



**PROMOTING JUSTICE/PROTECTING RIGHTS**  
ANNUAL REPORT 2009

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PROMOTING JUSTICE

PROTECTING RIGHTS

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# PAT CONWAY

## CHAIRPERSON'S REPORT



Pat Conway  
Chairperson

The first year for any new Chair can be daunting. However, my experience has been very positive, particularly given the support of other members of CAJ's Executive Committee and its staff. What has also helped has been the fact that CAJ went through a period of significant expansion during the year to the point where its staff complement has doubled. The credit for this is due to those members of staff who began the groundwork in the last number of years and we are now reaping the benefits.

Broadly speaking, the external environment continues to be a mix of hostility, ambivalence and support – not necessarily in equal measure! One only has to look at the slow progress of the Bill of Rights to understand the opposition, in some quarters, to the

promotion of the human rights agenda. Human rights are core to CAJ's existence.

It is therefore heartening to have acquired more and new resources in the form of posts that promote human rights issues around policing and criminal justice. Assuming that criminal justice and policing matters are devolved soon and that a local Ministry of Justice is established within the framework of the Assembly, the importance of the continued promotion of CAJ's work cannot be understated.

To this end, the establishment of the post of Communications Officer will assist in building on existing and developing future relationships. The increase in work has also required more administrative support.

We are currently searching for new premises and I would be fairly confident, global recession permitting, that this time next year we will be located in new premises that will more adequately service the needs of our users, staff and other stakeholders.

The establishment of the Public Interest Litigation Support Project (PILS) had its genesis in CAJ. An independent body, PILS seeks to... "advance human rights and equality through public interest litigation." By using litigation or legal action strategically, it "seeks to advance the cause of minority or disadvantaged groups or individuals, or which raises issues of broad public concern."

Other issues that have concerned CAJ in the last year have included conflict related matters such as the Inquiries Act and inquiries that have yet to reach a determination. CAJ has observers at the Billy Wright, Rosemary Nelson and Robert Hamill inquiries. We have also been engaged in the Pat Finucane case, the Consultative Group on the Past (Eames/Bradley) and review of non jury trials to name but some.

The Bill of Rights journey continues and CAJ has also commented on matters such as the rights of persons with disabilities, children and young people's rights, social and economic rights, rights as they affect the black and minority ethnic community and human rights protection for people from the LGBT communities.

CAJ has provided a platform around the promotion of the right to expression in community arts and economical and social regeneration.

Although still in a period of transition and hopefully moving out of conflict, it is deeply concerning to CAJ that some of the practices more associated with the past are still evident in some of the institutions here.

It is fairly clear that the existing culture, management and practice within the penal system require wholesale change. This change should be underpinned by human rights embedded principles, not only adopted by those within the prison system, but promoted by those within and beyond the criminal justice system, particularly in the context of devolution.

Devolution presents us with an opportunity to get things right and it is clear that CAJ has a significant role to play in this through the continued implementation of our Strategic Plan.

Of course none of the work would be possible without the generosity of our funders:

**Atlantic Philanthropies**  
**Barrow Cadbury Trust**  
**Joseph Rowntree Charitable Trust**  
**Oak Foundation**

With the support of our funders, the commitment of our staff, and the guidance of my colleagues on the Executive, I am confident that the impact of CAJ's work will continue to be felt in the next year and look forward to the challenges ahead.



# DEFENDING HUMAN RIGHTS DEFENDERS

## DEFENDING HUMAN RIGHTS



Mike Ritchie, Director  
Aideen Gilmore, Deputy Director

2009 has been a noteworthy year in relation to human rights in Northern Ireland, marking as it did the 20<sup>th</sup> anniversary of the murder of Patrick Finucane and the 10<sup>th</sup> anniversary of the murder of Rosemary Nelson.

**In a particularly insensitively timed letter to the Finucane family that arrived on the anniversary of Pat's death, the government revealed their intention to decide "whether it remains in the public interest to proceed with an inquiry."**

Despite the disappointing recommendation of the Consultative Group on the Past in relation to the Finucane case, CAJ - with other human rights organisations - stands firmly beside the Finucane family in their call for a fully independent and impartial public inquiry into the death of Pat.

The ongoing public inquiry into Rosemary Nelson's death finished its oral hearings in June of this year, and we await the report of the Inquiry some time next year. CAJ was distressed and angered to hear the baseless accusations regarding Rosemary as an individual and concerning her personal life. Character assassination was not within the remit of the Inquiry's mandate. As the Inquiry deliberates its final report, CAJ expressed the hope that they would - as they indicated - be bold in their conclusions to ensure that lessons are learned and that truth and justice can be delivered not only for the family and the wider public, but to honour Rosemary's memory.

# DEALING WITH THE PAST LOOKING TO THE FUTURE

**These cases bring into sharp relief the need to deal with Northern Ireland's troubled past, an attempt at which has been proposed by the report of the Consultative Group on the Past this year. Debate of the merits or otherwise of the proposals was initially sidetracked by the political and media focus on the twelve thousand pounds recognition payment.**

The silence that ensued was broken with a seminar organised by CAJ, British Irish RIGHTS WATCH, the Human Rights Centre at Queen's University and the Transitional Justice Institute at University of Ulster in May of this year. The nature and depth of the discussions revealed a genuine desire to examine and discuss further what had been proposed.

Shortly after the seminar, the government then released the proposals of the Consultative Group for consultation. CAJ's members, like the rest of the community in NI, have very different views on the Eames/Bradley proposals.

Some believe that, without public scrutiny, legal representation for all sides, the full cross-examination of witnesses and the power to compel both witness statements and documents, no honest process of truth recovery can possibly succeed.

Those with this view do not believe the current proposals have any real chance of providing either bereaved families or society as a whole with the truth.

They believe that the state and its agents, in particular, will do all they can to prevent the truth being told and will frustrate the legitimate rights of families to hear the truth. Others, however, believe that these proposals are a start that can be built upon and the submission made by CAJ explores how this might be done. In particular, the submission questions whether the correct balance has been struck between the rights of persons providing information and the rights of victims and their families to truth and justice, especially in relation to the proposed Review and Investigation, Information Recovery and Thematic Investigation Units.

# DEALING WITH THE PAST CONTINUED

**More generally, CAJ expresses the view that key to making this process work will be the willingness of the UK government to honour its international human rights obligations, establish a genuinely independent Commission with the requisite powers and resources to carry out its work effectively, and co-operate fully with that Commission in accounting fully and publicly for its own activities in the past.**

The ultimate purpose of dealing with the past must be to secure a better future for Northern Ireland, and one of the ways in which this can best be done is by putting in place a strong and inclusive Bill of Rights for Northern Ireland.

The Human Rights Commission gave its advice to the Northern Ireland Office in December 2008, and we have all been impatiently waiting for a consultation on the government's response to this advice - which has still not materialised some ten months later. The debate has been sidetracked by the dissent of two Commissioners to the Commission's advice and the so-called lack of cross-party support for the proposals. The reality is that there are significant levels of cross-community support for a Bill of Rights of the nature suggested by the Commission.

Furthermore, human rights are not at the whim of politicians, they are fundamental rights that inhere in human beings, and are the subject of international treaty obligations on the part of government. CAJ echoes the recommendation of the UN Committee on Economic, Social and Cultural Rights in May of this year when it called for the enactment of a Bill of Rights for Northern Ireland "without delay."

# WILL THEY WON'T THEY?

**There has been much debate and speculation over the potential devolution of criminal justice and policing powers over the last year. CAJ's work on criminal justice and policing reveals that much remains to be done to ensure that the spirit of the Belfast/Good Friday Agreement in terms of creating a culture of transparency, equality, accountability and working with the community in the policing and criminal justice systems is actually realised.**

We believe that in the context of devolution, the opportunity will be presented to look afresh at how we administer justice here and rethink the approach currently taken. It is clear that massive amounts of money are being spent on a system that is not particularly effective, particularly in relation to crime prevention and rehabilitation. There are important and searching questions to be asked, such as what is the purpose of our criminal justice system? Is increasing criminalisation, particularly of young people and in response to media or populist agenda setting, really a responsible, effective or efficient solution? In administering justice, what is the role of the civil service - will or should the new department become the "NIO Mark II," and if not, what needs to be done to avoid this happening by default?

How could cultural change within the civil service dealing with these issues be delivered?

Should devolution not materialise in the immediate future, there are clearly urgent issues to be dealt with - the need for reform of the prison service to move from a security focussed approach to one of rehabilitation and human rights compliance being the first. Devolution of criminal justice and policing has often been incorrectly called the last piece of the 'Agreement jigsaw.' CAJ disagrees and would point out that there is still much in the spirit and letter of the Agreement that remains to be fulfilled, not least the delivery of a Bill of Rights for Northern Ireland worth the name.

# ORGANISATION AND STAFF

**There have been a lot of personnel changes in the office with the funding we secured last year allowing us to recruit more staff. To our new positions, we welcome Mick Beyers as Policing Programme Officer, Jacqueline Monahan as Criminal Justice Programme Officer, Louise McNicholl as Communications Officer and Fiona Cash as Finance and Admin Officer.**

They have all brought considerable experience and expertise to the work and we are delighted to have them with us. With the departure of Abed Natur as our Legal Advisor last year, Jeanette Murtagh kindly and ably helped us fill the gap with our legal casework until we were able to recruit a new Legal Officer, Gemma McKeown.

We are very sad indeed to be losing Tim Cunningham as our longstanding (and long-suffering!) Equality Programme Officer. Tim was the first incumbent of this role in 2000, and he helped shape and frame not only how CAJ but also how the wider community and voluntary sector interpreted and applied the section 75 statutory equality duty. His departure to pastures new will be deeply felt in CAJ and beyond. We are consoled somewhat that he is not going too far, and hope that in his research for a PhD on equality in Northern Ireland, he will

continue to be integrally involved in equality debates here. We wish him all the very best in this endeavour.

We would like to extend our thanks to Jonas Lammers who finished his time with us as Eirene volunteer, and welcome his replacement Jakob van Kampen. Liz McAleer remains a stalwart in the office and we continue to benefit from the experience of Fiona Murphy as our Human Rights Programme Officer. We are extremely lucky to have such a capable and competent staff team, and the sections of the report that follow give a flavour of some of the specific work they have been engaged in.

CAJ's experience and expertise continues to be called on internationally, and the last year has seen CAJ contribute to a major convening of human rights organisations in the United States to strategise and plan

for the human rights agenda under an Obama administration. CAJ spoke on two panels concerning human rights and anti-terrorism, and the role of national human rights institutions. CAJ was also invited to be part of a mission for the International Federation of Human Rights (FIDH) inquiring into human rights violations in Egypt.

The lessons from our report on the learning from Northern Ireland for the “War on Terror” were ever useful in confirming the need to respect the rule of law and protect human rights in counter-terrorism efforts. More locally, our expertise has been tapped by Barrow Cadbury to help facilitate, advise and support a network of organisations and projects working in marginalised and disadvantaged communities.

The more work we do, the more there seems to be, and as ever we would be lost without the help of volunteers. Over the course of the last year, we have been very grateful for the assistance of Lorna Donnelly, Sarah Lorimer, Sarah Maguire, Paula Lynch, Ross Beaton, Katie Johnston, Christine Stoll, Sam White and Laura McCloskey. Rose Perry continues to brighten up the

office every month and spoils us with toffees and almond rounds, and we would like to thank Mark Bassett for contributing the diary to Just News every month.

Significant time and energy has been spent over the last year trying to secure new premises for CAJ to accommodate our expanded staff team and provide a more accessible and fit for purpose office space.

After several false starts, we hope that we have found somewhere, and now must begin the formidable task of preparing for relocation!

With all these developments, we are happy that CAJ is in a strong position to meet the challenges that remain in working to secure respect for and protection of the human rights of everyone in Northern Ireland.

**Mike Ritchie, Director**  
**Aideen Gilmore, Deputy Director**

**Liz McAleer**  
Office Manager



**Fiona Cash**  
Finance and  
Admin Officer



**Jakob van  
Kampen**  
EIRENE Placement  
Volunteer



**Jeanette Murtagh**  
Temporary  
Case Worker



# **VOLUNTEERS**

CAJ RELIES GREATLY ON THE DEDICATED  
PEOPLE WHO VOLUNTEER WITH US  
THROUGHOUT THE YEAR. THANK YOU!



Sam White



Laura McCloskey



Sarah Lorimer



Christine Stoll



Paula Lynch



Sarah Maguire



Mrs Rose Perry



Mark Bassett



Ross Beaton and Katie Johnston

# EQUALITY

## TIM CUNNINGHAM

### EQUALITY PROGRAMME OFFICER



Tim Cunningham  
Equality Programme Officer

The lack of movement on a number of key developments within the remit of the Northern Ireland Executive means that the local administration has yet to show that it can deliver in terms of addressing inequality and social exclusion.

In our Annual Report last year, CAJ reported that the Equality Impact Assessment (EQIA) on the Girdwood proposals had begun and we looked forward to engaging in the consultation process. CAJ subsequently submitted a response prior to the end of the consultation period at the end of January 2009.

No decision has been made by the Department of Social Development / the Office of the First Minister and Deputy First Minister, however, on the subsequent way forward and we are still awaiting the completion of the EQIA in the form of the publication of the final decision for the project showing the extent to which concerns raised by CAJ and other consultees have been addressed.

There are, however, a number of other developments in which cross-community and cross-party support is necessary to move forward and which have also seen disappointing progress. This would include, for example, the Programme for Government and Budget which, following a consultation last year, has left little opportunity for engagement from those outside the system. CAJ, along with a number of other organisations in the

Equality Coalition, would be concerned at the impact of the efficiency savings (aka spending cuts) that are filtering through in the form of reductions on government spending.

That is not to say that the situation is entirely a negative one – there have been some examples of Equality Impact Assessments being used in very positive ways. Two recent such examples were EQIAs issued by the Police Service of Northern Ireland into their victims and education policies respectively. Whatever other problems that may exist in terms of how the PSNI comply with their obligations under equality and human rights legislation, the PSNI have, on both these occasions, produced documents which set out how legislation like Section 75 can work well.

Other big developments in the year included the publication in Britain of the long-awaited Equality Bill. This Bill, which does not apply to Northern Ireland (thankfully!), contains a number of clauses that have caused controversy.

Perhaps the most questionable provision in the Bill is a clause which requires that public

authorities must, when making decisions of a strategic nature about how to exercise their functions, have due regard to the inequalities of outcome which result from socio-economic disadvantage.

The fact that the public authorities themselves have the discretion to decide what outcomes they are in a position to influence, only “strategic decisions” are affected, and there are no enforcement mechanisms for the clause (i.e. no impact assessments or paragraph 10 complaints process à la Section 75), means that those expecting this new socio-economic clause to help ease the pain imposed by the recession are likely to be disappointed.

Unfortunately, this past year also saw the adoption by OFMDFM of the “Lifetime Opportunities” Anti-Poverty Strategy which had been published originally by the Northern Ireland Office under Peter Hain.

CAJ has already critiqued these proposals, which require for example, that 75% of Foreign Direct Investment should be targeted in TSN areas. As outlined at the time, this target sounds ambitious, until one recalls that Invest NI are currently hitting

74% of FDI in TSN areas - and it is having little, if any, impact on addressing poverty.

Based on our own limited analysis of the policy paper, expectations for the Executive delivering on anti-poverty targets under their current policy proposals should not be set too high.

Undoubtedly, the new political arrangements were going to take some time to bed in and it was always going to be unrealistic to expect growing inequality to be addressed overnight. At the same time, however, if the policies being delivered by the local administration turn out to be repackaged versions of those issued under direct rule, serious questions are likely to be asked about the ability of local politicians to deliver for those in most need.

# PROTECTION OF RIGHTS

FIONA MURPHY

HUMAN RIGHTS PROGRAMME OFFICER



Fiona Murphy  
Human Rights Programme Officer

To celebrate the 60<sup>th</sup> Anniversary of the Universal Declaration of Human Rights, a booklet was developed and is freely available to help raise awareness of this important document.

On the same day as the official celebration - Human Rights Day, 10<sup>th</sup> December 2008 - the final advice on a Bill of Rights for Northern Ireland was delivered to the Secretary of State from the Northern Ireland Human Rights Commission. Indeed, a day to celebrate!

The advice on a Bill of Rights now sits with the Northern Ireland Office (NIO), which is responsible for carrying out a public consultation on the advice. To date, this has been postponed once (from spring '09) and is now due to run 'late autumn.' CAJ broadly welcomed the Commission's advice and would urge the NIO to organise a thorough and meaningful consultation as soon as possible.

CAJ has continued to work closely on the Bill of Rights, monitoring work by the Joint Committee on Human Rights, submitting

evidence to the Northern Ireland Affairs Committee, meeting with political parties and delivering regular training and briefing sessions.

Part of this work involved evaluating our Bill of Rights Information Pack, meaning a new programme of work and leaflet advertising our training is now available. Over this year, we have delivered training to and for Craigavon Travellers Support Group, Knocknagoney Community Centre Older Person's Group, Ulster Peoples College, Forthspring and An Munia Tober.

From January through to May 2009, CAJ worked extensively to raise awareness around the International Covenant of Economic, Social and Cultural Rights (ICESCR) as the UK government was due to be examined under this treaty in May 2009. This included meetings with the Ministry of Justice and the OFMDFM Equality and Human Rights Unit, a briefing session for the community and voluntary sector on the workings of ICESCR and the submission process, an email network for updates and a lobbying visit to Geneva.

The Concluding Observations from this Committee contained many areas of interest to CAJ and to Northern Ireland generally, including a strong recommendation to implement a Bill of Rights here and to protect economic and social rights in legislation. We continue to monitor the implementation of these recommendations.

Barrow Cadbury asked CAJ late last year to facilitate an exciting project in England called 'Habits of Solidarity.' This work brings CAJ's expertise in establishing and supporting networks in the context of marginalised and disadvantaged communities to the fore and involves supporting and advising the projects involved, ensuring regular and clear communications and chairing and facilitating meetings.

CAJ was asked to sit on the Community Arts Forum Board and as such is developing our work around cultural rights.

As a result, CAJ took part in the Cathedral Quarter's first ever 'Culture Night,' where people were asked to demonstrate their support for cultural rights via petitions and an interactive photo gallery.

We also recently joined a citizenship working group run by CFNI called 'Prison to Peace' and continue our involvement with the NIHRC's Human Rights Education and Training Network, the PPR project and the Human Rights Consortium.

# CASEWORK

## GEMMA MCKEOWN

### LEGAL OFFICER



Gema McKeown  
Legal Officer

One of the key roles of the Legal Officer at CAJ is to support cases previously taken to the European Court of Human Rights, cases that are the subject of the Cory Inquiry process or other selected historic cases, to ensure compliance with international human rights obligations.

CAJ provides advice and assistance in cases regarding the obligations of the state under Article 2 ECHR (the right to life). We also continue to engage with families, representatives and statutory bodies to ensure that the state discharges its duty to investigate these violations of the right to life in compliance with its domestic and international obligations.

We note with interest the recent decision of the Senior Coroner ordering the PSNI to hand over the Sampson and Stalker Reports into the deaths of six men shot by police. These reports are to be provided to the Coroner by the 9<sup>th</sup> November 2009, to enable the inquests to proceed after an unacceptable delay of over two decades.

Public hearings in the Rosemary Nelson Inquiry ended on 24<sup>th</sup> June 2009. Work has commenced on the preparation of the

report by the Inquiry, and although no date has been provided for the delivery of this, it is hoped that it will be submitted to the Secretary of State by summer 2010.

The Billy Wright Inquiry ended on 2<sup>nd</sup> July 2009, with the Inquiry Chairman, Lord MacLean, indicating that they hope to submit their report to the Secretary of State for Northern Ireland in the early part of 2010. It is significant to note that Lord MacLean confirmed that a draft copy of their report will not be provided to the NIO despite a request for this.

CAJ continues to observe the Robert Hamill Inquiry, which is soon coming to a close. Responses to the Inquiry's closing submissions are to be filed by 30<sup>th</sup> October 2009, with a composite document incorporating all responses being shared with all parties entitled to deliver oral submissions. Inquiry Counsel will commence closing submissions on 10<sup>th</sup> November 2009, legal teams will deliver their oral evidence and the Inquiry Counsel will then have an opportunity to reply.

Together with British Irish RIGHTS WATCH, CAJ was granted leave by the High Court to make a third party intervention in the judicial review proceedings taken by Duffy & Others which were heard on the 14<sup>th</sup> and 15<sup>th</sup> September 2009.

This was a challenge to the extended detention provisions under Schedule 8 of the Terrorism Act 2000, in which a declaration of incompatibility was sought. It was argued that these domestic provisions breach Article 5 ECHR (the right to liberty and security of person).

In our joint intervention, we submitted that under Article 5(3) ECHR, a person has a right to be brought promptly before a court for the purposes of lawful detention as set out in Article 5(1) (c). It was also submitted that a detained person has the right to be informed promptly of the charge against him/her as enshrined in Article 5 (2). We submitted that Article 5 does not permit the repeated presentation of an individual before a court to extend his or her detention without charge, given the right to trial within a reasonable time or to be released pending trial under Article 5(3). Reference was made to both jurisprudence

emanating from the European Court of Human Rights and international standards supporting our submission.

We submitted that these provisions are incompatible with both Article 5 and Article 6 (the right to a fair trial) given that there is no provision to consider the lawfulness of the arrest and detention of the suspect, the lack of provision for bail and as these hearings could take place in the absence of the suspect.

The reserved judgment from Morgan LCJ, Coghlin LJ and Higgins LJ is eagerly anticipated given the wide ramifications of this case.

# CRIMINAL JUSTICE

## JACQUELINE MONAHAN

### CRIMINAL JUSTICE PROGRAMME OFFICER



Jacqueline Monahan  
Criminal Justice Programme Officer

In many respects, criminal justice issues have not changed dramatically since the publication of last year's Annual Report and there continues to be a focus on the anticipated devolution of justice, dealing with issues of the 'past' and overseeing aspects of the criminal justice system, including responding to government consultations.

The Criminal Justice Inspection (CJI) Stakeholder Conference took place at the end of January and given that this was when the new Criminal Justice Programme Officer began working, this offered a great introduction to the criminal justice spectrum and the issues of concern within this sphere.

Since then, a good deal of time has been spent meeting with various actors within the criminal justice system and forging relationships with members of political parties and colleagues from other NGOs.

It appears that devolution is likely to happen within the near future, despite several setbacks. Following on from the extensive research carried out previously, which resulted in the report 'Change and Devolution of Criminal Justice and Policing in Northern Ireland: International lessons,' CAJ has begun to look more closely at the opportunities that devolution may offer and identify the possibilities where rollback on the recent human rights advances may occur.

Among other areas, the prison system has been identified as being offered a fantastic opportunity for reform thanks to devolution.

Over the past year, various organisations have come out with reports that have identified major problems with the prison system and CAJ is presently undertaking research examining these concerns from a human rights lens.

Again, devolution offers the opportunity to examine the system, identify what works well and what needs to be changed. Focus has shifted towards the civil service, particularly looking at ways to ensure that the soon-to-be Department of Justice is not merely the NIO justice division with new letterhead. CAJ has begun preparing for an autumn conference to widen the debate around these issues.

'Dealing with the past' remains a significant topic and initiatives to address outstanding issues have gained momentum. This year, specific attention has been paid to the recommendations of the Consultative Group on the Past (CGP), which was made public at the end of January. That said, after initial reactions, very little was said or done in response to the CGP report. In May CAJ, along with British Irish RIGHTS WATCH, the Transitional Justice Institute of the University of Ulster and Queen's University Belfast,

organised a seminar as follow-up to the report.

Subsequently, the NIO issued a public consultation and to further the debate, CAJ organised a small roundtable in September to discuss, in detail, the proposals made by the CGP relating to the investigation of human rights violations and the powers needed by the proposed Legacy Commission.

In its ongoing review of the criminal justice system, CAJ made the following submissions:

- Special Measures: a Review and Evaluation (NIO) (concerning the special provisions offered to vulnerable witnesses within the court system)
- Review of the Justice and Security Act 2007 (NIO and Independent Parliamentary Reviewer)
- Government Proposals to a Review of Police and Criminal Evidence (Northern Ireland) 1989 (NIO)
- Draft Strategy on the Management of Women Offenders (NIO)
- Keeping the Right People on the DNA Database (Home Office)

- Protecting Crowded Places (Home Office)
- Legislative Scrutiny: Coroners and Justice Bill (Joint Committee on Human Rights)

It is anticipated that the topics of devolution, the prison system and 'dealing with the past' will remain timely and continue to warrant considerable examination and attention in the foreseeable future. It is also envisioned that the Public Prosecution Service will come under closer scrutiny and CAJ hopes to facilitate public debate and foster subsequent reform. Moreover, it is hoped that the year ahead will afford CAJ the opportunity to host an international conference on the lessons learned from Northern Ireland in the 'war on terror.'

# POLICING

## MICK BEYERS

### POLICING PROGRAMME OFFICER



Mick Beyers  
Policing Programme Officer

CAJ's work on policing has been further expanded this year through the appointment of a Policing Programme Officer in January. Two main areas have defined this work over the past year – the accountability mechanisms and the concept of 'policing with the community.'

With respect to the first of these areas, CAJ has made submissions to the Northern Ireland Policing Board (NIPB) to comment on Chapter 13: 'Policing with the Community' as well as Chapters 8 & 9: 'Statistics on Use of Force and Covert Policing' of the 2008 Human Rights Annual Report as part of the Human Rights & Professional Standards Committee's Programme of Work. CAJ also participated in the NIPB's roundtable discussions. The Policing Programme Officer also attends the monthly public meetings of the Policing Board and meets regularly with staff and advisors of the Policing Board.

CAJ has also met with the Office of the Police Ombudsman for Northern Ireland (OPONI) to strategise on ways to develop relations and make inputs into the work of the Ombudsman's office. CAJ looks forward to developing this area of work in the coming year.

With respect to the District Policing Partnerships (DPPs), CAJ has intervened in a major initiative concerning the integration of the DPPs with the Community Safety Partnerships. While CAJ is not opposed in principle to such a measure, CAJ expressed concern over the fact that the consultation document on the integration was only distributed to NIO defined key stakeholders (the Northern Ireland Policing Board, local councils, Community Safety Partnerships and District Policing Partnerships), with a wider consultation process scheduled much later in the process when (perhaps) all the key thinking and decisions have been crystallised.

CAJ has expressed these concerns directly to NIO representatives and additionally noted that the NIO is not working in a complementary fashion with the wider community sector on an issue that is central to creating local accountability structures for policing and community safety.

The issue of 'how we work in partnership' needs to be comprehensively addressed and represents an area of work that the policing brief will focus on to raise awareness around

the concern of traditional NIO culture and 'community-blind' practices filtering into devolved departments.

With respect to the second area of work, the policing brief takes its lead from the Patten Report which notes that with respect to police reform, "policing with the community" should be the "core function of the police service and the core function of every police station."

CAJ's ongoing work involves three specific initiatives to engage with the notion of 'policing with the community.' The first is evolving and involves discussions and semi-structured interviews with police officers on the ground to build relations and explore key practices and procedures involved in implementing this form of policing.

The second is a proposed piece of research to look more definitively at this method of policing and would involve study visits to glean human rights best practice internationally. And thirdly, a two day seminar Policing with the Community? Patten's 'New Beginning' 10 Years On is planned for mid-November 2009.

As autumn approaches, plans for the next two years of the policing brief are underway. Current prospects include participation in an international conference or two. Closer to home, proposed projects include a seminar series that would focus on the nature and quality of police-community relations on the ground and engage a number of diverse themes.

# COMMUNICATIONS

## LOUISE MCNICHOLL

### COMMUNICATIONS OFFICER



Louise McNicholl  
Communications Officer

The post of Communications Officer is a new one at CAJ. Louise McNicholl began work in August 2009. The aim of employing a Communications Officer is to streamline CAJ's internal and external communications, handle media relations and look after the website, newsletters, reports and all online activity.

CAJ is a changing organisation, with increasing staff numbers, wider working remits and new premises in the offing. With this change comes an opportunity to re-establish CAJ in terms of its profile and to position ourselves in new ways, reaching new and different audiences.

CAJ has never had a dedicated Communications Strategy before. A Communications Strategy outlining communications aims and objectives is vital for any forward-thinking organisation wishing to promote itself and restructure its communications work. The Communications Officer will be responsible for creating and implementing such a Strategy for CAJ, which will deliver on a range of communications objectives to help facilitate the following:

- Increase the profile of CAJ and human rights issues in Northern Ireland and further afield;
- Enhance the reputation of CAJ both internally and externally;
- Co-ordinate all press and PR activity;
- Ensure that communications opportunities are maximised;

- Build and maintain good working relationships with the media; and
- Organise all CAJ publications

Communications work underpins all of the work that CAJ carries out, however, and it is anticipated that this role will be shaped and framed as time goes on, depending largely on the work of the four main programme areas – equality, criminal justice, policing and the protection and promotion of rights. CAJ recently adopted a new logo and branding which will now be implemented across all of its communications, as we continue to modernise the image of the organisation.

Communications plans for the future include the creation and development of social networking tools and the restructuring of the website and regular ezine to contribute towards a greater overall online presence. Traditional communication channels cannot be forgotten, however. As such, the Communications Officer will work on updating Just News and will oversee the production of all reports and documents that CAJ intends to produce.

It is expected that the Communications Officer will have a significant role to play in ensuring the smooth running of CAJ events in the future, including conferences and seminars. There will also be opportunities to widely promote the work of CAJ, ensuring that CAJ will be recognised and known by more people.

# ACCOUNTS

# INCOME & EXPENDITURE

## YEAR ENDED 30 JUNE 2009

### CAJ

	2009 (£)	2008 (£)
<b>Income</b>		
Membership	3,644	3,579
<b>Administrative expenses</b>		
Professional fees	579	619
Bank charges	37	132
	(616)	(751)
<b>Surplus for the year</b>	3,028	2,828
<b>Other income</b>		
Bank interest received	680	688
<b>Net surplus for the year</b>	<b>3,708</b>	<b>3,516</b>

# BALANCE SHEET

## AS AT 30 JUNE 2009

### CAJ

	2009 (£)	2008 (£)
<b>Current Assets</b>		
Debtors and prepayments	100	100
Bank deposit and cash	40,944	37,280
	<u>41,944</u>	<u>37,380</u>
<b>Current liabilities</b>		
Creditors and accruals	(604)	(648)
<b>Net current assets</b>	40,440	36,732
<b>Net assets</b>	40,440	36,732
<b>Financed by</b>		
Accumulated Fund	<b>40,440</b>	<b>36,732</b>

# BALANCE SHEET

## AS AT 30 JUNE 2009

### CAJ LTD

	2009 (£)	2008 (£)
<b>Fixed assets</b>		
Tangible assets	966	2,232
<b>Current assets</b>		
Stock	2,345	5,000
Debtors	48,080	27,087
Cash at bank and in hand	47,676	51,650
	<u>98,101</u>	<u>83,737</u>
<b>Creditors: amounts falling due within one year</b>	(4,237)	(6,003)
<b>Net current assets</b>	93,864	77,734
<b>Total assets less current liabilities</b>	94,830	79,966
<b>Accruals and deferred income</b>	(50,000)	(50,000)
<b>Represented by:</b>		
Accumulated fund	35,080	20,216
Building fund reserve	9,750	9,750
	<u>44,830</u>	<u>29,966</u>

# DETAILED PROFIT & LOSS

## YEAR ENDED 30 JUNE 2009

### CAJ LTD

	2009 (£)	2008 (£)		2009 (£)	2008 (£)
<b>Income</b>			<b>Expenditure (continued)</b>		
Grants and donations	338,092	326,485	Advertising and recruitment	11,038	4,619
Barrow Cadbury Trust (Habits of solidarity programme)	6,250	-	Conferences and seminars	7,948	4,582
Handbooks and publications	618	1,752	Publications	4,363	22,544
Donations and miscellaneous income	5,411	4,124	Leasing	1,712	1,322
Reimbursements of costs	1,174	1,333	Travelling expenses	10,658	10,530
Contribution to management support	11,862	-	Audit fees	2,001	2,221
Insurance claim	12,760	-	Legal and casework costs	12,923	3,306
Bank interest	870	-	Evaluation fees	14	1,865
	<u>377,037</u>	<u>333,694</u>	Bank charges	630	631
<b>Expenditure</b>			Observing of public inquires	21,029	7,175
Wages and salaries	198,934	192,287	Hospitality	2,923	5,459
Employer's NI contributions	20,682	19,855	Fundraising	459	650
Staff pension costs	14,476	15,516	Sundry expenses	953	525
Staff training	3,664	1,108	Subscriptions	438	666
Rent	19,448	19,448	Depreciation	1,975	3,104
Insurance	3,396	3,618	Volunteers' expenses	3,493	3,804
Repairs and maintenance	396	254	Premises consultancy	-	5,785
Office maintenance, materials & supplies	2,480	2,488	Loss on disposal	-	301
Postage, stationery and telecommunications	13,494	14,269	Write down of stock	2,646	3,831
				<u>362,173</u>	<u>351,853</u>
			<b>Surplus / (Deficit) before taxation</b>	14,864	(18,159)

# CAJ'S PUBLICATIONS & SUBMISSIONS IN 2008/09

## **No. 58**

Reflecting on the report of the Consultative group on the Past. Seminar Report  
October 2009 (£4.00)

## **S208**

Commentary on the Strategic Review of Parading, August 2008 (£1.00)

## **S209**

Response to the Consultation on Proposed Amendments to the Northern Ireland Assembly Code of Conduct and the Guide to Rules Relating to Conduct of Members, August 2008 (£1.00)

## **S210**

Response to the Consultative Group on the Past: "Dealing with the Legacy" – a human rights perspective, September 2008 (£2.50)

## **S211**

Response to Allocating Resources to Health and Social Care Commissioners: Proposed Changes to the Weighted Capitation Formula (a 5th report from the Capitation Formula Review group – consultation), October 2008 (£1.00)

## **S212**

Response to Belfast City Council Corporate Plan 2008-2011 and criteria for the City Investment Strategy, October 2008 (£1.00)

## **S213**

Response to the Delivering the Bamford Vision: the response of the Northern Ireland Executive to the Bamford Review of Mental health and Learning Disability, October 2008 (£1.00)

## **S214**

Response to the Consultation on Proposals for Reform of the Law on Murder, Manslaughter and Infanticide, November 2008 (£1.00)

## **S215**

Response to the Draft Equality Impact Assessment of the Crumlin Road Gaol and Girdwood Park Draft Masterplan, January 2009 (£1.50)

## **S216**

Response to the Renumeration of Defence Representation in Non Crown Court Proceedings Consultation (Legal Aid Reform), January 2009 (£1.00)

## **S217**

Response to Together. Stronger. Safer. Community Safety in Northern Ireland, February 2009, (£1.00)

## **S218**

Response to "Non-Jury Trial Arrangements in Northern Ireland", February 2009, (£1.00)

## **S219**

Submission to the Committee of Ministers re cases, February 2009, (£1.00)

## **S220**

Submission to the Joint Committee on Human Rights re Coroners and Justice Bill, February 2009, (£1.00)

## **S221**

Commentary on the consultation on Fine Default in Northern Ireland, Nov 2008 (£1.00)

**S222**

Submission to the Draft Equality Impact Assessment of the Rates Estimates 2009/10 and Capital Programme, December 2008 (£2.00)

**S223**

Response to EQIA Support for Victims Draft EQIA for Consultation, February 2009 (£1.00)

**S224**

Commentary to the consultation on the EQIA of Citizenship & Safety Education (CASE) Programme, February 2009 (£1.00)

**S225**

Submission to the United Nations Committee on Economic, Social and Cultural Rights, March 2009 (£2.00)

**S226**

Commentary on the Review under section 61(4) of the Police (NI) Act 1998, March 2009 (£1.00)

**S227**

Submission to the consultation in relation to the Government Proposals in Response to a Review of Police and Criminal Evidence (PACE) in Northern Ireland, April 2009 (£1.50)

**S228**

Response to the Accuracy and Comprehensiveness of the Electoral Register, April 2009 (£1.00)

**S229**

CAJ's position paper on Taser, April 2009 (£1.00)

**S230**

Submission to the Northern Ireland Affairs Committee in relation to a Bill of Rights for Northern Ireland, April 2009 (£1.50)

**S231**

Submission to the Northern Ireland Office Special Measures Policy: an evaluation and review, May 2009 (£1.00)

**S232**

Commentary on the consultation paper re Code of Practice for Ministerial Public Appointments for Northern Ireland, May 2009 (£1.00)

**S233**

Response to the Draft Strategy for the Management of Women Offenders in Northern Ireland: A Consultation, May 2009 (£1.50)

**S234**

Response to the consultation on EQIA of Transfer 2010 Guidance, June 2009 (£1.00)

**S235**

Submission to the Northern Ireland Policing Board on the Review of Chapter 13: 'Policing in the Community' of the 2008 Human Rights Annual Report, June 2009 (£1.00)

**S236**

Submission to the Joint Committee on Human Rights call for evidence on the Equality Bill, June 2009 (£1.00)

**S237**

Response to EQIA on Proposed Policy: Independence of Investigations Compliant with Art ECHR, June 2009 (£1.00)

**S238**

Submission to the Joint Committee on Human Rights – Call for supplementary evidence following publication of the government's Green paper on "Rights and Responsibilities: Developing our Constitutional Framework", July 2009 (£1.00)

**S239**

Submission to the Home Office, Policing Powers and Protection Unit re Keeping the Right People on the DNA Database, July 2009 (£1.50)

**S240**

Response to the consultation on The Report on the Consultative Group on the Past, October 2009 (£1.50)

