

The PSNI REHIRING SCANDAL: towards Historical ‘Impunity’ Teams?
There has been considerable public controversy of late in relation to the recontracting of former RUC officers who had received severance packages under the Patten reforms into seemingly key positions in the PSNI via an employment agency. The controversy was exacerbated by the lack of willingness of the PSNI to be fully transparent on the issue for some considerable time. Indeed whilst the PSNI at a senior level verbally reassured CAJ such officers were relatively small in number the organisation simultaneously argued, in response to our Freedom of Information (Fol) requests, that it would be too expensive to count the number of officers employed.

Problematically, such staff, now officially termed ‘associate staff’, are classified as civilian staff and are presently beyond the reach of accountability mechanisms such as the Police Ombudsman. The re-hiring also significantly undermines the temporary special measures introduced under the Patten reforms to ensure compositional change in the religious make up of the police force. CAJ’s most urgent concern, however, was the potential conflict of interests some re-hired staff may have between their past and present roles. CAJ does not hold the view that all former RUC officers are an obstacle to change or police reform. However, serious concerns arise when re-hired former RUC officers are placed in the investigative chain for historic investigations. This potential conflict is acute when the actions of their former units, those under their command or associates may be directly or indirectly the very subject of such investigations. In particular, there is the scenario when investigations by the Police Ombudsman or Historical Enquires Team (HET) engage the activities of police agents, yet former special branch officers are involved in providing the intelligence data on which the same investigations are reliant.

In November, the BBC reported that among those re-hired was a former Acting Assistant Chief Constable and Special Branch head. This individual had previously inappropriately lobbied the Police Ombudsman to encourage this office to desist from using the term ‘collusion’ arguing that its use “undermined the credibility of RUC special branch”. This officer was reportedly re-hired, presumably into a senior position or to head a PSNI Legacy branch. Details of the roles of such branches, which presumably control flow of intelligence and other data to legacy investigations, are hard to come by. The PSNI have told CAJ there is now a ‘Legacy Support Unit’ staffed by solicitors and retired police officers whose role is to identify and provide material to the Coroner in relation to legacy inquests. There is also a curiously named PSNI ‘Legacy Gold Group’ which also services the Coroner and other investigations. The role of the officer identified above, apparently as an advisor on legacy matters to the Chief Constable, is less clear.

In January, the BBC revealed that 304 former RUC officers have been re-hired (officially ‘for their unique expertise and skill set’) and occupied sensitive positions within the PSNI, including within the intelligence branch. It has been difficult to ascertain how many such officers are employed within the HET, or within Crime Operations or other branches of the PSNI providing intelligence to historical investigations. Following a recent presentation by CAJ on our concerns on the compromised independence of the HET to the Policing Board Human Rights and Professional Standards Committee, the Committee itself agreed to pursue responses to a range of our unanswered questions in relation to the roles of re-hired officers. The Chief Constable, at the Committee’s annual report launch, whilst conceding there was an issue, defended the re-hiring. He argued it would be ‘unlawful’ to discriminate against persons on the basis of their former RUC employment. Notwithstanding commonplace contract clauses which recoup severance monies paid to persons quickly reemployed, such an argument would also ring hollow if it turned out these particular officers were actively encouraged to sign up to an agency that was then approached to recruit them. *Continued overleaf...*

Contents

The PSNI REHIRING SCANDAL: towards Historical ‘Impunity’ Teams?	1-2
CAJ addresses Helsinki Commission	3
Ten years on from victory in the European Court of Human Rights	4- 5
Challenging the Cuts	6-7
Civil Liberties Diary	8

In relation to the law there is a legal framework which would legitimately prevent former officers taking particular roles where there is a conflict of interest. These standards are found under Article 2 of the European Convention on Human Rights (the right to life) in relation to independent investigation into a death. This is where CAJ's primary concerns lie: namely the violation of the human rights principle that in cases which might involve the actions of state agents, such agents should not be involved in self-investigation. To meet the standards required under ECHR Article 2, it is "necessary for the persons responsible for and carrying out the investigation to be independent from those implicated in the events...This means not only a lack of hierarchical or institutional connection but also a practical independence" (see *Jordan v UK*).

The other PSNI unit of key relevance is the HET, which has been the subject of new research by Dr Patricia Lundy, identifying systemic problems with the unit's investigation of British Army cases originally 'investigated' by the Royal Military Police. The Chief Constable has recognised there are public concerns into the HET and has now invited in Her Majesty's Inspectorate of Constabulary (HMIC) to investigate the unit.

There have also been considerable changes to the structure of HET since its inception, which further limit its potential to provide independent and effective reviews. This is significant because HET investigations were proffered as part of a mechanism to remedy the failings identified in the group of cases in which violations of Article 2 ECHR were found by the European Court of Human Rights.

The above concerns are relevant to the work of HET, since it is apparent that the HET is reliant on analysis and intelligence efforts undertaken by former RUC (and Special Branch) officers, despite the fact that many of the most serious allegations of human rights abuses involve allegations of improper RUC Special Branch behaviour. This conclusion is supported by earlier HET research undertaken by Dr Lundy which established that, "all aspects of intelligence are managed by former RUC and Special Branch officers." A worrying indication of the potential utility of hiring former RUC/Special Branch officers may be found in another conclusion from Dr. Lundy's research, that: "intelligence is more often available for incidents carried out by paramilitary groups than for incidents attributed to the Security Forces."

This fact is even more disturbing when it is seen in light of another trend that is beginning to surface in HET reports. It seems that when the HET seek access to the critical intelligence files, they can be advised that this material is 'missing' including pivotal files from the Tasking and Co-ordinating Group (TCG). Emerging data suggests that this group was chaired and operated by senior RUC Special Branch staff and tasked with 'control and command' for those operations including the preparation and active phases of operations involving the police and elite outside forces, namely the Special Air Services (SAS). These files are critical because they presumably capture the moment when operational decisions were taken which may concern extra-judicial killings by the state and the spectre of Article 2 violations. These 'failures' in delivering effective investigations give rise to concerns relating to impunity in that the approach potentially creates:

"...the impossibility, de jure or de facto, of bringing the perpetrators of violations to account [...] since they are not subject to any inquiry that might lead to their being accused, arrested, tried and, if found guilty, sentenced to appropriate penalties..." (UN principles for the protection and promotion of human rights through action to combat impunity, 2005)

International human rights law also places obligations on states to take effective action to combat impunity:

"Impunity arises from a failure by States to meet their obligations to investigate violations; to take appropriate measures in respect of the perpetrators, particularly in the area of justice, by ensuring that those suspected of criminal responsibility are prosecuted, tried and duly punished; to provide victims with effective remedies and to ensure that they receive reparation for the injuries suffered; to ensure the inalienable right to know the truth about violations; and to take other necessary steps to prevent a recurrence of violations" (2005, as above).

The PSNI has now conceded the practice of rehiring is problematic, and states that it has moved to stem, if not discontinue, this practice all together. The practice appears to have exacerbated the compromised independence of legacy inquiries, but is not the only factor. Teams were to be developed for historical inquiry but if present trends continue they would be better dubbed 'historical impunity teams'.

CAJ addresses the Helsinki Commission

Brian Gormally was part of a delegation to Washington in St Patrick's week this year that was designed to highlight the UK government's failure to adequately investigate cases of unlawful killing in which state agents might have been involved during the conflict. The delegation included Geraldine and John Finucane, Christopher Stanley of British Irish RIGHTS WATCH and Dr Patricia Lundy of the University of Ulster. A highlight of the visit was the opportunity to give evidence to the Helsinki Commission where the delegation was also joined by Mark Thompson of Relatives for Justice. The Helsinki Commission is a bi-partisan US Congress House and Senate committee on human rights focusing on Europe and Asia. It is chaired by Representative Chris Smyth who has taken a long standing interest in Ireland. This is the transcript of Brian Gormally's oral evidence to the Commission:

Thank you, Chairman, and thank you for the opportunity to give a very brief oral presentation to this important commission. I wish to talk briefly from a human rights perspective about the continuing breaches in Northern Ireland. We have made a huge amount of progress, but as has already been made apparent, there is unfinished business and also attempts to roll back some of the advances that have been made. The UK is a signatory to the European Convention on Human Rights and Article 2 of that convention promotes and guarantees the right to life. Recent jurisprudence in the European court has held that, amongst other duties, a state must properly investigate any apparently unlawful killing, especially where state agents may be involved. An investigation must be effective, prompt, transparent and independent, and also involve the next of kin to the extent necessary to protect their interests and their rights. In CAJ's opinion, the United Kingdom is seriously in breach of its European Convention Article 2 responsibilities to protect the right to life in respect of cases where state involvement in unlawful killing is alleged. In a number of high-profile cases, including the Finucane case, it has refused to carry out proper investigations into possible direct or collusive involvement in killings. And it will be apparent from the list of criteria that I read out that the so-called Review that the British government has offered in the Finucane case does not meet international human rights standards for investigating an unlawful killing. In our view, this is not a matter of the past but of the protection of the right to life in the present and the future. The reality is of a major Western government failing to put in place the investigative and regulative mechanisms necessary to prevent its agents from engaging in extrajudicial executions or other unlawful killings. We are deeply concerned that this failure is leading to a culture of impunity amongst British military, intelligence and security agencies and may result in their further involvement in unlawful killings.

There is also evidence that these failings by the U.K. government give cover and encouragement to those states, including Council of Europe members, engaged in much more egregious human rights abuses. These cases arising from the past in Northern Ireland are therefore vital to pursue for all those who care about human rights and the responsibilities of major Western powers to take the lead in their protection and promotion. There are various mechanisms that can currently be used in Northern Ireland to investigate past unlawful killings that might involve state collusion. However, none of them at the present time meet fully the criteria that the European court has set down. And we support the call that Mark Thompson has made for a comprehensive way of dealing with human rights abuses and other atrocities in the past in Northern Ireland. Without that, the peace process is still at risk. I want to mention briefly the extent to which the Office of the Police Ombudsman has been subverted over the past few years. It's an office that we fully support. It is one of the most powerful police complaints mechanisms in the world and has a duty also to investigate past cases where police misconduct may have been involved. I won't go into detail; the written evidence that I've given has been kindly put in the record. But at the present time, we have to say that the Police Ombudsman's office, just like the Historical Enquiries Team are not able to properly carry out the U.K.'s obligations to human rights and in particular the right to life. The right to life is the most important human right, and we could argue that the government's foremost duty is to protect it. While there have been huge advances in Northern Ireland, and human rights including equality are better protected than ever before, the lack of effective investigations into unlawful killings is a dangerous gap. It has the capacity to undermine the peace process and to weaken confidence in policing and the new society as a whole. Although these cases happened in the past, this is not a historical question. It is a matter for the present and for the future. It's a central human rights issue. If we cannot trust the government to fully investigate cases where its agents may have killed citizens, what can we trust it with?

Ten years on from victory in the European Court of Human Rights

In February 2012 CAJ together with the Pat Finucane Centre (PFC) filed a further submission to the Committee of Ministers (CM) on the 'McKerr Group of Cases' which concerns the action of the security forces in Northern Ireland.

While judgments were delivered in 2001, 2002 and 2003 in these cases, in which the European Court of Human Rights (ECtHR) held that the UK had violated the procedural obligations under Article 2 (the right to life) of the European Convention on Human Rights (ECHR), these families still await delivery of full effective investigations to remedy the flaws in the original investigations as highlighted by the ECtHR.

In 2011 the UK assumed the Chair of the Council of Europe Committee of Ministers. It reaffirmed its overarching priority as the protection and promotion of human rights, reiterating that the UK aims to be an example of a country that upholds human rights. In this context we brought to the attention of the CM the standards requiring the prompt and effective execution of the above judgments. We also noted that there is a risk of a knock on effect on other Council of Europe member states should the above matters not be addressed.

We reminded the CM that inadequate investigative mechanisms, leading to impunity for human rights abuses in Northern Ireland for a powerful state like the UK, could be used to justify similar approaches by states which have more sustained human rights records. We examined the mechanisms put in place by the government, following these seminal judgments, to address these original judgments of the ECtHR which found there to be:

- a lack of independence of police investigators investigating an incident from those implicated in the incident;
- defects in the police investigations

Historical Enquiries Team (HET)

We raised our concerns about the independence and effectiveness of the process underpinning the reports prepared by the HET. Whilst some families of persons killed by agents of the state have got a satisfactory measure of resolution from the HET, we do not accept that the HET is an operationally independent unit of the PSNI. Further we queried the HET's capacity to conduct effective independent Article 2 compliant investigations where state actors may have been involved in a death.

While the CM formally closed its examination of the HET in 2009, noting that the HET provided a 'thorough and independent reappraisal of unresolved cases, with the aim of identifying and exploring any evidential opportunities that exist, and, if evidential opportunities are identified, to proceed with the investigation of the crime' it also observed that the HET process was taking longer than originally anticipated as a result of a high caseload but could bring "a measure of resolution" to affected persons.

The CM was also advised that the HET structure consisted of different teams and was staffed by retired and serving police officers including those from outside Northern Ireland, that the HET had transferred a total of 87 cases to the Police Ombudsman. The CM therefore decided to close its examination of the issue on the grounds that the HET had 'the structure and capacities to allow it to finalise its work'.

We are concerned to note that since this assessment was made there have been a number of developments which significantly undermine the HET's capacity, including:

1. Significant alterations to the structural relationship of the HET with the PSNI;
2. Concerns over the independence of HET (and other PSNI staff who may have a role in the HET investigative chain) from those potentially implicated in the incidents under examination has been recently compounded;
3. Before 2009 the HET did not refer any cases back to the PSNI. However from 2009 the HET started to refer cases to the "C2" Serious Crime branch of the Crime Operations Department. The PSNI has stated that 'once the HET has carried out a review and identifies evidence that a person may have committed a serious offence then the case is referred to C2 (Crime Operations) and it is then a decision for C2 to take further action.' The Committee noted in 2009 that the remit of the HET was to reappraise unresolved cases and 'if evidential opportunities are identified, to proceed with the investigation of the crime'.

4. Academic research into the HET notes that originally the HET established some teams exclusively staffed by officers from outside Northern Ireland. However it finds that even when these teams were in place that 'each phase of the HET process included the involvement of former long-serving local RUC officers, some of whom have from its inception held key positions in senior management.' Of particular concern is control over HET's access to intelligence data.

5. We also have concerns about specific aspects of the HET process in relation to cases where the deaths involved actions by British Army personnel which were originally dealt with by the Royal Military Police (RMP). Exploring evidentiary opportunities appears largely dependent on the 'voluntary' cooperation of military personnel and is governed by a protocol with the Ministry of Defence.

6. Limitations in the potential of the HET to review prosecutorial decisions (e.g. decisions not to prosecute members of the security forces) in relation to historic cases have also emerged.

As part of its response to our submission, the UK government submitted that the HET 'remains an operationally independent unit of the PSNI, which reports to the Chief Constable' and to meet concerns around independence it 'continues to have a structure that has separate investigative units'.

Office of the Police Ombudsman for Northern Ireland (OPONI)

The OPONI is still subject to examination by the CM and has not been signed off as a general measure to remedy the original violations found by the ECtHR in the 'McKerr Group of Cases' and we raised a number of issues about this office with the CM.

In 2011 we had filed a number of submissions with the CM detailing the investigative reports into the Police Ombudsman's Office by CAJ, the Department of Justice and the Criminal Justice Inspection (CJI). The CAJ report, as with the Criminal Justice Inspection investigation which followed it, found serious failings and a 'lowering of independence' within the Ombudsman's Office. The CJI report concluded the way in which investigations of historical cases had been dealt with had led to a lowering of its operational independence and recommended the suspension of most historic investigations until reforms in the Office have taken place. The Ombudsman has subsequently resigned and his successor Dr Michael Maguire, the current Criminal Justice Inspector, has been appointed to replace him.

In late November 2011 news reports indicated that the Office had decided to 'reinterpret' its legislation in a manner which means the Office reportedly argued it can no longer conduct investigations into nearly 50 cases where RUC officers were responsible for deaths. CAJ sought information on the basis of this reinterpretation, noting the previous Ombudsman had not taken this view. As part of its five year review OPONI has recommended that its powers be amended to 'enable consideration be given to further investigation of such cases where the Ombudsman deems it in the public interest to do so' as well as seeking to amend its powers to compel retired officers etc.

A consultation document issued by the Police Ombudsman's Office states that it has established a Historical Investigations Directorate and has conducted a comprehensive review of how it will deal with over 130 'historical cases'. The focus of the consultation is on a draft policy dated October 2011 which sets out criteria for how individual cases should be 'prioritised'. Neither the general system for case prioritisation within the Ombudsman's Office nor any previous protocols in place for dealing with historic cases are referenced in the consultation document, nor is there any clarity as to whether the proposals actually consist of a change in policy or rather a reiteration of existing prioritisation criteria. Given these aspects of the nature of the consultation this CAJ voiced concerns it could be used to retrospectively justify decisions not to have initiated investigations into a number of high profile cases, and/or to justify further delaying investigations into such matters.

In its response to our submissions, the UK government stated that 'the existence of an effective and independent complaints system is something that the public and the police have a right to expect – this is a key part of the policing architecture in Northern Ireland intended to secure public confidence in the police services'.

We wholly endorse this sentiment; it is something we have long called for, however, we still await full implementation of the commitments given to the CM by the UK government, since it was held to be in violation of Article 2 in the above group of cases. When it properly implements these judgments, by providing fully effective investigations into these controversial cases, then the words of the UK government will ring true.

Challenging the Cuts

In the current economic climate, the spending cuts and reduction in public services can have a disproportionate impact on disadvantaged groups. Community and voluntary sector organisations are working to protect their constituents from these impacts, and have developed diverse strategies with varying levels of success. In order to consolidate this learning, facilitate mutual support and build capacity among the sector, the Equality Coalition and the PILS Project held two events focusing on 'Challenging the Cuts'.

At the first event on 2 February 2012 a workshop was held with organisations from the community and voluntary sector. The aim was to encourage dialogue between members and stakeholders, to discuss the cuts in small groups and think about collaborative working. The follow-up event on 2 March focused again on 'Challenging the Cuts' but this time was aimed at legal practitioners, NGOs, trade unions, academics and others who are interested in strategically challenging cuts in budgets and reductions in public services which disproportionately impact on disadvantaged and vulnerable groups.

Event one

Members of the Equality Coalition and the stakeholders from the PILS Project were invited along to this first event, both to share their concerns over where the cuts were affecting their constituents and to hear information on where organisations can go to challenge the cuts being made in their sector. The event also touched on lessons in working together on shared issues. Event one was set up as a workshop which concentrated on members discussing different approaches to collaborative working in order to encourage thinking on possible ways forward and to encourage networking and capacity building for the attendees.

Patricia McKeown of UNISON and Co-convenor of the Equality Coalition laid out the background on where Northern Ireland stands affected in the series of cuts, what has happened and what is to come. She detailed how the cuts could be affecting people from an equality and human rights perspective and discussed the impact of the cuts on the most vulnerable in society- the people that use the most services.

This was followed by a presentation by Debbie Kohner of CAJ (and also Co-convenor of the Equality Coalition) on Section 75 of the Northern Ireland Act. Debbie focussed on the effect of the cuts on the 9 categories of Section 75 of the NI Act 1998 and what mechanisms can be used to challenge this. The third presentation by Mellissa Murray, from the PILS Project, centred around strategic litigation. Strategic litigation is useful when one or more constituents or groups are affected by an issue or spending cut, as it takes into account more than one person and a win can affect a group of people. This was key for those members who shared concerns around proposed cuts in similar areas.

The subsequent discussions revealed significant areas of overlap in terms of how cuts were affecting the groups present. Welfare reform and service reduction proposals were discussed, including how these are proposals leaving the most vulnerable open to the risk of severe poverty. A critical issue raised by all groups was the stretching of resources– the same money being made to stretch further, coupled with the cutting of acute services, which adversely affects the most marginalised in society.

All of the groups were involved in gathering evidence, and going forward these reports can be taken to government to be used as evidence to demonstrate the impact that policies are having on grass roots people. The groups discussed a commitment to raise public awareness, collectively work together on challenging the cuts, and expand and develop a long term commitment to grassroots initiatives, through engaging with people in the communities. This kind of work can be a route into trying to change the political mindsets.

Event two

This second event in this series was tailored towards an audience of legal practitioners, NGOs, trade unions, academics and others who are interested in strategically challenging cuts. Debbie Kohner opened this event, explaining that the courts have found judicial review to be a limited remedy for s75, due to the parallel ECNI complaints mechanism. Judicial review is still a possibility, however. Debbie set out the principles developed by the many cases on the public sector equality duties ('PSED') in Great Britain, which would apply to s75 and reviewed the application of the PSEDs to spending decisions, given that the courts are traditionally reluctant to interfere with public expenditure. Debbie confirmed that several judgments show the courts' willingness to send spending decisions back to local authorities where the PSED has not been fulfilled, and set out the common principles arising from these cases.

The first guest speaker of the day was Michael O'Flaherty, Chief Commissioner of the Northern Ireland Human Rights Commission. Mr O'Flaherty discussed international best practice and 'back to roots' principles and purpose. He touched on the need for precise targeting of the human rights system at the most vulnerable who are often invisible in society. He highlighted three treaties – ICESCR, CRC and UNCRPD – all of which are concerned with economic and social wellbeing, and which are routinely being ignored by government. Mr O'Flaherty encouraged the sector to use the international legal standards, jurisprudence and findings of international monitoring bodies in advocacy and work on Northern Ireland policy. He concluded by giving a brief outline of the work of the NIHRC, which is currently prioritising the economy, the impact of the cuts and the Bill of Rights. Northern Ireland specific issues regarding social inequalities are being discussed in relation to the Bill of Rights.

An English solicitor, Louise Whitfield, was invited to attend this event as she had successfully taken cases with regards to the cuts. Ms Whitfield is an Associate with Pierce Glynn Solicitors in London and shared her experience, enabling us to look to ways of challenging the cuts here in Northern Ireland. Ms Whitfield detailed some of the learning emerging from the cases being taken and outlined the common grounds for judicial review. She gave a balanced account of what can be done about challenging the public sector cuts meaningfully and highlighted the pitfalls and negative points posed to organisations.

Mark McEvoy, barrister-at-law, detailed the legal tools for challenging the cuts in Northern Ireland. Mr McEvoy discussed potential limitations of the statutory S75 duty, common law tools and the international human rights instruments, the provision of socio-economic rights under these and the requirement to advance rational grounds for policy positions. He warned that the courts will require an objective justification for challenges on resourcing, but there is a clear potential to make use of this instrument in tandem with s.75.

A panel discussion concluded the event, including experiences of judicial review from representatives of the Law Centre NI, Children's Law Centre and the Public Law Project (London).

These events were organised to encourage Northern Ireland NGOs to think about how they can challenge the decisions being laid down before them from government. We hope that such capacity building and knowledge sharing will encourage some NGOs to challenge the cuts for their service users and fight to rebalance the power for those most vulnerable and disadvantaged in society.

The participants identified that the most successful approaches to challenging the cuts were both multi-pronged (such as media, public campaigns, lobbying, administrative and legal) and multi-partied (joining with other groups for resources and impact, and gaining public support). There is more work to be done in this area. This is not the end of 'Challenging the Cuts.' The Equality Coalition is keen to keep capacity building and information sharing through further mini-workshops on areas such as non-discrimination and how to utilise the EU Charter within this context.

The Equality Coalition will continue to support its members through information sharing and capacity building in this area. For more information on the work of the Equality Coalition, visit <http://www.caj.org.uk/equality-coalition>

Civil Liberties Diary - February 2012

3 February

Director of Public Prosecutions Barra McGrory, QC, has told a human rights group that society should speedily find a way of dealing with the past. He also questioned whether politicians had the will to confront the issue. Mr McGrory broke new ground by becoming the first director of the PPS to visit the Belfast offices of CAJ and speak to its members.

6 February

A consultation into proposed amendments to the use of stop and search powers in Northern Ireland has been launched by The Secretary of State Hon Owen Paterson. It will look into the draft Code of Practice (Northern Ireland) for the use of the special powers as contained in the Terrorism Act 2000.

15 February

A sister of one of the Birmingham pub bombing victims has started a petition for a public inquiry into the attack. Two bombs in November 1974, killed 21 people. Six men from Northern Ireland were jailed but their convictions were quashed in 1991.

The Northern Ireland Prison Service will launch a recruitment drive on Thursday for up to 200 new staff. It is the first recruitment campaign for prison officers in Northern Ireland for more than 20 years.

Brian Shivers, who was jailed for murdering two soldiers at a military base in Antrim, has launched a legal bid to overturn his conviction. Shivers lodged papers to appeal the verdict that he was guilty of involvement in the murder of Sappers Mark Quinsey, 23, and 21-year-old Patrick Azimkar.

20 February

The family of a 15-year-old Derry youth shot dead by the British army in 1972 have rejected a report by the Historical Enquiries Team (HET) and called on the coroner to re-open the inquest into his death. Manus Deery was shot dead by a British soldier on Westland in May 1972.

20 February

Families of victims killed in a bar by loyalists in 1994 have started legal action to overturn a police ombudsman report into the massacre. The relatives of those shot dead in Loughinisland are challenging the report's conclusions that there was no evidence of collusion between the Ulster Volunteer Force (UVF) gang responsible and the police.

22 February

Nine men are acquitted of the murder of Ulster Defence Association leader Tommy English, after the judge dismissed key "supergrass" evidence in the trial. Three other men who were accused of lesser Ulster Volunteer Force (UVF) crimes such as assisting offenders and perverting justice were also cleared.

The justice minister has said he is actively pursuing other alternatives to full body searching in Northern Ireland prisons.

22 February

Michael Wardlow has been appointed as the new chief commissioner of the Northern Ireland Equality Commission. Mr Wardlow was chief executive officer of the Northern Ireland Council for Integrated Education until 2009.

23 February

The Public Prosecution Service is to consider whether two brothers breached the terms of their deal of a reduced prison sentence in the UVF supergrass trial in Belfast and will consider whether they had "knowingly failed to give assistance".

Boston College has decided to appeal the decision of the US district court requiring the college to hand over interviews from seven republicans who participated in its oral history project on the Troubles.

24 February

An investigation by the government's spending watchdog into the PSNI's rehiring of retired officers as civilian staff will begin next week. The audit office hopes to have a draft report ready by the end of May.

27 February

A peace barrier opens in North Belfast. It will remain open from 7am to 4pm Monday to Friday for three months until a review takes place.

28 February

MLAs in the Assembly voted to continue the current arrangement for the Department of Justice.

Just News welcomes readers' news, views and comments.

Just News is published by the Committee on the Administration of Justice Ltd.

Correspondence should be addressed to the Editor, **Fionnuala Ní Aoláin**, CAJ Ltd.

2nd Floor, Sturgen Building
9-15 Queen Street
Belfast
BT1 6EA

Phone: (028) 9031 6000

Fax: (028) 9031 4583

Email: info@caj.org.uk

The views expressed in Just News are not necessarily those of CAJ.