

## ***Billy Wright – the case for a public inquiry***

**Billy Wright, the alleged leader of the Loyalist Volunteer Force, was killed by the INLA in the Maze prison on 27<sup>th</sup> December 1997. The three men responsible for his death climbed over the prison roof to reach the yard where Billy Wright was sitting in a prison van, waiting to be brought to a visit. The three were subsequently convicted of murder. Billy Wright's father, David, has been campaigning for a public inquiry into his son's murder since it occurred. At the time of writing, David Wright is about to begin judicial review proceedings in relation to decisions of the Coroner relating to the inquest into his son's death.**

Billy Wright was killed in what was purported to be one of the most secure prisons in Europe. He was killed by members of the INLA who had managed to smuggle weapons into the prison, and who were housed in the same block as the LVF, H6. The shared block was all the more surprising given that these two organisations were the only ones in the Maze at the time which had not declared cease-fires. Two of the three INLA members who killed Billy Wright had been involved in an incident in Maghaberry prison where they had held a prison officer hostage. Prior to this incident, weapons had also been smuggled into the prisoners responsible. The incident ended peacefully but speculation was rife in Maghaberry that the real target of the incident was Billy Wright. Wright, probably unbeknown to the INLA prisoners, had actually been moved to the Maze from Maghaberry days before the incident began.

The two INLA prisoners involved were moved from Maghaberry to the Maze prison in June 1997. Tension was already high in the Maze and in August the LVF prisoners wrecked their wing. When they returned to it in October, they were told by prison staff that the INLA had issued a blanket threat against all LVF prisoners. In addition to this general threat, a number of prison officers from H6 warned management that they thought some

sort of attack by the INLA was likely. They specifically mentioned Billy Wright as a possible target and identified the roof area as insecure. It does not appear that any steps were taken in response to this warning. The prisoners who killed Wright managed to get access to the roof by cutting a section out of a wire fence. The prison inquiry into the murder found that the area of the fence in question was out of sight of the relevant watchtower. However, David Wright was allowed to visit the Maze prison in February last year and photographs taken on that visit clearly show that the area of the fence which was cut was within the view of the watch tower. It has also been established that the last time the fence was inspected was in July 1997, more than five months before the murder.

On 22<sup>nd</sup> December 1997, five days prior to the murder, the security camera overlooking the roof of H6 was reported as ineffective and it remained so until the murder. Therefore, in terms of security overlooking H6, the watchtower was now vital. There was an arrangement between the Prison Officers Association and the prison authorities that officers in watchtowers could be withdrawn to cover visits to prisoners. However, that arrangement did not apply to H6 because it contained both LVF and INLA prisoners.

Inexplicably however, given this arrangement, the officer in the watchtower overlooking H6 was ordered down at 8.50am on 27<sup>th</sup> December. When he reached the main gate of the block he was told to go back to the tower. However, at 9.30 he was again told to report to the visits area. He came down from the tower and then complained to his POA representative who in turn contacted the prison governor. The officer was then told to go back to the watchtower. By that time however the murder was in progress.

David Wright represented himself at the inquest into his son's murder. During the inquest and since, it has transpired that several potentially crucial witnesses did not give evidence at the inquest. Some statements were not disclosed to Mr Wright and others were heavily redacted. The governor in charge on the day of the murder has not been identified and the prison authorities have refused to identify him.

The numerous questions raised by the actions and inactions of the authorities in this case have not been answered by the prison inquiry, the inquest or the police investigation. David Wright believes the only way to get answers to these questions is to establish a public inquiry. CAJ supports that view.

**Paul Mageean**

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## Overseeing Patten – review of the first report of the Oversight Commissioner

**The Oversight Commission's role will be pivotal in monitoring the depth and effectiveness of police reform in Northern Ireland. The role is rendered especially important given the disappointment of the Police Act. Many of Patten's key recommendations are not included in the legislation but are left instead to the Implementation Plan, the final version of which has still to be published at the time of writing.**

The lack of legislative basis for much of the proposed reform, coupled with the unfortunate fact that the entire process of change is being managed by the RUC, NIO and Police Authority, gives the Oversight Commissioner huge responsibility in ensuring that Patten's recommendations are implemented in full.

Tom Constantine was appointed to the job at the end of May 2000. By this time the Police Act was already making its way through Parliament. CAJ had argued that the appointment should have been made much earlier to enable the Commissioner to monitor the process from the outset. Would it be overly conspiratorial to wonder whether the Government preferred to have a clear run in drafting the legislation without the prying eyes of an Oversight office?

In any event, Tom Constantine produced his first report in November outlining the methodology for his work. It is unfortunate that he chose not to have a consultation period or to allow space for comment on his methods.

Constantine describes the proposed reform of policing in Northern Ireland as "the most complex and drastic changes ever attempted in modern history." While there are clear concerns about the adequacy of the legislation, it is good that the Oversight Commissioner believes the reform to be on a grand scale. Constantine appears to understand the importance of his own role, arguing correctly that the Oversight process can increase confidence amongst the citizens of Northern Ireland in the police service but admitting that "[c]onversely, if the oversight is seen as lacking independence, fairness or objectivity, it could seriously impact the acceptance of the new policing strategies."

Basically Constantine intends carrying out three episodes of evaluation in Northern Ireland each year, lasting 7 – 10 days each. These visits will include interviews with key personnel and on-site visits. He also envisages day to day liaison between the Commissioner's office and the Police Change Management team. The Oversight Commissioner

will produce progress reports three times a year. He stresses here that human rights are the centrepiece of the Patten Report. Therefore, assessments on human rights will be made continually and will be featured in all of the Oversight Commissioner's reports throughout the year.

The Oversight Commissioner team comprises Professor David Bayley an internationally recognised expert in police accountability and human rights; Robert Lunney, formerly of the Royal Canadian Mounted Police; and Charles Reynolds, former police chief with extensive experience of evaluation within policing. A system of professional peer group review has been set up whereby the Commissioner will meet with a six-member advisory "Blue Ribbon" panel of leading international police executives to advise on his work.

There is no doubt that Tom Constantine has the intention, skills and experience to do a thorough professional job. However, there appears to be a huge gap in his evaluation plans. All of the emphasis is on contact with the *police* themselves but nowhere does he discuss how to get the views and experience of the *policed*. To neglect the experience of those on the receiving end of policing would be a profound mistake. For one part it is important in creating a sense of ownership of the project that Constantine's office involves civilian groups and individuals in the monitoring process. Just as importantly it is through collecting the experiences and views of those in local communities that his office can determine the extent to which the police are respecting human rights and meeting the needs of local people. Opinion surveys would be one way, but a deeply flawed method of getting this information. Constantine needs to set up evaluation programmes firmly based within local communities to determine the extent of change in policing. CAJ's regular monitoring of the policing of parades gives just a small example of the importance of such work. It is through observing public order policing, and also through the collection of witness statements that the experience of being policed can be documented and analysed.

The Oversight Commissioner's role is unique and offers a fantastic opportunity to monitor the progress of change. If he chooses to focus exclusively or even primarily on dealing with police and government organisations, and neglects the experiences and views of the rest of society, the potential of the office, will be lost.

**Linda Moore**

# Update

CAJ was delighted to be asked to contribute an article for the Council of Europe's Human rights information bulletin special issue celebrating 50 years of the European Convention on Human Rights. CAJ won the prestigious European Human Rights prize in 1998. The article in Part One, entitled *Taking human rights further* appears in the centrefold and forms part of a variety of impressions of the Convention. Part Two covers the proceedings of a Ministerial Conference on Human Rights. This special edition is available from the Council of Europe, F-67075 Strasbourg, Cedex, France.

*"Rosemary Nelson and Dr. Martin Luther King Jr. - Common Ground in the Ongoing Struggle for Human Dignity"*  
Edmund Lynch JD

Ed Lynch is a lawyer from New Jersey. He is a prominent member of the organisation Lawyers Alliance for Justice in Ireland. He worked with Rosemary Nelson on her complaints about death threats from RUC officers. He also raised his concerns about Rosemary Nelson's safety with a number of prominent individuals—including British Home Secretary, Jack Straw and RUC Chief Constable, Ronnie Flanagan. In this first Rosemary Nelson Memorial Lecture, Ed Lynch will speak about his work with Rosemary Nelson and draw on the similarity between her work and that of Dr Martin Luther King.

Date: **7<sup>th</sup> March 2001**  
Time: **7.30 pm**  
Venue: **Lecture Hall, Law Society,  
98 Victoria Street, Belfast**

*The lecture will be followed by a reception.  
Everyone welcome.*

The Northern Ireland Human Rights Commission, in its process of proposing a Bill of Rights for Northern Ireland established working groups for the following areas:

- Equality;
- Children & Young people;
- Social & Economic;
- Victims;
- Language;
- Culture and identity
- Criminal Justice
- Implementation; and
- Education

Reports from these groups are available for NIHRC, Temple Court, 39 North Street, Belfast BT1. Tel: (028) 90243987

## Up to date with CAJ

Response from a wide variety of groups throughout Northern Ireland to the Bill of Rights Information Pack has been extremely encouraging.

Both Maggie and Tim have given training on equality impact assessments to a number of groups.

Paul and Martin attended the event at the Odyssey for President Clinton, and Fiona attended Hillary Clinton's event at the Opera House.

Paul met Prime Minister Tony Blair along with members of Robert Hamill's family.

We were sorry to hear about the death of Iobhar Campbell, father of Colm (previous chair of CAJ) and extend our condolences to the Campbell family.

Finally, membership and subscriptions for 2001 are now due. Many thanks to those who have already renewed and also to those who have sent donations.

*Liz McAleer*

## Action Column

### Call to members

CAJ frequently gets asked to send speakers to events to talk about the organisation, human rights in general, and more recently on a Bill of Rights for Northern Ireland. CAJ, would be glad to hear from those members who would be keen to get involved in promoting the discussion around a Bill of Rights for Northern Ireland. If we could get a few people together, we would be willing to provide some training.

Please get in touch with Liz at the office on (028) 90961122.

## ***Peter McBride case - Adding Insult to Injury***

**Guardsmen Mark Wright and James Fisher, the two Scots Guards convicted of the 1992 murder of Peter McBride, may well be promoted according to a confidential memo from their Commanding Officer. This is the latest twist to a nine year saga. The memo was part of a glowing recommendation submitted to the Army Board that decided that the two should remain in the Armed Forces despite their murder convictions. This Army Board decision, made public last November, followed a successful judicial challenge by the Mc Bride family of an earlier MoD ruling allowing the two to remain in the Army. As Just News goes to print a further judicial review of the Army Board ruling is set to take place in Belfast High Court. Judgement will probably be reserved. The agonising wait for the Mc Bride family continues.**

It would be tempting to suggest that all sides in this controversy agree on something, the verdict for example. After all a court found that Wright and Fisher had opened fire on a young man some 70 metres distant from them who, according to their own testimony, was "running like a greyhound." Both were present minutes beforehand when a full body search was carried out. Both were fully aware that Peter Mc Bride posed no danger to them whatsoever. Their defence, that they believed Peter to be carrying a coffee-jar bomb or even a gun, was exposed as a lie, a concocted story. In such circumstances it might be expected that the Government Minister and senior army officers who sat on the Army Board would base their deliberations on the verdict reached by a court of law and later upheld at subsequent appeals. The bottom line as it were. Not so.

In November 1998 an Army Board, including MoD Minister Doug Henderson MP, decided that the two could remain soldiers for 'exceptional reasons'. This ruling to allow them to stay was overturned, in large part because the Board insisted that the two had committed an 'error of judgement'. British soldiers are not convicted of murder because of 'errors of judgement'. The MoD was ordered to set up a new Board and reconsider the case. Their legal team, it might have been expected, would surely take care not to repeat their earlier mistake, that of contradicting the judgement of the court. Surely not.

In November 2000 a newly convened Board informed the Mc Bride family that Wright and Fisher would remain in the Army. The relevant portion of the Board's decision is included opposite. Once again the Board had taken factors into account that had either been deemed irrelevant in the original court judgement or were found to constitute part of a concocted story such as the reference to the dangers posed by coffee-jar bombs.

Lets suppose for a moment that an employee of a state body was found guilty of a racist murder while at work and received a lengthy prison sentence. Lets further suppose that the disciplinary tribunal in that state body refused to dismiss the convicted murderer on the grounds that this would prejudice his attempts to gain early release from prison. A public campaign was then mounted calling for his early release and campaigners were allowed to use offices, telephones etc belonging to the employer. Following his early release a disciplinary tribunal whose members were drawn from the ranks of those who campaigned for the early release decided that the murderer could retain his old job!

In fact he may soon be promoted. The tribunal further rules that the employee will continue to work in similar circumstances to those that led to the racist murder but in the adjoining office. Outraged? Such a scenario would rightly cause protests, court cases, calls for resignation and a demand that the problem of institutional racism in the state body be addressed urgently. Read the 'exceptional' reasons below and make up your own mind as to institutional racism in the Ministry of Defence.

***Paul O'Connor***

For more information see [www.serve.com/pfc](http://www.serve.com/pfc)

### **In the Headlines**

CAJ holds newspaper clippings on more than 50 civil liberties and justice issues (from mid 1987- December 2000). Copies of these can be purchased from CAJ office. The clippings are also available for consultation at the office.

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

## The 'exceptional reasons'

The members of the Army Board who made the decision were John Spellar MP, Minister of State for the Armed Forces, General Mike Jackson, Commander in Chief Land Forces, Major General DL Judd, Quartermaster General and the Legal Advisor to the Board, Major General G Risius, Director Army Legal Services. The following is an excerpt from the decision of the Board.

18. The Board decided in the light of further discussion after the hearing and at subsequent meetings that the following factors taken together did amount to exceptional reasons:

a. Both Guardsmen were young and relatively inexperienced when the incident took place on 4 September 1992. Guardsman Fisher was born in 1968 and enlisted in December 1989. Guardsman Wright was born in 1973 and enlisted in 1990.

Fisher had been in the Battalion for ten months and Wright for seven months. This was their first tour of duty in Northern Ireland and they and only been there for four months.

b. The general security situation was tense and particularly so in the New Lodge Area where the unit had suffered recent casualties including a fatality. At the team briefing on 4 September they had been advised that the situation was high risk and that there was an expectation that those associated with terrorist groups would be likely to be carrying personal weapons.

Furthermore, the threat of coffee-jar bombs at the time of the offences was very real: soldiers had been maimed and, on occasion, killed by this weapon. The coffee-jar bomb was a device which was very easy to conceal until the moment of throwing. While this dangerous and volatile situation might have rightly led to heightened awareness, there was no evidence of individual or collective premeditation to commit a criminal offence.

c. The Army undertook a considerable amount of training to prepare soldiers for duty in these circumstances, and was acknowledged to be a world leader in this field. However,

even with the comprehensive training provided, it could not prepare an individual for every eventuality.

d. Guardsman Wright had expressed genuine concern for Mr McBride's children when he gave evidence before the Board. Guardsman Fisher had expressed regret for Mr McBride's death in the statement he made in May 1995, and the Board was satisfied that it, too, was genuine.

e. Neither Guardsman had any previous criminal record, either civil or military. Furthermore, their conduct in custody after conviction had been exemplary.

f. The Board was convinced that there was absolutely no danger of repetition; on the contrary, the two Guardsmen appeared to have learned a bitter and lasting lesson.

g. Guardsmen Fisher and Wright had been utterly loyal to the Army throughout the eight years of the judicial process, their imprisonment, and subsequently the Army Board process. Both very clearly wished to continue to serve their country. Their present Commanding Officer had spoken very highly of them, not least regarding the part they had played in operations in Macedonia and Kosovo in 1999. In the course of those operations the Guardsmen had been placed in situations of tension and stress where it was vital that their personal conduct was of the highest standard, and they had acquitted themselves well. It was in the Board's view clearly exceptional – indeed, unprecedented – that any soldier should successfully resume his service; that he should then be formally retained in service; that he should then see the decision quashed; and that he should then continue serving for an extended

period with the possibility of removal from the Army hanging over his head pending a fresh decision. Their exemplary service since December 1998 should be seen against this background.

19. Having carefully balanced the reasons listed in paragraph 18 against the fact that the Guardsmen had been convicted of one of the most serious crimes known to the law, and also against:

a. the trial judge's finding, in particular that the Guardsmen:

1. had sufficient time to decide whether or not to fire and, although both were aware that they had no justification for doing so, both discharged aimed shots at Mr McBride knowing he posed no threat to them;
2. [were not] in any panic situation or in any situation which called for split second reaction;
3. lied about critical elements of their version of events...and deliberately chose to put forward a version which they both knew to be untrue;

a. all the matters raised by and on behalf of Mrs McBride and others in the representations as to why the Guardsmen should not be allowed to remain in the Army, the Board concluded that, taken together, the reasons listed in paragraph 18 made the Guardsmen's retention desirable.

## The Dublin and Monaghan Bombings:

### *The Truth, the Questions and the Victims' Stories*

In most conflicts the role of the intelligence services and special army units come under the spotlight. They are suspected, at one end of a continuum, of operating 'dirty tricks' and, at the other, of carrying out assassinations and actively colluding with death squads. In some conflicts they are also accused of subverting the policies of elected governments and pursuing their own political agendas. During the last thirty years of conflict in Ireland, similar suspicions have surrounded the activities of the British Intelligence services and the security forces and it has been left to journalists rather than academics to explore this murky terrain. Some of the suspicions have been well-founded, others remain as a matter of conjecture and can only be dealt with by full public inquiries. The Dublin/Monaghan bombings is just such a case and this important and powerful book by journalist, Don Mullan, will make a significant contribution to this end.

The bombings involved three car bombs exploding on Friday 17 May 1974 in the middle of the Dublin evening rush hour in Talbot Street, Parnell Street and South Leinster Street within 90 seconds of each other. Twenty-six people were killed and 253 people were injured. Ninety minutes later, a fourth bomb went off in Monaghan, suggesting that its purpose was to draw the security forces away from the border to allow the bombers to escape back to the North. It killed another 7 people and many more were injured. To this day, it remains the worst atrocity of the last 30 odd years and no one has yet been prosecuted.

Mullan's book is in two halves. The first half provides eye-witness and survivor accounts of the carnage and destruction which each bomb caused and presents a series of personal stories of the bereaved and how they struggled to rebuild their lives. All are harrowing and personal testimonies

and express a range of different concerns. Many express anger at the indifference of Irish society as a whole and a succession of Irish governments, in particular. As Marie Butler, who lost her mother, expressed it:

*"I feel very bad about the Irish State and how they dealt with us. It's the same with all the other victims. We had no dealings with them... No one offered counselling. The guards never came to us. We were abandoned."*

Others express a deep sense of injustice that no one was prosecuted. The overriding concern, however, appears to be a wish to be told the truth about what actually happened on that fatal day. Inquests, which provide a limited mechanism for seeking the truth, were opened but then adjourned and have never resumed.

The second half of the book considers how the government, the police, media and politicians reacted to the bombings, raising a number of issues which are then examined in greater depth. While the extent and adequacy of the police investigation is largely unknown, it is suggested that the Garda Síochána made basic mistakes such as failing to secure the scenes of the crimes, to obtain statements from key witnesses or to follow-up reports. They also failed to preserve the chain of custody of evidence. Incredibly in the circumstances, some evidence was sent to the Northern Ireland Forensic Laboratory and now appears to be lost. It is further suggested that political instructions were given to the Garda to stop their investigations.

Mullan attempts to tease out whether British Intelligence Services and Security Forces were involved in the bombings. A number of factors are suggestive.

- First, there was a history of collusion between the security forces and loyalists.

- Secondly, British Intelligence had a disquieting and possibly a subversive relationship with the Garda Síochána. Finally, the bombings themselves had all the hallmarks of a military operation: the organisation of the four incidents was highly professional; all three devices in Dublin were detonated with incredible precision; little explosive residue was left and virtually all the parts of the timing devices were destroyed. While all these factors add further weight to suspicion of British security services involvement there is still nothing in the public domain which connects them evidentially to the mass murder.

The principal problem is that the evidence in this and many other cases lies in the hands of the authorities themselves. The truth will never emerge unless there are full public inquiries. The Irish government, however, is resisting such a move in relation to the bombings, although it does, rightly, support an inquiry into the Finucane case. It is, therefore, not without considerable irony, that Margaret Urwin in an Afterword on the campaign for an inquiry, concludes by quoting Liz O'Donnell, the Minister for Foreign Affairs:

*"The value of a public inquiry, in terms of the society as a whole, is that it seeks to locate where culpability lies and thus establishes a basis on which society, through its democratic system, can set about rectifying identified faults'."*

Mullan's book, by making all the material so easily accessible, will help to achieve these democratic objectives.

#### **Paddy Hillyard**

The Dublin and Monaghan Bombings: The Truth, the questions and the victims' stories, Wolfhound Press, 2000. Cost £9.99 pp. 335.

## North-South Conference on Equality and Human Rights

8-9th December 2000

**As part of a process to build on the human rights commitments in the Belfast Agreement, a conference was organised in Dublin Castle in December to discuss common ground and common methods of working to protect human rights and equality on the island of Ireland.**

The conference was organised by the Irish Congress of Trade Unions, the Irish Department of Foreign Affairs, the Equality Authority, and from the North the NIO, the office of the First/Deputy First Ministers, the Equality Commission, the NI Human Rights Commission (HRC) and the NI Council for Ethnic Minorities. It was an interesting and opportune time to bring together, on a cross border basis, all the agencies charged with the promotion and implementation of human rights and equality agendas. Unfortunately, the conference was considerably overshadowed by the controversy surrounding the appointments process to the proposed Human Rights Commission (HRC) in the Republic. Nevertheless, not all was lost. A change of heart in relation to the HRC resulted from the interventions made and some fruitful ideas were exchanged about the need to think about human rights issues from a joint perspective.

The Minister for State, in a comprehensive but somewhat rhetorical opening speech summarised the history and rationale for international human rights protection mechanisms, she focused especially on those concerned with torture and referred to a number of outstanding matters and cases in connection with the Troubles that had to be addressed. She confirmed that the Irish government would ratify the CERD and the CAT, which was welcome if long overdue news. She talked of the new human rights dispensation offered by the Good Friday Agreement and referred to the importance of the work of NGOs as separate but co-dependant with government.

The Keynote speaker, Sir Nigel Rodley, the UN Special Rapporteur on Torture, suggested that real human rights protections require, as an essential, a proper framework of protection at national level. Even the newly (in the 1980's) developed UN thematic mechanisms still offered only a framework for states to develop their own normative standards. He also referred to the International Labour Organisation's separate role as important in developing standards in the protection of human and workers' rights. He rather courageously referred to the dilemma facing the conference in addressing the need for transparency in the appointments process to the new HRC.

The President (Donal Barrington) and Chief Commissioner (Brice Dickson) of the HRCs South and North respectively spoke of the opportunities to address social and economic rights as well as civil and political rights whilst

acknowledging the gap in relation to group rights. The possibility of identifying common work issues on an all-Ireland basis was mooted. Primarily the HRCs should listen to what people and the NGO community are saying and then speak honestly and loudly about abuses of rights.

The Chief Executive of the Equality Authority (Niall Crowley) and Chairperson of the Equality Commission (Joan Harbison) spoke of the opportunity to make the link between civil society and government in terms of the legislation, institutions and resources for focusing on social inclusion and equality with a human rights dimension. NGOs will be the "engine" of human rights protections. Clear targets and outcomes along with statutory equality duties such as Section 75 of the NI Act, will offer a sign that governments can do things differently.

Debate from the floor centred for the most part on the anger of the NGO sector at the disdain with which the government had treated the appointment process of the HRC in the South. Other questions focused on distinctions between rights and duties and also on the reciprocal recognition of rights in the South and the North.

The second day saw a number of presentations by politicians from North and South on how civil society and elected representatives might co-operate to ensure protection of rights. Representatives of the Taoiseach and the Secretary of State, the First and Deputy First Ministers NI concurred that equality must be at the heart of government and stressed the importance of the four human rights and equality institutions (GoNGOs as someone termed them) to this process. NGOs wanted clear signs that there would be a commitment to change as soon as possible. From the North the Bill of Rights process was seen as requiring an understanding of what kind of society we want. Inez McCormack of the ICTU grounded the conference by referring to the history of the "troubles" as rooted in the need for equality and rights. She said that rights have to be owned by the people who need them and the biggest test of whether change has occurred will be to ask the views of the groups affected and not whether legal mechanisms or Bills exist. Perhaps it is fitting to end by re-iterating her final comment that a vital perspective for the new mechanisms, as the conference organisers called them, should be one of participation and accountability rather than top down approaches. The work will be in making that a reality.

Mike Posner of the Lawyers Committee for Human Rights suggested that the GoNGOs will have to be feisty, independent and spirited and voice the most complicated, anxiety raising issues for government. Finally it was indeed welcome to see so many old and new faces and a real sign of change for me was the fact that Loyalist and Republican ex-prisoners groups attended.

**Nuala Kelly, ICPO**

## Civil Liberties Diary

**Dec 2** The age of consent for gay people in Northern Ireland was lowered to 17 when the Sexual Offences (Amendment) Bill was forced through the House of Commons after being rejected by the House of Lords.

**Dec 7** Oversight Commissioner Tom Constantine said it could take up to 10 years to achieve major changes to policing. He stated: "I would think if everyone stays committed to it and if there is enough money, 10 years from now the policing service and the community reaction to it could be unrecognisable from what it is today".

The Police Ombudsman announced at a criminology and criminal justice system seminar at Queen's University, that since the independent body was set up four weeks previously, 440 complaints had been lodged against the RUC.

**Dec 8** The Irish Council for Civil Liberties (ICCL) criticised the Irish government's rejection of the nominations put forward by the selection committee for positions on the Irish Human Rights Commission.

Counsel for the Bloody Sunday Inquiry, Christopher Clarke QC warned that if the government failed to disclose sensitive security documents deemed necessary to the Inquiry, then avenues of investigation could prove difficult and that ultimately, parliament could consider closing the inquiry.

**Dec 9** Speaking at a conference in Dublin Castle on 'Protecting and Developing Human Rights on the Island of Ireland', Liz O'Donnell, Irish Minister of State with special responsibility for human rights, said that the future level of protection of human rights on both sides of the Irish border will be "without parallel".

**Dec 11** It was reported that the Police Authority had written to Garda commissioner Pat Byrne asking him to circulate details to senior officers

of a vacancy at assistant chief constable level.

A former soldier with British military intelligence and key witness for the Stevens Inquiry, Martin Ingram (a pseudonym), claimed police investigators were set to present evidence of "institutionalised collusion" between the security forces and loyalist paramilitaries.

**Dec 12** Details were reported of the full determination of the army board's ruling to keep Guardsmen Fisher and Wright in the army despite murder convictions for the killing of Peter McBride.

**Dec 15** Justice Arthur Chaskalson, president of the South African Constitutional Court expressed support for a bill of rights for Northern Ireland saying the South African bill of rights was the "cornerstone of democracy".

**Dec 18** Martin Ingram, a key witness to the Stevens inquiry pulled out of the investigation over fears for his life. The move followed a Crown Prosecution Service decision not to prosecute a former FRU soldier for sending threatening e-mails to Mr. Ingram.

**Dec 21** It was announced that work would begin early in the new year to dismantle the last three British army patrol bases in Co Fermanagh.

A report commissioned by the Northern Ireland Office – Legislating Against Silence (The Northern Ireland Experience) – revealed no increase in the conviction rate of paramilitary suspects from 1990 to 1997 under the law introduced in 1988 to restrict the right to silence.

**Jan 10** Loyalist paramilitary Johnny Adair lost his prison release application when the Sentence Review Commission overturned its previous decision that he should be freed on licence. His supporters were said to be prepared to take the

case to the European Court of Human Rights if they fail to get the ruling overturned in the local courts.

**Jan 16** The head of the Northern Ireland Human Rights Commission Mr Brice Dickson expressed concern that the Commission's recommendations for a bill of rights would not be fully incorporated into law. This follows the British government's handling of the policing issue. The nine commission working groups publicised their findings on areas such as children's rights, criminal justice rights, education rights, victim rights and rights of culture and identity.

**Jan 21** Ms Diane Hamill met Prime Minister Mr Tony Blair, at Hillsborough to discuss the murder of her brother, Robert Hamill. Afterwards, she said she had been encouraged by the meeting and that she was confident there would eventually be an inquiry into her brother's death.

**Jan 30** It was announced by the Executive that an independent office of "Children's Commissioner" was to be established as part of a child strategy. The First and Deputy First Ministers said they hoped the legislation establishing the office would pass through the house in its next session.

*Compiled by volunteers from various newspaper sources.*



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

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