

Just News

Human Rights in Northern Ireland

"Alarming behaviour"

Anti Social Behaviour Orders (ASBOs) are civil orders, breach of which can lead to a custodial sentence of up to five years. As civil orders the burden of proof is lower than in criminal proceedings and hearsay evidence is admissible. The draft legislation, currently out for consultation, proposes making them applicable to children as young as 10. The proposed legislation, which mirrors legislation operating in Britain, will by the back door criminalise children who are allegedly engaged in behaviour "that causes or is likely to cause harassment, alarm or distress." "Alarmingly" what this means is not defined in the draft legislation.

ASBOs, which it is proposed can be obtained on application by the PSNI, the Housing Executive and District Councils, have in England been used to prohibit children using certain words, wearing certain clothes, excluding them from their streets and estates, and terminating the family's tenancy agreements.

ASBOs were introduced in Britain in 1998 where experience and research shows they have been used mainly against young people, a fact acknowledged in the NIO's consultation document. Despite this acknowledged adverse impact the consultation document states an EQIA has not been carried out because an initial screening "confirmed that the proposals in themselves are not likely to have an adverse impact on any of the groups". In February 2004 this was raised by Children's Law Centre (CLC) in correspondence with the NIO along with their failure to consult directly with children, another s75 requirement.

On 10 March, three weeks before the end of the consultation period, John Spellar announced in the House of Commons: "(We have) compressed the consultation period, precisely so that we can introduce legislation and get it through before the summer". Concerned that the Minister's statement indicated he had prejudged the consultation rendering the process less than genuine or reliable, CLC, SCF, Barnardos, NSPCC, CAJ, Include Youth, Children in Northern Ireland, Parents Advice Centre, Derry Children's Commissioner and NIACRO lodged a formal complaint with the NIO and the Equality Commission.

Despite this, the draft legislation is a direct "read across" from the English legislation without consideration of the fact that we are a society emerging from conflict. The proposals fail to acknowledge that our housing is segregated. If a child is excluded from an area where do they go? Brian Feeney writing in the Irish News commented "suppose you serve an ASBO on a 15 year old from Ardoyne excluding him from certain streets or the whole estate. Where does he go? To Glenbryn? The Shankill?" In Northern Ireland, apart from a small number of Registered Housing Associations with limited stock, the Housing Executive is the only provider of social housing. Consequently a termination of a tenancy in Northern Ireland effectively leads to homelessness with far reaching consequences for all the family including other children and obviously raises child protection issues.

The lifting of reporting restrictions has led in England to children's photographs and identifying information being displayed in public places. This presents very serious child protection issues in N Ireland, identifying vulnerable children to potential abusers, which will be replicated here under the draft legislation.

In Derry recently a 16 year old had his picture released to the press by the PSNI. The picture was subsequently published in the local press (he had been captured on CCTV allegedly engaging in anti social behaviour). He was subsequently the victim of a punishment shooting.

Given the recent positive developments in respect of children's rights one can't help but wonder would their introduction be imminent if we still had devolution?

Paddy Kelly

Children's Law Centre

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This book rehearses some key points in addressing the fact that there is a widespread reluctance to acknowledge a gender-based analysis of violence against women.

This Council of Europe publication could be useful for policy makers, civil servants, politicians and campaigners engaged in the current consultation process about *Tackling Violence at Home*, a strategy on domestic violence for Northern Ireland.

The book may provide a sense of a wider policy framework to people who have not determined their stance on gender-based violence (but I don't think it is the best tool to achieve that; see below). Committed members of the women's movement - women or men - won't find much new here (but read on).

Preventing Violence against Women: A European Perspective
Responses to violence in everyday life in a democratic society

Understanding violence against women

The book starts with definitions and an outline of the forms that violence against women can take, for example:

- In Europe, 1 in 5 women are victims of violence.
- Women are more likely to be attacked by a partner or former partner than by any other person.
- Women of all ages experience rape and sexual assault.
- Trafficking in women affects most European countries and women are now the 3rd most trafficked commodity after drugs and weapons.
- In relation to domestic slavery, over four million women are sold each year worldwide.
- The vast majority of perpetrators of gender violence are men (most often known to the woman).

The experience of Women's Aid is that violence in the home is a reflection of the position of women in the wider society. As Eve Ensler, feminist and activist, points out, one reason that men abuse women in so many cultures and countries and so many ways is because they can.

Nonetheless, the experience of Women's Aid staff in an astonishing range of public fora over many years suggests a widespread reluctance to accept that simply being a woman may be a primary risk factor in experiencing violence. Invariably, the response to evidence that women comprise 8 out of 10 victims of domestic violence is, 'What about the male victims?' This book would have been a better tool if it had included an even more robust argument in response to those questions. Perhaps no one in the Council of Europe needed further persuading. Amnesty International - that is currently campaigning on violence against women, including the responsibility of the state to exercise 'due diligence' to protect women against domestic violence - have good material on these issues.

Human rights framework

The book asserts that the issues need to be set firmly within a human rights framework. A cohesive strategy, the author writes will adopt 'common principles within policies, strategies and plans'... then identify the 'actual work' required. The 'work' is summarised by the headings: prevention, protection, and service.

Prevention includes education, training, campaigns, work with perpetrators, information for women. Here, the author says that violence against women, including domestic violence, has to be integrated with promotion of their other economic, social and cultural rights. Northern Ireland

strategies under discussion touch briefly on points also raised in this book; the crucial roles of workplace initiatives, and the media, in changing perceptions and attitudes about violence against women.

Protection includes appropriate legal and civil remedies to protect the rights of women. Here there is the plea that the 'criminal nature of violence against women must be recognised' - surely an indictment of current social attitudes. The book emphasises the need to protect women's rights in other ways: protection orders, accommodation/residence rights, family and welfare rights. Access to justice is crucial i.e. women have difficulties using the provisions in civil and criminal law. This is certainly an issue for women in Northern Ireland who can find themselves owing (when court dates are postponed and legal fees mount) £800 or £1000 to achieve protection orders that nominally cost less than £20.

Support needs differ but include: access to telephone helpline, crisis support and refuge (immediate information/healthcare and a safe place to go); police services, info and support; medical services for physical and mental health; housing, financial support; legal services, civil and criminal justice; social work and children's services, education and training.

This book is good, but for those who want even more than that, and in my opinion expressed more cogently, look for 'Vision Action Change,' available from Women's Aid Dublin. Both books are thorough, but the latter is also thoroughly inspiring.

Rebecca Dudley

Northern Ireland Women's Aid Federation
www.niwaf.org www.amnesty.org.uk/svaw

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Not All Lawyers are Sharks !

CAJ Says Goodbye to its Legal Officer Paul Mageean

In an American Law School I visited a while ago they have a tradition at graduation that all the students throw inflatable sharks in the air after the ceremony to reflect (ironically I think!) the kind of value system that will drive their professional life. Certainly the image of the grinning predator isn't a million miles away from the common view of many lawyers in that most litigious of societies. While arguably our lawyers are not viewed in quite such a negative light, depending on who you talk to of course, even here one would have to admit that they are not the profession you would expect to win any popularity contests with the general public.

About ten years ago a number of us in CAJ were talking about the potential of a case-worker to effect real legal change through strategic litigation in the jurisdiction. The key phrase I remember from those days was the desire to get 'a hungry young lawyer'. When we eventually secured the funding for the post we were lucky enough to attract exactly such a candidate, Paul Mageean. Paul had cut his teeth as a solicitor after graduation under the tutelage of experts such as the legendary P.J. McGrory, and it showed. As well as an excellent grasp of the detail and potential of human rights law to effect change, he also understood the small 'p' political complexities of doing such work in the context of a conflict and a transition from conflict.

During his time at CAJ Paul has worked on some of the most high profile cases on the Northern Ireland legal landscape.

For example, the work of Paul and other lawyers on the Kelly, Jordan McKerr and Shanaghan cases, which were argued successfully before the European Court of Human Rights, considerably enhanced the protections provided under Article Two of the Convention. These cases, which centred around the effective

investigation of deaths where agents of the state were involved, paved the way for major changes in the criminal justice system, increasing the pressure on the DPP to give reasons for deciding not to prosecute, rendering necessary a major re-think of the Northern Ireland inquest system and, at least tangentially, underscoring the need for an effective and independent investigative process of alleged police mal-practice in the guise of the Police Ombudsman.

Again with other lawyers, Paul has also been a key source of legal support and advice to the families of those who have pressed (in most cases, successfully) for public inquiries into deaths which suggested varying degrees of state collusion. Paul has worked tirelessly on the campaigns concerning Pat Finucane, Billy Wright, Rosemary Nelson and Robert Hamill. While some of these and other campaigns have involved high profile meetings with Prime Ministers, Taoiseachs, assorted ministers and relentless media work, the quality of the man may be judged by his relationship with those most directly affected by these killings. I have seen at first hand the affection and respect in which Paul is held by such families. He has always been gentle, thoughtful, careful never to raise false hopes, respectful of the trauma that they have gone through and quietly

passionate about their need for justice. CAJ's credibility has always been in large part based on our work on the ground by those on the receiving end of human rights abuses, and during his time at CAJ Paul has been an embodiment of that principle.

I seem to remember that the dashing character who sweeps Renee Zellwegger away at the end of the Bridget Jones movie was a human rights lawyer. Obviously the author Helen Fielding could think of no finer a profession for such a role. Now Paul is such a modest soul that he will balk at a comparison with the well known charms of the actor Colin Firth who played that character.

Nonetheless, there is a kernel of truth in Fielding's characterisation. Admittedly, there is little that is quite so irritating as po-faced sanctimonious human rights lawyers. However, those like Paul who can pull it off with wit, charm and lots of hard work underline that there is something fundamentally noble about individuals who apply their professional skills in the pursuit of justice for others.

Every year I teach a couple of hundred law undergraduates, at least some of whom want to be that kind of lawyer. Paul Mageean is living proof that they don't all need to grow up to be sharks. We all wish him well in his new endeavours heading up important criminal justice changes in the Northern Ireland Court Service.

He is a class act and he will be missed.

Kieran McEvoy
Chairperson

This month saw the publication of an important book covering a range of issues pertaining to the debate on religious and political discrimination. 'Fair Employment in Northern Ireland: A Generation On', edited by Bob Osborne and Ian Shuttleworth, is a timely, very useful contribution to the fair employment, and indeed wider equality debate.

Firstly, at the level of methodology, the book demonstrates the progress that has been made in social research in the last few decades, both in the range of issues being tackled and in the quality of the work being undertaken. Secondly, substantively, the book provides valuable insights into the scale of social changes that have been taking place during a period of continued political deadlock.

The first point, regarding progress in relation to the collection of social research, is important to bear in mind, particularly when one considers the fascinating array of data presented in the book. We know for example the experiences of the two communities in relation to the labour market, the education system etc. Why, because we have the hard facts – exact percentages of the two communities gathered from monitoring data.

This is somewhat different from the position of the 1970s and 1980s where, by and large, there was a feeling that under representation existed, even a certainty, but without the data there was a lack of proof. Hence, even the most egregious discriminators were able to claim to be 'representative' of the whole community. Clearly, a crucial turning point in this regard was the introduction of compulsory workforce monitoring in the 1989 Fair Employment Act. Both communities now know where they stand vis a vis employment across a range of concerns and sectors in Northern Ireland. The value of the data provided is worth remembering, and should not be taken for granted. There has been a debate recently, emanating primarily from the discussions around the proposed Bill of Rights for Northern Ireland, as to whether compulsory monitoring is appropriate, or whether there should be an entrenched right 'not to belong to any community'. While important to recognise the rights of individuals in this debate, it is clearly not acceptable to return to the pre-1989 scenario, whereby the way to deal with 'community differences' was effectively to ignore them.

Discrimination versus Inequality

As this book points out, occasionally the equality debate has been polarised between those who deny the existence of religious discrimination; and on the other hand those who would seek to attribute all inequalities in the labour market to discrimination. As a result, perhaps too much attention has focused on the *extent* to which inequality is the result of discrimination, rather than adopting the approach

Equality is

suggested by SACHR as far back as 1987, that *any* inequalities between the two communities are unacceptable, and should be redressed.

The data shows that there are still areas where Catholics, particularly males, are under represented, notably, in the security-related sector, district councils, and the private sector in general. At the same time, there is evidence of Protestant under representation in the health and education segments of the public sector. In broad terms however, the data reveals that substantial progress has been made towards a more equitable distribution of employment and employment opportunities in Northern Ireland.

Integrated Workplan

One of the key findings of the data is the impact that the legislation has had on creating more integration in employment in Northern Ireland, as distinct from trends that occur in other areas such as housing. Notwithstanding caveats about aggregate data from multiple workplace sites, it is clear that the fair employment legislation provides a model for wider community relations strategies that government needs to consider. The message for those wanting to improve community relations is clear, an equality model provides a positive way forward. The employment experience should set the standard for other social spheres.

A new landscape

One of the other fascinating aspects of this book is that it gives an excellent overview of how much Northern Ireland has changed in the last thirty years, and how much of that change can be located within an international context. Shuttleworth, in his chapters for example, points to those jobs classified in the 1971 census, such as "rope maker" which have been replaced by a new breed of employees categorized as "call centre workers". His overview of 'globalization', and 'post-Fordism' (ie the post-manufacturing era, when call centres and flexi-hours replaces 9-5 shop-floor jobs) is an eminently user-friendly and accessible account.

The other useful aspect of these chapters is the deconstruction of what is referred to as the "grey areas on the fringes of employment, unemployment and inactivity". Shuttleworth cites others to show that changes to how the 'official unemployment' figures are measured, means that when the hidden component of joblessness is accounted for, total male unemployment in Northern Ireland would be more than one-third higher than official figures suggest. Hence, when interpreting the 'conventional' unemployment statistics, it is important to bear in mind that they seriously understate the extent of joblessness.

orking!

This fact has a direct impact on the significance of the unemployment differential. The unemployment differential remains, and there is still a positive relationship between the percentage of a ward's residents with a Catholic community background and the ward's unemployment rate, but is unlikely to remain the centrepiece of the political and academic debate about employment equality.

Instead, other issues should receive more attention. One theme is the continued gap in employment and economic activity rates between Catholic and Protestant. Shuttleworth argues, convincingly, that a focus on the dichotomy between those in jobs and the jobless (a far more inclusive comparator than a count of individuals on benefit or those who are explicitly seeking work, which is the current government definition) is sensible because of the complexity of the labour market, which make it more difficult to count somebody now as 'unemployed' than was the case thirty years ago.

The cost of this is an increase in no-job households and the polarisation of access to the labour market between those households with multiple access to the general increase in inequality with a disparity between work-rich and work-poor households. This problem was identified in the SACHR research in the 90's, but has clearly not been given the attention it requires.

Unemployment, deprivation, and education

This book offers a whole series of fascinating insights into the importance of education (or lack of it). A separate article will explore the interesting material that is gathered in this volume which touches on issues of the 11+, the impact of the Catholic 'ethos' of schools, the Protestant 'brain drain' at tertiary level etc.

Conclusions

As stated, this book provides some fascinating data in relation to the current state of play in relation to the relative position of the two communities. Clearly the 1989 Act in particular has improved the position in relation to promoting equality for those in employment. This means more representative, and more integrated, workforces.

The picture, however, is neither as clear or as rosy as some of the immediate media "spin" around the book might have suggested. Issues that require closer attention include:

1. The situation in non monitored workforces. NI has a very high proportion of its workforce employed in small enterprises, which currently fall under the monitoring "radar". While it is good that monitored workforces show greater

integration and greater equality of opportunity, this does not necessarily mean the experience is replicated in non-monitored workforces.

2. What is the value-added contribution of the affirmative action provisions in the legislation? Many assume that it is the existence (or threat) of the affirmative action elements within the fair employment legislation which has ensured the changes seen in the workplace. But others may challenge this. The chapter by Chris McCrudden and Anthony Heath suggest that the regulatory impact of the FEC in the decade 1990 - 2000 was pivotal in bringing about the recorded change, but is this trend still true since the Equality Commission replaced the FEC? What is happening post 2000?

3. Has the compliance based negotiation approach taken in the 90's run its course? Will the same techniques be effective in the longer term or should the Equality Commission be prepared to adopt a more regulatory approach to maintain these positive trends?

Moreover, the position is not favourable in relation to the position of those left behind - the socially excluded - for whom TSN was meant to offer so much. On this very important issue, the book is perhaps less than forthright in offering solutions, and indeed pulls its punches.

For example, Osborne argues that the "*current approach uses the voluntary and community sector to drive implementation, utilising ideas about participatory policymaking known as 'community governance'*". *This may confuse two ideas in one policy. Is the objective to achieve greater equality or a more inclusive and participatory way of making policy decisions? Evaluations of the implementation of Section 75 should take this duality into account*".

Certainly, this leaves room for thought, but many in CAJ and the Equality Coalition envisaged Section 75 as promoting equality, *via* participation, and did not view the two as mutually exclusive.

Several shortcomings notwithstanding, this is an excellent publication, which should be essential reading for all those interested in the equality debate. Effective work on fair employment – and indeed on any area of inequality – requires a body of hard data and rigorous academic study.

This newest contribution to the fair employment debate is extremely welcome and the Equality Commission deserve praise for putting together this timely piece of work.

Forthcoming Event !

CAJ is holding a conference on Monday, 28th June 2004 to discuss the work of **District Policing Partnerships**. Speakers from the Metropolitan Police Authority and the Dublin Community Policing Forum will give keynote addresses. For fuller details visit CAJ's website www.caj.org.uk

Political Vetting Returns?

The first report of the Independent Monitoring Commission (IMC) was issued this month to a cacophony of complaints and criticism. CAJ's remit is focused on the role of the state in ensuring the highest standards in the administration of justice and has not therefore great expertise regarding many areas of the IMC's report, which is largely directed at assessing intelligence information regarding the current operations of different paramilitary groups. One of the recommendations, however, was of particular and direct concern to the organisation, and led to us writing immediately to the IMC members.

It is to be hoped that, on more mature reflection - the report indicates that it was written under time constraints – the IMC will withdraw their recommendation to the effect that:

"No organisation, statutory, commercial or voluntary, should tolerate links with paramilitary groups or give legitimacy to them. In particular, societies and other similar organisations should make every effort to satisfy themselves that none of their members are linked to paramilitary groups. If there is any suspicion that they might be, then the onus should be on the person concerned to show there is no basis for that suspicion, not on the organisation to act only if it is proved. We will examine this whole issue in further reports."

Guilty until proved innocent?

CAJ in its correspondence argued that this recommendation undermines entirely the crucial principle of "innocent until proved guilty". Given that the IMC itself frequently stresses the importance of the rule of law, CAJ's letter expressed surprise that they could propose something so antithetical to that principle. We argued that on the basis of suspicion only, and that presumably is the suspicion of any third party, a person will be obliged to show that they are not guilty. Indeed, they appear to have to show that "there is no basis" for any such suspicion, which is an even higher test. Organisations which have such members or associates are expected to act (though it is not clear what action is expected), regardless of whether there is any evidence against the suspected person. If these standards were to be applied in the courts, it would mean that a defendant wishing to be acquitted would not only have to prove their innocence of the charge, but prove that the charges should not have been brought against them.

Political Vetting?

We also noted that this recommendation seemed to be returning Northern Ireland to the days of political vetting – an initiative that has long since been discredited. CAJ's long-standing opposition to the use of political violence is well known. We are, however, a membership organisation: does this IMC recommendation suggest that we have to vet all our members (current and future)? CAJ works in coalition with a large number of other groups – are we being expected to vet the members of all of those groups, and all

the people who attend our events and to whom we send publications, etc? Our remit, and our funding, requires that we respond to all who approach us, without distinction or discrimination of any kind – what is the IMC saying about such work? CAJ believes that this recommendation is totally unacceptable and practically unworkable.

A return to social exclusion?

A third issue for CAJ is that such a provision could potentially hinder the work of a wide range of community and other groups whose membership includes or works with ex-prisoners. CAJ has long worked on the rights of prisoners and ex-prisoners, regardless of their political or criminal motivation. A key aspect of the peace process has been to encourage ex-prisoners to take on productive and active roles in their local communities, and several EU grants and initiatives have been specifically directed at integration and rehabilitation programmes for ex-prisoners. CAJ does not, however, only work with ex-prisoners. What implications does this recommendation have for the work of groups like ourselves who are regularly asked for information and legal advice from those within prison (republicans and loyalists) who cannot even lay claim to having left all their paramilitary links behind?

Having had no substantive response from the IMC to date, CAJ is writing to the two governments highlighting the problems we see with the proposals. There are other human rights concerns that arise from a close examination of the report – not least issues of due process for all those named. CAJ has worked over many years seeking to ensure that Northern Ireland's police and criminal justice agencies comply with international human rights standards and meet the highest standards in the administration of justice. It is inconceivable that the IMC should seek to abrogate to itself the duties properly carried out by the criminal justice agencies of the state. If there is evidence of criminal wrongdoing, it should be pursued through the proper channels, rather than by way of allegations in an IMC report.

CAJ firmly believes that the IMC's proposals run counter to the principles of non-discrimination and inclusivity that have informed the human rights and equality gains of the Agreement, and it is to be fervently hoped that they will be rapidly withdrawn.

How does government counter hate crime?

Many answers are possible to this question. CAJ argues that the elaboration of a strong and inclusive Bill of Rights would make a major contribution to the creation of a culture of rights for all in Northern Ireland, which would in turn reduce the likelihood of hate crimes. We also argue that agreement on stronger and more comprehensive equality legislation would outlaw discrimination, harassment, bullying, and victimisation and would promote equality for all within society. But is legislation going to be enough?

No, obviously not. Children need to address issues of human rights in their curriculum, and they need to learn to apply principles of equality, non-discrimination, and the inalienable nature of everyone's human rights to their everyday interactions with their friends, and especially those who are not friends!

Change in society's attitudes to people who are perceived to be 'different' is not going to come from changes in the school curriculum though either. What are the parents, the churches, the trade unions, the politicians, the community and voluntary sector, and the business world saying about equality and human rights? If the messages are mixed, then it is hardly surprising that some people think that others are somehow lesser – by virtue of their politics, their skin colour, their football allegiances, or their choice of sexual partner.

A whole series of changes in the public realm could help to tackle hate crime. Public institutions must reflect the diversity that is Northern Ireland – men and women, black and white, gay and straight, young and old. Public places, for example those relating to housing, graffiti, the use of public spaces etc. need to be explicitly aimed at countering racism, sectarianism, and homophobia, if everyone is to feel equally safe and valued. Key state institutions – the police, the criminal justice agencies, the judiciary – need to address their institutionalised prejudices to ensure that "all are equal before the law and are entitled without any discrimination to equal protection

of the law" (Universal Declaration of Human Rights).

In addition, there needs to be improved research into the nature of hate crime, and a better monitoring of trends over time. The newspapers have recently carried statistics that suggest that racist and homophobic attacks are on the increase. Yet, the police have only started gathering statistics on racist crime in the last few years, and similar statistics on homophobic crime are even more recently recorded and monitored. Most surprisingly of all, perhaps, is the fact that sectarian crimes have had no common definition and have not therefore ever been monitored routinely. So, can we be sure that hate crimes are on the increase? Or, is it possible, that there is a higher level of reporting of such crime? Or are such crimes being recorded more effectively than previously? Or does the explanation lie in all of these factors? Hard data is necessary to the effective tackling of any serious crime wave.

At the same time, specific legislation aimed at tackling hate crime can be helpful: it won't be enough, but it is an important component of any comprehensive programme. The Northern Ireland Affairs Committee is currently inquiring into the options for hate crime legislation and CAJ submitted written and oral testimony to the effect that specific anti-hate crime legislation would give an important deterrent signal.

We argued that experience in England and Wales suggested that one should

not introduce the concept of "hate aggravated crimes", since if it proves impossible to prove in court the motivation of the attacker, the defendant could also escape punishment for the attack itself. This problem, however, is overcome if, when sentencing, the judges can hand out heavier penalties when the crime is motivated by group hate, thereby making a distinction between the finding of fact as to the crime, and then the determination of any extenuating or exacerbating circumstances that affect the sentencing.

Of course, if this legislation is to succeed, it requires the police and the various criminal justice agencies to gather and record the necessary evidence. What did the attackers say? Where did the attack take place? Were there any circumstances that suggested a particular attack was motivated by something other than drunkenness or opportunism? It is in that context, that the various agencies need some understanding of hate crimes, and also can distinguish them from other forms of crime. Attacks on the elderly, within the family, on the young, are not hate crimes per se, since they do not denote the hatred of an individual because of their real or perceived identification with a particular group. But, just as society symbolises its rejection of violence against the most vulnerable in society, it should be able to say that hate crimes are particularly invidious and sentencing should reflect that.

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.

Civil Liberties Diary

April 1 The Cory Report was published today, strongly criticising British government agencies and calling for full inquiries into the murders of Rosemary Nelson, Robert Hamill and Billy Wright. Agencies mentioned include the RUC Special Branch, the British Army, the undercover Force Research Unit (FRU), the NIO and the prison authorities.

An NIO review of sentencing trends revealed that fewer people in Northern Ireland are being sent to prison for criminal offences and that numbers are currently the lowest for almost a decade.

April 5 Judge Peter Cory said that he was "disappointed" that the Finucane Inquiry was to be deferred, stating that such an investigation could feasibly run alongside a criminal prosecution. He felt that it would benefit the community to proceed with the public inquiry in light of the seriousness of the allegations of collusion and the length of time that has elapsed, as it is possible that vital witnesses may die before an inquiry is launched.

April 6 A new investigation is to be launched by Police Ombudsman Nuala O'Loan to examine allegations that the former Chief Constable was aware of a warning made to the RUC Special Branch prior to a bombing in Newry in 1992 in which RUC Constable Colleen Murray was killed.

April 8 In the report 'Progressing a Bill of Rights for Northern Ireland: An Update', the Northern Ireland Human Rights Commission proposed a new draft for a bill of rights.

April 13 The Apprentice Boys parade through Ardoyne, the first potentially controversial parade of the season, took place without incident.

April 14 The CORI Justice Committee published its annual socio-economic review, 'Priorities for Fairness', stating that the Irish government spends less than any other EU country on social

supports for the disabled, the elderly and other disadvantaged groups, condemning substantial numbers of people to live in social exclusion.

April 15 During the 60th session of the UN Commission on Human Rights in Geneva the British government was criticised by the Northern Ireland Human Rights Chief Commissioner Professor Brice Dickson over an alleged failure to support the Commission's work. The NIHRC called for increased powers three years ago, as demanded by the UN's Paris Principles, to which the British government has not responded. Concerns also include the fact that the government has failed to appoint new members to replace those who have left over the past 18 months.

April 21 Following the release of The Independent Monitoring Commission (IMC) report outlining continuing republican and loyalist violence, the government is to impose financial sanctions against Sinn Fein and the PUP. The IMC found paramilitary activity to be at a disturbingly high level on the part of both republican and loyalist groups and concluded that Sinn Fein and the PUP have connections with such paramilitary groups. The Commission stated also that it may consider naming people believed to be paramilitary leaders in Northern Ireland.

April 22 Whilst giving evidence to the House of Commons Northern Ireland Affairs Committee's inquiry into hate crime, the Equality Commission for Northern Ireland called for the tough new sentences being passed under the draft Criminal Justice (NI) Order to be extended to attacks on the disabled. Dame Joan Harbison, head of the commission, stated that all forms of prejudice must be eradicated.

April 27 In his first assessment on the pace of reforms to the PSNI, the new Oversight Commissioner Al Hutchinson warned that a serious operational gap would be left in the

police when the Full-Time Reserve is phased out in the next 12 months. However, he recognised the significant accomplishments already achieved and said that the Patten Commission recommendations could be implemented by May next year if the current rate of progress continues. He also called for Unionists opposed to the 50:50 rule to "participate" and called for Sinn Fein to back policing arrangements.

April 29 An internal document compiled by the Police Ombudsman office reveals that complaints made against the police service were currently the lowest in 10 years. There has been a dramatic drop in the number of complaints regarding the use of baton rounds and firearms by the police. The Police Ombudsman Nuala O'Loan attributed the fall to "a huge change in the culture of policing" and that this change was due to good management and training.

April 30 The Police Ombudsman Nuala O'Loan stated that while the PSNI has adequate police officers to serve Northern Ireland, most officers need to be redeployed as operational officers to make greater use of their abilities.

Compiled by Sophie Orr from various newspapers.



Just News welcomes readers' news, views and comments.

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