say about the many elements of the Agreement which touch on the political and constitutional arrangements. At the same time, we campaigned successfully for the inclusion in the Agreement of a great number of positive human rights and equality measures, and we are obviously committed to retaining, and building upon, those measures in any review process.

Indeed, it is obvious that the centrality accorded human rights and equality in the Agreement is looked at with envy in many other parts of the world. The Council of Europe in awarding its Human Rights Prize to CAJ in 1998 wanted not only to lend its endorsement to the work being done in Northern Ireland, but to highlight this as a possible role-model for other countries emerging from conflict. It should be inconceivable that the review process is used for any purpose other than to build upon and ideally extend on the human rights and equality gains made. This is one area where all can benefit and where politicians across the political spectrum can represent their own tradition and electorate, and simultaneously can work for the good of all.

The review should recognize that inclusive and transparent processes are the most effective means to ensure a peaceful and just society for all in Northern

Ireland. Moreover, the review should outlaw any attempt to use human rights measures as bargaining tools, but instead pursue them both as ends in themselves, and also as means to a more shared future. CAJ has consistently argued that human rights protections are at the heart of any lasting settlement in Northern Ireland and has strongly urged both governments and parties to see through their commitments to creating a just and rights based society in Northern Ireland. In this context, the equality and rights provisions of the Agreement do not belong to one side or the other but rather are an important contribution to providing security and values to both/all communities equally.

Interestingly, even a cursory examination of the Agreement would highlight that the least progress in human rights terms appears to lie in the area of the protection and promotion of socio-economic rights. Many commitments in the Agreement relating to the tackling of disadvantage and deprivation appear to be little more than ‘a dead letter’. Yet these are precisely the issues around which there is extensive cross-community support. A public opinion survey looking at the Bill of Rights indicated that there was between 70 and 80% support in the Catholic/Protestant communities for the inclusion of socio-economic rights – because everyone, except those who have adequate means to provide easily for themselves, cares about housing, health, and education provision.

If, as it seems the British and Irish prime ministers ‘fast-track’ the review process, it is critical that this occur in a context of broad based dialogue and in an open commitment to honouring and building up the human rights provisions of the Agreement. It would also serve the review process to open up the dialogue around the effectiveness of the Agreement and not allow the debate to be dominated by partisan political interests alone. A broad range of civil society actors supported the Agreement, or elements within it, and their commitment to positive change should be freely drawn upon by politicians across the spectrum. Future discussions around the Bill of Rights, for example, would benefit from a rich exchange of views across all the political parties, civil society, the churches, the trade unions etc. Indeed, CAJ would argue that – just as it is not necessary to take a position on the Agreement *per se* to be committed to a Bill of Rights for Northern Ireland, it is open to political parties, groups and individuals who are both supportive of, and critical of, the Agreement to come together on a shared rights agenda. These energies need to be harnessed in any process which seeks to evaluate the success of the Agreement.

Civil Liberties Diary

Feb 3 A survey conducted by the Northern Ireland Research Agency states that just 1 in 10 police officers accept that Ombudsman Nuala O'Loan investigators act impartially. Many officers questioned would also like the opportunity to make complaints about their colleagues to the Ombudsman, though such a move would require a change in the current legislation as the Ombudsman was set up to investigate complaints from the public not internally.

Feb 6 The PSNI are to study race hate investigations in West Yorkshire in an attempt to stop the rising number of attacks on Northern Ireland's ethnic minorities. Policing Board representatives were told that there have been nearly 300 racially motivated incidents in Northern Ireland since April last year, a significant rise in the number of such incidents for the 12 months previous.

Speaking at an international law enforcement conference in London, the Northern Ireland Office announced that there is still no "acceptable, more safe and effective" alternative to plastic bullets commercially available. Security Minister Jane Kennedy did however say that two alternatives are currently being developed with the potential to meet the standards required.

Feb 9 Renewed calls were made for a special police team to be established to review unsolved paramilitary murders spanning the Troubles. Concerns have been raised over the RUC's handling of unsolved murders following the recent re-examination of several cases by the Police Ombudsman.

Former UDR soldier Neil Latimer lost a third appeal against his 20-year-old murder conviction, prompting his lawyers to announce that they plan to take the case to the European Court of Human Rights.

Feb 10 New laws to be introduced by the Criminal Justice (NI) Order 2004 have been unveiled by Criminal Justice

Minister John Spellar. Judges will be required to take racial and religious aggravation and hatred of sexual orientation into account when sentencing.

Feb 11 Campaigners called upon the Government to ensure that proper facilities are provided for immigration detainees being held at Maghaberry jail. The government was urged to consider that the asylum seekers are being held without charge and are being denied access to lawyers.

Feb 12 Statistics presented to the Police's Board's Community Involvement Committee show that out of a recorded 189 offences committed with a racist element between April 2002 and March 2003, further police action was taken in only 19 of the incidences after the initial investigation.

Feb 16 Children's Commissioner Nigel Williams stressed that young people with a disability in Northern Ireland have to exercise their rights to participate and have their voices heard. The Commissioner learnt about the work of three of the programmes run by The Cedar Foundation, including The Youth Inclusion Peer Education Project, produced by disabled youth to train those with physical disability to become peer mentors to other disabled people.

Feb 18 Almost one year after receiving evidence prepared by Sir John Stevens, the DPP has yet to decide if the 20 security forces members alleged to have colluded with loyalist paramilitaries in the murder of nationalists will face charges of collusion.

Feb 19 Following an investigation into complaints of police misconduct made by Sinn Fein during police raids on the party's offices at Stormont in 2002, the Police Ombudsman did not uphold any of the complaints and found no evidence of police misconduct.

Feb 19 The 'Young People and the Police' initiative was launched to find

out what opinions young people have of the police. By questioning a number of young people from a broad cross-section of backgrounds the project aims to build links between the public and the police force.

Feb 23 Geraldine Finucane, the widow of murdered solicitor Pat Finucane, met Metropolitan Police Commissioner Sir John Stevens to call for an end to the investigation into the killing. The Finucane family raised concerns that the on-going Stevens Inquiry will only serve to further delay the establishment of the public inquiry recommended by Judge Cory.

Feb 24 Northern Ireland Police Ombudsman Nuala O'Loan announced that the circumstances surrounding the murder of RUC officer Sgt Joe Campbell in 1977 are to be investigated amid claims made by Sgt Campbell's family of collusion between security forces and loyalist paramilitaries.

Feb 27 The police service plan to hold their first annual 'Policing with the Community' awards in May, designed to recognise excellence in policing performance across Northern Ireland. Nominations will come from the 29 district police commanders and the district policing partnerships (DPPs), though it is hoped that from next year on votes and nominations will come from local communities.

Compiled by Sophie Orr 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.