

**IHF FOCUS: Freedom of expression and the media; judicial system and independence of the judiciary; fair trial and detainees' rights; homosexuals' rights; xenophobia and racial discrimination; protection of asylum seekers and immigrants; terrorism; Northern Ireland; human rights defenders.**

The coming into force of the Human Rights Act 1998 in October brought fundamental changes to the legal landscape in the UK by incorporating the European Convention on Human Rights (ECHR) into UK law, creating a number of rights related to the right to life, prohibitions of slavery, forced labour and torture, and the right to freedom of expression and to receive a fair trial.

Concerns were raised about the fact that no one was charged in the March 1999 murder of human rights lawyer Rosemary Nelson and because the Independent Commission for Police Complaints decided not to take disciplinary action against any of the officers charged with harassing Nelson. Human rights groups and Nelson's relatives all pushed for an independent inquiry into the murder. Similar concerns were raised with regard to the death of Robert Hamill, who was brutally attacked by a loyalist mob in April 1997.

The issues surrounding asylum seekers and immigrants came under considerable scrutiny, fuelled in part by the finding of 58 Chinese asylum seekers at Dover in June.

### **Freedom of Expression and the Media**

#### Freedom of Expression

ARTICLE 19 and Liberty stated that "The European Convention on Human Rights has been incorporated into domestic law via the Human Rights Act 1998, which came into force in October 2000. It will fundamentally change the legal landscape. The right to freedom of expression will cease to be defined purely by common law rules [...]. It will itself be established by statute."<sup>1</sup> There are mixed opinions on the effect incorporation will have though. The Human Rights Act adopts a "weak" form of

incorporation in that the higher courts in the UK do not have the power to strike down legislation that is seen to be incompatible with the ECHR, they are allowed only to issue a "declaration of incompatibility".<sup>2</sup> Then it is up to the Government to make a change if it thinks fit. The Lord Chancellor, Lord Irvine, has been at pains to stress that the Government will not always respond to a negative view by the courts with legislation.

On 22 June, at the concluding session of the Europe Media Forum on "Press, Power and Politics" - sponsored by The Freedom Forum and held at the headquarters of the Financial Times - British journalists' expressed their concerns about governmental actions, which they say threatened freedom of the press formed an important part of the discussion. Among them were moves by the Government to monitor e-mail messages and Web browsing (encapsulated in the Regulation of Investigatory Powers Act 2000)<sup>3</sup>; seize news photos of demonstrations; influence a TV broadcaster, Independent Television News, to return one of its news bulletins to the 10 p.m. slot it occupied originally.<sup>4</sup> Furthermore, the judiciary have allowed a libel case against a U.S. magazine with a very small circulation in Great Britain.

A report published by ARTICLE 19 and Liberty described "The UK's disregard for the public interest and preference for gagging and suppression of information over accountability and democratic scrutiny" as an international disgrace. Since taking office, the Labour Government has spent thousands of pounds pursuing more than a dozen individuals and publications in connection with allegations of incompetence or wrongdoing by the security and intelligence services.

### Freedom of the Media

*The Guardian* said in an article in May 2000 that Britain's M15 intelligence service "is reported to be building a new 25 million pound surveillance system ... to monitor e-mails and other Internet messages sent and received in Britain". That report followed a London judge's order that *The Guardian* and its sister *Observer* newspaper hand over any e-mails or notes pertaining to a whistle blowing former M15 security officer, David Shayler. The newspapers appealed against the ruling. This appeal was allowed on 21 July.<sup>5</sup> The trial of David Shayler for breaching the Official Secrets Act was due to begin on 23 April 2001.<sup>6</sup>

The Regulation of Investigatory Powers Act 2000 has been heavily criticised by civil liberties groups. Liberty stated that "the Bill will require some significant changes if it is to comply with human rights standards. All warrants for intrusive surveillance should be authorised by a judge, not a politician, and certainly not by the police themselves. The powers relating to the seizure and decoding of encrypted electronic data are particularly controversial as they risk reversing the burden of proof."<sup>7</sup>

Janet Street-Porter, editor of the *Independent on Sunday*, said they are "looking at ways of [...] receiving information in different forms".

A libel case involving a U.S. publication was brought by Boris Berezovsky, a one time associate of former Russian President Boris Yeltsin, and Nikolai Glouchkov, managing director of the Aeroflot airline. The House of Lords ruled recently that the Russian businessman could sue *Forbes* magazine in the English courts even though fewer than 2000 copies of the magazine were sold in England.

Alan Rusbridger, editor of *The Guardian* newspaper said the House of Lords in October 1999 sided with *The Sunday Times* in a libel action brought by former Irish Prime Minister Albert Reynolds. That decision might give the press some protec-

tion when commenting on matters of public interest.

On the day of the forum the London newspapers ran front page stories about the Independent Television Commission's efforts to encourage the ITV network to give up its 11 p.m. news bulletin and return to the 10 o'clock slot, the time the news bulletin occupied for three decades until March of 1999. It is clear that the Government were very much involved in trying to influence the debate in favour of such a move.<sup>8</sup>

There was considerable debate in 2000 about the right to privacy being more solidly founded in UK Law following the bringing into force of the provisions of the Human Rights Act 1998. This centred on the interplay between Article 8 of the ECHR, which guarantees the right to a private life, and Article 11, which guarantees the right to freedom of expression. Neither right is absolute and can be qualified in certain circumstances such as in the interests of public order. On 22 December, a judgment in the case of actress Catherine Zeta Jones' wedding photos was hailed by media lawyers as a "step in the direction of establishing a privacy law in the UK".<sup>9</sup> The judges in the Court of Appeal stated that celebrities as much as ordinary members of the public had a right to seek damages if their privacy was invaded.

### Harassment of Journalists

Andrew Puddephatt, Executive Director of Article 19, and John Wadham, Director of Liberty, said: "There is a clear pattern of official harassment of those coming forward with embarrassing information on the activities and conduct of the security and intelligence services. David Shayler, Richard Tomlinson, Martin Ingrams, Nigel Wylde, Liam Clarke, Tony Geraghty, Martin Bright, Julie-Ann Davies, Ed Moloney and James Steen are currently or have recently been subject to injunctions and/or threats of imprisonment."<sup>10</sup>

According to ARTICLE 19 and Liberty, "a raft of mechanisms has been invoked by

successive U.K. Governments to suppress information, obtain documents, compel disclosure of sources and trace and punish those responsible for disclosures. Among these are injunctions, production orders, confidentiality clauses and contempt of court laws which can and have resulted in gagging orders, fines and prison sentences for public servants and journalists who use protected information to publicize documents and allegations relating to official incompetence, illegality or wrongdoing.<sup>11</sup>

### Judicial System and Independence of the Judiciary

ARTICLE 19 and Liberty published a report about freedom of expression and national security in the United Kingdom. They also drew attention to the lack of effective judicial scrutiny in the UK.

"It is essential that restrictions on freedom of expression, including for reasons of national security, be subject to effective oversight by the courts. To fulfil this function it is necessary for the judiciary to be able to decide whether, in fact, national security is threatened. In Britain the right to effective review is undermined by the limited scope of judicial oversight and the lack of any clear statutory guidelines for examining what national security covers."

It is expected that the Human Rights Act 1998 will increase the powers of the courts in judicial review proceedings in cases which allege breach of the ECHR. It has been commented that the reach of judicial review is being expanded more and more to include the ground of proportionality (common in the jurisprudence of the EU and the European Court of Human Rights itself) which does involve an analysis of the substantive (rather than just procedural) nature of the decision of a public body which is under challenge.<sup>12</sup> As the Home Secretary, Jack Straw, said "The Human Rights Act 1998 is the most significant statement of human rights in domestic law since the 1689 Bill of Rights. It will strengthen representative and democratic gov-

ernment. It will do so by enabling people to challenge more easily actions of the State if they fail to match the standards set by the European Convention on Human Rights".<sup>13</sup>

### Fair Trial and Detainees' Rights

The Sunday tabloid *The News of the World*, Britain's best-selling newspaper and part of Rupert Murdoch's News International stable, published names, pictures and details of dozens of convicted paedophiles in June in an effort to push the Government into giving the public access to a register of offenders.

Although the campaign was suspended because of concentrating on the abduction and murder in June of eight-year-old Sarah Payne, hundreds of protesters took to the streets of a housing estate in the southern town of Portsmouth to harass suspected paedophiles. The protests turned violent night after night, and four families not connected with paedophiles asked to be rehoused. British newspapers reported that two men charged with child sex offences had killed themselves, one of them after being targeted by vigilante violence. One of them, James White (54), took an overdose of sleeping pills at the weekend after he and his wife had spent days on the run. London's *Evening Standard* said millionaire motorcycle dealer John Potter shot himself rather than face police questioning over an indecent assault on two 15-year-olds.

Labour MP Robin Corbett urged the Government to prosecute the tabloid *News of the World* for inciting mob violence against suspected paedophiles. Professionals said "naming and shaming" of paedophiles put potential victims in greater danger.<sup>14</sup> Clearly it was also an example of trial by media where none of the safeguards of a trial in the judicial arena applied. There have been cases of people accused of being paedophiles where this has not been the case.

Tory leader William Hague called for a series of tougher penalties, including the

extension of the use of life terms for repeat offenders. He also said paedophiles should be restricted from living near their victims and should be under tighter supervision, including electric tagging. He suggested Britons convicted of sex crimes abroad be made to sign the offenders' register on their return.

In June the Government set up a working party to review the operation of the sex offenders' register. They were expected to make recommendations in December 2000, with public consultation early 2001.

At another public consultation proposals were made to extend life sentences by expanding the definition of rape and redefining the most serious sexual assaults. Results of this were due out in March 2001.

Shadow Chancellor Michael Portillo urged the Government to introduce amendments to the Criminal Justice and Courts Bill, currently going through Parliament, to enact at least some of Hague's suggestions.<sup>15</sup>

It is expected that the introduction of the Human Rights Act, which enshrines the right to a fair trial in Article 6, will lead to changes in procedure both as regards the police and the judicial system.

◆ In May the court ruled that an Asian man was denied a fair trial when the judge refused to discharge the jury when a racist remark was made by a juror.<sup>16</sup>

◆ In the Strasbourg case of *Condrón v. UK*, the European Court of Human Rights ruled that two drug addicts who refused to answer questions in the police station were denied a fair trial. Furthermore, as far as judicial procedure is concerned, the ruling means "that the appeal court can no longer follow its longstanding practice of putting itself in the jury's place and deciding that the judge's error would have made no difference to the verdict. If the judge's directions to the jury are not adequate, the appeal court cannot correct them but must quash the conviction."<sup>17</sup>

◆ In September the European Court of Human Rights ruled unfair the trial of the three businessmen convicted 10 years ago of taking part in an illegal share support operation with the former Guinness chairman Ernest Saunders. Here, once again, investigative procedures were criticised, this time in relation to the Department of Trade and Industry inspectors. The main aspect criticised was the fact that the men were impelled by statute to answer the questions.

### Homosexuals' Rights

Section 28, brought in by the Thatcher administration in 1988, was designed to prevent local authorities from intentionally promoting homosexuality, publishing material with the intention, or promoting the teaching in their schools of the acceptability of homosexuality as a family relationship.

The Government was committed to repealing the clause because it believed that section 28 "causes confusion and creates a climate that may encourage discrimination and discourage schools from developing sensible policies to tackle homophobic bullying." They also argued that the law was badly drafted.

Repealing the law has proved highly troublesome. In Scotland, the Scottish Parliament repealed the clause despite a privately funded referendum, which found a massive majority in favour of its retention. In England and Wales, a local government bill, which included repeal among its measures, was blocked by a coalition of Tories and church leaders in the House of Lords. To pacify them, David Blunkett amended the learning and skills bill to provide legislative guidance for schools on the sanctity of marriage. Opponents in the upper house once again blocked repeal.

The Conservatives remained opposed to repeal, and Church leaders also fought to keep the law. The Government has made clear that it remains committed to repeal, but when this will happen is uncertain.<sup>18</sup>

◆ In July, the European Court of Human Rights awarded damages to four former

members of the British armed forces who were dismissed for being homosexual in the cases of Lustig-Prean and Beckett v. the United Kingdom, and Smith and Grady v. the United Kingdom.<sup>19</sup>

The ban on gays serving in the military was lifted in January after the European Court of Human Rights ruled it unlawful. A Ministry of Defence Report in November confirmed that the lifting of the ban had had no adverse effects on morale or recruitment.

### **Xenophobia and Racial Discrimination**

British officials were appearing before the Geneva-based UN Committee on the Elimination of Racial Discrimination, which reviews States' compliance with the International Convention on the Elimination of All Forms of Racial Discrimination.

As the Committee met in Geneva, a group of 29 British human rights and ethnic minority groups issued a statement saying that Britain's revised asylum legislation had "created racial tensions rather than racial harmony."

The issue of racism came to the fore in Britain in 2000 when an inquiry concluded that institutional racism had led to the failure of police officers to convict the killers of black teenager Stephen Lawrence. Sarah Marshall, the head of the race equality unit at the Home Office, said Britain's Government had learnt from the murder of Lawrence by a gang of white youths.<sup>20</sup> Marshall told the UN Committee that Britain was working towards a "more proactive policy" to integrate refugees. "There have been incidents of friction between local communities and groups of locally housed asylum seekers, and the tone of some debate around asylum has led, we recognise, to incidents of racial harassment against settled minority communities," said Marshall.<sup>21</sup>

Dover is being torn apart by the presence of 700 asylum seekers and 1,400 of the port's 30,000 residents have signed a petition to protest against Kent County

Council's decision to add £3 to the council tax to pay for the upkeep of the refugees.

Reason number nine (in the petition explaining why refugees should be sent back) claimed that the local hospital had advised that should anyone have "any blood contact with these people, then medical help is of the utmost importance." Reason number 13 read: "Pregnant refugee mothers only want brand new equipment for their new offspring. Are these infants now entitled to hold a British passport to insist now that they have been born in our local hospitals?" Reason number 21 read: "No medical checks on refugees, with the knowledge of their promiscuity and selling sex for money, who is to answer for the epidemic of venereal disease that will undoubtedly become rife."<sup>22</sup>

Throughout the year 2000 police have been investigating a series of violent attacks on asylum seekers in Hull. One person has been stabbed, and another lost an eye when he was hit with a stone.

There are more than 600 asylum seekers in the city - many had already been moved on from Ken - after demonstrations against them there. The problem seems to be that Hull had no real ethnic presence before the arrival of the asylum seekers and the problem of racism seemed to be more acute in such areas. Furthermore there was not the support infrastructure to help the asylum seekers integrate themselves into society. This was one of the problems associated with the dispersal system introduced by the new legislation, the Immigration and Asylum Act 1999. Many people were placed in a certain area and then found that there is no support for someone of their ethnic background so they returned to places such as London where this could be found. An Audit Commission report in June reported that the dispersal system was in danger of breaking down precisely for this reason.<sup>23</sup>

The Chairman of the National Union of Refugee Councils, Mike Rahmen, said that asylum seekers "were very worried about their treatment."<sup>24</sup>

A dossier prepared by Dover against Racism listed over 20 attacks in the past year. Some victims were too scared to speak even with anonymity, while others, under the dispersal system, had left the area. PC Norman Liggins, community officer of the United Reform Church, said much of the violence asylum seekers faced was not reported.

- ◆ Roma asylum seeker from the Czech Republic said that the main feeling they experienced with her family was a lack of basic dignity.
- ◆ Farid Kohistani (26) from Afghanistan, was attacked and said that every day he was verbally abused.
- ◆ Marcel Malik (25), a Czech Roma who fled after repeated attacks by skinhead gangs, was assaulted twice. His girlfriend's mother, a Rom, was also attacked in another incident where she was kicked by a male neighbour while on the ground.

The furore over asylum seekers in sections of the press, mirroring the mood among some in Dover, produced more than just anti-refugee rhetoric.

Home Secretary Jack Straw claimed "the UN Committee on the Elimination of Racial Discrimination announced its findings without giving a copy of its report to the British Government." He also said the UN Committee had ignored some steps Britain had taken to toughen up laws against racist attacks.<sup>25</sup>

Straw explained "the rise in reported racists incidents was due to increased confidence in police to follow them up. Laws against racists attacks had been toughened and legislation to strengthen laws on race relations had been put before parliament."<sup>26</sup>

### Racism

The UK Government was accused by civil rights groups of giving comfort to racists, as a group of 28 organisations, including Liberty and the Refugee Council, handed a dossier to the United Nations on

the human rights record of the Government. The group said that "black people were not being sufficiently protected from the police or in the work place". Turning to the Government's record on asylum and immigration, the group accused the Government of "giving comfort to racists." But the Home Office insisted that tackling racism was a "priority".<sup>27</sup>

The campaigners also point out that black people were six times more likely to be stopped and searched by police, were over-represented in the jail population and often received longer jail sentences than those given to whites or Asians.

The report highlighted an increase in racial attacks over recent years, with surveys suggesting that 40 percent of Britain's ethnic minority community had suffered harassment.

Other areas of discrimination included, it said, education, with black pupils more likely to face exclusion from schools, and discrimination in the work place.

There were few black MPs and no members from ethnic minorities in the Scottish Parliament or the Welsh Assembly.

Many argued that the Government's policies on immigration and asylum were leading to a racist backlash in the popular press, which was hindering progress. A Home Office spokeswoman said: "The Government has made no secret of the fact that all public services, including government departments, can and should do more to promote racial equality and tackle discrimination."<sup>28</sup>

### **Protection of Asylum Seekers and Immigrants**

According to an article in *The Guardian*, since 1997 the average wait to get a decision on an asylum application had dropped from two years to 13 months; between December 1999 and February 2000, an average 825 applications a month were received from Serbia, Montenegro and Kosovo (the Federal Republic of Yugoslavia), and 575 applications a month from Sri Lanka.<sup>29</sup>

In April 2000, Chinese immigrants were the second largest group applying to remain in the UK. They represented 455 of the 5,890 applications received and were outnumbered only by 535 people applying for asylum from Sri Lanka.<sup>30</sup> Experts, reflecting on an incident which happened in June, said there is a clear pattern of a growing, highly organised international trade in illegal immigrants.

◆ In June 58 Chinese asylum seekers were found dead by customs officers in a lorry. They are believed to have suffocated to death, since the refrigeration unit was switched off and it was the hottest day of the year. Only two of them survived.

This case perhaps made people more aware of the lengths people will go to seek asylum and the fact that they are not, as is claimed often by the popular press, just economic migrants. The trial of the lorry driver is taking place as this is being written.<sup>31</sup>

◆ According to police reports, 21 illegal immigrants, believed to be from Kosovo (including 10 children) were found hidden in the back of a lorry at Heathrow airport. The group was held at the asylum seekers' refuge at the airport.<sup>32</sup>

It seemed that the United Kingdom had taken a tougher approach on immigration issues recently amid fears that the country may be a soft touch for refugees. Among the new initiatives included harsh new fines for anyone caught sneaking in refugees and the creation of detention centres to hold some applicants while their cases were being considered.<sup>33</sup>

The Government faced claims that recently introduced financial penalties for smugglers did not deter racketeers in China and Russia who orchestrated the trade.

Jack Straw opened talks with the Chinese Government on sending back more than 400 Chinese asylum seekers who arrived in Britain each month. But refusal of the Beijing Government to take back Chinese nationals who had destroyed their documents blocked attempts by the

immigration authorities to remove hundreds of failed Chinese asylum seekers from Britain. He also made clear that most of the 1,900 Kosovo Albanians who came to Britain in 1999 under the United Nations temporary protection programme were unlikely to be allowed to stay much longer. So far about two-thirds were asked to stay longer on compassionate grounds and the rest had applied for asylum, saying their fear persecution if they were sent back to Kosovo.

"It appeared that overwhelmingly these people had no basis whatsoever for asylum and they needed to go back," Jack Straw said, adding that exceptions would be made only for those who, for example, faced serious medical problems. People would be physically removed from the country if that was necessary, he warned in June.<sup>34</sup>

◆ One out of 30 Afghan asylum seekers who arrived in Britain on a hijacked plane won an appeal against the Home Secretary's decision to send him home. The other 29 were refused asylum and had their appeals dismissed during 10 weeks of hearings in London. Those whose appeals were dismissed were likely to make further appeals to the Immigration Appeals Tribunal.

The aspect of the treatment of asylum seekers which has been most heavily criticised was the introduction of the new voucher scheme of support. These could only be spent in certain shops and no change was allowed. This meant, for example, that was someone desperately needs something for £1 but only had a £20 voucher, the shop kept the change. Indeed the company that ran the system promoted the scheme as a money-making opportunity.

There were calls from trade unions, especially Bill Morris of the Transport and General Workers Union, to end the scheme which stigmatised asylum seekers. Indeed some shops set up separate queues for those with such vouchers.<sup>35</sup> Some shops,

such as Safeways, refused to take part and the charity Oxfam was organising a campaign on this issue, in particular in relation to the issue of change.<sup>36</sup>

### Terrorism

The Terrorism Act 2000, which came into force on 19 February 2001, provides for “permanent UK-wide anti-terrorist legislation” (to replace the existing, separate pieces of temporary legislation for Northern Ireland and Great Britain); a new definition of terrorism, which will apply to all types of terrorism; new powers to seize suspected terrorist cash at borders; a new offence of inciting terrorist acts abroad from within the UK; new judicial arrangements for extensions of detention (as opposed to Ministerial arrangements), enabling the UK to lift its derogations under the ECHR and the ICCPR; and special offences relating to training for terrorist activities.

Since the Act received royal assent on 21 July 2000, three new UK-wide Codes of practice governing the day-to-day operation of the Act have been produced. Two Codes of Practice have been brought into force in Northern Ireland only; these govern the exercise by police officers of powers conferred under the Act and the sound and vision recording of police interviews.<sup>37</sup>

### Northern Ireland

The Bloody Sunday Inquiry – a public inquiry into the killing of fourteen civil rights demonstrators by the British army in Northern Ireland 28 years ago – opened in March. A previous inquiry shortly after the killings cleared the army of responsibility – a result bitterly contested by the bereaved families. In his opening statement, one of the senior judges Christopher Clark said it would be difficult to overestimate the importance of the hearing, but admitted it would be a daunting task to discover the truth.<sup>38</sup>

In June, a statement from Greater Belfast Coroner John Leckey said he had

regrettably decided not to hold an inquest into the death of Robert Hamill, who died 12 days after being beaten and kicked by a loyalist gang in an unprovoked attack in the centre of Portadown in April 1997, due to concern for the safety of certain witnesses. “He is satisfied their lives would be placed in danger in their evidence were to be given at, or placed in documentary form before an inquest,” said the statement. “The coroner believes that if an inquest were to be held without the evidence of these witnesses a seriously incomplete account of the circumstances of Mr. Hamill’s death would be given, which would not add materially to the evidence already in the public domain.” The statement added, however, that “the circumstances surrounding Mr. Hamill’s death are profoundly disturbing and but for the consideration mentioned would undoubtedly require that an inquest should be held.”

Murder charges against one man, Paul Rodney Marc Hobson, were dropped in March last year but he was sentenced to four years for his part in causing a public affray. Charges against five others were withdrawn due to lack of evidence.<sup>39</sup>

In June, Irish Prime Minister Bertie Ahern called for an independent judicial inquiry into the murder, backing the call by human rights groups and Hamill’s relatives.

### Human Rights Defenders

In January, the Director of Public Prosecutors decided not to prosecute members of the Royal Ulster Constabulary over allegations that they made death threats to Rosemary Nelson, a human rights lawyer that was killed by a loyalist paramilitary car bomb in County Armagh in March 1999. The announcement prompted renewed calls for a full judicial inquiry into the circumstances surrounding Nelson’s death, which were supported by two ministers from the Northern Ireland executive.<sup>40</sup> Irish Prime Minister Bertie Ahern has also backed the calls from Nelson’s relatives, stating that “it is essential that the truth be established



in a manner which will command the confidence of the whole community".<sup>41</sup>

In March, an open letter from Nelson's family and a petition containing approximately 100,000 signatures were handed over to UK Prime Minister Tony Blair. The petition, which was presented at Downing Street, contained fresh appeals for an international investigation into the killing. Downing Street, however, defended the investigation into the murder, stating that "decisive and effective" action was being taken. Professor Brice Dickson, head of the Human Rights Commission, said he believed an independent inquiry into the murder would almost certainly be necessary.<sup>42</sup>

In May, two people arrested in connection with Nelson's murder were released without charge after being detained in Portadown and questioned at Gough barracks in Armagh city. The pair were also quizzed about other terrorist offences.<sup>43</sup>

In May, the Independent Commission for Police Complaints (ICPC) decided that police officers alleged to have threatened Nelson would not face any internal disciplinary proceedings. The ICPC wrote to the Nelson family explaining their decision, stating "there was insufficient evidence" to support a disciplinary procedure against the officers alleged to have been involved.<sup>44</sup>

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## Endnotes

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- <sup>3</sup> [www.homeoffice.gov.uk/ripa/ripact.htm](http://www.homeoffice.gov.uk/ripa/ripact.htm)
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- <sup>8</sup> The Freedom Forum Online, op. cit.
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- <sup>12</sup> De Smith, Woolf and Jowells, *Principles of Judicial Review*, 1999, p 502.
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- <sup>18</sup> *The Guardian*, 25 January 2000.
- <sup>19</sup> See judgments of the European Court of Human Rights, [www.echr.coe.int](http://www.echr.coe.int), July 2000.
- <sup>20</sup> [www.blink.org.uk/campaign/stevelaw/slmain.htm](http://www.blink.org.uk/campaign/stevelaw/slmain.htm)
- <sup>21</sup> "Britain in the Dock before UN Anti-racism Body," [www.uk.news.yahoo.com](http://www.uk.news.yahoo.com), 14 August 2000.
- <sup>22</sup> *The Guardian*, "Dover, No Port in a Storm for Refugees," 28 March 2000.
- <sup>23</sup> [www.audit-commission.gov.uk/ac2/NR/LocalA/brasylum.htm](http://www.audit-commission.gov.uk/ac2/NR/LocalA/brasylum.htm)
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- <sup>36</sup> [www.oxfam.org.uk/campaign/cutconflict/asylum/action.htm](http://www.oxfam.org.uk/campaign/cutconflict/asylum/action.htm)
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- <sup>38</sup> BBC News, "Opening statements at 'Bloody Sunday' inquiry", 27 March 2000.
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- <sup>43</sup> Ibid, "Two Held over Nelson Death", 3 May 2000, and "Nelson Murder Suspects Released", 5 May 2000.
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