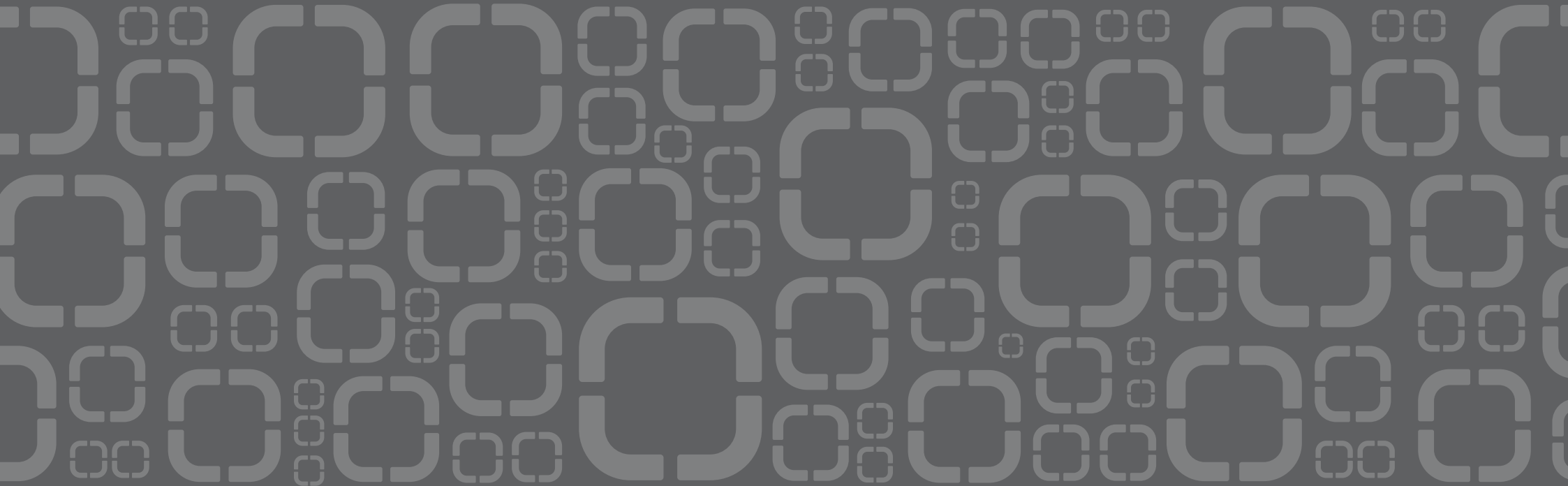




**Annual Report  
2009/2010**



# Promoting Justice/ Protecting Rights

Annual Report  
2009/2010

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**PAT CONWAY**  
CHAIRPERSON'S REPORT



Pat Conway  
CHAIRPERSON

It would be an understatement to suggest that the past year has been packed with incident – some good, some not so good in human rights terms.

A key disappointment has been the progress or otherwise of a Bill of Rights for Northern Ireland. It was suggested in many quarters that devolution of criminal justice and policing matters were the “last piece of the jigsaw” that was a prerequisite to closing the conflict and moving forward. CAJ always took the view that while welcoming in principle devolution of these matters, a strong Bill of Rights is required that would serve the interests of all of society in Northern Ireland. We clearly have a long way to go.

The resistance to the establishment of a Bill of Rights that takes account of the particular circumstances of Northern Ireland has been marked – in fact the whole project has been undermined by outgoing and incoming governments and it is CAJ’s view that political leadership has been lacking despite the fact that the UK government signed up to the process under the Belfast (Good Friday) Agreement and the St Andrew’s Agreement.

It is clear that efforts need to be redoubled to convince not only the political establishments on these islands but also to develop an understanding within all our communities as to the value of an effective Bill of Rights that will make a difference to people’s lives.

Devolution is hugely important in that it offers the prospect of greater transparency and accountability with respect to those who govern and those who are governed. However, devolution of itself does not necessarily bring these elements as a matter of course. It has already become apparent that sometimes decisions taken by the Assembly are not subject to the scrutiny required. In fact, it is very clear that despite the numerous bodies that exist that claim to have a human rights basis for their activities a human rights culture is not embedded in this society. We are also beginning to see political establishments using the current economic situation as “cover” to attack and attempt to neutralise or indeed destroy the work of organisations in the human rights field.

Other features of the year were of course the publication of the Bloody Sunday Inquiry Report and the report into the death of Billy Wright, both of which underline the necessity, if it were needed, to develop a mechanism that focuses on truth recovery with respect to the conflict. It is of vital importance to address legacy issues and again this should be underpinned by human rights principles.

Associated with the conflict, but located very much in the present, is the increase of activities by mostly Republican and some Loyalist groupings. CAJ welcomes the recent discussions that occurred with respect to prisoners in Roe House. It would seem that lessons have been learned from conflict and that there was not a retrenchment to old ideas and practices, notwithstanding that implementation of the agreement remains problematic.

I have already referred to the economic circumstances that pertain, however it is important to be vigilant with regard to where the impending cuts are going to fall. It is of particular concern to CAJ that future cuts are going to disproportionately affect those who are already experiencing significant levels of poverty. This has to be challenged. In my view, CAJ is ready for this challenge.

We have staff that are second to none in terms of their commitment, understanding and passion. We have recently acquired premises that can only be described as state of the art and we expect supporters of CAJ to avail of them.

**The activities are of course supported by our funders without whom none of this work would be possible namely:**

- Atlantic Philanthropies
- Barrow Cadbury Trust
- Joseph Rowntree Charitable Trust
- Oak Foundation
- Esmée Fairbairn Foundation
- Henry Smith Charity

I would like to take this opportunity to thank the staff, Executive and membership for their help during the last year and I look forward to continued involvement in CAJ. CAJ could not function without the help of its dedicated volunteers. I would particularly like to thank Mark Bassett, Ross Beaton, Cristine Delaney, Lorna Donnelly, John Friel, Marie Hynes, Sarah Lorimer, Sandra MacAleese, Patrick McDaid, Malachy McGowan, Laura O’Hagan, Rose Perry, Adrienne Reilly, Nick Rowan, Elisabeth Super, Chris Wallace and Ruth Young-Mansilla.



Liz McAleer  
OFFICE MANAGER



Lynn Driller  
EIRENE VOLUNTEER



Fiona Cash  
FINANCE & ADMIN ASSISTANT



Fiona Murphy  
HUMAN RIGHTS PROGRAMME OFFICER

We also said a sad farewell this year to Fiona Murphy who had been Human Rights Programme Officer in CAJ for some 5 years. We wish her well in her new position.

## MIKE RITCHIE & AIDEEN GILMORE

### DIRECTOR & DEPUTY DIRECTOR'S REPORT



Mike Ritchie  
DIRECTOR



Aideen Gilmore  
DEPUTY DIRECTOR

It had always been CAJ's analysis that inequality and human rights abuses fed and fuelled the conflict. The Good Friday Agreement recognised this and put human rights and equality at the heart of peace-building efforts. In many ways Northern Ireland provides a role model for elsewhere on how a deeply divided society and seemingly intractable conflict can be moved forward when human rights and equality are put centre stage.

Much has been achieved in the peace process and Northern Ireland is now a very different place. Most recently, the very important agreement on devolving responsibility for policing and criminal justice powers to the local power-sharing Assembly and Executive marks a significant development both politically and in terms of the potential for local interest in, ownership of and increased accountability for policing and criminal justice.

Recently, however, Northern Ireland has made the international headlines again for the wrong reasons. This last summer saw renewed violence and public disorder around the annual parading season. Not as widely reported internationally but a regular media headline domestically, is that bomb alerts have again been a frequent occurrence in life in Northern Ireland. At best these result in disruption and inconvenience, at worst they have led to injury (including of three children between the ages of 2 and 12). There have also been targeted injuries to and killings of police officers and army personnel. We have also witnessed prison protest supported by campaigns in the wider community in support of politically-motivated prisoners.

Therefore, while a lot of progress has undoubtedly been made in Northern Ireland, CAJ would caution against recent rhetoric that the devolution of policing and justice is "the final piece of the jigsaw" in terms of implementation of the Agreement, thus implying that the peace process is now complete. CAJ urges its members and friends to exercise continued vigilance and support for the protection of human rights and equality in Northern Ireland as a means of embedding and sustaining peace.

3 key issues remain central to the work of all those committed to sealing the deal that is the peace process. These are:

- addressing inequality and socio-economic disadvantage;
- dealing with the legacy of conflict; and
- building our future by embedding a Bill of Rights.

#### Inequality and socio-economic disadvantage

There remains inequality and socio-economic disadvantage in some of the areas most impacted by the conflict. These were contributing factors to the genesis of the conflict, and remained so throughout its duration. The peace process has seen much investment and development and Belfast city centre, for example, is unrecognisable compared to even ten years ago. However one does not have to travel far outside the city centre to see a very different picture.

Recent figures show that the historically poorest areas in Northern Ireland are in many cases no better off, and in some cases are relatively worse off, than they were during the conflict.<sup>1</sup> Inequality in deprivation is also apparent with Catholic areas featuring disproportionately in wards with highest deprivation indicators. Also of note is the extent to which the deprivation is concentrated in areas that bore the brunt of the conflict in terms of the highest number of deaths and injuries.

These statistics tell us two worrying things – the first is that the prosperity that has been experienced by the wealthiest areas of Northern Ireland from the late 1990s has bypassed these poorest sections of our society. The second is that if those areas which experienced the worst levels of violence are as badly off, or worse off, than they were during the conflict – and are thus not feeling the benefits of the peace process, at least in social and economic terms – this is not a recipe for long term stability.

However opportunities exist to do something about this. There has been much focus in recent times on economic investment in Northern Ireland. What has been missing – and what is needed – is accompanying analysis on how that investment can best be used to target social need. If the people in our most disadvantaged communities do not feel the economic benefit of the peace process, they will feel left behind. CAJ fears what the cost of that isolation could be.

<sup>1</sup> [http://www.nisra.gov.uk/deprivation/archive/Updateof2005Measures/NIMDM\\_2010\\_Statistics\\_Press\\_Release.pdf](http://www.nisra.gov.uk/deprivation/archive/Updateof2005Measures/NIMDM_2010_Statistics_Press_Release.pdf)



## Dealing with the legacy of conflict

The second issue is the need to develop a mechanism to deal with our past. The publication of the Bloody Sunday report and the subsequent debate has made it clear that Northern Ireland's past remains to be addressed. The debate on how Northern Ireland should deal with over 40 years of conflict is highly contested. While the British government's response to the Bloody Sunday Inquiry was welcome, consideration of the report in the round, as with the Billy Wright Inquiry report, shows that these mechanisms have not really delivered accountability where it is required: in relation to Bloody Sunday, the blame was kept to the lower ranks while senior commanders and political elites escaped blame; in relation to the Billy Wright case, the failure of the Inquiry to draw adverse inferences on role of the security services remains hard to credit.

These cases, along with almost daily news items arising from Police Ombudsman reports and Historical Enquiries Team investigations, make it clear that a line cannot be drawn under the past – too many people have been affected by it and too many unanswered questions remain. The approach to date has been piecemeal and unsatisfactory, leaving many victims of the conflict from right across the community feeling left behind.

Some mechanism will have to be developed to deal with Northern Ireland's past if its horrors are not to undermine our future; the debate simply cannot be abandoned. Leadership is required – by government, by political parties, by those who work with and represent victims, by lawyers, by NGOs, by all of us, to grasp the nettle of the past if we are truly to build a better future.

The summary dismissal by the British coalition government of the recommendations of the Eames/Bradley team is regrettable. The NIO says it is going to conduct yet another consultation on what to do next. If it is carried out properly, it will simply raise as many questions as the Eames/Bradley process.

We don't need another consultation; what we need is the political will to deal with the issues.

## The Agreement's promise of a specific Bill of Rights for Northern Ireland

A Bill of Rights is a foundational and constitutional document that embodies those key principles that society holds dear. The Good Friday Agreement was a constitutional document. The protection of human rights and the commitment to a Bill of Rights to reflect the "particular circumstances of Northern Ireland" were fundamental parts of the Agreement and central to efforts of building a shared and peaceful future in Northern Ireland.

Regular polling shows consistently high levels of support among ordinary people, and from across the two main communities for a strong and inclusive Bill of Rights for Northern Ireland. Most recently in a July 2010 poll, 80% of people indicated their support for a specific Bill of Rights for Northern Ireland. In the history of our divided society, rarely have there been such high levels of agreement right across the community, and this is an opportunity that needs to be seized.

The new UK government has said that they will not legislate for a specific Bill of Rights for Northern Ireland; rather they will consider incorporating additional rights for Northern Ireland within a section of a wider British Bill of Rights. This approach is deeply problematic for two reasons.

Firstly, it disregards the unique context of the Bill of Rights debate in Northern Ireland, and instead wants to append it to a very different debate on a UK Bill of Rights. Secondly, by talking of protecting rights in a British context, the government is ignoring the context of a specific Bill of Rights for Northern Ireland as mandated in the Agreement. The Agreement was directly concerned with "rights to reflect the principles of mutual respect for the identity and ethos of both main communities and parity of esteem." However, the UK government approach of developing rights in a British context directly undermines this. It also ignores the fact that the very issue of nationality and identity is, and always has been, an issue of division and inequality in Northern Ireland.

The Irish Minister for Foreign Affairs, by contrast, has clearly stated that "the Irish government is strongly of the view that a specific and substantial Bill of Rights for Northern Ireland is a central and crucial element of the Good Friday Agreement."

This is an absolutely crucial time in the debate about the protection of rights in Northern Ireland. CAJ and many others fear that there is a real danger of roll-back on important and hard-fought human rights and equality commitments in the peace agreement which requires urgent intervention.

In closing, Northern Ireland is a very different place than it was fifteen, ten or even five years ago. That so much has been achieved cannot be questioned; the support and encouragement of all committed to the enhancing the rights of all has been a crucial factor in getting us to where we are today. We urge all our members and friends here and internationally: maintain your interest in advancing the promotion and protection of rights in Northern Ireland to ensure that peace is maintained and sustained.

## Over the next period, we must:

- Ensure that investment is used in a way that will help address the deep-rooted inequality and deprivation in those communities still bearing the scars of the conflict;
- Encourage leadership from all the political parties in NI, and the UK and Irish governments, to develop a holistic process to help us deal with our past and build a shared and peaceful future;
- Highlight to the UK government the importance of delivering on the Agreement and embedding a strong and inclusive specific Bill of Rights for Northern Ireland.

## POLICING UPDATE

### MICK BEYERS, POLICING PROGRAMME OFFICER



Mick Beyers  
POLICING PROGRAMME OFFICER

In the past year CAJ's work on policing has involved the coordination of a number of key events, international learning, responses to consultations and associated initiatives, desk-based research, and conference presentations.

With respect to the first of these areas, CAJ hosted a major two day conference, *Policing with the Community: Patten's 'New Beginning' 10 Years On* to examine where we are in the process of reform and mainstreaming human rights. A report of this conference is available via our website.

In conjunction with the School of Sociology, Social Policy and Social Work at Queen's University, we hosted a seminar series on policing entitled 'Contemporary Issues in Policing: Issues and Initiatives'. The 8 week community-based series explored contemporary issues in policing by examining grass-roots practice in both the community sector and police service. Individuals from community organisations, key activists and police officers discussed their work in the area of policing with a particular focus on human rights and police reform.

A second collaboration involved the development of a film strand as part of the Belfast Film Festival. Entitled 'Policing and the People' the strand was designed to explore the human consequences of state security, including the impact of implementing security policy on the police themselves. In March CAJ visited the independent Republic of Macedonia as part of a Policing & Justice International Learning Exchange organised by Mediation Northern Ireland. We also coordinated a roundtable discussion with the Chief Constable and command staff to discuss the current state of policing with working class communities. Principal among the concerns discussed were: the policing legacy and the police contribution toward dealing with the past; the use of stop and search powers and the extreme increase in their use over the past year; the use of police equipment including AEPs and tasers; and, the strategy of policing parades, as well as public order policing broadly. A second roundtable with the Chief Constable to focus on the legacy of the past is scheduled for October.

Over the course of the past year the Policing Programme has made submissions to consultation requests from the Northern Ireland Policing Board (NIPB), the Office of the Police Ombudsman for Northern Ireland (OPONI), and the Northern Ireland Office (NIO). An ongoing initiative which CAJ has spearheaded involves the integration of the DPPs with the Community Safety Partnerships. CAJ is not opposed in principle to the integration of DPPs with CSPs. However, the DPPs were conceived first and foremost as a system of accountability by the police to the local community. We have expressed our concern that the integrative models proposed may be utilized as an opportunity to further dilute the power of local accountability mechanisms and displace their key function of accountability. These mechanisms were not originally or solely designed to prevent crime or enhance community safety as is now suggested. CAJ, along with representatives from two Belfast DPPs and Maurice Hayes, met with the Department of Justice to raise concerns regarding the models proposed by the NIO.

CAJ is currently planning a seminar in the autumn to examine the responses of key stakeholder groups to the initial consultation and explore alternative models.

With respect to other research and analysis, CAJ is undertaking a piece of work around the use of stop and search powers combining both qualitative and quantitative analysis. An additional piece of research is ongoing and involves a 'half term review' and evaluation of the Police Ombudsman's Office.

Earlier in the year CAJ participated on a 'Communities and Policing' panel as part of the 6<sup>th</sup> North/South Irish Criminology Conference. And in September Mick journeyed to France to present a paper entitled 'The Future of Policing and Our Past' at an international conference hosted by the Université Rennes.

## CRIMINAL JUSTICE UPDATE

### JACQUELINE MONAHAN, CRIMINAL JUSTICE PROGRAMME OFFICER



Jacqueline Monahan  
CRIMINAL JUSTICE  
PROGRAMME OFFICER

The most significant aspect of the year has been the long-awaited devolution of criminal justice responsibilities from Westminster to the local Minister for Justice.

In anticipation of this the newly named Courts and Tribunal Services put out a number of consultations, as did the PPS and the new Department of Justice, most of which we were able to respond to. The consultations covered a wide range of issues and each response was formulated from a human rights perspective. Submissions which CAJ made included: Increasing Jurisdictional Limit in County Courts; Offender Levy and Victims of Crime Fund; Proposals For Provisions Of In-court Interpretation Services; Proposed Amendments To Prison Rules; and the Draft Strategy For The Management Of Women Offenders In Northern Ireland.

In response to the prospect of looking afresh at the criminal justice system, CAJ hosted a conference in September 2010: *Human rights and the administration of justice – implications for devolution?*

Minister of Justice, David Ford MLA and the Lord Advocate of Scotland, Rt Hon Elish Angiolini QC, opened the conference, which addressed a number of topical issues including political accountability, independence and decision making of the prosecution service and reform of the prison system.

CAJ, like many organisations in Northern Ireland, identified major problems within the prison system and undertook research examining these concerns through a human rights lens, which it presented in the autumn. In view of devolution, the prison system has been offered a fantastic opportunity for reform and it is hoped that with the creation of the Prison Review Team, this much-needed reform will finally happen.

To date, prison reform has been dealt with in a piecemeal fashion, and it is hoped that the review and subsequent reform will be holistic and will address the underlying causes of the problems, which have plagued the system for many years and will put human rights for all those involved in the prison system at the heart of reform. We have been particularly concerned with the consistent protests by prisoners, notably separated prisoners in Roe House and were pleased with the recent negotiations between the prisoners and the prison service. It appeared that the Minister for Justice facilitated reaching agreement in an unprecedented manner and we hope that the Department of Justice will continue to foster innovative approaches to justice issues.

Also in relation to prisons, CAJ hopes to broaden awareness and facilitate debate around the present arrangements of the National Preventative Mechanisms, which have been designated under the Optional Protocol to the UN Convention against Torture, and are meant to regularly undertake visits to all places of detention.

It should of course be mentioned that prisons do not work in a vacuum and in an ideal situation, the prison system should be scrutinised within the context of the overall justice system. CAJ will continue to call for further transformation and improvement of the various branches of the justice system, including the prosecution system and judiciary, with the aim of ensuring that the criminal justice system in Northern Ireland upholds the human rights of all those who come into contact with the system.

Finally, dealing with the past continues to be an unresolved issue. It was not a devolved matter and remains within the remit of the Northern Ireland Office. Given the wide implications of the past, we hope that the new government will embrace the work that has been done to date in the area and use the impetus of the publication of the Bloody Sunday Report and subsequent apology by Prime Minister David Cameron to bring dealing with the past to the fore and make it a priority. Time has demonstrated that the ramifications are multi-generational and will not be resolved unless actively worked at. Time alone does not heal wounds.

## EQUALITY UPDATE

DEBBIE KOHNER, EQUALITY PROGRAMME OFFICER



Debbie Kohner  
EQUALITY PROGRAMME OFFICER

It has been an important year for the equality framework in Northern Ireland. Developments in the regulatory, economic and legislative fields have once again placed equality at the forefront of the agenda. However, it is not clear that the promotion of equality of opportunity has been as central for the policy makers or the Executive. We are therefore facing a critical time, when advances in equality could be under threat.

First, from a regulatory point of view, the Equality Commission for Northern Ireland ('ECNI') finally released its new Guidance on s75 Northern Ireland Act 1998 ('s75'). Unfortunately, members of the advisory groups for the new Guidance, including CAJ, were not given sight of the new Guidance before it was finalised. CAJ is disappointed with some aspects of the new Guidance, which contains less clarity on the s75 obligations and appears to import Great Britain's law and policy to our distinct statutory duties. Also, the good relations duties have been given greater emphasis, which risks overlooking important issues of equality.

In the new s75 Guidance, the ECNI has introduced a more 'outcome focussed' approach to s75. As a result, public authorities should produce 'audits of inequalities' and 'action plans' to focus their policy development on addressing the worst inequalities suffered in their sphere of influence. While CAJ welcomes the emphasis that this approach places on evidence bases, there is concern that it could freeze the analysis of inequalities in time and reduce the mainstreaming efforts outside of the agreed action plan.

Also, public authorities will no longer need to consult formally on each screening process they carry out. It is important that, as a minimum, civil society is informed in good time of any screening exercises, so that any issues can be highlighted in good time. The mainstreaming duties are clearly placed on the public authorities and should not be privatised out. CAJ is working to make the new generation of equality schemes as robust as possible.

Secondly, the economic crisis is now being felt even more severely by many in the community. We wrote in last year's annual report of our concerns that the 'efficiency savings' would impact on government spending. These concerns have now been overshadowed by a further £150m savings in this financial year, and staggering spending cuts to be faced over the next four years. There is no doubt that public services will be severely affected.

Given that disadvantaged groups generally have a higher uptake of public services, there is a real risk that the spending cuts will impact disproportionately on them. CAJ has written to each of the Executive Departments to underline the need to carry out their s75 statutory duties in full. An objective analysis of the impact of any spending cuts across each of the s75 groups should help minimise the harsh consequences of the budget on existing inequalities and social exclusion.

Thirdly, the passing of the Equality Act 2010 in Great Britain shines a light on the inadequacies of our own equality legislation. Several gaps endure in our piecemeal legislative framework, including the full implementation of some European Equality Directives. However, CAJ does not believe that the wholesale importing of the Equality Act is the only solution to our framework's deficiencies, and we will continue to work for the introduction of equality protection that best suits our specific context.

Finally, CAJ has continued to engage with community and voluntary sector organisations and public authorities to help find the most effective way of addressing equality issues. As co-convenor of the Equality Coalition, CAJ has worked to increase membership and coordinate joint action on the most pressing issues arising. Also, CAJ serves on the diversity advisory groups of several government Departments and has inputted to many consultation exercises.

The coming months will be critical in ascertaining how the new s75 Guide, the inevitable spending cuts and the changes to GB equality legislation will impact on the equality framework in Northern Ireland. We will continue to work for the effective mainstreaming of equality into public policy, the full assessment of the impact of cuts on disadvantaged groups and the most robust, human rights compliant, equality legislation that can be achieved.



## CASEWORK UPDATE

### GEMMA McKEOWN, SOLICITOR



Gemma McKeown  
SOLICITOR

We continue to provide advice and assistance to individuals, groups and organisations where a breach of human rights has been alleged. In particular, we support cases previously taken to the European Court of Human Rights and other “historic” cases to ensure compliance with international human rights obligations, including by making submissions to domestic and international oversight bodies.

We support victims’ families through their engagement with the Office of the Police Ombudsman for Northern Ireland, the Historical Enquiries Team and the coronial system, to ensure that the state discharges its duty to investigate violations of the right to life, in compliance with its national and international obligations.

We also continue to monitor cases before the courts in Northern Ireland and intervene in such proceedings in accordance with our strategic plan. We observed the application for judicial review taken by the Chief Constable, which challenged the decision of the Senior Coroner, where he directed that copies of the “Stalker” and “Sampson” reports should be shared with the next of kin in a number of historical inquests. In dismissing the Chief Constable’s application, the High Court held that the function of the Coroner is unlike that of any other judicial office and has a wide-ranging discretion. Given that the Chief Constable’s application for leave to appeal this decision has been dismissed, we hope that disclosure will be provided to these families as soon as possible.

We have also monitored judicial review proceedings challenging a decision to issue a certificate pursuant to section 1 of the Justice and Security (Northern Ireland) Act 2007 determining that a criminal trial should be conducted without a jury. The applicants’ submissions that the decision of the DPP was procedurally unfair, substantively flawed and contrary to Article 6 ECHR, was rejected by the High Court, and an application for leave for certification and appeal to the Supreme Court has been made.

We observed a challenge to the use of the Regulation of Investigatory Powers Act 2000 in respect of privileged consultations of persons in detention. The court dismissed the applicant’s argument that the failure of the PSNI to provide an assurance that the applicant’s private consultation with his solicitor and doctor would not be monitored contravened Article 6 and 8 ECHR.

We welcomed the judgment in Gillan and Quinton v UK, which held that the stop and search powers under section 44 of the Terrorism Act 2000 were in breach of Article 8 ECHR.

However, we continue to monitor the use of the extensive stop and search powers under section 21 of the Justice and Security (Northern Ireland) Act 2007.

We welcome the establishment of the Prison Review Team as we continue to monitor the conditions in our prisons, and recently in particular, the concerns highlighted by prisoners at Roe House, Maghaberry.

CAJ welcomed the Report of the Bloody Sunday Inquiry on 15 June 2010. After twelve years of proceedings, the Inquiry, chaired by Lord Saville, held that the deaths of thirteen innocent civilians in Derry, during a civil rights protest, on 30 January 1972, were “unjustified and unjustifiable.” In his apology, David Cameron confirmed that the army had fired the first shots without warning; that none of the casualties posed a threat and that soldiers lied about their actions. These findings are deeply symbolic in our post conflict society; however the follow up to this report will also be crucially important and we continue to call for a comprehensive method to address outstanding issues from the past.

We have monitored the Rosemary Nelson, Billy Wright and Robert Hamill Inquiries since their inception. However, the Cory Collusion Report also recommended the establishment of a public inquiry to investigate the death of Pat Finucane and we continue to call for such an independent judicial public inquiry.

On 14 September 2010, almost five years after it was converted under the Inquiries Act 2005, the Billy Wright Inquiry delivered its report. It rejected the allegations of collusion made by the Wright family and found that a series of failings facilitated Mr Wright’s death. This is a deeply disappointing conclusion to the Inquiry. Such a series of failings is hardly likely to have happened by coincidence. Additionally, the report made it clear that the Inquiry was hampered as documents held by the Northern Ireland Prison Service (NIPS) and the PSNI had been destroyed. It highlighted the failure of the Northern Ireland Prison Service to provide crucial documentary evidence, which resulted in six additional days of hearing.

In particular, criticism was levied against the PSNI, who it stated presented the;

**“greatest difficulty for the Inquiry because of its slowness in responding to repeated requests for information, its reluctance to disclose all that was relevant and its inability to provide much of the material which the Inquiry needed to see and consider.”**

In the Robert Hamill Inquiry we provided written submissions and detailed potential recommendations for the Inquiry panel to consider as part of its terms of reference. We now await the reports from the Robert Hamill Inquiry and Rosemary Nelson Inquiry which are expected in the next few months.

## COMMUNICATIONS UPDATE

LOUISE McNICHOLL, COMMUNICATIONS OFFICER



Louise McNicholl  
COMMUNICATIONS OFFICER

The appointment of a Communications Officer in mid 2009 means that CAJ is now in a position to put a greater emphasis on communications work, where it had taken an ad-hoc approach before. A Communications Strategy was drawn up which outlined the role of the Communications Officer; central to this was the streamlining of CAJ's internal and external communications. Branding and accessibility guidelines were adopted and are shared with all of our appointed designers to ensure everything we produce is accessible for a range of audiences.

A Communications Audit carried out in early 2010 allowed our members and stakeholders to make recommendations on all aspects of our communications work. A subsequent review of our website showed that the site was not fully accessible and was no longer fit for purpose. We recently launched a brand new website – [www.caj.org.uk](http://www.caj.org.uk) – which contains detailed information about our work, a full archive of CAJ publications and submissions since 1981 as well as up to date news items, photographs and downloadable copies of Just News, our monthly newsletter. A new ezine, launched in August 2010 allows us to communicate more effectively with our members and many stakeholders and is an important tool for the organisation. Accessing the ezine is simple, through our website homepage and we have experienced a significant increase in sign-ups since the launch of the new ezine.

In January 2010, we began selling a number of our most recent publications on Amazon, which has proved to be a valuable way of finding new markets for our work. We have also joined the 'Twitterati' and you can keep up to date with our Tweets at;

[www.twitter.com/CAJNi](http://www.twitter.com/CAJNi)

We now have a significant number of followers on Twitter, meaning our message is reached by a greater audience.

Just News is soon to undergo an overhaul, ensuring that it is fully accessible, engaging and will reach a wide range of new audiences. The new-look Just News will be a brighter, more attractive publication, but importantly, it will retain the high quality articles for which it is known.

CAJ is a regular commentator on human rights issues in the local and national media and all Programme Area staff have undergone intense media training, ensuring that we are best placed to offer a valuable contribution to the news discourse of the day. A full list of our media coverage from the past year can be accessed via our website.

Notable examples include significant television, radio and print coverage around our conference in November on Policing with the Community, numerous television and radio appearances in relation to Inquiries, specifically the Bloody Sunday Inquiry, and dealing with the past; and continuous newspaper coverage of our Bill of Rights work.

We held a number of successful events in the course of the past year, including conferences with high-profile international spokespeople, community/voluntary sector roundtables and information exchange events. We marked International Human Rights Day with an event to look at the government's proposals on a Bill of Rights for Northern Ireland, alongside other like-minded organisations. Our new premises were officially launched by Philippe Sands QC in October 2010. This successful and well-attended event brought together CAJ members, NGOs, statutory agencies and political representatives, amongst others to showcase our new office facilities.

Now that many of the basics have been put in place, the role of the Communications Officer can fully adapt to the changing needs of the organisation and provide hands-on communications support for all facets of CAJ's work. An increased emphasis on media work alongside a greater online presence will ensure that CAJ continues to be the leading voice of human rights in Northern Ireland in the future.



## OBITUARY

*Donall Murphy (1934-2010)*



**Donall Murphy died on 27th February 2010 after a long illness and various health challenges. He bore all of them with remarkable good grace, humour and typical determination.**

Donall was one of the founding members of the CAJ in 1981 and was clearly still at the heart of it when I came to work there in 1987. He quickly took me under his wing and became my friend. Throughout the sixteen years I spent there he was a constant source of wise counsel, support and encouragement. He held numerous positions, serving on the CAJ Executive for many years and acting as its vice chairperson as well as holding numerous other Committee posts. While actively involved in the work of the whole organisation Donall was most clearly identified with two areas of work – policing reform and the campaign to secure a Bill of Rights.

In 1979 he had resigned from the Police Authority over concerns about its failure to deal with the ill treatment of detainees. His experience gave him a direct feel for the deficiencies in the system for police accountability which troubled him greatly. As a member of CAJ's policing sub group he was a key drafter of proposals for an effective Police Authority to hold the Chief Constable to account and for an independent system to investigate complaints against the police. Donall's efforts eventually bore fruit and can clearly be seen in the powers of the Policing Board proposed by Chris Patten and in the office of the Police Ombudsman which provided for a fully independent system to investigate police complaints. While Donall was pleased with these developments he was never complacent and was always vigilant.

On the Bill of Rights, I remember countless meetings in his office, discussing draft documents. Punctuality was not one of his strengths and we scheduled meetings of the Bill of Rights sub group at his office in an attempt to ensure his participation. Donall followed the unfolding debate about a Bill of Rights up until his death. A strong and effective Bill of Rights would be a fitting tribute to him. He had a deep belief in the role which an effective Bill of Rights could play in building a fairer society but also in its contribution to peace building.

Donall was a very bright and able lawyer with a profound commitment to justice and fairness. He frequently put his considerable talents and abilities at the service of people at the bottom of the heap. He was driven to make a difference and succeeded. His real strength however was that he was able to pass on his values and principles to others and inspire them. He didn't mince his words, he didn't duck the issues, he didn't keep quiet for fear of offending people. Indeed he almost seemed to enjoy being the grumpy person with the awkward and irritating question or point of view. He could drive you mad.

In spite of that, but probably because of it, he managed to be held in the highest regard by people from across the political spectrum. Not an easy feat in Northern Ireland.

One only had to look around at the group of people gathered for his funeral to see his wide circle of influence. His sense of humour and wit probably held him in good stead. I remember many laughs with Donall, often at his own expense. He was one of the funniest people I have ever met. At a Bill of Rights conference we both spoke at the Kennedy Library in Boston I remember the group of diverse Northern Irish and South African politicians, judges, lawyers and activists always gathered in Donall's room at the end of every day's formal business for a few drinks and more craic. His interests extended well beyond the law and I was always amazed by the breadth of his activities. His other big passion of course was rowing where he again excelled and managed to pass on his commitment and talent to many others.

**Whilst Donall's loss will be felt most deeply by his family and his wife Pauline of whom he was immensely proud, the cause of human rights has also lost a champion. He is sadly missed by a legion of colleagues and activists but will be cross at me for saying so.**

**Martin O'Brien**

DIRECTOR OF THE RECONCILIATION & HUMAN RIGHTS PROGRAMME, ATLANTIC PHILANTHROPIES  
(FORMER DIRECTOR OF CAJ)



**A YEAR OF PICTURES**  
CAJ 2010



*Image above*  
Ex-Patten Commissioners, Kathleen O'Toole and Maurice Hayes spoke at our conference entitled *Policing with the Community? Patten's 'New Beginning' 10 Years On*, November 2009

*Image right*  
Event to mark International Human Rights Day, December 2009



*Images above*  
We said goodbye to Donegall Street and hello to Queen Street



*Image right*  
Keynote speakers at a Criminal Justice conference, Minister of Justice, David Ford MLA and the Lord Advocate of Scotland, Rt Hon Elish Angiolini QC along with Mike Ritchie, Director CAJ, September 2010



*Image right*  
Aideen Gilmore, Deputy Director, addressed the Subcommittee on International Organisations, Human Rights and Oversight of the US Congress Foreign Affairs Committee, September 2010

*Image far right*  
Professor Philippe Sands QC officially opened our new premises, October 2010





## CAJ PUBLICATIONS AND SUBMISSIONS

2009 – 2010

### Publications

#### No. 58

Reflecting on the report of the Consultative Group on the Past (Proceedings of a seminar which took place in Belfast in May, 2009) *October 2009*

#### No. 59

Policing with the Community? Patten's New Beginning' 10 Years On (Proceedings of a conference which took place in Belfast in November 2009) *June 2010*

### Submissions

#### S252

CAJ's Response to Proposed Amendments to Prison Rules, *November 2009*

#### S253

CAJ's Response to NIPS Offender Management Practice Manual Operational Guidance and Standards, *January 2010*

#### S254

CAJ's Response regarding Court Boundaries, *April 2010*

#### S255

CAJ's Response to NICTS regarding Legal Aid Means Test Revision, *April 2010*

#### S256

CAJ's Response to NICTS consultation regarding PPS summons, *April 2010*

#### S257

CAJ's Response to Regeneration and Housing Bill consultation, *April 2010*

#### S258

CAJ's Commentary to Proposals for Provisions of In-Court Interpretation Services, *April 2010*

#### S259

CAJ's response to Department of Justice's Special Measures consultation, *May 2010*

#### S260

CAJ Commentary to Department of Justice's Offender Levy and Victims of Crime Fund consultation, *May 2010*

#### S261

CAJ's response to Increasing Jurisdictional Limit in County Courts consultation, *June 2010*

#### S262

CAJ's Response to Local Partnership Working on Policing and Community Safety, *June 2010*

#### S263

CAJ's Commentary on Chapters 8 & 9: Use of Force and Covert Policing of the 2008 Human Rights Annual Report, and commentary on the Taylor Reforms, *August 2009*

#### S264

CAJ's submission to the NIPB in relation to issues for the Human Rights and Professional Standards Committee, *October 2009*

#### S265

CAJ's submission to the Northern Ireland Law Commission: Vulnerable Witnesses in Civil Proceedings, *June 2010*

#### S266

CAJ's Response to Public Assemblies, Parades and Protests Bill (Northern Ireland), *July 2010*

## ADDITIONAL SUBMISSIONS

2009 – 2010

#### S241

Submission to the consultation on draft PPS Hate Crime Policy, *October 2009*

#### S242

Sub to DRD – DSD re Public Consultation – Dungannon Masterplan, *December 2009*

#### S243

Sub to NIO on consultation on Filling Casual Vacancies on District Councils, *January 2010*

#### S244

Response to the consultation for a Commissioner for Older People in Northern Ireland, *January 2010*

#### S245

Response to the consultation of the Larne Masterplan, *January 2010*

#### S246

Response to the Review of Temporary Provisions in the Police (Northern Ireland) Act 2000 (50-50 Recruitment), *January 2010*

#### S247

CAJ's Response to Spending Review 2010, *March 2010*

#### S248

Submission to the consultation on the Newtownards Masterplan, *March 2010*

#### S249

CAJ's response to the public consultation on the Downpatrick Masterplan, *March 2010*

#### S250

Submission to the NIO on A Bill of Rights for Northern Ireland – Next Steps, *February 2010*

#### S251

CAJ's Response to Draft Strategy for the Management of Women Offenders in Northern Ireland: A consultation, *May 2009*



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