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Committee on the Administration of Justice

Affiliated to the International Federation of Human Rights

Submission to the United Nations

Committee on the Rights of The Child

For consideration during the Committee's scrutiny of
the UK Government's report.

1st August 1994

The **Committee on the Administration of Justice (CAJ)** is an independent civil liberties
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Summary of CAJ's Submission to the UN Committee on the Rights of the Child

The Committee on the Administration of Justice (CAJ) has produced a 32 page submission to the **UN Committee on the Rights of the Child (UNCRC)** on the occasion of the UK's first report following ratification of the UN's **Convention on the Rights of the Child**. Early in 1995, the UNCRC will question the UK government about its implementation of the Convention on the basis of the government's own report and submissions such as CAJ's.

It is CAJ's contention that, **in relation to Northern Ireland, the UK government is failing adequately to protect children's rights**. CAJ's submission identifies areas which require action in order that the rights enumerated in the Convention become guaranteed to the children of Northern Ireland. 33 case studies conclude the submission, exemplifying the problems children face and which the government has to address.

Among the issues raised in the submission are the following:

1. Issues arising from the conflict

CAJ is concerned that the government made no reference in its report to the ongoing conflict in Northern Ireland and its effects on children. Over 120 of the 3390 deaths have been children. Furthermore the government failed to mention **the infrastructure of emergency legislation** in Northern Ireland. The UK cannot hope to meet its obligations in respect of Articles 37 and 40 of the Convention unless emergency legislation is repealed.

In 1991, the United Nations Committee Against Torture expressed serious concern about the **absence of proper safeguards for the prevention of torture and ill-treatment**. Amnesty International, Helsinki Watch, and CAJ have all issued reports on allegations of torture and ill treatment, a significant number of which are made by young people.

In respect of **the UK government's role in the Northern Irish conflict**, there have been allegations of security force harassment, a shoot-to-kill policy, collusion with loyalist paramilitary groups, torture, and the pressurising of people to "inform" on paramilitary groups. All these issues impact on children in various ways.

2. Discrimination

Northern Ireland's children face disadvantages in comparison to the rest of the UK in almost every aspect of life. CAJ is concerned about **the legality of discrimination on grounds of race, ethnic origin, political and social status, sexual orientation, disability, and religion** in specified circumstances.

In 1993, the United Nations Committee on the Elimination of Racial Discrimination found that the UK is not complying with the Convention on the Elimination of Racial Discrimination. An indigenous ethnic group, Travellers, still require basic facilities such as clean water and sanitation. Their children's health is demonstrably damaged by their current living conditions. Furthermore, no serious effort has been made to ensure their education.

The government claim they are making every effort to "reduce unfair social and economic differentials between the two main religious groupings". However, a leaked official document indicates that the government do not expect current legislation will rectify this long-standing problem. In any case, legislation only relates to discrimination in employment. Other forms of discrimination are perfectly legal. We require a Bill of Rights to protect against all forms of discrimination and to meet the requirements of Article 2 of the Convention.

3. Health and Education

The government admit that there is **no reference to the best interest principle in health and education legislation**. This is essential to protect the weakest and most vulnerable children. 16 and 17 year old are seriously disadvantaged when homeless and in need of financial assistance. They must have the same right to protection as other children.

Current **discrimination against Irish medium education** should cease and assistance be provided for children whose first language is not English.

Play provision in Northern Ireland falls far short of UN recommendations and the number of day nursery places is negligible compared to demand. The government must provide a clear strategy and adequate funding for day care, play services and play work.

4. Prisoners Children

A number of prisoners from Northern Ireland are serving sentences in Britain. It is very difficult for their children to maintain relationships with them. Prisoners in Britain should have the right to permanent transfers to prisons in Northern Ireland to be near their families.

5. Children in care and Juvenile Justice

Current **child protection procedures do not have sufficient regard for the concerns and fears of children**. Children who have been physically or sexually abused must have their views and needs more fully considered by professionals hoping to assist them.

CAJ is concerned that **Training Schools which are a last resort for children convicted of criminal offences, also house children in need of care**. Training Schools do not meet the same standards as children's homes; have fewer trained staff; and can lock children up for the duration of their Training School Order without reference to a court. Also, **disproportionate numbers of Catholic children are sent to Training Schools**. The reasons for this require investigation and action should be taken to remedy any discrimination .

The Children (N.I.) Order proposal will provide a legal base for the use and review of secure accommodation for children in care. The Order allows for an unlimited number of interim secure accommodation orders pending a hearing and allows the Department of Health and Social Services to specify the powers of the court regarding periods of detention. CAJ believes this is an **infringement of Article 37(b) of the Convention which prohibits arbitrary detention and 37 (d) which guarantees legal representation**.

The government have implemented legislation which enables Health & Social Services Trusts to manage the statutory functions for child and family services. These Trusts will function as businesses, largely set their own priorities and the details of contracts will not be open to public scrutiny. **Protection of children should not be delegated to profit-seeking organisations**. Contracts and funding must be open to public scrutiny.

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Case Studies

Introduction

We welcome this opportunity to comment on the rights of children in Northern Ireland.

In para. 1.2 of their report the government state, "*If no indication has been given, it can be assumed that the provision applies to the UK as a whole.*" On several occasions, the government fail to mention where legislation in Northern Ireland differs from that in the rest of the UK. The report also ignores many substantive issues concerning Northern Ireland, including the impact of the violent conflict here.

Because of the government's many omissions, it was difficult to tailor our submission to follow the UK's report. We have placed issues that the government failed to address under the relevant Articles of the Convention.

We have included a number of case studies which immediately follow our report. The case studies represent accounts CAJ gathered through interviews with children, their surviving relatives, and community workers. The experiences detailed provide a good understanding of how the UK is failing to meet its obligations under the Convention in Northern Ireland.

CAJ would like to thank the myriad of organisations and individuals that assisted us in this report.

Definition of the Child - Article 1

Sexual Consent

The government note at para. 2.12 that the age of consent for heterosexual intercourse is sixteen in England and Wales and seventeen in Northern Ireland. Parliament has recently voted to reduce the age of consent for gay sex to eighteen. These distinctions are unacceptable .

Action for Compliance

Change the age of consent for gay and heterosexual sex to sixteen throughout the United Kingdom.

Non-discrimination - Article 2

In para. 3.1 the government state that, *"under the United Kingdom's unwritten constitution rights and freedoms are an inherent part of being a member of our society."* CAJ takes the view that the protection of rights in the UK is unsatisfactory. There is no Bill of Rights and the European Convention on Human Rights has not been incorporated into domestic law. Contrary to Article 2, it is currently lawful to discriminate against persons in Northern Ireland on the grounds of disability, race, social origin, sexual orientation, and in specified circumstances, religion.

In para. 3.12 the government assert that, *"the spirit of this article permeates all aspects of the criminal justice system in Northern Ireland,"* but offer no evidence to support this claim.

Racism

At para. 3.8 the government claim they are considering introducing legislation to prevent racial discrimination. At the moment, it remains perfectly legal to discriminate on the grounds of race in Northern Ireland. The United Nations Committee on the Elimination of Racial Discrimination has found that the UK is not complying with the Convention on the Elimination of Racial Discrimination.

Eighteen months have passed since the publication of a government consultation document on the possibilities for race legislation. The -government are dragging their heels and there is still no clear commitment to introduce effective legislation.

Children suffer in various ways as a result. Chinese, Traveller, Pakistani, Indian and Vietnamese children report racial abuse such as name calling, bullying, racist graffiti, and violent attacks on some of their homes. (see case study 1)

Religion

The Fair Employment Acts make it illegal to discriminate in employment on the basis of religion or political belief except if the Secretary of State decides that discrimination is justified on grounds of national security. Research shows that male Catholics are more than twice as likely to be unemployed than male Protestants. In 1991, all of the areas recording over 50% unemployment were Catholic. A recently leaked official document indicates that the government do not expect that current fair **employment legislation will** rectify this long-standing problem.

At para. 3.6 the government report that the Central Community Relations Unit is carrying out a major review of fair employment legislation. The Unit is ill-placed to take the lead role in this project because it is seriously under resourced and as a government department is unable to independently assess the effectiveness of government policies.

In para. 3.4 the government acknowledge the need to, "*reduce unfair social and economic differentials between the two main religious groupings,*" and claim to be doing this by "*Targeting Social Need*". Little information is available as to the practical outcome or effectiveness of this programme.

In June 1994, **interagency Mapping Exercise North and West Belfast** examined need and the provision of services for young people aged ten to twenty four. The report shows that six out of seven of the most needy areas are exclusively Catholic and indicates imbalances in the provision of services compared to the level of need.

At para. 3.7 the government refer to the Policy Appraisal and Fair Treatment initiative. While welcome, the initiative has no mechanism for public scrutiny or accountability. It remains legal to discriminate on the grounds of religion in the provision of goods, facilities, and services.

Political Opinion

The UK is failing in its obligations under Article 2.2 to protect children from discrimination or punishment based on the political opinions of their parents. The government operate a discretionary grants scheme for persons at risk of attack by paramilitary groups to enable them to improve the security arrangements at their homes. In a recent case, however, a Sinn Fein Councillor was refused a grant even after his son was killed in an attack on the family home. Recently the High Court has accepted the argument that the government had not properly discharged its responsibilities in this matter. The welfare of the children in these families does not appear to be the paramount consideration. (see case study 2)

Action for Compliance

1. Enact a Bill of Rights to ensure protection against all discrimination. 2. Enact anti-racist legislation to protect all minority ethnic groups. 3. Amend the Fair Employment Act to remove the exemption permitting discrimination on the grounds of national security and to extend the Act's protection to goods facilities and services. 4. Carry out a truly independent review of government policy and legislation and **implement effective measures to create equality of employment.** 5. **Ensure that security grants are available to everyone under threat, and not** contingent on political opinion.

Best Interests of the Child - Article 3

At para. 3.22 the government admit there is no reference to the best interest principle in health and education legislation but claims it is implicit. If this is the case, it will not require any additional resources to explicitly include this principle.

In para. 3.29 the government assert that the proposed Children (N.I.) Order will make the welfare of the child the first consideration in any decision affecting his or her care and upbringing. This standard will only apply to court decisions regarding a child's welfare and will not apply to decisions regarding young offenders. Currently, the Children & Young Persons Act (N.I.) 1968 requires the court to have "*regard to the welfare*" of children. CAJ believes this lower standard, which will continue to apply to offenders, does not give primary consideration to the best interests of the child as required by Article 3.

The Children (N.I.) Order proposal allows distinctions in the duties imposed on hospitals, children's homes, and schools which provide accommodation. The general duty to "*safeguard and promote*" the child's welfare imposed on certain schools and hospitals is less than the duties imposed on children's homes. Safeguards meeting the requirements of Article 3 should apply to all institutions accommodating children living away from home.

Day Care

Northern Ireland is not mentioned in the government's discussion of day care in para. 3.33. In para. 1.24, however, the government claim that there has been a continuing improvement in the provision of day care in Northern Ireland and notes that a total of 30,693 child care places are now available. The government fail to state that these places are for a population of some 129,300 children under five. The 1994 report of the Chief Inspector of the Social Services Inspectorate states, *"Provision of day care in Northern Ireland is piecemeal and is lower than in other European countries. While there has been a significant increase in the number of day nursery places, total provision is negligible relative to demand."*

The Children (N.I.) Order proposal provides a definition of children *"in need"* which includes *"a reasonable standard of health or development."* A child under five, however, does not automatically *"qualify"* as *"in need"* of day care or other services. Furthermore, disadvantage such as poverty does not entitle the child to the provision of services. The Inspectorate report suggests, *"child care services should be a key component in the overall system of welfare in northern Ireland. They have the potential to make a major contribution to the relief of disadvantage and the promotion of equal opportunity . . . not within the narrower definitions of need or risk but as part of the wider strategy for social welfare."* (see case study 3)

Child Hopelessness

In 1992, Barnardos, a voluntary childcare organisation, noted that 693 young people aged sixteen to eighteen years presented as homeless to the Northern Ireland Housing Executive. A Barnardos survey of West Belfast indicated that a growing number of young people are presenting as homeless but fewer are receiving priority status. The survey noted that there is no emergency accommodation dedicated to single people and no voluntary hostels for those under eighteen years.

The Children (N.I.) Order proposal gives the Health and Social Services Boards (Boards) a duty to provide accommodation for sixteen and seventeen year old *"whose welfare is likely to be seriously prejudiced"* (Art. 21(3)). In regard to other children in need of care, while Art.21(5) allows the Boards to provide accommodation *"to safeguard and promote the child's welfare,"* this is not an obligation.

Action for Compliance

1. Include a requirement to act in the best interests of the child in all health and education legislation.
2. Require courts dealing with child offenders to regard the best interests of the child as a primary consideration.
3. Ensure that all institutions providing long term care have the same duties towards the child regardless of their classification as school, hospital or children's home.
4. Fund day care services to meet the needs of all young children.
5. Fund independent single person accommodation, supported housing, and night shelters for young people.
6. Require Boards to provide accommodation to *"safeguard and promote "the welfare of sixteen and seventeen year old in need of care.*

Right to Life, Survival, and Development - Article 6

The impact of the violent conflict in Northern Ireland on children has been omitted from the government's report.

In respect of the government's role, there have been allegations of security force harassment, a shoot-to-kill policy, collusion with loyalist paramilitary groups (see case study 2), excessive use of force, torture, and the pressurising of young people to *"inform"* on paramilitary groups which places their lives in danger. There is also controversy about *"disputed"* deaths of joyriders and the use of plastic bullets.

Harassment

Major research conducted by CAJ suggests that over one quarter of all young people in Northern Ireland aged between seventeen and nineteen feel they have been harassed in some way by the security forces. Nearly half of those who perceived themselves as Catholic believed they had been harassed. The research also identified increased levels of harassment of Protestant young people. Very few young people registered an official complaint and there was a complete lack of confidence in the systems for investigating complaints against the police and the army. (see case studies 4 -1 3)

Recently, reports of harassment of young people have been particularly high in Crossmaglen, a small town in County Armagh. Young boys faced assaults, threats on their lives, and verbal abuse. Young girls faced taunts and sexual harassment daily, and were sometimes subjected to intimate body searches on public roads.

In early May, the government set up checkpoints on each of the six entrance roads into the town, including one **twenty yards from the school** which children had to pass through each day. Helicopters landed regularly in the field beside the school. Some children were afraid to go to school and parents reported increased bed-wetting.

The checkpoints were removed after nine weeks but were replaced by two lookout posts which contain infrared cameras which allow the security forces to monitor the movements of the people of Crossmaglen. The security forces claimed that the checkpoints were necessary to protect workers refurbishing the police and army barracks.

Lethal Force

Section 3 of the Criminal Law Act (N.I.) 1967 states that, "*a person may use such force as is reasonable in the circumstances in the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large.*" There is no distinction between civilians and law enforcement officials.

While international standards speak of "*absolute necessity*" and "*strict necessity*" the broader term of "*reasonableness*" is used in this legislation. Court interpretations of "*reasonableness*" have led Amnesty International to assert that the concept is "*inadequate both to impose standards of behaviour on security forces which prevent excessive use of lethal force and to deter excessive force.*" In only a very few cases of disputed killings have members of the security forces been prosecuted and convicted.

There has been widespread leakage of official intelligence material to illegal loyalist paramilitary groups. For example, Brian Nelson, Director of Intelligence for the Ulster Defence Association, had 1,000 photographs and personal details made available to him by security force personnel. He was also involved in the importation of a large arms shipment. At his trial it was revealed that he was an agent for British Army intelligence. Nelson claimed the shipment was not intercepted because it would have aroused suspicions about him. He was also involved directly in the targeting of a number of people for assassination but the most serious charges against him were dropped. Amnesty International and CAJ have called for a full public enquiry into allegations of security force collusion with loyalists.

Children on all sides have witnessed assassination attempts in or near their homes and have lost close relatives. There have been 3,390 deaths as a result of the conflict here and 123 have been children.

The use of rubber and plastic bullets has been of particular concern. Eight children aged between ten and fifteen years have been killed by this weapon. In many of these cases judges and inquests have found that those killed were innocent victims. No police officers or soldiers have been charged in relation to these children's deaths. (see case studies 1 4 -1 7)

Joyriding

Joyriding is the stealing and dangerous driving of cars for thrills by young people. There were 8,455 such incidents in 1991. More effective policing would reduce the effect joyriding has on the community and in turn reduce the pressure for paramilitary punishment shootings and assaults on the young people involved. There have also been a number of deaths and injuries to joyriders caused by police and army personnel firing into or ramming these stolen vehicles. (see case studies 18 and 19) We have had alarming reports of young people offered immunity from prosecution and otherwise pressurised to become "*informers*". (see case study 20) Furthermore, children complain that they are pressured into confessing to a large number of other offences which they have not committed.

The underlying causes of joyriding are the deprivation suffered by the young people and their alienation from the community. Resources must be made available to divert children from this destructive behaviour. Currently, many local initiatives aimed at diversion of young people are under resourced.

Action for Compliance

1. End the harassment of young people and establish a truly independent system for investigating complaints against the police and army. 2. Amend the law on the use of lethal force to comply with Article 6 and other international standards on the right to life. 3. Establish an independent public inquiry into collusion between security forces and loyalist paramilitary groups and particularly the Nelson case. 4. End the use of plastic bullets. 5. Undertake research into the impact of the current conflict on children. 6. Provide adequate resources for work on joyriding. 7. End the practice of shooting into cars driven by joyriders. 8. End the pressure on children to become "*informers*".

Separation from Parents - Article 9

At para 5.40 the government note the importance for children of visits with imprisoned parents. This has not been reflected in practice. It should be a child's right to have "*the opportunity to play with and talk to their imprisoned parents.*" This should not be a reward contingent on the parent's good behaviour as suggested in the report.

A number of prisoners from Northern Ireland are held in prisons in Britain. Often prisoner's children must alternate visiting because it is too expensive and difficult to travel with a large number of children. Children may come to dread visiting because the trip is tiring and stressful. Visitors are often detained at ports under the Prevention of Terrorism Act and on occasion arrive after a long journey only to discover that their parent has been moved without notice to another prison. A child's relationship must be maintained through a few hours of interaction each year. (see case study 21)

After a long campaign, the government announced in June 1994 that it would transfer this group of prisoners back to Northern Ireland. At the time of writing a small number of prisoners has been transferred. Their transfer, however, will not be on a permanent basis and will cause great uncertainty for children as to how long the new situation will last. Requests for transfer may also be refused.

Action for Compliance

Arrange permanent transfers for all those prisoners who wish to serve the remainder of their sentences near their families in Northern Ireland.

Privacy - Article 16

At present in Northern Ireland there is no law protecting the right to privacy. Under emergency legislation in Northern Ireland the police and the army have extensive powers to stop, search

and question young people on the street without any requirement of suspicion. Intrusive questioning is often conducted, going beyond what the legislation requires people to answer. Furthermore, the police and army have powers to enter homes without warrant but on the basis of "*reasonable suspicion*". Observation of the exercise of these powers suggests that they are often used in a blanket and arbitrary fashion. During the course of such searches people may be confined to one room within the house for up to eight hours and their personal documents and papers may be seized or examined without warrant or cause. (see case studies 22 - 24) In addition, the security forces can photograph young people without suspicion and on arrest take samples of hair, nails, finger and footprints, and saliva without consent.

Action for Compliance

1. Repeal emergency legislation. Powers in ordinary legislation are perfectly adequate.
2. Legislate to protect the right to privacy.

Parental Responsibility - Article 18

The government address parental responsibility in para. 5.8. The proposed Children (N.I.) Order will establish a new concept of continuous "*parental responsibility*". As a result, an abusive parent will retain a degree of control over his/her child.

Recent research gives clear evidence of male violence towards women and children in Northern Ireland and highlights the government's failure to adequately protect victims of domestic violence. It is not clear whether the proposed Children (N.I.) Order will offer sufficient protection to comply with Articles 18 and 19 where the best interests of the child is not the parent's basic concern.

We are very concerned that the government should assert at para. 5.9 that it is meeting its responsibilities in implementing Article 18 by, "*providing for parents to pay any fines or compensation order imposed on the child where appropriate and providing for parents to be bound over to ensure the child's good behaviour.*"

If a child understands the criminal nature of an act only s/he should be punished for it. If the child does not understand, s/he should not be convicted.

Action for Compliance

1. Modify the proposed Children (N.I.) Order to ensure that, if necessary, the authority of violent partners can be dispensed with to guarantee the protection of children and their carers.
2. End the imposition of fines or other punishments on parents for crimes committed by their children.

Abuse and Neglect - Articles 19 and 34

The government deal separately with Articles 19 and 34. Although not mentioned in the report, current practice in Northern Ireland has been largely informed by the 1985 Hughes Report. This followed a scandal relating to the sexual abuse of children in care by staff, one of whom was a member of a loyalist paramilitary group. While allegations of involvement of police officers, civil servants, military personnel, legal and business people were not proven, suspicions of a cover up remain. The Hughes Report noted a difficulty in tracing witnesses and getting them to come forward and said that, "*offences are difficult to prevent or detect unless complaints are made.*" The inquiry highlights the difficulties faced by abused children and adults wishing to protect them. We understand that further allegations of sexual abuse are currently being investigated in relation to children in care in Derry.

At para. 5.118 the government refer to the role of area child protection committees which establish the procedures for the investigation of child abuse. Although these procedures are valuable for information exchange, they are inflexible and must be adhered to irrespective of the

views of the child.

A significant number of children withdraw allegations of sexual abuse when professionals still believe it took place. We regard it as a crisis for child care that some children would prefer to be raped rather than face the consequences of what happens when they tell. This thorny issue has not been competently and satisfactorily addressed.

Currently, we understand that Training Schools have no official child protection procedures equivalent to those operated by Health and Social Services Boards. While the government note at para. 5.134 that a review is underway, this lack of adequate protection is unacceptable.

Action for Compliance

1. Research the views of children in Northern Ireland regarding child protection procedures and ensure that they are sensitive to the needs of children. 2. Ensure the protection of children in Training Schools.

Children Deprived of a Family Environment - Article 20

Children in Public Care

In Northern Ireland, there is not a developed jurisprudence in relation to a child's right to express her/his view in matters affecting her/him.

Children in care may be able to express their views but there is no means of ensuring that they are given due weight. The complaints procedures are "*internal*" to the child care system. There is very little chance of change being effected if the child's complaint relates to the system rather than an individual conflict or misunderstanding. While the Ombudsman can investigate Health and Social Services Boards in relation to "*maladministration*" she cannot adjudicate on the appropriateness of professional or policy decisions. The Northern Ireland Ombudsman has no remit in relation to the criminal justice institutions.

Training Schools

In para. 5.73 the government acknowledge Training Schools are used for children deprived of family environment by way of a court disposal. We are concerned that Training Schools, which are a last resort for children convicted of criminal offences, also house children in need of care.

No child under ten can be placed in a Training School as punishment for a crime but younger children can be placed there for "*care*" reasons. Training Schools are currently used as a sanction against and for the containment of difficult and disruptive children in care. These children can be placed in Training Schools if deemed "*refractory*" by a court. This criminalises children's distress without offering appropriate counselling and remedial help.

It is inappropriate to transfer children who are distressed and disruptive to facilities run by the criminal justice system. Care staff in Training Schools are less likely to be qualified than Health and Social Services staff. Training Schools do not meet the same standards as facilities designated as children's homes. The current Training School Rules, published in 1952, are out of print.

The proposed Children (N.I.) Order was to allow the Board to provide accommodation and maintenance for any child by "*maintaining (her/) him in a home or institution provided by a government department or a prescribed public body.*" The proposal is now to be amended to ensure that such "maintenance" is in a care setting. Government currently claim that Training Schools fit into this category. A court appearance will no longer be necessary to arrange the move. This lack of judicial scrutiny could scarcely be described as special protection.

Statistics indicate increasing use of Training School Orders for "*care*" in respect of male

children. There appears to be a disproportionate number of Catholic children in "open" Training Schools relative to their numbers in the general population. Although the government do not publish the statistics, this can be deduced because each "open" School only provides services for one religious group. The reasons for the imbalance are not clear, but there is potential for disadvantage and discrimination.

There is a "closed" Training School called Lisnevin. It is a locked facility which functions as a prison for boys of any religion. These boys have either been convicted or remanded by the courts or are transferred by the "open" Schools. There is no legal distinction between Lisnevin and the "open" Schools despite the former being a locked unit. All could be used as children's homes, remand homes, "open" criminal institutions, or prisons. (see Article 37(b) below) We understand that there are a disproportionately high number of Catholic boys sent by the courts to Lisnevin. Again, the reasons for this discrepancy are not clear, but require scrutiny and action to remedy any discrimination.

Leaving Care

A recent study of sixteen to eighteen year old leaving care found that *"one in five young people had experienced at least some period of hopelessness"* on discharge. *"Almost half the young people had left care without any qualifications."* The majority were, *"surviving on very low incomes with 3/4 dependent on income support or training allowances and living on less than 40 per week."* N

In 1994, the Chief Inspector of the Social Services Inspectorate noted, *"young people who leave care in their adolescence are a disadvantaged and vulnerable group. Many become homeless, single parents, involved in petty crime and the mortality level in this small population is not insignificant. Improved co-ordination is needed between social services and housing agencies to ensure this group do not develop as an underclass of chronically disadvantaged young people."* Given these facts it seems clear that the state is failing in its responsibilities to children in care.

Action for Compliance

1. Publish statistics on the differential impact of sentencing and service provision. This should be carried out on the basis of gender, race and ethnic origin, religion, language, disability, age, class, and other social status.
2. Establish an independent Children's Rights Commission with access to records and statistics and a role in promoting and ensuring good practice.
3. Ensure no child is placed in a criminal justice institution for "care" reasons.
4. Establish specialist units to provide counselling and therapeutic support for distressed and disruptive children under the auspices of the Boards.
5. Establish a duty to train all staff for the responsibilities they will be required to undertake.
6. Require Boards and Training Schools to act as good parents in relation to all children leaving care.
7. Enact legislation specifying the roles of the various criminal justice institutions and ensure the protection of children.

Disability - Article 23

There is a significantly higher rate of disability in Northern Ireland than in the UK as a whole. At para. 6.9 the government recognise that all children benefit from the opportunity of growing up in a family setting. The Chief Medical Officer's Annual Report for 1992-93 notes that, *"there is a need to make additional provision for the care of physically disabled children."* The report of the Chief Inspector of the Social Services Inspectorate, identified *significant under-provision of a suitable range of respite care for younger disabled people'*: and that, *"Some young people are so severely disabled that appropriately supported accommodation in the community is not available in Northern Ireland."* Regarding children with a "mental handicap" the report states, *"Children need to be removed from the large hospitals where they mix with adults."*

Law Centre (N.1) estimates that disabled adults in Northern Ireland are five times more likely to be unemployed than the non-disabled population. This adds an additional disadvantage of low

income for the children of disabled parents.

Action for Compliance

1. Legislate to protect against discrimination in employment and the provision of public and other services.
2. Allocate funding to ensure that disabled children enjoy a full and decent life.

Health and Welfare - Article 24

Trusts

The government have recently implemented legislation which enables independent Health and Social Services Trusts to manage the statutory functions for child and family services. This was widely opposed by child care, children's rights, and social work organisations, and Trades Unions. These Trusts will function as businesses and largely set their own criteria and priorities. The details of contracts will be private and not accessible to public scrutiny. This is a completely untried experiment in the management of these services and we are concerned about the potential for children in different Trust areas to be treated more or less favourably depending on the priorities of the Trust and the budgetary pressures on it.

Travellers

The government's report fails to make any reference to the health profile of Northern Ireland's second largest ethnic minority, the Traveller Community. The infant mortality rate for Travellers is higher and their life expectancy is 20% lower than that of settled people. In 1989, 63% of the Traveller population in Northern Ireland were aged under 20 years, only 10% were over 40 years, and 1% were over 65 years.

The health service does not cater for the semi-nomadic life of Travellers. In 1989, only 19% of Traveller children in Belfast had completed all their immunisations. The government's claim in para. 6.5 regarding a 90% immunisation rate is clearly untrue in respect of Traveller children in Northern Ireland.

Traveller children have higher rates of hospitalisation. The Director of Public Health for the Eastern Health and Social Services Board found that approximately 35% of the admissions were for diseases which were preventable by improved environmental conditions. Other studies have identified the poor health of Travellers and blamed the absence of facilities and services identified in the Convention and by the World Health Organisation as prerequisites for a satisfactory standard of health. These are:

- a) a clean water supply,
- b) a separate system of sewage disposal, c) a regular reliable and safe system for disposal of rubbish, d) reliable shelter, e) safe play areas.

In November 1992, 218 Traveller families were living on sites in Northern Ireland, the majority of them in Belfast. 48 of these families were living in illegal unserviced roadside camps, at risk of eviction at any time. 34 families were living on legal temporary sites with minimal facilities and 136 families were living on permanent legal sites.

The government are clearly failing to deliver the rights protected in the Convention to Traveller children in Northern Ireland.

Action for Compliance

1. End the delegation of legislative protection of children to profit-seeking organisations.
2. Make contracts and funding decisions available for public scrutiny.
3. Provide health and social services to tackle the institutional discrimination children

- experience due to disadvantage such as poverty or membership of a minority ethnic group.
4. Enact legislation to guarantee the right of Travellers to appropriate accommodation such as fully serviced permanent sites, properly designated transit sites, and group housing schemes.
 5. End evictions from illegal sites until appropriate alternative accommodation is available.
 6. Provide each family with access to a surfaced pitch and an amenity unit containing bath, wash basin, sink, drainer, and store and toilet facilities.
 7. Provide each pitch with mains water, electricity, a drainage supply, and adequate street lighting.
 8. Provide outreach health services to Traveller sites such as monthly on site or mobile clinics.
 9. Provide safe and properly resourced play areas for children on all sites to comply with Articles 24 and 31.

Social Security, Services, and Standard of Living - Articles 26, 18 and 27

Child Support

In para. 5.11 the government state that the formula for calculating child support is, "*fair and consistent and also takes account of the needs of any children of a new partnership.*" In our view this formula is rigid, unnecessarily punitive, and may create poverty in a second family without alleviating it in the first family.

Initially, child support calculations took virtually no account of the actual financial commitments of the absent parent. In February 1994, following a storm of protest, the government increased the protected income of an absent parent. Some families, however, are still plunged into poverty whilst the financial situation of the first family fails to improve.

The government have not researched the impact of the new child support arrangements on relationships between former partners and their children.

Mothers who refuse to name the father of a child can face a reduction of income support for 18 months. The adult personal allowance is cut by 20% for 26 weeks and by 10% for a further 52 weeks. This benefit reduction is not applied if naming the father would cause undue harm and distress. Given the inadequacy of income support, it is difficult to see how such rules are in the child's best interests.

Social Security

Northern Ireland has a higher proportion of families in poverty, greater dependency on social security benefits, lower household income, higher rate of unemployment, and lower average wage than any other region of the United Kingdom. 39% of children live below 50% of national average income compared to 19% for the UK. In 1992, the average gross weekly household income was 281.25 in Northern Ireland and 342.95 in the United Kingdom. This is in spite of Northern Ireland having a larger average household size than any other region in the UK.

The introduction of the cash limited Social Fund referred to in para. 6.93 has also resulted in particular difficulties. The grants element of the Fund is structured in a way which ensures that the vast majority of families and young people do not benefit and can only derive assistance for the purchase of essential items by way of loans. (see case studies 25 and 26) The severe hardship created by the Social Fund in Northern Ireland has been well documented. For example, in 1994, the non-discretionary part of the Social Fund provides a grant of 100 to meet the costs of maternity needs. In 1986, the average grant provided for maternity needs in Northern Ireland was 212.00. The UK government are aware that the current payment is inadequate, yet have taken no steps to rectify this problem.

Young People

In 1988, the government ended automatic entitlement to benefits for unemployed sixteen and seventeen year olds and replaced it with the possibility of payments in situations of severe

hardship. Financial assistance is now largely contingent on participation in government training and education programmes which are low paid, often of poor quality, and have been characterised as economic exploitation. The government should remove its reservation to Article 32.

In the financial year 1992/93, 181 young people applied for benefit on grounds of severe hardship of which 173 applications were granted. These figures do not tell the whole story. Many social security offices operate on the premise that sixteen or seventeen year olds have no entitlement. Often the intervention of a third party or considerable perseverance on the part of a young person is required to have a claim even considered.

Action for Compliance

1. Amend the Child Support (N.I.) Order 1991 to benefit lone parents without creating additional family poverty in second families. 2. End the benefit penalty for non-disclosure of the father's name. 3. Research the impact of the legislation on the child's relationships with both parents. 4. Reinstate benefit to sixteen and seventeen year olds and make participation in government training and education schemes voluntary. 5. Remove the reservation to Article 32.

Education - Articles 28 and 29

Very little information on the education system in Northern Ireland is included in the government's report. The Education Reform (N.I.) Order 1989 requires a balanced and broadly based curriculum and provides parents with a statutory right to express a preference as to their child's school. Article 64(1) of the Order imposes a duty on the Department of Education to, *"encourage and facilitate the development of integrated education"* (schools established to educate Protestant and Catholic children together). While this is a commendable aim, this legal duty can result in financial disadvantage to other sectors within the education system.

Travellers

There has been no concerted attempt by the authorities to provide access to the education system to facilitate the nomadic tradition and separate culture of Travelling People. Racist attitudes and the absence of any policy to integrate Traveller children into mainstream education has denied parental choice to Travellers. There is a segregated *"Travellers only"* primary school in West Belfast which caters for about 40% of the Traveller population. The school has no playground or dining hall, inadequate washing and toilet facilities, and is dreadfully dilapidated. Children aged nine to fourteen are taught in the same class. The school has struggled with these conditions for the 25 years of its existence. In that time, not one child has been able to transfer to second level education.

A 1991 survey, **Educational Provision for Traveller Children in Northern Ireland**, notes that in some areas children experienced problems getting registered at schools. Only 79 children, about 30% of those eligible, were registered at secondary school.

In 1993, the Department of Education for Northern Ireland issued a policy circular addressing some of the issues, but this does not provide for enforcement or resources.

Rural Schools

There are 951 primary schools in Northern Ireland and 55 have fewer than 35 pupils on their rolls. These schools are central to the life of the small rural communities they serve. The Education Minister has announced a review of small schools and it is feared that the government intend to close many of them on the grounds of cost.

Closure would damage the life of the community and cause hardship to small children who would have to travel longer distances to school. Furthermore, we understand that this would disproportionately disadvantage Protestant rural communities.

Irish Language Schools

The first Irish medium secondary school was established in 1991 and a second is due to open in September 1994. By 1992 there were at least 16 Irish medium nursery schools. None of these schools receive support from the Department of Education. The Department is reluctant to support Irish medium schools with an enrolment of less than 100. By September 1994, there will be eight Irish medium primary schools, only three of which receive government funding. The first of these had to wait thirteen years before funding was granted. Parents must fund the total costs of maintaining these schools while awaiting the Department's support. Current government policy is discriminatory against children who want to be educated in the Irish medium and prejudices the survival of the Irish Language.

Catholic Schools

The Standing Advisory Commission on Human Rights (SACHR) has highlighted the differential qualifications and educational experience of Catholic and Protestant children and has linked this to the economic deprivation experienced by the Catholic population.

The highest proportion of children leaving school with no qualifications were boys leaving Catholic Secondary schools. SACHR also identified inequality in the funding between Catholic and Controlled (Protestant) schools. There was a particular deficit noted in the facilities available for teaching science. Although funding mechanisms have now been adjusted to give (Catholic) Maintained schools a fairer share of funding, CAN, takes the view that this is insufficient to rectify the history of discrimination against Catholic schools.

English as a Second Language

To date, no specific protections are offered to children whose first language is not English. These children may start school as young as four without any special measures being taken to address their obvious language difficulties. This inevitably results in children falling behind. At best, they may then be provided with remedial education. (see case studies 27 and 28)

Action for Compliance

1. Initiate a funded affirmative action programme to ensure and support access for Travellers to all schools and levels of education.
2. Consult with Travellers regarding the appropriateness of existing provision.
3. Educate all teachers in the Traveller culture and give them anti-racist training.
4. Provide schools on the basis of equal opportunity and ensure the child's best interests and cultural identity are respected.
5. Provide adequate funding for pre-school, primary, and secondary school education in the Irish medium.
6. Ensure fair funding for Catholic schools.
7. Legislate to require additional support for children whose first language is not English.

Children Belonging to a Minority or Indigenous Group - Article 30

Paras. 8.97 - 8.99 deal with the governments approach to minority languages. Around 10% of the population in Northern Ireland have some knowledge of the Irish language (Gaelic). There has been a history of suppression of the language which has no official status in contrast to Welsh in Wales. Both Welsh and Scots Gaelic receive more public funding than Irish. The government have failed to sign the European Charter for Regional or Minority Languages.

In para. 8.99 the government suggest that the Central Community Relations Unit is responsible for policy development in respect of the language. The level of government financial support for education through the Irish medium is poor (see education above). Irish cannot be used in court. The provision of Irish language programmes on local media is woefully inadequate. Irish speakers report difficulty registering births or deaths using Irish names, writing cheques, and applying for jobs.

The government have failed to provide printed information in minority ethnic languages to explain welfare and legal benefits. Similar information is available in Britain.

Action for Compliance

1. Adopt a more positive approach to promote the Irish language.
2. End discrimination against Irish speakers.
3. Sign the European Charter for Regional and Minority Languages.
4. Provide information on welfare and legal benefits in minority ethnic languages.

Play and Recreational Activities - Article 31

In para. 7.54 the government acknowledge the value of good quality play facilities in, "*benefiting a child's all round development*" A 1994 joint publication by Playboard and Save the Children Fund asserts that provision in Northern Ireland, "*falls far short of the UN recommendations on play.*" Community groups tend to be the main providers of play opportunities. The vast majority of these face funding difficulties and are largely reliant on non-governmental sources of financial support. The publication highlights the poor provision for disabled children. It also notes, "*levels of play provision in Northern Ireland are among the lowest in Europe and not comparable to provision in England & Wales. Less than one in twelve children have access to holiday play programmes and only 1% to after school schemes.*" N <?>

Action for Compliance

Provide a clear strategy and adequate funding for play services and playwork.

Freedom from Torture, Inhuman, and Degrading Treatment / Deprivation of Liberty - Article 37

The government make no mention of the existence of emergency legislation and its effects on children in Northern Ireland. We drew the government's attention to this in our response to the UK's draft of this report. Emergency legislation has been enforced since Northern Ireland was set up in 1922. The current provisions are contained in the Prevention of Terrorism Act 1989 (PTA) and the Northern Ireland (Emergency Provisions) Act 1991 (EPA). While these are meant to apply to people suspected of involvement in "*terrorist activity*" they are framed broadly enough to include "*ordinary criminal activity*" Few absolute distinctions are made in these provisions between adults and juveniles.

Torture - Article 37(a)

In para 4.51 the government's only comment in relation to Northern Ireland is that, "*reports on residential childcare in Northern Ireland indicate that no degrading forms of punishment of children are practised in children's homes.*" N It is disingenuous of the government to omit reference to the fact that there have been ongoing allegations of ill-treatment of detainees arrested under emergency legislation and that the United Nations Committee Against Torture expressed serious concern about the absence of proper safeguards for the prevention of torture and ill-treatment. A significant number of these allegations are made by young people. Amnesty International and Helsinki Watch have issued reports on this problem and, in the case of a seventeen year old, Amnesty issued an urgent action condemning his physical abuse. (see case studies 29 - 33).

In failing to prevent absolutely such treatment of children the government is in breach of Article 37(a) and (c).

No Arbitrary Deprivation of Liberty - Article 37(b)

Conditions described in para. 8.33 - 8.37 do not apply in Northern Ireland. All secure

accommodation for children in care is currently provided by Criminal Justice Services through the Training Schools. Training Schools have administrative procedures whereby children in care can be placed in "*close supervision*" units. These are locked units. The new Children (N.I.) Order will provide a legal base for the use and review of secure accommodation. The terms of the Order, however, give the Department of Health and Social Services sweeping powers to regulate its use and to specify the powers of the court regarding periods of detention. The Order allows for an unlimited number of interim secure accommodation orders pending a hearing. This may infringe Article 37(b) regarding the shortest appropriate period of time and 37(d) regarding prompt decisions.

In para. 8.38 the government state that a child may never be detained longer than 96 hours. This is untrue. The PTA allows for children as young as ten years to be detained and interrogated for up to seven days without any judicial scrutiny. To retain this power the UK government was forced to derogate from Article 5.3 of the European Convention on Human Rights and Article 9.3 of the International Covenant on Civil and Political Rights. CAN takes the view that this power is excessive and unnecessary. (see case studies 32 and 33)

In para. 8.39 the government note that children have a right to be accompanied by an appropriate adult during interview under PACE. In certain circumstances this protection can be set aside. In any case, the safeguard is insufficient. Home Office research indicated that appropriate adults are as likely to act in support of the police whether they are social workers or parents. The juvenile may be pressured into making incriminating statements by adults who are intimidated by the surroundings and ignorant of the legal implications of their advice. Appropriate adults are required to disclose a child's incriminating statements to the police, and parents are entitled to smack their child while in custody. While children may benefit from a supportive adult, their presence should not be a substitute for legal representation. Seventeen year olds are not entitled to be accompanied by an appropriate adult.

In para. 8.54 the government allege that in Northern Ireland, "*the spirit of Article 37(b) is met by current legislation such as the Police and Criminal Evidence Order (PACE).*" It is CAN's view that the rights provided for by Article 37(b) are infringed by certain provisions of PACE, the emergency legislation, and the Criminal Evidence (N.I.) Order 1988. (see Article 40)

Treatment During Detention - Article 37(c)

Children in Northern Ireland can be detained and held on remand in adult prisons for long periods of time. Boys can be held in H.M. Prison Belfast which is noted for its appalling conditions. (see case study 32) CAN is concerned that the government have entered a reservation to Article 37(c) to allow for the mixing of adults and children in detention. There are particular problems with inadequate prison facilities for young female offenders with the result that offenders are detained at H.M. Prison at Maghaberry, an adult prison. (see case studies 32 and 33)

As discussed in para. 8.57 in respect to similar legislation, section 73 of the Children and Young Persons Act (N.I.) 1968 allows the imposition of "*indeterminate sentences*" which may be longer than those of adults who are sentenced to life.

Right to Legal Representation - Article 37(d) ,,

In para. 8.43 the government assert that children have a right to consult privately with a lawyer. Under section 45 of the EPA children only have an absolute right to legal advice after 48 hours and once granted, access can be denied for further periods of 48 hours thereafter. Under a number of circumstances, interviews with a solicitor may only take place in the presence of a police officer. This is clearly contrary to the United Nations Principles on the Role of the Lawyer. In Britain, people arrested under emergency legislation can have their lawyers present during interviews. This is never permitted in Northern Ireland for people arrested under the same legislation. (see case studies 32 and 33)

Action for Compliance

1. Introduce effective safeguards such as audio and video recording to deter torture and ill-treatment of children arrested under emergency legislation.
2. Take action against those responsible for ill-treating child detainees.
3. Regulate the use of secure accommodation to meet the requirements of Article 37(b) and (d) and ensure the independence of the courts.
4. End the derogation from the European Convention on Human Rights and the International Covenant on Civil and Political Rights.
5. End the seven day detention power.
6. Ensure immediate and private access to the lawyer of one's choice and continuous access during interrogations.
7. Prevent appropriate adults from using any physical force or threats and enable them to maintain confidentiality without being guilty of an offence.
8. Ensure strict separation of imprisoned young and adult offenders or persons charged.
9. End indeterminate sentences and ensure that custodial sentences are used only as a last resort.

Administration of Juvenile Justice - Article 40

In para. 8.22 the government assert that, "*it is a fundamental principle of our criminal justice system that a person is innocent until proven guilty.*" A number of provisions in the emergency legislation infringe this right. For example, section 12 of the EPA not only creates certain offences by which "*possession*" (widely defined) of an item is a crime but also shifts the onus to the accused to prove that s/he had no knowledge of an item in her/his "*possession*". It is to be noted that the judges have looked unfavourably at this.

In para. 8.24 the government mention that they are introducing a Bill to allow courts to draw inferences of guilt from an accused's silence. The Criminal Evidence (N.I.) Order 1988 has already done this in Northern Ireland. The report states that children under fourteen will be exempted from the proposed legislation; this is not the case in Northern Ireland except with regard to speaking in court.

Although the Criminal Evidence (N.I.) Order requires the accused to be cautioned regarding her/his failure to speak, the caution is too complicated for children to understand that at their trial inferences of guilt may be drawn from their silence during police questioning.

In 1991, the United Nations Human Rights Committee expressed concern that these provisions were in breach of the right not to incriminate oneself. The United States State Department Country Report on the UK for 1993 and Amnesty International have suggested that the legislation alters the presumption of innocence and removes the right not to be compelled to testify against oneself or confess guilt.

In paras. 8.29 and 8.30 the government note their focus on cautioning as a way to divert young people from crime, discourage criminalisation, and avoid imprisonment. In 1991, formal cautions were administered to 68% of juvenile offenders. While cautioning is admirable in theory, the Home Affairs Committee notes, "*nit is clear that cautioning presents many problems not the least of which is the arbitrary and inconsistent nature of its present operation.*" Children have matters for which they have neither been charged nor convicted cited in future proceedings and to avoid further action admit involvement in offences without legal advice.

Article 40.3(b) requires that human rights must be fully respected and that the child should have the protection of legal safeguards. A system of cautioning requires a statutory base and the legal representation of juveniles.

Under Article 40(2)(b)(iii) a child is entitled to a fair hearing without delay. The UK report fails to mention that in Northern Ireland jury trial has been abolished for a whole range of offences and that some young people are held up to three years on remand. Lower standards for the admissibility of confessions have also resulted in concern about the fairness of trials in juryless

courts. There have been a number of miscarriages of justice involving young people. Official statistics show that there has been a steady decline in the acquittal rate in these courts. It is estimated that 90% of convictions in juryless courts are based solely on confessions. This is especially disturbing given the number of allegations of physical and psychological abuse during interrogation. (see case studies 32 and 33)

Action for Compliance

1. Repeal Emergency Legislation. Powers in ordinary legislation are perfectly adequate . 2. Repeal the Criminal Evidence (N.I.) Order 1988. 3. Restore trial by jury. 4. Implement a statutory cautioning system and set national regulations. 5. Ensure trial without delay.

Case Studies

The following case studies are a few of the testimonies CAN collected from interviews conducted with children, their surviving relatives, and community workers from June to mid July 1994. These experiences are not unique, they represent the types of human rights abuses many young people face in Northern Ireland. Although CAN cannot verify every detail, it believes the stories are credible and clearly demonstrate the government's failure to ensure the rights of children in Northern Ireland. All case studies that did not come from a CAN interview have been labelled as such.

Racial Attacks

Number 1

I began to help my parents at the counter of their take-away shop when I was only ten. Because I wanted to respect my parents' wishes and help the family, I continued to help at weekends until I was sixteen, but hated every minute of it. I put up with almost constant racial and sexual verbal abuse and sometimes physical abuse, when young boys would try to climb over the counter. People would throw food at me, accuse me of giving them the wrong change, boys would urinate in the corner of the shop, and I was not able to do anything because I didn't want to give my parents any more worry when they were so busy in the kitchen.

I also had to help interpret for my parents on a regular basis. Our family made regular telephone complaints to the police but they either ignored them or arrived after the people causing the trouble had disappeared. A near-by fish and chip shop did not appear to have the same trouble as my parents' business. The windows of the shop and our home upstairs were regularly broken. Our car was vandalised regularly and when it was burnt out one night my father decided not to replace it. I spent my childhood living with a lot of fear and abuse and knew that nothing was being done to stop or change my situation.

Political Opinion/Collusion

Number 2

My name is Brian Austin, I am in my mid-twenties and I live at 11 X *Avenue* in Belfast. I am married and I have two young children. My Uncle is an elected City Councillor for Sinn Fein, a nationalist party which seeks British withdrawal from Northern Ireland. Since I left my parents' home, I hadn't given my new address to anyone except for close friends and family and the police while applying for a firearm license for my family's protection. In February 1994, a bomb was left at 11 X *Park* by loyalists and the BBC was notified by someone using a recognised code-word that the bomb was left "for Joe Austin's nephew". There is no doubt that the bomb was left for me. I have also received death threats from the police. My four year old son informed me one day that the police even told him, "We're going to shoot your Daddy." I am convinced the police gave my address to loyalist paramilitaries. When a police officer came to my home to notify me of the bomb attack I told him, "I'm not saying the police are rotten to the core but this is collusion. I wouldn't have believed it before." The Officer replied, "Well, you know yourself, there's rotten apples in every basket." Despite the bomb attack on my home

and the fact that I have been informed by the police that I am in danger, I have been denied a firearm license and a grant to improve the security of my home. In response to my application for a home security grant, Mr. X from the Northern Ireland Office told me, "Your death or injury would not cause the state any instability or embarrassment." The government has left me, my wife, and my young children completely vulnerable to murder.

Day Care/Racial Discrimination

Number 3

I am a Chinese mother. I had my first child while living in Belfast. My husband owned a small take-away shop and was unable to get an additional work permit to employ another member of staff. Therefore, I had to return to work very quickly to avoid having the business close down. We found a local woman who was prepared to look after the baby from 4:00 p.m., when we went to the shop, until 1:00 a.m. when we returned. We quickly became unhappy **with her and tried to find another childminder. This only worked** for a short time because we were paying an enormous amount each week.

We decided to send our baby back to Hong Kong to be looked after by the child's grandparents until we were in a stronger financial position. The health visitor was concerned about our decision and informed social services. The Chinese Welfare Association were approached to provide an interpreter. At the first meeting, the social worker indicated very strongly that she felt I was neglecting my baby and was in some danger of having my child placed in care. The misunderstanding was clarified but we were very hurt and angry at the social services. There is no child care provision in Northern Ireland to cater for children whose parents do not work what are considered to be "*normal*" hours.

Harassment

Number 4

I am sixteen years old and live in Belfast. When I was thirteen, my brother was eleven. The police wanted to arrest my brother after a window in a building site was broken. You would think there had been a bomb scare because of the large number of police who had surrounded him. My neighbour took my brother inside of his house because my Mummy was not present and my brother was too young to be arrested on his own. My neighbour was charged with obstructing justice and my Mummy testified against the officer who had led the arrest. The charges were thrown out of court. I am continually harassed by the police and the army because of my Mummy's testimony.

That same year, the same officer was on the corner pointing me out to the Brits (soldiers). I was stopped by the Brits and was made to take my shoes, coat, and socks off in wintertime. It was 7:00 or 8:00 at night and my body was shaking, including my legs, because I was so nervous. A crowd of people came out and witnessed me being messed about (humiliated) on the street. They searched down my legs, made me pull my t-shirt half way up my chest, and then let me go. I was too scared to leave my house after this. My Mummy complained to the police and the army. The police came to my house and interviewed me. Two weeks later, we received a note from the police saying that the Army didn't make me take my clothes off.

After my Mummy made this complaint, I was stopped and searched by the police and the Brits one - three times per day, about two - four days per week. They are constantly asking me if I am bisexual or gay.

Two years ago, my cousin and I were walking down the street past a stolen car. I was only fourteen years old. The police lifted us and I was separated from my cousin and kept in a cell for five hours. I asked for a solicitor but didn't get one.

Five months ago, officer X arrived in the area as our "community officer". When X first arrived, I was stopped every day about two or three times per day. Because of this harassment, I now

stay in my house and do not go out at night at all if I can avoid it. X continually points my Mummy and I out to other police officers and the Army. We are convinced that I will be arrested when I turn seventeen.

A month or two ago, I went to the chip shop and X waited for me to leave the shop. X got nose to nose with me in the archway I have to pass under to get to my house. Each time I moved to go around him, Officer X would move and prevent me from passing. This happened three times before my Mummy started yelling at X. X told my Mummy that he would arrest her. My Mummy finally had to grab me by the arm and move me around X before he would let me pass. Officer X followed us to our house laughing and making comments at us.

In June 1994, I was stopped by another peeler (police officer) on my way home from helping an elderly woman in the neighbourhood. It was about 11:00 at night. A Brit searched me and a peeler came. I gave the peeler my name and the address of the woman's home from which I was coming. I would not tell them the woman's name and the peeler called for a jeep on the radio to arrest me. Before I was taken away, my Aunt arrived. She told the officer if they were going to arrest me, she was going along as my appropriate adult. They asked my Aunt if she was prepared to walk to and from a local barracks. They said this knowing that no one from my area would be safe walking to this barracks because it is located in an exclusively Protestant area. My Aunt said that she would go even though she would have been in a lot of danger. Because of my Aunt's knowledge of my rights, the officer let me go. They warned me that they would arrest me next time.

Later in June, I was stopped on the way to a garage by a soldier who called me by name and said, alright, a quick search. I was stopped again two minutes later on my way back from the garage by the same patrol.

I used to be terrified but because I am stopped so often, now I am just annoyed. I wanted to escape to England and live with family there but my Mummy says the Army and police will not drive me from my home. My Mummy says I shouldn't have to leave my country.

Number 5

I am thirteen years old and live in Derry. In May 1 994, I was standing on a street corner and a Brit told me, " I'll kick your head in wee fenian bastard." I told him to fuck off and he put me up against a wall and was strangling me. In June 1994, I was stopped by about four - six Brits. They asked me my name and I asked them what they wanted it for. One soldier threw me against a wall and punched me. Later in June, I was standing on the street with a group of kids and four cops and Brits came. Everyone started laughing at them and one of them asked me, "Do you want to get lifted?" I asked him why and he pushed me against the wall. He said, " I'm not afraid of anyone, 1111 punch your heads in.

Number 6

I am twelve years old and live in Derry. In June 1 994, I was walking to the shop. A group of Brits drove by in a jeep and one soldier called me a fenian bastard and threw a full tin of coke at me. I still have a bruise on my arm. (one month later) They have also spat on me and called me scum.

Number 7

I am a fifteen year old girl who lives in a small town in County Tyrone. Last year when I was fourteen years old I was walking near my house at 11:00 at night. Four soldiers passed me in the dark and stopped in front of me. I kept on walking and was eventually within a couple of feet of all of them. They said hello, raised their machine guns, pointed them at me, and began pulling the trigger so that the machine guns made clicking noises. They walked after me clicking their guns. I was very scared and crying. When I walk by soldiers they frequently make comments about my body size.

Number 8

I am a thirteen year old Catholic girl and I live in County Tyrone. At least one or two times a week soldiers will call me a whore. It is very hard to ignore that.

Number 9

I am fifteen years old and I live in the country in County Tyrone. Less than eight months ago, I was walking alone down a country road. There were soldiers in the hedge. They asked me my name, where I was going, and what I was doing. They also asked about my brothers using their names. When I walked on, they wouldn't let me pass. There were no houses around and no one within shouting distance. I was very scared because I didn't know what they were going to do to me.

Number 10

I am a mother of ten and I live in County Tyrone. Every Sunday on our way to mass we are stopped by the security forces. The kids and I have to get out of the car and it is searched. Sometimes we are kept more than twenty five minutes. Do they really think we would bring anything incriminating with us on our way to chapel when we know we are searched every week? One time on our way to chapel, a helicopter came in close in front of the car and followed us the whole way. It was extremely frightening.

Number 11

I am a ten year old Protestant boy who lives off the Shankill Road in Belfast. Two weeks ago the police arrested my Daddy. The police knew my Mummy was in the hospital. My Daddy told the police that he couldn't leave his three kids alone and an officer told my Daddy, "Fuck your kids." The other two are six and seven years old. The officer told my neighbour to watch us and she said that she had kids of her own to watch. Then the officer said, "Fuck you and fuck your kids," to our neighbour. I was crying and I saw them throw my Daddy into the landrover. They said they had to take him that night, but they didn't charge him with anything until five weeks later. We were left alone for nearly two hours before my Granny came.

Number 12

I am a fourteen year old girl and live in West Belfast. Last year when I was thirteen I was walking with a relative who was seventeen. While we were waiting for someone, police officers, an Inspector, and soldiers came up in three jeeps. We started to walk away and the Inspector told us to stop. He asked us if we knew the boys who had been standing near us and told us if we had any drugs to hide we better give it over or we'd be searched. We told him we didn't have anything and he told us, "You must have something to do with it, you've got a guilty face."

Although my cousin was five months pregnant and was wearing only a t-shirt and leggings the Inspector told an officer to search us for illegal substances. I didn't even know what illegal substances were and I started laughing a wee bit with the nerves. The police officer said he didn't find anything funny and told us to go down to the jeep. I wouldn't have gone but he scared me the way he was going on.

There were soldiers in front of the jeeps and the policewoman put on rubber gloves. I kept looking at the windscreen where the soldiers were standing. The police officer told me, "Don't worry, the boys aren't allowed to look in." The officer went down our tops and felt under my bra and on my skin. She went through our hair and felt down our arms. Nothing was found on us and we were allowed to leave.

I was very embarrassed and upset and I was crying. There was a big crowd outside the jeep. My Uncle came and asked what had happened. When he complained that her parents should

have been informed the police officer shouted, "No wonder she's like that with the example you set." It was very degrading. I still feel really stupid, I thought I had to let her do what she did. We put in a complaint to the police. Eight months later, I received notice that the Independent Commission for Police Complaints was happy with the investigation that the police conducted. I haven't heard anything about the police findings.

Number 13

I am a seventeen year old female and a student from Crossmaglen. In June 1994, I was going into town to get something for the dinner. After I passed a police officer he said, "I wouldn't mind getting one over on that one." I turned to look at him to let him know I had heard what he said. He was sitting on the side of the road laughing. Going back out of town through the checkpoint, I was stopped and asked my name in a very aggressive manner by a female soldier. The soldier pulled the purse I was carrying from me and took small pieces of paper out of it. Some of the papers blew away and she made no move to retrieve them.

By now cars were building up at the checkpoint. The soldier told me to stand over along the side until she searched me but I told her if she wanted to search me she would have to do it where everyone could see what soldiers do to people. She aggressively pulled me by the neck of my jumper and felt me from my neck down to my breasts and ran her hand across my bra. She then searched both of my arms by grabbing them with both hands. I had nothing on under my jumper and was wearing only pants under my track suit bottoms which had an elastic waist. She pulled my jumper up and stretched the track suit bottoms out in front of me. The soldier then put her hands between my legs and ran both hands down each leg, grabbing them all the way.

At this stage a neighbour came up to me and took me by the arm but the soldier said she wasn't finished. She pulled my jumper out at the neck and searched my back. She pulled up my jumper and again pulled the waist of my track suit bottoms. -She put her hands between my legs and ran her hands down the back of them. I asked the soldier, "Are you going to pull the trousers off me?" My neighbour finally walked me to her car. I felt as if I was raped of my integrity. I will never get over this, it will be the longest day I live. It felt like sexual assault.

Use of Force/Lethal Force

Number 14

Four years ago when I was ten years old, my sister and I arrived at my Aunt's house in County Armagh after attending mass. Two police officers dragged my Daddy out of the car and one officer jumped on his back. My sister shouted, "Don't hurt my Daddy," and my Aunt ran inside to warn the others inside the house. A group came out of the house and the police opened fire and shot two of my Uncles, seriously injuring them. The police tried to make my cousin make a statement that there had been a riot by telling him they would come at 5:00 a.m., break down the door, and take him.

Number 15

In 1982, my eleven year old son, Stephen McConomy, was killed by a soldier with a plastic bullet in Derry. A plastic bullet is a solid cylinder that is about three inches long and two inches in diameter. Early that day, some young boys had thrown stones and started a small fire in front of an armoured personnel carrier to show their dislike for its presence in our neighbourhood. If the boys had been a threat to the soldiers, the soldiers could have just left, but they stayed all day. That evening, Stephen was playing with about six other kids near the carrier. An eyewitness said a soldier aimed at and hit the back of Stephen's head from a distance of seventeen feet and produced a three inch hole in his head. The force of the bullet lifted Stephen off the ground and ripped his hands out of his pockets. The soldiers re-loaded the gun and would not let anyone help Stephen for ten minutes. The soldiers were laughing the entire time. The Army claimed there had been a mini-riot and that they had shot the wrong child. Any riot would have been filmed by cameras that monitor the area but no photos were

produced at the inquest. All eyewitnesses said that there was no riot and that Stephen was not agitating the soldiers in any way. In-hospital, the police were extremely angry because we took Stephen's clothes. They wanted his clothes so they could wash them and plant something on him.

Number 16

Seamus (Duffy) was fifteen when he was killed by the police with a plastic bullet in 1989 (in Belfast). The police said he was running away after rioting, but he wasn't. Seamus was shot some distance from the riot scene. The police conducted an investigation under the supervision of the Independent Commission for Police Complaints and did not identify the officer responsible. The Director of Public Prosecutions decided against prosecution.

Number 17

The following statement was taken by a community worker in Protestant West Belfast:

On 26 June 1993, I was standing on the street with my four year old brother as the Whiterock Orange Parade passed down the Shankill Road. The police were provoking the young lads by saying, "Come on, come on," and gesturing with their hands. There was a disturbance and the police started shooting rubber (plastic) bullets over our heads. My Mother pulled as many people as possible into her home as there was no where else for anyone to run.

Joyriding

Number 18

Gerard (Maginn) was seventeen when he got into a stolen car driven by a joyrider on 2 September 1991. The car he was in was chased by the police and ended up going off the road. The driver of the car told the police not to shoot, that they were only joyriders, but thirteen bullets were shot from a range of within twelve and twenty feet. Gerard and the driver were hit. The driver managed to drive off and got through an army checkpoint. Gerard was later found dying in the abandoned car.

The police decided not to suspend the officers and later said there was not enough evidence to prosecute them.

Number 19

The following statement was taken by a person working with joyriders in Belfast:

I was caught joyriding when I was fourteen years old and the police beat a statement out of me. This happens to loads of people. I put in a claim (for compensation). In court, the officers said I voluntarily gave a statement but they are full of shit. It is very hard to get money off the cops or the Brits for claims against them and if you do it is maybe a couple of hundred pounds. It's not really worth your while.

Pressure to Inform on Paramilitary Activity

Number 20

The following case study is from a community worker in Belfast:

A seventeen year old Protestant girl who lives in Belfast was taken to Castlereagh in March 1994 and asked about a murder. Her Daddy is in prison and they called him a bastard. She was asked about paramilitary people on the Shankill and would have been shot by loyalist paramilitaries if she had given them the information.

(see also case study 33)

Separation From Parents in English Prisons

Number 21

In June 1994, I was taking a fourteen year old girl to see her Daddy who is serving a life sentence in a prison in England. We were detained for twenty minutes by the police outside the airport and the officer was very rude. At Heathrow Airport we were picked out of a crowd of people by English police officers. The child was separated from me, vigorously searched, and detained alone for forty five minutes. We were held just long enough to miss the three train connections we had to make.

House Searches

Number 22

I am a sixteen year old girl and live in a small town in County Tyrone. Two years ago, our house was raided and my twelve year old sister fainted and was brought outside the house. My Mummy and Daddy wanted me to check on her but the police wouldn't let me leave. One officer went with me but another told me to come back inside. Four or five soldiers lifted me up and dragged me back inside the house. I struggled to get away for five minutes and was crying. My neighbours were screaming at them to let me go. Later, when I returned inside, soldiers were hitting my brothers, my Daddy had been knocked off of his wheelchair, and the entire family was being verbally abused. I shoved one of the soldiers off of my brother and he slapped and shoved me. We **rang a solicitor and** an officer made the Brits who were fighting leave and replaced them with other soldiers. The raid lasted seven hours.

Later that year, I was walking into town when a police car pulled up and an officer opened the door. The officer moved the car forward and backwards and wouldn't let me pass. This went on for ten minutes. For years I have been stopped by the police and the army, sexually harassed, and threatened that my day will come.

Number 23

The following statement was taken by a community worker in County Tyrone:

In December 1993, the police carried out an early morning raid on my home in County Tyrone. An officer asked me if there were any "T-O-Y-S" wrapped up under the Christmas tree. The officer spelled the word so that my four year old son would not know what was being discussed. I confirmed that the presents under the tree belonged to him. The officer then laughed and opened each present in front of my son thus spoiling his Christmas.

Number 24

I am a thirteen year old Catholic boy and live in West Belfast. The police have been bothering my Mummy since she was seventeen. She has never been charged with any crime but they always raid our house. I am scared to death of the police and the army. One day they came early in the morning and my Mummy asked them to let her wake me up so they weren't the first people I saw. The officer said that would be fine but followed my Mummy up the stairs without her knowing and stood behind her. I woke up and started screaming.

Social Security/Use of the Social Fund

Number 25

The following case study is from a Belfast Citizens Advice Bureau:

Due to sectarian intimidation a client moved from his home on a Saturday and borrowed money for the removal expenses. He was told by the Social Fund Officer that he would not be given a community care grant for his expenses. The officer said the need had already been met despite the fact that the client still owed the money to his family.

Number 26

The following case study is from Churches Advice Centre in Derry:

A lone parent applied for a "start up" community care grant after being allocated a Housing Executive tenancy. The only property she owned was a kettle, a toaster, and a mini hi-fi. The claimant was offered a budgeting loan to cover the costs of a cooker, bedding, a suite, and a baby's cot. She refused the loan as she did not believe she could look after her child adequately on income support after her repayments had been deducted. She had to give up her newly allocated accommodation.

Education/Racial Discrimination

Number 27

The following case study is from the Chinese Welfare Association:

A client of ours came to Northern Ireland from Hong Kong when he was thirteen to join his parents. He went to a secondary school for three years, but his English was very poor. He was sent to a remedial teacher for extra English twice a week but found his studies very difficult. In his third year, he was persuaded to come along to the Chinese youth club. He told a bilingual, sympathetic member of staff how he felt like a prisoner with no freedom to choose what he wanted to do or where he wanted to go. He left school with no qualifications but did not want to work full-time in his father's take-away shop. He agreed to go for an interview at the Job Centre using an interpreter the whole time. It was discovered that he was almost illiterate in English and unable to cope with any of the training courses. The Job Centre staff told him he would have to attend a basic adult literacy course. He gave up and decided to go back to Hong Kong.

Number 28

My parents spoke only a few words of English so Chinese was my first language when I started primary school. No teacher of English as a second language was available so I understood very little and rapidly fell behind. The teacher tried to help but she didn't have the training nor the time to give me the kind of help I needed.

I quickly became bored and frustrated. In the playground there were more problems. Several times my teacher found me crying but I was unable to tell her that my classmates were teasing me. When I brought home a very poor first term report my parents found out about the difficulty I was having. My parents now have to pay a home tutor to come three evenings a week to help me keep up in school.

Torture, Cruel, or Degrading Treatment

Number 29

I am twenty five years old and live in West Belfast. I am the mother of two young children. My family is known as a Republican family so I have been tortured by the security forces since I was young. I have been taken to Castlereagh three times and have been severely physically and emotionally abused in detention. One time when I was taken to Castlereagh my Mother told my son I had gone away on an aeroplane so he did not know that I had been arrested. He was very upset with me for abandoning him without telling him I was leaving. Another time, my

daughter was at home when they came to take me and she had tears in her eyes. They have told me I will be killed by loyalists so I am too scared to go anywhere with my children. When I walk the kids to school the security forces shout graphic sexual abuse at me. One day I was stopped with the kids by a couple of jeeps of police officers. I sent my daughter home because I didn't want her to see the way they treat me. My kids don't want me to leave the house and are constantly checking to see if the police have taken me away again. It has gotten to the point where my daughter won't go anywhere with me in case I am lifted. It is terrible knowing that my daughter won't even go shopping with me in the city centre.

Number 30

The following case study is from a community worker in County Tyrone:

A woman was travelling from her home in the South of Ireland with her six month old baby to visit her family in County Fermanagh in June 1994. She was arrested at the checkpoint in the vicinity of her mothers' home and brought to Castlereagh. She was told that her baby was going to be put in care. She was in great discomfort while held in Castlereagh because she was unable to breast feed her child. Two days after she was arrested, the police doctor told the officers she would have to be examined before he would allow her detention to be extended. In the mean time, her mother had retrieved the child from the police station. The police told her family that her baby was old enough to be fed by a bottle. The woman was eventually released without charge.

Number 31

I am currently eighteen years old and live in West Belfast. Three years ago, I was walking down the street at night with my friend who was also fifteen years old. We saw a car burning so we went to see what had happened. Three jeeps of police officers and Brits stopped us and said they could smell petrol on our hands. One officer grabbed me by the shoulder and threw me in the back of a jeep. He took his hat off and unbuttoned his lapels to cover his identification number. The officer hit me many times on the back of my head with a closed fist. While he was hitting me, the officer was shouting, "Wasn't it you that burned the car?, Who burned the car?" An officer told my friend, "If you don't tell me who stole the car I'm going to break your nose." The officers beat up my friend, drove him a mile up the mountain, and dropped him off. I put in a complaint and after six weeks I was told my case was being dealt with. I haven't heard anything since.

Multiple Breaches of Articles 37 and 40 under Emergency Legislation

Number 32

My name is Tony Garland, I am from West Belfast and in August 1994 I will have been on remand in Crumlin Road Prison for three years. I am now twenty years old.

On 2 August 1991, a coffee jar bomb was thrown at a British Army patrol near my home. I had just woken up before the blast and heard a knock at the door. When I opened up the door, the bomber pushed past me and ran out my back door. He was shot at while escaping over the back fence. The bomber only came to my door after finding no one home at my neighbour's house. The police came to my house three times that day and I never made any attempt to go into hiding. I would never have stayed in my- house if I was at all involved with the bombing. I was arrested that day. No evidence against me was found although the police searched and conducted forensic testing on my house. Two of my friends, Michael Beck and Hugh McLaughlin came to see what was happening to me. The police asked my Mummy their names and they were later arrested. According to the police I was waiting to let the bomber run through my house. I have been charged with attempted murder. The police have not been able to explain why the bomber risked his life by knocking at my neighbour's door if I was waiting for him to escape through my house.

I was brought to Castlereagh and held for seven days. I was interrogated alone about six times

a day. I wasn't allowed to see my solicitor for 48 hours and my requests to see a doctor to get an inhaler for my asthma were denied until the sixth day. During the many interrogations, I was hit on the back of the head and throat. The police threatened me and said they were going to arrest and beat members of my family if I didn't confess. I had terrible headaches, nosebleeds, swollen glands and lost over twenty pounds. There are no windows in Castlereagh, the lights are always on, and there was a lot of noise like an alarm. I never knew what day or what time of day it was. The police would ask me the same question every five minutes and I was completely disorientated. On the sixth day, I gave in and signed the confession the police had prepared for me even though I am completely innocent. We were offered a suspended sentence in exchange for pleading guilty in court. We refused the offer because we are completely innocent. If the judge accepts the confession I signed under physical and psychological abuse, I will receive a very long prison sentence.

Crumlin Road Prison was built in 1854 and its conditions are deplorable. There are mice and cockroaches in my cell and one window, but I have to stand on my bed to see out. When anyone comes to visit me they have to wait a long time, and if they are bringing me parcels they have to wait outside for an even longer period with no shelter from the rain. There is a bell to alert the Screws when I need to go to the toilet, but they won't come, so I have to bang on the door to get their attention. It used to be that I had to put my name on a list to defecate. If my time slot was 3:30 p.m. I might not get in until 6:30 p.m. and in the mean time I would have to defecate in a brown paper bag or hold it for hours. If I have to defecate after 7:00 p.m. I have to hold it until the next day. If I am caught defecating in my cell I would be punished with loss of parcels, loss of time out of my cell, or loss of visits for a period of time.

Number 33

My name is Danny Pettigrew and I live in West Belfast. My friends Tony Garland, Hugh McLaughlin, and Michael Beck were arrested in connection to a coffee jar bombing for no reason. (see above) Before my seventeenth birthday, I was stopped about fifteen times by the police and the army. I would sometimes be stopped twice a day. police officers and soldiers would call me by name and tell me I would go down as soon as I turned seventeen. On one occasion a soldier stopped me and sang to me that the police had gotten all the others and referred to me by saying only one more was left. Although I knew I wouldn't be arrested until I was seventeen and could be interrogated alone, my stomach was tied in knots, I was nervous, and very frightened by this continual harassment.

It wasn't until Ciaran McAllister also turned seventeen that I was arrested. At about 5:40 a.m. I woke up to a number of army and police vehicles, and loads of Security Personnel with guns aimed at the house. It was ironic that I was allowed to walk freely for months and only became a threat to society after my seventeenth birthday. If they had any evidence of my involvement in the bombing they wouldn't have had to wait until I could be interrogated alone and forced to confess to something I didn't do. When the arresting officer saw me he was surprised to see such an innocent looking person and couldn't imagine why he was sent to arrest me. I was terrified after I was told I was being taken to Castlereagh. I had heard about the physical and psychological abuse people face there and knew they were capable of anything.

The police officer who brought me to my cell told me not to say anything during interrogation. My first interview was with one male and one female officer. The male officer walked into the room, took off his suit coat and hung it over the camera. (These are closed circuit cameras which do not record and only enable police observation) I stared down at the floor and tried not to respond to anything. The officer told me that only hardened terrorists were trained **not to speak** and asked me where I learned to do that. The officer grabbed my face **around the mouth and** moved it towards him **forcefully. This was done** repeatedly. The female officer sat in a chair directly across from me, grabbed her crotch and said, "You're not going to get this for fifteen years."

I was slapped repeatedly on the back of the head and on one occasion an officer burst through the door screaming, "Give me ten minutes with him, all I need is ten minutes," in a rage. I looked up from the floor at this point and was terrified. The officer who was already in the room told him that his assistance would not be necessary. My interrogator told me that if I thought

they were bad, it could get a lot worse. On another occasion, an officer told me a woman had been murdered that day on the Springfield Road. The officer asked me if my Mummy didn't live on the Springfield Road. The officer then said that the woman had two young children with her. He asked me if my Mummy had two young children even though he knew that she did. I knew that they were trying to make me believe my Mummy had been murdered, but I couldn't help wondering if it was true. At the trial, the officers denied saying this and said I had made the story up. My solicitor produced the front page of the **Belfast Telegraph** which carried the story of a woman with two young kids who had been killed on the Springfield Road that day and argued that it was doubtful I could have made up a story of an event that actually took place while I was in Castlereagh. Each time I was hit or verbally abused, I always thought about what more they could do to me and constantly felt the threat of being severely beaten.

After I signed the statement the police prepared for me, the officers started questioning me about who in my neighbourhood was in the IRA and involved in recent operations. When I told them I didn't know, the officers screamed that I lived in the neighbourhood and had to know who was in the IRA. The officers continued to coerce me into informing even though I would have been killed by the IRA if I had co-operated with them.

I was very relieved after signing the statement even though I was innocent because I knew I would be leaving Castlereagh and was less likely to be physically harmed. Considering I was now facing twenty years, the fact that I was relieved to confess to something I didn't do shows how bad it was to be held in Castlereagh.

When I first arrived at Crumlin Road, I was kept on 24 hour lock up in deplorable conditions. The only time I was let out was to get my meals and bring them back to my cell. Loyalist and Republican prisoners are kept along side each other and I was threatened twice.

The confessions of five out of the seven of us who were arrested for this bombing are still being contested nearly three years later. There have been constant delays in the hearing and the Prosecution looks at us as if we are crazy when we speak of the severe ill-treatment we received in Castlereagh. This seems strange considering the police doctor confirmed that Damien Austin, who was arrested with us, was severely physically abused in Castlereagh.

(The Crown dropped its charges against two of the people who were arrested for this bombing because their confessions were shown to be clearly unreliable. No decision on the admissibility of the confessions of the other defendants has been reached.)

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