

**Summary of substantive policy discussions**  
**at Liberty Council meeting**  
**March 2012**

**Secret Justice and proposed reform of the European Court of Human Rights**

Government proposals to allow for the extension of the Closed Material Procedure mechanism and Special Advocates to all civil litigation and coronial inquests present an unprecedented attack on the Rule of Law. The meeting discussed the danger of these proposals which undermine the centuries' old principles of open justice and a fair trial. The meeting also discussed the implications of such a proposal for Government transparency and accountability as they would allow allegations of Government wrongdoing to be heard behind closed doors. The meeting welcomed the fact the proposals had received increased public attention as a result of recent mainstream media coverage and Liberty's For Their Eyes Only campaign.

The meeting determined that any narrowing of the Green Paper proposals in any draft legislation or tabled bill (for example, to cases relating to national security) will not remedy the fundamental flaws of these proposals.

The second issue tabled was the forthcoming Council of Europe conference in Brighton regarding possible reform of the European Court of Human Rights. The meeting discussed the leaked draft declaration, and noted its concern should any final proposals attempt to weaken the ability of the Court to independently and fully adjudicate disputes about Convention rights.