

# Just News

## Human Rights in Northern Ireland

### **State colluded in murder: Stevens 3**

**On 17<sup>th</sup> April, Sir John Stevens, the Metropolitan Police Commissioner, delivered his long-awaited report on his third investigation into matters of collusion in Northern Ireland, known as "Stevens 3", to the Chief Constable of the Police Service of Northern Ireland.**

Only a short summary (just over 15 pages) of the full report was published. Nevertheless, the summary was dramatic and hard-hitting. Stevens said his "Enquiries have highlighted collusion, the wilful failure to keep records, the absence of accountability, the withholding of intelligence and evidence, and the extreme of agents being involved in murder. These serious acts and omissions have meant that people have been killed or seriously injured."

He said the "co-ordination, dissemination and sharing of intelligence were poor. Informants and agents were allowed to operate without effective control and to participate in terrorist crimes. Nationalists were known to be targeted but were not properly warned or protected. Crucial information was withheld from Senior Investigating Officers. Important evidence was neither exploited nor preserved."

In relation to the murders of Patrick Finucane and Adam Lambert, Stevens found that "both murders could have been prevented" and that "there was collusion in both murders and the circumstances surrounding them". He also found that "the RUC investigation of Patrick Finucane's murder should have resulted in the early arrest and detection of his killers".

Stevens also concluded that the RUC did not equally protect both sides of the community when it was in possession of intelligence that their lives were at risk.

Stevens also set out at some length attempts to obstruct his enquiry. He says that Brian Nelson's existence was not disclosed to him and that FRU tried to conceal the fact that they had seized Nelson's intelligence store. Secondly, FRU tipped Nelson off when Stevens 1 were about to arrest him, with the result that he fled the jurisdiction. Thirdly, on the eve of the new date set for Nelson's arrest, Stevens' incident room was destroyed by fire in what Stevens believes was "a deliberate act of arson". Fourthly, Stevens 1 were given written statements saying that certain documents they wanted did not exist. Stevens 3 found this to be untrue and ultimately recovered all the documents. Fifthly, he received some disclosure only very late in the day, which he viewed with "considerable disquiet".

While the findings of Stevens 3 were indeed shocking, essentially they confirmed much of what the Finucane family and the NGOs have been saying for years. There were also a number of critical areas which were left untouched by the published version of Stevens. First, much of the detail of the Stevens 3 investigation into the Finucane and Lambert murders and other acts of collusion by police officers and soldiers will be contained in reports on alleged crimes that will eventually be sent to the Director of Public Prosecutions. It is understood that there may be 20 or more such files in preparation. Reports to the DPP are never published and the DPP is under no statutory duty to give reasons should he decide not to prosecute anyone reported to him by Stevens. It remains unclear whether the majority of all eventual charges resulting from the three Stevens investigations will be against those who supplied information or those who received it.

In addition it appears that MI5 were well aware of the various actions/omissions of the RUC and FRU and that they were centrally involved in the intelligence apparatus in place yet their role is not explored in the published version of the report.

Also, Stevens did not explore how high up the chain of command the acts of collusion went or to what extent this policy was sanctioned or planned at official or political level. He hinted in his press conference that he would be pursuing this but it seems strange that after four years he still had not interviewed the Chief Constable at the time or relevant officials or ministers.

In view of the gravity of his findings and the apparent omissions, Amnesty International, British Irish Rights Watch, the Committee on the Administration of Justice, Human Rights Watch and the Lawyers Committee for Human Rights renewed their call on the UK authorities to establish a full, public, international, independent and impartial judicial inquiry into all the circumstances surrounding the killing of Patrick Finucane.

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## Latest News at the Policing Board

**An important stage in the development of the oversight potential of the Policing Board was commenced in February 2003, when the Board appointed Keir Starmer QC as its Human Rights Adviser to assist it in monitoring the human rights performance of the police. Keir has an impressive c.v. as a barrister with extensive human rights experience and specific expertise in applying human rights principles to policing.**

It is excellent that the Board will have this resource, and one of the key tasks of the Human Rights Adviser will be to help the Board develop its own human rights expertise over the longer term.

### The "Patten seven"

CAJ made its own submission to Keir Starmer as to issues the Board should evaluate, how to monitor them, and possible sources of information. One of our concerns was that the "comprehensive programme of action to focus policing in Northern Ireland on a human rights approach" recommended by Patten (recc. 1), should not be confined to the first seven recommendations of the report (or the "Patten seven" as they are being increasingly called).

Obviously, it is vital to monitor issues such as the oath and the Code of Ethics, the PSNI training and appraisal system, the work of the police Human Rights Legal Adviser, and the police's observance of human rights in the discharge of their duties (reccs. 2-7). But human rights considerations run throughout the Patten Report. A focus on the "Patten seven" risks overlooking important human rights issues around accountability; covert policing; community policing; the existence and use of emergency powers; public order policing; composition, recruitment etc. The full extent of the human rights programme of action needs to be explicit from the outset to facilitate police compliance.

### Auditing police work

Clearly, for example, it is vital that the day-to-day activities of the PSNI are compatible with the Human Rights Act and this requires the Board to monitor PSNI policy, practice and operational decisions. In turn, this means that the PSNI must maintain data so as to be able to monitor the use of - emergency powers, plastic bullets, public order policing, the use of force, covert policing, searches, arrests etc. to evaluate human rights performance. CAJ also thinks it would also be useful if the Human Rights Adviser conducted random audits of a variety of PSNI operations and their planning, to see what lessons arise.

The Policing Board also clearly needs to establish some routine information-gathering systems. The Chief Constable should be asked to report on both positive and negative human rights developments in his regular reports to the Board, and PSNI records, including those described above, need to be made routinely available to the Board. The Board needs also, however, to be informed of all decisions relevant to policing from, for example, the UN or Council of Europe; domestic and international court judgements and rulings; details of compensation, out-of-court settlements, and the kinds of advice provided by the PSNI's legal staff; and information fed back from consultation exercises with the public, non-governmental, community, or other sectors.

### Scrutiny by the Board

Of course, over and above routine information-gathering systems, the Policing Board will have to determine how to build human rights considerations into their own decision making processes. As reported in last month's Just News, CAJ is in correspondence with the Policing Board to learn how they intend to contribute to the Steering Group looking at plastic bullets, and what research, if any, they commissioned into the human rights impact of CS spray before authorising its use.

Another concern to be pursued with the Policing Board relates to their response to an evaluation of police training issued in November 2002 by the NI Human Rights Commission. The evaluation highlighted a number of very positive developments in terms of the new human rights training, but it also noted some serious weaknesses. For example, some of the statements made by the trainers (made in formal training settings in the presence of a human rights consultant) reflect the worst kind of canteen culture; sectarianism is consciously not engaged with from a policing standpoint; and the human rights case-law was sometimes "misleading and/or based on outdated jurisprudence". We were unaware of any public response from the Board to these findings however, until the media took up the issue this month.

It is clearly vital that the Board see its role as one of monitoring the human rights performance of policing, and holding the Chief Constable publicly to account accordingly. In the way it works, and the role it performs, the Policing Board must insist that it is in the interests of the police, as well as the public, that human rights protection is the standard against which all police performance must be assessed.

The work to be undertaken by Keir Starmer will be of vital importance in this regard.

## US Screenings of the BBC's "A License to Murder"

**The Lawyers Committee for Human Rights hosted screenings of the BBC's "A License to Murder" in Washington, DC and New York City on March 19<sup>th</sup> and 20<sup>th</sup> respectively. The documentary is the work of John Ware, an award-winning journalist for the BBC's *Panorama* programme. As readers of *Just News* will know, "A License to Murder" was broadcast in the UK last summer and contains extensive new evidence of collusion between members of the security forces and loyalist paramilitary groups. The documentary focuses on a series of murders in the late 1980s—in particular the 1989 murder of Belfast human rights lawyer Patrick Finucane.**

The Lawyers Committee has been working on Mr. Finucane's case for more than a decade as part of our efforts to support human rights lawyers and activists from around the world who come under threat because of their advocacy work.

We have released a series of reports detailing the evidence of state involvement in Mr. Finucane's case - most recently on February 12, 2003, the 14<sup>th</sup> anniversary of the murder. These reports are tailored for an international audience in order to raise awareness about the case outside Northern Ireland and increase international pressure on the government to hold a public inquiry into the killing.

In a similar vein, we hosted the US screenings of "A License to Murder" to bring the latest developments in the case to US audience, as well as to raise awareness about the broader issues surrounding the legacy of collusion in Northern Ireland. To assist us in this, John Ware graciously agreed to come to Washington, DC and New York for the events and was on hand for a lively question and answer session immediately following the viewing of the documentary.

The Washington, DC screening took place at the law firm of Jones Day, overlooking the US Capitol Building.

It was co-hosted by Congressman Chris Smith, Vice Chair of the House International Relations Committee and Co-Chair of the Commission for Security and Cooperation in Europe. Congressman Smith has taken the leading Congressional role on Northern Ireland—working tirelessly to ensure that human rights principles remain at the center of the peace process and that the US government is doing all that it can to assist in the implementation of meaningful reform.

The New York premiere took place at Fordham University Law School and was co-hosted by Fordham's Joseph F. Crowley Program in International Human Rights. Professor Martin Flaherty, the Director of the Crowley Program, has worked with the Lawyers Committee for many years on human rights issues in Northern Ireland.

We were also fortunate to have Paul Mageean from CAJ and Jane Winter from British Irish Rights Watch (BIRW) participating in the screenings. Ms. Winter read out a message from the Finucane family to the NY and DC audiences. In her statement, Geraldine Finucane emphasized that the investigations into her husband's murder had revealed that the "British government was involved in a very dirty war against its own citizens and does not want the world to know." She explained that the government's continuing determination to cover up

its involvement in the killing meant that it was "vital to hold a full, public, international, judicial inquiry" into the murder and surrounding circumstances.

The screenings were also an opportunity to highlight the case of Lurgan human rights lawyer Rosemary Nelson, who was killed on March 15, 1999—ten years after Patrick Finucane was murdered, and almost a year after the Good Friday Agreement was signed. At the DC screening, Congressman Smith talked about the deep impression Ms. Nelson had made on members of Congress when she testified at a hearing held by the House International Relations Committee in September 1998. In her testimony, Ms. Nelson described the abuse she suffered at the hands of members of the security forces and spoke of the chilling effect Patrick Finucane's murder had on the legal profession in Northern Ireland.

Rosemary Nelson's family also prepared a message for the DC and NY audiences. In a statement read by CAJ's Paul Mageean, her family explained that the key suspects in the murder include a serving member of the security forces and several informers. They emphasized that they, like the Finucanes, are "convinced that the only way forward in these cases is through the establishment of public inquiries" and asked for continued support for this goal in the United States.

**Fiona Doherty  
Lawyers Committee on Human Rights**

(for full Stevens inquiry 3 report visit [www.news.bbc.co.uk/1/shared/spl/hi/northern\\_ireland/03/stevens\\_inquiry/pdf/stevens\\_inquiry.pdf](http://www.news.bbc.co.uk/1/shared/spl/hi/northern_ireland/03/stevens_inquiry/pdf/stevens_inquiry.pdf) )

**Readers of Just News may remember that earlier last year, the Human Rights Consortium set up lobbying and media sub-groups to plan some key activities in the Consortium's work. At the time a funding proposal was submitted to various funders, and the Consortium has now been extremely fortunate to receive a substantial grant towards its activities over the next two years.**

Based on the sub-groups' work, there were two key elements to the original funding proposal – namely information/media and advocacy/outreach. We have spent the last several months devising a work plan based on this funding proposal and setting out what our priorities should be. A number of issues have guided these priorities.

Presumably, given the wide constituency that it represents, the Consortium is best placed to engage in publicity/media work that would reach ordinary members of the public and encourage broader ownership of this process. An essential element of this must be greater mobilisation of Consortium members and their constituencies. Sectors and groups must be encouraged, and if necessary facilitated, to make their voices more visible in this debate. Another very effective and necessary element is to build a 'human' aspect to our work, making faces, stories and constituencies more visible.

Connected to this is the broader issue of education around human rights in general. There is still a very strong sense that this is a win/lose situation: ordinary people feel they have nothing to gain from human rights, that it is all about giving rights to other people etc. This needs to be tackled by everyone involved, but again the Consortium may have the best scope to do this.

With these thoughts in mind, the Consortium proposes to undertake a number of pieces of work. As well as continuing to produce and disseminate information materials around the Bill of Rights, such as the very successful Frequently Asked Questions booklet, more attention will be given to higher profile events and media opportunities which will bring this debate ever closer to the population at large. This would include events such as the Mary Robinson lecture last year, but also smaller photocalls and press conferences around significant events, such as the one held on International Human Rights Day which gained coverage in all the main media outlets here.

Some money has also been set aside to allow for more extensive newspaper advertising, but strategising will be required to determine what the best timing of that will be, and whether a full page in the bigger newspapers or smaller adverts and editorials in the local weeklies would be of most benefit. The overall goal would be to make more people aware of the current debate and encourage them to get involved, and it may be that the more local this activity takes place the better.

## Planning for a

However, the other key element to the Consortium's work in recent times has been engaging with politicians and other key players within the process to bring our message of a strong and inclusive Bill of Rights to them and secure their support. With this in mind, the Consortium has elaborated quite a detailed plan of meetings and events with key players in Northern Ireland, as well as the UK and Republic of Ireland over the next year or two. We have held a stall at all the main political party conferences over the last year, and plan to repeat this exercise and perhaps also organise fringe meetings next time around.

Arguably one of the most important proposals in the work plan is to commission a number of pieces of research on some of the quite complex areas in the debate, where both local and national politicians have begun to consider arguments around resources, implementation, the particular circumstances of Northern Ireland etc. The purpose of these pieces of research would be twofold – both to educate the Consortium members and indeed the wider public, but also to provide comparative examples to show politicians and others how these rights have worked in practice in other areas.

Of course, all of this takes place within the wider political context. The Bill of Rights has been one of the issues at stake in the talks process, with it being cited as an area of the Agreement that needed to be progressed. The Consortium has begun to engage more with political parties on this – starting with the very successful event in Parliament Buildings in early February of this year (see February 2003 edition of Just News).

To follow up on this event, the Consortium asked to meet with the human rights spokespersons of all the main parties here to discuss the Bill of Rights process. So far, meetings have been held with SDLP, Alliance, PUP, Sinn Fein, UUP and the Women's Coalition. Each of these meetings have been very constructive in their own way, and generally speaking parties have been very supportive of the role being played by the Consortium in the process.

One of the main elements for discussion has been the progress made by the sub-group of the Agreement

*contd on next page*

# Bill of Rights

Implementation Group which was set up to look at taking the Bill of Rights forward (see February edition of Just News). This sub-group has now met several times and is drawing up terms of reference for a proposed roundtable process involving politicians, civil society and the Human Rights Commission. It is understood that these negotiations are well underway and a number of concrete proposals have arisen. However, given the recent political uncertainty, and the fact the unionist parties are not engaged in the implementation process, this process is also in limbo while we wait for the political situation to resolve itself one way or another.

The Consortium for its part is supportive of any process that will secure a strong and inclusive Bill of Rights for Northern Ireland. It was clear from our meeting with Des Browne last year, and in subsequent meetings with political parties, that any proposals for a Bill of Rights that do not have cross-community support would not be legislated upon by Westminster. This reinforces the need in this process to be as inclusive as possible. We will also be arguing strongly that civil society must be able to participate fully in this process.

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Once again it is a challenging time ahead for all those involved in the Bill of Rights process. The Human Rights Commission for its part is continuing with its Phase III activities, the main part of which so far has been the seminar series on some of the more difficult issues in the debate. To date, three of these have been held – on socio economic rights, equality, and community and identity. It seems unlikely that they will submit their advice to the Secretary of State before early 2004. This certainly leaves more time and space to allow everyone to become more engaged in the debate and grapple with some of the key issues and concerns. There is an onus on everyone concerned now to make more of a concerted effort to get involved and ensure that we can all work together to secure a strong and inclusive Bill of Rights for Northern Ireland.

If you are interested in learning more about the Consortium's work, why not visit their website on [www.billofrightsni.org](http://www.billofrightsni.org).

## CONSORTIUM'S LATEST PUBLICATIONS!!

The Human Rights Consortium has recently produced a video presentation featuring highlights of an address given by Mary Robinson, former UN High Commissioner for Human Rights, to a wide audience in May 2002 on the theme of: "Making right relationships an everyday practice". This short video also contains contributions from Consortium members on why we need a Bill of Rights for Northern Ireland, and would serve as an excellent education or discussion tool.

Other publications produced by the Consortium:

### Right Here Write Now!:

A supplement produced in the Belfast Telegraph containing articles and personal anecdotes on the impact a Bill of Rights could make. October 2001. (Ref: HRC001)

### Information leaflet on the Human Rights Consortium:

Short leaflet detailing what the Human Rights Consortium is, what it does, information about becoming a member etc. Available in a variety of languages. (Ref: HRC002)

### Media Pack on a Bill of Rights for Northern Ireland:

Resource for media and others interested in finding out more about the Bill of Rights for Northern Ireland. Contains information on the Bill of Rights, details of member groups and spokespeople for the Consortium. (Ref: HRC003)

### Frequently Asked Questions about a Bill of Rights for Northern Ireland:

All you need to know about a Bill of Rights for Northern Ireland in an easy to understand way! (Ref: HRC004)

### "Making Right Relationships an everyday practice":

Report of the keynote address by Mary Robinson, UN High Commissioner on Human Rights, and other proceedings at a conference held by the Human Rights Consortium in May 2002. (Ref: HRC005)

**Video** presentation containing highlights of above and contributions from Consortium members on why we need a Bill of Rights for Northern Ireland. Duration 18 mins. (Ref: HRC006)

All the above publications are free, except the Mary Robinson video, which can be purchased for £5. If you would like to order any of these materials, please contact the Consortium on 02890 961128, or e-mail [info@billofrightsni.org](mailto:info@billofrightsni.org)

## Lord Chancellors Department and NGOs in human rights dialogue

In 2002 the Lord Chancellor's Department established a joint Government/NGO Forum for ongoing discussion about how to implement and develop human rights policy. The Forum initially consisted of some of the larger NGOs and legal groups such as Amnesty International, The England and Wales Bar Human Rights Committee, the British Institute of Human Rights, Charter 88, the Institute for Public Policy Research, JUSTICE, the Law Society, and Liberty.

It did not include membership from Northern Ireland. This was despite the fact that, at least at a UN level, much of the discussion of the UK's human rights record under the treaty-based mechanisms concerned Northern Ireland issues.

Following interventions by CAJ, both ourselves and the Northern Ireland Human Rights Commission (which despite its statutory basis had also been excluded from membership) were invited to attend the meetings.

### Work of the Forum

Yvette Cooper, MP, Minister with responsibility for human rights policy at the Lord Chancellor's Department chairs the forum. The Forum discusses progress on the Review of International Human Rights Instruments which is being conducted by the Lord Chancellor's Department. It also discusses follow up recommendations by international monitoring bodies such as the United Nations Human Rights Committee and general policy issues arising from the Human Rights Act.

The meetings take place approximately every four months and

so far CAJ has only attended a small number of them. However, in relation to a number of matters they have proved useful. This is particularly true in connection with the reporting of the UK to the international treaty bodies.

### Reporting mechanisms

CAJ members will be aware that this has been a critical part of our work for the last fifteen years. The normal process for such work is that the government, on a regular basis, has to prepare submissions to UN bodies on the human rights situation in the UK. This could be for consideration by the Human Rights Committee, the Committee Against Torture, the Committee for the Elimination of Discrimination Against Women and a number of other relevant committees.

Usually the first we see of such reports is after they have been completed and submitted to the Committee. We then (along with other NGOs) submit our own reports which critique those submitted by the government and encourage committee members to question the government representatives at oral hearings on certain matters.

### Changes afoot?

Recent experience at the LCD forum would suggest that at least in relation to those reports which are the responsibility of the LCD, there will in the future be at least a degree of consultation on these reports before they are submitted. For instance at a recent meeting we were given draft reports to the Committee Against Torture. We were able to provide comments on the draft to the LCD and encourage other NGOs who work on Northern Ireland to do the same.

It is important that in the future we get more time to do this and that the LCD consults directly with the other Northern Ireland NGOs and of course the test of course of such matters remains the extent to which the consultation has an impact but nevertheless such openness is to be welcomed.

Much of the discussion on the Forum relates of course to matters within Britain and most particularly the discussion regarding the possible creation of a single equality body for Britain and whether a Human Rights Commission might also be established. While these matters are strictly outside the remit of CAJ, nevertheless given that we have both a single equality body (the Equality Commission) and a Human Rights Commission, there may be important lessons to be learnt from the Northern Ireland experience.

The creation of further statutory bodies in Britain will highlight the need for the Lord Chancellor's Department and government in general to consider structures for proper engagement with those bodies and the NGO community. Given the statutory remit of the NIHRC, the equality bodies and any new Commission in Britain, it may be necessary to have new and different fora for engagement between government and those bodies.

### 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.

## **'Blackstone's Guide to The Anti-Terrorism Legislation'**

**Clive Walker's comprehensive book provides a detailed analysis of the legislative framework of anti-terrorism measures in the United Kingdom. The Anti-Terrorism, Crime and Security Act 2001 was enacted only a matter of months after the Terrorism Act 2000 came into force, thus providing the most extensive anti-terrorism code in western Europe.**

While the 2000 Act resulted from a four year review of counter-terrorism needs, policy and legislation, the 2001 Act was a knee-jerk reaction to the events of September 11<sup>th</sup> 2001. Therefore, Walker seeks to highlight 'what is symbolic and what is practical in relation to combating terrorism' to demonstrate the measures which actually provide a means of countering an existing terrorist threat or pre-empt a terrorist attack, and those measures which were more opportunistic or which merely provide symbolic protection.

Walker provides a history of counter-terrorism legislation and why it is needed, an explanation of the new definition of terrorism adopted by the British government, and outlines the contents of the legislation. Having provided the context, he analyses the Acts, highlighting continuities and contradictions between the two, and also provides a useful explanation of the practicalities around implementation of the legislation, with reference to its compatibility with the Human Rights Act 1998. Taking a thematic approach a wide range of issues are addressed, including special measures for Northern Ireland, and provisions relating to other controversial issues, such as immigration and asylum, weapons of mass destruction and aviation security, thereby reflecting the main perceived threats in the 21<sup>st</sup> century.

An underlying theme of the book is that a permanent code response to terrorism 'is a worthwhile exercise in practical and ethical terms' as long as the code complies with essential principles and safeguards he identifies as including a 'rights audit', 'democratic accountability' and 'constitutionalism' (p289). The analysis makes it clear that while the 2000 Act is problematic in a number of respects (notably in relation to extra measures for Northern Ireland, see for example pp267-8), the 2001 Act is much less desirable and reflects a reaction to what he calls 'Third Millennium Terrorism' - 'terrorism emerging through non-national, global networks and with aspirations which are likewise distanced from place and time' (p x) - whereby legislators have effectively been 'terrorised by the terrorists and [are] willing to try anything' in response (p289). The code therefore reflects changed perceptions of the terrorist threat at the executive and legislative levels whereby it is not just small groups of political extremists perceived to be threatening national and global security, but so-called 'terrorist states'.

While questioning some of the developments, Walker's main emphasis is on the need for effective governance of terrorism legislation rather than expressing opposition to such legislation *per se*. He raises questions about whether the small number of people within the UK allegedly connected to, for example, Al Qu'aida, can create an emergency sufficient to destabilise the rights regime of such a powerful country with extensive practical experience of countering terrorism. He also questions the extent to which political and/or paramilitary violence reaches the level of threat sufficient to impinge on civil rights and liberties - although making an exception for maintenance of special powers in Northern Ireland. Arguing that a vibrant, inclusive democracy must uphold its most cherished values even in the face of terrorism (p19-20), Walker's analysis makes it clear that the government and legislature did not hold their nerve and damaged some of these cherished values with the 2001 Act.

The main criticism of the book is that greater reference could have been made to recent jurisprudence of the European Court of Human Rights. The extent to which the legislation actually complies with the Convention could have been expanded upon, especially in light of recent incorporation of the Convention in order to demonstrate whether the right balance has been struck between protecting national interest and upholding individual rights and liberties.

Altogether, this is an impressive guide to the anti-terrorism legislation, particularly in light of the fast-changing nature and perceptions of terrorism, and the ensuing rapidly evolving government response. Walker provides a detailed, yet clear and succinct, analysis. The result is a book that is ideal as a reference for practitioners, human rights activists and civil libertarians, or as a starting point for students and other people interested in understanding the legislative framework of the 'war against terrorism' in this new era of perceived terrorist threat. An excellent bibliography also provides references to wide-ranging further reading and useful web-sites for exploration of some of the themes addressed in the book.

### **Johanna Keenan**

*[Researcher at the Transitional Justice Institute, School of Law, University of Ulster, and management member of the Pat Finucane Centre in Derry.]*

(Clive Walker's "Blackstone's Guide to The Anti-Terrorism Legislation" is published by Oxford University Press, 2002 ISBN 1-84174-183-3)

## Civil Liberties Diary

**Mar 4** The Policing Board announced the names of those appointed to act as independent members of the 26 District Police Partnerships set up after a recommendation by the Patten Commission.

**Mar 7** David Wright, the father of murdered loyalist leader, Billy Wright failed in his application to the High Court to gain access to the police investigative file into the killing. However in the course of the judgement the court said that it was satisfied that an investigation which complied with the European Convention's human rights standards had not yet taken place. The court said that now was not the appropriate time to consider the application; the appropriate time would be if and when an inquiry was ordered into the killing. Retired Canadian Judge, Mr Peter Cory is currently examining the case for a public inquiry into this and other controversial killings.

**Mar 11** A new survey says that the electorate in Northern Ireland are dissatisfied with the low number of women that political parties in Northern Ireland are selecting to represent them. 66% of the women, and 57% of the men surveyed, said that they wanted to see more women in roles as political representatives. It was also noted that in the run up to the Assembly elections in May there were only 25 women selected by the main political parties to contest the elections as opposed to 142 men.

**Mar 14** More than 50 lawyers have complained about police misconduct towards them according to a survey released by the Police Ombudsman. The allegations included direct physical threats or unprofessional conduct during the interview of clients, sectarian or racist remarks and incivility.

**Mar 19** A booklet giving advice to parents on how to tackle racist bullying is published. The booklet is a joint project between the Chinese Welfare Association, the Northern Ireland Council for Ethnic Minorities, the

Parents Advice Centre and Save the Children. Previous research has identified the scale of this problem. Two-thirds of school children from ethnic minorities have experienced racial harassment, while 14% say they have actually been physically assaulted. Name calling is said to be the most frequent form of harassment, but bullying has also involved racist jokes, and insults about accents or clothing.

**Mar 20** The newly created position of Children's Commissioner for Northern Ireland is advertised. The Commissioner's role will be to safeguard and promote the rights and interests of children and young people in Northern Ireland. The role was established under the Children and Young People (NI) Order 2003.

**Mar 21** The Chief Commissioner of the Equality Commission says that racism is on the increase in Northern Ireland. Joan Harbison said that racist incidents in Northern Ireland are running at a proportionately higher level than in England and Wales. In Northern Ireland the level is 16.4 per 1000 of the population whereas in England and Wales the comparable figures are 12.6 per 1000. She went on to point out that people who manifest racist prejudice or who use racist violence can have a disproportionate effect on society as a whole if not effectively challenged.

**Mar 24** The Northern Ireland Office has refused funding to the Police Ombudsman to investigate three controversial killings. They are that of Alice McLoughlin, who died from a gunshot wound from the gun of a police officer. A coroner at the time said the wounds were consistent with self-infliction. The family say this could not have been the case. The second case is that of Raymond McCord, whose family say his killing was sanctioned by a loyalist who was also a police informer. The third is that of police officer Joe Campbell who was murdered outside Cushendall police station. There have been allegations

of collusion in relation to his death. The Ombudsman expressed disappointment at the refusal of funding, and said that a further serious delay into the investigation of the killings will result.

**Mar 25** A new initiative has been launched to close the pay gap between men and women in the work place. The Equal Pay Forum is a joint initiative between Opportunity Now and the Equality Commission. The Housing Executive became the first organization to join the Equal Pay Forum, which seeks to involve employers, employer organisations and Trade Unions, and encourage them to institute and maintain fair pay policies. The importance of efforts to secure fairer pay structures is emphasised by recent figures which highlight significant pay inequality between genders in the work place. For example, women in full time employment earn on average 19% less than their male colleagues.

**Mar 31** The provisional date for "publication" of the Stevens III investigation into the murder of Pat Finucane has been announced as April 17<sup>th</sup>.

*Compiled by Conor McCarthy from various newspaper sources.*



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

**Just News** is published by the Committee on the Administration of Justice Ltd.

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