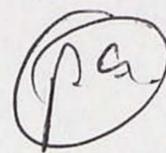


CALLS BY NI HUMAN RIGHTS COMMISSION FOR A MORE CO-ORDINATED RESPONSE TO PUNISHMENT ATTACKS

We welcome the Commission's condemnation of so-called punishment attacks, and its intention to explore ways of ensuring better co-ordination of the efforts to tackle this problem.

The research quoted in the Commission's statement shows clearly that the scourge of such attacks is all too prevalent, at a terrible cost to individuals, families and communities. It highlights the need for an accountable police service and criminal justice system which have the support and confidence of everyone they serve.

While the issues of criminal justice and policing are reserved matters, this administration will do all it can, both to tackle the underlying social problems that can contribute to crime, and to ensure that the needs of victims of violence are met through high quality, effective services. Many organisations are involved on the ground in attempting to address these issues and the Executive's commitment to victims is outlined in the draft Programme for Government.

[The criticisms of devolved areas of responsibility within Professor Knox's report have been brought to the attention of those Ministers whose Departments are directly involved.]

BACKGROUND

1. On 11 May the NI Human Rights Commission issued a press statement condemning human rights violations by paramilitary organizations. The statement referred specifically to published research on punishment attacks, and called for a more co-ordinated approach in dealing with such attacks. The Commission announced its intention to organize a series of meetings in the coming months with representatives from the different sectors involved – such as statutory bodies, political parties, voluntary agencies and community groups.
2. The research report was published by Professor Colin Knox in December 2000, and was the subject of Assembly Questions at that time. The precise reason for the Commission's statement on the matter at this time is not known, but may be a response to the criticism of human rights legislation which followed the recent decisions by the European Court on shootings by the security forces.
3. The report, provides an "evaluation of the alternative criminal justice system in Northern Ireland". It sets out an analysis of punishment attacks in Northern Ireland and is highly critical of the response from both the voluntary and statutory sectors to such attacks.
4. The report claims that punishment attacks exist for three main reasons:
 - the absence of a legitimate or adequate policing service and latterly, in republican areas, an attempt to disgrace the RUC and show that it does not have a future if Patten is not fully implemented in law;

- the rising levels of anti-social behaviour and petty crime. As a result, there is a community-based call for a prompt, visible and effective response to this type of behaviour; and
- failure of the formal criminal justice system.

5. Voluntary and statutory agencies are criticised in particular for minimising the problem or remaining indifferent to it with the net result being “a disjointed response at both inter-sectoral and inter-agency levels”. Within the voluntary sector the three main relevant organisations, NIACRO/BASE 2, Extern and Victim Support (NI) are said to have collaboration which “is ad hoc, non-existent or personality based”. Two organisations under the remit of a local Minister, the Social Security Agency (SSA) and the Northern Ireland Housing Executive (NIHE) are said to show “a denial of the problem and/or a failure to respond to those who had been attacked, shot or intimidated”. There is also criticism of the Compensation Agency, which is presently an Agency of the Northern Ireland Office.

6. The report goes on to argue that victims of paramilitary attacks have become “expendable pawns in pursuit of political gain at the macro level” and that “the need for joined-up government is clearly necessary to tackle this problem, the resolve to do so is thus far lacking”. The authors conclude that “the fact that their (punishment attacks) number is increasing and the attacks are becoming more vicious, is a damning indictment of a post-conflict society”.

7. In terms of a response to the report, it is difficult to single out particular activities that fall to the devolved administration. Many of the issues revolve around the operation of the "formal" criminal justice system and the acceptability or otherwise of the RUC. Many of the organisations involved in the field such as NIACRO and Extern receive their funding ultimately from the Northern Ireland Office.
8. The criticisms levelled at the Social Security Agency (SSA) and the NIHE reflect perceived gaps in data collection on those subjected to punishment attacks and a less than sympathetic approach. The SSA has recently introduced a Customer Charter which should hopefully address some of the criticisms.
9. With regard to a more joined-up approach, an Interdepartmental Working Group on victims has been established within the devolved administration. This is chaired by the Junior Ministers in OFMDFM and is comprised of a senior official from each Department, the Social Security Agency, and the NIHE.

RESPONSE TO THE REPORT

10. At the time of publication, the NIO stated that it could not comment in detail on a report that it had not been given the opportunity to see or to respond to before the authors went to the media. It stated that what had been seen amounted to a series of unsubstantiated, generalised and politically tendentious assertions.
11. The NIO stated it had not been 'indifferent' to the problem of paramilitary attacks. Successive Secretaries of State and the Security Minister had

consistently condemned such attacks and had repeatedly called on those with influence within the communities where this problem exists to use their influence to bring these attacks to an end. NIO noted that bringing the perpetrators of this brutality to justice requires evidence, a point that the report appeared to concede and then ignore.

12. In view of the criticism of the Social Security Agency and the Housing Executive, the report was brought to the attention of DSD and DOE at the time of publication.

What is the devolved administration doing to create the “joined-up” approach called for in the report?

An Interdepartmental Working Group on victims has been established which is chaired by the OFMDFM Ministers responsible for victims issues. This group aims to develop a strategic approach to issues facing all victims of the conflict, and as one of the action points in the draft Programme for Government states, it is planned to have a cross-departmental strategy in place later this year.

The Report states that a disjointed approach to this issue is not helped by “the plethora of new and established victim support groups”. What is the Deputy First Minister’s view on this?

The devolved administration is keenly aware of the necessity to work with victims’ groups and individual victims in an attempt to understand and meet their needs. That is why there are five action points in the draft Programme for Government which relate directly to victims and why a Victims Unit has been established within OFMDFM. I understand that officials from that Unit have an ongoing programme of visits to victims’ groups and it is through such activity that a common approach to the relevant issues can permeate through statutory agencies.