

Statewatch bulletin

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IMMIGRATION

Prisoners of "War"

Gulf War hostilities against Iraqi and other Arab people started early in Britain. In September 1990, the immigration rules were changed so as to prohibit the entry (and re-entry) of Iraqi students, and 23 Iraqis were expelled on national security grounds. Re-entry visas for other Iraqi nationals, many of whom are refugees from Saddam Hussein's regime, were delayed for months.

From September onwards Iraqis entering Britain were subjected to thorough personal and baggage checks and questioning about their attitude to Saddam Hussein (*UKCOSA Briefing* January 1991). On 3 January a further 67 Iraqis were served with notices of intention to deport them, again on national security grounds.

In the days immediately following the outbreak of war in the Gulf, 63 more Iraqis and seven Palestinians were served with notices of intention to deport them. On 18 January the Home Office issued new rules prohibiting the granting of visas, leave to enter or extensions of stay to all Iraqis and requiring all those with limited leave to stay (ie visitors, students and short-stay businessmen) to register immediately with the police. Although the penalty for failing to register is a fine of up to £1000 and a possible recommendation for deportation, notices were not sent to individuals affected by the new requirement; instead, advertisements were placed in the Arab press (*Home Office Press Releases* 16/17/18.1.91) A further 32 Iraqis were detained on 23 January, and fifteen deportees were flown to Amman. One told reporters there that he had been held in prison for eight days and then deported with no evidence against him. He had been studying in the UK for six years. He accused Britain of anti-Arab racism.

Those who decided to challenge their detention and proposed deportation received first encouragement, then a slap in the face from the courts. On 22 January High Court Judge Simon Brown gave a stateless couple Mr and Mrs B, leave to challenge the Home office decision, saying 'there is an urgent need to decide whether this is... internment by the back door'. By the following day the same judge had decided that the urgent need no longer existed. 'The court cannot interfere in matters of national security', he said, refusing the application of Abbas Cheblak, a moderate with a public history of opposition to Saddam Hussein. Besides, he reminded detainees, they had the right to make representations before the three 'wise men', the panel whose advice the Home Office would consider before deporting. The panel of advisers system for reviewing national security deportations was set up in 1971, after the Labour government rejected the recommendations in the 1968 Wilson committee's report. The report said deportations should 'not be exempt from the fundamental principle that any administrative decision should be subject to scrutiny and appeal before execution'. When in 1976 American journalist Mark Hosenball challenged the procedure as unfair, Lord Denning, in the Court of Appeal, agreed, but said that 'the rules of natural

justice have to be modified in regard to foreigners who prove themselves unwelcome and ought to be deported'.

Detainees received, by way of particulars of their offence to Britain's security, a standard form letter saying:

'The Iraqi government has openly threatened to take terrorist action against unspecified Western targets if hostilities break out in the Gulf. In the light of this, your known links and activities in connection with the Iraqi regime make your presence in the United Kingdom an unacceptable security risk'.

The Home office intended to rush all the hearings through in three days listing them at the rate of eight a day. Only after lawyers acting for the detainees threatened High Court proceedings did the panel chair, Lord Justice Lloyd, agree to adjourn cases to allow detainees more time to fight the (unknown) case against them. The conditions in Pentonville, where those who applied for a panel review were detained, militated strongly against proper preparation of cases: lawyers were having to confer with detainees in corridors and in rooms infested with pigeons' nests in the disused wing brought back into service for the 'war deportees'. Conditions were such that the International Red Cross expressed itself 'disappointed' and made suggestions for improvement to the Home Secretary (*JCWI Briefing* 24.1.91) There was said to be no provision of Halal meat; the food was 'indescribable', no facilities for study (most detainees were students) and at the beginning of February, 30 detainees went on hunger strike to protest at the failure of the heating system; they were sleeping in cells well below freezing point (*Observer* 3.2.91). The hearings themselves, held in secret, lasted an average of 40 minutes, and lawyers were not allowed in to them. No evidence was called by the Home office so detainees left hearings as ignorant as before as to what was alleged against them.

Security sources have admitted that they have no evidence that Arabs who have been detained and deported since the crisis began have committed acts of terrorism, and that they may be under suspicion 'because of a distant relation connected with terrorist activities' (as in the case of the nephew of Abu Nidal, released on 6 February after three weeks detention in Pentonville) 'or past association with clubs or societies regarded as suspect' (as in the case of Ali

el-Salah who has lived for 20 years in Bedford and has two British citizen children, who was also released on 6 February after a big publicity campaign around his detention). Four detainees were released on 6 February, of whom three had received large-scale support and publicity (*Independent* 6.2.91; 7.2.91).

In addition to the civilian, prisoners, 35 students were detained in January as 'prisoners of war'. They are being held in an army camp in Rollestone, Wiltshire. Their detention appears to have been authorised under the Royal Prerogative, but remains something of a mystery. There has been no formal - declaration of war, and indeed the Lord Chancellor's Department issued a statement that Britain is not at war with Iraq but is 'participating in an

enforcement action on behalf of the UN pursuant to a Security Council resolution'. (*New Law Journal* 18.1.91) A formal declaration would mean that all Iraqi nationals in the UK would be classified as 'enemy aliens' and, under the Trading with the Enemy Act 1939, it becomes illegal to do any business with a company controlled by Iraqis. No-one has yet challenged the detention of any of the 'POWs', who, however, can appeal against their classification to a military tribunal. Many apparently intend to do so.

Organisations of migrants and refugees dispute the figures of detentions given by the Home Office. The Immigration Prisoners Support Group, the Refugee Forum, Migrants Rights Action Network and Rights & Justice have said that in fact the numbers of people from the Middle East detained and deported or awaiting deportation as a result of the Gulf war are at least twice the figures claimed by the Home Office and are approaching 400. Of these, they say, many are domestic workers who, having been treated as slave labour by their (often Kuwaiti) employers, have been abandoned by them in this country without the means to return to their own countries. They come mainly from the Philippines, Sri Lanka and India. Ronnie Moodley from the Refugee Forum commented: 'Of course we are pleased with the concern shown about the Iraqis and Palestinians who have been detained, which has led to a few being released. But people forget that every week there are hundreds of people detained, many of whom are asylum-seekers, and hundreds deported with no representation and no appeal. We want to see an end to the system which imprisons immigrants and refugees.'

EC immigration

At its meeting on January 7-9 1991, the European Parliament's Committee on Legal Affairs and Citizens' Rights insisted that the EC had competence to deal with the movement of third country nationals and problems relating to national security in the Community. It also criticised the way such matters were being dealt with by groups such as Schengen and TREVI outside Community competence. In December 1990 the Foreign Ministers and the European Council agreed to study Article 8a of the EEC Treaty (the 'single market' article) to see if it could encompass third country nationals. Meanwhile, the Group of Coordinators and the Commission are preparing a report on visa and asylum policies. In its latest report on *Completing the Internal Market* the Commission made it clear that the right to establish oneself and to work in all Community States will be reserved for Community nationals only and will not be extended to third country nationals living permanently in one Member State.

Migration News Sheet January & February 1991

Visas for Eastern Europe

Of 152,351 applications for visas from the Eastern bloc countries (including the Soviet Union) in 1990, over 149,000 were granted.

Hansard written answer 22.1.91. Col.103

Sources

Asylum-seekers, House of Commons debate, 26 November 1990. Cols. 715-722.

SECURITY and INTELLIGENCE

Whistle-blower on Dutch security service.

For the first time, a former agent of the Dutch secret service has given an account of recent operations to the press. Mr. S. Bos, former chief of the PID Zaanstad (a local branch of the Binnenlandse Veiligheidsdienst BVD) told *Nieuwe Revu* magazine (6-12-1990) in detail why he felt the security service was "a state in the state". Mr Bos retired in 1983 after 11 years of PID service. He gave details on illegal operations like burglaries, tampering with mail, unauthorized telephone tapings, providing confidential data on personnel to major companies and other offences which he claims are common practice. Also he confirmed gloomy views held so far only by leftists as to the range of interest of the service. Members of political parties, trade unions, social-cultural organizations and various action groups were spied upon. The former PID chief feels that successive ministers of the interior had been most naive in taking everything the BVD directorate told them for granted. However, all PID personnel knew that any responsibility would be denied by their superiors should any illegal activities ever be discovered. The basic intelligence law still holds: do what needs to be done, but don't get caught.

Mr Bos gives details on how the BVD arranged an informer in a most sensitive position as research assistant to the parliamentary fraction of the (moderate) communist party. Also an informer in the South Moluccan ethnic minority was paid a total of \$25,000 for mostly useless information, and several political refugees were put under great pressure to spy on their friends, in exchange for which they were given legal status in Holland. All questions on these matters in parliament have so far been referred to the in camera parliamentary committee by minister Mrs Ien Dales.

The Kilowatt Network

An example of the secret cooperation of international security intelligence services is the large-scale exchange of data on international political violence. One of the organizational structures in which this takes place is the so-called Kilowatt group. This information alliance between the services of some 15 countries has been kept a virtual secret since it started in 1977. In 1982 its existence was revealed when Iranian students brought out materials found at the American embassy in Teheran in which it was mentioned. Even now few politicians have ever heard of it.

Taking part in the Kilowatt network are the EC-countries and Canada, Norway, Sweden, Switzerland, plus the CIA and FBI, the Israeli Mossad and Shin Beth. Turkey is said to be excluded because of its political unreliability. It is thought Israel plays a prominent role because of information exchange on the activities of Arab groups and individuals in Europe and the Middle East.

Cooperation in the network is of great importance for the services of the smaller countries because the group gives out information without immediately demanding something in return. A condition is however that the terrorism department of any connected security service makes available any information it has on terrorists, their movements and their treats to other Kilowatt members.

This information has been taken primarily from a book by Swedish journalist Erik Magnusson, *"Maktkamp om Säpo"*, Lund (Sweden), Corona 1989, pp. 184-186.

Dutch domestic security service to clean up archives.

In November 1990 it was announced that about two thirds of the BVD files, estimated at 200,000 - 600,000, would be destroyed in the following 6 months. The criteria for the destruction list are to be published, and the State Archives together with the Institute for Dutch History will supervise the selection process by way of

random checks. A closed congress on these matters for selected historians was held on 17 January, 1991.

The sudden energy with which the BVD cleans up its cellars is explained by a forthcoming change in the Archives Law, by which the period after which files will undergo a mandatory transfer to the State Archives is to be reduced to 20 years. It is expected that this will lead to a greater openness on outdated BVD materials.

A BVD historian, Dr D Engelen, is to write the history of the BVD during the Cold War. He will be supervised by a commission of mostly social-democrat professors of history, that will have full access to all BVD files. This project is to be completed in 4 years.

Meanwhile a group of researchers, journalists, activists and privacy protectors organized in the "Vereniging Voorkom Vernietiging" (Association Prevent Destruction) plans a judicial procedure to stop the destruction process. They claim that a decision with such political impact can not be decided by some selected scholars and civil servants alone. Also they point to the fact that other services such as PID's (Special Branches) and military intelligence are excluded from the operation. Mr. Doctor van Leeuwen, head of the BVD is quoted as saying that he fears a Swiss situation where, because of a near-total exposure of archives, the security service is almost out of business.

Sources

First Principles: National Security and Civil Liberties Center for National Security Studies, Morton Halperin (Director), Volume 15, no 3, August 1990. Contents: Countering the Counter-Espionage Reforms; North Conviction Reversed on Fifth Avenue Amendment Grounds; Time to End the Cold War at Home; In the Courts; In the Congress; Selected CNSS Publications; Guest Point of View (Senator Daniel Patrick Moynihan on "The Peace Dividend")

Reforming the secret state, Patrick Birkinshaw. Open University Press, £5.99, 1990

Soldier I: SAS, Michael Paul Kennedy. Bloomsbury Press, £3.99, 1990

The Truth about Dirty Tricks: From Harold Wilson to Margaret Thatcher, Chapman Pincher. Sigwick & Jackson, £15.95.

Britain's Secret War: Tartan Terrorism and the Anglo-American State, Iain Macleay Sutherland & Andrew Murray Scott. Mainstream Publishing Co., ISBN: 1-85158-306-8.

Dogs of War: Private Spies in Britain, Gary Murray. Bloomsbury Publishing, £4.99

Special Air Service in Ireland, 1969-89, Raymond Murray Mercier Press, ISBN: 0-85342938-3, £9.95.

No Other Choice: An Autobiography, George Blake, Jonathan Cape, ISBN: 0-224-03067-1

After the Cold War: The CIA and the National Security State, John Stockwell. South End Press(US), ISBN: 089608-396-9

Security and Counter-Insurgency Equipment 1990-91, I.V.Hogg (Editor), Jane's Information Group, ISBN: 1-85076-231-7, £80.00.

The Greatest Treason: The Bizarre Story of Hollis, Liddell and Mountbatten, Richard Deacon. Century, 1990.

Games of Intelligence, Nigel West. Coronet, 1990.

US Addiction to National Security: the Panama Connection, Robert Matthews. *Covert Action*, No.34, Summer 1990. pp6-13.

Colin Wallace, House of Commons debate, 31 October 1990. Cols. 1078-1086.

As Cold War Thaws, Bush Expands Covert Operations, Christic Institute (USA). *Top Secret*, Summer/Autumn 1990. pp38-40.

MILITARY

Nuclear tests

The last nuclear test conducted by the United Kingdom was in December 1989. Government Minister Mr.Caborn said:

The Government regard it as essential that we continue to test nuclear weapons as long as we remain a nuclear state, as we intend to do for the foreseeable future.

The French authorities had announced four tests so far in 1990, he said, and the United States three.
Hansard, Oral answer 17.7.90

Territorial Army

The total strength of the Territorial Army in 1980 was 62,989. In 1990 it was 72,705.

Mr Archie Hamilton, Defence Minister, confirmed that stocks of "CS gas and similar irritants" are stored at Territorial Army headquarters in the UK.

Hansard, written answers 25.10.90 & 17.7.90.

Official histories

The following Official Histories, including four on the wartime Special Operations Executive, are to be published in the next few years:

SOE in Greece, R.R.M.Clogg (1991)

SOE in the Low Countries, M.R.D.Foot (1991)

SOE in Yugoslavia, M.C.Wheeler (1992)

SOE in Italy, C.M.Woods (estimated 1992-93)

External Economic Policy, Volume II, Professor L.S.Pressnell (1992)

Defence Organisation since 1945, Professor D.Cameron Watt (1992)

British Part in the Korean War, Volume II, Gen.Sir Anthony Farrar-Hockley (1992)

Hansard 18.1.91

US Bases in the UK

In an answer to Bob Cryer MP the Defence Minister Archie Hamilton gave a list of the 67 bases and facilities used by the US in this country. The list includes main operating bases, storage,

support and communications facilities. On 5 February it was announced that the US submarine base at Holy Loch was to close in 1992.

Hansard, written answer 12.7.90 Guardian 6.2.91

Sources

The recruitment of mercenaries and the Foreign Enlistment Act 1870, Joseph Jaconelli, Public Law, Autumn 1990 pp337-341. The legal position of British mercenaries in Angola and Colombia is discussed. The present law only covers recruitment to foreign regular armies not private armies.

Symposium: Defence Organisation: the Jacob-Ismay Report, Contemporary Record, February 1991 pp22-23. Discussion by the leading figures of the background to the defence re-organisation of 1964.

Future Defence Needs: the New Challenges for Defence Industry, Moray Stewart, Royal United Services Institute (RUSI) Journal, Summer 1990 pp44-48. The Deputy Under Secretary of State(Procurement) at the Ministry of Defence outlines the 'exciting' possibilities for the UK and EC defences industries, which is being co-ordinated by the Independent European Programme Group (IEPG) Ministers. The article discusses the 'harmonisation' of the EC defence industries and the need for export sales out of Europe and NATO to the Third World to compensate for cuts in arms sales in the home countries.

The Economics of UK Defence Policy in the 1990s, Professor Keith Hartley, Nick Hooper, Steve Martin and Dr John Singleton, RUSI Journal, Summer 1990 pp49-54. Discusses the impact of arms control agreements on the defence industry and European co-operation.

Building a new European security: WEU's contribution, NATO Review, August 1990 pp18-23

A new strategy for NATO, Sam Nunn, Foreign Affairs, Summer 1990 pp13-21

Building a post Cold War European security Jonathan Dean, Arms Control Today, June 1990 pp8-12

Intelligence in the age of Glasnost, George A. Carver, Foreign Affairs, Summer 1990 pp147-166

The British Counter-insurgency: 1919-1960, Thomas R Mockaitis, Macmillan Press, 1990.

CIVIL LIBERTIES

Identity Cards

The debate over the need for identity cards, voluntary or otherwise, is continuing. Last year the Home Affairs Select Committee in its report on *Practical Police co-operation in the European Community* recommended that a voluntary machine-readable identity card should be introduced (paras. 137 and 138). The Committee argued that: 'it will enhance our European sense of identity and make Europe an easier and safer place for its citizens'. The government's response to this report, published in January,

says that 'it is not persuaded that the case for a voluntary identity card has been made out' (p10). It cites the Association of Chief Police Officers (ACPO) who believe that a 'voluntary card would be of little use to the police'.

While the government position is that it is opposed to compulsory identity cards it is still considering voluntary ones. In practice the introduction of voluntary cards would soon become compulsory for people trying to obtain services such medical care, social security, and passports. The government's main objection is not one of principle but of the high costs of introducing ID cards.

The Home Affairs Select Committee developed its proposal further in January this year when it proposed that a DNA database of the whole male population should be set up to help police with their fight against crime. This came in its report on the "Annual Report of the Data Protection Registrar". It cites evidence from Eric Howe, the Data Protection Registrar to support its case for voluntary ID cards. However, Mr Howe told that Committee in evidence that: "I probably would not take one out".

Mr Howe went further and pointed out the danger of machine-readable ID cards as distinct from a simple card with a picture and signature:

But once you go beyond that(the simple card) to an auto-matic pick-up from the card, you then take away the information into some automatic system, then the control of the individual over it has disappeared...

You are particularly looking for problems of privacy...How you actually issue codes to parts of the card which may go to chemists, in one case, to doctors in another case, and to bank officials in yet another, without these codes "leaking" all over the place; so that eventually the cards become accessible simply to anybody?

Two other reports have also backed the introduction of ID cards. The Audit Commission in a report on the poll tax says that a national identity card scheme may be "the only way to make a poll tax system work efficiently". A working group comprising representatives of the police, banks and building societies, and Home Office officials is recommending to the Home Secretary that a national ID system be introduced to combat money-laundering and the opening of accounts in false names.

Practical Police Co-operation in the European Community, Home Affairs Select Committee, 7th report Session 1989-90, Commons Paper 363-I, 20 July 1990, HMSO; *Practical Police Co-operation in the European Community:the Government Reply to the 7th report from the Home Affairs Committee*, Cm 1367, January 1991, HMSO; *Annual Report of the Data Protection Registrar*, 1st report Session 1990-91, Commons Paper 115, HMSO; *Guardian*, 7.11.91; *Independent*, 14.1.91; *Independent*, 16.1.91.

The Netherlands: ID card debate

Minister of justice Ernst Hirsch Ballin of the Christian Democrat/Social Democrat Dutch coalition government last December declared he would not deliver a bill making identification with passports or special identification cards mandatory for every Dutch civilian upon request by a police officer. His predecessor was an ardent supporter of such a new law to combat petty crimes and come into line with other European countries in the process of unification. A right-wing parliamentary majority of Christian Democrats and Liberals declared however they still felt mandatory identification legislation was necessary for combating crime.

Census Bill

The Census (Confidentiality) Bill is being rushed through parliament on a special fast track procedure in time for this year's planned census. This is despite the fact that an independent report on the confidentiality issues of the census by the British Computer Society has only just been published together with a government White Paper, *1991 Census of Population: Confidentiality and Computing*. The report from the British Computer Society says that for the second time in 10 years approval was being sought for a census before all the procedures were ready and without having an independent review body to check that it is being correctly implemented.

Harry Cohen MP is proposing three major additions to the Bill: a watertight guarantee that all the information on individuals will be protected for 100 years; a ban on the combining of Census statistics with information from other sources which could lead to the identification of individuals; and the application of the subject access provisions of the Data Protection Act to Census information.

Computer Weekly, 31.1.91. *Guardian*, 19.2.91.

Sources

***Citizenship** Geoff Andrews (ed) Lawrence and Wishart, 1990 £10.95 (hb) A collection of essays which examines the concept of citizenship in the context of constitutional and electoral reform, both of our own political system and the movements towards democracy in Eastern Europe.

***Confidentiality and the Law** Linda Clarke (ed), Lloyd's of London Press Ltd, 1990 £45 (hb) Examines how the law treats confidentiality in a number of different contexts, employment, medical records, banking, computer hacking, press freedom and government secrets.

* **Equality now for lesbians and gay men** Irish Council for Civil Liberties, 18 Villiers Road, Dublin 6. 1990 £4.95 (pb) Deals with the discrimination, legal and otherwise, which results in the oppression of lesbians and gay men, and suggests how a society based on equal rights for all citizens can be built.

***From Data Protection to Knowledge Machines, the Study of Law and Informatics** Prof. P. Seipel (ed), Kluwer Law and Taxation Publishers, 1990 US\$53 (pb) Collection of articles based on a Nordic symposium devoted to the legal aspects of information and information technology and the issue of how to protect the individual's privacy in a computerised society.

***If Law is the Enemy... Human rights in Northern Ireland: Britain's Responsibilities** Kadar Asmal, Britain and Ireland Human Rights Project, 76-82 Salusury Road, Queen's Park, London NW6 6NY. 1990 £1.50 (pb). Transcript of a lecture delivered by a patron of the Project, which was set up to undertake research and education work in the field of human rights affected by the unresolved conflict in Northern Ireland.

***False confessions, Interrogation, Training** British Psychological Society, 48 Princess Road East, Leicester LE1 7DR, 1990 Evidence of the British Psychological Society to the May Inquiry into the circumstances surrounding the convictions arising out of the bomb attacks in Guildford and Woolwich in 1974.

***The Social Charter, European company and employment**

rights Lord Wedderburn, The Institute of Employment Rights, 98 St Pancras Way, London NW1 9NZ. 1990 £3.50 (pb). Examines some issues raised for employment rights by the Social Charter. How far will it provide or promote new rights and improved conditions for working people?

***Taking Liberties: The Criminal Jury in the 1990s** Sean Enright and James Morton, Weidenfeld and Nicolson, 1990 £13.50 (hb) Examines the evolution of the jury system and the delicate relationship between state and jury, and concludes with a number of reforms which go some way towards restoring confidence in jury trial.

***Human Rights in a Pluralist World: Individuals and Collectivities** Jan Berting et al (eds) Meckler, 1990 £24.50 (hb) A compendium of diverse views on human rights based on two international conferences convened for Unesco.

***Government and Information: The Law relating to Access, Disclosure and Regulation** Patrick Birkenshaw, Butterworths, 1990 £29.95 (pb) Provides practical guidance on some of the more difficult legal issues concerning the holding, and provision of information by central and local government.

***State Security, Privacy and Information** John D. Baxter Harvester Wheatsheaf, 1990 £32.50 (hb) Provides a survey bringing together the areas of the law concerning state security, official secrecy and individual privacy in an age when information use and control is coming to dominate more areas of society.

***Gender Discrimination Law of the European Community** Sacha Prechal and Noreen Burrows Dartmouth, 1990 £38 (hb) Provides a comprehensive overview of sex discrimination law in the European Community.

***Cross on Evidence** Colin Tapper Butterworths, 1990 £23.95 (pb) An authoritative exposition of the law of evidence discussing both the theory and the practice of the subject.

***Making Rights Count** Committee on the Administration of Justice, 1990 £3. A discussion, analysis and documentation of international charters of rights and their application to Northern Ireland.

**All of these books and pamphlets are available for reference in the library of the National Council for Civil Liberties, 21 Tabard Street, London SE1 4LA. Please make an appointment if you wish to visit - a small charge is made to non-members.*

PREVENTION OF TERRORISM ACT

Repeal the PTA Campaign

The Repeal the PTA campaign was launched last year with the support of all the Irish organisations in Britain. These include the Federation of Irish Societies, the Irish Chaplaincy in Britain, the Council of Irish Counties, the Connolly Association, the Irish Commission for Prisoners Overseas and the Irish in Britain Representation Group. The Campaign also has the support of the NCCL and the Haldane Society of Socialist Lawyers.

The work of the Campaign includes the production of an information pack, gathering information on cases, working with

those arrested, and has made a submission to Lord Colville's Annual Review.

People/groups can affiliate to the Campaign and get the information pack and poster for £2 individuals, £10-15 local/small organisations, £15 TUs and national organisations.

Repeal the PTA Campaign, PO Box 1340, London N22 4TA.

Other useful contacts include:

Kilburn Defence Campaign, c/o The Brent Irish Cultural Centre, 76 Salusbury Road, London NW6.

West Midlands PTA Research and Welfare Association, PO Box 817, Camp Hill, Birmingham B11 4AF.

The Irish Chaplaincy in Britain, St Mellitus' Church, Tollington Park, London N4 3AG.

Irish Commission for Prisoners Overseas, 1 Berrymead Gardens, Acton, London W3 8AA.

Irish Prisoners Appeal, PO Box 447, London SW9 8BW.

Connolly Association, 244-246 Grays Inn Road, London WC1.

Guildford 4 Campaign, c/o 131 St Johns Way, London N19.

Birmingham 6 Campaign, 1 Orlestone Road, London N7.

Irish Information Partnership, 11 Campion Road, London SW15.

PTA charges

The number of people charged in England and Wales after being detained under the PTA in 1989 was 12. Of these 8 were charged with 'relatively minor offences'(six being dealt with by the court on the same or next day and two released on bail). One of the four others was released in January 1990 after the DPP decided to offer no evidence.

Hansard, written answer, 11.7.90. Col. 203,

Prisoners

In 1989 there were 13 prisoners born in the Republic of Ireland in jail in Britain for 'terrorist-type offences', and 21 prisoners born in Northern Ireland. All are held in Category A conditions.

Hansard, written answer, 11.7.90. Col. 201

Sources

Interim report on the Maguire case, House of Commons debate, 12 July 1990. Cols. 436-438.

EUROPE

'Europe: variations on a theme of racism'

A special issue of the journal *Race and Class* entitled 'Europe: variations on a theme of racism' was published in January. The 19 articles include ones on policies and practices on immigration, refugees and asylum-seekers (From ethno-centrism to Euro-

racism), the emergence of the ad-hoc bodies outside of democratic control (Towards an authoritarian European state), a guide to the far Right in Europe compiled by the Campaign Against Racism and Fascism(CARF), a bibliography and articles on Germany, France, Belgium, Italy, Spain, Switzerland, Sweden, Norway, Denmark, and Holland.

In the editorial Sivanandan recalls that the journal predicted in 1988 : 'The problem for an open Europe is how to close it -against immigrants and refugees from the Third World'. Today, he writes:

'the structures for that closure are being set in place in the informal meetings of the Trevi groups of ministers and police chiefs and the discussions of the inter-state treaty makers of Schengen. And, as before, the dangers for democratic government, for accountable administration shows itself in the erosion of rights of some of its citizens.

For although Trevi is meant to be addressing the problem of terrorists and drug-runners and Schengen the problem of illegal immigrants and refugees, a common culture of European racism, which defines all Third World people as immigrants and refugees, and all immigrants and refugees as terrorists and drug-runners, will not be able to tell a citizen from an immigrant or an immigrant from a refugee, let alone one black from another. They all carry their passports on their faces'.

Race and Class, special issue 'Europe: variations on a theme of racism', from the Institute of Race Relations, 2-6 Leek Street, WC1X 9HS. Price £4.00.

Italy signs the Schengen Agreement

Italy became the sixth member of the European Community to sign the Schengen Agreement in November last year. The Agreement was finally signed by Germany, France, Belgium, Holland and Luxembourg in June 1990 after five years of discussions. Spain and Portugal joined the Agreement at the same time as observers, declaring their intention to eventually become members. The Agreement covers the abolition of border controls, co-operation on visas, immigration and police policies.

While there is a convergence of views amongst the 12 EC countries through the Trevi group, the one basic difference is over the need to maintain border controls. The Schengen countries, eight of the EC countries, are abolishing controls at the borders but the UK, Denmark, Greece and Ireland are set to maintain internal controls. *Financial Times*, 28.11.90; *Migration News Sheet*, December 1990.

Senior civil servant questions European cooperation

In an interview with NRC-Handelsblad (Dutch quality daily) Mr J J E Schutte, senior negotiator for the Dutch government in several European fora on judicial and police cooperation and professor of European criminal law cooperation, criticizes the process of European criminal law harmonization. He states that a period of rest for a fundamental discussion on the emerging European criminal law is urgently needed. The immensely complicated processes of negotiation and cooperation have become much too cluttered and obscure. Small countries like Holland simply lack the necessary officials to attend every meeting of all the international fora, coordinate with other services and implement new laws, let alone reflect on the deeper consequences.

Schutte has been a leading Dutch negotiator in several international consultative bodies such as the Schengen meetings. He points to the fact that a lot of work is done twice in different

fora: representatives negotiate on items concerning criminal law that have long been agreed upon by the same countries in other meetings. Each club can't let another group get away with successes, so in the end almost every international organization adopts its own rules and regulations.

He also criticizes the quality of a lot of the European rules: 'The quality of a lot of regulations is so lamentably poor that if I would produce such work here I would be fired in less than a week. But now this is about guidelines that overrule national laws'.

Schutte says Dutch politicians are too light-hearted on the consequences of European unification in these matters. He mentions the example of the Dutch liberal drugs policy, that could be the first victim of European unification. *NRC Handelsblad*, 17.12.90 *Peek in Justitiële Verkenningen*, December 1990.

Dutch proposal for a European Police Institute.

A Dutch committee headed by Dr Piet van Reenen, director of the Dutch Police Academy, has presented a feasibility study, "Europees Politie Instituut: een perfect idee" (European Police Institute: a perfect idea) to Minister of Home Affairs Mrs. Ien Dales.

The study advises concentrating all activities of an EPI in one location as far as possible, and suggests the TREVI group be approached to found the institute. The minister, however, prefers to have some officials of her ministry and the ministry of justice look at it first. The IPE would be a centre for education and training, documentation and research on a European level. Officials of the different European countries stated in interviews that the institute should focus on differences in culture, laws and competence and the various aspects of international cooperation.

The institute should be open to police personnel with a minimum of two years of experience in an officer's rank, which would amount to some 4000 persons. Another target group would be commanding or policymaking police officers with 10-15 years of experience. Language of communication at the institute would be English.

As a possible location for the IPE the Dutch town Maastricht is suggested, situated at the Dutch-Belgian-German border. Last year, in a much-cited article on European police cooperation ("Policing Europe after 1992. Cooperation and Competition" *European Affairs*, 1989, No.2, pp. 45-53) Dr Van Reenen suggested that small European countries should take initiatives on international cooperation in these sensitive matters to avoid the impression that some influential country would use "1992" as a means of extending its influence in Europe. Public opinion would be more willing to accept such initiatives from Holland or Denmark than from Germany or France. Mr. Van Reenen can be reached at: Nederlandse Politie-Academie, De Kleiberg 15, 7312 SN Apeldoorn tel. 31 55 550844.

Gladio

In November last year the European Parliament passed a resolution calling on member states to dismantle 'all clandestine military and para-military networks'. The resolution was prompted by the revelations that secret intelligence and armed units had been created by NATO under the name of 'Gladio' in the late 1940s.

The 'Gladio' organisation was outside of democratic control and: 'in certain member states military secret services (or uncontrolled branches thereof) were involved in serious cases of terrorism and crime'.

European Parliament, resolution 22.11.90. See p12 for background document files on 'Gladio'.

The Netherlands: International cooperation Bill

The Dutch Cabinet has agreed to a bill to facilitate international police and judicial cooperation against organized crime. Also illegal profits made in other countries can be confiscated in Holland. The bill is a result of a Council of Europe treaty on combating money-laundering operations.

Several prominent Dutch police officers such as the head of central criminal intelligence (CRI), Mr J. Wilzing, have recently demanded an increase in international police cooperation. An executive European police would not be needed, but a central European criminal intelligence organization was seen as a high priority. In his New Year's speech Wilzing stated that Europe was in danger of losing the fight against organized crime. Colombian drugs cartels like Medellin and the much more powerful Cali organization are getting a firmer grip on drugs trafficking to Europe. He cited a recent U.N. research, claiming that some 500,000,000,000 guilders were made in the drugs trade yearly. Confiscation of hash in Holland raised from 14,071 kg (1989) to 90,010 kg (1990). Cocaine confiscations tripled from 1,425 kg (1989) to 4,288 kg (1990), the highest in Europe. Drugs production is however not limited to Latin American and Asian countries: Poland has recently worked its way up as the top producer of amphetamines.

Holland will be chairing the EC in the second half of 1991. In that period minister of justice Ernst Hirsch Ballin intends to come with a proposal on the foundation of a European Criminal Information Exchange Bureau to improve cooperation in the fight against drugs trafficking and other forms of crime.

Sources

Kendall's Kingdom, Gary Mason. Article about Interpol and Ray Kendall, the Secretary-General for the past five years. *Police Review*, 4.1.91.

The Drugs Situation in Europe after 1992, by the Interpol General Secretariat. Looks at the problems that are likely to arise with drug trafficking when internal borders are abolished in the EC. *ICPR*, July-August 1990. pp. 25-32.

The European Court of Human Rights, Luke Clements. An increasing number of cases are using the European Convention on Human Rights to protect individual rights. The article looks at the procedure for 'taking a case to Europe' and lists the articles of the convention, showing how they have been, or might be, used. *Legal Action*, January, 1991. pp.12-14.

The European Community and the individual, Richard Eccles and Julian Maitland-Walker. Looks at the application of European law to the citizen, free movement, social security, and employment. *The Law Society's Gazette*, No.40, 8.11.89. pp.18-19.

EC Institutions, Juliet Lodge. The author examines the changing role and importance of the EC's principal institutions - the Council, the Commission and the Parliament. *Contemporary Record*, February, 1990. pp.7-10.

Terrorism, drugs and crime in Europe after 1992, Richard L Clutterbuck. Routledge, 1990.

Practical Police Co-operation in the European Community:-

The Government reply to the Seventh Report from the Home Affairs, January, 1991. Cm 1367. HMSO.

STATE and POLITICS

Thatcher to head Bruges group

Ex-Prime Minister Margaret Thatcher has agreed to become the president of the anti-EC Bruges group and the No Turning Back group of rightwing Conservatives.

The Bruges group was founded in 1988 in the wake of Thatcher's anti-federalist speech in Bruges, and has 130 Conservative MPs on its mailing list. Norman Tebbit said of her appointment: 'At the end of the day she is speaking for the right of the British people to run their own country in their own way'.

Sunday Times, 6.1.91; *Guardian*, 7.1.91.

Know-how Fund

Questions from Graham Allen MP brought written answers with the details of the funding given under the 'Know-how Fund'. This Fund, which is run by the Foreign Office, gives grants to encourage 'democracy' and 'free enterprise' in Eastern Europe. *Hansard*, written answers, 17 October 1990 Cols. 813-819; 19 October 1990 Cols. 938-944.

Sources

Lords of Fleet Street: The Harmsworth Dynasty, Richard Bourne. Unwin Hyman, 1990.

Friends in High Places: Who Runs Britain? Jeremy Paxman. Michael Joseph, 1990.

'**Responsible Corporations' and regulatory agencies**, Frank Pearce. *Political Quarterly*, Vol.61, No.4. pp415-430. Argues that 'corporations cannot be left to regulate themselves because there is always a potential contradiction between the imperatives of profitability and a willingness to take account of social goals'.

Blacks and the US Constitution, Eric Foner. *New Left Review*, No.183, 1990. pp63-74.

Crisis of socialism or crisis of the state? Simon Clarke. *Capital & Class*, No.42, Winter 1990. pp19-29.

For the record

Former Prime Minister Thatcher gave her "enemy within" speech at the Carlton Club, London in the middle of the 1984/5 miners strike. It was entitled: 'Why democracy will last'.

'The title I first toyed with, for my lecture, was "Democracy under Threat" -because there are, as we know, enemies of democracy both within and without. But that would have been too pessimistic a title, because the defenders of democracy are far too numerous...

The concept of fair play - a British way of saying "respect for the rules" - must not be used to allow the minority to overbear the tolerant majority. Yet these are the very dangers which we face in Britain today. And one end of the spectrum are the terrorist gangs within our borders, and the terrorist states which finance and arm them. At the other end are the Hard Left operating

inside our system, conspiring to use union power and the apparatus of local government to break, defy and subvert the laws. Their course of action is characterised by a calculated hostility towards our Courts of Justice.

Our Courts have long been distinguished for their impartiality. ~~Our judges are famous for their fairmindedness, their objectivity and their learning.~~ But it is precisely because the Courts uphold the principles of reasoned justice and equality before the law that the Fascist Left is contemptuous of them'.

Monday, 26 November 1984. Carlton Club, London.

NORTHERN IRELAND

New Northern Ireland (Emergency Provisions) Bill

The new Emergency Provisions Bill which has been working its way through the British parliament ignores most of the recommendations for change proposed by Lord Colville, appointed by the government to review emergency legislation. The Bill (and its forerunners) provides the legal basis for the one-judge, no-jury Diplock courts, as well as powers to ban organisations and search premises. The Bill introduces some new powers. It is being proposed that the RUC, UDR and British army will have unrestricted power to seize documents, computer discs, notebooks, solicitors case notes etc, though the latter is being strongly contested by the profession. There will be a new offence of going equipped for terrorism (eg wearing rubber gloves) as recommended by Colville. The authorities will be able to charge people for using border crossings which have been closed and to confiscate any equipment (tractors, JCBs etc) believed to be used to re-open such roads.

This reflects the growing intensity of the border conflict. Local residents are active in re-opening roads, only to find them re-blocked or blown up by the army. In response to IRA attacks on border checkpoints, from December 1990 four minor crossings were closed at night by the security forces, forcing local people to make lengthy detours. At the end of the committee stage of the Bill, two new clauses were added. Firstly, there is to be a new offence of directing terrorism (the 'Godfather clause') and secondly the authorities will be able to appoint special investigators with sweeping powers of investigation and cross-examination. Internment is to remain on the statute book. (*Irish News* 5.12.90; 4.2.91; Briefings by *Committee on the Administration of Justice & Standing Advisory Committee on Human Rights*)

Irish Reporter

A new quarterly magazine of politics and culture, *Irish Reporter*, seeks to place the national question at the forefront of debate. The editorial flavour is that of debating feminism, socialism and democracy in a country which is European (and partitioned) yet which shares much with developing countries - a country "between first and third worlds". The pilot issue carried an article by Mike Farrell on extradition (see also *Irish News* 26.1.91; *AP/RN* 31.1.91) and an important piece summarising the position on censorship in the South (see also *AP/RN* 31.1.91; *Sunday Tribune*, 20.1.91). The theme of issue one is emigration. ISSN 0791 4067 available from 11 Ashdale Park, Dublin 6W.

Sources

Political Vetting and Community Work, Belfast: Northern Ireland Council for Voluntary Action, 54pp. This report investigates the practice of governments refusing to grant aid groups/organisations deemed of having "sufficiently close links with paramilitary organisations to give rise to a grave risk that to give support to those groups would have the effect of improving the standing or furthering the aims of a paramilitary organisation" (Douglas Hurd 1985). The latest victim is the Irish language nursery providing group, Glor na nGael. For summary see *Scope* Oct. 1990, pp.14-16.

The SAS in Ireland, Fr.R.Murray. Mercier Press, 1990. This book is the definitive guide to 'shoot-to-kill' operations in Ireland. It divides this practice into four phases and provides detailed accounts of events during each phase, constructed from eyewitness accounts and other sources. In December 1990, the DPP decided not to prosecute the undercover soldiers from 14th Intelligence Unit who shot dead three of four bookie robbers on the Falls Road in January 1990. See *Irish News* 19.12.90; 20.12.90

Civil Liberties in Northern Ireland, Dickson, B (ed) Belfast: Committee on the Administration of Justice, 1990. This is the most comprehensive guide to rights (and the lack of them) to have been produced to date. Chapters include: Police, Army, Prisoners, Religious/Sex Discrimination, Employment, Education, Housing, Social Security, Freedom of Movement, Access to Information, Assembly.

The Belfast Riots of 1935, A C Hepburn, *Social History*, Vol 15, No 1, January 1990, pp75-96. Detailed analysis of riots, rioters and the political aftermath.

House of Commons debates

Security (Ulster), 20 December 1990. Cols. 526-535.

Northern Ireland (Direct Rule), 5 July 1990. Cols. 1140-1225.

Northern Ireland (Emergency Provisions) Bill, 19 November 1990. Cols. 23-110. Committee, Session 1989-90, January 1991.

POLICING

Damages against the police

Former light-middleweight boxing champion Maurice Hope accepted £50,000 damages from the Metropolitan Police for false arrest and wrongful imprisonment in a High Court settlement. Hope was arrested in October, 1988 and charged under the Misuse of Drugs Act and accused of possessing cannabis and having swallowed packets of it while in his car. No evidence was offered against him when he appeared at Crown Court. When asked if he thought his arrest was racially motivated Hope replied: "Not what I think, what I know."

Frank Nugent, a former airport worker, received record damages of £114,215, against Metropolitan police officers for false imprisonment and malicious prosecution. He spent a year in prison on remand before being acquitted. Mr Nugent claimed that officers at Heathrow police station made up a false confession in which he confessed to taking part in a £300,000 robbery.

Four gay activists won £30,000 damages from the Staffordshire police for malicious prosecution. The four were arrested under the

Public Order Act outside the home of the leader of Staffordshire council, Bill Brownhill, after he had suggested gassing or shooting gay men to combat the spread of Aids. The four were held over Christmas but later the charges were dropped. They then sued for malicious prosecution.

Guardian 24.11.90; 15.12.90; 15.1.91

Miners win damages

Miner Ray Riley, was awarded £60,000 damages (£50,000 exemplary) after he was beaten unconscious and charged with a breach of the peace during the 1984-85 miners strike. The jury was told that Mr Riley was surrounded by riot police and was struck on the head and body before being knocked unconscious by a truncheon blow. After the hearing Mr Riley said: "This incident represents the tip of the iceberg. There were some things that went on during that strike that the general public would not believe."

Jeffrey Coombes, a miner from mid-Glamorgan, received £7,000 in damages from South Wales police after a jury found that excessive force was used to arrest him at a demonstration during the 1985-5 miners strike.

Guardian 19/12/90 *Guardian*, 5/12/90

Seven policemen sacked for beating man unconscious

Seven Metropolitan policemen have been sacked for beating a man unconscious outside a pub. Their victim, Gary Stretch, is now pursuing a civil damages claim for assault, wrongful arrest and false imprisonment. Mr Stretch said that he was subject to an unprovoked attack during which he was hit over the head with a broken beer glass and kicked several times. The attack partially severed one of his ears and temporarily blinded him. He spent five days in hospital during which his ear was stitched up. *Independent*, 8.12.90

Black PCs

Black PC William Halliday won a claim of racial discrimination against the Metropolitan Police at an industrial tribunal. Halliday made a formal complaint of racial harassment and abuse and was removed from patrol duties and given a desk job.

An Asian civilian clerk, Shyam Kipila, who claimed that he was forced to resign from the Nottinghamshire Police because of racial discrimination, received an undisclosed sum in settlement of his ~~complaint at an industrial tribunal.~~

PC Surinder Singh was awarded £20,000 compensation by an industrial tribunal after it found that he had been refused promotion to the CID because of his colour. Nottinghamshire Police agreed to pay £35,000 to PC Singh and two other Asian officers who also claimed racial discrimination.

Independent, 29.11.90, 8.12.90 *Guardian*, 29.1.91

Personal Data

Andrew F. Bennett MP asked the Home Secretary why the Government reserved the right to comply, or not, with two key principles on the collection of data (2.2 and 2.4) recommended by the EC Committee of Ministers regulating the use of personal data in the public sector. Mr. Lloyd MP, Home Office Minister replied:

The Government reserved their position on principles 2.2 and 2.4 after consultation with the Association of Chief Police Officers.

Principle 2.2 requires the police to inform individuals, where

practicable, that data have been collected about them without their knowledge. It was felt that occasions would arise when although it would be practicable to disclose such information, it would be undesirable to do so; for example, where an individual might inform an associate that he had been under suspicion. The proviso that information need be disclosed only when the object of the police activities was no longer likely to be prejudiced was regarded as unrealistic and impractical in the context of police work.

Principle 2.4, which restricts police activities in collecting data on particular - groups such as suspected paedophiles, could seriously inhibit the police in preventing and detecting crime. The Government therefore entered reservations on both these principles. That remains the position.

Hansard, written answer, 15.11.90. Col 721.

Government Data Network (GDN) link to PNC2?

The present Police National Computer (PNC) is used, via direct access computer terminals, by the police, Home Office, HM Customs and Excise investigation division and the Drivers and Vehicles Licensing Agency (DVLA). Alongside the development of the new PNC2 has been a debate about whether it will be linked to other government departments who are part of the Government Data Network (e.g. Social Security and National Insurance/Tax).

Home Office Minister Mr Lloyd indicated in October 1990 that the government was considering giving a 'number of other Government departments' direct access to the criminal names index as this would reduce the workload of the National Identification Bureau (NIB). If this search showed that a person had a criminal record the NIB would carry out a full search of the files.

Hansard, written answer, 15.11.90. Cols 723-724

Police malpractice in Hackney

Hackney Community Defence have taken up 69 cases of police malpractice in 1990; of these 55 involved black people. In 30 cases people sustained injuries and 11 had to go to hospital. Of the 42 cases in which charges were brought, they were dropped in 17 cases and acquittals resulted in another 12. Nine people await a court hearing, and only four have been convicted. These cases do not include the 31 cases taken up by HCDA in March 1990 arising out of the anti-poll tax protest in Hackney.

Community Defence Winter 1990/91

Sources

Monitoring the Monitors - accountability, democracy and police-watching in Britain, Tony Jefferson et al. Police accountability and failure to adequately represent disadvantaged communities. *Contemporary Crisis*, Vol.12, No.2, June 1988, pp. 91-106.

Civil action against the police: recent developments, Richard Clayton and Hugh Tomlinson, *Law Society's Gazette*, 30.8.89

The Enemy Without: Policing and Class Consciousness in the Miners' Strike, Penny Green. Open University Press, 1990.

House of Commons debates

Special Constables, 30 July 1990. Cols. 960-968.

Football, 20 December 1990. Cols. 536-546.

Policing London, 13 July 1990. Cols. 594-611 & 613-657.

Crime Figures, 23 July 1990. Cols. 129-149.

Weapons, 29 November 1990. Cols. 1062-1098.

Police (Derbyshire) 22 January 1991. Cols. 294-302.

LAW

Judges

Recent parliamentary answers have thrown new light on the class and composition of the judiciary. Of 83 High Court judges 77.1% went to public schools, 96.4% went to university, and 84.3% went to either Oxford or Cambridge. Of the same 83 judges 39.8% were over the age of 60.

There are very few women and black people in the judiciary. Of the 10 Lords of Appeal none are women; of the 27 Lords Justices of Appeal there is one woman; of the 83 High Court judges two are women; of the 425 circuit judges there are 19 women (4.5%); and of the 762 recorders 43 are women (5.6%). All the members at the top of the judiciary - Lord Chief Justice, Master of the Rolls, president of the family division and Vice-Chancellor are men.

There are no black members of the bar in the ranks of the Lords of Appeal in Ordinary, heads of division, Lords Justices of Appeal, or High Court judges. Of the 424 circuit judges only one is a black person, and of the 762 recorders there are five black lawyers (0.65%).

Hansard written answers, Cols.767-768, 20.7.90 & Cols.113-114, 5.12.90.

Broadcasting ban

In a case testing the validity of the ban on broadcasting representatives or supporters of Sinn Fein, Republican Sinn Fein, the Ulster Defence Association and any organisation proscribed under the Prevention of Terrorism (Temporary Provisions) Act 1984 and the Northern Ireland (Emergency Provisions) Act 1978, the House of Lords ruled that the ban was lawful and not unreasonable. It also rejected the argument that the Home Secretary was obliged to take the European Convention on Human Rights into account, affirming that the convention was not part of domestic law. *Independent*, 8.2.91

Law and Society Association: Working Group on Covert Policing

The Law and Society Association will hold its annual meeting in Amsterdam on 26-29 June 1991. A Working Group on Covert Policing was formed for this occasion and the members of this group will present papers during the LSA meeting. Information can be obtained from Professor Gary Marx, Dept. of Urban Studies and Planning, M.I.T., 77 Massachusetts Avenue, Room 7-338, Cambridge MA 02139 U.S.A. Tel. (617) 253-2089.

Frontier laws

On 1 December 1990 an Order came into force applying immigration and Prevention of Terrorism Act controls to the Channel Tunnel. The Order was made by the Home Secretary under Section 11 of the Channel Tunnel Act 1987.

This Order provides for a limited system of police and immigration controls at the UK end of the Tunnel between now and its full opening in January 1993. It thus extends to the Tunnel police and immigration officers power to detain passengers and

crews. Later further Orders will be made to provide the full range of prevention of terrorism and immigration controls.

Home Office, press release, 30.11.90.

Sources

Judicial, creativity and suspects' rights A. Saunders, *Legal Action*, January 1991, pp7-8 Looks at illegally obtained confession evidence.

Unanswered questions S Coleman and P Scraton, *Legal Action*, November 1990 pp8-9 Article on the Hillsborough inquests.

The politics of the Children Act, Nick Frost and Mike Stein. *Childright*, July/August 1990. pp17-19. Looks at the politics of the Children Act 1989 both in terms of how it came into being and its statement of government social policy.

Black Deaths in Police Custody, report by *INQUEST*, Ground Floor, Alexandra National House, 330 Seven Sisters Road, London N4 2PJ. £1.50.

Family Law under the Thatcher Government, Gillian Douglas. *Journal of Law and Society*, Vol.17, No.4, Winter 1990. pp411-444.

House Commons debates

Criminal Justice Bill, 20 November 1990. Cols. 139-240 and 17 December 1990. Cols. 22-128.

RACISM and FASCISM

CARF is back

The Campaign Against Racism and Fascism launched *CARF* as a separate and independent magazine in February this year. For 11 years *CARF* was published as a section in *Searchlight* magazine. The first editorial says that:

fundamental differences of approach between *Searchlight* and ourselves have compelled us, albeit reluctantly, to break with the journal. It is a break, however, because it was made on the basis of both principle and a careful analysis of the developments of racism and fascism in the world today, that gives us an opportunity to develop a more vigorous and responsive anti-racist forum to co-ordinate and service the various anti-racist initiatives that are taking place up and down the country.

The letter to *Searchlight* setting out the reasons for the break is printed in full.

The issue includes articles on Tower Hamlets (The Framing of the Asian Community; Racial Attacks Outlined; East End Fascism); 'From terrorist to barbarian: the faces of anti-Arab racism'; Black war resistance; and Campaigns and Reports - Chapelton Defence Campaign; Cowley: SUS is back; Tasleem Akhtar Memorial Committee; Children attacked in Oldham; Newham: Self-Defence; the Caribbean Entry Refusals Action Group.

CARF, subscription £5 a year (six issues) from: BM Box 8784,

London WC1N 3XX.

Tottenham 3 and Cardiff 3

On 4 December 1990 the Home Secretary in reply to a written question to a Conservative MP announced that he intended to refer the case of Engin Raghıp - one of the Tottenham Three - back to the Court of Appeal. The grounds for this decision were that the Home Secretary wanted them to consider 'fresh evidence'. Mark Braithwaite's lawyers have also submitted 'new' evidence,

Winston Silcott's situation, by comparison, is difficult. It is impossible to show that his confession is the result of oppression, because he never made any statement to the police. The "record" of the interview in which he allegedly "adopted a guilty posture" was never signed.

In 1989 a 20 year old prostitute was brutally murdered in the Butetown area of Cardiff. For nine months the police looked for a blond white man who witnesses said was seen covered in blood in the area. But they ended up charging five black men with the murder, three of whom were sent to jail for life. There was no forensic evidence to connect any of them to the blood and saliva samples found at the scene of the crime. The Campaign for the Cardiff Three is working for their release.

Tottenham Three Families Campaign, 247a West Green Road, London N15 5ED. 081-809-6483.

Campaign for the Cardiff Three, 56 Alice Street, Butetown, Cardiff. 0222-462821.

Source: *CARF*, No.1, February/March 1991.

PRISONS

Women in Prison

Carlen, P. (1990) **Alternatives to Womens Imprisonment** Open University Press. Overview of custodial and non-custodial penalties for women; innovations in other countries; the impediments to reducing the female prison population; strategies for the abolition of women's imprisonment. Worrall, A. (1990) **Offending Women** Routledge. Examination of the different treatment female offenders experience at the hands of courts and welfare agencies; the nature of categorization procedures; the inappropriate nature of the solutions offered to women's ill-defined problems.

Alternatives to Prison

Vass, A. (1990) **Alternatives to Prison** Sage. Examination of the development of prison; the recurrent crises inside; the search for workable alternatives; community service and probation; punishment in the community.

International Studies

Council of Europe (1990) **Prison Information** Bulletin No. 15, Council of Europe. Comparative statistics on rates of imprisonment in the different member states of the Council. Fleisher, M. (1989) **Warehousing Violence** Sage. Anthropological study of a maximum security institution in California. Examination in the control of difficult prisoners through hands-on management, strict control and the use of prison industry. Newbold, G. (1989) **Punishment and Politics**. Examination of

the history of prison security in New Zealand from 1880 to 1988; detailed account of the policy and practice of prison management in New Zealand; the issues of prison riots.

Prisoners' Accounts

Conlon, G. (1990) **Proved Innocent** Hamish Hamilton. Account by one of the Guildford Four with a number of chapters on prison life. Hill, P. (1990) **Stolen Years** Doubleday. Account by one of the Guildford Four with a number of chapters on prison life. Hercules, T. (1989) **Labelled A Black Villain** Fourth Estate. One of the first autobiographical accounts by a black man and the response of the system to him. Kray, R. and Kray, R. (1989) **Our Story** Pan Autobiography of Kray twins with descriptions of life in Parkhurst, Broadmoor and Gartree. Parker, T. (1990) **Life After Life** Secker and Warburg Interviews with nine men and three women who have been sentenced to life imprisonment.

Private Prisons

Matthews, R. (ed) (1989) **Privatizing Criminal Justice** Sage. Series of articles including private prisons and the state, privatization and penal politics and private prisons and penal purpose. Ryan, M. and Ward, T. (1989) **Privatization and the Penal System** Open University Press. Comparative study of the American and British experience of privatization.

Prison Abolition

De Haan, W. (1990) **The Politics of Redress** Unwin Hyman. Examination of an alternative view of prisons based on the concept of redress. Mathiesen, T. (1990) **Prison on Trial** Sage. Argues that prisons are indefensible; a major programme should be undertaken to reduce the prison population; the relationship between reform and abolition.

Medicine In Prison

Working Party Report on the Health Care of Remand Prisoners. BMA Examination of the medical treatment of remand prisoners with 19 recommendations for change. British Medical Association (1990). **Prison Medical Service.** Four page report which examines the issues surrounding health care for prisoners. Howard League for Penal Reform (1990). **Medical Power in Prisons,** Sim, J., Open University Press (1990). A historical and contemporary overview of the major debates around medicine in prison; deaths in custody; women and medical care; the politics of drugs.

Sentencing

Paying For Crime, Carlen, P. and Cook, D. (eds). Open University Press 1989. Examination of sentencing policies in relation to fines.

Race and Prisons

Long Lartin Education office (1990) **Proceedings at a Forum on Race Relations in Prison.** Long Lartin Education Office. Report on a conference at Long Lartin held on 6 March 1990.

Official Reports

Report of Her Majesty's Chief Inspector of Prisons 1989 Cm. 598, Home Office 1990, HMSO. Highly critical 69 page report on the state of the prisons including for the first time a chapter on the Prison Medical Service. **Report of Her Majesty's Chief Inspector of Prisons on Armley Prison Leeds,** Home Office, 1990. Highly critical report on Leeds prison where five teenagers hanged themselves between May 1988 and February 1989. **Report on an Efficiency Scrutiny of the Prison Medical Service,** 2 volumes, Home Office, 1990. Internal review of the operation and cost of the Prison Medical Service with a series of recommendations. **Report on the Work of the Prison Service April 1989-March 1990.** Home Office, 1990, HMSO. Official report for the year covering prison population, cell sharing, health and medical matters.

Social Policy Digest - Law and Treatment of the Offender, J Campling. Various statistics on criminal behaviour, prison populations, violent crime and suicides. *Journal of Social Policy,* Vol.19, Part 4, October 1990. pp564-565.

Juvenile Sexual Perpetrators: A model approach and the role of the Probation Service, G Richardson. Addresses inadequacies of most current interventions with juvenile sexual abusers, considers new approaches and advocates sex-offencespecific assessment and treatment in which probation officer can play a vital role. *Probation Journal,* December 1990. pp150-158.

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Background document files

The following background files to articles in this issue are available - a copyright form must be returned with an order:

Immigration law and deportations (Doc.No. 0191)

Interights briefing (5pp); The Gulf in Crisis - A UKCOSA specialist briefing (7pp); letter from the Immigration and Nationality Department (1p); 'War in the Gulf', article from New Law Journal (1p); Hansard extract, 1971 (1p); JCWI note (1p); Home Office press releases 1991 (4pp). Total:20 pages. Cost: £2.50 inc. p&p

Northern Ireland (Doc.No. 0291)

'Human rights adrift in law of the land', on new Emergency Provisions Bill, Irish News, 4.2.91 (2pp); 'Political vetting', Scope, October 1990 (3pp); 'Extradition', Irish Reporter, pilot Autumn 1990 (5pp). Total:10 pages. Cost: £1.25 inc. p&p.

Gladio (Doc.No. 0391)

Introduction, background country-by-country; EP resolution, 22.11.90 (2pp); Guardian article (2pp); *State Research*, article from 1977 (1p). Total:16 pages. Cost: £2.00 inc. p&p.

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