SECURITY & INTELLIGENCE

New security appointments

At the beginning of October the government announced the appointment of three new members of the Security Commission: Sir John Blelloch, KCB, Lord Lieutenant, Sir Derek Boorman, KCB and Sir Christopher Curwen, KCMG. The Security Commission was established in 1964 to investigate breaches of security and unauthorised leaks of information and to recommend any changes in procedure. There are seven members of the Security Commission from which three or four are usually chosen to form a panel to investigate a particular breach of security.

Sir John Blelloch retired as Permanent Under Secretary of State at the Northern Ireland Office in 1990. Sir Derek Boorman was Chief of Intelligence at the Ministry of Defence 1985-8. Sir Christopher Curwen is listed as having ‘recently retired as a Deputy Secretary in the Cabinet Office’. In fact Sir Christopher was the Security and Intelligence Co-ordinator in the Cabinet Office. His successor in this post is Gerald Warner, a former Foreign Office official and member of the Police Complaints Authority.

Whitehall does not officially acknowledge the name of the Security and Intelligence Co-ordinator or identify the names of the heads of MI5 or MI6. The Director General of MI5 is Patrick Walker and the Chief of MI6 (the overseas intelligence agency) is Sir Colin McColl.

Downing Street press release 1.10.91; Guardian, 2.10.91.

Fifth man saga put to rest

A former KGB colonel, Yuri Modin, has confirmed that the ‘Fifth Man’ recruited by the Soviets in the 1930s was John Cairncross. The others were Kim Philby, Guy Burgess, Donald Maclean and Sir Anthony Blunt. This confirmation ends years of speculation that the ‘Fifth man’ was Sir Roger Hollis, the head of MI5 between 1956 and 1965.

Guardian, 23.9.91; Sunday Times, 22.9.91.

Dutch internal security budget

In September, the Dutch Ministry of the Interior's budget plans for 1992 were presented. The budget gives some statistics on the Dutch security service Binmenandse Veiligheidsdienst (BVD). The BVD budget (million guilders; £1=3.25 guilders): 57,962 (1990), 59,134 (1991), 61,162 (1992), 59,022 (1993). This is broken down by personnel, materials and secret allocations. The BVD computer budget is 3,190 (1990), 3,750 (1991), 4,750 (1992), 5,000 (1993) and 5,000 (1994). This compares with the costs for the police criminal intelligence computer (Herkenningsdienst) for 1992 estimated at 1.7 million guilders for development and 9.3 million for running costs. This computer stores information on an estimated 600,000 people.

The BVD intends to intensify the cooperation with its foreign counterparts. To this end, a permanent liaison officer will be stationed in Washington. Three more officers will continuously be travelling through Europe to maintain permanent contacts with other security services.


US Oversight Bill finally passed

The Intelligence Oversight Act has finally become law in the USA four years after it was introduced. First Principles comments: ‘This law is the first and probably the last reform legislation to come out of the Iran-Contra affair. While it represents a modest reform at best, it does serve to strengthen the oversight process without enhancing presidential power beyond what previously existed in law and practice’. The Act which covers covert action authorised by the President contains the following new general definition of ‘covert action’:

an activity or activities of the United States Government designed to influence political, economic, or military conditions abroad, where it is intended that the role of the United States Government will not be apparent or acknowledged publicly... (Sec. 503(e)).


Secret Services and Political Police in Modern Society

A conference on political police and covert state activity is being held at Humboldt University (former East) Berlin on Jan. 11 and 12, 1992. It is being organized by an independent society of historians, the contact is Dr Stefan Wolle, Neue Str. 1, 0-1275 Eggersdorf, Germany, tel: (0037373) resp. (025) 48306. Besides historical items such as 19th century political policing, the Gestapo, anti-fascist secret service activities 1938-1945, political justice in the FRG, and the Ochrana, it is also planned to have speakers on the KGB, Mossad, the French secret service, the British SIS, and a debate on German secret services.

Security and intelligence - new material

Dangerous Liaison: The Inside Story of the U.S.-Israeli Covert Relationship by Andrew Cockburn and Leslie Cockburn. [Harper Collins: US]; 7/91; 416 pages; ISBN: 0-06-016444-1; Index; $25.00 (hb). A tale of the cooperation between the Pentagon, CIA, and Israel's Mossad and Shin Bet from post-WWII contacts with James Angleton to the present crisis in the Gulf where, the authors
claim, ‘... arms dealers and spymasters make connections that
determine the foreign policy of governments and the course of
world history.’ The Cockburns describe Israeli arms deals with, and
anti-terrorist training, of Medellin Cartel commandos in Colombia,
Contrás in Honduras, and military squads in Guatemala. They also
discuss a once ‘secret arrangement’ by which Israelis gathered
intelligence for the CIA in Third World countries.

Break-ins, Death Threats, and the FBI: The Covert War
Against the Central America Movement by Ross Gelbspan.
-$14.00 PB, $30.00 (hb). Gelbspan focuses on the
reports of FBI employee Frank Varelli who helped infiltrate
CISPES, the organisation which opposed President Reagan's
policies in Central America. It also argues that the FBI has close
ties with right wing groups like the John Birch Society, the
Moonies, and death squad supporters in El Salvador. Gelbspan
demonstrates that the more than two hundred verified instances of
break-ins, burglaries, death threats, harassment, and arson cannot
be viewed, as many preferred, as a series of scattered horror stories;
but as a unified plot to eliminate critics and opponents of Reagan's
Central America initiatives...’ - from the introduction by Frank J
Donner. Gelbspan is a journalist who writes for the Washington
Post, Village Voice, and other newspapers.

Political Corruption: Scope and Resources - An Annotated
Bibliography by Elaine R. Johansen. [Garland: US]; 1990; 241
pages; ISBN: 0-8240-3529-1; $35.00 (hb). More than 800 citations
from over 20 years of research, 700 with full annotations -
occasionally running more than one page each. Entries cover
political corruption, legal writings, theoretical frameworks,
appellate cases, corruption in elections, business-government
corruption, public opinion, federal statutes, hearings and
government documents, state/municipal corruption, detection,
control, and correction. Mainly in U.S., but some foreign cases are
cited.

Employment, Justice and Detente: the reform of vetting,
Ian Leigh and Laurence Lustgarten. Modern Law Review, Vol 54, no 5,
September 1991, pp613-642. An important review of recent
developments in the law and practice of political and security
vetting of employees in Britain, including the application of the
European Convention of Human Rights in this field.

Operation Thunderstorm in South Africa, Top Secret, Summer

Tap Tap... Who's there? Ken Hyder, Police Review, 2.8.91,
pp1572-3.

IMMIGRATION

European onslaught on refugees

Following widespread protests against the proposals to withdraw
legal advice and assistance (‘Green Form’ legal aid) from all
immigrants, as part of the package announced in July (see
Statewatch no 4), the Home Secretary appeared to be backing
down by the end of September. Kenneth Baker told the Bar
Conference in London that green form eligibility would not be
withdrawn until other arrangements were made - a reference to the
fact that both the Home Office sponsored UKIAS and the National
Association of Citizens’ Advice Bureaux (NACAB) had refused to
take on the role of monopoly advisor. Early in October, the Lord
Chancellor agreed to meet immigration lawyers to discuss the
proposals.

But the government is still determined to crack down on refugees.
A memo leaked in late September revealed proposals from
ministers Michael Heseltine and David Mellor to a secret
ministerial meeting on asylum that Britain withdraw altogether
from the 1951 Geneva Convention, from which international
obligations towards refugees are derived, and which 103 countries
have signed. Heseltine's justification for this dramatic suggestion
was the ‘pressures on housing’ created by refugees. The Foreign
Office proposal, as an alternative ‘solution’, was to send all asylum-
seekers back to ‘international camps’ or ‘safe havens’ in their
countries of origin, in which claims could be assessed. And at the
Tory Party conference in October, Baker, Douglas Hurd and John
Major all spoke of refugees in the language of ‘tidal waves’ and
‘immigration catastrophes’ last heard from Enoch Powell in the late
60s. They were ably assisted by scaremongering stories in the Tory

Another aspect of the anti-refugee campaign by Ministers has
been the withdrawal from the Code of Guidance on Homelessness
of any mention of refugees. In the draft version, local authorities
were told to ‘consider the psychological and physical effects of
trauma suffered by refugees’. The Association of London
Authorities condemned Housing Minister George Young for
deleting this reference at the last moment for political motives. In
some London boroughs such as Westminster, refugees make up
30% of homeless people.

In Germany, the response of the main parties to the neo-nazi
pogroms on asylum-seekers was to call for a crackdown, not on
racist violence, but on refugees. Following an election in Bremen in
which immigration and asylum dominated, which resulted in the
Right taking control of the federal state previously noted for its
liberal asylum policies, the mainstream parties are playing the race
card at national level. Although there is still disagreement about
diluting or abolishing the constitutional right to asylum, the main
parties agreed on a number of immediate measures. These include
sending back all asylum-seekers who could have claimed asylum in
a neighbouring country; giving police greater powers to check the
identity of asylum-seekers; and moving asylum-seekers from hotels
and flats to ‘collection camps’ or ‘concentrated accommodation’,
where judges would be sent to decide applications on the spot,
allowing those refused asylum to be deported within six weeks of
entry. Leaving the camp would be grounds for deportation. A
number of ex-Army barracks are to be pressed into service for this
purpose. The parties also want a list of ‘non-persecuting’ countries
agreed from which no one will be able to claim asylum, and the
government will negotiate reciprocal expulsion arrangements with
Poland and Czechoslovakia which, it is said, could cut the number of
asylum-seekers by 40%. Germany’s asylum claimants run at
around 200,000 a year, of whom about half come from Eastern
Europe.

In October the French government announced harsher penalties
for employers of unauthorised workers, and the withdrawal of
family allowances from those without legal rights of residence. The
government also intends to introduce stricter checks on documents
and speedy processing of asylum claims by posting officers of the
body which decides on asylum applications in the international
zone of airports, and preventing asylum-seekers from working
while their claims are processed. In addition the government
intends to expand its voluntary repatriation programme, to ensure
that deportation orders are executed, and to introduce fines on
airlines carrying passengers without correct documents, in order to
bring it into line with countries such as Britain, Germany, Belgium and Italy. As a compensatory measure, rejected asylum-seekers who had been waiting three years for their claims to be decided are eligible for exceptional leave to stay, but the concession has been drawn too tightly to benefit more than a handful.

Sweden's new four-party coalition government, led by the Conservatives, is expected to announce a similar tightening up of measures affecting refugees. The New Democratic Party, which gained 25 seats, ran its election campaign on slogans calling for the deportation of refugees committing 'serious crimes'. Its leader agreed that 'at the moment we're creating racism'.

In this context, the European Commission's call in October to member states to take action against the 'flood of immigrants and refugees' seemed superfluous. The EC called for speedy procedures to deal with 'obviously unfounded' requests, which its member states are already falling over themselves to do. The Commission went on to demand harmonisation of procedures and criteria throughout the Community; as long as governments have different criteria and procedures for asylum, asylum-seekers confront a lottery, in which their fate is decided by the country agreeing to look at their application. The fear, however, is that in the current climate, harmonisation will lead to uniformly harsh criteria throughout the Community.

Back in Britain, the Police Federation responded to the recent flurry of anti-refugee activity by demanding a single European police data base as soon as possible, suggesting that many refugees are criminals. Its chairman, Alan Eastwood, said, 'Britain was right to resist the abolition of frontier checks ... the citizens of very poor Eastern countries are more interested in coming to the West, as economic refugees from poverty and hunger, than in staying to rebuild their own economies. When upheavals occur in another countries, the authorities there are quite willing to see their criminal elements departing for other countries.'

The move follows an experiment with 28 day remands in custody on defendants, against their will and regardless of whether they are legally represented, so long as they are over 17 years of age.

The move follows an experiment with 28 day remands in Croydon, Highbury, Nottingham and Manchester, which the Home Office claims showed that the system did not result in any significant increase in the average time spent in custody. However, this view is disputed by the Chairman of the Prison Reform Trust. In a letter of 24 October 1991 in The Independent, he states that, when the system of 28 days remands was first proposed in 1989, 'concern was expressed that this might lead to an even larger prison remand population. The experiment that has now taken place confirms that this risk is serious. In the courts concerned, average periods of remand did frequently increase.'

The Government's motives in seeking to introduce 28 day remands nationally are administrative and financial, in that it would save the expense of prison and/or police officers having to transport remand prisoners back and forth to court every week. But the move also comes at a time of growing crisis over the remand prison population, with large numbers being hold in totally unsatisfactory conditions in police cells because of a lack of prison places. This has led to recent public protests by Chief Constables.

Weekly remand appearances, even when they do not involve any substantial hearing of the case, are also vital at a time of rising concern over deaths in custody, in that they provide an opportunity for a public check on a defendant's physical and mental state. This is particularly important for those remanded in custody for psychiatric reports (often without even being convicted of a criminal offence), who because of the complete inadequacy of the Prison Medical Service are frequently left for weeks without seeing a doctor, in a state of increasing anxiety and risk of self-harm.


All available from: Refugee Forum, 54 Tavistock Place, London WC1. Add 50p per booklet for postage and packing.


LAW

28 day remands

The Government has laid draft Orders before Parliament to give powers, under the Criminal Justice Act 1988, to all courts in England and Wales to remand defendants in custody for up to 28 days at a time.

Traditionally, remands in custody from Magistrates Courts have been restricted to eight days, providing the safeguard that the authorities were required to physically produce a defendant in court at weekly intervals. The position was first eroded in the Criminal Justice Act 1982, which allowed that, so long as a defendant was legally represented and positively waived his right to a hearing they need not appear in court in person for up to 28 days.

The new Orders will now allow magistrates to impose full 28 day remands in custody on defendants, against their will and regardless of whether they are legally represented, so long as they are over 17 years of age.

The two new publications were launched by Refugee Forum on 23 October. The first, The Walls of the Fortress, describes the texts and agreements (Schengen, TREVI, the Dublin Convention etc) making up the 'walls of paper' around Europe, designed to keep out immigrants, migrants and refugees, and discussed the implications for those communities and for settled Black communities in Europe. The text of the relevant documents is set out in an Appendix.

The second booklet, Communities of Resistance First Launch Report, is a report of the first Communities of Resistance conference held in Hackney in November 1989, and an account of the development of the Communities of Resistance Network since then. The Forum has also re-issued the Communities of Resistance 1992 Information Pack, an information pack describing the effects of 1992 in all areas of life including work, social security, health, housing, voting, policing, immigration controls, and fascist groups. It also includes the Migrant and Refugee European Manifesto. The publications offer a revealing insight into the developments at the European level of measures to ensure that 'refugees and other undesirables' are kept out of Europe, and what that actually means on the ground to those affected by them.

The Walls of the Fortress: £2.50
Communities of Resistance First Launch Report: £2.00
Ethnic monitoring of judicial appointments

The Lord Chancellor, Lord MacKay of Clashfern, sensitive to charges of racism in the legal profession, announced that ethnic monitoring of judicial appointments would begin on 1 October 1991, and has appointed the chair of the Bar Race Relations Committee to work out ways of recruiting more black judges and QCs. At present there is only one black judge. Then on 12 October 1991 the Bar Council agreed proposals for an ethnic quota for all barristers' chambers. This was set at 6% (the equivalent of one barrister in an average sized chambers) and 12% pupil barristers.

The measure was not uniformly welcomed by black barristers. One, Sally Barber, said she wanted an organic, not an imposed solution, to racism at the Bar. 'I don't want to be a victim of positive discrimination', she said. But the Society of Black Lawyers threatened a boycott of the Bar Council if the measure did not get through.

Times 8.10.91; Guardian 13.10.91.

Inquest Lawyers Group

On 25 September 1991 the Inquest Lawyers' Group was launched at a public meeting attended by over 100 lawyers, families of those who have died in custody, and prison service officials. There were 49 deaths of men and boys by suicide in prisons in England and Wales in 1990. Lawyers and a bereaved parent, Mr Hills, spoke of the inhumanities and injustices of the present coroners' court system for finding out the truth behind a death. Mr Hills said that his son's suicide note was not disclosed to him in full until it was read out at the inquest. Common problems which the group resolved to tackle were the lack of a right to advance disclosure (or any disclosure) of evidence, the lack of legal aid for bereaved families, and the restrictions on verdicts which the coroner could accept.

Inquest Lawyers Group, 2 Garden Court, Temple, London EC4Y 9BL.

Law - new material


Pindown: an infringements of rights, Law Society's Gazette, no 26, 10.7.91. Looks at the report on 'pindown' in Staffordshire.


CIVIL LIBERTIES

A People's Charter

'Liberty' have published a People's Charter setting out how a Bill of Rights would remedy human rights abuses. The first part of the consultative document describes the context of the debate and the second part gives the details of a Bill of Rights.

NCCL, 21 Tabard Street, London SE1 4LA, £7.99, pp118.

Malta to adopt freedom of information

Malta is likely to become the fourth Commonwealth country to adopt freedom of information legislation. The others are Australia, Canada and New Zealand.

Malta, a British dependency until 1964, has an Official Secrets Ordinance passed in 1923 which is almost identical to the old Section 2 of the UK Official Secrets Act 1911. In the past 78 years there have been no prosecution in Malta for leaking official information.


Jury vetting

The numbers of criminal records checks on the police national computer carried out to vet jurors were:

<table>
<thead>
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<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td>1989</td>
<td>5,602</td>
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<td>4,146</td>
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</table>

Hansard, written answer, 11.6.91.

Civil liberties - new material

The following are recent publications added to the library of the National Council for Civil Liberties, 21 Tabard Street, London SE1 4LA. Tel: 071-403-3888. They are available for reference. Please make an appointment if you wish to visit - a small charge is made to non-members.


Double sentence, Committee for the Transfer of Irish Prisoners 1991, 24pp. Sets out the case for Irish political prisoners to be given the right to be transferred to prisons near their homes in the north of Ireland.


Law, liberty and Australian democracy, Beth Gaze, Melinda


The decision of the federal constitutional court of the FRG in 1983 that declared the census law unconstitutional ended a long judicial debate on the legality of intelligence gathering and data storage by police and government authorities. The court decided that the general freedoms of the individual included a right of ‘informational self determination’. This meant that like any other form of intervention into the private sphere of the individual, data collection and storage required a legal basis. This decision, which in 1983 was celebrated by civil libertarians as a victory, has become the central motivation for legalizing the police and intelligence agencies practices of using information technology and covert action.

From 1984 on the FRG saw a general wave of laws and legal proposals in the security sector. These fell into four general categories: 1) the renovation of general data protection laws; 2) laws regarding the-intelligence agencies - the domestic ‘verfassungsschutz’ (constitutional guard); the military; and foreign intelligence. The latter categories were not regulated until a law was finally passed in 1990; 3) police laws, formally subject to legislation of the Lander(regional governments), but highly inspired by the conference of the interior ministers who prepared a standard draft for a unified police code; 4) the penal procedure code, containing police powers as part of the criminal justice system, subject to federal legislation.

As in the 70s when generalized powers to stop and search at police control points were enshrined in police laws and in the penal procedural code, the executive intended a harmonization of the legislation on police powers. Regulations for data collection and processing and covert action are now virtually the same in police and penal procedure codes. These powers are as follows: general powers to collect and store personal data and to pass them on to other agencies; computer matching; notification in a police search system of purposes of covert registration (police surveillance); long time observation; use of informants; use of undercover agents; use of technical means for surveillance - from video cameras to bugging.

Traditionally police powers could be directed against suspects or persons causing a concrete danger to public security (disturbers), these new powers clearly refer to non-suspects and thus remove the traditional legal limitations on police powers. Beside the traditional judicial figures of concrete suspicion (in penal procedure) and concrete danger (in police laws) a new one was introduced: that of ‘preventive crime fighting’.

In the past police intervention had to be legitimized and documented in relation to real incidents - crimes that had occurred or were imminent. The new idea is that the police must intervene and investigate before a crime occurs. The police ‘philosophy’ of prevention has now been introduced into the legal context. Information and intelligence gathering that since the beginning of the 70s had become the backbone of police activity, now were becoming their legal basis.

Up until now five of the eleven Lander of the former FRG and all the five new Lander of the former GDR still have not renewed their police laws. Drafts for a renewed penal procedural code failed to pass parliament in 1988 and in 1989. In 1990, a third attempt was made by the Bundesrat - the chamber of the federal parliament representing the governments of the Lander. The conservative governments of Bavaria and Baden-Wurttemberg presented in March 1990 a proposal for a "law against drug trafficking and other forms of organized crime", which in its first version passed the Bundesrat in June 1990 with the votes of the majority of Social Democratic governed Landers. It could not be ratified by the Bundesrat before the general elections in December 1990. The legislative process started again with virtually the same proposal in the new session beginning in 1991 and has not yet passed the Bundesrat.

The Bill introduces new offences such as money laundering and enlarges a few others which were formerly minor offences. For a whole range of offences considered to be organized crime there will not only be a penal sanction but also a forfeiture of assets `in cases
that the circumstances let it seem reasonable’ that they have been illegally gained. The burden of proof is on the suspect not the police. Despite the appearance of being against ‘organized crime’ the new police powers can be applied in cases of ‘considerable offences’ or in cases which cover political offences (S.129a - terrorist associations), sexual offences and other forms of crimes difficult to investigate. In most of the cases the public prosecutor or a judge will have to order the police activity.

The most problematic parts of the Bill refer to technical surveillance and undercover agents. Even the Liberal partners of the Christian Democrats felt uneasy allowing the police to bug private apartments and houses and to use police undercover agents without even presenting them later in court. Under pressure from liberal politicians (who for electoral reasons wish to maintain their image as brake on the excessive demands of the executive), the Federal cabinet decided to change specific proposals of the Bill. The bugging of private rooms should only be allowed in cases when an undercover agent is about to enter private rooms and who has to be safeguarded by of technical surveillance. The cabinet decision that undercover agents should not have to reveal their identity but would have to reveal the fact that they acquired their evidence by means of infiltration has led to protests from the police.

Another Bill will be discussed in the Bundestag this autumn. An amendment of the law on foreign trade has been proposed which will allow the Customs Criminal Investigation Office to become another agency with powers to intercept telephones. Until now this was allowed to the secret services in cases of national security (regulated in the Law on Article 10 - mail and telephone secret - of the Constitution) and to the police investigating in special crimes (regulated in S.100 a penal procedural code). The power to intercept telephones will be used by Customs to conduct investigations especially against the illegal arms trade. The debate began during the Gulf war, when German enterprises were revealed to have continued business with Iraq after the start of the embargo.

Spain and Portugal join Schengen Group

On 24 June Spain and Portugal formally joined the Schengen Group by signing the 1985 Schengen Accord and the 1990 Supplementary Agreements. The other member countries are: Germany, France, Belgium, Holland and Luxembourg. The Agreement covers the abolition of border controls, co-operation on visas, immigration and policing policies. One of the primary objectives of Schengen is the abolition of border controls which the four other EC countries - UK, Denmark, Greece and Ireland - say they want to maintain. However, Greece has now asked for observer status. Although the UK government which is firmly opposed to getting rid of border controls it is holding meetings with the Schengen Group on the exchange of information.


Police chief gets suspended sentence

In August 1982, three Irish citizens, Stephen King, Michael Plunkett and Mary Reid, were arrested by a special anti-terrorist police squad in their flat in Vincennes, a Paris suburb. They were charged with possession of weapons but on 24 September 1991 a court accepted that the police had in fact planted the weapons. Among those found guilty was the police chief who is to take charge of security at the March 1992 winter Olympics. Christian Prouette received a 15 month suspended sentence for "orchestrating the whole affair", although at a court hearing last June, a Captain Barril claimed that the defence minister at the time, Charles Hernu who died in 1990, gave the go-ahead for the operation.

Irish News, 25.9.91.

Donna Maguire extradited

The Dutch Justice Ministry agreed in September to extradite Donna Maguire to Germany where she is to face questioning about an IRA bombing of a British barracks in Osnabruck which occurred in June 1989. Sean Hick and Paul Hughes were extradited from Holland to Germany in July and are being held with regard to the same incident. (see Statewatch Bulletin 4)

Human rights: Two cases currently before the European Court

In March 1991 the Commission held admissible a complaint relating to non-access to security files by their subjects. The background to the case of V v Netherlands was a raid in November 1984 by an anti-militarist group, Onkruit, on the Utrecht offices of the 450 Counter-Intelligence Detachment of the Army Intelligence Service (450-CID). The raiders found the names of 178 civilians and 64 organisations 'noted' on the planning board of the Infiltration Influencing Outline, as dangerous to the State. Fifteen of the civilians had a special red tag to indicate that they were considered 'hazardous to military mobilisation'. The files themselves were held elsewhere, and material seen by Onkruit suggested in addition that there was illegal collaboration between 450-CID and the civilian Intelligence Security Service (BVD), the Police Intelligence Service (PID) and possibly the Central Detective Intelligence Service (CRl). The information was published, and some of the named individuals requested access to the information on them in the files of 450-CID and the BVD. Ministers in charge of both departments refused to acknowledge the existence of the files. Dutch law allowed disclosure of information by public bodies to be withheld on grounds of national security. The applicants claimed a violation of their right to respect for their private life, under Article 8 of the European Convention on Human Rights, and said that the observation and registration by the security services, and the subsequent refusal to disclose the files, could not be justified by national security. The Commission declared the complaint admissible on 4 March 1991.

The second case Niemitz v Germany, declared admissible on 5 April 1990, concerned a search of a lawyer's office under a search warrant to seize documents disclosing the identity of a criminal suspect, KW, and his whereabouts, after the lawyer had refused to disclose these. The suspect was connected with a company which used the lawyers' office as a forwarding address. The Commission held admissible a complaint under Article 8 that the search was a violation of the applicant's privacy.


Europe - new material


Europe: an even closer union, David Martin MEP, Spokesman Books, 1991, pp102, £6.95 (pbk). Looks at the need for placing EC-wide Treaties under democratic control. Includes chapters on foreign policy and citizens rights.

PRISONS

Life sentences

The number of men and women receiving life sentences between 1979 and 1989 was:

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<thead>
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<td>1988</td>
<td>206</td>
<td>12</td>
</tr>
<tr>
<td>1989</td>
<td>176</td>
<td>11</td>
</tr>
</tbody>
</table>

*Hansard*, written answer, 11.6.91.

Cost of prisoners

The average cost of detaining a prisoner in a dispersal prison (where category A prisoners are usually held) is £575 per week, and that for category B training prisons is £318.

*Hansard*, written answer, 11.6.91.

Prisons - new material


NORTHERN IRELAND

Amnesty Alert

Amnesty International has for the first time issued an ‘urgent action’ notice in relation to Northern Ireland. Such a notice means that AI members worldwide are asked to contact the relevant authorities to appeal on behalf of the victim. In this case, the victim is Damien Austin (17) who alleges that the RUC ill-treated and threatened him in Castlereagh interrogation centre. Austin claims he was verbally abused, punched, slapped, and spat upon. His trousers and underpants were repeatedly pulled down, a cigarette lighter held towards his pubic hair, and death threats were made. He also claims to have been burned with a cigarette on the face. During a second detention, Austin alleges that detectives punched him in the stomach, on the arms and throat and back of the head. He further says that detectives placed boots between his legs and applied pressure to his testicles. He claims that detectives tried to choke him as well. His right ear was pulled and stitches from a previous injury burst.

In a High Court affidavit, Austin's doctor stated that he ‘examined him in detail and found evidence of severe assaults to his body. In addition to the physical injuries he appeared dazed and apprehensive ... I can confirm that Damien Austin is being subjected to severe ill-treatment and the police doctor agreed with me on this’. Austin is one of more than twenty cases of alleged ill-treatment currently being monitored by the Committee on the Administration of Justice. His detention came during the run-up to a local government bye-election in North Belfast in which his father, Joe Austin, was standing as the Sinn Fein candidate. Joe Austin was duly elected. In October Amnesty International decided to refer this case and other similar ones to the United Nations Committee on Torture.


Prison Suicides in Irish Republic

The Report of the Advisory Group on Prison Deaths in the Irish Republic was published on 10th October. The Group was established by Minister for Justice, Mr. Burke, following a number of suicides in Mountjoy prison in 1989. Between 1975 and 1990 there have been 23 suicides and 10 deaths from drug overdoses or ‘natural causes’. Comparing the suicide rate with British figures, the report points out that the Republic has double the England and Wales prison suicide rate, and a rate which is 85% higher than the Scottish one.
Most of the suicides occur during `lock-up' (8pm to 8am) and are carried out by men under the age of 25, although there have been female suicides and the Report notes `there is a relatively high level of self-mutilation among female prisoners'. Three-quarters of the recorded suicides were carried out by prisoners hanging themselves from cell window bars and the problem is evidently concentrated in Mountjoy jail, built in 1850. Remand prisoners accounted for 35% of the suicides.

The Report makes 57 recommendations. It suggests that special precautions be taken with remand prisoners, such as increasing the availability of medical staff and the eventual building of a separate remand unit. Prisoners thought to be at risk should be kept in cells without window bars. The report also complains about the overcrowding in Mountjoy, poor sanitation and the lack of prison work. Facilities for `psychiatrically disturbed' prisoners need to be developed, says the Report, in such a way that they can be accommodated in a ward setting under 24 hour observation.

Irish Times, 11.10.91.

New rifle grenades introduced

British Army units stationed in Northern Ireland have been issued with anti-tank missiles which are launched from a rifle. The new missiles, made available from 31 July, are made by the French armaments company Luchaire and are classed as a light rifle grenade. The grenade is capable of being launched from a standard issue infantry SA80 rifle, is 15 inches long and is supposed to have a range of 360 metres. The weapon was used extensively during the Gulf war on a trial basis, where it proved popular with soldiers, according to an army statement. Now it is being deployed to strengthen border units. Military sources claim that the weapon will only be used in rural areas to deter IRA attacks on border checkpoints and sentry posts. A spokesperson said, 'the purpose of the weapon is not to stop the vehicle carrying explosives but to give soldiers the ability to apply appropriate violence back. In essence, to inflict casualties on the terrorist driving it at a checkpoint.... We are hoping that the terrorists, knowing that we now have a weapon which can do them considerable damage, will be deterred from launching large bombs in lorries, vans or trailers at security bases.' No details were given regarding the rules of engagement for the grenade.

Belfast Telegraph, 29.8.91; Irish News 30.8.91

Northern Ireland Human Rights Assembly

The Northern Ireland Human Rights Assembly is being held at the Polytechnic of North London, Holloway Road, London N1 on 6-10 April 1992. There will be 12 working Commissions with each based on two or more internationally accepted treaties or resolutions such the European Convention on Human Rights. Details from: Human Rights Assembly, c/o National Council for Civil Liberties, 21 Tabard Street, London SE1 4LA.

Northern Ireland - new material


The Vale of Tears, C McCrystal, Independent on Sunday 6.10.91, pp2-5. Looks at the circumstances and community response surrounding the IRA killing of farmer Tom Oliver.

Black or Green? Protestants for a United Ireland, R McVeigh, Irish Reporter no 4, pp20-22.


The Stormont Administration 1921-72, J A Oliver, Contemporary Record, Vol 5 (1), pp71-104.

Morality Play, B Rolston, Chartist, Autumn 1991, p7. Deals with the controversy surrounding sanctuary in Newry Cathedral.

In Whose Name? Britain's denial of peace in Ireland, Troops Out Movement, 30pp, 75p.


RACISM

Alarming increase in racist attacks in Europe

Recent months have witnessed an dramatic escalation in racist attacks across Europe. In Germany, as the first anniversary of unification approached, the Bonn government claimed to be powerless to halt a flood of coordinated neo-nazi attacks on refugees and immigrants that have left hundreds injured and several dead. In one week in September alone eight refugee hostels were firebombed, sixty asylum seekers injured and two Africans died.

The attacks have been countrywide, but concentrated in the east. One of the most serious incidents was at Hoyerswerda, near Dresden, where hundreds of neo-nazis launched firebomb attacks on two refugee hostels and rampaged through the town for several days. A Berlin umbrella organisation, Coordination of Refugee Groups, ran a convoy of cars between Berlin and Hoyerswerda to get besieged refugees out of the town. Eventually the siege was lifted when over 300 asylum seekers were bussed to army barracks.

Much of the blame for the attacks has been attributed to the German Alternative Movement. In the midst of the terror they organised a neo-nazi concert, to celebrate reunification, with by the British band Screwdriver. Before the event several people accompanying the group were arrested and charged with grievous bodily harm after stabbing, and seriously wounding, a German youth following an attack on a youth club in Cottbus. Cottbus is an industrial town south-east of Berlin which is becoming known as a centre for violent skinhead activity. The incident lends credence to the claim that Germany is becoming a focus for fascists from throughout Europe.

In Berlin a demonstration in support of the refugees attracted 20,000 people but was broken up by police charges after two hours of peaceful protest. Many people were injured and the organisers had to disperse the demonstration after the police used tear-gas. Over 60 people were arrested.

Across the border, in Switzerland, there have also been firebomb attacks on refugee centres, the most recent at Schaffhausen.

In Italy, during August, two Senegalese men holidaying in Rimini...
on the Adriatic coast, were murdered in a brutal gun attack by a fascist death squad. A third man was seriously injured in the attack. The squad has been dubbed the 'Uno Gang' because of its use of a stolen white Fiat Uno car during a series of attacks, which so far have left 15 dead and 21 wounded. The majority of those attacked have been either refugees or gypsies.

Prosecutor Roberto Sapio, who is investigating the case, and Libio Gualtieri, chairman of the anti-terrorist commission have linked the killings with a series of right-wing terrorist supermarket killings in Belgium in 1983-84 which left 28 dead. A Belgian parliamentary investigation into the 'Brabant massacres' in 1990 painted an alarming picture of right-wing terror and accused police officers of complicity and being sympathetic to the killers.

In Barcelona, Spain, 400 fascists went on the rampage attacking blacks, Arabs and other passers-by during October. They also wrecked a pacifist bookshop and beat-up the staff.

The far right have also made electoral gains in Austria, Sweden and Denmark. In France former President Valery Giscard d'Estaing's Union for French Democracy (UDF) have attempted to exploit the immigration issue by suggesting an alliance with the ultra-right Front National in the build-up to 1993 general elections. CARF Nov/Dec 1991; Guardian, 7.9.91, 27.9.91, 2.10.91, 8.10.91; Independent, 27.9.91; Irish Times 14.10.91; Socialist 9.10.91

Rolan Adams murderer jailed for life.

Mark Thornburrow, a 19 year old white youth from Thamesmead, has been found guilty, and jailed for life, for the murder of a black youth, fifteen year Rolan Adams, last February (see Statewatch 3).

Rolan had been standing at a bus stop with his brother, Nathan, when they were racially abused by a group of white youths who had been drinking at the nearby Wildfowler pub. Thornburrow then stabbed Rolan in the neck with a butterfly knife. During the trial both the prosecution and the defence attempted to underplay the racist motive, but Judge Kenneth Richardson was 'satisfied that there were racial overtones.'

Following Rolan's death the fascist British National Party (BNP) attempted to exploit the situation by marching through Thamesmead and attacking a meeting addressed by black American activist, the Reverend Al Sharpton, who offered support to the Adams family.

After the successful prosecution of BNP deputy leader Richard Edmonds by Rochdale council for the illegal display of their stickers, London's Greenwich council have warned the BNP that they will prosecute them if any of their stickers appear in the borough. Greenwich's leader Quentin Marsh said: "In a multi-racial borough like Greenwich many residents find the BNP stickers extremely offensive and threatening. I am issuing a public warning to Richard Edmonds and his nazi friends that peddling their filthy slogans in this borough could prove very expensive."

Caribbean Times 17.9.91; Guardian, 17.10.91

Racism - new material

CARF No 5 (September-October 1991) contains a major article on refugees (Refugees: Countdown to Zero, and articles on deportations, the British National Party, and racist attacks. CARF is available from: BM Box 8784, London WC1N 3XX, at £5.00 for a year's subscription (6 issues).


MILITARY

Background reports - Medical Educational Trust

A series of well-documented 'Background Reports' have been published by the Medical Educational Trust. The titles are: Counting the human cost of the Gulf War; Ionising radiation; Chemical and biological weapons; Wars; Nuclear testing and proliferation; Economic conversion; Arms Control treaties, talks and organisations; The psychosocial dimension; Conflict resolution and mediation. Available from: Medical Educational Trust, 601 Holloway Road, London N19 4DJ. 071-272-2020.

Military - new material


Britain's defence for the 1990s: less of the same, Ian Kemp, Jane's Defence Weekly, 20.7.91.


The call out of reserve forces during the Gulf war, Peter Rowe, Public Law, Summer 1991, pp170-175.

POLICING

Neighbourhood Watch warning on Afro-Caribbeans

A leaflet, issued by a neighbourhood watch group in the Redland area of Bristol and headed 'Message from Redland Police', warns people in the area to dial the police if they notice black people in the area. The leaflet advises residents to contact the police if they see Afro Caribbeans 'aimlessly wandering around looking at houses' or 'knocking on doors'. It concludes 'In fact if you feel uneasy about the way either one or a group of Afro Caribbeans are behaving dial 999 immediately.'

Prisoners in police cells

The number of prisoners awaiting trial held in police cells has passed 1,500 for the first time since the crisis of 1988. This has led to the re-establishment of the national Mutual Aid Co-Ordinating Centre at Scotland Yard under the command of Essex Assistant Chief Constable Peter Simpson. The Centre is staffed by about ten officers and will allocate prisoners among force areas according to
cell space.

The average cost of holding a prisoner in a police cell is £220 a night, which is more than four times the cost of holding someone in prison. For the year 1990-91 the total cost of holding prisoners in police cells in England and Wales was £53.5 million, equivalent to the cost of running five prisons the size of Dartmoor.

The overcrowding has also caused an increased rate in the number of suicides in police custody according to the Howard League for Penal Reform. Of the 38 deaths recorded to August this year nine have been ‘self-inflicted’. This compares with ten out of 61 deaths for the whole of 1990.

*Guardian, 30.8.91; Independent, 24.8.91; NACRO news release, 2.9.91; Police Review 30.8.91*

**Damages against the police**

Lancashire police have paid £35,000 compensation to 56-year-old Mohammed Riaz after they wrongly arrested and detained him in 1986. Mr Riaz, who is diabetic and has a heart condition, said that despite suffering severe chest pains while in custody he was refused medicine. In a statement the police accepted 'that Mr Riaz's prosecution was unjustified and that in opposing Mr Riaz's bail applications, the Lancashire police officers concerned were acting with an excess of zeal that cannot now be defended. The plaintiff is a man of exemplary character and suffered considerable distress, anxiety, humiliation and damage to his reputation.'

The Metropolitan Police have paid £40,000 in damages to a black man, Leslie Burnett, a landscape gardener, following a claim of wrongful arrest, false imprisonment and assault. Burnett was arrested outside his front door, where he was beaten by truncheons and racially abused by police officers who fabricated a case against him, alleging that he had been tampering with a car. Burnett sued the Metropolitan Police who agreed to the settlement without admitting liability. Burnett said: 'I am pleased, but what about the police officers who would have sent me to jail? I would like to see them sacked or charged.'

Sixty-one year old road sweeper, Ernest Cusworth, received £60,000 damages at Sheffield High court after a jury found South Yorkshire police guilty of wrongful arrest, false imprisonment and assault. Mr Cusworth, who was leaving for work, was charged by police in riot gear following picketing at Cortonwood Colliery during the miners' strike in 1984. He has not been able to return to work since then. In June South Yorkshire police agreed to pay £500,000 in damages and costs to former miners injured during clashes with police outside Orgreave coking plant, (see *Statewatch* 3). In October the Derbyshire police paid £50,000 in an out-of-court settlement to an ex-miner arrested for obstruction on the M1. He was later cleared and took out an action for alleged assault, wrongful arrest, and false imprisonment.

*Independent, 15.3.91; Independent, 2.7.91; Guardian, 2.7.91; Police Review, 5.7.91; Guardian, 10.7.91;23.10.91.*

**Compensation in civil actions**

The amount paid out by the Metropolitan Police in compensation as a result of court proceedings and in out-of-court settlements was:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988</td>
<td>£388,000</td>
</tr>
<tr>
<td>1989</td>
<td>£523,000</td>
</tr>
<tr>
<td>1990</td>
<td>£836,000</td>
</tr>
</tbody>
</table>

In June 72 Metropolitan police officers were currently suspended from duty.

*Hansard, written answer, 24.6.91.*

**Met guilty of sexual discrimination**

The Metropolitan Police have agreed to pay £5,000 (including £2,000 in costs) in settlement of Ms Eve Sheere's claim of sexual discrimination. Ms Sheere is a civilian employee of the force working at the Houses of Parliament who claimed that her promotion had been prevented because of the discrimination against her.

*Financial Times, 4.7.91*

**Policing - new material**


**The man at the kerb, Brian Hilliard and Gary Mason. *Police Review*, 11.10.91., pp2046-47. Looks at the background to the downfall of Sir Allan Green, the Director of Public Prosecutions, who was stopped by the police for alleged kerb-crawling.**

**A helping hand for women, Det Chief Inspector Jacqueline Malton. *Police Review*, 11.10.91, p2051. Argues that women victims of crime deserve better support from the police.**


**Police 'professionalism' is the answer to riots, POLICE, September 1991, p20. Article by Ron Hadfield, Chief Constable for West Midlands, and chairman of ACPO's Public Order Committee. He outlines the re-organisation of Police Support Units (PSUs) and the standardisation of training under an ACPO review. The choice was between setting up a 'third force' and 'heightening our criminal intelligence and community awareness'. Police officers, he argues are now more professional and have: "learned to walk away from trouble on the basis of saying to themselves, "Alright, lad, I'll come back for you in the morning, when you're not surrounded by your mates". Systems could help quell riots, *Computer Weekly*, 19.9.91. Article on a new Cleveland Constabulary computer system which integrates the forces databases such as its firearms registry and criminal records and pinpoints the location of incidents.**

**PREVENTION OF TERRORISM ACT**

In June Mildred Gordon, MP for Bow and Poplar, asked 12 parliamentary questions on the operation of the Prevention of Terrorism Act (PTA). The outcome was as follows:

1. Information was provided - 4 questions
2. Information was not available - 3 questions
3. Information was not in the form requested - 1 question
3. Information was not held centrally and could be obtained only at disproportionate cost - 4 questions.

**The National Joint Unit.**

There were 3 questions on the National Joint Unit. The first asked
for details on the number of searches made of the records held by
the National Joint Unit for the years 1987 to 1990. Previous figures
had been provided in the Annual Reports of the Chief Inspector of
Constabulary until 1986 when the practice was stopped. The Home
Secretary, Kenneth Baker, replied that the number of inquiries 'made of the records held by the National Joint Unit' was as
follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Inquiries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1987</td>
<td>81,600</td>
</tr>
<tr>
<td>1988</td>
<td>77,474</td>
</tr>
<tr>
<td>1989</td>
<td>101,766</td>
</tr>
<tr>
<td>1990</td>
<td>83,753</td>
</tr>
</tbody>
</table>

As can be seen the number of inquiries reached a peak in 1989 with
over 100,000 inquiries. This meant that on average there were 278
checks everyday of the year or nearly 12 every hour. Figure 1
shows the number of inquiries in the period 1979-1990.

(FIGURE 1)

The second question asked how many computerised records the
National Joint Unit holds on individuals for the control of terrorism
in connection with Northern Ireland affairs. The Home Secretary
replied that the information is not available in the form requested.
This is difficult to understand because in reply to the previous
question the Home Secretary noted that there were 'records held by
the National Joint Unit'. If he can provide information on the
number of searches made, it is difficult to understand why he
cannot provide information on the total number of records on the
database.

The third question was about the role of the Unit. He said: 'The
role of the National Joint Unit at New Scotland Yard is to prepare,
on behalf of all police forces in Great Britain, applications to the
Secretary of State for extensions of detention and exclusion orders
under the Prevention of Terrorism (Temporary Provisions) Act
1989, and to provide advice to police forces on the operation of the
Act. The unit is staffed by 17 police officers, most of whom are
seconded to it for short periods from provincial forces.

This is an incomplete answer. It makes no mention of the work,
which was the subject matter of the first two questions, namely
responding to requests for searches of the 'records held by the
National Joint Unit'. If records are held, then it must also be the task
of the NJU to collate the information and compile the database with
the information.

Women and the PTA.

One question asked for a break down of the number of detentions
by sex. This was provided for each quarter from the beginning of
1985. From the beginning of 1985 to the end of 1990, 97 women
were detained, 33 at ports or airports and 64 inland compared with
929 men of whom 486 were detained at ports and airports and 443
inland. Thus 10.4% of all PTA detainees are women. But this
varies from 6% at ports and airports to 13% inland. Figures 2 & 3
show the number of men and the number of women detained each
year at ports and airports and inland.

This is the first time in the 17 year history of the PTA that any
information has been provided on the number of women detained.
None of the official reports or the annual review of the Acts have
ever made any reference to the position of women under the PTA.

(FIGURE 2)

Children and the PTA

Questions were also asked about the number of children who have
been taken into care as a result of their parents or guardians being
detained or examined under the PTA since 1984. The Home
Secretary replied that 'The information is not held centrally and
could be only obtained at disproportionate cost'. This suggests that
no statistics are routinely kept on the number of children affected
by the PTA and the Home Secretary did not assure the House that
these statistics would be collected in the future as a matter of
policy. There will therefore continue to be no information on how
children are affected by the PTA.

Detention under the PTA

There were four questions on detention under the PTA. Information
was requested on the average time from the initial arrest or when
first stopped at a port or airport to the first interview and what
proportion of people detained were not allowed to either contact a
solicitor or a friend for the first 48 hours. The information either
was not available or could be obtained only at disproportionate
costs. However, the Home Secretary did provide information on
the extent of access to a solicitor or a friend in response to a PQ in
July.

He pointed out that police forces do not generally make
information from custody records available to anyone but the
suspect or his or her legal representative. However, information was now available from a recent study by the Home Office research and planning unit. This is the first study ever undertaken by the Home Office into any aspect of the PTA.

The study showed that out of 214 suspects who were detained in England and Wales between 22 March 1989 and 11 November 1990 under the PTA in connection with Northern Ireland terrorism, 95 - 45 per cent - requested that someone be notified of their detention and that the notification was delayed over 36 hours in 6 cases. One hundred and three - or 48 per cent - requested access to legal advice and this advice was delayed for over 36 hours in 8 cases. In one case it was delayed for the full 48 hours.

No information was provided as to why fewer than half of all people detained did not want to contact a friend or have access to a solicitor. In addition, the figures note only the number of people that were held incommunicado for 36 and 48 hours respectively. There was no information on the number held incommunicado for shorter periods.

There is a further problem with the statistics. The study looked at 214 suspects who were detained in the period from 22 March 1989 to 11 November 1990 under the PTA in connection with Northern Ireland terrorism. This period, however, does not coincide with the quarterly periods used by the Home Office in its regular series of statistics on the PTA. In any event it appears that the Home Office study has not included all suspects who were detained. The quarterly figures show that from 1 April 1989 to 30 September 1990 - a period which is nearly a month and a half shorter than that used by the Home Office - 242 people were detained. This is 28, or 13 per cent, more people than in the Home Office Study. Overall, the Home Office Study probably excluded about 45 people or nearly one fifth of those detained. The important question therefore is how representative the Home Office figures are of all the people detained.

**Charges after arrest under the PTA.**

One question asked for details of the charges brought against persons detained under the PTA, other than for offences under the PTA itself, in the period between 22 March and 31 December 1990. The information is reproduced in Table 1. It records offences against 17 people. As 139 people were detained in the period, fewer than 7% of them were charged with offences other than under the Act.

<table>
<thead>
<tr>
<th>No. of Offence</th>
<th>Where Charged</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1Conspiracy to cause murder</td>
<td>London</td>
<td>In two cases the explosions charges were dropped. The third is awaiting trial.</td>
</tr>
<tr>
<td>2 Possession of a firearm in an aerodrome</td>
<td>Bedfordshire</td>
<td>Awaiting trial</td>
</tr>
<tr>
<td>2 Assault occasioning actual bodily harm</td>
<td>1 London</td>
<td>4 months imprisonment</td>
</tr>
<tr>
<td>1 Driving with excess alcohol</td>
<td>Essex</td>
<td>Fined</td>
</tr>
<tr>
<td>1 Driving whilst disqualified</td>
<td>War/cshire</td>
<td>6 months' imprisonment suspended for 2 years</td>
</tr>
<tr>
<td></td>
<td>1 Essex</td>
<td>Conditional Discharge</td>
</tr>
<tr>
<td></td>
<td>1 Surrey</td>
<td>6 months' imprisonment suspended for one year</td>
</tr>
<tr>
<td>1 Possession of forged passport &amp; driving licence</td>
<td>Greater Manchester</td>
<td>Fined</td>
</tr>
<tr>
<td>1 Criminal damage</td>
<td>Belfast</td>
<td>1 month in young offenders' institution</td>
</tr>
</tbody>
</table>

The main feature that stands is the way in which this exceptional and temporary legislation is apparently being used to police incidents which have nothing to do with political violence. Under the PTA a police officer may arrest anyone whom they have
reasonable suspicion is involved 'in the commission, preparation or
instigation of acts of terrorism'. It is difficult to understand how a
person arrested for 'terrorism' then ends up being charged with
ordinary criminal offences such as drink driving, driving while
disqualified or theft. It is also difficult to understand how a charge
of assault occasioning actual bodily harm arises from an initial
suspicion of 'terrorism'. It appears that the PTA is increasingly
being used to police ordinary crime and a process of 'normalisation'
of emergency legislation is taking place.

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**Prevention of Terrorism Act**

Feature

**Background document files**

The following background files are available:

Gladio Statewatch briefing, introduction and background country-
by-country; Guardian article (2pp); State Research, article from

**Positive vetting for civil servants**, guidelines announced in 1985
(4pp) and Home Office Guidelines for the Special Branch (1984)

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