Website: http://www.caj.org.uk

Just News

September 2002

Vol. 17 No. 9

Bulletin of the Committee on the Administration of Justice

Whatever you say – say something!!!

Amid the plethora of consultation documents 'doing the rounds' this summer, one of the most important pertains to the role of the private sector in the delivery of public services. Last May saw the beginning of a public consultation by the Office of the First Minister and Deputy First Minister and the Department of Finance and Personnel on the use of Public Private Partnerships (PPPs) in Northern Ireland.

The consultation included the launch of the 'Review of Opportunities for Public Private Partnerships in Northern Ireland' report and the holding of three public meetings – one each in Belfast, Derry and Dungannon. Weighing in at almost 300 pages, one might be forgiven for not choosing the report as holiday reading material. On the other hand, failure to provide input to the current review may be something 'consultees' (ie *you*) will live to regret.

CAJ's
Annual General Meeting
will take place on
Thursday, 24th October 2002 at 7.30pm in the

Law Centre (NI) offices, 124 Donegall Street

All Members welcome

The consultation period for the report extends at least to 20 September, by which time the authors hope that '*what is a complex and intricate subject can be properly explained, examined and discussed, so that, in light of the responses to consultation, we can settle a clear policy for the way ahead on these important issues'.*

Certainly one could not accuse the powers that be of lacking ambition – or optimism - for this consultation process. Debate around this topic hitherto has been stimulating – although somewhat limited to fairly small groups who follow such topics closely. Given that those directly and indirectly affected by this subject however include most of the Northern Ireland population it remains to be seen how this issue can be 'examined and discussed' by the end of September. This is particularly given the divergence of views in relation to many of the arguments at the heart of this debate.

For example, as CAJ has pointed out previously, PPP/PFIs are agreements whereby private companies design, borrow money for, build, and operate projects that provide public service. In return, the government pays a rent for the building and services over a period of about 20 to 30 years. The private companies may have additional profit-earning potential in the deals – by renting out school space during out of school hours, or charging road tolls, for example. In spite of this extensive involvement in public services by private businesses (run by directors whose primary legal duty is to their shareholders), proponents of PPP/PFI tend to be at pains to downplay the 'private' aspect of the process, preferring to accentuate the 'partnership' aspect of the work.

Equally, CAJ believes that the use of PPP/PFIs is not necessarily the most effective means to address NI's infrastructure needs. These schemes replace more cost-efficient public financing, profit the private sector, restrict future government spending – the public must make payments for the life of the contract, regardless of the quality or necessity of service provided – and take both expertise and accountability out of the public sector, whose interest is to serve public needs.

In our response to the report CAJ recommends that there be a moratorium on PPP/PFIs pending the outcome of the current consultation process and a more comprehensive examination of alternative options. These options include public borrowing, the use of public bonds, use of rating or other tax revenue, and/or the establishment of an investment bank. CAJ also believes that alternative PPP/PFI approaches should be properly evaluated during this time, including the use of not-for-profit schemes, or private finance of public or community-run services. The draft equality impact assessment (EQIA) included in the

contd on page 3

Contents

Social and Economic Rights - Another view

I was pleased to see the development of a debate around the enforcement of social and economic rights within a Bill of Rights (Just News, Jul/Aug 2002). Such a debate is welcome as the enforcement provisions contained in the Commission's draft consultation document were ambiguous. Whilst many organisations including a number of trade unions felt that their demands on scope and enforcement had been met, others (including CAJ), casting a forensic eye on the wording, were left with a sense that a sleight of hand had been used with regard to enforcement to dilute the impact of inclusion of economic and social rights.

Programmatic responses

The advisory group on economic and social rights established by the Northern Ireland Human Rights Commission (which I chaired) had recommended that such rights should be guaranteed. In addition to effective legal redress, it was argued that there should be the development of a programmatic response which charges government as well as courts with responsibilities for tackling violations of economic and social rights. This approach was designed to bring an additional dimension with judicial safeguards against breaches of rights being augmented by pro-active government strategies to enhance the development of economic and social rights.

The Commission's draft consultation document appeared however to endorse the programmatic approach as an alternative rather than additional mechanism. In particular, the consultation document set out:

> *"The working groups on social and economic rights and on implementation, and a number of submissions, drew the Commission's attention to the need to develop innovative approaches to the delivery of social and economic rights in addition to enforcement by judicial decisions.*
>
> *These would treat different types of rights differently, some being justiciable and directly enforceable by judges and some being enforceable in a programmatic way according to prescribed processes."*

Legal enforcement then appeared to be limited to protection of due process and equality rights. While it is welcome that Brice Dickson, as Chief Commissioner, argued in his article in Just News last month that legislative, executive, and judicial bodies must develop and enforce programmatic responses, this has no legal force in the Commission's draft text and could be easily disregarded by the judges. Indeed, even in the extremely unlikely event that Northern Ireland's judges were to indulge in extensive judicial interpretation of the final text, the last sentence in the Commission's interpretative clause explicitly rules out any legal remedies being available where concerns of due process or equality are not at issue.

Housing as an example

To illustrate the value of the programmatic and judicial response, working in tandem take the right to housing. The Housing Executive's recently published annual report revealed that 14,164 households presented themselves as homeless in 2001/2002 and that 26,000 people remain on the waiting list for housing. Putting aside arguments as to whether these figures accurately reflect the extent of homelessness and housing need in Northern Ireland, it is clear there is a major housing problem. The programme for government response in 2001/2002 was to set a target of building twelve hundred new houses through Housing Associations, a target not met as the budget for the building programme was reduced by £6.7million. The response to tackling housing need and homelessness was clearly inadequate. An enforceable right to housing would, at the very least, add an additional layer of judicial scrutiny as to whether strategies to tackle homelessness were adequate, proportionate and reasonable.

A force for unity

Economic and social rights are potentially extremely popular. Moreover, they generally do not polarise divisions within communities. Within some political parties there is less welcome, with economic and social rights preying on fears that the powers of legislators and policy-maker are ceded to the judiciary. In practice, in other jurisdictions, enforceable economic and social rights have not led to judicial micro-management of social provision. In contrast, it has led to policies and practices being subject to scrutiny to ensure that basic standards are met and that proportionate responses to needs and demands are applied.

A Bill of Rights promoting positive economic and social policies underpinned by judicial safeguards would be an important step forward and a prize worth campaigning for.

Les Allamby
Director of Law Centre (NI)

contd. from front page

Review, which could explore some of these issues, was minimalist – a proper EQIA should be conducted before the end of the consultation period, and should thoroughly assess the effect of PPP/PFI policy on disadvantaged groups.

Furthermore, should there ultimately be support for the regulated use of PPP/PFIs following these various analyses, they should at the very least, be carefully monitored. The government has an obligation to ensure that PPP/PFI schemes do not violate equality legislation such as Section 75, which promotes equality of opportunity for protected categories. CAJ believes that EQIAs must be conducted not on an ad-hoc basis as the *Review* suggested, but on all projects at three stages of the PPP/PFI scheme: the business case, the first stage which effectively determines whether or not the project is needed; the invitation to negotiate; and the award of the contract. In addition, because PPP/PFI schemes involve procurement of services, the principles set out in the Procurement Review should apply to all such schemes and underpin the government's policy. Indeed, PPP/PFI projects must conform to all of the goals set out in the Programme for Government, including Targeting Social Need objectives.

An additional concern is that the *Review* recommends public disclosure of information regarding PPP/PFI projects per public sector standards, but acknowledges that confidentiality may be required where disclosure would undermine competition and value for money. CAJ is very strongly of the view that corporate confidentiality should not be protected at the expense of public access to PPP/PFI contract terms.

Another important development in this debate was the recent announcement by Gordon Brown – after the *Review* was completed – that NI could borrow from the Treasury for public service spending. Unfortunately however, timing in this case militated against the Brown announcement featuring as part of the report.

Unfortunately, these are all crucial issues which we believe require detailed consideration by all relevant stakeholders before a policy on the use of PPP/PFI is agreed. We would very much encourage interested parties to participate in the consultation process during the next two months – and beyond. At the very least, we believe that it is imperative that consultees question some of the underlying assumptions contained in this weighty document. Such an approach can only assist debate around this 'complex and intricate subject'.

CAJ's response to the review document, along with analyses of a number of UK-wide projects, is available upon request.

Marny Requa
US intern

Coroner Review Team publish consultation paper

A "Consultation Paper By the Fundamental Review of Death Certification and the Coroner Services in England, Wales and Northern Ireland" has recently been published. The team expect to issue their final report to government in March 2003.

The Consultation Paper invites submissions from interested parties by the 22nd November or sooner.

Copies of the report can be obtained from Sophy Osborn at the Review of Coroner Services, 100 Pall Mall, St James's, London, SW1Y 5HP (email: sophyosborn@coronersreview.org.uk).

Up to date with CAJ

There have been meetings of the Equality and Policing subgroups.
Maggie attended an event organised by the Equality Commission to discuss gender policy.
Aideen attended an event organised by the Civic Forum.
Maggie attended a briefing by the NIHRC on European Social Charter.
CAJ as a member of the Human Rights Consortium met with Minister Des Browne to discuss government thinking about a Bill of Rights for Northern Ireland.
Maggie was invited to act as a member of an advisory group developing a "Human Rights Agenda for South America" and attended a first seminar in Peru in August.
We would like to take this opportunity to thank Peter and Moya Gahan for their help in the office and for compiling the civil liberties diary. This is an opportunity to thank all CAJ's regular office volunteers and to put out an appeal for more support now that a number of regular students have moved on.

Liz McAleer

In the Headlines

CAJ holds newspaper clippings on more than 50 civil liberties and justice issues (from mid 1987- December 2000). Copies of these can be purchased from CAJ office. The clippings are also available for consultation at the office. Anyone interested in this service, should phone (028) 9096 1122.

Hederman and Offer

The full report of the Hederman Review Committee on the Offences Against the State Acts (OASAs) and related matters was recently published. Its contents had been substantially leaked in advance of the formal launch and the Committee had also published an interim report on the use in the Republic of Ireland of the Special Criminal Court and the certification of cases for trial by that court in June 2001 (see: *Just News*, September 2001). The final report contains minority and majority views throughout with a general dissent by one member of the Committee, Professor Dermot Walsh of the Criminal Justice Centre, University of Limerick.

The report opens with a chapter entitled "Main Issues in a Democracy" which, in the very first paragraph, acknowledges the potential for abuse of emergency legislation "for pragmatic political purposes". After outlining the usual justifications for such legislation – threats to state security and the administration of justice – the human rights dimension is discussed. The Committee was keen to stress the tension between the protection of human rights and the protection of state security, and described its task as "one of respecting principles of justice in the context of delicate and complex social and political realities".

International Standards

The next chapter discusses Anglo-Irish and international (including EU) commitments noting, at the outset, that the original OASAs were promulgated before the codification and development of international anti-terrorism and human rights laws. The degree of overlap between the ECHR, ICCPR and the Irish Constitution is discussed in some detail without going into much detail on the differences between various international standards for the declaration of emergencies and the Irish constitutional standards for invoking emergency and emergency-type powers. While noting the most recent comments of the UN Human Rights Committee regarding the Special Criminal Court and the decision against Ireland in the Kavanagh case, there is no further discussion of these matters in this chapter.

Interestingly, the Committee noted (at paras 3.68 and 3.69) that international human rights obligations could contain unspecified positive obligations to adopt certain security measures. This is a highly contentious assertion. In this connection it instanced various measures for the purposes of protecting the right to life and a generalised obligation to protect democracy.

Chapter 4 details the historical background to the OASAs. For the purpose of this chapter history begins in 1922. The points of comparison and difference between the Free State emergency provisions (1922-1937) and those provided for under the 1937 Constitution are set out in some detail as are the various constitutional stratagems used to immunise various pieces of emergency-type legislation from full judicial scrutiny. The maintenance of a state of emergency until 1976 is described (more than once) as "absurd" but the Committee would appear to be of the view that its renewal in 1976 and continuation until 1995 was of no great consequence.

Internment

Emergency powers and internment are discussed in Chapter 5. The Committee endorsed the earlier recommendations of the Constitution Review Group (1996) regarding reform of the constitutional provisions dealing with emergency situations. It agreed that declarations of emergency should be limited to three years subject to further extension by the Oireachtas and adopted the CRG view that certain rights should be non-derogable without going on to specify which rights it had in mind. In relation to internment or executive detention – which (unlike the UK) is still legally permitted in Ireland – the Committee divided.

A minority (including the Committee Chairman, Mr. Justice Hederman and Professors Binchy and Walsh) adopted a position of absolute opposition to internment. The majority took a contrary view saying that internment *"could, under appropriate conditions, constitute a legitimate, exceptional response to exceptional circumstances"*. While a majority of the Committee went on to suggest that the legislation providing for internment "be radically reformed" a minority (drawn from the original majority) argued for the preservation of the status quo.

Consideration was given to substantive offences under the OASAs in Chapter 6. No change was proposed regarding the offences of usurpation of government functions and unauthorised military exercises. Modest change was proposed in relation to other offences so as to protect certain forms of industrial action. The Committee recommended retention of the power to proscribe certain unlawful organisations but suggested changes in the scope of existing offences. It went on to justify, in the strongest terms, the use of suppression orders against particular paramilitary organisations and argued for the retention of this power by the Executive and against its transfer to the Judiciary, subject to a reformed right of appeal to the High Court.

It further argued for the extension of this power to foreign terrorist organisations. As regards membership of an

nces against the State

unlawful organisation, a majority argued in favour of supplementing the present offence with a new crime of rendering assistance to an unlawful organisation in the performance or furtherance of an unlawful object.

Opinion Evidence

On the use of opinion evidence in membership cases, a majority took the view that Section 24 of the 1939 Act – which has the effect of shifting the evidential as opposed to the legal burden of proof – should be amended. They suggested that it be re-cast so as to provide that possession of incriminating documents could only be evidence of membership where possession was of such a kind as to give rise to a reasonable suspicion that the accused was a member of an illegal organisation. Professors Binchy and Walsh with Mr. Justice Hederman disagreed with the use of such artificial statutory inferences and an unspecified minority argued against any change to Section 24. The Committee divided three ways on the use of opinion evidence by a Chief Superintendent.

In relation to search warrants issued by Chief Superintendents the Committee proposed reform of the relevant provision so as to allow for the lapse of such warrants if not executed within 24 hours of being issued. It proposed no change to the offence of directing an unlawful organisation introduced after the Omagh bombing but it did recommend repeal of Section 8 of the 1998 Act dealing with information offences. A majority, however, favoured no change to the offence of withholding information covered by Section 9 of the Act.

Arrest and Detention

Chapter 7, which deals with powers of arrest and detention under Section 30 of the 1939 Act, opens with quite a detailed history of powers of arrest and detention but acknowledges the paucity of up-to-date information on the correlation (or lack thereof) between arrests under Section 30 and subsequent proferment of charges. The Committee called for a statutory duty (along the lines of that contained in Section 4 of the Criminal Justice Act, 1984) to release suspects detained under Section 30 if at any stage it becomes clear that there are no longer reasonable grounds for continued detention. It split evenly on the question of extended detention, one group favouring a maximum of 48 hours and the other preferring the 72 hours allowed since 1998. The Committee avoided answering the question of whether suspects should be afforded the right to have a solicitor present during questioning on the basis that this went beyond their remit in that it was as relevant to any consideration of "ordinary crime". In order to provide in statute what has already been required by the courts the Committee recommended that the Section 30 power of arrest should be grounded on the reasonable suspicion of the arresting Garda.

Right to Silence

The right to silence and the drawing of adverse inferences from the exercise of this right was given extended consideration in Chapter 8. While the Committee unanimously recommended the repeal of Section 52 of the 1939 Act - which, in any event, had been condemned by the European Court of Human Rights – it split on what statutory provision, if any, ought to replace the section. The majority favoured the continuation of some statutory provision for the drawing of inferences so long as it contained certain safeguards including: a requirement to give explicit warning on the consequences of asserting the right to silence; the use of such failure to respond as corroborative evidence only; a requirement that prosecution evidence must be such that it reasonably calls for an explanation by the accused; the right of reasonable access to a lawyer during police custody; and no inferences to be drawn from silence before an accused has had effective access to legal advice.

The minority (made up of Hederman, Binchy and Walsh) took a more absolutist view of the right to silence as an aspect of the presumption of innocence and argued strongly against the use of statutory inference-drawing provisions. They argued that this stance was more consistent with the standards applied under the ECHR.

Special Criminal Court

Chapter 9 on The Special Criminal Court essentially consisted of the Interim Report published in 2001 and, again, the Committee split along predictable lines on the continued use of special courts and on the role of the DPP in certifying cases for trial before such courts.

Donncha O'Connell,
Lecturer in Law,
NUI, Galway.

Editorial note:
Particularly, given developments since September 11th, this will be a discussion we may need to follow closely in future editions of Just News

Healing through Remembering

The Healing through Remembering report is the product of a consultation exercise launched in October 2001. It builds on previous work done by Victim Support Northern Ireland and NIACRO (Northern Ireland Association for the Care and Resettlement of Offenders) which culminated in a March 2000 report – *All Truth is Bitter*.

The Healing through Remembering Board comprises a broader range of individuals than those involved in this initial work in an attempt to ensure that as many voices as possible were heard through the consultation process and reflected in the final report. Essentially the Board set itself the task of asking how people should remember events connected with the Northern Ireland conflict in a way that could help the healing of individuals, communities and society as a whole. They received 108 submissions and have sought in this report, not merely to reflect back what they heard, but to develop a series of recommendations which attempt to capture the essence of what was said and chart a way forward.

In short (and it is worth reading the report in full to see what these recommendations entail and how conclusions have been arrived at) a number of interlinked recommendations are made. They proposed the creation of:

- A network that will link diverse forms of commemoration and remembering work, learn from past and present initiatives, facilitate information exchange and improve access and activity in these areas
- A story telling process to form part of an archive for remembering and learning
- An annual 'day of reflection'
- A permanent living memorial museum
- The honest public acknowledgment of responsibility by all organisations that have been engaged in the conflict, including the British and Irish States, political parties and loyalist and republican paramilitaries (perhaps the churches could also have been usefully included as specific actors here)
- A Healing through Remembering Initiative managed by a representative committee as a visible expression of society's commitment to move forward while remembering and learning from our violent past.

The report also asks that inclusive and in-depth consideration be given to the establishment of an appropriate and unique truth recovery process through setting up a team comprised of local and international experts – using a fair and transparent method – to explore the specific feasibility of such a process.

The report in its 60 pages covers a range of issues in a thoughtful and sensitive manner. It acknowledges the trauma involved in any truth recovery process and the wide variety of fears, questions and anxieties that attach to attempts to deal with the past. Although it makes a number of recommendations, it is not prescriptive, and in the most fraught area – what shape a truth recovery process should actually take – it leaves the way open for further informed debate, research and dialogue.

Some might see it as a failure of the report that, after 18 months of consideration, it is unable to come out for or against some form of truth commission, or define the shape or parameters of such a process. On the other hand, it is just as valid to conclude that the journey necessary for Northern Irish society to reach any kind of consensus on this issue is still a long way from being completed. All the parts of the healing and remembering process need to come in their own time. Anything forced, parachuted in or insufficiently thought through could only be counter-productive in taking us to real healing. All that is certain is that we need creative ways of remembering that give us some sense of closure but also move us forward.

People will not necessarily agree with all that is in the report – or the value of each recommendation. However, some of the statements of the report are particularly important in an area where emotions run high and the potential for divisiveness and the creation (or maintenance) of a hierarchy of victimhood is never far below the surface. *'There is no single solution to the healing process…ultimately [whatever is put in place] needs to reach out to the entire society.'* As well as the symbolic gestures and the grand statements (important in themselves), the report also recognises that real practical assistance and reparation is vital. It mentions the need for appropriate health and social provision for all those who have been severely traumatised. It is not a question of reinventing the wheel. The report sees its recommendations as building on and enhancing what has already developed at a community and statutory level. The report is also clear that its initiatives should not be seen as competing for scarce resources with other projects and processes which are themselves a vital part of the healing process. Extra money has to be found and sustained for at least another generation to be involved in processes of informing, educating and reflecting.

The report throws up almost as many imponderables as it manages to pin down. Nevertheless it provides an important contribution to a valuable debate, no less necessary for being painful and going deep.

Mary O'Rawe

Meeting the UN Committee on the Rights of the Child

June 10, 2002 saw a seven-member delegation from Northern Ireland travel to Geneva to address the UN Committee on the Rights of the Child on the implementation of the UN Convention on the Rights of the Child in Northern Ireland.

Along with other NGOs from other jurisdictions in the UK, representatives from both Save the Children and the Children's Law Centre presented oral evidence to the Committee to supplement the written submissions which were delivered to the Committee earlier in the year. Among the Northern Ireland delegation were three young people from the youth groups of these two bodies as well.

Following almost two years of work with NGOs from Scotland, Wales and England, a number of themes were addressed at the hearing. These were

- Discrimination against young people
- Poverty and its effects on children
- Youth Justice
- Civil Rights and Liberties

In addition each jurisdiction presented information specific to it. For Northern Ireland this included the following:

- The application of Emergency and Anti-Terrorist Legislation to children
- The use of plastic bullets
- Discrimination against Traveller children
- Youth justice, particularly the age of criminal responsibility, inclusion of 17 year olds in the adult justice system and lack of secure accommodation for girls and young women,
- The academic focus of our education system and lack of support for different types of second level education,
- Lack of facilities for children and young people suffering from mental illness
- The failure to adequately protect children from physical punishment in the home.

The UN Committee also heard directly from young people themselves who had a special session on their own with the Committee.

NGOs from the devolved jurisdictions also highlighted the need for the government delegation to include high-ranking representatives from each of the devolved administrations when the UN Committee examines the UK government in September.

Following the presentations to the Committee each Committee member asked a number of questions. Due to time constraints it was only possible to answer some of these but additional information regarding these questions was subsequently forwarded to the Committee.

The UN Committee on the Rights of the Child has now produced the list of issues which it wants to explore with the UK government in September. It is obvious from this list that the NGOs have been effective in terms of emphasising the need for children in all of the jurisdictions to be made visible as requests have been made for disaggregated data and statistics. Many of the issues raised by the Northern Ireland delegation are also raised as questions for the UK government.

The UN Committee on the Rights of the Child will examine the UK government this month. We will be sending another delegation to this hearing. We look forward to hearing the answers to the Committee's questions and to the recommendations from the Committee on progressing the implementation of the Convention on the Rights of the Child.

Teresa Geraghty & Paula Rodgers
(Children's Law Centre & Save the Children Fund)

Note:

CAJ signed up to the joint NGO statement to the Committee on the Rights of the Child.

Fuller information on this and other submissions, and the list of issues, are available from Save the Children (028 90431123) or the Children's Law Centre (028 90245704).

Civil Liberties Diary

Aug 1 Mr Justice Cory who was appointed by the British and Irish Governments to investigate unsolved murders involving allegations of collusion by security forces on both sides of the border, was urged last night by the father of murdered LVF chief Billy Wright to get rid of five UK government officials appointed to work with him in his inquiry.

Aug 2 Save the Children claim that one in two children in NI are living in poverty or at risk of poverty. It added that one in five children now live in deep poverty even though many of these families may have one working adult. Speaking for the charity, Ms Horgan said that is was essential that a strategy for dealing with poverty be placed at the top of the political agenda.

Aug 9 The Police Ombudsman is to investigate the actions of police during recent rioting in the Short Strand area of East Belfast. Ms O'Loan's decision follows a High Court action alleging that she failed to investigate a complaint by the mother of a sick child who was denied access to a doctor's surgery by a loyalist mob.

Aug 12 The newly appointed police chief overseeing the Omagh bomb investigation believes that relatives have been victimised twice – by the bombers and by the criminal justice system which hasn't been able to deliver a prosecution. Mr Kinkaid urged the public to judge him by results after nine months.

Aug 13 Children from low-income families are so fearful of the stigma attached to them that they often skip school to avoid the constant stream of bullying that accompanies them as the "poor kids" This was revealed by the charity Child Poverty Action Group. Embarrassment, combined with the pressures of consumerism, often lead to poor performances within the classroom and an increasing desire to truant.

Aug 14 MLA John Dallat claims that the government was failing to uphold the human rights of citizens by ignoring serious abuses of websites, which carry words of naked sectarianism and the vilest form of racism. The MLA said web sites providers should be held accountable for the content posted on websites.

Aug 15 NI Minister Des Browne, yesterday reappointed sixteen commissioners to the Equality Commission. The Commission, which was established in August 1999 as a part of the Good Friday Agreement, is responsible for promoting equality of opportunity in area such as religion, gender, race and disability.

Aug 16 SDLP councillor Martin Morgan last night challenged police chiefs to publicly state what is being done to catch paramilitary god-fathers orchestrating sectarian attacks in North Belfast. He asked if there was an effective communication system between the Chief Constable's office and the police commander on the ground to arrest and secure prosecutions against those people who admit that their organisation had carried out the murder of Catholics.

Aug 22 The DUP and SDLP have clashed over Down Council's fair employment record. The council is working with the Equality Commission monitoring and recording the make up of its work force. The director of corporate services Norman Stewart confirmed that it is now within 1% of its overall target figures. But the DUP claimed that the problem of Protestant under representation still exists.

Aug 23 A Catholic woman living at the East Belfast interface has launched a High Court legal action against the Secretary of State and the police. She claims they have failed to adequately safeguard and protect her rights and those of her children, including their right to freedom from inhuman and degrading treatment and their right to privacy and family life including safe enjoyment of their home.

Aug 27 Security forces have fired almost twice as many plastic baton rounds so far this year as were discharged in the whole of 2001. Latest figures show that by the end of June police fired 179 plastic bullets compared to 91 in the whole of 2001. Use of plastic bullets by the British army has also increased. Soldiers fired 31 in the first six months of this year compared to 17 last year.

Compiled by Peter and Moya Gahan from various newspaper sources.

Just News

Just News welcomes readers' news, views and comments.

Just News is published by the Committee on the Administration of Justice Ltd. Correspondence should be addressed to the Editor, **Fionnuala Ni Aolain, CAJ Ltd.**
45/47 Donegall Street, Belfast
BT1 2BR Phone (028) 9096 1122
Fax: (028) 9024 6706

The views expressed in Just News are not necessarily those of CAJ.