

**LIBERTY ANNUAL GENERAL MEETING  
2008  
7 June 2008 at City University**

**Resolutions passed**

**1. Privacy**

This AGM notes with concern the growth of the 'Surveillance Society'. The last decade has seen the passing of the Identity Card Act 2006, a massive escalation in data sharing; increasing numbers of CCTV cameras; the expansion of the National DNA Database; the growth of intrusive surveillance powers; moves towards increased data profiling and many other sweeping intrusions into personal privacy.

This AGM acknowledges the qualified nature of the right to respect for privacy and welcomes constructive debate over proportionate interferences with private life in order to prevent crime; protect national security; secure public safety and safeguard other legitimate purposes set out in Article 8 of the Human Rights Act 1998.

This AGM also welcomes the publication of Liberty's report 'Overlooked: Surveillance and personal privacy in Modern Britain' as a vital part of that debate. Therefore this AGM resolves that Liberty:

Continues to engage with Government and opposition parties, policy makers, the media and civil society so as to introduce and maintain the concept of proportionality in public debate

- Opposes any attempt to introduce identity cards and the National Identity Register
- Campaigns for stronger data protection laws and increased powers and resources for the Information Commissioners Office
- Advocates the introduction of legislation regulating CCTV
- Promotes greater proportionality in sample retention policy on the National DNA Database and seeks a proper statutory regulatory framework for the database
- Seeks greater accountability and the introduction of judicial authorisation for intrusive surveillance

Take other appropriate steps to protect personal privacy as a core value in our democratic society.

## **2. Enhanced Disclosures**

Liberty's A.G.M. notes that, despite the creation of the Independent Safeguarding Authority (the ISA), designed to provide fair protection to children and vulnerable adults and to professionals working with them, and contrary to the recommendation of the Bichard Inquiry, the system whereby enhanced disclosure forms are circulated to employers still exists. Since these forms very often contain mere accusations of minor matters, teachers and carers without any convictions or cautions are condemned to permanent unemployment in their profession.

This A.G.M. therefore resolves to seek change to law and policy so that, within the jurisdiction of the ISA (covering not only teachers and carers but everyone working with children and vulnerable adults), no disclosure can be made of mere allegations other than to the ISA itself.

## **3. Assisted Dying**

This AGM recalls the tragic cases of Diane Pretty and others (supported by Liberty) who were refused the right to die with dignity, and the recommendations of the special select committee of the House of Lords in 2005 on the Patient (Assisted Dying) Bill, and urges the Government to promote or support a Bill on the lines of Lord Joffe's lapsed bill, to give terminally ill adult patients the right and opportunity if they so wish to die with dignity – while providing the maximum safeguards to ensure that only those who have fully understood all the relevant issues may opt for assisted dying, and to avoid a culture in which people may feel pressure to take their lives.

## **4. Involuntary Euthanasia**

That Liberty declares its opposition to the involuntary euthanasia of the elderly in nursing and care homes and hospices.

## **5. Whistleblowers**

This AGM recognises the importance of a free press in a democratic society, the essential function fulfilled by whistleblowers and the vital public interest in upholding journalists' rights not to reveal their sources.

While welcoming the ruling in the *Robin Ackroyd v Mersey Care NHS Trust* case, this AGM is concerned that Section 10 of the 1981 Contempt of Court Act has been used inappropriately to make orders compelling the disclosure of confidential information by journalists.

AGM recalls that the judgement in the ECHR case *Goodwin v UK* in 1996 criticised the UK for requiring a journalist to disclose their sources in breach of Article 10 (free speech) of the European Convention. This AGM therefore instructs the Board to work with the NUJ against attempts to compel journalists to betray confidences in breach of the right to free expression.

## **6. Independent Police Complaints Commission**

This AGM notes with great concern the failure of the IPCC to deliver an adequate service to complainants that is robust, impartial and fair, but instead has made decisions that are too often of poor quality. This AGM is therefore concerned that the

IPCC is not fulfilling its general functions under section 10 of the Police Reform Act 2002 (PRA). Particularly in view of Liberty's historical support for the establishment of the IPCC and Part 2 of PRA, this AGM is gravely disappointed that the IPCC has failed to address the concerns of complainants via its Advisory Board and this AGM resolves that Liberty will draw those concerns to the attention of the IPCC and the Home Office, with a view to obtaining a formal independent review of the quality of IPCC decision making.

## **7. Legal Aid**

This AGM deplors the erosion of access to justice in England and Wales. Legal aid was introduced as a plank of the welfare state, with access to justice recognised as a central right for every citizen rich or poor. Now the government is removing the means for the representation for individuals in the face of state action or inaction or to address personal problems effectively. The Ministry of Justice has agreed with the Treasury a raft of savings across its areas of responsibility and the need to deliver those savings is driving policy.

The legal aid sector has long been economically fragile and survives on the dedication of lawyers who are committed to justice working for very meagre rewards. As the government now seeks to save money on the budget for both criminal and civil legal aid, ever fewer lawyers are able to undertake legal aid work, law centres are closing or going bankrupt and advice deserts are growing - creating additional obstacles to securing legal advice and representation. Fewer people can be helped with their problems with an untold impact on individuals and society. This will affect the most vulnerable in society disproportionately, eroding their human rights and their ability to assert and enjoy their rights.

This AGM therefore resolves that Liberty:

- Urges the government to ensure that access to justice is a reality for everyone in this country
- Calls for a halt to the over-hasty reforms to the legal aid system and the development of a sustainable approach in collaboration with those delivering publicly funded legal advice
- Supports the work of the Law Society, Bar Council and practitioner associations who are campaigning to secure access to justice for all
- Supports the increase of local authority funding to Law Centres

## **8. Charge or Release**

This AGM acknowledges that Liberty has been at the heart of debate over government attempts to increase the period of permitted pre-charge detention from 28 to 42 days contained in the Counter-Terrorism Bill currently before Parliament.

This AGM also notes that Liberty has undertaken a high profile campaign involving national press, new media, billboards and cinema adverts. Work in Parliament has included a concerted lobbying campaign seeking to persuade Labour MPs to vote against the Government and assisting opposition politicians with arguments against extension.

This AGM believes this to be a defining moment in UK counter terrorism policy.

Therefore this AGM resolves that Liberty:

- Continues to oppose any attempt to extend the period of pre charge detention for terrorism suspects
- Continues to lead public debate on the unnecessary and counterproductive impact of disproportionate and excessive lawmaking
- Continues proactively to engage with communities directly affected by counter terrorism policy
- Highlights the international ramifications of UK counter terrorism policy

## **9. National Staff Dismissal Register**

This AGM notes the intention of Action Against Business Crime (AABC) to set up a National Staff Dismissal Register, funded in part by a grant from the Home Office.

This register could bypass existing legal protections for employees, could undermine the right to privacy and could lead to unjustified barring.

Therefore this AGM resolves that Liberty will:

- Work with partners such as the Trade Union Network in taking appropriate action to prevent the register infringing rights.
- Raise awareness of the dangers of such a register.
- Engage with the Information Commissioner's Office over the issuing of guidance and other necessary action to protect privacy rights.

## **Liberty's Council**

**The following 15 members were elected to the Liberty Council to serve a two year period from 2008 – 2010:**

Azad Ali, Camila Batmanghelidjh, Casper Bowden, Bill Bowring, Madeleine Colvin, Michael Ellman, Peter Kosminsky, Nicola Lacey, Jean Lambert, Doreen Lawrence, Ian Loader, Sarah Ludford, Rod Robertson, Lee Solomons and Mazin Zeki.

**They join the 15 members who were elected in 2007 to serve until 2009:**

Amanda Ariss, Lucy Armstrong, Alex Bailin, Frances Butler (Vice-Chair), Louise Christian (Chair), Barbara Davidson, David Downes, Shaheed Fatima, Fiona Horlick, Tim Lezard, Michael McColgan, Sonali Naik, Nick O'Shea, Deok Joo Rhee and Stephen Ward.

**And Liberty's Treasurer**

Tish Andrewartha

## **Liberty's Conference and Appeals Committee**

Maya Lester was elected unopposed to serve for three years on the Conference and Appeals Committee. She joins Chris Marshall, who becomes Chair of the CAC and is now in the second year of her three year term and Samantha Palmer, who is now in her final year on the committee.

## **Liberty's Auditors**

Gotham Erskine were re-appointed as Liberty's auditors for 2008 – 2009.