

# Just News

Human Rights in Northern Ireland

## Security and Human Rights

Since the events of September 11<sup>th</sup>, there has been a continuous stream of governmental rhetoric suggesting that in the new global climate human rights are incompatible with the security of peoples and nations. This has been given credence in many states, including in the United Kingdom and the Republic of Ireland by the introduction of emergency legislation premised on the new security environment. But an old/new language is coming back into centre stage. We find it from the highest levels of international and regional organisations, supported by key international figures reminding us that this trade off between human rights and security is not real. It also tells us that law makers are disingenuous when they suggest that it is an either/or choice for governments when faced with the threats of transnational terrorism.

So, for example, the United Nations Secretary General Kofi Annan said when issuing the Report of the *UN High Level Panel on Threats, Challenges and Change* (2004) that;

“... the United Nations must be able to articulate an effective and principled counter-terrorism strategy that is respectful of the rule of law and the universal observance of human rights”

A key UN document which also reflects a more thoughtful approach to combating terrorism and protecting human rights is the 2002 *Report of the Policy Working Group of the United Nations and Terrorism*. The Policy Working Group Report makes clear that the core strategies of the United Nations in opposing terrorism are (a) to dissuade those who are (or might be) involved in terrorism (b) to deny support (material, financial, political and legal) to those involved in terrorism and (c) to sustain co-operation between States to

thwart the actions and aims of those engaged in terrorism. Specifically, a link is made between the UN's role in addressing human rights violations and the resort to terrorist acts by disaffected individuals, groups and minorities. This is because the report clearly recognizes that such violations can create the conditions in which terrorism thrives. The Working Group Report makes clear that in its response to terrorism the “United Nations must ensure that the protection of human rights is conceived as an essential concern”. Specifically, the Report states that “the fight against terrorism must be respectful of international human rights obligations”. Further in 2003, General Assembly resolution 57/219 affirmed that states must ensure that any measures taken to combat terrorism comply with their obligations under

international law, in particular, international human rights, refugee and humanitarian law.

A number of key institutional players at the UN and in other regional organizations have also started to express strong views on the need to protect human rights while regulating terrorism. The Office of the UN High Commissioner for Human Rights Office has expressed concerns that measures taken to eliminate terrorism may be activated in such as way as to infringe on fundamental freedoms.



### Annual General Meeting

will take place on  
Tuesday, 25th October 2005

at 7.30pm in the  
**Law Centre (NI) offices,**  
124 Donegall Street  
Guest Speaker: Imran Khan  
**All Members welcome**

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The High Commissioner's Office has also carried out a preliminary review of State reports under U.N. Resolution 1372. This review is focused on the human rights implications of state responses to terrorism and offers guidance to states on how to comply with their international obligations.

The trends identified in that review are confirmed by the research undertaken by the International Helsinki Federation which has usefully identified 8 key areas of rights protections that have been negatively affected by State responses to terrorism since September 11. The trends illustrated have a particular resonance in the Western and Eastern European contexts, but can also be seen to apply to the global post September 11<sup>th</sup> experience.

- First, the adoption of vaguely worded and overly broad laws that prohibit "terrorist acts" and "terrorist groups". The latitude of definition means that such legislation can be used against legitimate democratic expression and protection, particularly by marginal or unpopular political groupings and/or minorities.
- Second, the practice of setting up processes of detention, trial and legal evaluation which seek to place persons accused of terrorist offences outside the boundaries of normal legal protection.
- Third, the activation of practices which involve racial or community profiling disproportionately affecting Muslims and other minorities including arrests, registration, and fingerprinting.
- Fourth, the articulation and enforcement of necessary international, regional and local efforts to halt the financing of terrorist groupings, containing no balancing procedural safeguards to ensure that fairness, appeal and adverse public effects of inappropriate categorization are regulated by law.
- Fifth, the limitation of fundamental rights in relation to asylum and immigration processes. Allied to this is genuine concern about the undermining of the *non-refoulement* principle.
- Sixth, the undermining of right to privacy in multiple jurisdictions, evidenced by the augmentation of search and seizure powers, surveillance powers and transnational export of private and public data without appropriate safety or due process provisions.
- Seventh, restriction on freedom of expression in general and freedom of the media in particular.
- Eighth, the use of the post-September 11 political environment to target and repress non-violent domestic opposition in many States.

The United Nations Committee on the Elimination of All Forms of Racial Discrimination has recently issued a General Comment in which it specifically identified the problems that arise from racial profiling in an anti-terrorism context. Rudd Lubbers, the UN High Commissioner for Refugees, also issued a strongly worded statement in October 2001, aimed at the 58th United Nations Human Rights Commission session. He reiterated that refugee and asylum seekers should not be discriminated against

because their ethnicity, religion, national origin and political affiliation are perceived by some to be linked to terrorism. This view has been subsequently endorsed by the Committee on the Elimination of Racial Discrimination in its concluding remarks on the Danish report in May 2002. All of these UN bodies make clear that states cannot use the pretext of a post-September 11<sup>th</sup> climate to legislate in a way that negates their human rights obligations. Protecting human rights are a core aspect of ensuring the security of all. To ignore their centrality is to make states more vulnerable in the long-term.

Echoing this overall approach, the European Council of Minister's Guidelines state that "it is not only possible, but also absolutely necessary, to fight terrorism while respecting human rights". In this context, it is useful to recall Recommendation 1550 (2002) of the Council of Europe's Guidelines on Human Rights and the Fight Against Terrorism, as adopted by the Council of Ministers in July 2002.

Other recent and relevant developments include the United Nations Human Rights Commission establishing the office of *Independent Expert on the Prosecution of Human Rights and Fundamental Freedoms while Countering Terrorism*. An American law Professor Robert Goldman was the first holder of the post. External bodies such as the International Commission of Jurists and the Coordinating body of National Human Rights Institutions have also started to express their views on the need to uphold human rights and the rule of law in combating terrorism. The overall picture is one of greater recognition by the UN and other bodies of the co-dependent relationship between the protection of human rights and the security of all.

Increased visibility on human rights by these U.N. bodies is an imperative. Moreover, pressure exerted by them may assist in educating States that there is ultimate benefit in imbuing anti-terrorism measures with respect for human rights. Only through such a holistic approach can long-term security be guaranteed for States. More particularly human rights bodies within the UN are equipped to articulate the substantial experience of the international human rights system in confronting terrorism and situations of emergency.

Central to all these communications, many with significant legal consequences for states, is the realisation that it is time for a strong articulation of the fact that human rights protections constitute part of our common definition of security. Human Rights are not something apart from a conception of security from terrorist acts, their protection is integral to ensuring that terrorism is prevented from occurring in the first place, or prevented from taking root.

*We devote the rest of this issue of Just News to the war on terror and related criminal justice issues, in the hope that readers find it a timely contribution.*

## Devolving Criminal Justice

**Earlier this year, we provided readers of Just News with a brief summary of an international and comparative research report we are preparing around the devolution of criminal justice and policing powers. At the time we noted that the lack of political progress had led to the issue, effectively being put on the “back-burner”, and we have spent time since then adding the finishing touches to the report. We are now hoping to publish the work in October. Given that discussion of this issue will be substantively raised again in the political arena, we hope that the report will be a timely contribution to the debate.**

To recap, the report considers the governmental models that could potentially accommodate the devolution of justice and policing powers. When one considers the devolution of criminal justice and policing powers, the first question that naturally arises is – what model would be adopted? However, the focus in this discussion is usually from a political point of view, in terms of who gets the power?

As a human rights group, CAJ's primary concern is to lay down the criteria which must be used as benchmarks when determining on the exact nature of the enforced and agreed arrangements. Devolution of criminal justice and policing is in principle a good thing since it brings crucial decision-making closer to those affected directly by those decisions. However devolution will only work if it is seen to meet the following standards:

- Openness & transparency
- Efficiency and effectiveness
- Accountability
- Representativeness
- Respect for human rights and fair treatment for all

Any model proposed, from whatever political quarter, must be tested against these principles. Regarding the appropriate governmental structures in any devolved criminal justice arrangements, CAJ concludes on the basis of its research that:

- A single department/minister may meet concerns about efficiency and effectiveness but may pose some concerns around legitimacy in a politically polarised society like NI. If this is the route chosen, the emphasis will need to be on safeguards that will ensure that the party ‘holding’ the single ministry is behaving in an impartial and non-partisan way.

- A two or more departmental model would potentially offer NI greater security against charges of ministerial

partisanship, but risks being or appearing inefficient. If this model is pursued, safeguards aimed at ensuring coordination and collaboration across the criminal justice world will need to be the primary consideration.

- NI has the experience of the Office of the First and Deputy First Minister, which seeks to bring together cross-community ministerial responsibility within the operation of a single department, and some consideration was given to whether a similar model could be applied to a future Ministry of Justice. In reality, no other country studied had a model of this kind, so comparisons with elsewhere cannot be drawn upon. When learning from experience to date in Northern Ireland, it would appear that if this kind of model were to be applied to criminal justice, it would be important to (i) have a clear delineation of responsibilities (ii) establish clear protocols governing when joint agreement is needed and/or when a veto arrangements might operate and (iii) introduce a fall back mechanism to resolve any stalemates.

In examining the issue of criminal justice devolution more broadly, the report then goes on to look at a variety of measures that can be taken by criminal justice organisations to embed a culture of human rights, as well as how to respond effectively to institutional resistance to change. It also attempts to determine the statutory and other powers that would accompany the devolution of justice and policing powers to Northern Ireland and those which would remain with the competence of the Secretary of State. In doing so it draws attention to some of the potentially problematic and destabilising aspects of the retention of national security and emergency powers at Westminster.

In the course of our research, we were also given extensive advice about the nature of change itself. Obviously no jurisdiction is like any other and the lessons that are appropriate in one country are not necessarily going to be easily adapted to another. However, a number of recommendations were made to our researcher time and time again, in different places, which may have a relevance for Northern Ireland. These included:

- The need for a realistic timeframe
- The importance of balancing idealism with pragmatism
- Strong leadership and commitment to change within the criminal justice agencies
- Investment in both new and existing staff
- Independent oversight, as “no organisation can transform itself”
- The importance of involving civil society at every stage

The report makes for very interesting reading, and will contain much valuable material that we hope will be extremely useful in this debate.

# The war

**It is disappointing to see that in the current heated discussions around the appropriate way to respond to the international 'war on terror' there seems to be a determination to disregard the Northern Ireland experience entirely. CAJ has long argued that human rights abuses are bad in and of themselves but moreover that they also tend to feed and fuel conflict, and as such must be avoided and countered if the cycle of violence is to be effectively stopped.**

In a paper being produced for a Queens University publication honouring Stephen Livingstone, several long time CAJ activists are challenging the ahistorical claim that the current emergency and counter-terrorist measures are somehow unique and that they offer solutions to problems. The Northern Ireland experience suggests that most of these 'solutions' have been tried and tested here in the last 30 years, and have failed.

## Lethal Force

For example, it is claimed that the recent killing of a young Brazilian in London (see p.7) derived from unique circumstances in which the security forces felt obliged to use lethal force to save lives. Yet it is widely believed that the government operated a shoot-to-kill policy (formal or informal) particularly during the 1980s in Northern Ireland. Various rulings at the European Court subsequently determined that government had, at the very least, taken insufficient precautions to avoid reliance on lethal force.

What does the NI experience have to offer to those who want to be able to rely on lethal force? It says – (a) one must define the circumstances very very narrowly if the use of lethal force is not to be abused and if human rights bodies are not later to accuse the authorities of undermining the rule of law and (b) even if the policy were applied in the most cautious and careful way (with proper safeguards before, effective investigation afterwards etc). the chances are high that while some in the community may feel safer, many others will feel much less safe. The seeds of doubt about who the security forces are there to protect will be well implanted, and difficult to counter.

## Internment

Another technique which was relied upon to counter opposition in Northern Ireland was internment. Nowadays, that tactic has been so discredited (even by the security experts who argued for its introduction) that "internment" has been re-defined as "detention without trial".

For those interned/detained, and the communities they come from, the linguistic distinction is not very important. 1981 people were interned in NI; 1874 were Catholics. The large statistical proportion of Catholic internees naturally fed perceptions of bias and political partisanship in the internment process. The fact that 1600 of them were released without any charge underscored perceptions that the policy was not primarily motivated by genuine concerns about people's safety, but by a determination to 'terrorise' suspects and suspect communities into quiescence.

## Torture

One of the most disturbing aspects of seeing the coercive interrogation techniques now being used in Abu Ghraib and Guantanamo is the fact that they have been tried before. Serious errors in judgment are reprehensible whenever they occur, but to repeat them is inexcusable. Hooding, white noise, wall-standing, deprivation of sleep, and food and drink deprivation which were used in Northern Ireland were found to amount to cruel, inhuman and degrading treatment by the ECHR.

Over 30 years ago the international community decided that torture was a concept from the Middle Ages and needed to be outlawed. The 1973 Paris conference organised by Amnesty International led to the drafting of, and subsequent adoption of a UN Declaration and UN Convention Against Torture. This enunciated the international consensus that there was no possible excuse or justification for torture. But even earlier, after the horrors of the Second World War when individuals were subjected to horrendous forms of abuse in the name of the "greater good" (whether that be the advance of fascism or scientific endeavours), the European Convention determined that "*no one shall be subjected to torture or to inhuman or degrading treatment or punishment*".

Apart from the basic principle that human beings cannot be denied their humanity in this most fundamental way, consistent experience worldwide shows that torture is counter-productive. Information gained is rarely reliable; unreliable information often leads to further abuses (eg. wrongful arrests/convictions); and the communities from which information is most needed become less rather than more likely to cooperate.

## Rule of Law

The rule of law is all too easily undermined in any "war on terror". Northern Ireland has seen limitations on the right to silence, a lowering of the burden of proof, a change in the admissibility of evidence, a move away from jury trials, exclusion, the proscription of organisations (rather than

# on terror

behaviour), ethnic profiling, and the silencing of political opposition. All of these measures are being considered/ have been introduced in Britain. A key question to ask is whether such measures were effective here?

It is difficult to measure the impact of each of these measures, or to gauge to what extent it is the cumulative effect that led to increases/decreases in levels of violence. It is surely noteworthy however that most commentators believe that the levels of violence in Northern Ireland started to diminish when political organising and dialogue was given greater priority on all sides.

## Security and human rights

Often there is a dichotomy established between "security" and "human rights" but this is clearly (see editorial) a misguided understanding of the relationship between the two concepts. Elsewhere in this newsletter, it is clear that the UN is trying to challenge this dichotomy and establish that we will only ensure true security if we uphold and promote human rights rather than deny them. Both the Irish and the UK governments in the recent debate about UN reform emphasised that "development, peace, security and human rights" were mutually inter-dependent in any global discussion. They also affirmed these principles in their support for an Agreement which focused on peace building based on economic regeneration, socio-economic rights, reforms to criminal justice and policing, and the mainstreaming of human rights and equality provisions in the new arrangements.

## Back to NI...

Interestingly, one of the weaknesses in the peace negotiations in Northern Ireland was the fact that commitments to economic change and economic rights were less rooted as a legal matter than other important measures. Reference was made to the need to re-energise the Targeting Social Need government measure, to target unemployment differentials, to give greater support to young people at interface areas, but it is difficult to point to consistent work or binding legal obligations on these different programmes.

Recent rioting on the Shankill and elsewhere is justified by some on the basis of economic disadvantage... and no-one could challenge that the Shankill is economically disadvantaged. What is less easy to justify is the claim that their counterparts in Ardoyne or on the Falls Road are not similarly disadvantaged. The statistics show that the 'black spots' for unemployment and economic activity in the 60s and 70s are still the same nearly forty years on. The statistics show that government continues to invest in the very areas that have received the most investment

previously, and that least need such investment. Statistics show that inequalities have not been fundamentally challenged for several generations, and that current policies may well exacerbate rather than undermine those inequalities.

But what is the response from decision makers here? Is it to announce monies and timetables for the Targeting Social Need objective? Is it to denounce sectarian headcounts for government funding decisions and proffer a better – fairer – system for all? Is it to ensure that the government flagship "A Shared Future" address issues of human rights and equality for all? Is it a policy of encouraging a debate about a Bill of Rights for all, and particular emphasis on the inclusion of socio-economic rights which is supported on a cross community basis? Why no movement on the West Belfast/Greater Shankill Taskforce, that brought politicians and communities together from the most economically deprived areas from a range of political viewpoints.

In responding to the 'war on terror', the message to government is clear. Socio-economic disadvantage and inequalities often feed and nurture political alienation. The most effective response in the short and long term to any threat to people's peace and security is a holistic approach aimed at upholding the rule of law. It is only through protection of the broadest spectrum of rights - civil, political, social, economic and cultural - that progress can be made.

Northern Ireland has a lot of useful experience - good and bad - to share with the rest of the world...the question is: Is anyone prepared to listen?

### 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.

# Identity Cards

**The debate over the Government's plans to introduce identity cards has not been as heated here in Northern Ireland as in the rest of the UK. This is perhaps because we are all so used to producing proof of identity for all sorts of purposes. So the objections in principle by some civil libertarians in Britain to any form of identity card are not particularly convincing. But there are other issues on which we should be rather more concerned.**

The Government based its initial campaign for ID cards on the ground that it would help in the fight against terrorism. That has now been more or less abandoned and replaced by arguments about the control of abuses of the immigration system and social security fraud and convenience for everyone else. The idea seems to be that introducing identity cards for asylum seekers and refugees would make it easier to stop them disappearing into the black economy and that it would also assist the social services in controlling benefit fraud. The convenience for the rest of us would be that we would have a single document to produce whenever anyone wanted to check on our identity or bona fides.

There is some force in most of these arguments. Most of us are going to have to submit to more intrusive proof of identity – biometric data rather than a simple photograph - to get or renew our passports, not least since the Americans are insisting on it. So as passports are going to be a lot more expensive anyway, why not combine the cost with an official ID card for other purposes. And it would clearly be simpler for the immigration and social security authorities to check on the identity of applicants and claimants if they could insist on a more secure and unchangeable document and thus avoid the same person adopting a different identity for different purposes.

Even a brief look at the latest version of the Identity Cards Bill, currently before Parliament, must raise much more serious concerns. To begin with the amount of data that will be recorded on your ID card and kept in the proposed National Identity Register seems to be completely open-ended. The Secretary of State is to be given a power to add anything to the currently listed items, which include all the places you have ever lived and every occasion on which your identity was checked. The only requirement is that it would be 'for the purpose of securing the efficient and effective provision of public services' as well as for the prevention of crime and the enforcement of immigration controls or unauthorised working. Despite the Government's claims that there is to be no compulsion to have or carry an

ID card there is also to be a power to subject any prescribed group of people to compulsory registration. And though there is a provision prohibiting any requirement to produce or carry an ID card, there is a further power to introduce regulations making production a condition of any public service.

There will also be penalties. As might be expected, it will be a criminal offence to provide false information in connection with the Register or an ID Card. But it will also be a civil offence, which may lead to a fine of £1,000, not to provide prescribed information or not to correct it after a change in circumstances.

And so it goes on. This Bill is not about providing us all with a simple and secure identity card. It is about an open-ended system for the collection and recording of a huge amount of information on all of us which will then be available to anybody involved in the provision of any public service. The costs, as many have pointed out, will be huge. And the risks of computer error or failure and all the problems that that has caused in other government systems will be even greater. Welcome to Big Brother writ large, but in very small print..

**Tom Hadden  
School of Law  
Queen's University Belfast**

The **Centre for Public Policy Seminars** is organising a seminar entitled

***"Effectively tackling Hate Crime - defeating crime based on sectarianism, race, homophobia and vulnerability"***

The event will be held on **27th October** in the **Stormont Hotel, Belfast**. Speakers include Belfast City Council, CAJ, NICEM, Northern Ireland Office, Mencap, PSNI and Rainbow Project.

For full details and registration form, contact CPPS on 01422 845004 or visit [www.cppseminars.org.uk](http://www.cppseminars.org.uk)

# Shoot to Kill?

**Recent developments in London with the shooting to death of Brazilian Jean Charles de Menezes have brought back to legal and political attention worrying issues about a shoot-to-kill policy or practice in the UK that we thought long discredited. A few "Questions and Answers" might be helpful in sorting through the conflicting media accounts.**

**Q. Can the police ever shoot to kill?**

**A.** Yes, a police officer is legally authorised to use force, including lethal force, but only ever in very carefully and legally defined circumstances.

**Q. In what circumstances can a police officer use lethal force?**

**A.** The circumstances in which lethal force can be used are well articulated in domestic and international law - for example the ECHR sets out a standard of "absolute necessity".

**Q. Why is the police use of lethal force a cause of such concern?**

**A.** The state, and its agents, have no more fundamental duty than to provide security of person to all those within its jurisdiction. Accordingly, any incident where the state (via its agents, the police) determines to actively take a life, even purportedly to protect the lives of others, must be guarded against, and scrutinised against the relevant domestic and international standards.

**Q. Can government institute a shoot-to-kill policy?**

**A.** No. Individual circumstances may require a police officer in clearly defined circumstances (and this applies to every specific decision to use potentially lethal force) to shoot which may as an unintended consequence lead to the death of a person, but this does not amount to the development of a formal shoot-to-kill policy. International human rights standards do not allow governments to institute policies giving advance blanket authorisation to state officials to employ lethal force – quite the reverse.

**Q. What policy questions should be asked about the recent "shoot-to-kill" incident in London?**

**A.** Lots! It will be vital for the appropriate authorities to consider many troubling policy issues. For example, there is a suggestion that government was 'made aware' of a shoot-to-kill policy for suicide bombers three years ago. Is this true? If so, at what level of government was this policy authorised, and when; was parliament involved; were the policing oversight bodies involved; did the police institute this move or did government; why was the policy not made public, why is it still not public, and indeed why does it conflict with the only guidelines that are in the public

domain about the police use of force (issued in January 2003)? In response to media questions the Home Office has indicated that new police guidelines, issued in February 2005, authorise officers to shoot in the head, instead of the torso, if they are trying to stop a suspected terrorist from detonating a bomb. These guidelines have apparently been disseminated to all police forces by the Association of Chief Police Officers (presumably including the PSNI?), but appear to have been largely unknown beyond policing circles. Even more worryingly, a Home Office spokesperson was quoted in the media as saying "ministers are not required to approve such changes, which are entirely operational matters for the police".

**Q. What practical questions arise?**

**A.** Again, lots! Which set of guidelines (new or old) have firearms officers been using for training purposes? Who authorised this particular action in London; what happened in terms of surveillance, communications between different teams of officers, communications generally, and the multiple issues around the misinformation that appears to have been put into the public domain in the wake of the killing? Media speculation has been fuelled by confusing – and often contradictory – positions being espoused by politicians, the Metropolitan Commissioner, different members of the Independent Police Complaints Commission and the Metropolitan Police Authority. Hopefully final recommendations will also clarify some of the responsibilities at this level and not focus only on the role played by individual police officers on the day. This is critical for any finding of administrative practice to be sustained at the European Court of Human Rights.

**Q. What is the learning from Northern Ireland?**

**A.** The European Court of Human Rights has made a series of rulings on the state's duty to protect the right to life as a result of Northern Ireland cases brought to their attention (see for example McCann and Others, Kelly and Others, Hugh Jordan, and Shanaghan v UK). There are at least two lessons to be learnt from this experience. Firstly, that the right to life is viewed as an absolutely fundamental and non-derogable right and that the Court will require very stringent standards of compliance. Secondly, that the state has a pro-active obligation to safeguard the right to life and that this requires both preventive and retrospective measures. A state must seek to avoid unlawful killing by state agents by virtue of adequate training, guidelines for the use of force, clear lines of accountability, and ensuring effective operational planning measures. When a killing does take place the lawfulness or otherwise of the action must be rigorously examined by way of an investigation that is independent, effective, prompt and transparent.

*CAJ will be seeking to find out whether the PSNI have adopted the new guidelines and what role if any the Policing Board played in any such change. For further information on article 2 see NIHRC guide recently reviewed in Just News – [www.nihrc.org](http://www.nihrc.org)*

## Civil Liberties Diary

**August 2** The British government announced moves towards demilitarisation including the dismantling of several army bases, most notably on the Divis Street Tower.

Civil liberties groups and human rights lawyers demanded that the Attorney General issue an urgent warning to the British press about reporting of the arrest of the four suspects in connection with the failed July 21<sup>st</sup> bomb attacks on London. It was felt some headlines might prejudice the men's right to a fair trial.

A dossier on loyalist paramilitary murders at the centre of allegations of police collusion has been sent to the UN and US Congress. The report compiled by campaigners into the killing of Ray McCord names the men suspected of beating him to death. Jane Winter, Director of British Irish Rights Watch, which prepared the file, insisted an inquiry into the 1997 murder should take place.

**August 3** A major shake up of the Policing Board was been postponed for twelve months. Board Chairman Desmond Rea and his deputy Dennis Bradley will continue to chair the nineteen member board.

A report shows crimes motivated by religious hatred have risen by 600% in the month since the July 7<sup>th</sup> bombings in London.

Following a UN report on endemic violence against Irish women the Department of Justice published conclusions acknowledging advances that have been made in

recent years but also showing concern over the prevalence of violence against women, the low prosecution and conviction rates and the high withdrawal of complaints.

**August 5** A survey in the Republic has revealed that one in ten adults has suffered some form of discrimination in the last two years. This holds true for unemployed people, non nationals, non catholics, disabled people and young people.

**August 10** Tony Blair was criticised for confirming that the government is considering secret, judge only, courts to deal with terror suspects in Britain while abolishing the use of Diplock courts in Northern Ireland.

Three Irish women who had abortions in Britain over the past year are taking Ireland to the European Court of Human Rights for failing to allow their pregnancies to be terminated in the state. They claim the exceptionally restrictive nature of Irish law on abortion jeopardises their health and well being. The Irish Family Association is supporting the case.

**August 12** Lord Falconer announced plans to push through legislation that would for the first time tell judges how to interpret the Human Rights Act. It is hoped this will assist the British government's tough new deportation policy.

**August 15** Two British army weapons used to shoot civilians on Bloody Sunday were found despite claims that they were destroyed. They were discovered in Beirut and America.

**August 17** The Police Ombudsman is to investigate claims about PSNI behaviour towards Apprentice Boys during a disturbance in Dunmurry.

**August 22** A loyalist band parade through Rasharkin, Co. Antrim is to be reported for allegedly breaching Parades guidelines.

New facilities have been provided for gay officers in the PSNI in a bid to bring the force into line with those in Britain.

**August 25** Manfred Novak, the UN Human Rights Commission's special investigator on torture has threatened to cite Britain for violation of its international obligations over its planned deportations of alleged terrorist suspects.

**August 26** Police have arrested three dozen foreign nationals in Northern Ireland as part of a clampdown on illegal immigrants.

*Compiled by Mark Bassett from various newspapers.*



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

**Just News** is published by the Committee on the Administration of Justice Ltd. Correspondence should be addressed to the Editor, **Fionnuala Ni Aolain**, CAJ Ltd.

45/47 Donegall Street, Belfast BT1 2BR  
Phone (028) 9096 1122

Fax: (028) 9024 6706

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