

Just News

Human Rights in Northern Ireland

CAJ's judicial review begins

On Friday 31st January, CAJ's judicial review of the Police Ombudsman and the Chief Constable began in the High Court in Belfast before Mr Justice Kerr. Just News readers will be aware that this action arose out of the murder of Rosemary Nelson.

The factual background to the judicial review is that on 10th August 1998 CAJ sent a letter with two enclosures to the then Minister of State for Security, Adam Ingram. Those documents had been passed to CAJ by Rosemary Nelson herself. CAJ indicated that they considered both documents to be "very definite threats against the personal safety of Rosemary Nelson" and that it was "incumbent on the government to investigate these matters but also to provide the necessary protection for Mrs Nelson". This was against the background of the previous two years when concerns about threats to Mrs Nelson's life and personal safety had been raised at and by, *inter alia*, the United Nations and the US Congress.

A reply from the Minister's Private Secretary on 24th September 1998 indicated that the documents had been passed immediately to the Chief Constable's Office for investigation.

Port's investigation

After Mrs Nelson's murder in March 1999, Colin Port, the Deputy Chief Constable of Norfolk, was called in to assume control of the murder investigation due to the sensitivity of the case and the fact that Mrs Nelson had complained about RUC officers threatening her prior to her death. Several days before Mr Port's appointment, two RUC officers visited the CAJ offices on the orders of the officer then in charge of the murder investigation to ask for the original copies of the documents that had been sent to Minister Ingram. The officers explained that the documents were required for forensic testing and specifically fingerprint and DNA testing.

CAJ were concerned that the originals of these documents were being sought only after Mrs Nelson's murder and that crucial and potentially identifying forensic evidence that could have been obtained from these documents was not sought at an earlier stage to investigate the source of the threats to Mrs Nelson. These concerns were heightened during the course of a meeting CAJ, Amnesty International

and British Irish Rights Watch had with DCC Colin Port on 21st March 2000. DCC Port indicated at that meeting that he was recommending that an individual be charged with involvement in Mrs Nelson's murder. He indicated that the individual concerned had published and probably authored one of the documents sent to Minister Ingram by CAJ.

CAJ's concern was that it remained possible that had a thorough investigation been conducted into the two documents sent to the Minister of Security by CAJ in August 1998, it may have led the police to the individual concerned, and indeed to those who were to carry out the murder of Rosemary Nelson. In that event, her murder might even have been prevented.

That failure to adequately investigate the threatening documents is the first limb of the CAJ complaint to the Police Ombudsman.

No "specific" threat

The second limb of the complaint arises as a result of a statement made by the then Chief Constable of the RUC, Sir Ronnie Flanagan, to the Police Authority in April 1999. At that meeting members of the Police Authority questioned the Chief Constable as to whether security protection had ever been requested by, or offered to, Rosemary Nelson. The Chief Constable advised that prior to her death the RUC did not have information to suggest that Mrs Nelson was the subject of a specific terrorist threat.

CAJ issued a public statement in which we "expressed disbelief" at this response given the international concern expressed about Mrs Nelson's safety in the two years

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before her death, but, more importantly, because of the documents sent to Minister Adam Ingram by CAJ which were immediately said to have been forwarded to the Chief Constable for investigation.

CAJ wrote to the Chief Constable requesting certain information from him as a result of his declared lack of knowledge of any specific terrorist threat to Mrs Nelson. This letter was dated 3rd June 1999 and an acknowledgement of receipt dated 11th June 1999 was received by CAJ. At the date of lodgement of the complaint with the office of the Police Ombudsman (20th November 2000), and indeed at the time of writing (almost four years later), CAJ has still not received a substantive response to this letter. This is despite a number of meetings with Sir Ronnie and several letters from CAJ requesting a substantive response.

It is the Chief Constable's failure to respond to this request for information that forms the second limb of CAJ's complaint. Again, the failure of the Chief Constable of the RUC to respond to legitimate requests for information in circumstances where it appears there has been a culpable failure to investigate death threats, and where he had repeatedly promised to respond to the request is, *at the very least* discourteous and, at worst, a deliberate cover-up. Again this is a complaint of the utmost gravity for the office of the Police Ombudsman.

Prison diary

The third limb of the CAJ complaint arises out of an article that appeared in the Sunday Mirror Newspaper on 7th May 2000. The story concerned the alleged LVF leader Billy Wright and included a photograph of one of the pages in his prison diary. The page in question appears to contain references to Mrs Nelson which amount to threats to her personal safety. CAJ is not aware that Mrs Nelson was ever informed of such threats and believes that the RUC had access to the diary and were therefore in a position to warn Mrs Nelson of its contents, but did not do so.

During the course of the investigation of CAJ's complaints by the Police Ombudsman, we continued to ask for disclosure of certain documents from the Ombudsman in order to ensure that our complaint was properly presented and also to assist the Ombudsman in her investigation. The Ombudsman consistently refused us access to the documents describing them as confidential. We asked the Chief Constable to disclose the same documents but again unsuccessfully.

We therefore began judicial review action against both the Ombudsman and the Chief Constable to try and get access to the documents.

The documents which we were seeking access to were the correspondence between the RUC and the NIO relating to

the threats against Rosemary Nelson which CAJ passed to Minister of State Ingram; the internal review of the RUC Investigation of the threats and Mr Port's comments on that review; the risk assessment on Rosemary Nelson; and the criteria for the risk assessment.

CAJ's arguments

Our arguments were based on a number of central themes. First, we argued that both the Chief Constable and the Ombudsman were essentially asserting that the documents were confidential and that this was not a sufficient reason for non-disclosure. This was particularly the case because we were not seeking access to documents such as witness statements or to documents which might impact on an ongoing criminal investigation. Second, we argued that both authorities should have considered the merits of our request in relation to each document rather than simply refusing us access to all four. Third, we argued that article 2 of the ECHR and particularly the interpretation of it in the cases taken by CAJ to the European Court of Human Rights (Shanaghan and Kelly v UK) obliged the Ombudsman and the Chief Constable to disclose this information.

The case ran on Friday 31st January and the following Friday. Judgement was reserved.

Pat Finucane's 14th Anniversary

This month marks the fourteenth anniversary of the murder of Belfast solicitor Pat Finucane.

Since February 1989 the Finucane family has been campaigning for a public inquiry into his death and the allegations of collusion surrounding it. CAJ and other NGOs have been active in assisting the family in this regard.

To mark this anniversary CAJ accompanied the Finucane family to a meeting with Judge Peter Cory who is examining the Finucane case along with five others to determine if there are grounds for public inquiries. In addition we met with the Taoiseach to discuss ongoing concerns about the case including in particular the need for the Stevens investigation to end as soon as possible.

An updated report on the Finucane case by the Lawyers Committee on Human Rights in New York, published to coincide with the anniversary, is available on their web site www.lchr.org

Based on the Belfast Agreement, the Northern Ireland Act 1998 provided for the devolution of powers from Westminster to the NI Assembly in a number of areas including: education; health and social services; arts and culture and finance.

Justice and policing powers did not form part of the devolution settlement and have since remained a "reserved matter" under the responsibility of the Secretary of State. The Agreement however promised a full and wide-ranging review of both the justice and policing systems in Northern Ireland and these were subsequently undertaken by the Police (Patten) Commission and Criminal Justice Review. Importantly the Agreement also contained a conditional pledge by the British Government to devolve justice and policing powers at a future date. Guided by this, the recommendations for reform of the justice and policing systems, proposed by the Commission and Review, were, to a large extent, formulated on the contingency of devolution. Thus, many of these recommendations which have now been given statutory effect by the Police (NI) Act 2000 and Justice (NI) Act 2002, cannot enter into force until devolution occurs. In view of the current political climate, this has the effect that some of the most radical reforms will remain unimplemented indefinitely.

The government had previously indicated that its target for the devolution of justice and policing was "after the Assembly elections scheduled for May 2003". This of course predated the collapse of the Assembly and return to direct rule. Even in the event that elections do proceed as planned, there is no sense of how long "after" the elections it was envisaged that powers would be devolved. The Agreement requires certain preconditions to be met before devolution can occur, such as the "ongoing implementation of the relevant recommendations", "security" and "other relevant considerations".

Devolution of Criminal Justice and Policing: *Current Issues and Questions*

There is however ongoing speculation which suggests that negotiations to effect the restoration of the Assembly could involve deals on justice and policing. While CAJ is anxious that devolution should proceed to allow for the police and justice reforms to fully take effect, we are concerned that certain human rights and equality safeguards may be compromised in an effort to secure a political bargain. We believe that the situation in Northern Ireland necessitates a justice and policing model which has been rigorously and comprehensively assessed in terms of its implications for human rights, equality and broader public policy considerations. CAJ has recently produced a submission on "Questions and Issues on the Devolution of Justice and Policing Functions" in which we seek to engender debate on many of the legal, political, financial and policy implications of devolution, in a variety of institutional forms. Here is a selection of some of the main questions that we raise.

Of the various institutional models which could potentially accommodate devolved justice and policing powers we question which of these could be recommended on human rights and equality grounds and on what basis such an evaluation can be made.

The various models include:

- a single department of justice model – run by a single minister, a first and deputy first minister or by rotating ministers;
- a department divided into two main divisions – justice and policing; and
- a department which is composed of numerous divisions, responsibility for which could be shared amongst the parties. Our feeling is that insufficient research has been carried out to ascertain the suitability and desirability of different models.

We raise the issue of the impact that retention of certain "excepted" powers by the Secretary of State will have on the ability to effectively deliver justice and policing reforms and secure public confidence. We focus particularly on the wide discretion afforded to the Secretary of State and the newly created office of Advocate General by the all-encompassing grounds of "national security".

Introducing a new model of governance in the area of justice and policing will have implications for the staff of the existing criminal justice agencies. We ask how recruitment will operate, whether existing staff will be transferred, how redundancies and pensions will function and how to ensure compliance with S.75 (equality) requirements.

How and by whom will the allocation of resources be made for devolved policing and justice powers? Consideration needs to be given to finding a system of funding which can best ensure independence, which measures up to equality requirements and which minimises the negative impacts on other public policies. Granting a degree of fiscal autonomy to NI should also be debated.

In the event that the Assembly is once again suspended, contingency plans need to be formulated in a way that will not unduly damage justice and policing reforms.

If these issues and many others are not fully addressed now, sustainability will surely be in question and substantial reforms may be needed after the fact, delaying once more the delivery of change.

CAJ's submission on Questions and Issues on the Devolution of Justice and Policing Functions is available from the CAJ office on 028 9096 1122. Ref. S. 140, price £1.00.

A Bill of Rights – what it means

Members of the Human Rights Consortium braved the steep incline of Stormont hill on one of the snowiest days this year to bring their message of a strong and inclusive Bill of Rights to members of the Assembly here. Representatives of some of the member groups of the Consortium spoke to a crowded Long Gallery in Parliament Buildings on the importance they all accorded to the development of a Bill of Rights for Northern Ireland.

For some time the Consortium had been planning to hold an event at Stormont in an effort to engage local politicians around the Bill of Rights and make the Consortium and its membership more visible to them (see December issue of Just News). This finally took place on Monday 3rd February and was more of a success than anyone could have anticipated. 35 MLAs from right across the party political spectrum in Northern Ireland attended the event; a turnout which we are told is unprecedented in the history (albeit still a relatively short one!) of the Assembly. Many simply listened to the debate, while others actively contributed or took the opportunity to engage in more depth with Consortium members over lunch.

The debate was organised around three panels which addressed in turn the particular circumstances of Northern Ireland, why we need social and economic rights in a Bill of Rights and how a Bill of Rights could best be enforced. The discussion over the inclusion of social and economic rights proved to be the liveliest – with politicians asking questions regarding the allocation of resources, decisions on socio-economic issues being taken by the judiciary, and questions of justiciability. While it is clear there is finer detail to be discussed on how these rights could best be enforced, the clear message coming from the Consortium members present was that a Bill of Rights which does not effectively protect social and economic rights will not meet Northern Ireland's needs.

The Consortium intends to produce and circulate a report of this event in the very near future, and will be following up with politicians by seeking meetings with them to discuss the Bill of Rights in more detail.

Phase III

After somewhat of a lull in recent months, the Bill of Rights debate is now back in action in the form of Phase III of the Human Rights Commission's consultation process. The NIHRC has indicated that the components of this phase will be:

- Publication of a summary of responses received to date;
- Commissioners to continue to consider submissions received;
- Series of seminars exploring some of the key issues in the debate (namely: equality; protection of vulnerable groups; the particular circumstances of Northern Ireland; identity/community rights; socio-economic rights; enforcement);
- Papers/contributions from international experts;
- Contribute to any political process that may emerge.

At the Consortium's event in Stormont, Jane Morrice MLA (who had sponsored the event) informed those present that the Women's Coalition had been invited to chair a sub-group of the Agreement's Implementation Group to discuss the Bill of Rights. This sub-group would be examining ways to involve politicians from across the political parties and civil society in a process for taking the Bill of Rights debate forward.

This would be a very important development in the process – and may be just what is needed to ensure the type of cross-community support that will be necessary to the passage of a Bill of Rights. However, it will also be crucial that the higher profile engagement of politicians complement the active involvement of civil society. It is vital that all the hard work done by civil society in recent years is built upon, not lost.

The key issues

As mentioned above, the six/seven key issues identified by the Human Rights Commission earlier in the process as requiring further examination are to be the topics of a series of seminars to begin on 24th February. These seminars will seek to bring an international perspective to bear on the process, as well as involving local experts. At a recent meeting, the Human Rights Consortium broadly welcomed this kind of further discussion but noted a number of points of caution.

*Panel of Consortium member
NI Human Rights*

ns to us

Firstly it was felt that there was a real need to continue to emphasise the positive aspects of this debate and the huge amount of support that exists for it. While understanding the need to discuss more difficult issues, there is a danger that contentious issues become the sole focus – something that all involved should be keen to avoid.

Secondly, there was concern that these issues are quite legal and technical, and that many sectors do not feel they have the capacity to engage properly in this discussion. There had been a commitment from the Human Rights Commission to assist in capacity building, but so far this has only happened in the children's sector in the form of a briefing paper drawn up by Ursula Kilkelly. Clearly there will need to be further work of this kind if there is to be any kind of meaningful engagement on these issues.

The year ahead

Clearly there are many challenges ahead in the Bill of Rights debate – engaging with politicians, lobbying for support for a strong and inclusive Bill of Rights, dealing with technical and legal issues while all the time ensuring widespread popular support etc: enough to tire some people perhaps, but having recently received more funding to support our work, the Consortium is looking forward to tackling them head on!!

rs makes presentation to the
ts Commission

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.

Bloody Sunday Inquiry

The Bloody Sunday Inquiry, which is now in its fifth year, is already the longest-running and most complex public inquiry in British legal history. There has been continuing criticism of the Inquiry – about its cost, its length, even its existence. The latest has come from the Chief Constable, who, amongst other observations, opines that the Inquiry is a waste of time because it will not 'satisfy the families'. Since the Chief Constable has never met the Bloody Sunday families, one might wonder upon what basis he has come to such a conclusion. He might be better employed investigating how files relating to them came to be seized by the PSNI in raids in Derry last year.

One of the reasons the Inquiry is costing so much and taking so long is because of the successive attempts to overturn its rulings and obstruct its investigations by the state – from the long series of judicial reviews to the disappearance of rifles and the 1,000 or more photos taken by the army on the day. It may be making a lot of rich lawyers richer, something most probably wish wasn't the case, but that is the result of the price of legal opinion these days, not the fault of the Inquiry. That matter should be taken up with the Bar Council and the Law Society, not proffered as an excuse to end the Inquiry. No one complained about the cost of lawyers at the Stephen Lawrence Inquiry or the Shipman Inquiry.

Change of venue

There are more cogent criticisms of the Inquiry that can be made – for example, its relocation from Derry to London in September of last year. This was done despite the additional cost to the public purse of several million pounds and despite the objections of the families, who had in 1972 been wholly outraged by the Widgery Inquiry and its decision not to sit in Derry, but in Coleraine. The Inquiry decision to remain in Derry was overturned by a ruling of the English

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Bloody Sunday Inquiry contd...

Court of Appeal at the request of the military witnesses on the basis that Article 2 rights to life required it.

Treatment of witnesses

The supposed 'fairness and objectivity' of the Tribunal have come into question in the attitude of the Inquiry to different classes of witness. It seems that you can ask almost any question of a civilian witness, but not of a witness who was or remains employed by the state. It is worth comparing the manner in which police witnesses were robustly defended by the Inquiry to prevent what it saw as improper questioning, with the way in which many local witnesses have largely been left to fend for themselves.

All former and existing police and military personnel are represented by barristers in front of the Inquiry, but most civilian witnesses are not, even those who have specifically asked for it. The purpose of being represented by barristers is not that yet more money can be spent on expensive lawyers but so that all individuals – police officer, ex-paratrooper and Derry citizen alike - can be defended against improper questioning.

The rules that govern the conduct of public inquiries and prevent unfair questioning should be applied universally. It does not appear however that this is happening particularly when one considers that Edward Heath was allowed to refuse to answer more than 50 questions. There is an inequality of arms between classes of witnesses.

Most police witnesses, even those who have appeared recently on television, are to be screened, by order of the Inquiry, an order upheld by the Northern Ireland courts. Yet throughout the worst of the conflict police officers gave evidence openly in court in the course of highly controversial criminal cases. They did so despite the regular murders of police officers by paramilitaries and it might be reasonable to assume that some of those screened by the Inquiry did so too.

"Threat assessments"

Both the English Court of Appeal in its ruling on the venue of the Inquiry and the Northern Ireland Court of Appeal in its ruling on screening relied upon a 'threat assessment' which indicated a danger to witness' lives. 'Threat assessments' are carried out by the security forces and describe the extent of the danger to military and police witnesses from paramilitary organisations. It might be regarded by some as a classic case of being a judge in one's own cause.

Compare this to the fact that those said to have been involved in the murder of Stephen Lawrence were obliged to give evidence openly before the McPherson Inquiry - without screens - despite having to give evidence whilst police were firing CS gas at demonstrators outside.

A "public" inquiry?

All of this begs the question, what do we mean by a 'public inquiry'? The combination of the change of venue and anonymity and screening of police witnesses, has made significant inroads into the public nature of this inquiry.

What is the difference between the right of Doreen and Neville Lawrence to a fully public inquiry and the rights of the relatives of those killed on Bloody Sunday? The answer is that the Lawrences' right to have those thought to have crucial information about the death of their son questioned openly took precedence over the rights of those thought to have been involved. The answer should be the same in the case of the Bloody Sunday families. That it is not speaks volumes about the continuing struggle for the truth of Bloody Sunday.

In his remarks about Bloody Sunday Hugh Orde indicated that he wanted to draw a line under the past. This is a very disturbing attitude. He was previously involved in investigating the murder of Pat Finucane, something which happened 'in the past' and he is currently responsible for creating a new police service for Northern Ireland. Instead of undermining the search for truth he would be better advised to learn the lessons of the past. A key lesson is that the acknowledgement of truth is an ethical and political necessity, and truth is an essential component of justice and peace. The bottom line is that public inquiries would cost a lot less if all of those involved in the conflict would cease denying their role in it.

Angela Hegarty

CAJ's latest submissions!

Background note on the Justice (Northern Ireland) Act 2002, February 2003; A4 format; £2.00 (Ref. S. 139)

Questions & Issues on the Devolution of Justice and Policing Functions, February 2003; A4 format; £1.00 (Ref. S. 140)

Anyone interested in obtaining a copy of the above, should contact the CAJ office on 018 9096 1122.

Understanding Human Rights

What are human rights? Why do we need them? Where do they come from? In essence these are the questions which every contribution to this book seeks to in some way address. The central purpose of this collection of twenty-seven essays is to explore the conceptual foundations of the idea of human rights. This is not approached, primarily from a legal perspective but through, for example, philosophical, historical and political analysis. The subject matter of the various contributions is also extremely varied, ranging from a critical examination of environmental rights and the HIV virus, through possibly more obvious contenders for inclusion, such as constitutional rights, equality and theoretical perspectives of rights, to the relationship between human rights and aspects of international law.

These are the kinds of areas which the book seeks to examine, but the real question is, of course, whether it does this effectively. In relation to the nature of the contributions, while the authors of the various essays undoubtedly include some very eminent and indeed sometimes controversial academics working broadly in the area of human rights, the diverse nature of the contributors means that the book has no single editorial approach or thesis as to how best to advance human rights discourse or indeed whether, at times, it should be "advanced" at all.

This should not necessarily be taken as a criticism of the book. The prologue makes clear that it seeks neither to be authoritative nor descriptive but the structure does mean that inevitably its use is circumscribed. This is perhaps especially so for a reader who has limited background knowledge of human rights law, theory or practice. Although the writing is generally relatively accessible, some chapters presuppose at least a basic level of background knowledge to allow the reader to attain a comprehensive understanding. This is especially so given the opinionated style of many of the contributions.

Challenging

In fact, arguably the greatest strength of this book is the provocative nature of many of the contributions. Keith Ewing, for example, was a virulent critic of the incorporation of the

European Convention on Human Rights into domestic United Kingdom law. He argues that the introduction of an entrenched Bill of Rights in the U.K. would be incompatible with the U.K.'s political system particularly in a society which, he argues, still accepts the legitimacy of the principles of social democracy. Another author trenchantly argues against the whole notion of environmental rights as being conceptually contradictory, unrealisable and ineffective.

This provocative approach enhances the reader's understanding of the subject. Through challenging or reassessing many fundamental assumptions about the nature of human rights, the book compels readers to reappraise their own perspectives thus throwing the contours of debate into sharper relief!

However, it should also be pointed out that it would be wrong to portray the content of this book as being entirely confrontational or antagonistic towards more traditional conceptions of human rights law, or iconoclastic towards human rights orthodoxy. Justice Beverley McLachlin of the Canadian Supreme Court, for example, offers an interesting analysis of the operation of the Canadian Charter of Rights since its enactment in 1982 and offers a convincing rebuttal to those who argue that a Bill of Rights would place too much power at the disposal of the judiciary and thus be incompatible with the democratic process.

One other point which should be noted is that most of the material in the essays which this book comprises, was compiled for publication in 1996. It was subsequently revised in 1999 for publication of the paperback version in 2000 but the intervening period has seen significant developments, particularly with the Human Rights Act coming into force, not to mention the proposed new Bill of Rights for Northern Ireland. As a result of this, important recent developments are not integrated or discussed. The book however has not become overly outdated, partly because the analysis was not solely, or even primarily, legal, and also because of the conceptual as opposed to descriptive style adopted.

Understand human rights?

Does this book, then, achieve its central purpose of contributing to an understanding of human rights? The answer to this is, in my view, yes, but only if it is read with an active determination to develop a critical appraisal of some of the approaches. If this doesn't sound like a particularly appealing prospect then perhaps this book is not for you. However if it is read in this vein, then the insights into some of the debates in modern human rights discourse can be profound.

Conor McCarthy

Understanding Human Rights, Edited by Conor Gearty and Adam Tomkins ISBN 185567-609-5 List price: £30.00 Available from Orca Book Services, Stanley House, 3 Fleets Lane, Poole, Dorset, BH15 3AJ

Civil Liberties Diary

Jan 6 The Chief Constable, Hugh Orde, signals his desire to arm police officers with hand-held CS sprays. This suggestion was subsequently supported by the Police Ombudsman, although such a proposal would have to be sanctioned by the Policing Board prior to introduction. The PSNI say that the proposal follows extensive research carried out by the police into the effectiveness of CS sprays. Critics, however, have raised concerns including questions over the safety of the compound used in the spray, and whether sufficiently rigorous guidelines and training would also be introduced to prevent abuse.

Jan 9 The police officer who is investigating the killing of defence solicitor, Pat Finucane, tells the National Committee on American Foreign Policy that his investigation will result in prosecutions and convictions of those responsible for his killing.

Jan 11 The Court of Appeal finds that there has been a failure to properly investigate the killing of three men by security forces, in one of a series of controversial incidents which occurred around fifteen years ago. The killings of Gervaise McKerr, Sean Burns, and Eugene Toman were the subject of judgements in 2002 in which the European Court ruled that the investigation of the incidents had failed to satisfy the requirement of the right to life under the Convention.

Jan 12 A leading loyalist is returned to jail because of alleged involvement in a feud between loyalist paramilitaries. Johnny Adair was returned to prison on the basis of a decision made by the Secretary of State, in conjunction with security advice from the Chief Constable, to revoke his licence on the grounds that he was said to be involved in the preparation, instigation or commission of acts of terrorism.

Jan 14 Former British Prime Minister, Sir Edward Heath starts to give evidence before the Bloody Sunday Inquiry. His evidence is both historic in its own right and is a watermark in

the development of the inquiry itself. The former premier's evidence is likely to be crucial to the ability of the inquiry to determine the political context in which the events of Bloody Sunday unfolded.

Jan 16 The DPP has decided not to prosecute two police officers despite a recommendation from the Police Ombudsman's Office that they be charged for perjury. The allegations centre on the wrongful conviction of John Boyle, who was sentenced to 12 years imprisonment. This conviction was based solely on an alleged admission detailed in interview notes, which were subsequently found to have been altered.

Legislation for the establishment of a Children's Commissioner for Northern Ireland comes before the Westminster Parliament today. The main aim of creating the post is to ensure co-ordination of legislation, policy or decisions which have an impact on children and to try to ensure adherence to international human rights standards in relation to the rights of the child. It is also aimed at encouraging participation by children and young people, and representation of their interests, in the wider political process.

Jan 17 The family of Peter McBride go back to court to try to have the two Scots Guards who murdered Mr McBride removed from the army. Previously the High Court held that it would not overturn the government and Ministry of Defence's decision to retain the two individuals within the army; in fact the pair are now said to be in line for promotion.

Jan 23 The Muslim community in Craigavon hold emergency talks as to whether to go ahead with their project to build the town's first mosque. The meeting was widely reported as being a response to the overtly hostile attitude within some sections of the local community to the idea of building a mosque.

Jan 27 Prime Minister, Tony Blair, has said that "if necessary" his

government would be prepared to fundamentally re-examine Britain's obligations under the ECHR to enable the introduction of further legislation aimed at placing severe restrictions on the number of people seeking asylum in the U.K.

Jan 30 The government appoints a panel of experts to advise on the development of an Equality Bill for Northern Ireland. The Minister responsible for the area, Des Browne, says that the development is designed to ensure the exploration of all options and to base the advice on a strong diversity of opinion.

Jan 31 It is revealed that Rosemary Nelson was threatened in a prison diary found in Billy Wright's cell more than a year before her murder. This new revelation adds to already existing concerns about other threats alleged to have been made against the lawyer, emanating from police officers, and also the way in which such matters were investigated. The circumstances surrounding the death of Rosemary Nelson are currently being reviewed by a retired Canadian judge who is deciding whether to recommend a public inquiry into the killing.

Compiled by Conor McCarthy from various newspaper sources.



Just News welcomes readers' news, views and comments.

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