former members of the security forces as members of the gang. A few were convicted of murder; others, despite very strong evidence against them, received only minor convictions. Many more were protected by their superiors and escaped justice.

Naming names is a publisher’s nightmare. So, prior to publication, Anne voluntarily submitted the manuscript to Northern Ireland Secretary of State, Theresa Villiers for review. No security-related concerns were raised. Four times the PFC has requested meetings with the NIO to discuss the issues raised by the book. Four times they have been turned down. And there hasn’t been the faintest whiff of a libel suit from those named.

The Historical Enquiries Team (HET), set up to review these and other killings, had almost completed its review of the killings by the Glenanne Gang by 2010. It reported ‘Indisputable evidence of security forces’ involvement with loyalist paramilitary murderers’ that should have rung alarm bells all the way to the top of Government. Nothing was done, the murderous cycle continued’. And then the HET was disbanded. The PSNI has refused to complete the review.

So Lethal Allies is now an official exhibit in judicial review proceedings brought on behalf of the victims in the Belfast High Court before Mr Justice Seamus Treacey QC. The judge himself described the book’s revelations in the “deeply disturbing”…

Disturbing too was the claim by counsel for the Chief Constable that there was ‘no utility’ in completing the report and that doing so would ‘produce nothing new’. In court a spreadsheet was handed to Treacey J by counsel for the PSNI. It listed members of the security forces who were either convicted or suspected of offences carried out by the gang. The list ran to five pages.

The case is adjourned pending the Supreme Court’s judgement on yet another refusal by the government to conduct an inquiry or proper investigation, this time into a 1948 massacre of 24 unarmed men by British soldiers during the Malayan ‘Emergency’: Chong Nyok Keuy & Others v Secretary of State for Foreign & Commonwealth Affairs, UKSC 2014/0203. (See Slaughter and Deception at Batang Kali, Ian Ward and Norma Gilflour).

A particular feature of the Glenanne Gang is that they were not only controlled by puppetmasters in the security services; in this case, the security forces were both pulling the strings and pulling the triggers. Anne Cadwallader’s conclusion sums up what the present government, like its predecessors, refuses to recognise: ‘It is easy for those who have not suffered bereavement and injustice to lecture those who have, about ‘moving on’. Easy and insulting. Moving on is impossible when the truth lies buried in a barren field in Armagh without a headstone. Clichés are not enough for families who were not only bereaved but also ignored for nearly half a century and then fed lies. What future does any community have that refuses to uncover or understand the truths of its recent past?’

Lethal Allies raises vitally important questions that must be answered by the DPP’s office, PSNI, Northern Ireland Office, Ministry of Defence and Downing Street. The passage of time is no excuse for passing the buck.

Richard Harvey

Too outdated for a fast-moving subject

For practitioners, textbooks on administrative law is a bit of a crowded market. Well-established titles (De Smith on Judicial Review) rub shoulders with newcomers promising ‘practical guides’. This textbook is, as its title suggests, a practical guide rather than an academic discourse on administrative law, although it contains a useful brief history of the development of judicial review and the basic principles (illegality, irrationality and procedural impropriety) formulated by Lord Diplock in the GCHQ case (Council of Civil Service Unions v Minister for the Civil Service). It usefully breaks each of those principles down into a number of sub-headings: irrationality is broken down into Wednesbury unreasonableness, proportionality, and bad faith/improper motive. Each category helpfully ends with a list of recent cases on the point. In keeping with the rapid development of judicial review over the last 30 years, since Lord Diplock, the authors discuss additional public law grounds of challenge: breach of rights and freedoms protected by the Human Rights Act, by common law and by European Union law.

There are very practical chapters on remedies, delay, procedural details and a useful chapter on tribunals which concludes with a helpful diagram showing the destination of appeals from the different specific first-tier tribunals. There is also a very welcome discussion of the use of alternative dispute resolution, specifically mediation, in the context of public law disputes. However, I was concerned about some of the details. The passages on costs referred to the Access to Justice Act 1999 rather than Legal Aid Sentencing and Punishment of Offenders Act 2012, despite the latter coming into force in April 2013. The terminology is out of date ("public funding" used rather than "legal aid"). And the useful discussion of principles to be applied where a judicial review claim is discontinued without agreement or costs comes concludes with the 2001 case of R (Boxall) v Waltham Forest LBC, rather than the more up-to-date authority of R (M) v Croydon LBC decided in 2012 (the latter case appears in the specific chapter on housing, but not in the more general commentary on costs). Neither is there any mention in the text on costs of the Administrative Court Officer’s Guidance on how parties should assist the court when applications for costs are made following settlement of judicial review claims: guidance that came into force on 1 December 2013, although it does appear in the appendix. There is no discussion of the restrictions on recovering legal aid costs if permission is refused, a measure that came into force first in April 2014 although it has been through several formulations since, as a result of judicial review challenges.

There are 12 chapters on specific areas of law. I read two of these: community care and housing. The chapter on housing was up-to-date and comprehensive as far as the law in England was concerned. There was no mention of the differences in Welsh housing law, differences which are more profound since April 2015 when Housing (Wales) Act 2014, Part 2, on homelessness came into force. I was surprised that the chapter on community care failed to mention the Care Act 2014, which came into force on 1 April 2015 given that its details were well-known to practitioners at the date of its publication. The book was due to be published. Most of the contents of the community care chapter are now out of date.

Overall, the general chapters contain very useful aide-memorise on the general principles and recent cases applying those principles. However, my concerns about the community care chapter are profound, and I cannot judge whether there are similar omissions with the other specialist chapters. I should declare an interest, as I am published by the same publisher.

Liz Davies

Socialist Lawyer October 2015