

## Chairperson's Foreword

Much has happened in the past year. In the wider political realm, the Committee on the Administration of Justice (CAJ) is working in a totally different environment than was the situation when publishing our last annual report. I wrote then *“political negotiations about possible devolution are continuing, but are slow and hesitant. Whatever one might think about these delays from a personal or political perspective, it has a direct and immediate impact on most of CAJ's work.”*

One year on, the situation is very different. In the intervening period, there has been a further political agreement (the St Andrews Agreement), elections, and the establishment of a devolved administration, apparently willing and able to take on some of the many challenges facing Northern Ireland.

Our work on equality and the protection of rights – especially the Bill of Rights – has taken on new momentum as a result of these political developments. Moreover, whilst criminal justice and policing – major programme areas for CAJ -

are still not devolved, there have been important developments in these realms also. All the local political parties are now signed up to the new institutional arrangements, and this is bound to have an impact on human rights efforts in these domains.

Nor are the changes purely 'external' to CAJ's work. CAJ's executive and staff devoted much energy to re-thinking our priorities, assessing our organisational strengths and weaknesses, and developing a strategic vision for independent human rights work over the longer term.

The bulk of this annual report will focus on the past year. The Director's report will cover the many activities of the organisation in terms of promoting equality, working on criminal justice and policing, and campaigning for a Bill of Rights. Initiatives taken on behalf of individual victims of human rights obligations, and reports on the burgeoning debate on how best to address past human rights abuses, also figure large in the report.

Accordingly, rather than replicate any of that material, I will focus my remarks on the executive's work in the last year to evaluate what the organisation does well, what it could do better, and what plans we believe should be

developed to ensure the long term future of CAJ. We think that these plans are very exciting and we hope that readers will agree!

In order to determine the way forward for the organisation, the executive decided initially to commission an independent evaluation of CAJ's work over the last five years. Two evaluators, one who had previously worked with the Joseph Rowntree Charitable Trust (Steven Burkeman), and the other the former Co-Director of the British Institute of Human Rights (Sarah Cooke), undertook this work with great energy and professionalism and reported to the executive in March of this year. The evaluation drew on extensive written material and interviews with CAJ staff and executive, other non-governmental organisations, various statutory bodies, the Northern Ireland Office, academics, and politicians from a range of political parties. In total, fifty-five interviews were organised, most face-to-face, though some by phone.

The findings of the evaluation have been published and circulated widely, so I will focus only on some of the key issues that the executive found of particular importance.

Firstly, the evaluators were able to reassure us that much of CAJ's work was both useful and appreciated. In the realm of our policing efforts - while rightly noting the particular difficulty of assessing the impact of any one actor - there was recognition that it was likely that CAJ's conference on the work of District Policing Partnerships "*gave a significant push in the right direction*". Similarly when commenting on our reports on the work of the Policing Board, and the Police Ombudsman, reference is made to their value in "hand-strengthening' and "stiffening the resolve" of those willing to change. An interviewee is reported to have said of CAJ's criminal justice interventions – "*I expect CAJ to be technically excellent and the quality of its technical work is taken as read*".

Praise for CAJ's contribution appears to have been even more obvious when interviewees talked of CAJ's work in the protection of rights. "*CAJ's efforts to keep the Bill of Rights on the political agenda, both by the work it conducts in its own name and through its work with the Human Rights Consortium, were acknowledged as remarkable and effective by many interviewees*". The evaluators continued "*Many whom we interviewed indicated that concrete progress towards achieving a Bill of Rights would not have occurred but for the work*

*of CAJ.....many said that the CAJ was the only organisation capable of spearheading this campaign effectively because of its expertise, credibility and capacity". They were led to the conclusion that "CAJ's success and impact through its work in the Human Rights Consortium is significant and remarkable, particularly given the diversity of the groups involved, and the contentious nature of its area of focus. This is a testament to the trust and respect in which CAJ is held by the broader voluntary and community sector".*

And our equality efforts were also warmly commended by the evaluators. They report that *"A number of those interviewed told us that the Equality Coalition was vital to the work of policy officers in the voluntary and community sector, for whom equality might only be part of their remit and who would otherwise be extremely isolated."* One interviewee is reported as saying *"The Coalition is the most central tool of the voluntary and community sector in trying to ensure effective operation of Section 75.....without CAJ, the Coalition would not exist"*. In CAJ's own right, the evaluators concluded that *"CAJ is, by its largely reactive work of responding to consultations and seeking meetings with appropriate bodies, effective in shaping policy development,*

*preventing bad practice, and encouraging good practice in relation to equality in Northern Ireland”.*

However, despite these very upbeat assessments of our work, the evaluators were far from uncritical. They had many challenging questions for the organisation, and many proposals for making our work more effective. Most of the challenges related to the necessary under-pinning of all of these efforts.

For example, CAJ's resources for work on policing and criminal justice are very limited – and our work is necessarily reactive. If we believe that an independent non-governmental watchdog on policing and criminal justice remains necessary, then the executive needs to secure the necessary resourcing of same.

Given the potential impact that strategic litigation can have in remedying the wrongs of individuals, and tackling systemic abuses, should the organisation not be seeking to promote this tactic more energetically?

The organisation has spent little time, money or energy on its own basic infrastructure – decent premises, professional IT services, managerial systems, financial planning, membership

servicing, succession planning.... These are the challenges that the incoming executive will need to address.

An extremely interesting challenge arising from the evaluation was the question about where – in the long term – does CAJ want to position itself. Are we “oppositional”, even confrontational, or are we a “critical friend”? This question led us to an even more fundamental question: with the many changes in Northern Ireland, is there a continuing role for a group like CAJ? Although we have never considered our work to be solely conflict-related, the move away from conflict needs to be reflected upon: what (if any) are the long term human rights challenges that will need to be addressed?

The executive did explicitly engage with the issue, but had no doubt whatsoever that there was, and that there will continue to be, a need for an independent voice speaking up for human rights.

The existence of statutory agencies specialising in human rights and equality, and the increased mainstreaming of human rights staff and operational concerns in public bodies, is very welcome. But these make CAJ's existence more, not less, important. While the organisation has

always wanted people to “talk the talk” of human rights, it was never enough. The question is – and will always remain – are people “walking the walk”. An independent body, working impartially, objectively and knowledgeably, and beholden to no political party, partisan interest, or government, is vital. CAJ has played that role in the past, and will continue to seek to play that role in the future.

Of course, if we are to perform this function to the full, we cannot rely solely on a small staff however committed and hard-working they are. Work on the evaluation, in the subsequent development of a strategic plan, and the development of detailed staff operational plans (prepared for the first time ever), emphasises the importance of a team approach.

In the coming year/years, the organisation must:

- Retain a strong (if small) core of highly professional and committed staff;
- Maintain a hard-working, visionary executive leadership;
- Mobilise its loyal membership/supporter base;
- Motivate a much wider pool of activists to give expression to the values that CAJ has always sought to convey; and

- Secure solid independent financial sustainability over the longer term.

All of these components are necessary if CAJ is to contribute to a situation where Northern Ireland is to genuinely learn the lessons of its terrible past, and put human rights protection on a firm long term footing. Many expectations are being currently vested in our politicians but – on their own – they cannot create a just and peaceful society in Northern Ireland where the human rights of all are protected.

The year immediately ahead of us is going to be a particularly busy one. The Forum is up and running and recommendations on a Bill of Rights for Northern Ireland are expected by Spring 2008. The devolution of criminal justice and policing is being discussed within a similar timetable. We have produced a major report looking back on the human rights lessons arising from the conflict here – and we will want to get those widely disseminated way beyond these islands, in the hope that our experiences will be of use in the global debate on the 'war on terror'.

While I intend to stay personally very active, I must stand down as chair - having served my two years. I have been very privileged to serve in that capacity at a period of important change.

In commending to you the following annual report, I can do no better than to end with the concluding statement of CAJ's independent evaluators:

*“CAJ is in our view a very special organisation with a tremendous track record. Its achievements continue right up to the present. It is widely admired and respected. As with all organisations working in transitional societies, it faces major challenges (and threats and opportunities) in the coming years. We hope that this (report) will help it meet those as effectively as it has faced many such challenges in the past”.*

***Fiona Doherty***

## **Director's Report**

The following report summarises the key activities undertaken by the organisation in the past year. As ever it focuses on CAJ's key programme areas – criminal justice, equality, policing and protection of rights – and the various activities undertaken in terms of casework, international initiatives, publications, and the vital efforts of staff, volunteers and funders in making sure that this work could be effectively undertaken.

For practical reasons, the annual report had to go to the printers slightly earlier this year than usual, so the report is foreshortened and covers mid-October 2006 to early September 2007.

### **Criminal justice**

For some time now, monitoring the implementation of the human rights related recommendations of the Criminal Justice Review (arising from the Agreement) has remained a key focus for CAJ's work. Of great value in that endeavour has been the work undertaken by the

Justice Oversight Commissioner. Lord Clyde's regular visits and reports helped maintain public pressure for change on the criminal justice agencies, and placed in the public domain information that might not otherwise have surfaced publicly. Unfortunately, the ending of this external oversight mechanism (as reported last year) has indeed created a sense of less momentum and pressure for change. CAJ is concerned that key recommendations of the Criminal Justice Review remain outstanding.

It seems all the more important to maintain a strong independent voice monitoring human rights developments in the criminal justice arena, and despite the pressure on CAJ's limited staff resources, we have sought to do that over the last year.

We have accordingly met with a variety of criminal justice stakeholders and policy-makers, as well as contributing in writing to a variety of consultations.

So, for example, we have met the head of the Criminal Justice Reform Division in the Northern Ireland Office to discuss – among other things – inordinate delays in the introduction of an equity monitoring system and a reflective workforce strategy. The Criminal Justice Review set great

store by both of these measures as ways of ensuring institutional and cultural change. The pace of change appears - at least to the outsider - to be glacial. CAJ appreciates the complications and challenges that arise in designing an equity monitoring system - not least the actual "how" when it comes to gathering information. Nevertheless, despite positive and constructive engagement with the NIO in this regard, the delays are worrying.

A now annual feature of the criminal justice system is the stakeholders conference organised in early summer. This year's event on "Criminal Justice Facing Devolution" saw an impressive ministerial line-up, and some valuable contributions from stakeholders and political parties (though, as ever, not a very large representation from the community and voluntary sector). The transformation of the Public Prosecution Service (PPS) was singled out for particular praise by the then Attorney General - Lord Goldsmith - in his speech.

When asked from the floor, by CAJ and others, how the change process within the PPS could rebuild confidence and trust in the system, the Attorney General vigorously denied that there was any reason for concern. Instead, the government minister asserted that the

predecessor of the PPS – the Office of the Director of Public Prosecutions – had always carried out its work both fairly and independently. Apart from begging the question as to the need for the major transformation that is supposedly underway, the exchange highlighted very different understandings of past events, and their legacy.

CAJ's concerns  
about the  
importance of  
building confidence  
in the new

prosecutorial arrangements found a more constructive outlet in the inspection undertaken by the Criminal Justice Inspection (CJI) into the work of the Public Prosecution Service.

The CJI, together with Her Majesty's Inspectorate of the Crown Prosecution Service, looked at the PPS this year, as part of their regular system of inspections of different criminal justice agencies. CAJ was one of the many 'stakeholders' approached for input, and so we read the final report with great interest. The CJI rightly commended the significant change that has taken place within the PPS in recent times. However, the fact that almost 40 weaknesses requiring action were identified -

some seven years into the programme of reform - is obviously worrying. It would suggest that the PPS still has a long way to go to fulfil the process of transition outlined in the Criminal Justice Review.

To take two examples in particular – firstly, the report calls for the PPS to give reasons to victims in both past and future cases where prosecutions are not taken or are discontinued. CAJ has frequently commented on the failure of the DPP/PPS to explain why prosecutions did not occur, especially in high profile collusion cases such as the murder of human rights lawyer Patrick Finucane (for latest developments in this regard see casework chapter). It is CAJ's view that, in relation to past cases involving the conflict, and in future cases, increased transparency in terms of PPS decision-making is vital to securing public confidence in the administration of justice and in the rule of law.

A second area which the Criminal Justice Review highlighted was the need for regional PPS offices. Yet the CJI report notes that, seven years after the publication of the Review,

the PPS has yet to open any regional office west of the Bann. Ensuring community outreach, especially in areas where there may be historic suspicions relating to the justice system, was a key objective of the decentralisation programme. It is therefore surprising that the only fully operational regional PPS offices to date are located in Lisburn and Ballymena, whereas proposed offices in Derry, Newry and Omagh all appear to have been delayed.

But the Criminal Justice Review did not merely urge institutional change. It assumed steady progress in legislative and other policy terms to a more 'normal' society. This year thankfully witnessed further progress towards 'normalisation' in the political and security sphere and, in this context, government consulted on proposals to "abolish" the Diplock Courts.

While welcoming the debate, CAJ was disappointed to see that the proposals still retained non-jury trials, albeit in more limited circumstances. We have always maintained that, even at the height of the violence in Northern Ireland, there was little or no substantive evidence to show serious problems of jury intimidation. No such evidence was proffered in

this consultation paper either. Given the importance of jury trial to due process in the common law system, CAJ believes that the onus of proof lies firmly with those wishing to introduce/retain non-jury courts.

Moreover, the consultation evidenced that in practice the Diplock Courts are being used much less – should not government be using this period of relative peace and stability to signal increased normality and end non-jury courts? This was not the approach taken. CAJ believes that the failure to introduce trial by jury in all cases represents an abdication of responsibility on the part of government.

Likewise a section of the Justice and Security Bill, tabled towards the end of last year, in effect replicated the provisions that had previously formed Part VII of the Terrorism Act.

Government had previously promised to repeal the provisions of Part VII - provisions which apply specifically Northern Ireland - but they instead chose to move the powers into an alternative piece of legislation. CAJ has long argued against emergency legislation, but the case for the retention of emergency powers is even more incomprehensible now, almost ten years after the Agreement. Moreover, given the

moves to build confidence in policing, it is problematic to bestow additional powers on the army. CAJ believes that removing powers from the oversight provided by the new Patten policing bodies (Ombudsman, Board etc) is retrograde. We therefore proposed that the entire section be dropped. Alternatively, we urged that more constraints be put on the Secretary of State – for example, outlining the conditions to be met for the executive to use special powers. Ultimately we were not successful, and the legislation is now in place.

The same Justice and Security Bill (subsequently Act) was also the legislative vehicle for addressing the long-running issue of the powers to be accorded to the Northern Ireland Human Rights Commission (NIHRC). CAJ was unfortunately no more successful in ensuring a satisfactory outcome in this regard. As the Commission itself pointed out in an article for CAJ's monthly bulletin, 'Just News': *"Having waited so long for a substantive response to the 2001 review, the Commission's hope was that the legislation would at least grant it the right to enter places of detention and power to compel evidence. Both are, strictly*

*speaking, in the Bill, but the powers are so hedged around with procedural requirements and appeal mechanisms as to be of limited practical value”.*

This limitation of powers may also have the effect of ruling the NIHRC out of consideration as a potential element of the “National Preventative Mechanism” (NPM) under the Optional Protocol to the United Nations Convention Against Torture (OPCAT). OPCAT is intended to strengthen domestic and international mechanisms for preventing torture by ensuring unannounced visits to places of detention. The UK has been very supportive of this measure in the international arena. This support did not however translate into allowing the NIHRC the powers necessary to be part of the domestic machinery.

Of the other bodies in Northern Ireland that could potentially make up this NPM (e.g. the Criminal Justice Inspectorate, lay visitors etc), none have a specific human rights focus. At a recent seminar on this topic, a rather Alice-in-Wonderland discussion developed. One government department (the Ministry of Justice) said that it was unable to designate the

NIHRC as part of the NPM simply because it did not have the requisite powers. At the same time, another government department (the Northern Ireland Office, NIO) argued that there was no political objection to the NIHRC being part of the Mechanism. It was of course the NIO which had been closely involved in all the discussions around the Justice and Security Bill/Act, and which had resisted all efforts to ensure that the NIHRC would be given the necessary powers.

Visiting places of detention is vital to ensuring the human rights of some of the most vulnerable in society (detainees, prisoners, mentally ill patients). It was therefore welcome that the parliamentary NI Affairs Committee decided this year to conduct an inquiry into the NI Prison Service.

CAJ made a written submission to the inquiry, highlighting issues we have raised previously with the Prison Service – issues such as staff composition, staff training and attitudes, the restraint and control of prisoners including the purchase of PAVA spray, and oversight more generally. In this context, we also had a useful first meeting with the Prisoner Ombudsman, and subsequently invited him to a small dinner with other Ombudsman/Commissioner colleagues, to

meet with the Council of Europe Human Rights Commissioner, Thomas Hammarberg, on his visit to Belfast.

Another Ombudsman to visit CAJ's offices was the NI Judicial Appointments Ombudsman, Karamjit Singh, who provided a useful insight on the work of this new portfolio. As this institution really only comes into play after problems have arisen, much of the discussion focussed on how to avoid such problems arising, and especially the important role of the Judicial Appointments Commission in this regard.

Although not something we have previously commented on in detail, CAJ did this year intervene in the debate about community restorative justice guidelines. We commented on the human rights implications of the proposals, and particularly the proposed Suitability Panels which, on the face of it, seem to offer insufficient legal safeguards. In our submission, we raised concerns about possible breaches of the Human Rights Act – such as the right to privacy, due process, and non-discrimination. It would be ironic if, in a desire to ensure proper governance and accountability for local initiatives, government introduced systems which were themselves unfair and/or discriminatory.

As with policing, much political interest and focus is now focused on the issue of devolution. CAJ produced a major report on this issue last year, the recommendations of which will now be extremely useful. Already the Assembly and Executive Review Committee has begun an inquiry into the issue.

CAJ has supplied copies of our report, and indicated our willingness to testify, but has urged the Committee as a first step to request from the NIO a detailed study of all the legislation that relates to criminal justice and policing matters in Northern Ireland. Such an examination would clarify the situation regarding the current division of responsibility; this is an obvious starting point when discussing what could or should be devolved.

The Criminal Justice Review and the Patten reports, the various pieces of legislation arising from them, and generations of previous legal texts, impose obligations and powers on the local administration, on Westminster, and often on some combination of the two. The result is a distinct lack of clarity on who does what, and when, and with what checks and balances. Only when such information is available can a proper debate on the ideal future arrangements take place.

Another major report which, at the time of writing, is ready for the printers, analyses the material contributed to the Eminent Jurists Panel who visited Northern Ireland last year to discuss "terrorism, counter-terrorism and human rights".

The report offers lessons from Northern Ireland that will have direct relevance to current debates about the war on terror and comparable situations around the world. The report argues that unless lessons from places like Northern Ireland are taken on board, advances in protecting the dignity and worth of every human being, as espoused in the Universal Declaration of Human Rights (UDHR), will be undermined - perhaps irretrievably. Hopefully, the report will provide a timely reminder in the forthcoming 60th anniversary year of the UDHR that fundamental human rights are, and must be, non-negotiable.

CAJ is frequently contacted to share its experiences with others, and this report will hopefully provide an eloquent testimony to the experiences Northern Ireland has to offer current global debates.

## **Equality**

As ever, CAJ's work over the past year continued to be carried out both in our own right, and by way of the Equality Coalition, which we co-convene with UNISON. Tim Cunningham services the Coalition's monthly meetings, coordinates Coalition delegations, and is the lead staff person on CAJ's equality work.

Much of the early part of the year was dominated by the work around the launch of CAJ's equality report "Equality in Northern Ireland, the Rhetoric and the Reality". We disseminated hundreds of copies of the report, here and further afield, and have already had to order a re-print. Initial coverage of the launch of the report was very positive, with both press and broadcast media coverage, and the report also benefited from some useful in-depth feature articles.

The fact that many of the issues raised in the report were picked up by the New York City Comptroller, William Thompson Jnr. on his visit to Belfast, very shortly after the launch, meant that the report received something of a "second wind" in terms of media attention.

The purpose of producing the report, however, was not to secure transient public attention but to seek to affect change, so our priority was to secure meetings with policy makers to discuss the report's findings.

Accordingly, CAJ organised meetings with the Chief Commissioner and Chief Executive of the Equality Commission; a wide range of government officials from the Office of the First Minister and Deputy First Minister, the Department for Social Development, the Department for Employment and Learning, and the Department for Agriculture and Rural Development; senior staff within Invest NI and the Northern Ireland Housing Executive; the Director, senior staff and board members of the Community Relations Council; and senior staff within the Strategic Investment Board, and the Special EU Programmes Body. Most recently, CAJ met with the Minister for Social Development, Margaret Ritchie. In addition we also met with a range of other stakeholders interested in our findings – church people (including, in the US, staff at the US Catholic Conference of Bishops) and various political party members.

From CAJ's perspective, some follow-up meetings were more useful than others but, in

general, we were somewhat disappointed with the response across the public sector. Whilst no-one challenged our data, some of those we met disagreed with our conclusions, and others - even when they shared the analysis - seemed complacent.

Perhaps the most forceful reaction came from the Northern Ireland Housing Executive (NIHE) which, following an initial (and relatively cordial) meeting with CAJ, wrote an extensive critique of the report which they circulated to a wide range of organisations and individuals. They did not copy CAJ in on this critique. Given that some of the addressees sent the NIHE response had never in fact received a copy of our original report, we inadvertently secured further coverage for our concerns. CAJ only learned about the NIHE's mailing when we were contacted by the Northern Ireland Committee of the Irish Congress of Trade Unions (ICTU). This in turn led to CAJ giving a general briefing on the report for NIC-ICTU members. We have not given up hope that the NIHE will move to a more constructive engagement with us and others on the worrying issues the report highlighted.

Mostly however, we found that, public bodies seemed sympathetic to our analysis, but did not perhaps share the same sense of urgency

to address the problems. This was exemplified in one meeting where we outlined CAJ's concerns about the failure of the New Deal programme to address unemployment in areas of greatest disadvantage. An official agreed that this was so (the statistical evidence is incontrovertible), but defended New Deal because it worked in some other, less disadvantaged, areas it was part of a "national programme". CAJ would be of the view that it is complacency such as this which explains why patterns of disadvantage have remained so persistent and so unchanging for so long.

Indeed, as the exchanges have deepened over time, we learnt that evidence of the inadequacy of programmes such as New Deal is not merely side-stepped or ignored. Worse still, the New Deal initiative is being built upon as a crucial element within government's programmes to target social need, promote equality and tackle poverty. The conventional narrative around New Deal runs along the lines that New Deal is targeted at the unemployed; there are proportionately more Catholics unemployed; *ergo* - the New Deal will: (a) disproportionately benefit Catholics; (b) reduce differentials between the two communities; and (c) address unemployment.

This view however omits one particularly important point about job creation....namely, that job creation is inevitably and inextricably linked to the existing level of available jobs in any given area. So, New Deal does not do what it is supposed to do. People who live in areas which are poorer, and have fewer jobs, will find it harder to get work, regardless of how many people go on a New Deal programme.

Statistics from New Deal show clearly that in the poorest areas, which are disproportionately Catholic, the success rate of getting people into jobs is lower still than in more affluent areas. So, far from reducing inequality, New Deal is actually increasing inequality between the two communities. The success rate for those on New Deal 25+ in finding a job is - 13% for Catholics and 18% for Protestants.

So, we can conclude that neither community does particularly well out of the programme, although Protestants, or at least those Protestants living in more prosperous areas, do marginally better in terms of finding a job than Catholics.

The fact that these statistics are published by those who manage New Deal, and have been in the public domain for years, surely calls into question the merits of continuing with the programme. What programme delivering such poor outcomes would be maintained year after year? Yet, New Deal is not scheduled for radical over-haul, or closure. Instead, it is featured prominently as a government initiative to tackle need in yet-the-latest of a long line of editions of the Anti-Poverty Strategy. In fact the long awaited Anti-Poverty Strategy reports that New Deal 25+ is to be made mandatory for those aged 50+. It is a strange approach to make attendance on a course mandatory when in many areas attendance on the course seems to be a guarantee for NOT finding a job!

Nor is this the only problem with the current Anti-Poverty Strategy. The Strategy trumpets as a target the fact that Invest NI will achieve 75% first time foreign direct investment in "TSN" areas (ie areas designated as poor and requiring a Targeting Social Need measure). This sounds a worthy objective – drawing foreign investment potential into the most deprived areas. But, on the one hand, it seems from official statistics available elsewhere that Invest NI has already achieved this objective, so it is hardly a challenging target! Such

sleights-of-hand in the setting of policy objectives undermine public confidence in the longer term.

Moreover, the “75%” target has been met because a large proportion of investment has been secured for areas such as the Lower Ormeau Business Park and Queens Island, which are in South and East Belfast respectively. Official statistics, however, show that the major concentrations of poverty and deprivation in Belfast are in the north and west of the city. So, the “TSN areas” which have benefited have been adjacent to smaller pockets of deprivation in the relatively prosperous areas of the city. The Anti-Poverty Strategy and Invest NI are not telling untruths, but the message about tackling poverty is certainly misleading.

It is to be hoped that devolved government will make a difference in this regard. CAJ has raised the arguments above with government officials, both in meetings and in writing, and we now await the response of the devolved ministers. Certainly no one in government can claim that they are unaware of these failings; if there is genuine political commitment across the Executive to tackling need, it should soon become apparent.

The failures of policies such as New Deal provide a prime example of past policy makers not linking equality/TSN/anti-poverty principles in any meaningful way. This (at best) disjointed approach to these important and inter-related principles has been prevalent since the early 1990s when the policy initiatives were first formulated. The challenge for the new administration will therefore be to show that they can succeed in controlling these issues in a way that has hitherto evaded direct rule ministers.

An obvious place to start a fundamental assault on poverty and inequality is in the context of the Comprehensive Spending Review (CSR). CAJ has prepared a submission to that review, and circulated it to all ministers – alluding amongst other things to the problems with New Deal and the current Anti-Poverty Strategy. Certainly, the CSR is “the” public policy issue of the moment - determining spending, priorities, and budgets for the next three years. If no money is set aside for a particular programme, it is unlikely to happen in the coming years.

CAJ has argued that the squeeze on the public purse makes it all the more important that

limited resources are used effectively and wisely, and in a way to maximise benefits for those in most need. In this context, there is a clear economic (as well as moral and legal) imperative to examine programmes that are failing to do what they were set up to do.

Financial prudence alone would require that serious questions are asked about programmes such as New Deal which not only fail to deliver for those in most need, but are expensive to administer, drawing yet more monies away from the poor. Could those resources be more effectively deployed? This was the message conveyed to the Finance Minister and his colleagues in CAJ's recent note. The contribution was received positively and warmly; again however, it remains to be seen whether or not our arguments will prevail.

Given the impact that the Comprehensive Spending Review (CSR) will have on government spending for several years to come, CAJ devoted quite some time to the debate. We attended the useful seminars organised by NICVA at which departments outlined their proposed plans for making efficiency savings, and reprioritising spending. The seminars provided a platform for reminding those present (government officials and

consultees) of the guidance issued by the Chancellor of the Exchequer (at the time Gordon Brown). The required savings are very demanding (3% per annum for three years) but the Treasury guidance was clear that efficiencies were intended to come from within departments and not from frontline services. CAJ, with our colleagues in the Equality Coalition, will use every opportunity to emphasise this message about safeguarding frontline services.

CAJ and Coalition colleagues are also urging the incoming Executive to use clear definitions when applying their cross-cutting thematic priorities. The agreed spending - ie anti-poverty, shared future, children and young people, and sustainability – are welcome, but appear to lack detailed guidance or consistent definitions. This could mean that the priorities will mean different things for different departments.

CAJ would, for example, argue that anti-poverty is an excellent cross-cutting theme, as long as it is not seen as synonymous with the Anti-Poverty Strategy of which we are critical (see above). Similarly, Shared Future is a positive

theme – if it is seen as a programme built upon equality and human rights, and not one which privileges “sharing” above genuine need (a concern that CAJ has raised in several policy responses over the last year). CAJ has written to ministers asking for clarification around the question of definitions and, with colleagues in the Equality Coalition, will endeavour, where possible, to ensure that a consistent and equality based approach is taken in the allocation of government spending.

This year also saw the Equality Commission publish its long-awaited findings on the future of Section 75, along with the six pieces of research commissioned to examine various aspects of the legislation. On balance, CAJ is pleased that the review has recommended adhering to the current legislative framework, and we believe that there is enough in the review to lead to more effective implementation of the legislation than has been the case so far.

Much will depend however on the extent to which the Executive and the Assembly take positive control of a process that has yet to fulfil its potential in terms of delivering on greater equality. CAJ will continue arguing for a proper application of the Equality Impact Assessment (EQIA) process at the highest levels of

government decision-making. This includes not just the CSR, but other cross-cutting high level strategies such as the second phase of the Investment Strategy for Northern Ireland (ISNI-II). Investment in Northern Ireland, whether foreign direct investment in the form of businesses relocating here, or investment by way of improvements in local infrastructure, should, we believe, be used to work towards greater, not less equality.

On a more optimistic note, the constraints on government spending will hopefully mean that a much closer examination takes place of how public procurement, a relatively cost-free way of delivering greater equality can be utilised. From our point of view it does not make sense for billions of pounds to be spent annually on public procurement without ensuring that that procurement is used to target need and promote equality. In particular, we are disappointed that much of the spending on infrastructure development to date has not been deployed in a way that will maximise the benefits to society as a whole. Again, we would hope that the new administration would be much more proactive than their predecessors about using public procurement to deliver social objectives. Certainly CAJ will continue to make this argument over the coming year.

## **Policing**

As outlined in the chair's foreword, there have been major developments in the political domain in the past year, and some of these have a direct impact on policing. Patten's report (September 1999), said "*the Policing Board will be an important institution, vital to the new beginning for policing and to the success of all the new policing arrangements recommended in this report. It must command respect and credibility and must have real power and responsibility*". The intention had always been that the Board would have "*Assembly members drawn from the parties that comprise the new Northern Ireland Executive*" and, with Sinn Fein joining the Board in early 2007, this at last came into being a few months ago.

The fear for CAJ, however, is that this momentous decision of all political parties to lend support to the new policing arrangements may lead to the complacent assumption that policing is 'sorted' and Patten's change programme is now complete. We believe that there is much still to do in human rights terms, and the kinds of activities undertaken this year emphasise the continued value of close scrutiny.

The year started with the Chief Constable writing to us at length about the entry in CAJ's last

annual report. This led in turn to a useful meeting with him and senior staff, at which a number of topics were explored – including policies regarding informers, the legacy of the past, the composition and retention of staff, and police weaponry.

Unsurprisingly, one of the discussions related to the report published a short time previously by the Office of the Police Ombudsman for Northern Ireland (OPONI) into the killing of Raymond McCord Jnr. OPONI upheld the complaint from his father, Raymond McCord Snr, and concluded that over a number of years police had acted in such a way as to protect informants from being accountable to the law. The report made twenty recommendations, all of which were accepted by the police, and the implementation of which is now the subject of supervision by the Policing Board. While the report made shocking reading, CAJ maintained that the findings themselves should not have come as a shock - collusion had been documented time and time again.

The discussion with the Chief Constable was reassuring to the extent that he confirmed that the police had radically overhauled their informant handling system. In other regards, however, the discussion was worrying. The

Chief Constable insisted that the problems outlined in the McCord report were historic, and that focusing on historic problems was detrimental to forward progress in policing. This latter point has been a recurrent theme in many of Sir Hugh Orde's public utterances (including a lecture delivered at Queens in November 2006).

CAJ sought to convey an alternative perspective and counselled against him stridently and publicly insisting that a focus on past failings posed an impediment to current and future policing. We argued that, in the case of the McCord report, the events in fact related to relatively recent events (with some persisting until at least 2003).

We also noted that CAJ was still receiving allegations of improper police approaches regarding informants. While agreeing that such complainants should be (and are) directed to the Ombudsman, we argued that the Chief Constable and his senior team might want to consider if their much-vaunted reforms were fully effective. Last but not least, we argued that even if the complaints had been of a much older vintage, they should not be dismissed as irrelevant to current policing concerns. Public

confidence in today's policing efforts is necessarily influenced by perceptions of policing in the past; current and future policing – if it is to engage effectively and fully with local communities – has to recognise and honestly address this reality.

The meeting with the Chief Constable allowed us also however to pursue concerns that were unambiguously 'current'. For example, CAJ had been in correspondence with the head of Human Resources, Joe Stewart, having received disturbing statistics about the retention of new recruits. In an exchange with the Northern Ireland Office, we learnt that the vast majority of new recruits have remained with the police, but of the 99 officers appointed in the five years since 4 November 2001, and who had since left, 26 were Protestant, 72 were Catholic and 1 was "not determined". Initial questioning about the reasons for three times as many Catholics leaving as Protestants received unsatisfactory responses from the PSNI. The Chief Constable, however, did reassure us that the procedures for "exit interviews" had changed in the interim, and management were keeping a close eye on developments.

Needless to say, there is little value in introducing a system of 50:50 recruitment - with a view to

improving the overall composition of the Police Service - if Catholics then leave in disproportionate numbers. (We subsequently met with the Equality Commission and explored the legal ambiguities that still appear to surround the monitoring process).

Relevant to the issue of PSNI recruitment (even if it arose later in the year and was not discussed at the meeting with the Chief Constable), was the excellent Equality Impact Assessment (EQIA) carried out by the PSNI with regard to its recruitment, training and promotion policies.

The EQIA stands as a model of good practice, though CAJ was critical of the failure of the PSNI to build sufficiently on their initial excellent work. We commented positively on the fact that the police had been able to detect which tests were disproportionately disadvantaging women, and Catholics, and other under-represented groups. Though the EQIA had stopped short of indicating what mitigating or alternative measures would be introduced, the very fact that such detailed and disaggregated data had been gathered should make it possible to take effective remedial action.

The EQIA showcased the value of the Section 75 equality duty for policy making.

The meeting with the Chief Constable was obviously only one of a variety of meetings organised with different policing bodies in the last year. CAJ met the PSNI's head of training, the Historical Enquiries Team (both in our own right and with families), the Oversight Commissioner, the PSNI's human rights lawyer, and the human rights advisors to the Policing Board.

More elusive has been securing a meeting with the Policing Board itself. While CAJ has good contact with staff, we thought it important to seek a meeting with those Board members with a human rights brief. We wrote on 1 September 2006 requesting such a meeting. Suffice it to say that, despite dates being set, and then re-scheduled by the Board, we were eventually informed that a meeting would be deferred until the Board had discussed its views on contact with non-governmental and community organisations.

In August 2007 (almost a full year later), CAJ was informed of the outcome of this reflection – that is, that we are invited along with another dozen or so groups, to meet the chair and vice chair of the Human Rights and Professional Standards Committee. We are not sure if any or all these organisations have a meeting

request pending like CAJ, and we look forward with some misgiving to the meeting, given the fact that the agenda may be very large and disparate. Nevertheless, given the focus in Patten (and the legislation) on the Board being responsible for 'policing' not just 'the police', this meeting may prove a good start.

The involvement of community, or indeed of anyone not already engaged in policing or the various policing bodies, was noticeably absent from the "Policing the Future" conference hosted jointly by the Board and the PSNI in February of this year. CAJ had concerns about the purpose, format and the prohibitive registration fee which we conveyed to the Board in advance. As we feared, the conference concentrated almost entirely on the police of the future, not 'policing'.

Moreover, its "international" nature consisted of participants from Northern Ireland, Britain, the Republic of Ireland, and – very markedly – extensive representation from the United States. Of Canada, or Europe, or the Council of Europe or the UN, there was little evidence. The preponderance of US speakers and contributors explains in part the high cost of the event, since their costs had to be covered.

The focus on the 'police' also largely explained the dearth of gender representation on the

panels. Despite belated efforts to remedy the situation – by offering free places to community groups etc – it proved too late. Of course, there is a value in police officers talking to each other and sharing experiences; unfortunately the title, and stated aim of this event, was to talk about policing and community involvement; in this regard it failed.

An explicit intention of the organisers was to focus on the future. This is obviously a worthwhile objective, but it should not, in the view of CAJ, be done by ignoring the past. Coming, as the conference did, within weeks of the publication of the McCord report, the lack of discussion of the past, and how it might inform the future, was very conspicuous.

To remedy this situation, CAJ along with the Pat Finucane Centre, British Irish Rights Watch and Relatives for Justice co-sponsored an event entitled “The elephant in the room”.

The panel discussion was timed at lunchtime in a nearby venue to facilitate attendance by conference participants. This was successful,

and a number of conference participants made the time to come and hear about collusion from the panel - Geraldine Finucane, Alan Brecknell, Raymond McCord and journalist Susan McKay. Their powerful testimony reminded all present that complacency about the past is not an option in any discussion of policing the future.

Several of the participants at the event subsequently drew on the fringe event in their interventions at the policing conference itself. (Unfortunately, the Policing Board conference report managed to imply that the fringe event was party political in nature and, at the time of writing, CAJ is seeking an erratum slip be issued to correct the record).

This year also saw the closure of the Office of the Oversight Commissioner. CAJ welcomed its establishment in May 2000 believing that external scrutiny and oversight is essential to any change process. Much of our engagement with the Office was positive, but we had been becoming increasingly frustrated at the limited nature of the Commissioner's outreach beyond the policing institutions themselves. Whilst it was heartening to hear from the outgoing Commissioner that he and his team had frequently found CAJ's interventions and insights to be of use, it was disappointing that so few

'outside' perspectives appear to have been canvassed. The Policing Board has now taken on responsibility for maintaining close scrutiny of the Patten change programme, and it will be interesting to see how they continue this work.

The Oversight Commissioner himself – Al Hutchinson – has since been appointed as successor to Nuala O'Loan as Police Ombudsman, when her seven year term of office ends in November 2007.

Presumably a key issue awaiting him will be the outcome of a review of the Office's legislative powers. Having originally been assured that consultation would take place on the Police Ombudsman Review, CAJ received a final draft at a very late stage. The report is now, we understand, with the Secretary of State. With so little advance notice, CAJ was unable to comment in as much detail as we would have hoped. This experience was all the more disturbing when we learnt that the government had characterised the OPONI review to the Council of Europe as "*a large exercise involving extensive consultation both internally and externally*" (see casework section). CAJ has been informed that the NIO will consult about the review before finalising the decision making process – we will see.

Police weaponry – both its purchase and usage – continues to be a topic of much debate. A decision by the Chief Constable last year to purchase Tasers led to immediate calls from CAJ, other NGOs, and ultimately the Policing Board to consult more extensively. We were duly issued with a 'screening document' from the PSNI in Autumn last year. CAJ responded to the screening document and pointed out that it was less of a screening document, and more of an assertion of the PSNI's view that the Taser was compliant with the European Convention on Human Rights, and other human rights standards. Whilst interesting and informative, this information was largely redundant for the purposes of equality screening.

The Policing Board had also asked its human rights advisors to provide it with advice on the human rights implications of Tasers, which at the time of writing has recently been published. CAJ agrees with the report's main conclusions and recommendation, namely that the PSNI needs to address the legal and human rights framework within which Taser can be used. We are also clear that a proper Equality Impact Assessment

is not only necessary, but required by law, before this decision-making process proceeds further. We wrote to this effect to the Equality Commission to ensure they would make the PSNI aware of their obligations in this regard.

As indicated at the outset, this year has seen momentous changes in the political environment within which policing now occurs. The forthcoming debate about the potential devolution of criminal justice and policing seems to promise another big year ahead. Precisely because of the political ramifications of any discussion of devolution, CAJ will want to engage strategically in the debate to keep human rights centre-stage. The organization has no fixed views about the ideal institutional models to put in place, but we are very clear about the human rights indicators that should be applied to any proposals coming forward.

We will also be particularly concerned to monitor the proposed changes in terms of national security and intelligence policing operations. Annex E of the St Andrew's Agreement asserted categorically that "*there will be no diminution in police accountability*"; this is a very welcome assertion, but is it feasible, and who will monitor it in practice?

## **Protection of rights**

CAJ's annual report went to the printers last year in mid-October - around the time the St Andrew's Agreement was being announced. The Agreement brought to a culmination talks between the British and Irish governments and local political parties about a return to devolved government. Of immediate and direct interest to CAJ's work for the protection of rights was the Agreement's promise - *"We will establish a forum on a Bill of Rights and convene its inaugural meeting in December 2006"*.

While true that the Joint Declaration of April 2003 had made reference to the value of a roundtable forum, little had happened in the intervening three and a half years. At times, it seemed that it was only due to the efforts of CAJ and other Consortium members that the proposal had remained on anyone's agenda.

A minimum of twice-yearly meetings with each of the political parties and the two governments allowed us to cajole and encourage them to resurrect the idea, and at last the political will was in place. Then, despite more than three years of seeming inactivity, the deadline for an

inaugural meeting was set less than two months' ahead! A consultation document was issued in November, with a two week deadline for response, and the Forum met on 18 December 2006, with Minister Hanson temporarily in the chair.

In replying to the consultation, CAJ relied heavily on the work done by the Consortium in 2005, setting down agreed principles governing the operation of any eventual Forum. We were therefore at somewhat of an advantage over other consultees who might not have given great thought to the issues previously. Our submission drew extensively on the Consortium principles, as of course did the submissions of other Consortium members. This seemed to have a positive impact on the eventual decisions taken by government.

So, for example, drawing on agreed principles of inclusiveness and transparency, CAJ and others knew that government's initial proposals about the timetable were impractical. Government proposed that the Forum work to a nine-month timescale; CAJ and others successfully argued that many months would be lost in the set-up phase and over the holiday period, and successfully argued that the timescale should be extended to one of at least twelve months.

Similarly, the government proposal that political party representatives outnumber civil society representatives did not comply with our partnership vision for the project; representation for civil society and political parties is now on a par. In addition the Consortium argued that, given the experience and expertise of the community/voluntary sector and trade union movement in working on human rights and equality issues, they should be allocated an appropriate number of seats within the civil society sector. This also is reflected in the composition.

One Forum seat was designated a “human rights” seat. After years of campaigning with Human Rights Consortium and Equality Coalition colleagues, CAJ is proud of the fact that many organisations now self-describe as human rights groups. The human rights agenda is now widely owned. So, it was not self-evident that CAJ should take the human rights place. But, given our work for a Bill of Rights since the early 80s, we were eager to play our full role in the Forum, and after consultation, it was agreed that CAJ’s Research and Policy Officer (Aideen Gilmore) could take that seat.

In March 2007 an independent human rights chair – Chris Sidoti – was appointed to the Forum, and after several plenary meetings spent debating procedural issues such as decision-making and outreach, the Forum has recently established working groups to begin substantive in-depth discussions of content. These groups will address: children, young people and women's rights; social and economic rights and equality; preamble, enforceability and implementation issues; civil and political rights and equality; criminal justice and victims; and culture, identity and language.

CAJ is convenor of the working group on the preamble, enforceability and implementation, and the human rights sector was also allocated seats on the economic and social rights group and the civil and political rights group. All in all, it promises to be a busy year ahead, and CAJ has employed on an 18-month contract, a part-time Human Rights Programme Policy Officer, Marieanne McKeown, to help with the workload.

Much of the early discussion of the Forum was perhaps inevitably focused on procedural matters. In particular, agreeing a decision-making process proved to be a challenge; as did the need for, nature, and extent of outreach to be engaged in by the Forum; and the nature of the Forum's "independence" from government. It is not clear if all of these issues have been entirely and satisfactorily resolved, but certainly members seem keen to move away from procedural issues, and start to develop a Bill of Rights for Northern Ireland of which we can all be proud. For its part, CAJ will be monitoring the work of the Forum and its Working Groups to ensure that any eventual proposals comply with human rights principles and international best practice.

Running parallel to CAJ's work of sitting on the Forum, and contributing to its deliberations, is our work of engaging local groups in the debate. Our long-term Human Rights Programme Officer, Fiona Murphy, takes the lead on this aspect of CAJ's work. CAJ has always resisted any idea that the Bill of Rights for Northern Ireland be the brain-child of a group of lawyers (however distinguished), and believes that the product will only deliver on its promises if the agreed text

derives from a much deeper and wider process of ownership. We have long argued that the process is almost as important, and some would say, more important, than the eventual product.

The key development this year was the production of an updated version of CAJ's Bill of Rights Information Pack. The Pack was originally produced in 2001 and was immensely popular. The updated version is like the original in that it is designed for stand-alone use by community groups. It contains the previous training exercises as well as new updated ones. Already almost 2000 copies of the Pack have been distributed, and a similar number of publicity fliers and order forms have been disseminated widely among the community and voluntary sector and beyond.

In advance of its publication, a draft pack was 'tested' on willing guinea pigs in the Old Warren Partnership. Gluttons for punishment as they are at Old Warren, they also agreed to launch the pack along with the Star Neighbourhood Centre in New Lodge, who kindly acted as

hosts for the event. CAJ commissioned the production of 2 x 8ft graffiti boards for the event, recording the top priorities for the people of Old Warren and New Lodge in a Bill of Rights. The boards are very striking and are easily adapted for use in other venues, and provide a permanent installation to be displayed in the coming months. The launch itself (and CAJ's training skills!) can be witnessed on our website as it was recorded for a programme by NVTV.

The new-look pack is timely, given the fresh impetus to the debate with the establishment of the Forum, and the fact that - as part of its outreach efforts - the Forum will now be conducting sectoral consultations. With demand for information about the Bill of Rights high again, CAJ has already been approached with numerous requests to provide training and support. We expect the forthcoming period to be an extremely busy one for this programme.

To facilitate and enable local discussion of, and participation in, the Bill of Rights debate, the Community Foundation for Northern Ireland (CFNI) has been running a two-pronged grants

programme. A small grants programme (ranging from £1,000 - £10,000) will fund local community groups to organise projects that develop learning on the Bill of Rights (it is akin to the CFNI Social Justice Initiatives Fund that operated in the earlier phase of the Bill of Rights consultation). The second programme will identify twenty local groups to work with a mentor and a small budget to enable them develop an action plan on human rights and social justice issues in their area.

CAJ's expertise has been called on in a number of ways – for example, we sit on the project advisory panel, we have provided basic human rights training for the group mentors, and we have spoken at CFNI seminars. Our free Information Pack has also been promoted among the groups applying for grants, thereby providing them with a useful introduction to the Bill of Rights debate.

At the time of writing, CAJ is finalising arrangements for the visit to Belfast of Professor Kader Asmal. Professor Asmal was intimately involved in drawing up the South African Bill of Rights, and is a long time human rights activist. He served in the post-apartheid government – as Minister for Water Affairs & Forestry, and

subsequently as Minister for Education. He lived for 25 years in Dublin, and was one of the founders of our sister-organisation, the Irish Council of Civil Liberties.

Professor Asmal will doubtless prove an inspiration for groups working in local communities and CAJ will be bringing him to meet groups such as Old Warren and the Star Neighbourhood Centre to see their work for a Bill of Rights. CAJ has also asked that he give the keynote speech at a Consortium conference entitled - 'Getting the Bill Right' – and we have no doubt that he will be a great draw.

As in previous years, much of CAJ's work for a Bill of Rights takes place by way of our active membership in the Human Rights Consortium. Whereas, CAJ once was the organisational backbone of the Consortium's work, the alliance of well over 100 members, has now secured funding, and employs three staff.

Kevin Hanratty (Campaigns Officer) and Maggie Mc Bride (part time Administrative Assistant), have been joined recently by Louise Mc Nicholl (Communications Officer). The seven member Board (on which CAJ serves) continues to oversee the Consortium's financial and strategic direction, while the diverse and growing membership continues to be its life blood. In recent months, the Consortium has developed a campaign plan; designed an evaluation framework and appointed external evaluators; and, with external assistance, prepared a communications strategy.

The Consortium has devoted energy to creating a strong organisational and policy infrastructure, but has also remained a key and effective player in the Bill of Rights debate. The effective communications and lobbying skills of both the Consortium, and its individual members, was obvious in the lead-up to the establishment of the Forum. Within days of a consultation paper being issued, the Consortium had met, discussed the document, and prepared and widely disseminated a response.

As noted earlier, the Consortium had the advantage of having elaborated key principles some time ago, and had indeed promoted these in all its meetings with political parties and others. It was this persistent work, behind

the scenes, and when it sometimes seemed that the Forum would never be established, that allowed the Consortium and its members to respond quickly and knowledgeably. Almost half of all responses submitted to government came from Consortium members, and most responses consistently highlighted their support for the Consortium's principles, as well as issues specific to their sector.

In its capacity as an official observer on the Bill of Rights Forum, the Consortium has continued to meet regularly with all interested parties. In addition, since many civil society representatives on the Forum are also Consortium members, the Consortium has begun to facilitate meetings for them to exchange ideas. The lack of any resources for the work of Forum members, when the community and voluntary sector is always over-stretched, makes such coordination of efforts vital.

The Consortium also engaged in a range of other lobbying and communication activities which were not entirely connected to the work of the Forum. For example, a Chatham House discussion between politicians and international socio-economic rights expert Bruce Porter was organised; a seminar was convened to

celebrate international Human Rights Day; a revised and redesigned "Frequently Asked Questions" booklet was produced; new promotional materials were designed and produced; and the website is currently being overhauled.

CAJ was involved directly in much of this work, but the Consortium staff carry most of the burden. This made it all the more exciting for them to have the honour and the opportunity to meet Archbishop Desmond Tutu, during his visit to Northern Ireland in July, and His Holiness the Dalai Lama shortly thereafter. The time ahead promises to be equally busy!

Another very successful 'spin-off' of the work CAJ has been undertaking in terms of the protection of rights is the Participation and Practice of Rights (PPR) project. CAJ can claim some credit for its work, as one of the early 'founders', and as a continuing member of the governance structures. However, as

reported last year, our role has now changed from one of direct involvement, to one of more strategic input and advice – which is as it should be.

It has been a busy year for PPR and they have nurtured some fascinating work on applying a rights-based approach locally on issues such as housing and health. One exciting initiative involved organising Hearings into housing rights. An internationally renowned group of human rights experts, from Brazil, Kenya and Canada, were assembled to receive testimony from residents of the Seven Towers in New Lodge. At another event, UN Special Rapporteur on Health, Paul Hunt, gave an inspirational keynote address at a PPR all-island conference on the topic of “Making and Measuring Change – a rights-based approach to health”.

This work has seen the birth of a whole new generation of human rights activists who are now committed to campaigning for decent living conditions, and CAJ is proud to continue to be involved in this innovative and exciting project.

## **Casework**

CAJ's legal adviser continues to receive a steady stream of requests for information and advice on a range of human rights related issues, such as:

- the application of the Human Rights Act generally ;
- prison rules and conditions (rights of prisoners);
- the scope of Article 2 (right to life), generally the duty on the state to investigate crimes in a timely, independent and effective manner (including the investigation of fatal road traffic accidents, suicides in prison, and the relevance of this to Coroners' inquests);
- the use of covert surveillance;
- issues relating to the imposition of Anti-Social Behaviour Orders;
- the scope of Article 8 (the right to private and family life);
- allegations around the misuse of police powers in relation to stop and search; and
- public order issues generally.

CAJ remains committed to providing high quality advice and service to individuals, groups and communities from all walks of life. It

is also a vital role for CAJ's legal adviser to observe and monitor cases that come before the courts and tribunals that raise important human rights and equality issues. CAJ's monthly magazine *Just News* seeks to keep members and others up-to-date with some of the developments in such cases, and this year was no exception in that regard.

One case with wide ramifications (see *Just News*, March 2007) related to two individuals (Messrs McConkey and Marks) who challenged the Simon Community Northern Ireland on the grounds that they had been politically discriminated against in seeking employment. The Fair Employment Tribunal (FET) found against the two applicants, but also accepted that the employer had clearly discriminated against the two applicants on political grounds (and in one instance, but this had not been argued by the claimant, on religious grounds too). The case is now being appealed and, if unsuccessful, is likely to lead to lobbying for legislative change.

The issue in contention relates to an interpretation of the fair employment legislation

which allows employers exceptionally to discriminate on political grounds where the political opinion alleged "*consists of or includes approval or acceptance of the use of violence for political ends connected with the affairs of Northern Ireland*". The appeal will argue that the FET should have interpreted this exception to apply only to a *currently* held opinion, and that employers should not be able to rely on *past* beliefs or behaviour in justifying discrimination. Obviously, if this argument fails at appeal, it will be a major setback for all ex-prisoners (such as Messrs McConkey and Marks), and will run counter to various provisions in the Agreement.

Moreover, this hearing highlighted the fact that the employer is justified in law in merely asserting that it was his or her belief that the job applicant fell into this exclusionary category – no objective evidence for such a belief seems to be required.

If these ambiguities are not resolved at appeal, there will be an obvious need to clarify the law, or it will have a counter-productive effect on efforts to integrate ex-prisoners fully into the world of work and wider society. Voluntary codes of behaviour for employers will prove inadequate if the law itself facilitates discrimination.

Another equality case brought to CAJ's attention and figuring in a recent issue of Just News related to the FET hearing into the case of Stephen Murphy. A Presbyterian, Mr Murphy, was found by the FET to have experienced direct discrimination from his employer, the Police Service of Northern Ireland, because of his engagement, and subsequent marriage, to a Catholic. Mr Murphy was initially subjected to a campaign to dissuade him from marrying and then, when this proved unsuccessful, was subjected to intimidation, demotion, and eventually disciplinary action resulting in his dismissal.

Whilst it is not surprising that a large employer like the PSNI has some staff who behave unacceptably, it is obviously disturbing that the PSNI's internal systems failed to detect any or deal with the problem, and thereby avoid the claimant having to seek the external support and adjudication of the FET. Similarly, it is worrying that the PSNI failed to attend the hearing and yet is apparently considering an appeal.

These examples of practical cases, with direct victims, highlight how central the casework function can be to all CAJ's policy initiatives discussed earlier. For example, this case is

relatively recent, and CAJ would draw on this learning for our exchanges with the PSNI and Equality Commission. Extensive effort has been expended on introducing a Code of Ethics, streamlined personnel procedures, and a more human rights compliant culture within the police – so, what is the learning of cases such as that of Stephen Murphy? Similarly, public monies are being allocated to integrating ex-prisoners into the workplace, but does the current legislation create an unintended obstacle that must be amended to adapt to new realities?

CAJ observed several other cases which raised important issues of principle and were addressed by the courts in the past year.

One of the cases goes to the heart of client/lawyer privilege. This case concerns a judicial review currently underway that was necessitated because the Prison Service and the PSNI refused to give undertakings that they would not listen to private and confidential conversations between clients and their solicitors whilst in a custody suite and/or in prison.

The arguments revolve around the surveillance powers accorded to the police by the Regulation of Investigatory Powers Act 2000 (RIPA) – does this legislation allow the state to over-ride questions of legal (and medical) privilege and, if so, what safeguards apply? The question for the courts is whether the exercise of this power - or probably more importantly even the fear that such a power might be exercised - constitutes a breach of Article 6 (fair trial) and/or Article 8 (privacy) of the ECHR. This case also addresses (albeit indirectly) the issue that lawyers can be all too often associated by officialdom with the views of their clients. In Northern Ireland, such assumptions have led in the past to death, so CAJ and others will be observing developments closely.

Another important case – but hopefully one that will affect many fewer people – is the request for the extradition of Roisin McAliskey under a European Arrest Warrant. Although quite different to the ‘bugging’ case above, this case also raises Article 6 (fair trial) and Article 8 (right to family & private life) issues. In a parliamentary statement in July 2000, the then Solicitor General declared that there was insufficient evidence to justify Ms McAliskey’s extradition. With the request before them again, the courts

now have to consider whether such an extradition would amount to unlawful and disproportionate interference with Ms McAliskey's rights, and/or amount to an abuse of process. In an interesting legal development, Ms McAliskey's two children have been given their own separate legal representation to argue their rights.

In yet a third case to raise interesting legal and human rights principles, CAJ observed the case brought by the Christian Institute & others for judicial review in relation to the Equality Act (Sexual Orientation) Regulations (Northern Ireland). It was argued before the court that the Regulations were introduced without appropriate consultation, and that they unlawfully interfere with Article 9 (freedom of thought, conscience and religion) and Article 10 (freedom of expression) of the ECHR.

Given the topicality of cases wherein the churches and other faith groups seem to be in dispute with human rights advocates, it will be interesting to see how the court rules in this particular case. However, as we suggested in the July/August Just News, such important discussions about the conflict – or, as many would say, the lack of conflict – between human

rights principles and strong religious convictions might be better held in the context of creating a shared vision of a Bill of Rights for everyone in Northern Ireland, and not in the often sterile adversarial environment of a court-room.



In an exciting 'exoneration' of the legal system, CAJ monitored the case of Charles McMenemy, whose situation was referred to the Court of Appeal by the Criminal Cases Review Commission (CCRC). As a minor, Mr McMenemy had been convicted in the Diplock court system of terrorist offences, but the CCRC concluded that he could not have committed the alleged crimes because he had an alibi for the time of the crime. Mr McMenemy was long out of prison, but wanted to clear his name.

More than 15 years later, the Court of Appeal overturned Mr McMenemy's conviction, and exonerated him. This miscarriage of justice raises important issues – what did/will happen to the police officers who now stand accused of intimidation and perjury, and to the criminal justice agencies, which ought to have known of his innocence and halted this miscarriage at some earlier point.

As ever, however, much attention has been given to the ebbs and flows of some of the more 'high-profile' cases. CAJ for example, continues to scrutinise closely the "Cory" inquiries, and – together with British Irish Rights Watch (BIRW) – secured funding to allow regular monitoring of the public hearings (when they get started).

Laura McMahon, barrister, will be taking the lead in overseeing this work, and has been present for a number of the judicial reviews that took place in the course of the last year. She will be reporting back to CAJ and BIRW, both on the specific cases, and also on any policy issues that arise. Once the public phase starts in earnest, it is expected that we will issue regular reports on our websites. CAJ has also brought together a pool of legal students who, on a voluntary basis, will support Laura, CAJ and BIRW, in keeping people informed of developments as they occur.

At the time of writing, it seems that several of the inquiries may at long last be approaching the stage of holding public hearings. Three inquiries – into the deaths of Robert Hamill,

Rosemary Nelson and Billy Wright – were announced in November 2004, but have since been mired in legal disputes and/or engaged in gathering witness statements and carrying out preliminary research. The main legal challenges (in the Hamill and Wright cases) relate to the anonymity to be accorded to police and prison officer witnesses, and to the criteria to be applied by the Inquiries when determining the nature and level of threat to witnesses not accorded anonymity.

The Wright case gave rise to the most fundamental legal challenge when the family won their judicial review asserting that the Inquiries Act could not provide a sufficiently independent inquiry to comply with the safeguards required by European case-law. Justice Deeny declared (In the matter of an Application by David Wright for Judicial Review [2007] NIQB 6) that the requisite independence of the Wright Inquiry *“was compromised by the existence of Section 14 of the 2005 Act”*.

His findings however, were overturned on appeal. The Wright family are unlikely to pursue the matter further since they are eager for the Inquiry to start its long delayed work. A key weakness of the Inquiry approach lies in the fact that the burden of discovering the truth

rests greatly on the ability of the family to persist against all the many obstacles that are put in their way, and which must often seem insurmountable.

In relation to the Robert Hamill Inquiry there has been no significant progress either. Legal wrangling over anonymity was settled at long last by a recent House of Lords decision (*In re Officer L (Respondent) (Northern Ireland) 2007 UKHL 36*). The decision settled legal disputes over the appropriate test to be applied in considering the question of witness anonymity, and this is likely to be helpful in the Wright and Nelson Inquiries in due course. The public phase is expected to start soon.

In relation to Rosemary Nelson, the Inquiry has indicated that it will consider procedural matters in September 2007 and will set a date for the opening of the full hearings. At the time of writing, CAJ awaits the Police Ombudsman's report into a complaint we made in November 2000 (sic) about the police investigation of threats made against Rosemary before she was murdered. We were told in May of this year, that the release of the

report was 'imminent', but in early September, we were still awaiting news.

There have been few official developments in response to Canadian Supreme Court Judge Cory's recommendation that an inquiry be held into the murder of Pat Finucane. In his 2004 report, Judge Cory had called for an inquiry "as *quickly as possible*". Three years later, the family awaits movement. They have maintained their campaign for an inquiry, and in Spring 2007, the US Senate and Congress unusually agreed a bi-partisan and bi-cameral Resolution, urging the UK government to establish a full, independent, and public judicial inquiry into Mr Finucane's murder. Despite this, there has been no progress, but rather a new setback.

The Public Prosecution Service (PPS) has announced that it was unable to prosecute any individuals in the wake of the Stevens III investigation. The Stevens files had been submitted to the DPP/PPS's Office in April 2003, and it took more than four years to determine that prosecutions were impossible. One of the reasons given for the decision not to prosecute was the risk of an abuse of process

for those charged with wrongdoing. The document did not explore what role if any the four year delay by the prosecutorial system itself might have played in contributing to an abuse of process. Nor did the public statement comment on the fact that the inquiry had lasted more than four years, but the conclusion was issued only two weeks after the Council of Europe decided to end its scrutiny of the need for greater transparency from the PPS.

A new 'high-profile' case hit the media this year with the report by the Police Ombudsman for Northern Ireland (OPONI), Nuala O'Loan, into the murder of Raymond McCord Jnr and allegations of security force collusion with informants. Concerns around this case are commented on in the policing chapter earlier.

More generally, in relation to the legacy of the past, CAJ continues to engage with the Police Ombudsman and the Historical Enquiries Team (HET) on individual cases – both in our own right and attending meetings with families at their request. We have sought an early meeting with the Panel to deal with the Past established under joint chairs Robin Eames and Denis Bradley and

we have continued our work on the cases taken to the European Court. Reviews are underway by the Council of Europe and the Joint Committee on Human Rights as to appropriate follow-up to give to judgments of the European Court and CAJ has made submissions to both. Families expend great effort in going all the way to Europe, and it is vital that they feel that their efforts can secure adequate domestic remedies.

CAJ has successfully approached funders for financial support for greater litigation efforts. Legal action is rarely, and should rarely be, a first option, but strategic litigation is an important option to be put at the service of victims, and we want to strengthen efforts in this area in the coming period.

## **International work**

CAJ has always considered very important its work to bring international pressure to bear on domestic concerns – and this year was no different. This work can be roughly divided into four categories: securing international and regional human rights scrutiny; lobbying efforts beyond Northern Ireland; sharing Northern Ireland experiences with other jurisdictions; and meeting and briefing international visitors.

***International regional human rights scrutiny***

As last year, there was no formal session of any UN scrutiny body at which Northern Ireland, or the UK generally, was centre-stage, but a number of reports have now been prepared by government, or are being finalised. In turn, this means that the preparation of “alternative” or “shadow” reports is also underway. CAJ is monitoring these developments closely, and indeed the major changes arising because of the establishment of the new UN Human Rights Council (this latter was a key topic on the agenda of the Irish Department of Foreign Affairs’ annual human rights conference).

So, for example, in a period of just over six months - the UK government submitted to the UN its reports into compliance with the Covenant on Civil and Political Rights, the Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention on the Elimination of Discrimination Against Women. Given our limited resources, CAJ’s priority is to respond once government has come to a considered position, so we have a busy year ahead.

The lack of any formal treaty body examination has not however meant a lack of interesting developments at the UN for Northern Ireland. In March 2007, Monica Wilson, of Disability Action, attended the official signing of the newest major international human rights treaty – the UN Convention on Rights of People with Disabilities. CAJ's June Just News carried an article about the ceremony which saw the highest number ever of states signing a convention on its first day (81 countries).

CAJ also attended discussions underway about both the operationalisation in Northern Ireland of the Optional Protocol to the Convention Against Torture (OPCAT - allowing for unannounced visits to places of detention) and initiatives to create an Optional Protocol (to introduce a complaints system) for the International Covenant on Economic, Social and Cultural Rights.

Moreover, not one, but two, UN Rapporteurs visited the jurisdiction in the course of the last year! The Special Rapporteur on the Human Rights of Migrants came on a private visit, as a guest of Queens University, to speak at an event they had organised on the topic of trafficking. Mr Jorge Bustamante used the occasion to meet with the NIHRC and various non-governmental

organisations, and it is expected that he may decide on an official visit in due course.

Only a few weeks later, the Special Rapporteur on Freedom of Religion or Belief – Ms Asma Jahangir – came on a formal mission to Belfast as part of a wider visit to the UK. CAJ submitted a written paper in advance of her visit, and had the honour of a short meeting with her and her aide whilst here. Visits by Rapporteurs are in part organised by the host nation, but the visitors also take time out of the “official” schedule to meet with local non-governmental groups to explore issues of common interest. In the press release issued at the end of her UK visit, the Special Rapporteur noted *“I have to admit that my stay in Northern Ireland was particularly impressive”*.

Ms Jahangir made reference to concerns of sectarian division; religious inequalities in the labour market, housing, education, policing and criminal justice; the concerns of religious minorities; and with regard to women she commented *“while there is no legal discrimination against women, yet many of them are in a vulnerable situation within their*

*communities. I believe that equality must be all-encompassing, and the argument that traditions should override the rights of women is unacceptable”.*

There were also a number of European initiatives in the last year. An official delegation of the Framework Convention on National Minorities visited, and received submissions from a range of non-governmental organisations and others, to complement the formal UK government submission. CAJ had submitted written material in advance, and testified in person to the delegation. We understand that their report will be submitted privately to government, and if so it will not be easy to determine what impact, if any, we had on the conclusions drawn by the delegation.

Only a few months earlier, CAJ had the pleasure of meeting with Thomas Hammarberg, who was visiting Belfast as the Council of Europe Human Rights Commissioner, to give the annual human rights lecture at the invitation of the Children's Law Centre. CAJ was involved in several aspects of the visit, and

hosted a dinner, allowing him to meet with representatives of some of the 'new' post-Agreement human rights bodies – Bob Collins (Equality Commission), Patricia Lewsley (NI Commissioner for Children and Young People), Monica McWilliams (NI Human Rights Commission) and Brian Coulter (Prisoner Ombudsman).

The most labour-intensive, and consistent, European level scrutiny of human rights issues remained however the work of the Committee of Ministers in overseeing implementation of the European Court judgments. In the past CAJ had taken several cases to the Court and had a particular interest in ensuring that the UK introduced the general and individual measures necessary to comply with the critical findings of the Court. We have, however, often found the process of supervision fraught and lacking in transparency, and are exploring how this might be improved in future.

### ***Lobbying within and beyond Northern Ireland***

Apart from the work around equality and Bill of Rights (reported on previously), CAJ was pleased to be invited to testify to an Assembly Committee looking at the devolution of criminal

justice and policing. As Assembly Committees get into their stride, this avenue for human rights lobbying should hopefully prove very important.

But even local efforts can benefit from international input. For example, as reported elsewhere, in our work with the Participation and Rights Project, CAJ was delighted to be involved in an event bringing housing rights experts from Brazil, Canada and Kenya, to listen to the concerns of local residents. The Hearings brought together local people, community workers, trade unionists, housing campaigners, local politicians, and international human rights experts, and were very powerful.

In the course of the year, CAJ made submissions to the Northern Ireland Affairs Committee in relation to its inquiry into prisons. The parliamentary Joint Committee on Human Rights also continued their scrutiny of a range of issues of concern to CAJ - one of the inquiries is alluded to above, i.e. the adequacy of government's compliance with European Court rulings.

Further afield, CAJ continued to seek the involvement of US-based politicians and organisations in the human rights agenda here in

Northern Ireland. CAJ's traditional visit to New York and Washington for St Patrick's Day allowed for meetings with a variety of US Congress Representatives and Senators, and their staff people. This year, for a variety of reasons, there were no formal Hearings, but meetings with the new presidential envoy, Paula Dobriansky, and others, provided an opportunity to brief people on the Cory inquiries, policing, and human rights generally. We also took the opportunity of the visit to meet representatives of the US Conference of Catholic Bishops, who have long been interested in Northern Ireland and fair employment issues.

***Sharing the Northern Ireland experience with others***

Given the global emphasis on a "war on terror", some have started to wonder if Northern Ireland has anything to offer to current debates. At the time of the last AGM, the Council of Europe had invited CAJ to speak at a seminar organised in Athens to address a Europe-wide roundtable of human rights institutions on the topic of "How to avoid emergency legislation becoming permanent". Unfortunately, the thrust of our case-study on Northern Ireland had to be on highlighting the risk of the 'permanence' of emergency powers, but participants seemed to find it valuable.

CAJ was also invited to provide input into a study being carried out by the Geneva based International Council on Human Rights Policy on the topic "Talking about terrorism – challenges for human rights organisations".

We are going to be even better placed to feed into such debates in future, with the publication of a report arising from the work done last year by CAJ with the Eminent Jurists Panel. The report entitled "The War on Terror: lessons from Northern Ireland", seeks to encapsulate the key learning arising from the visit to Belfast by the Eminent Jurists Panel (see last year's annual report, and publications chapter). We believe that this report will act as an important contribution to our discussions with human rights activists worldwide.

Nor do people only want to hear about "the bad old days" and how to avoid mistakes. CAJ spoke at a seminar in South Asia, organised by the Commonwealth Human Rights Initiative in New Delhi. The participants – police officers, academics, NGOs, government personnel – from across the sub-continent, wanted to learn from an independent human rights perspective about policing in Northern Ireland. How does

the complaints system work? What civic oversight exists? Are the changes making a difference and delivering human rights compliant policing?

Closer to home, British based NGOs have been turning to Northern Ireland for input into their debates around equality and human rights (as well as the 'war on terror'). The British Institute of Human Rights organised a major conference in London on the theme of "Human rights – visions of equality" and asked CAJ to chair one of the working groups. Interestingly, like Albie Sachs, the keynote speaker at the event, the CAJ delegate could not resist commenting on the oddity of having to discuss the inter-relationship between equality and human rights.

In Northern Ireland the conceptual links between "equality" and "human rights" are self-evident. In Britain, however, the conflation of the notion of human rights with the Human Rights Act, makes the inter-relationship between "equality" and "human rights" more uncertain. CAJ has also accepted several other invitations to speak at events in London with a view to sharing our experiences of work on human rights, equality and coalition building generally.

### ***Human rights briefings to visitors***

Of course human rights lobbying and campaigning does not always require CAJ to travel to exotic parts (more's the pity!). Very often, people travel here to seek lessons to bring home. A range of US visitors have come through at different times, and CAJ is often invited to give short presentations to local and international student groups. More specialised delegations also visit. A Basque government minister, an Iraqi delegation and a group of Chevening scholars all met with CAJ in the last few months. Many have shown a particular interest in policing and security issues. CAJ was also pleased to speak to a Turkish human rights delegation, visiting Northern Ireland and the Republic under the auspices of the Council of Europe.

While not strictly falling within any of the categories above, it would be remiss of us not to report on the visit in July to Northern Ireland by Archbishop Emeritus Desmond Tutu. The visit was undertaken at the invitation of Queens University and the University of Ulster, since they were both conferring honorary doctorates on this great man. Accordingly, CAJ had none of the responsibility of organising his visit (unlike on a previous occasion when he was here, and where the Holy Cross dispute was at its height), but

we were honoured to meet with him on more than one occasion. He was good enough to have a photo-opportunity with the Human Rights Consortium – which led to some good press coverage of the Bill of Rights campaign. CAJ was also invited to be present for his pastoral visit to Disability Action, since we chair the Advisory Group for the Centre on Human Rights for Disabled People.

At the time of writing, we are looking forward to the visit to Northern Ireland by yet another great South African – Kader Asmal. We are hoping that this will also give a timely boost to our efforts to secure a Bill of Rights for Northern Ireland.

## **Publications**

As usual, CAJ issued a large number of submissions and responses to consultation documents, and most of these are reported on in the respective sections. The range was very diverse this year with submissions on:

- the Diplock Court replacement arrangements;
- the charities legislation;
- the Justice and Security Bill;
- the Grimley survey of the North West Quarter and its equality implications;
- the Irish Language Act;

- freedom of religious belief;
- EU Structural Funds;
- the PSNI's Code of Ethics and Equality Impact Assessment of their recruitment policies;
- a submission to the Northern Ireland Affairs Committee on prisons;
- a consultation on young people and licensed firearms;
- community restorative justice guidelines;
- Ulster Scots Academy proposals -

and so on.....

Additionally, however, two major publications were developed in the course of the last year, and we initiated a debate (in the context of a broader evaluation exercise) on our publications strategy more generally.

The first major publication is CAJ's new Bill of Rights Information Pack. Using the concepts and materials used in a previous similar publication, we completely re-edited and re-designed the pack intended to stimulate awareness at community level of the Bill of

Rights debate. The first Pack, issued in 2001, proved very popular with individuals and local groups wanting to contribute to the debate, and we decided that the renewed debate underway with the establishment of the Forum necessitated an up-dating and re-issuing of the Pack. The highly colourful and user friendly material – provided free on request – has already been widely circulated (some 2000 copies). We hope it will prove invaluable to those who do not necessarily want to invite in “expert speakers” but want to think through the issues for themselves.

Already we are getting positive feedback and a variety of requests for training support and assistance, and we may need soon to consider re-printing! The pack was launched at an event involving the Star Neighbourhood Centre in New Lodge and Old Warren (the latter group were closely involved in encouraging the production of the first edition) to the backdrop of a large, bright and colourful mural which can be transported around Northern Ireland to public events promoting the Bill of Rights.

The second major publication this year is the report on the visit to Belfast last year by the Eminent Jurists Panel. Entitled “The War on Terror – lessons from Northern Ireland”, the

the war on terror:  
lessons from  
Northern Ireland

report will draw together CAJ's extensive experience of defending human rights throughout a period of intense violent conflict. Knowing that the Panel would be

developing a global report, but would not – however interesting or relevant – be able to focus in detail on the NI experience, CAJ decided to publish a report focused solely on the 'lessons from Northern Ireland'. The report draws on the written and oral submissions made to the Eminent Jurists Panel during their visit, and includes CAJ's own preliminary submission to the Panel.

Given the importance of this report, we are putting a particular effort into its editing, design and dissemination. The report is topical and is likely also to stand the test of time.

We are particularly eager to get this report into the hands of political decision makers on both sides of the Atlantic, as well as the many inter-governmental agencies and non-governmental groups that are active in the war on terror debate. There often seems to be an attempt to isolate and 'contain' the Northern Ireland

experience, and emphasise the 'exceptionalism' of current threats and the attack on human rights. So, the main thrust of the report is to note how much Northern Ireland has to offer to the current international discourse - exploring issues of internment, ill-treatment, the use of lethal force, the 'five' techniques, and the importance of the state upholding the rule of law. Human rights and security are inter-dependant not contradictory concepts, and all CAJ's experience highlights the fact that human rights abuses feed and fuel conflict, they do not prevent or end it.

More generally, the 25<sup>th</sup> anniversary of the organisation last year allowed us to think how to be ever more effective in the future in putting our message across. Whereas, previously it might have been enough to provide accurate and relevant human rights critiques of developments, now there is a belief that CAJ has to be equally strategic about *how* and *where* to direct those critiques to have most impact.

The executive has accepted that the organisation must now put more human and financial resources into the presentation of the message. Accordingly, it has been agreed that

we will seek funding to ensure a more considered approach to information production, usage, and dissemination.

Members and supporters are very important in getting the message out more effectively and this requires us using our e-newsletter, the web and other IT tools to maximum effect. In the coming year, we will also look at the option of developing a more common house-style for much of our published material – so look out for changes to next year's annual report format!

### **Information Services**

Most of the work CAJ does throughout the year in terms of responding to requests for information is reported on under the specific rubrics – whether it be in terms of our close work with the Equality Coalition, Human Rights Consortium, victims of human rights abuses, or members of the public generally.

CAJ is regularly approached by journalists, academics, students and others, to provide background information, or to provide direct testimony, in relation to the protection of human rights in Northern Ireland. Whereas in the past, people might visit the CAJ offices to study press cuttings, or access our library resources,

the great bulk of requests for information now come by way of e-mail requests, or web search. In some cases, we can easily refer people onto our reports or other readily accessible data, but sometimes it involves detailed responses about CAJ's policy position.

Last year we reported that we were experiencing in our media efforts some of the same phenomena experienced in the political realm i.e. a sense that human rights and equality problems are all issues of the past and not 'newsworthy'. We noted that one obvious problem was that journalists are bombarded with almost daily ministerial press releases lauding the latest education/health/employment/criminal justice/infrastructural projects, and these are often taken (and published) at face value. It will be interesting to see if this trend is maintained now that most ministerial responsibilities have been devolved. It is too early to assess, but a vibrant independent press is vital to upholding the rule of law and basic democratic values.

We also commented last year on the importance of CAJ using the months ahead to look at an enhanced communications strategy as part of our evaluation and strategic planning exercises. The evaluation had much important feedback to give. The report noted that "*CAJ's published output is highly regarded by most of those who*

*read it'*, but they then commented on the likelihood of our readers being already 'converted' to the message. They urged that *"where the object of publications is to persuade the unconverted to read them and possibly even change their minds as a result, an investment in improved presentation should not be regarded as a flippant luxury, but as of the essence"*.

Accordingly, the evaluators recommended that the organisation start to devote more resources (human and financial) to the production and dissemination of our material – and not concentrate to the exclusion of much else on the content. Energies need to go to editing, design, dissemination, and more effective use of the media and the web.

Resources need particularly to go into the effective presentation and positioning of our message. The website needs to be overhauled and recognised as a major resource; our e-bulletin should constantly be aiming to increase its reach and impact; and we should determine how best to use Just News to get out our messages. The experience in the last year

of devoting special issues (to housing, to the UN and to health) seems to be positive. What is the learning from this?

One key question to be addressed over time is how far does CAJ want to be reactive to human rights developments as they occur, or does it only wish to use the media when wanting to promote its own reports and messages? There will be no easy answer to this. While accepting that our current media profile is rather low, the executive agreed with the evaluators' conclusion that "*a high media profile is only worth having if it is seen to be instrumental in helping CAJ achieve its aims*". Working more closely with communications experts as and when appropriate will help ensure that CAJ maintains high professional standards in the quality of our information, while also improving the extent and the quality of the way we communicate our message.

As we reported last year, we continue to receive more requests than we can accommodate for speakers and presentations at public events and seminars throughout Northern Ireland and further afield. In our own right, and as active members of the Equality Coalition and Human Rights Consortium, we have also organised a number of public and semi-public events to develop a greater awareness of human rights.

In the same vein, CAJ wrote articles for, amongst others, the Law Society's *The Writ* (December 2006), NICVA's *Scope* (February 2007), and a major Oxford University Press publication entitled *Judges, Transition and Human Rights* (March 2007). Information about several of these initiatives is reported in more detail under the relevant headings elsewhere in this report, so there is no need to repeat them here.

## **Volunteers and staffing**

No small organisation like CAJ could do even a small part of the work reported on in these pages without the commitment and energy of many volunteers and dedicated staff. The annual report gives us an opportunity to publicly thank them for all this hard work.

As ever, the list of honourable office volunteers starts with Mrs Perry who makes her way to the office come hail, rain or storm, and despite the long climb up the stairs! She visits the office every few weeks to update our diary, prepare envelopes for mailing *Just News*, and – most importantly – keep up staff morale. She often has the staff in

*Rose Perry*

fits of laughter around the lunch-table with her fascinating stories and anecdotes: her memoirs should be being actively sought by all the top publishing houses!

Next longest-serving office volunteer is Mark Bassett who routinely visits and sorts out the newspapers so as to write up the monthly "Civil Liberties Diary" for Just News. Mark must be one of the best informed commentators around – who else regularly scours the daily and weekly press to prepare a human rights summary of developments? Quiet and unassuming, Mark is a great resource, and a loyal and warm colleague.

We also maintained our practice of keeping in contact with various educational institutions here and abroad, thereby securing the services of willing volunteers to carry out particular projects.

Mark Boylan from Earlham College was with us for four weeks, as part of his summer programme, and he attended a number of events and helped out on a variety of projects. Most impressively (from the perspective of the office staff) he oversaw the crucial if very boring

task of compiling some 3000 Bill of Rights Information Packs. The packs look beautiful, and they have 'walked' off the shelves to be used by local groups in their efforts to engage in the Bill of Rights debate, but they took weeks of effort in the office to put them together (3000 folders with 20+ enclosures each!). The staff fear that they might still be lying around in dozens of separate boxes if Mark had not been around to keep us motivated and ensure a round-the-clock effort.

Harold Rodriguez was the New York Fordham College student who came to work with us this summer.

He observed at the judicial review into the Sexual Orientation Regulations and several other court cases, wrote articles for Just News, and worked on equality documentation.

Unfortunately, this is the second year in a row where we have had only one US summer intern, and we will be chasing up the colleges and universities who have sent volunteers in the past to see if we can secure more help next summer. Contact is still maintained with many of the marvellous US legal interns we have had over the years, and it is exciting to see how many of them have gone into interesting legal careers, often in the not-for-profit sector.

More locally, we have been able to recruit a number of volunteers who are studying at either Queens or the University of Ulster, to help in both the Cory inquiries, and the Forum working groups. Without the willing and able assistance of such volunteers, we would be at a loss, and hopefully the experience will prove of value to them both professionally and personally.

Closer still to home, regular readers of CAJ's annual reports will be aware that Ciaran Lismore came to work in the office initially as a member of the Include Youth placement schemes, but has remained on as part of a job skills training programme. He now gives us four days a week, while also garnering some important qualifications for future long term employment. He has provided the office with a constant source of support – maintaining the database, dealing with basic administration, and handling publications distribution. There is nothing that Ciaran won't turn his hands to, and recently he has begun to assist in updating the website - he is definitely an invaluable member of the office team.

Martin Jaster has recently gone back to Germany. This long term relationship with EIRENE is greatly appreciated, and Martin

proved an incredible support to all the staff with his growing IT expertise, and his work on the web, e-bulletin and Just News. His wicked sense of humour will be sadly missed but his successor, Hanjo Milke, has arrived and is settling in extremely well.

On the staff side, there has been both continuity and change. We have six full time positions, and there has been continuity in terms of the Director, Research and Policy Officer, Office Manager and Equality Officer. Staffing in the legal area and in the Bill of Rights programme has however experienced change during the year.

Maggie O'Connor could not resist the temptation of a house and part time legal work on the west coast of Ireland and left CAJ around December. We were extremely lucky to be able to recruit and appoint quickly to her position, and Abed Natur started officially as CAJ's Legal Adviser in January. As can perhaps be guessed from his name, Abed is not a local; he worked for several years in a London legal advice centre, and worked for both STEP in Dungannon and

the Belfast Law Centre before taking up employment with CAJ. He has settled in extremely well and quickly and, apart from bringing a great sense of humour to the office, he contributes to the improved gender balance of the team!

Fiona Murphy decided to go part-time and, to facilitate that, CAJ divvied out the Human Rights Programme Officer post into two distinct areas of work. We subsequently advertised for and recruited to the 'other' part-time post and Marieanne McKeown was appointed. The two of them will be kept very busy in the coming period, as the demands for training in and around the Bill of Rights debate, and the need for CAJ to substantively contribute to the text, will be at a high level in the months to come.

The duo make a great team – and represent the kind of combined creativity, expertise, and commitment that is going to be needed if we are to be successful in securing a Bill of Rights.

Aideen, Liz and Tim have maintained the ship afloat through these various changes.

Aideen, as Research & Policy Officer, has had a particularly busy year, in that in addition to providing supervision for all four programme areas, and running the criminal justice and policing programmes directly, she is serving on the Forum as the human rights representative.

Liz continues to be the mainstay of the office, keeping us all sane, and ensuring that we meet our deadlines, our finances are kept in order, and running everything on the administration side.

Tim ensures that our equality work remains at an extremely high standard and is informally responsible for tourism (giving 'political tours' to the various international visitors we receive) and the staff's cultural education (keeping us abreast of the latest film and music offerings on offer around Belfast).

Their combined knowledge, professionalism, and unswerving commitment to the CAJ vision are unquestionable. It also helps that they are great fun to work and play with!

## **Funders**

Annual reports provide a perfect opportunity to publicly thank the people who make all this work possible – not simply the staff and volunteers who engage directly in the work, but also those who contribute financially to making all CAJ's work possible.

All too often, people who recognise that an independent non-governmental voice is needed to speak up for human rights, overlook the fact that such independence can only be secured by a strong independent funding base. Governmental monies support an amazing amount of positive activities throughout Northern Ireland, but by definition they cannot be sought to fund the kind of independent advocacy that CAJ undertakes. Instead, it is vital that CAJ secure financial support from charitable trusts, individual benefactors and the general public to maintain the reality and the perception of impartiality in all its work.

The organisation would like to thank (in alphabetical order): Atlantic Philanthropies, the Barrow Cadbury Trust, the Hilda Mullen Foundation, the Joseph Rowntree Charitable Trust, the Northern Ireland Human Rights Fund, the Oak Foundation, and UNISON. None of

our work would have been possible without the support of these generous funders, and thanks are due in particular for their willingness to support us over the longer term.

This year we received a major legacy from the former chair of British Irish Rights Watch – Angela Hickey. Angela had been a long-time member of CAJ and wanted to contribute to the work of the organisation, even after her sad death to cancer. Her activism will be long remembered – what a legacy from someone who did not live in Northern Ireland, but always followed developments closely from across the water. She rejoiced in the ‘ups’ and sympathised and strategised in the ‘downs’. She will be sorely missed.

As part of our evaluation and strategic planning process, we also this year started to develop and put in place a detailed fundraising strategy. The focus will be on ensuring that staff, volunteers, members and supporters of all kinds are more aware of the need for, and the value of, investing financially in independent human rights advocacy. Funding for such work not only to be generous, but also secure and diversified - our long term fundraising strategy will be aimed at these objectives.

Last but not least, we should record our thanks to the auditors Finegan & Gibson, most particularly Desi Gibson, Stuart Neill and Kevin McManus who continue to answer our queries with inordinate patience and support us in our endeavours to bring greater transparency and accountability to the whole area of budgeting and financial procedures.

## **Conclusions**

This year has, as ever, been very busy. We have spent slightly more time than usual on 'internal' issues - assessing the organisation's strengths and weaknesses and in elaborating a Strategic Plan setting out the way forward until 2011. That Plan sets out a highly ambitious programme of action, building on the organisation's many strengths and addressing some of our lacunae.

This will be my last annual report as Director, though I will remain an active member. It has been a great honour to work with this marvellous organisation and the deeply committed team of staff and members assembled over the years. I certainly did not know when I walked into CAJ's small office in 1989, to work as a volunteer, that I would be still here working hard almost 20 years later!

I have no doubt that the new political dispensation will provide exciting new opportunities to deepen the process of human rights protection that was begun in the context of a peace building process nearly ten years ago. I will watch with enormous pride as Northern Ireland and CAJ continue to lead the way in these islands and beyond regarding active independent advocacy of the centrality of justice to any society.

Mary Robinson said of CAJ in 1998 that it had been "*a beacon of hope in bad days*". Needless to say, we all hope that the 'bad days' are long gone. Beacons of hope, however, are always needed - just witness the current attacks on basic civil liberties in so many countries around the world. Who would have thought that government ministers in Europe and the USA would publicly excoriate human rights advances, and claim that they undermine security? Key opinion formers are talking about the kinds of coercive interrogation techniques that are acceptable and what authorisation is necessary to regulate torture - a debate that was inconceivable only a few short years ago.

The experience of Northern Ireland that human rights abuses merely serve to feed and fuel conflict is an important message to share with

others. CAJ is well placed to share that message. Moreover, it would be dangerous to be complacent about the situation of human rights protection closer to home. We have come a long way, but many people are being left behind, and - to paraphrase another woman pioneer (Eleanor Roosevelt) - "universal human rights begin in small places...close to home". CAJ's strength has always lain in its ability to bridge the local and the global in its work to uphold human rights.

2008 is the 60th anniversary of the Universal Declaration of Human Rights which marks the modern watershed in recognising that human rights are the foundation of freedom, justice and peace in the world. It is also the tenth anniversary of the Agreement when people here in large numbers accepted that the tragedies of the past required a fresh start and a dedication to "*the achievement of reconciliation, tolerance, and mutual trust, and to the protection and the vindication of the human rights of all*": CAJ has much work ahead of it!

**Maggie Beirne**

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**The Year at a Glance**

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## **October/November 2006**

St Andrews Agreement commits to establishing a round table to consider a Bill of Rights for Northern Ireland ● Judicial review of the inquiry into the murder of Billy Wright discovers that literally hundreds of relevant documents have been either lost or destroyed ● Bamford Review of Mental Health and Learning Disability, chaired by Professor Roy McClelland, presents its findings to government ● Mr Justice Girvan upholds challenge to the NIO's appointment process of the Interim Victims Commissioner and refers the papers to the Attorney General for consideration of further steps relating to the provision by government departments of "partial, misleading and incorrect information" ● Prisoner Ombudsman Brian Coulter calls for the closure of Magilligan prison citing the state of the building and the dangers of overcrowding

## **December 2006**

Draft Justice and Security (NI) Bill is circulated for consultation ● Mr Justice Deeney upheld the judicial review challenge by David Wright that the NI Secretary of State acted unlawfully when he changed the nature of the inquiry into the murder of his son, Billy Wright ● Announcement that the Equality Act (Sexual Orientation) Regulations are to be implemented in Northern Ireland on 1 January 2007, in advance of England and Wales ● Inaugural meeting takes place of the Bill of Rights Forum, chaired by the Minister, David Hanson, in advance of the appointment of an independent chair.

## **January 2007**

Police Ombudsman Nuala O'Loan releases her highly critical report into the murder of Raymond McCord Jnr, and a number of other related deaths, finding that Special Branch had

colluded with the UVF in a range of criminal activities, including murder ● NI Human Rights Commission, the Law Centre and Animate, launched a series of guides to the rights of migrant workers ● Delegates at the Sinn Fein Ard Fheis vote to support policing in Northern Ireland ● Launch of report by Interim Victims Commissioner, Bertha McDougall, calling for the creation of a victims fund, more compensation for those bereaved before 1988, and the establishment of a victims forum ● Assets Recovery Agency is to be merged with the Serious Organised Crime Agency ● House of Lords upholds new laws outlawing businesses in Northern Ireland from discriminating on grounds of sexual orientation

## **February 2007**

Council of Europe Human Rights Commissioner Thomas Hammarberg visits Northern Ireland to give the Children's Law Centre annual lecture on children's rights ● Guidelines are published by the NIO for the accreditation and funding of community restorative justice schemes ● The inquest into the death of Roseanne Irvine in Maghaberry prison criticises the prison regime and concludes that the prison system failed Roseanne ● Policing Board and PSNI organise a major conference, and NGOs organise fringe event on the topic of collusion

## **March 2007**

The Northern Ireland Assembly reconvenes a devolved administration under the leadership of First Minister Ian Paisley and Deputy First Minister Martin McGuinness ● Northern Ireland Affairs Committee announces an investigation into the Northern Ireland Prison Service ● Chris Sidoti, Australian human rights lawyer and activist is appointed Chair of the Bill of Rights Forum ● International Convention on the Protection and Promotion of the Rights and Dignity of Persons with

Disabilities was signed at the United Nations in New York, by the greatest number of states ever to sign a convention on its first day ● Department of Culture Arts and Leisure releases consultation document about an Irish Language Bill ● Visit to Belfast of the Advisory Committee of the Council of Europe Framework Convention for the Protection of National Minorities ● Bi-cameral US Senate / Congress resolution passed unanimously calling for an independent inquiry into the murder of Pat Finucane ● CAJ Director addresses a seminar organised by the Commonwealth Human Rights Initiative in Delhi, on the Northern Ireland experience of police reform

### **April 2007**

Lord Paddy Ashdown will chair a panel of community representatives to undertake a strategic review of parading in Northern Ireland ● Joint Committee on Human Rights at Westminster is lobbied to examine the indeterminate detention of people with learning disabilities in Muckamore Abbey ● In relation to the Justice and Security (NI) Bill the House of Lords agrees a "sunset clause" allowing for the non-jury trial provisions to expire after a period of two years unless an affirmative order is made ● The High Court in Belfast begins hearing a case brought by two school teachers alleging discrimination when turned down for promotion ● Equality Commission argues that the exemption of teachers from the prohibition of differential treatment on the basis of religion applies only to initial recruitment and not to promotion ● Second meeting of the Bill of Rights Forum takes place, the first under the chair of Chris Sidoti ● Review by the Inspectorate of Constabulary recommends that new hate crime investigators be introduced to tackle the growing number of racist attacks in Northern Ireland

## **May 2007**

Final report published by the Oversight Commissioner for Policing Reform, Al Hutchinson ● Anne Owers, Chief Inspector of Prisons, condemns the practice of shipping asylum seekers to detention centres in Scotland after being kept in unfit police cells in Belfast ● Report by Barnardos highlights up to 100,000 children living in poverty in Northern Ireland ● Inquiry into the death of Billy Wright begins ● Human Rights Centre at Queen's University holds a conference on human trafficking, claiming that a lack of police and immigration officials is allowing the trafficking of children into Northern Ireland

## **June 2007**

The Association of Chief Police Officers finds "no evidence" that secret CIA flights carrying terrorist suspects to countries where they might be tortured had landed in the UK ● Law Lords rule that soldiers who imprison detainees during military campaigns abroad are bound by the Human Rights Act. ● Judicial review of the Sexual Orientation anti-discrimination Regulations begins ● Court of Appeal overturns Deeny J's ruling that the NI Secretary of State had acted wrongly in changing the nature of the Billy Wright murder inquiry to one held under the Inquiries Act ● Former Police Oversight Commissioner Al Hutchinson named as successor to Nuala O'Loan as Police Ombudsman ● New Labour Force statistics show Catholic unemployment at 6 % compared to 3% for Protestants in NI ● Lord Chief Justice Brian Kerr in the Court of Appeal dismisses legal bid to overturn current legislation banning unmarried couples from adopting ● Government announces the establishment of a panel to look at the past, co-chaired by Archbishop Eames and Denis Bradley

### **July/August 2007**

Role of the army in Northern Ireland ends officially after 38 years ● Visits to Northern Ireland by Bishop Desmond Tutu ● Health Minister Michael McGimpsey announces the number of suicides rose to 291 last year, almost double the figures recorded between 2000 and 2004 ● Dalai Lama visits Northern Ireland and meets the Human Rights Consortium ● NI Prison Service announces positive action measures to redress religious imbalance in its staff composition

### **September 2007**

● Community Foundation holds conference on Bill of Rights South African government minister and long term human rights activist Kader Asmal is invited to give keynote address at Consortium event ● CAJ speaks on panel of NIHRC annual human rights conference ● Equality campaigners in Britain invite CAJ to speak at a conference on positive action, and to the Equality and Diversity Forum ● International interest high in experience from Northern Ireland, with CAJ Director invited to event in London with Muslim groups and Research & Policy Officer speaking at seminar in Berlin

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**CAJ's Constitution**

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## **Constitution of The Committee on the Administration of Justice**

### **1. Name**

The organisation shall be known as "The Committee on the Administration of Justice" ("CAJ").

### **2. Aims**

The aims of CAJ shall be:

- 2.1 In relation to the area of Northern Ireland:
  - (a) to secure the highest possible standards in the administration of justice;
  - (b) to defend and advance civil liberties and the rights and freedoms recognised by international human rights law;
  - (c) to monitor the operation of the system of justice and to campaign for reforms; and
  - (d) to give co-operation, assistance and encouragement on an international basis to the defence and advancement of civil liberties and the rights and freedoms recognised by international human rights law.
- 2.2 To carry out research into any of the above matters.
- 2.3 To increase the awareness of the general public in relation to such matters.
- 2.4 To do anything incidental to the achievement of these aims.

### **3. Status**

CAJ shall be non-party political, anti-sectarian and non-profit making and shall take no position on matters relating to the constitutional status of the area of Northern Ireland. This article shall not prevent CAJ from dealing with a Bill of Rights.

**4. Membership and Affiliation**

- 4.1 Membership of CAJ is open to all individuals whose application for membership is approved by the Executive and who:
- (a) complete and sign CAJ's membership form containing a declaration to support and comply with CAJ's Constitution; and
  - (b) pay the appropriate membership fee.
- 4.2 Membership may be terminated by the Executive for failure to pay the membership fee within 4 months of the due date - the membership to be reinstated automatically on payment of such fee and all arrears.
- 4.3 The provisions relating to expulsion and suspension are contained in the Schedule (following Article 16).
- 4.4 The membership year shall run from 1st January to the following 31st December.
- 4.5 Affiliation to CAJ shall be available to any organisation whose application for affiliation is approved by the Executive and which:
- (a) completes and signs CAJ's application form containing a declaration to support and comply with CAJ's Constitution; and
  - (b) pays the appropriate affiliation fee.
- Affiliation on similar terms shall be available to CAJ employees.
- 4.6 Membership rights for individual members include rights, in relation to Annual General Meetings and Extra-Ordinary General Meetings, to
- receive notifications and minutes;
  - propose or second motions or amendments to motions;
  - speak and vote;
  - and rights to sign requisitions for Extra-Ordinary General Meetings; and other rights contained in or arising from CAJ's Constitution.
- Membership rights shall not be available during periods of suspension.

- 4.7 Affiliated organisations and CAJ employees are entitled to receive notifications and minutes of meetings, to attend and speak at meetings but not to vote.

**5. Annual General Meeting**

- 5.1 The Annual General Meeting ("AGM") of CAJ shall be held in October of each year at which only the following business shall be transacted:

- to receive and consider the Annual Report and Accounts;
- to elect by a fair and proportional electoral system the Chairperson and Vice Chairperson and the remaining members of the Executive;
- to take decisions on fees for membership, affiliation and related matters;
- to appoint an auditor; and
- to consider any specific business detailed on the notice of the meeting.

- 5.2 At least 21 days prior written notice of each AGM specifying the time and place of the meeting and the business to be transacted shall be given to each member and affiliate of CAJ.

**6. Extra-Ordinary General Meetings**

- 6.1 An Extra-Ordinary General Meeting ("EGM"):
- (a) may be convened at the discretion of the Chairperson after consultation, if practicable, with all members of the Executive; and
  - (b) shall be convened by the Chairperson within 14 days of receipt of a requisition stating the specific purpose for convening the meeting and signed by at least one tenth of the total membership of CAJ entitled to vote at that time.
- 6.2 Prior written notice of an EGM convened under Article 6.1, stating the time and place of the meeting and its specific purpose shall be given to each member and affiliate of CAJ as follows:

- for a meeting convened for consideration of proposals to amend CAJ's Constitution, at least 21 days notice;
  - for any other meeting, at least 14 days notice.
- 6.3 An EGM shall have power to take decisions on:
- (a) all matters reserved for decision by an AGM (including the revocation or alteration of decisions taken at an AGM) and
  - (b) proposals for amending CAJ's Constitution provided that only such business as is specifically detailed in the notice of meeting given under Article 6.2 shall be transacted at an EGM.

## **7. Executive**

- 7.1 The Executive shall consist of the Chairperson, Vice Chairperson, Treasurer, Membership Secretary, Minutes Secretary, Parliamentary Liaison Officer, and the Editor of Just News (CAJ's news bulletin) elected at the AGM or at an EGM from CAJ members and of up to 4 other members as may be co-opted by the Executive so elected.
- 7.2 Nominations for election of individual Executive positions shall be signed by at least 2 members of CAJ and delivered to CAJ's office at least 14 days before the AGM or EGM. All such nominations shall be notified to CAJ members and affiliates 7 days before the meeting.
- 7.3 In the event of nominations being so made for individual Executive positions, only those nominated will be eligible for election to such office. If no nominations are received for individual Executive positions, nominations (made by at least 2 members of the CAJ present at the meeting) may be made at the meeting for election to such office.
- 7.4 All persons nominated for Executive positions must have been CAJ members for at least 3 months prior to nomination and must indicate their consent to the nomination.

- 7.5 If no nominations are received for individual Executive positions either under Article 7.2 or Article 7.3, the Executive elected at the meeting may fill such positions by co-option, at a later meeting of the Executive.
- 7.6 Members elected or co-opted to serve on the Executive shall hold office (while they are CAJ members) until the election of the Executive at the following AGM (or at any earlier EGM). All members are eligible for re-election except that no member shall serve as Chairperson or as Vice Chairperson for more than 2 consecutive years.
- 7.7 The Executive may fill vacancies on the Executive by co-option of CAJ members.
- 7.8 The Executive shall be entitled to exercise the powers and functions of CAJ except for matters reserved to the decision of an AGM or an EGM.
- 7.9 The Executive shall meet at least 6 times in each year. At least 5 days prior written notification of such meetings, stating the time and place of the meeting and the business to be discussed shall be given to each member of the Executive. (in cases of emergency, the Chairperson may waive the requirement for 5 days prior written notice.)

## **8. Meetings**

- 8.1 Unless the context otherwise requires, this Article applies to AGMs, EGMs and to meetings of the Executive.
- 8.2 Presiding Officer  
The Chairperson shall be entitled to preside at meetings. In the absence of the Chairperson or in the event of the Chairperson declining to preside, the Vice-Chairperson shall be entitled to preside and in the absence of both or in the event of both declining to preside, CAJ members present at the meeting shall elect a CAJ member to preside.

### 8.3 Quora

The quora are

- for AGMs and EGMs one tenth of the total CAJ membership, or 25 members whichever is less; and
- for meetings of the Executive 4 members of the Executive.

On the declaration by the Presiding Officer that no quorum exists, the meeting shall stand adjourned until such time as the Presiding Officer shall fix at the original meeting.

### 8.4 Rules of debate

- 8.4.1 Any member may without prior notice propose a motion or an amendment to a motion relating to any item on the agenda of the meeting (apart from items relating to amendments to CAJ's Constitution) and after such motion is seconded, may speak on the matter.
- 8.4.2 Only one amendment to a motion may be moved and discussed at a time unless the presiding officer decides that the business of the meeting would be facilitated if more than one amendment were discussed together (but not voted on).
- 8.4.3 Non-contentious amendments shall be decided by consensus. Where the issue is contentious, and where there is more than one possible amendment, the Presiding Officer shall initiate a multi-option preference vote.
- 8.4.4 If an amendment is lost further amendments may be moved on the original motion and if all amendments are lost the original motion shall then be voted on.
- 8.4.5 The mover of a motion shall have the right of reply at the close of the debate on the motion or on an amendment to the motion. The mover of an amendment shall not have a right of reply to the debate on the amendment.

- 8.4.6 Unless otherwise resolved by a decision of members present at a meeting, no individual speech shall exceed 10 minutes for a mover or 5 minutes for any other speaker and a member shall speak only once on an individual motion, amendment or item on the agenda except:
- in the exercise of the right of reply under Article 8.4.5;
  - on a point of order; and
  - on a point of personal explanation or clarification.
- 8.4.7 The presiding officer shall make every effort to ensure that all members present at a meeting are given the opportunity to speak on all items under discussion.
- 8.5 Voting
- The Presiding Officer shall make every effort to achieve decision making at meetings by means of consensus. Where such a degree of unanimity is unlikely to be achieved, decisions on all matters (not relating to the Constitution) shall be taken either by a majority vote or, if the issue is contentious, by multi-option preference vote.
- 8.6 Minutes
- Minutes of meetings shall be prepared by the Minutes Secretary and shall be presented to the next meeting for approval as a correct record. No discussion shall take place on the minutes except upon their accuracy (which may only be raised by motion). If no question of accuracy is raised or if any such question has been disposed of, the minutes shall be signed by the presiding officer as a correct and conclusive record of the proceedings of the meeting and shall be kept by the Minutes Secretary as a permanent record.

**9. Open Meetings, Conferences and Seminars**

- 9.1 The Executive shall arrange for at least 5 open meetings of CAJ to be held during each year of office.
- 9.2 The Executive may arrange to hold such other meetings, conferences and seminars as may be required for carrying out the aims of CAJ.

**10. Sub-groups**

- 10.1 The Executive may establish Sub-groups consisting of CAJ members to carry out such functions in accordance with the aims of CAJ as the Executive may decide and to report back to the Executive.
- 10.2 The Executive may provide (in rules made under Article 14) for attendance at Sub-group meetings of persons who are not CAJ members.

**11. Authority of Chairperson**

The Chairperson shall be entitled in cases of urgency making the prompt exercise of the powers of the Executive necessary and after consultation with the Vice Chairperson, (or in the absence of the Vice Chairperson, with at least one other member of the Executive) to exercise any of the powers of the Executive (except those on suspension and expulsion) subject to any action taken under such authority being reported to the next Executive meeting.

**12. Authority of Vice Chairperson**

The Vice Chairperson shall be entitled to exercise the power of the Chairperson, in the Chairperson's absence or inability to act (subject to consultation with at least one other member of the Executive before exercising the powers under Article 11).

**13. Delegation of Powers**

The Executive may delegate any of its powers to a sub Committee of its members, to the Chairperson or Vice Chairperson or to CAJ staff and may amend or withdraw such delegated powers.

**14. Rules to be made by Executive**

14.1 The Executive shall make rules to be followed by CAJ members and CAJ staff for:

- responsibility for press releases and other media contact;
- authorising the signature of cheques;
- authorising spending and payments and for signing of agreements and contracts;
- disclosure by CAJ members and staff of financial interests in matters being discussed at meetings and related procedures; and
- the workings of Sub Groups and related procedures (including the authorising of CAJ publications).

**15. Affiliation by CAJ**

The Executive may decide:

- to seek affiliation by CAJ to any organisation whose aims are consistent with those of CAJ if satisfied that such affiliation would be of general benefit to CAJ;
- to nominate members of the Executive or other CAJ members to represent CAJ at meetings and proceedings of such organisations; and to issue guidelines to such nominees as to the manner and content of representation.

**16. Amendments to CAJ's Constitution**

- 16.1 No amendment shall be made to CAJ's Constitution except by resolution of an AGM or EGM and either (i) passed by at least two-thirds of CAJ members present; or (ii) where more than one amendment is proposed on any one topic, approved in a multi-option vote by a collective level of support of at least 67% of those present.
- 16.2 Any proposed amendment to CAJ's Constitution for consideration by an AGM *shall* be notified in writing to CAJ's office and signed by at least 2 CAJ members not later than 1st September preceding the AGM.
- 16.3 Any proposed amendment to CAJ's Constitution for consideration by an EGM shall be notified in writing to CAJ's office and signed by at least 2 CAJ members as follows:
- (a) for a meeting convened under Article 6.1 (a), at least 28 days before the date of such meeting;
  - (b) for a meeting convened under Article 6.1 (b), at the time of making the requisition for such meeting.
- 16.4 Unless otherwise decided by the members present at the meeting, any proposal to move an amendment to a proposal notified under this Article shall not be discussed or voted on at a meeting unless written notice of such amendment signed by at least two CAJ members shall be given to CAJ's office at least 14 days in advance of the meeting in question.
- 16.5 Written notice of any proposal notified under Article 16.4 shall be sent by CAJ's office to all CAJ members and affiliates, at least 5 days before the date of the meeting.
- 16.6 Any proposal notified under this Article may be withdrawn by the proposer either at or prior to the meeting.

**Schedule**  
**Provisions on Expulsion and Suspension**

1. On being satisfied that the conduct or activities of a CAJ member or affiliate are such as to be contrary to CAJ's Constitution or otherwise seriously detrimental to CAJ's interests or public image, the Executive may by decision taken at a meeting either expel the member or affiliate from CAJ; or suspend the member or affiliate from membership or affiliation for such period and subject to such conditions as the Executive may decide: provided that:
  - (i) the member or affiliate is given at least 14 days prior written notice (*indicating* the details of the alleged conduct or activities) that the matter will be placed on the agenda of the meeting for decision; and
  - (ii) at the meeting, the member or affiliate is given an opportunity to be heard and to submit evidence in defence and in reply to the allegations, before a decision is reached.
  
2. Where a complaint of alleged conduct or activities is brought under this Schedule
  - (a) against a member of CAJ's Executive or
  - (b) by or on behalf of a member of CAJ's Executive such member shall take no part (as a member of the Executive) in
    - (i) those parts of Executive meetings nor
    - (ii) other decisions relating to the matter.
  
3. CAJ members who serve on the Executive or on a Sub-group shall cease to be members of the Executive or Sub-group during any periods of suspension and on expulsion from membership.

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**CAJ's Publications**

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## CAJ's Publications

- No. 1 **The Administration of Justice in Northern Ireland:** the proceedings of a conference held in Belfast on June 13th, 1981
- No. 2 **Emergency Laws in Northern Ireland:** a conference report, 1982
- No. 3 **Complaints Against the Police in Northern Ireland,** 1982 (£2.50)
- No. 4 **Procedures for Handling Complaints Against the Police,** 1983 (updated by pamphlet No.16)
- No. 5 **Emergency Laws: suggestions for reform in Northern Ireland,** 1983 (£1.50)
- No. 6 **Consultation between the Police and the Public,** 1985 (£3.00)
- No. 7 **Ways of Protecting Minority Rights in Northern Ireland,** 1985 (£4.00)
- No. 8 **Plastic Bullets and the Law,** 1985 (updated by pamphlet No.15) (see also Plastic Bullets briefing No. 40)
- No. 9 **“The Blessings of Liberty”:** An American Perspective on a Bill of Rights for Northern Ireland, 1986 (£2.50)
- No. 10 **The Stalker Affair: More Questions than Answers,** 1988 (£3.00)
- No. 11 **Police Accountability in Northern Ireland,** 1988 (£2.00)
- No. 12 **Life Sentence and SOSP Prisoners in Northern Ireland,** 1989 (£1.50)
- No. 13 **Debt - An Emergency Situation?** A history of the Payments for Debt Act in Northern Ireland and its effects on public employees and people on state benefits, 1989 (£2.00)
- No. 14 **Lay Visitors to Police Stations in Northern Ireland,** 1990 (£2.00)
- No. 15 **Plastic Bullets and the Law,** 1990 (£2.00)

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- No. 16      **Cause for Complaint:** The system for dealing with complaints against the police in Northern Ireland, 1990 (£2.00)
- No. 17      **Making Rights Count.** includes a proposed Bill of Rights for Northern Ireland, 1990 (£3.00)
- No. 18      **Inquests and Disputed Killings in Northern Ireland,** 1992 (£3.50)
- No. 19      **The Casement Trials:** A Case Study on the Right to a Fair Trial in Northern Ireland, 1992 (£3.00)
- No. 20      **Racism in Northern Ireland:** The need for legislation to combat racial discrimination in Northern Ireland, the proceedings of a CAJ conference held on 30th November 1992, (£3.00)
- No. 21      **A Bill of Rights for Northern Ireland,** 1993 (£2.00)
- No. 22      **Staid agus Stadas Gaeilge i dTuaisceart na hEireann - The Irish Language in Northern Ireland:** The UK Government's approach to the Irish Language in light of the European Charter for Regional or Minority Languages, 1993 (£3.50)
- No. 23      **A Fresh look at Complaints against the Police,** 1993 (£3.50)
- No. 24      **Adding Insult to Injury?** Allegations of Harassment and the use of Lethal Force by the Security Forces in Northern Ireland, 1994 (£3.50)
- No. 25      **The States We Are In: Civil Rights in Ireland, North and South** - proceedings of a conference held in Dublin by the Irish Council of Civil Liberties and the CAJ, 1993 (£3.50)
- No. 26      **Civil Liberties in Northern Ireland: The CAJ Handbook** (2nd edition), June 1993 (£6.00)
- No. 27      **"Harassment: It's part of life here..."** Survey of young people's attitudes to and experience of harassment by the security forces, December 1994 (£5.00)
- No. 28      **No Emergency, No Emergency Law:** Emergency Legislation related to Northern Ireland the case for repeal, March 1995 (£4.00)

- No. 29 **Right to Silence** debate, the Northern Ireland Experience, May 1994 (£3.00)
- No. 30 **Human Rights: The Agenda for Change - Human Rights, the Northern Ireland Conflict and the Peace Process** (includes proceedings of a conference held in Belfast on 11<sup>th</sup> & 12<sup>th</sup> March 1995), December 1995 (£3.50)
- No. 31 **Fair Employment For All:** Submission to the Standing Advisory Commission on Human Rights on Fair Employment, February 1996 (£4.00)
- No. 32 **The Misrule of Law:** A report on the policing of events during the Summer of 1996 in Northern Ireland, October 1996 (£5.00)
- No. 33 **Mainstreaming Fairness? : A discussion paper by Dr.Christopher McCrudden, on “Policy Appraisal and Fair Treatment”**, November 1996 (£3.00)
- No. 34 **Mainstreaming Fairness, “Policy Appraisal and Fair Treatment”**, A summary of a consultation process around “Policy Appraisal & Fair Treatment”, June 1997 (£2.00)
- No. 35 **Making a Bill of Rights Stick: Options for Implementation in Northern Ireland, A Discussion Paper**, September 1997 (£2.00)
- No. 36 **Policing the Police : A Report on the Policing of Events During the Summer of 1997 in Northern Ireland**, November 1997 (£2.00)
- No. 37 **Human Rights on Duty: Principles for better policing - International lessons for Northern Ireland**, December 1997 (£6.00)
- No. 38 **Civil Liberties in Northern Ireland: The CAJ Handbook (3rd edition)**, December 1997 (£7.00)
- No. 39 **Benchmarks for Change: A Proposal by Dr. Christopher McCrudden on Mainstreaming Fairness in the Governance of Northern Ireland** , February 1998 (£2.00)
- No. 40 **Plastic Bullets - a briefing paper**, June 1998 (£3.00)
- No. 41 **A Guide to Prisoners’ Rights and Prison Law in Northern Ireland**, September 1998 (£5.00)

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- No. 42 **The Agreement and a new beginning to policing in Northern Ireland** - proceedings of a conference held in February 1999, this report also includes Human Rights Benchmarks for policing change, June 1999 (£5.00)
- No. 43 **Fundamental Social Rights in Northern Ireland: Building upon the Agreement and the European Social Charter**, October 1999. Proceedings of a conference jointly hosted by CAJ and the Council of Europe, held in June 1999 (£5.00)
- No. 44 **The Patten Commission: The way forward for policing in Northern Ireland?** Proceedings of a conference on the findings of the Patten Commission held in October 1999 (£5.00)
- No. 45 **Dignity, Equality & Inalienable Rights:** Lecture in Belfast, November 2001 by Archbishop Desmond Tutu, July 2002 (£3.00)
- No. 46 **A Bill of Rights for Northern Ireland Through the years** – the views of the political parties, July 2003 (£3.50)
- No. 47 **Civil Liberties in Northern Ireland: The CAJ Handbook**, (4th edition) November 2003 (£9.50)
- No. 48 **Commentary on the Northern Ireland Policing Board**, November 2003 (no. 1 in series) (£5.00)
- No. 49 **Commentary on the District Policing Partnerships, including “Policing with the Community” conference proceedings**, May 2005 (no. 2 in series) (£5.00)
- No. 50 **Commentary on the Office of the Police Ombudsman for Northern Ireland**, June 2005 (no. 3 in series) (£5.00)
- No. 51 **Human Rights in Peace-Building in Northern Ireland: an international anthology**, January 2006 (£10.00)
- No. 52 **Change and Devolution of Criminal Justice and Policing in Northern Ireland: International lessons**, January 2006 (£7.00)
- No. 53 **Delivering Equality** (report from a seminar hosted by the Equality Coalition), June 2006 (£5.00)
- No. 54 **Equality in Northern Ireland: the rhetoric and the reality**, September 2006 (£15.00)

**Forthcoming report** War on Terror: lessons from Northern Ireland

## *Submissions*

- S1 **Submission to the UN Human Rights Committee “Human Rights in Northern Ireland”, 1991 (£1.00)**
- S2 **Submission to the United Nations Committee Against Torture, November 1991 (£1.50)**
- S3 **Submission to the Royal Commission on Criminal Justice, November 1991 (£1.00)**
- S4 **Submission to United Nations Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, August 1992 (£1.00)**
- S5 **Submission to United Nations Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, August 1993 (£1.00)**
- S6 **Submission to United Nations Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, August 1994 (£1.00)**
- S7 **Submission to Initiative ‘92, January 1993 (£1.00)**
- S8 **Allegations of Psychological Ill-treatment of Detainees held under Emergency Legislation in Northern Ireland, February 1993 (£2.00)**
- S9 **Combating Racism in NI - Submission to the Central Community Relations Unit, March 1993 (£3.00)**
- S10 **Submission to the United Nations Committee on the Elimination of Racial Discrimination, August 1993 (£2.00)**
- S11 **Combating Racist Harassment in Northern Ireland:**  
A joint submission by the Chinese Welfare Association, CAJ and the Northern Ireland Council for Travelling People to the Home Affairs Committee Inquiry into Racial Attacks and Harassment, June 1993 (£3.00)
- S12 **Response to the Draft Children (Northern Ireland) Order 1993, December 1993 (£1.00)**
- S13 **Submission to President Clinton “Civil Liberties in Northern Ireland”, 1993 (£1.00)**
- S14 **Submission to President Clinton “Civil Liberties in Northern Ireland”, 1994 (£1.00)**
- S15 **Response to the NIO Consultation Document “Policing in the Community”, May 1994 (£1.00)**

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- S16 **Response to the Draft Prison and Young Offender Centre Rules (Northern Ireland) 1994**, June 1994 (£2.00)
- S17 **Comments on the Proposal for Draft Local Government (Miscellaneous Provisions) (NI) Order** (Irish Language Street Signs), June 1994 (£1.00)
- S18 **Submission to the United Nations Committee on the Rights of the Child**, August 1994 (£3.00)
- S19 **Comments on the Criminal Cases Review Authority** August 1994 (£1.50)
- S20 **A Major Miscarriage of Justice: The Casement Trials**, September 1994 (free leaflet)
- S21 **Selected Examples of Foreign Experience in the investigation of complaints against police personnel**, March 1991 (£1.00)
- S22 **Submission to United Nations Commission on Human Rights**, 1993 (£1.00)
- S23 **Submission on the killings of Pearse Jordan, Gerard Maginn & Patrick Finucane, to the UN Special Rapporteur**, 1993 (£2.50)
- S24 **Submission to United Nations Commission on Human Rights**, 1994 (£1.00)
- S25 **Submission to Joint Oireachtas Foreign Affairs Committee**, 1994 (£1.00)
- S26 **Submission to the United Nations Committee on Economic, Social & Cultural Rights**, November 1994, £1.
- S27 **Response to “Learning for Life: the Education Service in NI”**, 1994 (£1.00)
- S28 **Killings by the Security Forces - an Information Pack for Families of Victims**, 1994 (free)
- S29 **Proposal for a Draft Police (Amendment) (N.I.) Order**, 1995 (£1.00)
- S30 **Submission to the United Nations Human Rights Committee**, June 1995 (£4.00)
- S31 **Submission to the Police Authority for Northern Ireland (PANI) Consultation on the future of policing in Northern Ireland**, August 1995 (£2.00)
- S32 **Submission to the United Nations Committee Against Torture**, October 1995 (£3.00)

- S33 **Submission to the International Body**, December 1995 (£1.50)
- S34 **Response to “On the Record”**: the Home Secretary’s Criminal Records proposals, September 1996 (£1.00)
- S35 **Submission to the United Nations Committee on the Elimination of Racial Discrimination**, March 1996, £1.
- S36 **Submission to the United Nations Commission on Human Rights**, March 1996 (£1.00)
- S37 **Submission to the United Nations Sub-Commission on the Prevention of Discrimination and the Protection of Minorities**, 1996 (£1.00)
- S38 **Response to the Draft Race Relations (NI) Order 1996**, August 1996 (£1.00)
- S39 **Fair Employment For All**: Commentary on research commissioned by the Standing Advisory Commission on Human Rights (SACHR) for the Employment Equality Review, October 1996 (£2.00)
- S40 **Presentation to the Organisation for Security and Co-operation in Europe (OSCE) Review Conference**, Vienna 1996 on the implementation of OSCE commitments on the human dimension, October 1996 (£1.50)
- S41 **Submission to the Independent Review of Parades and Marches**, October 1996 (£1.00)
- S42 **The Case for Repeal of the Emergency Law in Northern Ireland**, January 1996 (£1.50)
- S43 **Response to the discussion paper on Committal Proceedings in Northern Ireland**, 1996 (£1.00)
- S44 **Response to the Northern Ireland Office (NIO) Consultation Paper on Disclosure in Criminal Cases**, August 1995 (£1.00)
- S45 **Response to the Consultative Draft on the Equal Opportunities Commission for Northern Ireland (EOCNI) recommendations for change to the Sex Discrimination legislation**, October 1996 (£1.00)
- S46 **Submission to the United Nations Committee on the Elimination of Racial Discrimination**, March 1997 (£1.00)

- S47 **A response to the draft Northern Ireland (Emergency Provisions) Act, Code of Practice**, February 1997 (£1.00)
- S48 **Commentary on 1996 Primary Inspection Report by Her Majesty's Inspectorate of Constabulary with reference to the Royal Ulster Constabulary**, March 1997 (£1.00)
- S49 **Submission to the United Nations Commission on Human Rights**, March 1997 (£1.00)
- S50 **Response to the Draft Criminal Justice (Children) (Northern Ireland) Order 1997**, (£1.50)
- S51 **A joint submission by British Irish Rights Watch, CAJ and Irish Commission for Prisoners Overseas on the Situation of Irish Republican Prisoners in the United Kingdom**, March 1997 (£3.00)
- S52 **A Submission to the United Nations Committee on Economic, Social and Cultural Rights for consideration during the Committee's listing of issues relevant to the UK government report**, May 1997 (£2.00)
- S53 **A Submission to the Department of the Environment (NI) on the Draft Local Government (Northern Ireland) Order**, May 1997 (£1.00)
- S54 **Comments on the Draft Criminal Justice (Northern Ireland) Order 1996**, June 1996, (£1.50)
- S55 **A Submission to the Forum for Peace and Reconciliation**, 1995 (£1.50)
- S56 **A Submission to the Special Rapporteur on Summary or Arbitrary Executions**, August 1997 (£2.00)
- S57 **United States Congressional Hearings on Human Rights in Northern Ireland, Testimony from Martin O'Brien on behalf of CAJ**, June 1997 (£1.50)
- S58 **Submission to the UN Committee on Economic, Social and Cultural Rights**, September 1997, (£2.00)
- S59 **Comments on the Northern Ireland (Emergency Provisions) Bill**, November 1997 (£1.00)
- S60 **Comments on the Human Rights Bill and Northern Ireland**, November 1997 (£1.00)
- S61 **Comments on the Public Processions etc. (Northern Ireland) Bill**, November 1997 (£1.00)

- S62 **Comments on the Intrusive Surveillance Code of Practice**, October 1997 (£0.50)
- S63 **A Review of the Operation of the 1995 Transfer of Sentenced Persons Act** by the Transfer of Prisoners group (CAJ, ICPO, NAPO, NIACRO), November 1997 (£2.00)
- S64 **Submission to the United Nations Human Rights Commission**, March 1998 (£1.00)
- S65 **Response to New Criminal Justice Measures for Northern Ireland**, January 1998 (£1.50)
- S66 **Response to the Guidelines, Code of Practice and Procedural Rules issued by the Parades Commission**, February 1998 (£1.50)
- S67 **Submission to the Police (Northern Ireland) Bill**, February 1998 (£2.50)
- S68 **Equality: A Proposal InThe Light of Multi-Party Talks Agreement** by Christopher McCrudden, May 1998 (£2.00)
- S69 **Commentary on the human rights aspects of the Multi-Party Agreement**, April 1998 (£1.00)

**Policing the Police: The Video: 1997 plus bulletin summarising the Video.** The Committee on the Administration of Justice in cooperation with the Witness Programme of the Lawyers Committee for Human Rights has produced a video on the human rights dimension of the so-called 'marching seasons' of 1995, 1996 and 1997 (Price £10.00)

- S70 **Response to "Partnership for Equality"**, June 1998 (£3.50)
- S71 **Submission to the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities**, July 1998 (£1.50)
- S72 **Submission to the Commission on Policing**, August 1998 (£2.00)
- S73 **Response to the Draft Juvenile Justice Centre Rules**, August 1998 (£1.50)
- S74 **Submission to the United Nations Committee Against Torture**, September 1998 (£2.50)

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- S76 **Submission to the Victims Liaison Unit**, September 1998, (£2.00)
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- S78 **Submission to the Criminal Justice Review**, November 1998 (£4.00)
- S79 **Policing Bibliography** - Research material gathered in connection with CAJ report, Human Rights on Duty: Principles for better policing - International lessons for Northern Ireland. (See Publication No. 37). December 1997 (£5.00)
- S80 **Public Order Policing 1998** A report on the policing of events during the summer of 1998 compiled from observer reports and eyewitness statements. 1998 (£2.00)
- S81 **Commentary on the Draft Code of Practice on Audio Recording under s.53A of the 1996 Emergency Provisions Act**, January 1999 (£1.00)
- S82 **Response to the Consultation Paper on legislation Against Terrorism**, March 1999 (£2.50)
- S83 **Submission to the Northern Ireland Affairs Committee in relation to Fair Employment**, April 1999 (£1.50)
- S84 **Written Statement from CAJ to United Nations Commission on Human Rights**, including commentary on the Special Rapporteur on the Independence of Judges and Lawyers and the UN Committee Against Torture, April 1999 (£1.00)
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"New and Acceptable Policing for Northern Ireland", April 1999 (£1.50)
- S86 **Testimony from Maggie Beirne, CAJ to the US Committee on International Relations Hearings on "New and Acceptable Policing for Northern Ireland"**, April 1999 (£1.50)

- S87 **Submission to the Public Consultation on the Freedom of Information Bill**, July 1999 (£2.00)
- S88 **Additional submission to the Criminal Justice Review** (this submission relates solely to the Patrick Finucane case), October 1999 (£2.00)
- S89 **Testimony from Maggie Beirne on behalf of CAJ to the US Congressional Hearings on Human Rights in Northern Ireland**, September 1999 (£2.00)
- S90 **Submission to the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities**, August 1999 (£1.00)
- S91 **Commentary on the Patten report, "A new beginning: policing in Northern Ireland"**, CAJ's response to the report of the Commission into Policing, Nov1999 (£3.00)
- S92 **Submission to the Review of Criminal Injuries Compensation (NI)**, December 1998 (£1.00)
- S93 **Response to the Strategic Plan of the Northern Ireland Human Rights Commission**, November 1999 (£2.00)
- S94 **Response to the Equality Commission for Northern Ireland - Consultation on the Draft Guidelines for Public Authority Schemes**, November 1999 (£1.00)
- S95 **Submission to the Progress Review of the work of the Parades Commission**, November 1999 (£2.00)
- S96 **Submission to the Diplock Review**, January 2000 (£2.00)
- S97 **Additional Submission to the Criminal Justice Review, on the judicial review proceedings concerning Seamus Treacy and Barry Macdonald**, February 2000 (£1.00)
- S98 **Commentary on Vision into Practice - New TSN Action Plans**, February 2000 (£2.50)
- S99 **Testimony from Paul Mageean of behalf of CAJ to the Commission on Security and Cooperation in Europe** (Congressional Hearing, Washington), March 2000 (£2.00)
- S100 **Submission to the United Nations Commission on Human Rights**, April 200 (£1.00)
- S101 **Response to the Report of the Criminal Justice Review**, August 2000 (£3.00)
- S102 **Testimony from Martin O'Brien on behalf of CAJ to the Commission on Security and Co-operation in Europe** (Congressional Hearing, Washington), Sept 2000 (£2.00)

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- S103 **Submission to the Review Body on Post Primary Education**, December 2000 (£1.50)
- S104 **Response to the Draft Financial Investigations (NI) Order 2001**, February 2001 (£1.00)
- S105 **Response to the Family Law Bill**, February 2001 (£1.50)
- S106 **Preliminary Submission to the Northern Ireland Human Rights Commission on A Bill of Rights for Northern Ireland**, March 2001 (£3.00)
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- S110 **Testimony from Martin O'Brien (CAJ) to the Subcommittee on International Operations and Human Rights (US Congressional Hearing)** March 2001, £2.
- S111 **Some CAJ Reflections - Policing and Public Order in Northern Ireland 1996-2000**, May 2001 (£3.00)
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- S119 **“Socio-Economic Rights in a domestic charter of rights – a Canadian perspective”** by Bruce Porter, Executive Director, Centre for Equality Rights in Accommodation and Co-ordinator, Canadian Charter Committee on Poverty issues (speech given in May 2001 as part of a lecture series by the CAJ on a Bill of Rights for Northern Ireland), September 2001 (£2.00)
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- S122 **Commentary on the Implementation Plan for the Criminal Justice Review and the Justice (Northern Ireland) Bill**, January 2002 (£2.00)
- S123 **Response to the Ministers of the Council of Europe re Jordan, Kelly, Shanaghan & McKerr**, January 2002, (£1.50)
- S124 **Commentary on the draft Coroners (Practice and Procedure) (Amendment) Rules (Northern Ireland) 2002**, January 2002 (£1.50)
- S125 **Submission to the Northern Ireland Human Rights Commission on “Making a Bill of Rights for Northern Ireland”** (consultation document – September 2001), January 2002 (£3.00)
- S126 **Response to the Healing Through Remembering Project**, April 2002 (£1.00)
- S127 **Submission to the Review of the Parades Commission**, May 2002 (£1.00)

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- S128 **Commentary to the Examination of the United Kingdom by the UN Committee on Economic, Social and Cultural Rights**, May 2002 (£1.00)
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- S131 **Commentary on NIO Code of Practice on Reports and Inquiries under Sections 59 and 60**, June 2002 (£1.50)
- S132 **Submission to “Education For The Twenty-First Century”: Report By The Post-Primary Review Body**, June 2002 (£1.50)
- S133 **Submission to the Review of Rating Policy Consultation paper** (issued in May 2002), July 2002 (£1.50)
- S134 **Submission to the Government’s Response to the Northern Ireland Human Rights Commission’s Review of Powers Recommendations**, July 2002 (£3.00)
- S135 **Response to consultation document entitled Review of Opportunities for Public Private Partnerships in Northern Ireland**, July 2002 (£2.00)
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- S137 **Comments and Suggested Amendments to the Police (Northern Ireland) Bill**, December 2002 (£1.00)
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- S139 **Background note on the Justice (Northern Ireland) Act 2002**, February 2003 (£2.00)
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- S144 **Commentary on the paper issued by the NIO on the Reform of the Law on Rehabilitation of Offenders**, September 2003 (£1.00)
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- S149 **Response to the Report of a Fundamental Review of the Inquest System** (Luce Review), October 2003 (£1.50)
- S150 **Testimony to the Commission on Security and Co-operation in Europe**, (US Congressional Hearings, Washington) March 2004 (£2.00)
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- S152 **Response to the Department for Employment and Learning on Further Education Means Business**, July 2004 (£1.00)
- S153 **Response to the Public Prosecution Service for Northern Ireland - Community Outreach Strategy**, September 2004 (£1.00)
- S154 **Submission to the United Nations Committee Against Torture**, October 2004 (£3.00)
- S155 **Response to the consultation paper on an Investment Strategy for Northern Ireland** (ISNI) March, 2005, (£3.00)
- S156 **Response to the Northern Ireland Affairs Committee Inquiry into the Police Ombudsman for Northern Ireland**, July 2004 (£1.50)

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- S160 **Testimony by Maggie Beirne on behalf of CAJ to the House Committee on International Relations Subcommittee on International Operations and Human Rights**, (US Congressional Hearings) March 2005 (£2.00)
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- S166 **In Larger Freedom – UN reform process**, June 2005 (£1.00)
- S167 **Submission on The Future Services for Victims and Survivors and the establishment of a Commissioner for Victims and Survivors**, June 2005 (£1.00)
- S168 **Commentary on Police Service Policy Directive: Police Response to Hate Incidents**, July 2005 (£2.00)
- S169 **Submission to the Review of Public Administration**, September 2005 (£2.00)
- S170 **Response to the review of section 75 of the Northern Ireland Act**, September 2005 (£1.50)
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- S172 **Briefing on Religious/Political Differentials in Northern Ireland**, March 2006 (£2.00)

- S173 **United States Congressional Hearings: Testimony by Maggie Beirne on behalf of CAJ** to the House Committee on International Relations Sub Committee on Africa, Global Human Rights & International Operations, March 2006 (£1.50)
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- S175 **Commentary on the Police & Criminal Evidence (Amendment) (NI) Order 2006 and Codes of Practice**, June 2006 (1.00)
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- S177 **Response to the consultation on Draft Primary Legislation Proposal for an Order in Council: The Charities (NI) Order 2006**, October 2006 (£2.00)
- S178 **Briefing to the Justice & Security (Northern Ireland) Bill – Committee Stage**, January 2007 (£1.00)
- S179 **Submission to the Committee of Ministers in relation to supervision of Cases concerning the action of the security forces in Northern Ireland**, February 2007 (£2.00)
- S180 **Submission to the Department for Social Development, Belfast City Centre Regeneration Directorate re GVA Grimley Baseline Regeneration Issues Report**, February 2007 (£2.50)
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- S183 **Briefing note to the Northern Ireland Affairs Committee** regarding its *Inquiry into prisons*, May 2007 (£1.00)
- S184 **Submission on second consultation on Irish Language legislation for Northern Ireland**, June 2007 (£1.00)
- S185 **Commentary on Review of PSNI Code of Ethics**, April 2007 (£1.00)
- S186 **Commentary on Equality Impact Assessment of PSNI Recruitment**, April 2007 (£1.00)

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- S189 **How to avoid emergency legislation becoming permanent? Northern Ireland as a Case study** by Maggie Beirne, CAJ's Director at the 4<sup>th</sup> Roundtable of European National Institutions for the promotion and protection of human rights and ECHR, Athens 2006 (£1.00)
- S190 Response to the consultation on **"A Forum on a Bill of Rights for Northern Ireland"**, November 2006 (£1.50)
- S191 **Preliminary submission to the Council of Europe's Framework Convention for the Protection of National Minorities**, March 2007 (£2.00)
- S192 **Submission to Committee of Ministers in relation to supervision of Cases concerning the action of the security forces in Northern Ireland** (*Shanaghan v UK, Jordan v UK, Kelly & Ors. V UK, McKerr v UK, McShane v UK, Finucane v UK*), May 2007 (£1.50)
- S193 **Commentary on the "Proposals for an Ulster Scots Academy"**, July 2007 (£1.00)
- S194 Briefing note to **Making the Comprehensive Spending Review Effective**, July 2007 (£1.50)
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- S198 Submission to the **Council of Europe review of the effectiveness of the execution of judgments of the European Court of Human Rights**, August 2007 (£1.00)

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Committee on the Administration of Justice (CAJ) Ltd  
45/47 Donegall Street  
Belfast BT1 2BR

Printed by Shanway Press, Belfast