

# LIBERTY

PROTECTING CIVIL LIBERTIES  
PROMOTING HUMAN RIGHTS

## Minutes of Liberty Council meeting 2 July 2005

Present: Doreen Lawrence, Mazin Zeki, Sarah Ludford, Shaheed Fatima, Richard Stone, Rod Robertson (Chair), Madeleine Colvin, Michael McColgan, Stephan Ward, David Downes, Michael Ellman, Mohammed Aziz, Fiona Horlick, Nick O'Shea, Frances Butler, Richard Clayton, Francesca Klug, Martin Stott, Glenroy Watson, Marion Fitzgerald, Louise Christian, John Wadham, Bill Bowring,

In attendance: Shami Chakrabarti, Penny Morrow

### 1. Apologies

Tish Andrewartha, John Lyons, Scarlett McGwire, Paul Bogan, Lou Simans, Gargi Bhattacharyya, Pam Giddy, Barbara Cohen

### 2. Elections to Executive Committee

*Chair:* Rod Robertson was nominated by Louise Christian and elected unopposed.

*Vice-Chair:* Richard Clayton was nominated by Shaheed Fatima and elected unopposed

*Election ballot for five places on EC:*

Nominees	Result	Term
Richard Stone	Elected (22)	1 year
Shaheed Fatima	Elected (21)	2 years
Frances Butler	Elected (21)	2 years
Mike McColgan	Elected (18)	1 year
Doreen Lawrence	Elected (21)	2 years
Mazin Zeki	Not elected (2)	NA

### 3. Minutes of last meeting

Minutes were agreed subject to two minor clarifications:

- FK attended the meeting of 26 February 2005
- MZ asked that the word 'proven' in item 6 be removed.

### 4. Office update

SC reported that attempts to recruit a Communications Director had proved unsuccessful. The Management Team has been evaluating the options for how to fill

## Paper A

this post and in the meantime Doug Jewell has been providing primary cover for the press function with assistance from Mhairi McGhee, locum press assistant.

### 5. Campaign Updates

General agreement that the format of the campaign updates is exceptionally useful.

#### *B1: Terrorism*

A minor correction was noted – under ‘General/ campaigning’, the first bullet point is correct and the second bullet point is incorrect.

Discussion centred on the use of stop and search powers under the Anti-Terrorism Act and in particular, whether in addition to race/ethnicity the police should be recording information about religion. It was noted that while this information might be useful, because religion is not something that can be gleaned by outward appearance alone, the police would likely need to request the information which prove inflammatory.

MF pointed that the number of s.44 searches is far out weighed by the number of s.1 and s.60 searches. S. 60 (designated area searches) is being increasingly used in areas with high rates of burglaries. Statistics show a low rate of arrest, most likely because there is no ‘reasonable suspicion’ requirement. JW reported on recent investigations of the IPCC into the use of s60 powers in the West Midlands.

It was agreed that a broader discussion on stop and search powers should be deferred to a later date.

#### *B2: Privacy*

Short discussion urging the office to mobilise members in this campaign and to make stronger links with No2ID.

#### *B3: Criminal Justice*

Some questions were raised about the case involving a couple banned from all shops in the town where they live and whether this is too marginal. It was agreed that comments would be passed to Legal Director.

SL made a general comment about the need to take account of the European framework on many of these issues.

#### *B4: Asylum*

SC provided brief overview of the new Asylum Bill (not published at time papers produced) and noted in particular the detrimental effect on the availability of legal aid this will should it become law.

Mention again made of lessons to be gauged by Europe and in particular how asylum seekers have fared since the introduction of ID cards in Holland.

It was noted that government plans to deport failed asylum seekers to Zimbabwe has been widely condemned as inhumane, and may present a potential opportunity for Liberty.

#### *B5: Culture of rights*

## Paper A

Short discussion on plans to challenge the current, narrow definition of ‘public authority’ under the Human Rights Act 1998.

### 6. Remitted motions

*Political interference in public services (Mazin Zeki)*

Council voted to affirm current policy on this issue.

*Liberty Council: Disputes and attendance (Mazin Zeki)*

Council noted this motion.

### 6. Main discussion: Children’s rights

SC introduced her paper, emphasising the way in which the rights of children tend to cut across all of Liberty’s campaigning priorities and that for this reason, Liberty ought to do more on this issue. General agreement that the paper was both useful and positive. A wide ranging discussion followed touching on Liberty’s current policy and suggestions for future campaigning. Summary of key points is set out below:

#### *General points*

- General agreement that bringing children’s rights into Liberty campaigns is strategically positive, but recognition that there needs to be a body wholly dedicated to the very broad issue of children’s rights. This should be the Children’s Rights Commissioner.
- Observation that the number of people who have regular contact with children is less than in the past, which in part may explain the propensity of people to view children as a problem
- Convention on the Rights of the Child (ratified by same number of countries, 192, as the UN Charter) is a very effective campaigning tool, especially when assessing executive decisions. There is a great deal of judicial authority (Lord Brown Wilkinson in the Bulger case in particular) that statutory powers cannot be exercised in a manner that contravenes the Convention.

#### *Liberty policy*

- Agreement that SC’s paper clarified that Liberty policy does not support decriminalisation of the offence of possession of child pornography.

#### *Campaign suggestions*

- Liberty ought to examine the adequacy and independence of the recently appointed Commissioner for Children
- Strong suggestion that Liberty’s campaign should focus on building partnerships and alliances with other organisations interested in this area
- Liberty must engage and involve children in its campaigns
- In terms of specific issues, suggestions included:
  - increasing use of ASBOs against children,
  - use of curfews
  - dichotomised depiction of children (angels/demons),

## Paper A

- applicability of the Children's Act to schools,
- the use of parenting orders,
- age of criminal responsibility,
- inclusion of rights on school syllabus to balance current emphasis on responsibilities,
- number of children incarcerated
- care of children by social services

7. AOB

None