

Just News

Human Rights in Northern Ireland

Judging human rights: the Canadian experience

Canadian Chief Justice Beverly McLachlin, recently accepted an invitation from CAJ to speak at Belfast Castle where she graciously shared her experience and insights regarding the Canadian Charter of Fundamental Rights and Freedoms, and answered a number of questions from an invited audience.

Justice McLachlin was appointed to the Supreme Court of Canada in 1989, of which she has been Chief Justice since January 2000. She also fulfils the role of chairperson of the Canadian Judicial Council, chairperson of the Advisory Council of the Order of Canada, and is a member of the Privy Council. She had previously visited Belfast at the invitation of CAJ in 1995, and as a guest of the British Council in 1998. Once again, her first-hand experience of the domestic implementation of rights proved invaluable to us as we try to secure a strong and enforceable Bill of Rights for Northern Ireland.

A European model of rights

The Canadian Charter came into force in Canada in 1982, at the same time the jurisdiction patriated the Constitution from Westminster. The Charter expanded on and reinforced existing notions of minority rights allowed by the Constitution. The Charter is based on the European model of rights in that it lays out all of the fundamental rights, but allows the state to limit those rights if it does so in a justifiable manner.

After giving some background, Justice McLachlin discussed the nature of the interface between the legislature and the judiciary in a democracy where you have a constitutional Bill of Rights. Critics of the Charter argue that it has resulted in a transfer of power from the parliament and the provincial legislative assemblies to the judiciary. While she felt this was inevitable to some degree, in her experience, the judgements of the Court were seldom the final word on issues. Since the Charter came into being, the Canadian government has been engaged in a process of law-refining and law-making and while the courts

play an important role in this process, parliament retains a pre-eminent role in fashioning responses to problems that arise. Additionally the Charter contains an override provision (agreed to as a last minute political condition for its acceptance), but this has rarely been used.

Ultimately in a constitutional democracy, such as Canada, Justice McLachlin believes that the courts play an important role in maintaining democracy.

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Case by Case

May marks the sixth anniversary of the death of Robert Hamill. Robert was fatally assaulted by a loyalist crowd in Portadown town centre in April 1997 after he had left a club in the area and was making his way home. Civilian eyewitnesses in the area claimed that police officers had failed to intervene when Robert was attacked.

Robert Hamill

Recently on 24th April, a number of individuals appeared in court in Craigavon charged in connection with the case. One of the police officers who was on the scene on the night of the attack and his wife were charged as was the father of one of the individuals originally charged, with the murder of Robert Hamill. It is understood that the charges relate to a phone call allegedly made from the home of the police officer to the suspect's home after the attack on Robert.

Robert's case has, of course, attracted considerable controversy over the years and is now one of the six cases being examined by Judge Peter Cory, the retired Canadian Supreme Court judge appointed by the Irish and British governments to determine if there is sufficient evidence to justify public inquiries on the cases.

CAJ have made lengthy written submissions to Judge Cory on the Hamill case in the hope that he calls for the establishment of a public inquiry. We believe the recent court appearances together with the mass of evidence already accumulated should persuade the judge of the need for a public inquiry.

A major development in the Pat Finucane case took place when Ken Barrett was charged with his murder at Belfast Magistrates Court on 30th May 2003. Barrett had been arrested in connection with the murder by the Stevens team in 1999 but was released without charge. He then took part in a BBC Panorama programme during which he was secretly recorded making a series of admissions about his role in the murder and other loyalist activities.

Pat Finucane

Barrett's solicitor asked a number of questions of two police officers who gave evidence to connect Barrett to the charges. The police denied there had been a delay in bringing the charges and said that in fact some of the evidence had only come to light in recent weeks. They said the nature of the evidence was the Panorama programme, the results of an intrusive surveillance operation begun by Stevens in England in February 2002, and then the results of an undercover operation started at the end of last year. According to the police, Barrett had made admissions to undercover officers recently.

Mr. Barrett was charged with six offences. These included the murder of Pat Finucane, the attempted murders of Thomas McCreery and Elizabeth McEvoy on 17th January 1991, being involved in the taking of weapons from two military establishments, and being a member of UFF.

In response to defence questioning, the police also confirmed that Barrett had denied the allegations and that a written statement from Barrett denying the allegations had been handed in. They confirmed Barrett said he was a scapegoat and was the subject of state victimisation.

The case of Ciaran Kearney, the West Belfast community activist charged in connection with the police raids on Sinn Fein offices in Stormont, continues to be delayed. Ciaran was charged eight months ago and yet it was confirmed at a remand hearing in Belfast last week that fingerprint analysis of documents in the case has still not been completed. This was purportedly because of resources allocated to investigations of the loyalist feud.

Ciaran Kearney

The officer in charge of the investigation who gave this evidence had been specifically requested to appear on this occasion because previously officers had failed to appear in court to update the magistrate in relation to the investigation.

The defence lawyers expressed continuing concern that the process was taking a disproportionately long time. CAJ remain concerned that Ciaran Kearney has been charged on the basis of evidence which appears weak.

Judging human rights: the Canadian experience

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Particularly in such a multi-racial and multi-cultural society with many people from many different ways of life, there is a need not only for the majoritarian principle, but also strong protection for minorities.

Process of debate

Justice McLachlin talked briefly about the process leading up to the Charter which she said had involved a long and extensive period of consultation. Although the idea of a Charter had been around since the 1960's, the Charter did not actually come into being until 1982 and was strongly spear-headed by the then Prime Minister, Pierre-Elliot Trudeau. As was to be expected, the process became very intense in the final period before the Charters before the Charter's adoption with many groups getting involved in the negotiations, exploring hard issues and requesting the addition of specific rights. Notably this lobbying succeeded in affecting many substantive changes. Justice McLachlin felt that the prior consultation was a very good process. She conceded that the document reflected this difficult and long process but felt it had ensured that all the important issues were addressed.

According to Justice McLachlin, people were uncertain as to what the response of the courts would be. There previously had been a formal Bill of Rights, which the courts had not used very aggressively and had interpreted restrictively. This was not the case with the Charter; the courts have taken it very seriously and said from the beginning that it must be interpreted in a meaningful and purposeful way as a document intended to really make a difference. Therefore, the Courts have interpreted the Charter liberally from the beginning.

A sense of ownership

When questioned about the sense of ownership of the Charter, Justice McLachlin said that people in Canada feel a real sense of ownership in the Charter. She said this ownership had in fact existed from the beginning, and had partly come about because of a government funding program which was intended to ensure widespread debate and to help disadvantaged people bring cases under the Charter. This process helped the Charter develop real meaning for many, including marginalised groups. The process of debate was very inclusive and extremely positive in bringing about widespread commitment to the final product.

Those who are familiar with the Canadian Charter will know that it does not include socio-economic rights.

However, in recent years, a number of cases have been brought before the Court seeking to make arguments around socio-economic rights under the existing equality and life, liberty and security of the person provisions. The Chief Justice gave some brief examples of such cases, which have focussed on two main arguments.

The first is an equal protection argument - that being deprived of a basic social, medical, or other such need places you in an unequal position in comparison to others. The second is that if you are deprived of basic needs, this adversely affects your liberty and security of person, and perhaps your life. Therefore, the state cannot deprive you of these things without justification.

Substantive approach to equality

To date the Court has taken a substantive approach to equality as opposed to mere formal equality, but the Chief Justice felt that so far they had not had sufficient evidence in any of the cases brought to them to justify extending the provisions to creating positive state obligations on socio-economic issues. She did say that she expected further jurisprudence in this area, and while she was reluctant to predict how the Court would react - there was a sense that they were open to such arguments.

This certainly provides an interesting and novel approach to the protection of socio-economic rights and perhaps affirms the interdependence of rights – without basic socio-economic protections, it is difficult to enjoy other civil and political freedoms.

A strong voice

All in all, the Chief Justice was a strong voice in assuaging fears that judicial protection of rights upsets the democratic balance. We here in Northern Ireland should bear in mind the lessons of Canada as we embark on the path of our own Bill of Rights – once again the voice of international experience can prove to be of great benefit to us.

Susanna Konner
(visiting CAJ US intern)

Opinions as to the success, value, or ways forward for Section 75 are hardly thin on the ground at the moment. Indeed, following a period in which Section 75 had a relatively low profile, the last few months have seen this particular section of the Northern Ireland Act gain a notoriety that only Big Brother could match – well perhaps not quite. Nonetheless, there has recently been a plethora of opinions as to ways forward for Northern Ireland's very own mainstreaming initiative. Following this sudden burst of interest, the Equality Coalition decided to join the bandwagon and organise their own debate around Section 75. All present agreed that it was one of the liveliest and most frank exchanges around equality for some time. Rather than doing a re-run of the event, this article will attempt to tease some of the key messages of the day and the lessons learnt for delivering on equality.

For those who missed the recent flurry of attention around Section 75 it is fair to say that criticisms have fallen into a variety of different categories. In some cases criticisms have reflected genuine concerns at the way in which Section 75 is not being implemented as parliament intended. Indeed CAJ, and the wider Equality Coalition would be very much in this camp, consistently pointing out ways in which the intentions of parliament – and indeed the Good Friday Agreement have been over-ridden.

Secondly, there have been a variety of criticisms from those commentators who argue that Section 75 is perse the wrong way forward. In most cases the individuals concerned have tried to offer an alternative formulation which they believe will more actively promote equality/address social exclusion.

Finally, there has been quite some resistance to Section 75 specifically, and the wider equality provisions of the Good Friday Agreement more generally from what might be called 'equality refuseniks'. The final group consists of those for whom any notion of equality is a problematic concept and who see their interests lie in retention of the status quo.

In order to try and tease out these various strands and arguments, the Coalition decided to invite a broad range of participants across this Section 75 'opinion spectrum'. Certainly, this approach was quite different to that adopted at previous Section 75 events which tended to be more focussed on the technical nature of the process and the implications for the public sector, whereas in this instance, the focus was very much on exploring the various theoretical aspects of the debate.

Who's Deliverin

Unemployment Differential

The event began with an overview of the current state of play with respect to inequality in Northern Ireland and it is perhaps worth reconsidering some of these statistics. For example, according to the latest Labour Force Survey religion report (February 2003), for males the 'unemployment differential' currently sits at 2.1. It is worth recalling that in 1991 the figure was 2.2. Thus in the last 12 years, which as seen the SACHR review, the introduction of tougher fair employment legislation, and initiatives such as 'old' and 'new' TSN, PAFT, the Good Friday Agreement - including Section 75, and enough 'task force' reports to paper the walls with, the unemployment differential for males has dropped a 'staggering' 0.1 from 2.2 to 2.1!!

Differentials beyond employment

Looking beyond employment, geographical differentials are particularly marked. For example, according to the census almost 42% of those aged 16-74 had no qualifications whatsoever. Of all the parliamentary constituencies, West Belfast had the highest percentage of people with no formal qualifications (51.46%), closely followed by North Belfast (51.46%) and West Tyrone (48.06%). The constituency with the lowest number of people with no qualifications was South Belfast (26.52%). In other words, the percentage of persons aged 16-74 in both North and West Belfast with no qualifications is double that of South Belfast!

Health

A similar pattern emerges with respect to health. For example, in relation to 'percentage of persons of working age with limiting long-term illness', the least healthy constituency to live in is West Belfast, followed closely by North Belfast, Foyle, West Tyrone, Newry and Armagh, Upper Bann and Mid Ulster. Significantly the healthiest constituency in this respect is South Belfast (which neighbours West Belfast the least healthy), followed by Lagan Valley, North Down, East Antrim and South Antrim.

Housing

In relation to housing, and the problem of overcrowding (a key equality indicator), by far the highest figure for any constituency is West Belfast with just over 16% of households experiencing overcrowding. The next highest figure is for Foyle (11.4%), followed by West Tyrone, Mid Ulster and North Belfast. The constituency with least problems of overcrowding are North Down, East Antrim, Lagan Valley, South Antrim and Strangford.

g on Equality?

Some success stories

Given these problems, the challenge clearly is to identify how legislation such as Section 75 can deliver on redressing the imbalances identified above. A number of successful Section 75 interventions were highlighted at the conference in which real gains had been made for some of the affected groups. These included for example a recent intervention in which Section 75 was used to prevent the privatisation of a group of Catholic, female and low-paid workers in the Armagh and Dungannon area. Indeed there have been a number of such interventions in the health field lately and Section 75 has been instrumental in resisting privatisation.

In addition to these examples there have been a number of initiatives in which Section 75 has played a positive role, but the process of review has not yet been completed and the 'jury is still out' with respect to how much change will be delivered in practice.

For example a recent review of civil service jobs found that 72% of all NICS posts are in the Belfast travel-to-work area. Looking at the figures above for deprivation 'West of the Bann' it is clear that a widespread policy of relocation of civil service jobs could have a potentially crucial role in addressing inequality. Clearly it is imperative that government examine issues such as this closely. Certainly CAJ will be arguing for full Equality Impact Assessments (EQIA) of major construction projects in order to establish how public policy can be directed towards the furthering of greater equality. For example, in relation to the new headquarters for Invest NI (£20 million project), CAJ will be ensuring that the EQIA consider to what extent locations such as the Springvale campus site or a suitable site 'West of the Bann' can lead to the furthering of greater equality.

In his keynote address Professor Christopher McCrudden provided a critique of the successful EQIAs to date outlining the lessons to be learnt and what we, as consultees, need to do to ensure maximum benefit from Section 75 in the future.

Recognition, participation, and redistribution

In relation to a successful impact assessments, Professor McCrudden outlined three key elements, namely, recognition, participation, and redistribution.

Firstly, recognition that there is inequality in our society, and that it relates to particular individuals, particular groups and particular sectors of this society more than it does others. This is probably one of the most important aspects

of Section 75, given that traditionally the problems facing many groups in society such as those identified above have simply not been recognised. It is worth noting for example that in relation to the areas of greatest deprivation identified above, (ie North and West Belfast and West of the Bann) the one thing they also have in common is large proportions of Catholics/Nationalists.

The second key element of a successful EQIA identified was participation by those affected in trying to solve the problem, and thirdly, actually solving of the problem in terms of redistribution of resources.

In relation to the second point, clearly there are a number of important issues with regard to 'participation' by those affected. Professor McCrudden pointed to the fact that in relation to a number of the successes, those directly affected had been able to avail of the services of their trade union. In many cases however, particularly those not related to employment, this may not be an option. In other words, what is required is a significant investment in capacity building within the community and voluntary sector to enable Section 75 consultees to engage effectively in relation to equality debates. Indeed it will be interesting to see how this issue is addressed by the recently appointed Task Force on the future of the voluntary and community sector.

The other important aspect to this debate in relation to 'participation' which Prof. McCrudden reviewed was proposals for how to deal with what has become known as 'consultation fatigue'. Essentially the message was very clear – avoid centralisation at all costs! Given that the process revolves around ensuring that those directly affected have a say in decisions made about them, creating further levels of intermediaries is essentially counterproductive to the whole exercise. Equally, beware those who offer to 'consult' on your behalf!!

With regard to the redistribution of resources, clearly this is where initiatives such as New TSN come in to play, particularly with respect to examining funding mechanisms across Councils, Education and Library Boards, etc to ensure that those areas 'most in need' are funded on the basis of that 'need'. In this respect, targets and timetables for reducing the differentials outlined above need to be established as a matter of urgency. Furthermore, it is clear that action is needed to increase the extent to which the allocation of resources via the Northern Ireland budget is equality assessed. This is all the more true, given that government subsequently announced that £400 million which should have been spent on schools, hospitals and roads in Northern Ireland in the past year is still in their coffers. Indeed underspend is worse this year than in previous years - in spite of government promises to do better. Clearly, the agenda for the Coalition is to ensure that by using Section 75 effectively, government is held to account so that it does do better in all aspects of promoting equality and targeting social need.

FEDERATION INTERNATIONALE DES LIGUES DES DROITS DE L'HOMME

“For me, the FIDH means all those women and men we approach when the mounting tension, pressure or fear turns to red alert. Though they are far away, I feel them very close ...” says Souhayr Belhassen, Vice President of the Tunisian Human Rights League.

The FIDH is a federation of some 115 human rights organisations in 90 countries throughout the world, (including CAJ and ICCL, Liberty and the Scottish Human Rights Centre) showing solidarity with each other and giving practical assistance in many ways. Its assistance includes advocacy, legal action and lobbying, denouncing crimes against humanity, and legal co-operation and training.

In the advocacy context some of the FIDH's work is done through the Observatory for the Protection of Human Rights Defenders in Geneva, which puts out urgent action requests to thousands of activists worldwide. The FIDH has observer status with the UN, UNESCO, the Council of Europe and other regional organisations. The FIDH has been particularly active in promoting the newly set up International Criminal Court, and has been involved both with the Ad Hoc Tribunals for Former Yugoslavia and for Rwanda, and also in prosecuting before national jurisdictions those accused of human

rights abuses, such as Hissein Habre, former dictator of Chad.

Other examples of our work include activities in the middle east, where our Israeli and Palestinian member organisations work well together.

Recently I visited Israel to investigate the situation of some 300 000 foreign workers, brought in mainly to replace the Palestinian workers, who can no longer cross into Israel as they did in the past, because of the closures. Two-thirds of the foreign workers in Israel are illegal, and most are treated very badly by their employers, and are often the subject of exploitation and trafficking which is little known about outside the country. The report of this mission is now being published.

This recent mission to Israel illustrates the FIDH's broader view that economic and social rights are as important as civil and political rights. We have been pressing for “justiciability” of the former. It is important that states can be brought before an international

CAJ is a member of FIDH. Over the next few months Just News will carry a series of short articles on the work of the international organisation and our sister organisations in Britain and Ireland.

tribunal for breaches of economic and social rights, as they can be brought before the European Court of Human Rights and the U.N. Human Rights Committee for breaches of civil and political rights.

In the past FIDH has sent observers to Northern Ireland, and has actively supported the work of CAJ, our affiliate there.

FIDH publishes (in addition to its monthly newsletter, which is available on its web-site - www.fidh.org. - in English) up to 20 reports each year in French, English and Spanish.

FIDH holds an international Congress every three years, and the next one is planned for Bogota, Colombia in February 2004. This will be the first ever FIDH congress held in Latin America – not least to show solidarity with our Colombian friends, who are so hard-pressed currently.

Michael Ellman
International Board, FIDH

Prison Law Third edition

Now in its third edition, Prison Law is the leading text in its field. It offers comprehensive coverage of the law and the remedies available to prisoners, including complaints procedures, civil claims, judicial review, and claims under the Human Rights Act. Both domestic and international avenues of redress are explained in detail. The book covers all aspects of prison life, from categorization and allocation, to living conditions, access to the outside world, transfer and repatriation, discipline, and the procedures governing the release of fixed term prisoners and those serving life sentences.

*By Stephen Livingstone, Professor of Human Rights Law, Queen's University, Belfast; Tim Owen QC, Barrister, Matrix Chambers, London; and Alison Macdonald, Barrister, Matrix Chambers, London, Fellow, All Souls College, Oxford. Published by Oxford University Press (Hardback)
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In the Headlines

CAJ holds newspaper clippings on more than 50 civil liberties and justice issues (from mid 1987- December 2000). Copies of these can be purchased from CAJ office.

The clippings are also available for consultation in the office. Anyone interested in this service, should phone (028) 9096 1122.

Rights in Progress:

A Guide to the European Convention on Human Rights and the Human Rights Act

While the Human Rights Act has not proved to be the legal Armageddon that some feared, and others hoped for, it has already had an important impact on the legal system since its introduction in October 2000. Michael Douglas and Catherine Zeta Jones have been to the High Court to have their profits (sorry, privacy) protected against OK! Magazine; Diane Pretty's claim of a right to die has been rejected; and the post September 11 anti terrorist measures have already been rejected by one court but upheld on appeal.

Away from the immediate glare of publicity there have also been important decisions on, for example, the rights of prisoners and mental health patients which have already led to revisions in the law. However with the European Court now handing down over 600 decisions a year and many other Human Rights Act points being raised in courts in England, Scotland and Northern Ireland, it is increasingly difficult to gain an idea of just what is and what might be happening.

Impressive range of material

Les Allamby's guide is a valiant attempt to do just that in just 42 A4 pages. It collects an impressive range of material and explains the main provisions of the Human Rights Act clearly and simply in a way which should be very accessible to advice workers and the general public. As befits a publication from the Law Centre it is especially strong on those rights which may have an impact on housing, benefits, immigration and family status.

Allamby skillfully steers the reader through some especially complex provisions of the Act notably Article 6 (on fair trial), Article 8 (on privacy, home and family life) and Article 14 (on discrimination). He is especially to be complemented on demonstrating how the European Convention, while aimed primarily at the protection of civil and political rights, contains a range of provisions which can impact on the protection of economic and social rights. Also, unlike some publications produced in these islands, he draws well on European court decisions on a range of countries as opposed to merely those which directly affect the United Kingdom. Post 2000 decisions from the courts in England, Scotland and Northern Ireland are also usefully woven into the text.

Inevitably in such a short publication some things are missed. There is little of value for those involved in criminal law, though this has been well covered elsewhere, with the section on Article 5 (the right to liberty) being especially thin. This has very little on bail and more surprisingly on the impact of the Act on immigration detention. The Section on Article 11 (freedom of assembly) misses the important case of *Stankov v Bulgaria* (especially significant as regards marches and demonstrations) and it is disappointing that there is not a specific discussion of the restriction of rights and the concept of proportionality. For those seeking to assert rights who may be met with the argument that such rights can be validly restricted under the Act, it is crucial they can understand what is required to justify a restriction and how such arguments can be engaged with. A more serious objection is the price £9.95 does seem rather a lot for such a slender volume, however comprehensive and well produced it is.

Those not put off by the price will though find this to be a very valuable resource which will no doubt quickly become well thumbed. What it does not do however is provide a guide to the areas where aspects of Northern Ireland law may be challenged as being inconsistent with the Human Rights Act. In everyone's enthusiasm to move beyond the Human Rights Act to a more comprehensive Bill of Rights for Northern Ireland, this task appears to have been overlooked. However the incorporation of the European Convention through the Human Rights Act is already a reality and is something human rights campaigners in Northern Ireland long argued for.

Bill of Rights and the Human Rights Act

Whether a Bill of Rights ever appears is somewhat uncertain but one way to argue for it is to ensure effective enforcement of the HRA. This will both show how human rights provisions can have an impact on people's lives, and point up the limitations of the HRA itself. Identifying where it might have an impact but has not is an important task for someone like the universities' Human Rights Centres, or the Northern Ireland Human Rights Commission, or perhaps the CAJ itself.

Stephen Livingstone

Rights in Progress: A Guide to the European Convention on Human Rights and the Human Rights Act
By Les Allamby, Law Centre NI 42pp £9.95/Euro 15.00

Civil Liberties Diary

April 1 A new Youth Justice Agency is launched for Northern Ireland. The agency was proposed by the Criminal Justice Review Commission, which was a creation by the Belfast Agreement. It will replace the current Juvenile Justice Board. The Agency will, amongst other things, oversee the introduction of restorative and reparative justice, aimed at helping the victims of juvenile crime. This will involve the creation of "Youth Conferences" which, as appropriate, provide an opportunity for victims and offenders to meet together in an effort to help deal with the aftermath of crime.

April 2 A MORI survey of families with disabled children uncovers very serious dissatisfaction with how retail outlets provide for customers with disabilities. 70% of respondents complained of a lack of training among staff as to how to look after disabled children. Another concern raised was poor facilities, in particular parking and access.

April 4 A man who served 10 years of a 20 year sentence, but who had his conviction quashed by the courts after a verdict by the European Court of Human Rights, has been refused compensation by the Northern Ireland Office. At trial, Gerard Magee said that the confession which he had made was the result of ill treatment by the police. The European Court said that Mr Magee's right to a fair trial had been breached as he had been denied access to a solicitor for a period of two days after his arrest. The NIO said that compensation was only payable to "an innocent person who has been wrongly convicted."

April 4 A report compiled by the Human Rights Commission into police training reveals areas of concern in relation to the training that was observed by representatives of the Human Rights Commission. These areas of concern included a lack of engagement with issues of religious or cultural differences, the extent of

training regarding human rights standards, and an emphasis in the course on the use of force on avoiding legal sanctions rather than complying with legal standards. A spokesperson for the PSNI said that progress had been made and that the report will contribute to further progress.

April 6 The Human Rights Commission has issued a report which claims that new forms of the bullets are more lethal than those used before. In responding to the report Security Minister, Jane Kennedy, has announced that plastic bullets could be withdrawn from use in Northern Ireland at the end of the year if a less lethal alternative is found. Later in April research carried out by the Police Ombudsman was published.

April 16 The judge who has been asked to investigate six controversial murders is reported as having reached the half way point in his investigation. The investigation by Mr Justice Peter Cory is expected to reach a conclusion in the Autumn this year. The government has said that it will implement recommendations for any inquiry made by the former Canadian Supreme Court Judge.

April 17 Sir John Stevens, head of the Metropolitan Police issued a summary of the findings of his report involving investigation of the issue of collusion. He said that the Stevens 3 investigation is not complete with some lines of inquiry being at an early stage. He found specifically that the state did collude in the murders of Adam Lambert and Patrick Finucane. He also found that both communities were not equally protected when intelligence was possessed that their lives were at risk. As well as this he detailed extensive efforts to thwart his inquiry. He went on to say that the destruction of the original inquiry's incident room on the eve of a date set for the arrest of Brian Nelson, was, he believes, a deliberate act of arson.

April 22 Serious concerns are raised over asylum practices in Northern Ireland, after it emerged that an immigrant has been held in detention for almost a year. Several other immigrants have also been held in detention for a prolonged period of time. Such immigrants were previously detained in prison accommodation which they shared with convicted offenders; all are now being held in a separate section of Maghaberry prison.

April 30 A man who served seven years in jail for attempted murder, had his conviction quashed in court. At his trial Mr Boyle denied making any admissions and said that the police officers had fabricated the purported confession. Forensic tests carried out on the interview notes revealed that they had been rewritten. The prosecution called no evidence on appeal to explain what had occurred. The Police Ombudsman recommended to the DPP that the two officers implicated stand trial for perjury. However the DPP subsequently decided not to initiate prosecutions as it was felt that there was not sufficient evidence.

Compiled by Conor McCarthy from various newspaper sources.



Just News welcomes readers' news, views and comments.

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