

## ***Council of Europe's Human Rights Commissioner visits Belfast for the first time***

**For the first time ever the Council of Europe Human Rights Commissioner paid an official visit to the UK (7<sup>th</sup>-14<sup>th</sup> November 2004). After visiting Northern Ireland and Scotland, he was expected to go to London to meet Jack Straw, David Blunkett, the Lord Chancellor and other senior officials. The agenda in London will have largely concerned the detention of terrorist suspects in Belmarsh, the treatment of asylum seekers and conditions of detention; and in Scotland he was interested in very similar concerns and how they differ under a devolved administration.**

The Commissioner, Senor Alvaro Gil-Robles, spent about two days of his official visit in Belfast, discussing and appraising the human rights situation in Northern Ireland. Amongst others, he met the Secretary of State, the Chief Constable, the Lord Chief Justice and other senior government bodies. He also made a point during his visit of meeting with the families of the Pat Finucane, Robert Hamill, Rosemary Nelson and Billy Wright; accepted an invitation to meet the Human Rights Consortium to discuss a Bill of Rights for Northern Ireland; and visited Castlereagh police station and Hydebank Young Offenders Centre.

Senor Gil-Robles has been the Council of Europe's Human Rights Commissioner for 5 years. He is the first incumbent in this office and has steadily sought to visit as many of the 46 Council of Europe Member States as possible. Shortly after visiting the UK, he was going to be visiting Estonia, Liechtenstein and Switzerland, and he had recently spent nearly a month in Russia. In each Member State, he seeks to meet with governmental and non-governmental bodies to assess the local human rights situation and determine how the Council of Europe might offer assistance in meeting any human rights challenges. His report, when completed, will be submitted to the government, the Committee of Ministers and the Parliamentary Assembly of the Council of Europe. It will also be made public so that his recommendations and advice can be publicly scrutinised and debated.

Already, on the basis of remarks made in the course of his visit, it is clear that his report will touch on a number of issues of direct concern to CAJ. For example, he indicated to the four families he met that it was vital that whatever inquiry process is established must be independent and

transparent. He indicated that he could not, and would not, enter into specific details about how the inquiries might operate, but that he had already indicated in discussions with government ministers the importance of securing public confidence in the final product.

In his lunchtime meeting with the Human Rights Consortium, the Commissioner indicated his own belief that a Bill of Rights could be enormously important for Northern Ireland – both in and of itself and by virtue of the debate it could engender. He listened carefully to Consortium members talk about their hopes for the future and the contribution that a strong and inclusive Bill of Rights could make to a more peaceful and just society. Unfortunately, several political party representatives who had confirmed attendance failed to arrive, so the Commissioner was less well placed to determine the views of the political parties regarding a Bill of Rights. Nevertheless, he was provided with copies of CAJ's publication outlining the views of the political parties through the decades around a Bill of Rights, and the soon-to-be-launched report on the Stormont event organised by the Consortium last year. This material provides some insights into the thinking across the political parties regarding the role that a Bill of Rights might play in Northern Ireland's future.

As an advocate of dialogue, and of the highest human rights protections, it is perhaps unsurprising that the Commissioner welcomed the initiatives to date to encourage debate between politicians and broader civil society. It is clear however that much more needs to be done if the Bill of Rights debate is to receive the new momentum needed to energise and excite people. It will be interesting to see in this respect what priority the Commissioner gives to this work in his final report. As noted earlier, he is unlikely to comment extensively on the detail of the internal debate, but his offers of support and assistance on behalf of the Council of Europe might be exactly what is needed to breathe new life into the somewhat stalled idea of a Round Table Forum.

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# CAJ examines the inquest system

**CAJ has been closely monitoring the state's response to the European court's decision in the cases of Jordan, Shanaghan, Kelly and McKerr in May 2001. During the course of those judgments the Court found that certain aspects of the inquest system in Northern Ireland did not comply with the requirements of Article 2 of the European Convention on Human Rights. One of several deficiencies was the lack of pre-inquest disclosure and recent developments highlight continuing problems in this regard.**

When the European judgments were delivered, CAJ and the families had high hopes that the truth about these and other cases would come to light and they would finally be able to get closure. Over three years later, this issue is still not resolved. For example, there are at present four inquests before the (part time) Coroner for East Tyrone and Magherafelt encompassing 10 deaths which involve killings by either agents of the state or allegations of collusion between loyalist paramilitaries and agents of the state. Three of the deaths occurred in 1991, six in 1992 and one in 1994. The latest of the ten deaths therefore occurred more than ten years ago. These deaths are of particular concern given the circumstances in which they occurred.

## Ten deaths

Rose Ann Mallon, for example, was a pensioner. She was shot dead in her home in May 1994 by loyalist paramilitaries. Shortly after her murder a surveillance camera was discovered close to the scene and it is now clear that there were large numbers of security force personnel, including many soldiers, in the area on the evening of the murder. Evidence suggests they may have been in a position to observe the murder and took no action when it occurred.

Jack and Kevin McKearney were murdered by loyalist paramilitaries as they worked in their family butchers shop in 1992. There are allegations of security force collusion with loyalists in relation to their murder.

Kevin Barry O'Donnell, Patrick Vincent, Sean O'Farrell and Peter Clancy were shot dead by the SAS in Clonoe, Co. Tyrone in 1992. It appears that the men were returning after carrying out an IRA attack on Coalisland RUC station and the soldiers were lying in wait for them. Peter Ryan, Tony Doris and Lawrence McNally were shot dead by members of the SAS in Coagh, Co. Tyrone in June 1991 when the soldiers fired around 200 shots into the stolen car in which they were travelling. The latter two incidents were part of the allegations that the security forces were operating a "shoot-to-kill" policy in Northern Ireland.

The inquests touching on these ten deaths were opened for the first time in April 2002. Since that date there have been a large number of preliminary hearings. As yet there is still no date set for the substantive inquest hearings to take place. A number of issues of great concern, both to the families of those killed and the wider community, have arisen in these inquests.

## Denied material

A key problem is that the next of kin of the deceased in each case are firmly of the opinion that the Coroner, whose function it is to ensure a full and public investigation of the deaths, has not been provided with all material in the possession of the police touching upon the deaths.

Moreover, some of the material provided to the Coroner by the police was provided in edited form. Those representing the police indicated that the edited material raised issues of public interest immunity. The police initially indicated that they would not provide the Coroner with the material in unedited form, at all.

Subsequently however (as the result of a decision in another unrelated case) the Coroner viewed the unedited documents to determine whether or not the edited material was relevant, or potentially relevant to the conduct of the inquests. If the Coroner considered the material to be relevant the police would have to make a properly based application to him that the unedited material should not be disclosed to the next of kin or the public.

## Strict supervision

In a most surprising development, it appears that the Coroner (the judicial officer with responsibility for the conduct of the inquest) was "authorised" to study materials held by the police only on condition that these be studied in a police station and under strict supervisory arrangements. While he could take notes, he could not remove those notes from the location at which he had inspected the documents and he could not remove the documents themselves. Thus the procedure amounted to a once-off inspection of the documents in respect of which the Coroner retains no notes.

The circumstances in which he viewed the documents give rise to a number of concerns. Specifically, the procedures adopted are highly unsatisfactory for a number of reasons. The inability to take notes, or the obligation that such notes if taken, be left in the possession of the police, critically undermines the Coroner's ability to determine the relevance of the material. It also completely prevents the Coroner from keeping the question of the material's relevance under review, as he would be obliged to do as the Inquest progresses.



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In effect the Coroner is given one opportunity to view documents with no method of refreshing his memory as to their content. Unless the Coroner has the documents in his possession and is able to refer to them from time to time as additional material becomes available or as the inquest progresses, he cannot keep the issue of relevance under review. The Coroner is thereby severely hampered in his conduct of the inquest in that he is not in possession of all relevant material as the inquest proceeds.

## Independence

Apart from the real problems this creates for the Coroner in carrying out his duty effectively in these ten cases, these extraordinary arrangements go to the heart of a Coroner's independence.

The procedure, and the Coroner's dependence on the police generally, serves to undermine his independence and the independence of his investigation. This is particularly so when, as in the four cases specifically referred to in this paper, allegations of police involvement in the deaths are at issue.

## Call for volunteers

- ✂ ***Are you interested in human rights?***
- ✂ ***Are you interested in the local situation?***
- ✂ ***Do you have a few hours available each week?***

The Committee for the Administration of Justice (CAJ) is a cross community group working to ensure the highest standards of justice in Northern Ireland. We are affiliated to the International Federation of Human Rights and we work to protect and promote the rights of all in Northern Ireland. In practice, this means that we carry out research, lobby and campaign on issues such as criminal justice/emergency laws, equality and non-discrimination, policing, and the protection of rights including the call for a Bill of Rights for Northern Ireland. CAJ takes no position on the constitutional status of Northern Ireland but seeks to ensure that the UK government complies with its international human rights commitments with regard to this jurisdiction. For our contribution to the human rights and equality provisions secured in the Good Friday/Belfast Agreement, CAJ was honoured with the Council of Europe Human Rights Prize.

The CAJ office is based in central Belfast (Donegall Street, off Royal Avenue) and is always interested in hearing from anyone willing and able to donate some time and energy to learning about, and working for, greater human rights protection. The kinds of activities are very varied and may include:

- ✂ ***Newspaper monitoring***
- ✂ ***Attending and preparing short reports on conferences/meetings***
- ✂ ***Observing and reporting on court proceedings***
- ✂ ***Preparation of short research papers***
- ✂ ***Analysis of official government papers***
- ✂ ***Variety of other routine office tasks (copying, telephone inquiries etc).***

In addition to contributing to important work (CAJ has only a very small office team and relies extensively on volunteers to cover its very wide agenda of interests), volunteers should find this a very important learning experience and if they are interested in human rights work in future will have something very relevant to add to their c.v.'s. If you are interested contact Liz at the CAJ office on 90961122.

### 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 telephone CAJ office on (028) 9096 1122.**

## Amnesty International Annual Lecture 2004

### War, women and terror

by Helen Bamber, Founder

Medical Foundation for the Care of the Victims of Torture

Date: **Thursday, 9<sup>th</sup> December 2004 at 7.30pm**  
 Venue: **Queens University Belfast – Peter Froggatt Centre, C06**

The 'war on terror' has brought a sharp rise in the use of torture around the world, with apologists for torture now to be found at the heart of government. In August, even though torture is banned under international law, the Court of Appeal decided that 'evidence' obtained by torture is admissible in the UK. On the eve of Human Rights Day, Amnesty International's guest lecturer for 2004, Helen Bamber will address the use of torture as part of the 'war on terror' and the particular impact of torture on women in the context of Amnesty International's Stop Violence Against Women campaign. RSVP 90643000.





*"I have four kids and four grandkids and I miss them all so much. I keep thinking to myself I will never see mine again. I love them all so much too. But to me time is running out for me. I can't take much more. Every day is a nightmare".*

## The H The Imprisonment of Wom

Words of desperation written by a woman bereaved of her best friend in prison. After Roseanne Irvine was found hanging in her cell on 3 March 2004, 'Jane' was moved from the Mourne House Women's Unit at Maghaberry prison to the hospital on the male side. She had never been in prison before and was locked in a bare cell for 23 hours each day. She had a history of being sexually abused: "I hate getting locked up ... it brings memories back to me. I'm lying there trying to sleep, thinking about these things". In a location described by a senior orderly as "acute and volatile", Jane endured mixed association with male prisoners, some of whom were "acutely disturbed". The male prisoners "talk filth and dirt with the other prisoners. A man exposed himself. Said 'I'll give her one'. He thought, 'I'll pull it out 'cos there's a woman there'."

This was the 'treatment' provided for a middle-aged, deeply troubled woman prisoner in the care of the Northern Ireland Prison Service. It was one of a series of profoundly disturbing events that occurred during the course of our research into the imprisonment of women and girls in Northern Ireland. Following a critical report on Mourne House by the Chief Inspector of Prisons, published in February 2002, and a subsequent visit by Commissioners in April 2003, the Human Rights Commission decided to undertake research focusing particularly on Article 2 (right to life) and Article 3 (right to freedom from torture and inhuman and degrading treatment) of the European Convention on Human Rights. We were granted unprecedented access to women prisoners and to the landings, including the punishment block.

### Mourne House

In 1986, following the closure of Armagh gaol, women prisoners were transferred to Mourne House. It was purpose-built as a high security, self-contained women's unit within the outer walls of Maghaberry prison. The male prison opened a year later and in 1988 the prisons were amalgamated. Mourne House comprised two residential blocks, a healthcare centre with residential provision, a kitchen, workshops and an education block. At the time of the 2002 inspection, however, the kitchen and healthcare centre had closed. Food was brought from the male side and women were transported across to holding cells for medical consultations. The Inspectorate severely criticised the Prison Service for its lack of policies and programmes for women prisoners, its failure to provide a long-term strategy or to appoint a discrete governor and appropriately trained staff. It was particularly critical of holding children aged 17 and under in a women's prison and of the apparent indifference towards self harm and suicide.

Two years on, we expected to find improvements in regime and programmes and evidence of strategy, policy and staffing reform. In contrast, we found a deteriorating regime and stagnating programmes within an all-pervasive climate of indifference and complacency. No gender-specific policies, no corporate strategy, no discrete management structure and no gender-oriented staff training had emerged. Workshops were permanently closed, and the women were rarely given access to education. They were regularly locked alone in their cells for 17 hours a day, unable to phone their children. There was minimal support on reception, no structured induction programme and the sentence management and resettlement programmes recommended by the Inspectorate had not materialised. Mourne House continued to operate as a high security facility and, following the Maze closure, 80% of discipline staff on the landings were men. It was not unusual for night guard duty to be staffed exclusively by men.

### Girls in Prison

Between June 2003 and May 2004 there were 304 receptions into Mourne House (167 sentenced and 137 remand prisoners). A third of all admissions were for fine default. Of those sentenced, 109 received tariffs under three months. The average daily population was 25. This 'snapshot' illustrates the inappropriateness of custody for women whose offending behaviour is trivial. Four girls under 17 and an undisclosed number of 17 year olds had been admitted again raising concerns of accommodating children in an adult gaol. We interviewed a 17 year old held in solitary confinement in the punishment block. Locked up 23 hours a day, she had self harmed extensively, was dressed in a non-destructible gown and deprived of underwear. Her bare cell consisted of a non-destructible blanket on a raised plinth, no mattress, and a plastic potty to use as a toilet and no sink. She said, "I shouldn't be down here. There's nothing to do. It's worse in the night. I hear voices and see things. But no-one helps me". Asked about self harm she said, "Because I hear voices and see things. The voices tell me to do them. And I release the pain as well".

The most common response from prison officers was that girls were manipulative, attention-seeking and 'trying it on' through self harming behaviour. We observed a senior officer taking a call from a landing officer who was concerned that a young prisoner had requested to be 'doubled-up' because she did not want to be locked up alone. Disruptive throughout her time in Mourne House, she had recently made a serious attempt to hang herself. The senior officer was dismissive and instructed that she "doesn't need to be doubled up". He continued, "if she carries on, clear the cell, make it a bare cell" and, "if she really misbehaves then put



## Inside: and Girls in Northern Ireland

her in C1" (the punishment block). He took his decision without visiting the child; a confident response based on his "knowledge" of the child and the shared assumption that she was "extremely manipulative". The girls, however, felt that doubling up protected them from self harming and from suicidal thoughts: "On IMR21 [risk assessment report and care plan] you're meant to be on 15 minute watch but you're lucky if you get them here every hour". Another girl felt her suicidal thoughts were not taken seriously by officers who told her, Stop playing on it ... stop playing at hanging yourself". Another commented:

*"If you're suicidal they threaten you with the punishment block. 23 hour lock-up on the punishment block. Puts your head away. They don't even look in on you. I'm surprised this whole jail hasn't killed themselves."*

### Deaths in Prison

In November 1996 Janet Holmes died in her cell in controversial circumstances. Having previously attempted suicide she was vulnerable. Just released from the prison hospital, she attended an adjudication, at which she was disciplined. It appears that having hung herself she kicked out against a radiator and the ligature slipped, bringing her to her knees. After the alarm was raised it took 20 minutes to open her cell door and she was cut free with nail scissors. In a statement to the inquest her solicitor stated she had not been "looked after properly" and there had been an "inexcusable delay" in accessing the cell. The Coroner wrote to the Prison Service Director General recording his concern about the adjudication process, the lack of prison officer training and the delay in accessing the cell. The inferences were clear: a failure in the duty of care, inadequate training and deficient emergency procedures.

Yet in September 2002 Annie Kelly died in a strip cell in the punishment block. In and out of Mourne House since she was 15, she had an established and known history of disturbed and destructive behaviour including self-harm and applying ligatures until she lost consciousness. Immediately prior to her death she told the Board of Visitors she had "no ambition but to die". The Board reported that a "different approach concerning Annie should be made with some urgency". She was held in a 'ligature-free' strip cell modified for her use. Yet, undetected and unobserved, she was able to tear 'non-destructible' fabric into ligatures and find, or make, a hole in the Perspex covering of the window.

On 3 March 2004, while the research was being conducted. Roseanne Irvine died in her cell. She was on an IMR21. An officer who found her was aware of a "strong possibility that

she was liable to attempt suicide" but it had been "impossible to observe her continually ... although we were aware of the situation, we were helpless to prevent it". Another officer stated, "she displayed the symptoms, the prior attempts. The warning bells were there". Recently held in the punishment block and convinced that she was about to lose access to her daughter, Roseanne was locked in a cell with multiple ligature points, not least the metal-work of the cell window bars, and in possession of several ligatures. She received no counselling, had little meaningful contact with discipline staff and was locked up, unobserved, for extended periods. Asked about the operation of IMR21 care plans that recommended 'optimal personal contact', officers commented that in reality the "only contact would be through the [cell door] flap". Once an IMR21 was issued "it's put in the [prisoner's] file and that's it – back to normal – nothing happens".

The deaths in custody, together with the abject failure of the Prison Service to implement the Inspectorate's recommendations, the serious deterioration in the Mourne House regime and the use of the punishment block for the cellular confinement of self harming and suicidal women, including girls, together form the basis of the recommendation that a further independent and public inquiry be held. The 10 chapter report makes 40 further recommendations including an urgent review of the recent transfer of women prisoners from Mourne House to Hydebank Wood male Young Offenders' Centre where they have lost access to in-cell sanitation, are confined in smaller cells and share healthcare facilities with young men. The report recommends that the transfer be regarded as temporary and calls for the provision of appropriate, discrete and gender-specific accommodation. The Prison Service has refused access to the researchers and the Human Rights Commission to conduct research in the Hydebank Wood Unit. Recently a long-term prisoner has won leave to have the conditions under which she is being held judicially reviewed and Annie Kelly's inquest began in mid-November.

### Phil Scraton and Linda Moore

Phil Scraton is Professor of Criminology, Queen's University and Linda Moore is Investigations Worker at the NI Human Rights Commission. *The Hurt Inside: the Imprisonment of Women and Girls in Northern Ireland* is published by the Northern Ireland Human Rights Commission.

### CAJ Members & Subscribers

*Look out for your membership/ subscription renewal notices due out next week - and don't miss the opportunity to become more involved!*



## CAJ PLANS AHEAD

**CAJ's regular annual planning process was held this year in early November and the staff and executive began with a Friday evening discussion on the theme: "What are we facing?" - to establish the context of CAJ's work in the coming year.**

Firstly, the Northern Ireland context includes the uncertain political situation, with either continued direct rule from Westminster or a further attempt at power sharing, which may include the devolution of responsibility for criminal justice and policing. New Human Rights Commissioners are expected to be appointed, without a period of hand over from the outgoing Commissioners, in February/March 2005. The new Prosecution Service is being set up. A Single Equality Act is foreseen for the years 2007/8 and a new Police Act may also be brought forward. The discussion included the current squeeze on public resources and finances, which is likely to affect all official bodies, notably those dealing with equality issues (or those aspects of programming related to equality).

Considerable concern was expressed on the impact that the 'war on terror' is having on support for civil liberties for all generally. Part of the shift in values is also evidenced in the criminalisation of certain types of behaviour through the use of ASBOs on young people and anti-Traveller legislation. There has also been a negative shift in terms of racism and immigration – often linked to underlying social and economic issues. These hardening of attitudes reflect a general shift towards more fear-based authoritarian values. It was agreed that CAJ would continue to address these assaults on civil liberties with our distinctive focus on the responsibilities of the state.

Having taken time to discuss the context within which CAJ works, the rest of the planning session was devoted to agreeing work on the four main policy areas decided some time ago and our casework focus.

### Criminal Justice

With regard to our continuing priority to criminal justice the following actions were agreed: publication and dissemination of an international research report; ~~and~~ lobbying on devolution of criminal justice and policing powers; closer work with criminal justice practitioners/academics and NGOs; and continued monitoring of the implementation of the criminal justice review.

### Policing

The priorities in CAJ's policing work will be to: publish and disseminate a report on the operation of the Police Ombudsman's office; publish and disseminate the report and 'agenda for action' from the conference for District

Policing Partnerships held earlier in the year; ongoing monitoring of adherence by policing institutions to international human rights standards; and, subject to securing staff and funding, the organisation would like to begin a report into the PSNI.

### Equality

An important part of CAJ's work on equality is the continued support we provide to the work of the Equality Coalition. It is clear that the lack of an Assembly is creating difficulties for work of CAJ and the Coalition. Legal responsibilities under the Northern Ireland Act are clearly being flouted by government departments. Priority areas in the coming year include the introduction of water charges and reform of the rating system, the very disappointing development of the passage of the ASBOs (where government blatantly contravened the Section 75 legislation), and the proposed Unauthorised Encampments Order.

### Protection of Rights

Key activities within the work towards a Bill of Rights in the coming year include: contributing to the Roundtable Forum on the Bill of Rights; briefing new Human Rights Commissioners; lobbying for more powers and resources for the Commission; ~~and~~ launching "human rights anthology" with contributions from international figures (dedicated to Stephen Livingstone); involvement in the Participation and Rights Project and continued work with the Human Rights Consortium to build up the profile of the Bill of Rights debate.

### Casework

In our ongoing work on individual cases advice is provided on a wide range of issues such as public order, the advice and warning procedures where there is an alleged threat to life, powers of social workers, police complaints, immigration and asylum queries, CS spray use, prison issues and deaths in custody etc.

Plans for this year include exploring a joint project on the "Cory cases"; monitoring the "Finucane legislation" and a litigation strategy is also being developed.

In general, though it was agreed that times are hard in relation to promoting human rights. It was clear to the Executive that CAJ's staff and membership will, with hard work, dedication and expertise, seek to contribute again this year to pushing forward and resisting any rolling back in human rights protections in Northern Ireland.

**Ann Godfrey for CAJ's executive**





# "End of innocence"

**The CAJ Annual General Meeting was held at the Law Centre, Belfast on 26<sup>th</sup> October 2004. The invited guest Shami Chakrabarti, Director of Liberty (our sister organisation in England) spoke on the theme "the end of innocence".**

Shami explored the fact that profound violations of human rights were taking place in England - justified by the 'war on terror'.

## Belmarsh

Twelve people have been jailed in Belmarsh under a softening of the distinction between criminal law and asylum and immigration law. Immigration law has always had lower due process standards, justified by the need for "immigration control", which effectively de-humanises people. The Convention relating to the Status of Refugees says that if a refugee arrives on your soil you must give them a fair hearing. Instead, there has been criminalisation of certain behaviour which is often inevitable when trying to escape a despotic regime, for example forging papers.

## Stop and search zone

Then there are 'light touch' interferences with human rights such as privacy rights. S. 44 of the Terrorism Act 2000 for example, deals with stop and search processes. A particular geographical area can be designated as a stop and search zone so that people in that area may be stopped and searched without reasonable suspicion. Shami pointed out that this legislation pre-dated 9/11 and no judicial or parliamentary approval is needed for designation. After early official denials, Liberty discovered that the whole of metropolitan London has been designated since February 2001 as a stop and search zone.

## Questions

Lots of questions arose in the wake of Shami's presentation: what is the

potential for learning from internment and other anti-terrorism measures in NI; how had the legal profession responded to the attack on human rights; how do we deal with the supposed 'war on terror' and get politicians to think more creatively about what to do about terrorism; is it important to challenge the government's use of the phrase 'war on terror'; what is Liberty's relationship with government?

Shami noted that many of Liberty's most active supporters are lawyers, which is a mixed blessing. With the Human Rights Act, the government and the legal profession got very excited about its potential. This meant that during the honeymoon period, the human rights space was occupied by lawyers instead of being transformed into a political and cultural space.

With regards to the 'war on terror', she said she was suspicious of the language because the fundamental issues still apply - every human being is entitled to be treated with dignity. She certainly does not deny that there is a war on terror and deliberately avoids phrases such as the "alleged" war on terror because she refuses to be described as an apologist for 9/11. Instead she prefers to focus on how in the past these laws haven't been successful in defeating terrorism - which is when lessons from Northern Ireland are relevant.

Liberty has chosen to focus on the Belmarsh prison campaign. The legal limbo is unacceptable and they seek to persuade people of this without having to go to barricades about whether these people are political prisoners or prisoners of war. Shami agreed that Liberty et al have to take unpopular stances, noting that Liberty were the first to deal with Belmarsh when it was still a marginal issue.

Shami said that her relationship with government is very much defined by the fact that as a former Whitehall lawyer she used to see NGOs being either too chummy or too confrontational in their dealings with government. She felt people were often naïve about how government works. As Director of Liberty she pushes quite hard, but in the context of an ongoing dialogue.

## AGM business

The formal business of the AGM commenced with the Chair referring to the sad loss of former CAJ Chair and Executive Committee member, Stephen Livingstone and saying that a generation of human rights activists had been inspired by his commitment. There was a minute's silence.

The Chair and Director then briefly spoke to the annual report; Grace Taggart of Finegan Gibson presented the Treasurer's report and noted that CAJ was in a healthy position; and the membership agreed an increase in membership fee.

Fees are now set at:

- ✍ Waged £20.00;
- ✍ Unwaged £5.00
- ✍ International £25.00;
- ✍ Organisation £30.00 or (concessionary) £10.00.

The following executive committee was elected:

<b>Chair:</b>	Kieran McEvoy
<b>Vice-Chair:</b>	Fiona Doherty
<b>Treasurer:</b>	Les Allamby
<b>Membership</b>	Barbara McCabe
<b>Minutes:</b>	Ann Godfrey
<b>Parliamentary</b>	
<b>Liaison Officer:</b>	Paddy Hillyard
<b>Just News Editor:</b>	Fionnuala Ni Aolain

Particular thanks were given to all of CAJ's volunteers and a special presentation was made to Mrs. Rose Perry for all her hard work.

**Barbary Cook**



## Civil Liberties Diary

**Oct 4** An eight week seminar series discussing children's rights in Northern Ireland begins. The series "Righting the Wrongs" concentrates on the rights of children laid down by the UN and is co-hosted by Save the Children and QUB's Institute of Irish Studies.

**Oct 4** Police Ombudsman Nuala O'Loan has recommended disciplinary action against eight PSNI officers, including a detective chief superintendent, over the way in which police raided the home and offices of journalist Liam Clarke and the home of a former police officer.

The Independent Monitoring Commission releases its third report in which it finds that there has been a considerable reduction in paramilitary violence over the last six months.

**Oct 6** Twenty-seven police stations in Northern Ireland are earmarked to have heavy fortifications removed. Plans to change the appearance of 10 police stations have already been approved and bids have also been tabled to scale down a further 17.

**Oct 6** The Northern Ireland Human Rights Commission has added its voice to calls for the repeal of laws allowing the detention of terrorist suspects without trial. In a report submitted to the government the Commission has drawn on "the very negative effects of internment" in Northern Ireland during the 1970s to support its argument that the government should abandon its current strategy.

**Oct 7** Dungannon Council is to finally nominate members to the area's District Policing Partnership (DPP) – the last Council in Northern Ireland to do so.

The final Policing Board public meeting of the Board's third year in operation witnessed the first question from a member of the "public". Diane Dodds MLA was granted permission by the

chairman of the Board to ask the Chief Constable a question relating to arrests made in Ardoyne on 12<sup>th</sup> July 2004.

**Oct 7** Chief Constable Hugh Orde announces that outside and retired detectives will be seconded to a special unit of the PSNI to try to tackle around 1800 unsolved murders and some 300 security-related deaths.

**Oct 14** A new Electoral Commission survey has found that since the introduction of the annual registration system in 2002 voter numbers have dropped by 120,000. Now only 85.1% of the eligible population are on the register, down from 95.4% in 2002.

**Oct 14** The Human Rights Commission host an event in L/Derry to seek views on how a Bill of Rights for Northern Ireland can best protect the rights of people who most need it.

**Oct 15** DUP MLA Arlene Foster has said at a public meeting that more must be done to address the issues which alienate unionists from human rights issues and entitlements.

**Oct 19** UN Secretary General Kofi Annan became the first serving UN Secretary General to visit Northern Ireland when he gave the Tip O'Neill lecture at Magee College. He praised the Northern Ireland peace process as a "source of inspiration" for the rest of the world.

**Oct 20** At the inquest of an LVF drug dealer who was killed whilst out on bail Belfast Coroner David Hunter states his intention to write to the Chief Constable to raise concerns over police protection for people on bail who are under a death threat.

Conditions for female prisoners in Maghaberry Prison in Co Antrim are heavily criticised in a damning report by the Northern Ireland Human Rights Commission. The report found that far from responding to a highly critical Prisons Inspectorate Report in 2003

the regime in Mourne House had "deteriorated significantly". The Commission are calling for an independent public inquiry into the operation of the prison following the death of two inmates in the last two years. (see earlier on pages 4-5)

**Oct 20** The PSNI launch its Gender Action Plan to address the needs of an increasing number of female officers.

**Oct 22** The PSNI in Derry suspend an officer after CS spray was used during two disturbances in the city. The PSNI and the Police Ombudsman are separately investigating the incidents.

**Oct 29** Concerns are raised as a written parliamentary answer from John Spellar reveals that some offices of the new Public Prosecution Service will be co-located in PSNI stations. Lady Hermon MP voiced fears that such a move could affect the public's perception of a body whose credibility rests on its impartiality.

**Oct 30** Belfast stages an anti-racism rally as new police figures show that hate crimes involving racist and homophobic attacks are running at five per week in the city.

*Compiled by Ciaran Fox from various newspapers.*



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

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