

## Update on dealing with the past

In the June edition of Just News, we updated readers in relation to a seminar that had been organised in May by CAJ, British Irish RIGHTS WATCH, the Human Rights Centre at Queen's University and the Transitional Justice Institute at the University of Ulster on the report of the Consultative Group on the Past. The four organisations involved in organising the event had been commended for taking the initiative in opening an absent discussion of the proposals contained in the report, and were encouraged by participants to continue this debate. As such, the four organisations met to debrief and agreed a follow-up programme of work and information that included:

- A full transcript of the two-day seminar has been made available on the organisations' websites (see [www.caj.org.uk](http://www.caj.org.uk));
- A report summarising discussions has been produced and will be circulated widely in the coming weeks; and
- A series of smaller individual seminars to explore some of the issues discussed at the seminar in more detail have been organised.

In the intervening period, the Northern Ireland Office launched a consultation on the report of the Consultative Group over the summer, with a deadline for submissions of the end of September. This follow-up work has therefore proved to be very timely.

British Irish RIGHTS WATCH recently hosted a discussion on the proposals with representatives of the Protestant/unionist/loyalist community, and Queen's University hosted a seminar on human rights standards and the past. The Transitional Justice Institute plans to hold a seminar on the gender and socio-economic dimension in October.

CAJ, for its part, recently hosted a small Chatham House seminar on the powers required by the various units of the Legacy Commission. Speakers included the Police Ombudsman Al Hutchinson, representatives from the Historical Enquiries Team, Dr Patricia Lundy from University of Ulster and Jeremy Hill who was Legal Advisor to the Consultative Group. In addition, CAJ hosted a fringe meeting at the Labour Party conference on "Next Steps for Government", as well as producing its own submission on the Consultative Group's proposals. More information on all of these will follow in the future editions of Just News.

**CAJ's AGM will be held on**

**Wednesday 21st October 2009**

**5.30pm - 7.30pm**

in

**The Boardroom**

**Clanmil Housing Association**

**Waring Street**

**Belfast**

**BT1 2DX**

(entrance at side of the 'Northern Whig Bar')

**All members are welcome to attend**

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# No Home from Home

## An investigation report by the NI Human Rights Commission

The Northern Ireland Human Rights Commission recently published a report *No Home from Home*, which investigates the availability of services for homeless non-UK nationals in Northern Ireland. The report documents the experiences of individuals who have come to Northern Ireland including those from the European Union's A8 accession States (for example, Czech Republic and Poland), the A2 accession States (Romania and Bulgaria), and from outside the EU.

Just over three months ago, on 16 June, more than 100 Roma men, women and children were forced to leave their homes following racial intimidation in Belfast. The disturbing images of what happened will remain with us for years to come.

However, what was not widely reported was that in many instances the prevailing law prevents access to homelessness assistance. It should be a basic principle that victims of intimidation receive appropriate support including, if necessary, homeless assistance. Yet UK immigration law often excludes many non-UK nationals from this type of assistance. As a result, where individuals are intimidated from their homes, access to homelessness assistance may depend not on need but on immigration status.

The UK is party to many human rights treaties including the United Nations International Covenant on Economic, Social and Cultural Rights. Article 11 of the Covenant provides that everyone is entitled to an adequate standard of living. This right should be realised progressively, over time, to the maximum of the State's available resources. However, there are core minimum obligations that government must meet immediately. Therefore, the Covenant requires that governments should not prevent access to basic shelter and essential foodstuffs. The UN Committee on Economic, Social and Cultural Rights states that:

*[...] a State party in which any significant number of individuals is deprived of essential foodstuffs, of essential primary health care, of basic shelter and housing [...] is, prima facie, failing to discharge its obligations under the Covenant<sup>1</sup>*

Hence, it may come as a surprise that in a developed State such as the UK, immigration laws can exclude individuals from the basic means of shelter and subsistence.

The European Convention of Human Rights (ECHR), the majority of which is incorporated into domestic law by the Human Rights Act 1998, does not explicitly provide for a right to adequate housing or the right to food. Nevertheless, this may be interpreted into the meaning of

other provisions within the Convention. Thus, for instance, the right to private and family life (Article 8 ECHR) or the right to be free from inhuman and degrading treatment (Article 3 ECHR) may be engaged by a State policy that deliberately excludes those with no other means of support from emergency accommodation and subsistence.

In 2005, the House of Lords found in the *Limbuela* case that, in certain circumstances, failure to provide support

for destitute asylum seekers can infringe the right to be free from inhuman and degrading treatment under Article 3 of the Convention.<sup>2</sup> The case concerned three asylum seekers who had been denied support under Section 55 of the Nationality, Immigration and Asylum Act 2002. Section 55 permits the Secretary of State to refuse support if it is determined that a claim for asylum has not been made as soon as reasonably practicable after arrival in the UK. On hearing the application, Lord Bingham stated the following:

*As in all Article 3 cases, the treatment to be proscribed must achieve a minimum standard of severity, and I would accept that in a context such as this, not involving the deliberate infliction of pain or suffering, the threshold is a high one. A general public duty to house the homeless or provide for the destitute cannot be spelled out of Article 3.*



*Professor Monica McWilliams, Sorcha McKenna and Roisin Devlin of the NIHRC at the launch of the report*

*But I have no doubt that the threshold may be crossed if a late applicant with no alternative means of support is by the deliberate action of the state, denied shelter, food, or the most basic necessities of life.<sup>3</sup>*

The *Limbuela* case relates specifically to the refusal of support for asylum seekers. However, it would appear that there may be other circumstances where, despite legislation barring access to public funds, the State could be required to intervene to avoid breaches of Article 3.

The Commission's report, *No Home from Home*, focuses on three areas of Northern Ireland - Belfast, Cookstown and Dungannon - to highlight the consequences of excluding individuals from homelessness assistance and welfare benefits. It reviews case files of three government agencies as well as interviews provided by their staff: namely, the Northern Ireland Housing Executive, the Health and Social Care Trusts, and the Social Security Agency. The investigation was also informed by those working in the voluntary sector, which is often called upon to help when support from the state is obstructed. In addition, with assistance from a number of voluntary organisations, homeless individuals were able to share their experiences as part of the investigation. It is in this way that *No Home from Home* documents how those in grave need including, for example, those who have experienced domestic violence, racial intimidation, and exploitation are barred from accessing welfare benefits and homelessness support.

In addition to an assessment of the relevant legislation, the investigation considers the practices of the three agencies to establish how they respond to homeless non-UK nationals. These agencies were identified as having a key role in fulfilling the State's duties to those who are homeless and potentially destitute. While the investigation finds largely good practice among agencies' staff, it is clear that improvements can be made in order to support staff and to ensure better safeguards for homeless non-UK nationals.

For instance, individuals who are ineligible for homelessness assistance or welfare benefits may be entitled to some form of help from the Health and Social Care Trust (the Trust). This is because the Trust might have duties to families with children under the Children (Northern Ireland) Order 1995 or to 'persons in need' under Article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972. The question of whether or not an individual is entitled to assistance under this legislation can be a complex matter and is at times limited by immigration law. However, for those with no alternative legal means of support, an assessment under social care legislation ought to be made. The investigation finds that the meaning of this legislation and how it might be used to help homeless non-UK nationals is not always understood. Among other matters, *No Home from Home* therefore recommends the development of guidance, training and inter-agency protocols so that when a homeless individual is 'ineligible'

for homelessness assistance all potential avenues for support are explored.

Ultimately, because immigration law is an 'excepted' matter and not within the legislative remit of the Northern Ireland Assembly, the Commission's main recommendation is addressed to the government at Westminster. The Commission calls upon the government to amend immigration laws so that, regardless of nationality or immigration status, no-one is allowed to fall into destitution. In order to realise this recommendation, we ask that everyone has access to appropriate emergency accommodation.

The recommendations in *No Home from Home* are intended to reflect what the Government agreed to on ratifying international human rights treaties. Nevertheless, even those who support the recommendations may be concerned about potential costs. The Commission believes that the benefits of living up to human rights commitments should not be assessed solely in monetary terms. Be that as it may, in some instances, the policy of excluding non-UK nationals from homeless support may end up costing more in the long term. The investigation encountered individuals who would have required only short-term help instead needing long-term health care and social support. The need for longer-term support was due to physical and mental ill-health; a consequence it would appear of sleeping on the streets after being denied homeless assistance.

The experiences of the Roma community reveal that much more needs to be done to address racism and hate crime in Northern Ireland. It also highlights on a devastating scale what the Commission's investigation finds: that regardless of circumstance, those who are not nationals of the UK are often excluded from accessing the most basic levels of welfare benefits and homelessness assistance.

<sup>1</sup>*Committee on Economic, Social and Cultural Rights (1990) General Comment No. 3 The Nature of State parties' obligations, at paragraph 10.*

<sup>2</sup>*R v Secretary of State for the Home Department (Appellant) ex parte Adam; R v Secretary of State for the Home Department (Appellant) ex parte Limbuela; R v Secretary of State for the Home Department (Appellant) ex parte Tesema (Conjoined Appeals) [2005] UKHL 66.*

<sup>3</sup>*At paragraph 7.*

**Roisin Devlin and SORCHA McKenna, Investigations Workers, Northern Ireland Human Rights Commission.**

*Roisin Devlin is co-author with SORCHA McKenna of 'No Home from Home: homelessness for people with no or limited recourse to public funds.' The report is available on the Commission's website [www.nihrc.org](http://www.nihrc.org)*

# Civil Partnership in the Republic of Ireland: Stepping Stone or Stumbling Block to the Rights of Humans?

**In writing about the *Civil Partnership Bill 2009*, I knew that I would have to be careful about what I say. At this juncture I am waiting - along with my life-partner, Ann Louise Gilligan - for a date from the Irish Supreme Court to appeal the judgment of the High Court, that Ireland would not recognise our marriage in Canada (*Zappone and Gilligan v. Ireland, December 2006*). We are *sub judice* and must not speak about the details or legal reasoning in our case. However I can speak personally, and I can offer analysis from that position on matters of public policy and human rights. What does *marriage* have to do with a proposed Bill to institute a completely distinctive and separate institution called 'civil partnership'? Nothing - in their very essence, these are fundamentally different institutions - and this clarification must be understood.**

Let me state clearly that this is not simply an 'issue' for me. This is about my life. This is about the most intimate parts of my being human. This is about the exercise of my free choice in self-determination and in contracting my whole being to the life and heart of another person. Though my sexual identity may be different from the majority in Ireland and Northern Ireland, I share these fundamental desires and rights with that majority. And it is because they are so fundamental to the nature of being human, that peoples, societies and lawmakers throughout the world have created and embedded language about the *human* right to marry within international, national and provincial or state law. I have one simple question to ask: am I human, or not?

Let me now address the content of what's proposed in Ireland's *Civil Partnership Bill*. Though there are significant financial protections for co-habiting couples (both same-gender and opposite-gender), which are to be welcomed (Part 15), I will focus my brief remarks on its proposal to establish a civil partnership registration scheme confined to same-gender couples.

Those who support the Bill highlight that civil partners will receive a number of benefits and protections (Ss. 4-9). These include:

- the legal entitlement to register and dissolve a civil partnership;
- recognition of each other as next-of-kin;
- automatic legal protection on death of partner,
- assessment of pension entitlements;
- entitlement to maintenance from each other;
- immigration entitlements and protections;
- taxation and social welfare entitlements and protections (though these must be brought forward in separate social welfare and finance legislation; and
- succession rights.

The primary limitation of the Bill that has received comment, however, is its virtual silence in relation to the children of same-gender couples. Joint adoption is not allowed, and the rights of children within a same-gender family unit are not referred to or catered for. For example, there is no reference made to the needs of children in the dispensing of a home if the civil partnership breaks down (see Sec 8).

Though the institution of civil partnership in Northern Ireland contains more rights and benefits than the proposed bill in the Republic, the institution of civil partnership, as it is proposed in this Bill, and as it operates in Northern Ireland, has *nothing* to do with the institution of marriage. Philosophically, we must be true to the principle that language shapes reality. Therefore, it is vital that we use language truthfully and accurately. Any desire to inflate the language of civil partnership and to pretend that it is something other than it is, must be resisted. It is important to note that of all the jurisdictions where civil partnership existed for same-gender couples prior to opening the institution of marriage to them, once laws were changed so same-gender couples could marry, in these same jurisdictions the institution of civil partnership has been dissolved.

In conclusion, let me raise some key questions for ongoing consideration:

- Are the rights to dignity, freedom, founding a family and marrying *fundamental human rights* or are they privileges that can be granted by states?
- Are there *any* rational justifications that can be put forward, from the premise of social justice, that it is acceptable to legally discriminate in the equal protection of fundamental human rights when such legal discrimination *denigrates* the essence of the humanity of the people involved and (in the Republic) *denies* the 'bests interests of the child'?
- Will the 'equivalence of rights' be reached, North and South, by legislating for legal discrimination in the Republic?

If human rights are not created by law, but instead are confirmed and protected by law, then what we need now is a progressive interpretation of human rights norms so that law functions as it ought to in our societies.

***Dr Katherine Zappone is Managing Director of The Centre for Progressive Change, Ltd., a member of the Irish Human Rights Commission, and has recently published memoirs with Ann Louise Gilligan, Our Lives Out Loud: In Pursuit of Justice and Equality (Dublin: O'Brien Press, 2008).***

## Belfast: Hate Crime capital of the world?

Northern Ireland's label of 'hate crime capital of Europe' changed to 'hate crime capital of the world' when Belfast became the centre of the international media's attention. The frenzy started after a series of racially motivated attacks in June left over a hundred Roma homeless. The families were temporarily sheltered by the Northern Ireland Housing Executive, cared for by Social Services and eventually repatriated. NICEM (Northern Ireland Council of Ethnic Minorities) became involved with the families through our Racial Harassment Support and Advocacy project the day after the attacks took place. We continued to support the families until they went back to Romania.

Although hate crime is not a new phenomenon in Northern Ireland, this case highlighted serious issues regarding support for victims, particularly those with no recourse to public funds. The decided lack of clear leadership and strategy in response to the incidents meant there was no clarity on how to approach the families and manage the situation.

In the first instance, the response of the Police Service to the families' reports of attack was inadequate. The families clearly felt that they were not being protected and were desperately afraid of remaining in their homes. Two days after the attacks, the smashed doors and windows still had not been boarded up. There had been no referral to the Housing Executive's HIPA (Hate Incidents Practical Action) scheme, which only the police can make. There had also been no communication with the families from the police to let them know what could be done and what protection they could be provided with. This allowed other activists to step in to fill the gap and use what can only be described as vigilante methods. As a result, the families became acutely aware of their vulnerability and believed that they would not be protected should the perpetrators return.

Furthermore, the confusion around statutory obligations and provision of services fostered a level of uncertainty for the families and the workers on the ground. Whereas some of the families had considered staying, the confusing messages from politicians about what support and protection was available made the decision to go home the only one they could make with certainty.

The handling of the 'Roma crisis' has had a significant impact on the entire ethnic minority community in Northern Ireland. The disillusionment of these communities around the response to them as victims of hate crime is increased. Additionally, the outpouring of response to this incident in particular, while many incidents continue to fall under the radar, creates resentment within a community that needs unity to have a strong voice.

While there are few who would deny the importance of implementing a robust strategy to tackle hate crime, there is still a reluctance to face the difficulty caused by EU restrictions and the vulnerability created by the immigration laws. There is still little movement to implement the Race Equality Strategy to ensure there is a robust governmental framework to combat hate crime. Furthermore, there is still a need to review the role of employers and landlords in this situation and to develop a stricter approach to holding them accountable for their actions.

**Jolena M. Flett**  
**Racial Harassment Advice Manager**  
**and Development Officer**  
**Northern Ireland Council for Ethnic Minorities (NICEM)**  
[www.nicem.org.uk](http://www.nicem.org.uk)

## Bill of Rights Training

Advice from the Northern Ireland Human Rights Commission a Bill of Rights for Northern Ireland currently lies with the Northern Ireland Office (NIO). The NIO will be running a public consultation on their response to this advice in late Autumn 09. CAJ will deliver training on the process so far and how to get involved in the consultation.

### When?

Wednesday 4th November  
 Friday 27th November

### Where?

Belfast – venue to be confirmed

### Agenda

10am – 1pm – Introduction to a Bill of Rights. What is a Bill of Rights, why is it important?

1pm – 2pm – Lunch

2pm – 4pm – Bill of Rights public consultation: how to get involved.

Attendees can choose which parts of the day to attend, or can be present for the full session.

For more information or to register, contact Fiona Murphy, Human Rights Programme Officer on 028 9096 1122 or email [fiona@caj.org.uk](mailto:fiona@caj.org.uk)

## Inquiries Update

### **The Billy Wright Inquiry**

The Inquiry finished hearing oral evidence from witnesses on Monday 12th May 2009. Before final submissions were made, a hearing was scheduled to take place at the High Court in Belfast on Monday 1st June 2009 regarding an application for leave for judicial review by the Wright family. The application was concerned with the non-release of transcripts of proceedings that took place on Thursday 5th and Friday 6th February 2009. However, the hearing did not take place as an agreement was reached between the parties that redacted versions of both transcripts were going to be produced by the Inquiry. Whilst it has been indicated that the redacted transcripts will be available to the public, the Inquiry does not intend to release these transcripts on their website. Instead, members of the public will have to request an opportunity to view both transcripts at the Inquiry's offices in Edinburgh, or at a location in Northern Ireland which has yet to be confirmed.

Closing submissions from the legal representatives of individuals and organisations who are represented at the Inquiry took place from Monday 29th June 2009 until Thursday 2nd July 2009. Inquiry Counsel, Angus Stewart QC, did not make any closing submission - this is a different approach to that taken by the Rosemary Nelson and Robert Hamill Inquiries.

At the end of proceedings on Thursday 2nd July 2009, the inquiry Chairman, Lord McLean, outlined that the Inquiry was entering the report writing phase of its work. He revealed that there had been discussions between the inquiry and the Northern Ireland Office (NIO) regarding the publication of the Inquiry's report. During these discussions, the NIO expressed a wish to have the Inquiry's report submitted to them in draft form. However, Lord McLean firmly ruled this out as a possibility and announced that the Inquiry would submit their full and final report to the Secretary of State for Northern Ireland, hopefully in Spring 2010.

### **The Rosemary Nelson Inquiry**

Closing submissions from legal representatives began on Tuesday 28th April and continued until Thursday 7th May 2009. The Inquiry only allowed questions to be put to witnesses if they were asked by Inquiry Counsel. As a result, closing submissions presented the various participants at the Inquiry with their first opportunity to publicly evaluate evidence which the Inquiry has heard.

Inquiry Counsel, Rory Phillips QC, presented his closing submission from Monday 22nd June until Wednesday 24th June 2009. Mr Phillips' closing submission summarised a lengthy document prepared by the Inquiry legal team which aimed to provide an impartial account of some key events and evidence that they thought the Inquiry panel should consider when making their final report.

The document in question contains nine chapters. The first chapter focuses on the life of Rosemary Nelson and refers to accounts from those who knew her 'best of all', such as family members and others. Some of the remaining chapters cover issues such as the following: threat assessments and issues surrounding Rosemary Nelson's safety; complaints raised against police officers on behalf of Rosemary Nelson's clients and some that were made by Mrs Nelson herself; intelligence surrounding Mrs Nelson and security force activity in the area where she lived on the night before her murder; the murder investigation in terms of activity at the murder scene, questions of due diligence, and the relationship between the murder investigation team and Special Branch. Unfortunately, the document will not be made publicly available and as such, the closing submissions made by Mr Phillips provide and invaluable insight into its contents.

The Inquiry finished public hearings on Wednesday 24th June and has now entered the report writing phase of its work. Unfortunately, there has been no indication of when the final report will be released. However, given the close proximity in time to the cessation of public hearings at the Billy Wright Inquiry, the report may be submitted to the Secretary of State for publication within the first six months 2010.

### **The Robert Hamill Inquiry**

During September 2009, the Robert Hamill Inquiry is continuing to hear evidence from a number of outstanding witnesses. The Inquiry originally envisaged that oral hearings would have been completed before they adjourned for the summer recess period. However, due to timetabling difficulties and some witnesses not being available to appear at earlier dates, the Inquiry has had to make use of some contingency dates which were set aside in September.

Hearings resumed on Tuesday 1st September with the appearance of Tracey Hanvey (nee Clarke) via video-link. Mrs Hanvey failed to appear to give evidence to the Inquiry in January 2009 and cited medical reasons for non-attendance. This resulted in a breach of a notice to compel her to attend under section 21 of the Inquiries Act 2005. The matter was referred to the High Court on 25th March 2009 in an effort to compel Mrs Hanvey to give evidence under section 36 of the 2005 Act. At a hearing in the High Court on Tuesday 11th August, the Inquiry panel were granted access to Mrs Hanvey's medical records. A further hearing took place on Tuesday 25th August as a result of which Mrs Hanvey agreed to give evidence.

Oral hearings are expected to continue until Tuesday 22nd September 2009.

*Colleen Smyth, Transitional Justice Institute, University of Ulster*

# Maghaberry Prison Reports

**Three reports published this year focus on the deficiencies at Maghaberry Prison, but in actuality reflect many of the problems within the overall prison system in Northern Ireland. These reports are:**

**1. The Report on an unannounced full follow-up inspection of Maghaberry Prison by the Criminal Justice Inspection;**

**2. The Report by the Prisoner Ombudsman into The Circumstances Surrounding the Death of Colin Martin Bell; and**

**3. The Pearson Review: Final Report**

The Criminal Justice Inspection (CJI) report on Maghaberry addressed a number of issues relating to both prisoners and staff management. The report measured the prison against the four criteria that 'comprise internationally recognised healthy prison standards: safety, respect, purposeful activity and resettlement' and found that Maghaberry has not been performing sufficiently well against any of the four criteria.

This article briefly looks at three areas of concern which are inter-linked and have been touched upon in each of these reports:

- tension between prison staff and management;
- the failure to keep prisoners engaged in purposeful activity; and
- over-emphasis on security within the prisons.

There appears to be a near-consistent failure to adequately address the grievances of prison officers over the past number of years. This is evident by the fact that there has been the threat of industrial action by the Prison Officers Association at least 4 times over the past decade and tense industrial relations within the prison were observed by the CJI. Such tension in turn impacts on the ability of the Prison Service to keep prisoners busy with purposeful activity, as noted by the CJI: '*we saw several instances where poor working practices and industrial relations had a major (negative) impact on the regime for prisoners*'.

There has been consistent criticism of the prison system for the fact that many prisoners are not kept busy with purposeful activity. The CJI report stated that inspectors witnessed a '*lack of activity places to keep prisoners purposefully engaged which led to many men spending most of their days locked up without the opportunity to gain useful skills*'.

The Prisoner Ombudsman report also notes the importance of purposeful activity and cites independent research which indicates '*that at prison level, lower rates of self-inflicted death are associated with higher rates of purposeful activity, even when the type of prison is taken into account*'.

In relation to one specific prisoner, Colin Bell, who hung himself whilst in custody at Maghaberry, the Ombudsman demonstrates that during the last 6 days of his life. The time spent in purposeful activity '*fell well short of that required by Prison Rules, recommended good practice and of the recommendation made by Professor McClelland and accepted by the Prison Service for implementation by 31 March 2006*'.

The issue of not meeting standards relating to purposeful activity is not only linked to the ongoing threat of industrial action by prison officers but to the over-emphasis on security. The Pearson Review report states that '*security was frequently cited as a reason why planned activities did not go ahead at Maghaberry. The requirement to deliver decent and purposeful regime, linked to measurable outcomes for prisoners need not undermine or threaten security*'.

Despite the significant change in the prison population as a result of the early release of prisoners as a consequence of the Good Friday/Belfast Agreement, the prison system is still security driven. The Prisoner Ombudsman recently drew attention to the fact that the prison system has not yet adapted significantly, noting that there is '*the need to move on from a primarily security-focused Prison Service, to one where there is far more emphasis on rehabilitation and reducing re-offending rates*'.

## Conclusions – Hope for the future?

In her Annual Report, the Prisoner Ombudsman draws attention to the potential that devolution of criminal justice may have for Northern Ireland, such as the opportunity to assess the financial implications of such a security-focussed prison system compared to one where there is greater emphasis on rehabilitation and reducing reoffending. Devolution also offers the opportunity to assess the prison system as a whole and formulate a long-term strategic approach to the many problems that have been identified with the current system. With devolution comes the prospect to deal with the '*serious operational deficiencies that...require a concerted effort to change*'.

## Civil Liberties Diary - August

### 7<sup>th</sup> August

Patrick Yu, Chief Executive of NICEM, condemns the Executive's efforts in helping the problems of minority communities in Northern Ireland. He said that party political issues and sectarian debates distracted the authorities and called for a renewed effort to promote equality.

The Policing Board approves plans to close and sell off 26 police stations. The PSNI spokesman believes the closures could save £1.8m a year.

### 12<sup>th</sup> August

Leicestershire Police Chief Matt Baggott is appointed as the new PSNI Chief Constable. The 50 year old was the unanimous choice of the Policing Board's interview panel.

Prisoner Ombudsman, Pauline McCabe, says that her office desperately needs more resources to cope with investigations into deaths in custody. Eleven more reports into prisoner deaths are expected to be released this year.

### 13<sup>th</sup> August

The home of former NI Police Ombudsman, Nuala O'Loan, is targeted in a sectarian attack in Ballymena.

### 14<sup>th</sup> August

The families of two IRA men shot dead by the SAS at Loughall in 1990 are to take their case to the European Court of Human Rights. The families of Martin McCaughey and Dessie Grew allege that the authorities have failed to conduct an effective investigation into the use of force that caused their deaths. The inquests into the men's deaths are the longest outstanding inquests in Northern Ireland's legal history.

### 17<sup>th</sup> August

The Irish News reveals that an unnamed international human rights adviser has been called in to investigate the circumstances in which four young people were injured

with police baton rounds in north Belfast. One of the injured boys was 13 year old Patrick Waring. The incident is also to be investigated by the Police Ombudsman as the UN Committee on the Rights of the Child has already called for an end to such practices.

### 19<sup>th</sup> August

Police confirm that a serious attack on a Lithuanian man in the centre of Newry is being treated as a hate crime.

Politicians David Ford (Alliance leader) and Owen Paterson (Conservative) call on NI Secretary of State Shaun Woodward to state whether an extradition request will be made for Pol Brennan to stand trial or whether his position is a part of any de-facto amnesty for "on-the-run" prisoners. The former IRA prisoner will be extradited to Ireland from the US.

### 20<sup>th</sup> August

Jim McVeigh of Coiste na nIarchimí calls on anyone who was convicted under the Diplock trial system on the basis of a forced confession to come forward to the Criminal Case Review Commission.

### 24<sup>th</sup> August

In the course of an investigation by the Police Ombudsman's Office, confirmation is given that an informer was a member of a gang that killed Danny McGurk in 2003. Nobody has been charged to date with any offence related to the death.

### 25<sup>th</sup> August

It is announced by the Home Office that police in England and Wales could be equipped with a new taser "shotgun." Amnesty International voices concerns over its use in the UK.

### 26<sup>th</sup> August

In the Republic of Ireland, the Free Legal Advice Centre voices concern over plans to introduce means testing for criminal cases. FLAC said that its experience of the inflexible and unfair test for legal aid in civil cases mean that many people could not afford to engage a lawyer to represent them.

### 27<sup>th</sup> August

An internal PSNI report is leaked. It criticises the force as having not delivered an effective service and having lost sight of what was important to communities. It also said that officers spend the bulk of their time on administrative duties.

The Migrant Rights Centre criticises plans by the Irish government to charge immigrants who receive long-term residency in the Republic five hundred Euros each. The move is criticised as extorting money from a vulnerable group which already pay their taxes.

### 28<sup>th</sup> August

Tracey Clarke, the ex-wife of a man suspected of Robert Hamill's murder, has agreed to give evidence after having retracted a witness statement. She is regarded as a key witness by the public inquiry into whether the RUC facilitated his death or obstructed the investigation into it.

Rena Shepherd, the newly appointed chairperson of the Parades Commission, says that lack of engagement from the Orange Order is making the decision making process more difficult. In a web-chat with the Newsletter, she called on the Institution to meet and discuss matters.

*Compiled by Mark Bassett from various newspapers*

## Just News

Just News welcomes readers' news, views and comments.

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