

CAJ's 25th Anniversary

1981 - 2006



FOUNDER MEMBER'S RECOLLECTIONS

BY DONALL MURPHY

The request was to reflect on CAJ's achievements but you will find these in order, in detail and in sequence in the Annual Reports. At least that is where I found them.

CAJ's biggest achievement is the fact that it has survived for 25 years, grown in strength, in credibility and in self belief during that time and managed to review itself from time to time so as to change with the needs of society. What is most surprising is that the members came from all walks of Northern Irish society, all ages and religions, bound by a common quest – to work for a just and peaceful society where the rights of all are protected. There was no money, no fame nor fortune to bind them to this quest. The quest endured when their effects were ignored. They were laughed at, and even rebuffed by church and state; its civil servants and politicians for asking awkward questions and registering public registering public rejection of thoughtless answers.

History may be available for the assistance of those seeking to avoid repetition of past mistakes, but Northern Ireland sustained its *status quo* by either a denial that mistakes were ever made or by taking unnatural comfort that those mistakes were all “their” fault and responding accordingly. It mattered not how differing sides would seek to define “mistakes” but CAJ were prepared to inject and publish its own perspective of injustice without fear or favour and in a reasoned manner.

But history was never an exact science anyway.

It all started for me, amongst others with an invitation to attend a public meeting on the 13th June 1981 at the Students Union in QUB. There were three promoters, Kevin Boyle, Tom Foley and Tom Hadden. The meeting was chaired by Lord Gardiner and all free thinkers this side of Long Kesh gathered in comforting numbers to consider the administration of justice in Northern Ireland.

A whole day was spent in the consideration of Law and Order, but the response from the persons present articulating their individual experiences amounted to an absence of Law - the imposition of Order. Areas discussed/debated included the use and abuse of the Diplock legislation, the treatment of prisoners held without trial – a new form of internment being imposed, the abuse of the legal system to satisfy Executive requirements, confessions obtained under duress and convictions obtained on the very dubious evidence induced from others. The impartial role of the judiciary in criminal proceedings was in question as was the wealth being ‘imposed’ on legal practitioners for maintaining an appearance of normality in our legal system.

Theory or party politics didn’t feature that day; maladministration of justice did. Men and women of all ages and religions were giving voice in support of each other. They were not being dismissed as a polite inconvenience to be ignored. Declarations were being made in tones which demanded attention. Speakers had but one theme however different their story- in a word- Injustice.

I can’t remember now what I said that day but I hope I spoke in support of Jack Hazzard, with whom I had resigned from the Police Authority after seven years futility. Seven lost years and then to walk into this meeting- it was like the voice of Spring. (Jack and myself resigned over the treatment of suspects in Castlereagh *interalia*)

With so many topics raised for discussion, it was resolved to set up a committee to consider the best way forward. It was to be an ad hoc committee and I joined with the resolve to start again with a complete body of strangers.

No special qualifications were required save to have the ability to distinguish right from wrong and the courage to speak out whilst others had their silence bought. And that is how CAJ got its name.

The day ended with Lord Gardiner setting off in his car for the airport. Something fell off the bottom of the car with a clang. It was rumoured it was a bomb. Suffice to say it didn't go off, so we will never know. We can just be thankful that no ill befell anyone, as that would have tarnished the day, and no doubt would have put an end to CAJ on the evening of its birth.

The name, CAJ did not in itself cause offence but did cause some debate over the use of the "C" letter, which some believed could be seen as standing for "communist". The Executive of CAJ got exercised about this possible perception and many hours were spent thinking of a change of name. But in true Irish tradition, the whole seemingly importance of the title faded away and the name remained the same. The non-existent "reds under the bed" were allowed to slumber in peace.

CAJ started to meet with regularity at the Peace House on the Lisburn road in Belfast. None of us were experts in Emergency Legislation- Steve McBride and I were the only practising lawyers and this was an area that I had little or no experience - so - we had to learn from the beginning and where necessary, bring in outside experience to guide our path. The Peace People provided us with the use of office facilities and accommodation for meetings in their Lisburn Road premises. We had no money but we realised that this was an urgent necessity. It took us a few years to learn the "art" of raising money. A good few years to be exact but meanwhile we worked on individual circumstances, domestic campaigning, lobbying nationally and internationally; publishing and organising educational events. The original focus was almost entirely on the operation of emergency laws and how police (RUC) and criminal justice agencies were affected – this led to an awakening interest in a Bill of Rights.

It wasn't all milk and honey. We had our detractors. The Northern Ireland Office and the Police Authority thought little of us, and such "little" there was, was not supportive. Even though we took no position on the constitutional status of Northern

Ireland and were opposed to the use of violence for political ends, we were looked on with suspicion. But as time developed and our membership remained drawn from across the community, CAJ in 1998 was presented the Council of Europe Human Rights Prize.

CAJ without fear or favour opened lines of communication with all political parties at home and abroad. Some of these meetings were quite “hairy” but on request, we ventured to meetings into troubled heartlands to discuss, challenge and cajole, face to face, protected only by our belief in the equitable administration of justice.

There was so much work done that it is hard to believe that we could have enjoyment as well. There were parties, pub sessions, arguments, even music and song. There were meetings which would start half an hour early so that all the serious business was conducted before I could arrive....even if I was late. And then there were the annual trips to Peter Tennant's home, half way up a mountain (the other half near Ballycastle). Peter supervised in his slippers and Valerie puffed contentedly in the corner on her pipe. These trips were to party and this we did...

C.A.J. is now in new young hands, but the theme is still the same. Long may it remain. Thank you Martin O'Brien; thank you Maggie Beirne - Liz etc. Thanks go also to those who were there in the old days *e.g.* Madge Davison, Jim Deo, Brice Dickson, Eliza Irwin, Pat Johnston, Stephen Livingstone, John Morrow, Paddy Sloan and all whose names I, in my old age have forgotten.

C.A.J. was and still is a great experience. Carry on.....

Donall Murphy,

October 2006