

## Age Matters

**From 1 October this year it will be illegal as a matter of domestic law (in most circumstances) to discriminate on grounds of age in employment and training. It needs to be stressed that discrimination is on grounds of AGE and does not only apply to older workers. It has however been the latter issue which has received most focus in the debate and consultation during the preparations for the introduction of the regulations. The Age Directive is the last of the EU Directives to be introduced and it has been described as potentially producing the greatest change in employment law since the introduction of the fair employment legislation. Before highlighting some of the key elements, however, it is necessary to place this development in a wider context.**

Attitudes to age discrimination lag behind those in other areas. Currently Section 75 is the only protection available to counter discrimination experienced on this ground. Addressing the area of employment and training is an important second element that needs to be complemented by legislation on goods, facilities and services, to ensure comprehensive protection in this area.

The EU Directive will make illegal direct discrimination, indirect discrimination and harassment. It will cover all employers, private and public sector vocational training providers, trade unions, professional organisations, employer organisations and trustees and managers of occupational pension schemes. It will cover recruitment, selection, promotion and benefits based on length of service, although there are significant exemptions here. The upper age limits on unfair dismissal and redundancy will be removed. Most aspects of pension regulations are excluded, however, and a new default retirement age of 65 will be introduced.

Unlike other grounds, however, the Directive will permit the defence of objective justification in cases of direct discrimination, although it is suggested that these will be very narrowly drawn. For example, an employer might seek to objectively justify a retirement age lower than the proposed default retirement age of 65.

While Age Concern Northern Ireland welcomes the legislation, we are opposed to important aspects of it that

will permit discrimination to continue. Underpinning these ongoing discriminatory practices is the general defence that they are necessary to permit workforce planning. In fact, we would argue, they actually permit inefficient workforce practices to continue. In seeking to use any of the exceptions outlined above, an employer's actions will remain subject to the tests of legitimate aim, necessity and proportionality.

Like older people's organisations, those working with and for children and young people have significant reservations, some of which are reflected in the comments above. There are others, however, that are specific to young people. The legislation will permit differential minimum wages to continue. We note that benefits based on length of service are also discriminatory against younger workers, with - for example - loyalty, effectively, being equated with length of service. The exemption of most pension issues has been criticised as inconsistent and leaving young people largely unprotected in relation to age-based discrimination in occupational pension schemes. The Children's Law Centre has called for "a comprehensive model of best practice reflecting the highest standards of protection against discrimination on grounds of age fully compliant with international human rights obligations."

The Equality Commission has been given the responsibility of providing advice to employers and training organisations in relation to the regulations in Northern Ireland and it is essential that these are as unambiguous as possible. The ambiguities identified above will make this task all the more difficult. It is also essential that a public information campaign be mounted to ensure employers are fully conversant with the requirements of the Directive.

**David McConnell**  
**Age Concern**

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# Older People - Rights at Risk

**Surely older people have the same rights as everyone else? Why then when it comes to both the rights and equality agenda are our senior citizens often the forgotten people? Why is it that when we reach a certain age landmark, our rights seem to fly out the window?**

Unfortunately in our society older people experience prejudice, discrimination and disadvantage purely because of their age. The Northern Ireland Life and Times survey 2003 found that 48% of people believe that older people are treated worse because of their age. That figure was higher amongst respondents aged between 55 and 64 yrs of age with 52% believing that older people get a rougher deal because of their age.

Age discrimination is endemic across all major areas of public policy. While older people's human rights can be breached in a wide range of ways and circumstances, the clearest example is when older people experience abuse or neglect at the hands of those who are supposed to be looking after them.

Abuse can be defined in many ways but one such definition is that it is *"a violation of an individual's human and civil rights by any other person."*<sup>1</sup> Help the Aged is currently campaigning on the issue of elder abuse in partnership with Action on Elder Abuse, an expert voluntary organisation who define elder abuse as *"a single or repeated act or lack of appropriate action occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person"*<sup>2</sup>

There are five types of abuse: physical, psychological, financial, sexual and neglect. An older person may be subject to any one or indeed a combination of these forms of abuse. While most abuse happens within the family, roughly about one third is perpetrated by paid workers. Nobody knows how common elder abuse is; however it is estimated that as many as half a million older people may be suffering from abuse at any one time.

Whatever the actual figure, the real question to ask is how does it happen that health and social services charged with looking after the well-being of our older people become the source of abuse and violating the rights of older people. Help the Aged suggest that that are two main categories of such behaviour: actions by individuals and the existence of abusive institutional cultures. A third category calls into question the systems and policies established to manage public services.

The care worker who mistreats an older client behind closed doors in their own home; the nurse who handles someone roughly or fails to answer a call for help; the

doctor who neglects to treat a treatable condition or the night staff member that residents of a care home are afraid of: all of the above may be examples of individuals who are at risk of violating the dignity and human rights of the older people they come into contact with.

Abuse of human rights may result not only from the actions of a few rogue individuals but may be tolerated, sustained or even encouraged by the culture of a particular institution. The usual moral safeguards against harmful behaviour which violates people's human rights becomes the norm. There are numerous examples of poor treatment of older people in hospital wards which can be severe enough to constitute inhuman or degrading treatment.

Help the Aged's "Dignity on the Ward" campaign in 2000 uncovered over 1,300 cases of varying degrees of abuse and neglect in hospital care over a two year period, some were life threatening and most concerned inhuman and degrading treatment. One example of such behaviour comes from a quotation from a letter received by the campaign. *"Her meal would be on the tray cold and hardly touched. More often than not her teeth would be on the locker at the other side of the bed, well away from the chair on which she was sitting. At no time was she encouraged to eat, the food was not cut into bite size pieces and no person seemed to be responsible to see that patients received nourishment"*.

Widespread within health and social services there are systemic human rights breaches. Systemic abuse is widely accepted and unchallenged. Social services for older people are for the most part very tightly rationed which results in older people having difficulty accessing services and getting poor quality help. This impacts on the rights and dignity of older people.

Robust action is needed if the rights of older people are to be protected in the area of health and social services and we are to prevent the abuse of older people. Many changes are needed, including a Bill of Rights which enshrines the rights of older people and a change of culture within health and social services which acknowledges that its practices and actions puts the rights of older people at risk.

**Joleen Connolly**  
**Help The Aged**

<sup>1</sup> Department of Health & Home Office: No Secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse 2003

<sup>2</sup> Action on Elder Abuse: Hidden Voices: Older people's experience of abuse.

# *A Fire Officer's fight for justice*

**John Allen of Warrenpoint, County Down has been employed by the Northern Ireland Fire Brigade since 1988 and holds the position of Assistant Divisional Officer at Brigade Headquarters, Seymour Street, Lisburn. In the period from January 2003 until September 2003 he had “acted up” into the position of Divisional Officer because of the absence on long-term sick leave of the permanent incumbent. When that person retired on grounds of ill-health, a position of Divisional Officer Grade 2 became available for which he made an application.**

Unfortunately for Mr Allen, the post contained a “designated stand by/call out area”. It was stipulated that any person applying for the position would reside for the period of time during which that person was on “stand by or call out” within a defined area. The “defined area” for the post varied from that which had been previously applicable and specifically the designated area excluded Warrenpoint where Mr Allen lived.

For so long as Mr Allen could remember the stand by radius for Brigade Headquarters had been 30 miles. He further believed that the stand by areas for officers serving previously in divisions was anywhere within their respective divisions. Under that criteria, he would have been able to continue to reside in Warrenpoint and travel to Lisburn to his new appointment.

## **Unlawful discrimination**

Mr Allen successfully applied for the position. However on 3<sup>rd</sup> October 2003 he wrote to the Chief Fire Officer advising that he could not take up the post, and submitted a complaint of unlawful discrimination to the Fair Employment Tribunal contending that the requirement that he live within the specified designated area was one which adversely affected him as a person from a Catholic/Nationalist background. The changes to the designated areas had in effect replaced places like Warrenpoint/South Down with other predominantly Protestant/Unionist areas – some of which were further from Lisburn than Warrenpoint.

On the same day Mr Allen lodged a formal complaint under Section 75 of the Northern Ireland Act 1998 concerning the failure to carry out an equality impact assessment of the policy requiring Divisional Officers to reside within the specified geographical area.

Being unhappy with the manner in which the Northern Ireland Fire Brigade had dealt with the complaint, Mr Allen subsequently raised the matter with the Equality

Commission and following upon that the Equality Commission decided to investigate the alleged breach of the Fire Brigade’s approved equality scheme. Mr Allen also initiated judicial review proceedings in the High Court. He sought to prevent the Fire Authority from filling the position to which he had been appointed but which he was unable to take up because of the new residence requirements. He sought to challenge the process by which his appointment was made subject to those new requirements.

Leave was granted and a full judicial review hearing took place before the High Court in April 2004. Mr Justice Weatherup’s decision ultimately denied Mr Allen the remedy sought (namely that the Fire Brigade be required to appoint him to the position) and instead noted that Mr Allen had a continuing remedy to have the matter investigated and adjudicated upon by the Equality Commission.

The Equality Commission indicated on 5<sup>th</sup> April 2004 that it was going to conduct a full investigation into Mr Allen’s claims against the Fire Authority and that proceeded.

The outcome of that investigation was that the Commission directed that the policy in question should be subjected to equality screening and this process was conducted in late 2004 / early 2005. As a result of that process the standby areas as set out in the revised map were abandoned. In June of last year Mr Allen’s complaints of unlawful discrimination before the Fair Employment Tribunal were concluded on confidential terms. New maps were subsequently drawn and these were recently consulted upon. At the present time that process has not concluded.\*

## **Section 75**

This case clearly goes to the heart of what Section 75 is supposed to be about, namely, challenging certain policies which may seem superficially “neutral”, but which have the practical effect of disadvantaging certain sections of the community. For a senior post in the fire service, it may seem reasonable that the post-holder should live within a certain distance from the building. What is clearly “unreasonable”, and what may indeed be unlawful, is to have a situation in which the “designated areas” are predominantly populated by Protestants/Unionists, while areas which are in fact geographically closer to the premises, but are predominantly populated by Catholics/Nationalists are excluded from the “designated areas”. CAJ will be monitoring developments in this case closely in order to assess the extent to which the Fire Service is delivering on its equality obligations.

### **Rosemary Connolly, solicitor**

[\* Ed Note: At the time of going to press, information suggests that the problem is far from resolved and CAJ will be pursuing the case actively]



# Devolving Policing and Ireland: A Discussion

In last month's edition of Just News, we reported on a major research report that CAJ has recently produced and is soon to launch on the devolution of criminal justice and policing powers. This report is particularly timely, given that the government has also recently produced a discussion paper on the same issue, accompanied by enabling legislation for devolution to occur. This article will examine the government's paper, and analyse some of the key proposals therein.

The official paper, entitled "Devolving Policing and Justice in Northern Ireland: A Discussion Paper", is intended to initiate and facilitate discussion of how devolution of policing and justice can "work most effectively for the people of Northern Ireland". As such it sets out what the government describes as a "sensible and pragmatic framework" for this goal.

## Scope of devolution

The Paper begins by clarifying the scope of devolution, and lists the areas which are currently reserved but could be transferred to the Assembly.

These are:

- the criminal law;
- the creation of offences and penalties;
- the prevention and detection of crime and powers of arrest and detention in connection with crime or criminal proceedings;
- prosecutions;
- the treatment of offenders (including children and young persons, and mental health patients, involved in crime);
- the surrender of fugitive offenders between Northern Ireland and the Republic of Ireland;
- compensation out of public funds for victims of crime;
- local community safety partnerships;
- the Chief Inspector of Criminal Justice in Northern Ireland;
- the maintenance of public order, the Parades Commission for Northern Ireland;

- the establishment, organisation and control of the Police Service of Northern Ireland and of any other police force (other than the Ministry of Defence Police);
- the Northern Ireland Policing Board;
- traffic wardens;
- firearms and explosives;
- rights of appeal to the Supreme Court and associated legal aid arrangements;
- the Courts;
- the Northern Ireland Law Commission;
- Social Security and Child Support Commissioners.

Most importantly, however, is the footnote to this list which states that in relation to the first three of these items, excepted matters of national security, treason and counter-terrorism will not be transferred. CAJ's main concern in this regard would be the wholesale exclusion of regulation related to national security and terrorism, and the consequences of this on the actual division of power. This is particularly important in the NI context where the dividing line between national security, terrorism and the ordinary law is not always clear cut. It would be useful to explore this more fully by thinking through practical case-studies and asking who (local bodies or Westminster bodies) would be able to take action. Such an exercise could draw attention to any problems this may create.

CAJ's report gives a number of examples - for instance, a local minister for justice with responsibility for the courts who finds him or herself with control over all courts except Diplock courts. Another practical example would be the situation where a local paramilitary organisation is under investigation. If this is categorised as an "excepted" matter - would it thus escape local control and accountability? Would someone have to determine whether the alleged activity on the part of the individual members with links to a paramilitary group was more "political" or "criminal" in nature, and if so, whom? Precluding a local minister from making what are very important policy decisions clearly has the potential to be destabilising, both to the process of moving decision-making closer to home, and to the peace process as a whole. CAJ believes that the key issue in this respect will be to call for a better delineation of powers and certainly no blanket exemption for national security and counter-terrorism measures.

# and Justice in Northern Discussion Paper

## Delineating powers

At first read, the paper sets out what responsibilities would be devolved locally in broad terms in the specific areas that are identified as suitable for devolution (as above). However, experience shows that the devil will be in the actual detail, and we feel that only a detailed listing of the legislation which gives the Secretary of State a role currently, and what that will look like in future, is the best route to go. For example one can have a general debate about the appropriate relationship of the Policing Board, but some of the key questions are - who (Secretary of State or local minister) would have the veto power that the Secretary of State currently holds in disputes between the Board and the Chief Constable regarding inquiries and reports; who will develop the codes of procedures governing Board activities (currently Secretary of State) etc. This detailed breakdown of powers must be provided. Decisions in this arena could very much be dictated by what the government puts up for discussion, and there could be many more important issues not canvassed for discussion, since no-one realises that they are caught in the same net.

## Models

The paper, without prejudice to the views of and presumably subsequent negotiations by the parties, also proposes a number of potential models. These include:

- A single Justice Department headed by one Minister with perhaps a Junior Minister from the other tradition;
- A single Justice Department headed by two Ministers, with decisions requiring the agreement of both, similar to the OFM/DFM arrangement;
- Adding responsibility for justice to the existing roles of OFM/DFM, perhaps supported by additional Junior Ministers; and
- Two departments (of policing and justice) with two Ministers coming from different traditions.

The paper notes that in settling this issue, account will need to be taken of both political balance and effective governance. In CAJ's report, we examined various models from the effectiveness point of view, and will be using that analysis to inform any proposals that come forward. A key recommendation was that no executive governmental

model (one, multiple, shared) is going to be self-sufficient in providing safeguards in such a highly contentious and politically problematic area, and as such active consideration needs to be given to a number of additional safeguards such as a Bill of Rights, parliamentary safeguards, and other inspection/oversight mechanisms.

CAJ believes that it may be worth giving consideration to some kind of review mechanism 'x' years into the division of labour to see what has worked/has not worked. In addition, it will be necessary to explore, regardless of the model adopted, what mechanisms will be identified and empowered to resolve disputes.

## Other issues

The paper proposes that funding for policing and justice be transferred as part of the Northern Ireland block grant. If this is to happen, it will be extremely important to have some safeguards built in. One could imagine that this is exactly the area where disputes either between different ministries or politicians who may be wary of the work of particular institutions could arise. It would be unacceptable if such disputes resulted in important institutions being starved of funds before they have time to really bed down.

This is also an ideal opportunity to give consideration to the future role of the Criminal Justice Inspection, both in overseeing the administration of devolved powers and particularly in relation to oversight of the implementation of Review recommendations following the departure this year of the Justice Oversight Commissioner, Lord Clyde. This particular function could even have a limited lifespan (e.g. until 2010) as clearly recommendations from the Criminal Justice Review will need to have been implemented in the ten year period after the Review reported.

The paper is accompanied by legislation – the Northern Ireland (Miscellaneous Provisions) Bill – which will enable devolution to be carried out by Order, without the need for further primary legislation. As such the Bill makes provision for allowing the Assembly to put in place various arrangements for ministerial appointments to a new policing and justice department. Specifically, the Bill provides for options that are not possible now (e.g. rotating, joint or senior/junior ministries) for this department. First glance at the legislation leaves much unclear in that it may in fact allow for only one department with the responsibilities outlined above. This is not the case, and it will be important to have this point clarified during the parliamentary debate.

# Whatever Happened to Objective Need?

In last month's piece for Just News, Paul McGill pointed out how the NISRA "multiple deprivation measures" give robust data on the location of the most deprived parts of Northern Ireland. One might expect therefore, that such data would be the driving force behind allocation of government resources, thereby ensuring the "skewing" of resources to those in most need. This was after all the stated *raison d'être* of the TSN, and subsequent New TSN policies. Unfortunately, government appears to have chosen to sectarianise this issue, and direct resources on the basis of political expediency rather than "objective need".

The NISRA report ranking areas in Northern Ireland according to "multiple deprivation measures" shows that 9 out of the 10 most deprived wards are in North and West Belfast, six out of the ten most deprived wards are Catholic, and that urban parts of Derry, Craigavon, Strabane and Lisburn also feature among the fifty most deprived areas within Northern Ireland. The most well-off parts of Northern Ireland are located in Castlereagh, Newtownabbey and North Down.

In addition, a recent report by the Special European Union Programmes Body (the body with responsibility for distributing EU peace monies) has shown that the proportion of Catholics is directly related to how deprived an area is. For example, Catholics make up only 19.5% of the population in the 500 most affluent census output areas. However, Catholics make up 72% of inhabitants in the 500 most deprived areas – almost 30% over-representation gap in the most deprived areas.

Meanwhile, data from the latest labour force survey shows that the proportion of working age Protestants in employment in 2003 was 72.5%, while the proportion of working age Roman Catholics in employment in 2003, was 62.9%. The economic activity rate for those of working age was 76.4% for Protestants and 67.9% for Catholics. In 2003, the unemployment rate for Catholics was 7.2% while for Protestants the figure was 4.8%.

This data will not surprise many in Northern Ireland – particularly those in government. What has come as a surprise however is the response of government to this information. David Hanson, Minister for Social Development, was reported in a recent article in the Shankill Mirror as stating that whilst deprivation was more prevalent in nationalist areas, loyalist communities often found it harder to tackle problems because they were not as well equipped to deal with them. *"A pound of government*

*money on Belfast's Shankill Road will not buy the same output as a pound spent in nationalist areas like the Falls Road"* he said. Strangely, this assertion seems to fly directly in the face of the evidence presented to Mr Hanson in a report commissioned by him from Deloitte.

The research carried out by Deloitte for the Department for Social Development has shown that Catholics are much *more* likely to live in electoral wards with "weak community infrastructure" than Protestants. Catholics make up 57% of the population of these weak community infrastructure areas even though they make up only 44% of the total population – a 13% over-representation gap in relation to living in areas of weak community infrastructure. Protestants comprise 41% of residents in "weak community infrastructure wards" compared with their 53% share of the population.

In addition, research published by PricewaterhouseCoopers has shown that the number of applications for Peace II funding per 1000 population in the 10% most deprived areas is 13 for Protestants and 9 for Catholics and funding received per head is £462 for Protestants and £314 for Catholics. Given this data, it is somewhat strange that government have chosen to establish a "Protestant Working Class Task Force", which focuses resources on the basis of community background rather than need. Moreover, a number of "cross-community" initiatives such as the Greater Shankill and West Belfast Task Force and the proposed university campus at Springvale have run aground for one reason or another. Equally, there is still no sign of an analysis of the equality and TSN impact of the £16 billion investment strategy, which would show the extent to which the most deprived parts of Northern Ireland will gain from the £16 billion being spent over the next 10 years.

CAJ has always argued that inequality and need should be addressed by the application of the law in the form of Section 75 to all high-level decision-making. Moreover, cross-community initiatives aimed at addressing "objective need" in the most deprived parts of Northern Ireland such as the Greater Shankill and West Belfast Task Forces should be given particular support. One can only conclude that government believe that adhering to "objective need" and the law in the form of Section 75 should be set aside in favour of directing resources at the loyalist community. The assumption being presumably that this will in some way break the political deadlock and produce some short-term political gain. The chances of such an approach working are of course questionable, but the current sectarianising of resource allocation sets a very dangerous precedent for those who might be taking their ministerial seats in any future devolved administration.

# Wright Update

**Mr. Justice Weatherup granted David Wright leave on Friday 17<sup>th</sup> February to judicially review the decision of the Secretary of State to convert the inquiry into the death of his son Billy Wright in the Maze prison in 1997. This inquiry was originally convened under the Prison Act 1953. It was converted in November to an inquiry under the Inquiries Act 2005, following a request by Lord MacLean, the Chair of the Inquiry, to the Secretary of State, Peter Hain.**

The Wright Inquiry was originally announced after Canadian Judge Peter Cory's investigation into allegations of collusion in this and three other Northern Ireland cases (Robert Hamill, Rosemary Nelson, Pat Finucane) recommended independent public inquiries.

In the leave hearing, Weatherup J found that Mr. Wright had an arguable case and granted leave on the following points:

- The applicant had a legitimate expectation that the government commitment to accept the recommendations of Judge Cory included an expectation that the form of the Inquiry would comply with his recommendations.
- Arguably there was a commitment given to Mr. Wright and an intention this Inquiry would be compliant with Article 2 of the European Convention on Human Rights. Whether the legal structures governing the Inquiry allow for this is also arguable.
- Arguably a mistake as to the law has been relied on by the Secretary of State in converting this Inquiry. Mr. Hain and the Tribunal panel may have misunderstood the scope of the powers of the respective Inquiries under the Prison Act and under the Inquiries Act.
- Arguably it was procedurally unfair that the Chair of the Inquiry and the Secretary of State had exchanged correspondence prior to the Inquiry's public statement on its intention to convert (made by Lord MacLean on the 22<sup>nd</sup> June) but the applicant was not consulted.

The judge refused leave on the following points:

- That conversion was a nullity as section 15 of the Inquiries Act (which requires the consent of the person who caused the Inquiry to be held) was not

complied with. Counsel for the applicant argued the present Secretary of State should have obtained the consent of Paul Murphy, the Secretary of State who set up the Inquiry. Mr Justice Weatherup upheld the constitutional convention that all holders of the post of Secretary of State were the same person.

- That the conversion was irrational. Counsel for the applicant pointed to the grave concerns expressed by Amnesty, British Irish Rights Watch, CAJ, Liberty, the Joint Parliamentary Committee on Human Rights and senior judges from three international jurisdictions, including Lord Saville and Judge Cory that the Inquiries Act was fatally flawed and argued it was unreasonable to hold an Inquiry where Article 2 was engaged under this legislation. Mr Justice Weatherup held that in this circumstance the court's role was in determining the compatibility of legislation with human rights standards and the decision of the Secretary of State to act under legislation lawfully enacted by parliament could not be irrational.
- That inadequate reasons were given for the conversion by the Secretary of State. Mr. Justice Weatherup held that the reasons given in his letter were adequate.
- That the government was guilty of bad faith in converting the Inquiry in the face of the opposition to the ability of the Inquiries Act to deliver justice and restore public confidence. The Secretary of State refused to disclose to Mr. Wright documents relating to contact with the Inquiry, saying it was not in the public interest. However, it had since been disclosed in relation to this leave hearing, that in June 2005 the Secretary of State, wrote to Lord MacLean saying the government understood the Billy Wright Inquiry was "not itself under any legal obligation to comply with Article 2 requirements" The judge said that although there were uncertainties and differences of opinion on the application of Article 2 measures, there was no arguable case that this was motivated by bad faith.

Mr. Wright has lodged a Notice of Appeal in respect of the points for which leave was not granted.

Amnesty International, British Irish Rights Watch and CAJ have made an application to intervene in this case. All organisations have been following the "Cory cases" closely and the Wright conversion raises points of principle having wider implications for compliance with international human rights standards.



## Civil Liberties Diary

**February 3** Policing Board is told that crimes are increasingly being reported to the PSNI from nationalist areas, particularly South Armagh and parts of Fermanagh.

PSNI statistics reveal the force may not be representative of the population of Northern Ireland until 2027 at the current rate of recruitment (currently 16.39% Catholic). The failure to implement the Patten Commission's recommendation to disband the Full Time Reserve is thought to have contributed to this.

**February 4** Equality Commission lends support to Daily Ireland in its legal challenge claiming discrimination in not receiving public notice and job recruitment ads from the British government.

**February 6** NIO minister David Hanson tells delegates at a conference on domestic violence that Northern Ireland should take lessons from other countries on how to tackle the problem.

**February 7** Solicitor Manmohan Sandhu appears in court accused of attempting to incite a murder following his being secretly taped by police while consulting with clients.

**February 8** Robert McLaughlin (who brought an action against the Police Ombudsman's Office when turned down for a post) has his case halted after adjudicators refused to grant the release of sensitive documents.

Family of murdered solicitor Pat Finucane appeals to the Irish government to intervene in the case amid fears that the British government position is based on an alleged need to protect national security interests.

Report reveals that more than 90% of NIO staff are located in Protestant/Unionist dominated constituencies and only 23% of core staff are Catholic / Nationalist.

**February 10** DUP leader Ian Paisley meets family of Pat Finucane to

discuss their call for a full public inquiry into the murder.

**February 14** PSNI conference on hate crime shows that figures are on the rise.

Public Prosecution Service reveals it still has not decided whether 20 police officers and soldiers will face trial for alleged collusion in loyalist murders, three years after Lord Stevens presented his report.

Police Ombudsman Nuala O'Loan releases official figures showing more complaints from Protestants than Catholics. Since taking office in November 2000 the Office has received some 14,000 enquiries.

NIO Minister receives renewed calls for the introduction of a Bill of Rights for Northern Ireland from the Human Rights Consortium.

**February 15** More than 1,000 police officers from Northern Ireland and the Republic are to take part in a cross border scheme. The Diversity Works Project is hoping to teach officers to recognise the policing needs of each individual regardless of religion, gender, sexual orientation, ethnic background, mental abilities or age.

**February 20** Orange Order meets to discuss policy on the parades issue including its stance on the Parades Commission.

**February 24** Judge Cory criticises British government approach to Pat Finucane murder inquiry.

**February 25** Homophobia is rife within the PSNI according to a study by the Institute for Conflict Research commissioned by the Policing Board and the Office of the Police Ombudsman. It alleged gay members of the police faced intimidation.

**February 27** Proposal to lower the voting age to 16 in the United Kingdom receives the backing of Chancellor Gordon Brown.

Chief Executive of the Equality Commission says people's rights and responsibilities are now more extensive and inclusive than ever before as their 6<sup>th</sup> annual report goes before parliament. During the year covered by the report important sections of the Disability Discrimination Act were implemented and the Commission committed itself to raising awareness of the changes and ensuring compliance with the law.

Secretary of State, Peter Hain, insists any inquiry into the murder of Pat Finucane would not be a "cover up" but would have to take place under the new Inquiries Act.

**February 28** Don McKay, an Orange Order member from Portadown now sitting on the Parades Commission, is criticised for using SDLP MLA Dolores Kelly as a reference without her permission.

*Compiled by Mark Bassett from various newspapers.*

### Deadline for submissions to the Eminent Jurists Panel is 31 March 2006.

Submissions on the topic of "What does the experience of emergency powers in Northern Ireland have to offer to an international programme of action on terrorism, counter-terrorism, and human rights?"

should be sent to: [ejp@caj.org.uk](mailto:ejp@caj.org.uk)

*Just News*  
Human Rights in Northern Ireland

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