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**A Report Prepared for the United Nations Committee On the Rights of the Child
By the Human Rights Watch Children's Rights Project**

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Summary of Conclusions and Recommendations

Children under eighteen have suffered greatly as a result of the conflict in Northern Ireland; of the more than 3,100 people who have lost their lives since 1969 in political violence associated with "The Troubles," many have been children. The Human Rights Watch Children's Rights Project has been unable to obtain precise figures on the total number of children killed in the course of the conflict; seven children between the ages of ten and fifteen were killed between 1975 and 1989 by plastic bullets used by security forces for crowd control.

Moreover, children are caught between two powerful groups, security forces and paramilitaries. The paramilitaries are the Irish Republican Army (IRA) and the Ulster Defense Association (L.D.A.). The IRA draws its support from the Catholic community and supports the use of political violence to gain independence from the United Kingdom. The group now known as the IRA is actually the "Provisional IRA," or "Provos," which broke away from the "Official IRA" in 1970. The IRA is an illegal group; it was outlawed by the NI (Emergency Provisions) Act of 1973.

The UDA draws its support from the Protestant community and supports the use of political violence to maintain union with the UK, as do allied groups, the UFF (Ulster Freedom Fighters) and the UVF (Ulster Volunteer Force). and abused by both.

The Human Rights Watch Children's Rights Project has concluded that children below the age of eighteen in Northern Ireland are improperly detained in adult interrogation and remand centers; have been physically and mentally abused in Castlereagh Holding Centre; have been psychologically tricked, threatened and pressured by police during interrogation; are denied immediate access to solicitors; are not brought promptly before judges or, if charged, brought speedily before a court for adjudication; are incarcerated in inhumane conditions in Castlereagh Holding Centre and Belfast Remand Prison; are deprived of the right to silence; are sometimes convicted on the basis of confessions obtained by improper means; and are physically and mentally abused and harassed on the street by security forces. Abuse of children is not confined to Catholic children, but is carried out against Protestant children as well.

As to the mistreatment of children by paramilitary forces, the Children's Rights Project has concluded that the RUC (Royal Ulster Constabulary, the Northern Ireland police force) has largely abandoned normal policing in many troubled areas. This abandonment has been a significant factor in the creation by paramilitary groups - both Unionist (Protestant) and Republican (Catholic) - of alternative criminal justice systems. In operating these systems, paramilitary groups inflict on children arbitrary and cruel punishments, including punishment shootings, severe beatings and expulsions. Because the Northern Ireland authorities have de facto ceded policing authority to the paramilitary organizations, they must share the blame for their abuses.

Unfortunately, the report submitted by the United Kingdom to the United Nations Committee on the Rights of the Child deals with none of the problems listed above. Regarding the treatment of children in the criminal justice system in Northern Ireland, the U.K. report says only:

In Northern Ireland the spirit of Article 37(b) is met by current legislation such as the Police and Criminal Evidence Order. As regards Article 37(c) it is the policy of the criminal justice system in Northern Ireland to maintain separation, where possible, between children and adults (Par. 8.54 on page 118 of the U.K.'s report).

Article 37(b) of the United Nations Convention on the Rights of the Child (UNCRC) states that states parties "shall ensure that ... no child shall be deprived of his or her liberty unlawfully or arbitrarily." In declaring that the "spirit of Article 37(b) is met by current legislation, the U.K. ignores the fact that children who are brought in for questioning in connection with political violence are subject not to the requirements of the Police and Criminal Evidence Order, but to emergency legislation. Current emergency legislation consists chiefly of the Northern Ireland (Emergency Provisions) Act of 1991 (EPA) and the Prevention of Terrorism (Temporary Provisions) Act of 1989 (PTA).

that has been in effect in Northern Ireland since 1922. That emergency legislation provides, among other things, that children can be detained incommunicado in adult interrogation facilities for up to 48 hours and can be detained without charges for up to seven days.

The U.K. states that "it is the policy of the criminal justice system in Northern Ireland to

maintain separation, where possible, between children and adults." The HRW Children's Rights Project has determined that separation between children and adults is not practiced in holding centers where interrogations take place, or in remand centers; where children are confined with adults. In addition, some children are serving sentences in adult institutions. The UK has, in fact, entered a reservation to the Convention stating that it reserves the right to confine children with adults (par. 8.55, page 118).

Other abuses of children described in this report are forbidden by international law. The United Nations Convention on the Rights of the Child (UNCRC) (Article 37(a)), as well as other international agreements and standards. These include the International Covenant on Civil and Political Rights, the European Convention on Human Rights, the United Nations and European Conventions against torture, the United Nations Code of Conduct for Law Enforcement Officials, the United Nations Standard Minimum Rules for the Administration of juvenile justice, and the United Nations Standard Minimum Rules for the Treatment of Prisoners. forbid torture, inhuman and degrading treatment of children by security forces. UNCRC (Article 40) and other international agreements and standards require that children be provided with due process in the criminal justice system. UNCRC Article 37 (c), as well as other international standards, forbids placing children in adult detention centers or prisons and requires standards of decency in institutions in which children are placed (Art. 37(c) and 40(l)). UNCRC Art. 38(l) states that states parties must respect the rules of international humanitarian law in armed conflict. These laws forbid the abuse of civilians, including children, by paramilitary groups as well as by government forces.

The Human Rights Watch Children's Rights Project urges the Committee on the Rights of the Child to press the United Kingdom to adopt the following recommendations:

- * Children below the age of eighteen should not be detained in adult interrogation (holding) and remand centers.
- * Children should not be sentenced to adult prisons.
- * Children should not be physically or mentally abused in interrogation centers.
- * Children should not be psychologically tricked, threatened or pressured by police during interrogation.
- * Children should not be pressured to become informers.
- * RUC officers who abuse children during interrogation should be appropriately disciplined.
- * All interrogations should be video- and audio-taped with strict regulations against unwarranted disclosure.
- * Detained children should be allowed immediate access to solicitors when taken into custody and continuous access to solicitors while being questioned.
- * Children suspected of offenses should be brought promptly before a judge.
- * The UK should repeal its derogation from Article 5(3) of the European Convention on Human Rights and should repeal the power to detain suspects incommunicado.
- * Children suspected of offenses should be detained only as a last resort; alternatives to incarceration should be provided.
- * Children accused of offenses should not be incarcerated with adults.
- * Incarcerated children should be given treatment appropriate to their ages.

- * Children should not be detained in inhumane and unsanitary conditions.
- * Children charged with offenses should be brought speedily before a court for adjudication.
- * The Northern Ireland (Emergency Provisions) Act of 1991 (EPA) standard for the admissibility of confessions, which permits the introduction into evidence of a broader range of confessions than permitted under ordinary criminal law, should be rescinded.
- * The Criminal Evidence (NI) Order (1988), which permits a court to draw adverse inferences from a suspect's refusal to answer questions asked by police during interrogation or at trial, should be rescinded.
- * Children should not be physically or mentally abused on the street by security forces.
- * The UK should take steps to end random street stops and searches to ensure that all searches are conducted without degrading or harassing measures.
- * In relation to the treatment of children by paramilitary organizations, the HRW Children's Rights Project recommends that:
 - * The UK should resume normal policing in troubled areas and provide adequate protection for police officers who carry out such duties.
 - * Paramilitary organizations should put an end to their parallel criminal justice systems, punishment shootings, assaults and banishments of children.

The HRW Children's Rights Project urges the United Nations Committee on the Rights of the Child to press the government of the United Kingdom to carry out the recommendations listed above.

Description of the Human Rights Watch Children's Rights Project

Human Rights Watch is a nongovernmental human rights monitoring and advocacy organization based in New York. It conducts regular, systematic investigations of human rights abuses in some seventy countries around the world. It addresses the practices of governments of all political stripes, of all geopolitical alignments, and of all ethnic and religious persuasions. In situations of internal conflict or internal strife it documents violations by both governments and armed opposition groups. Human Rights Watch defends freedom of thought and expression, due process and equal protection of the law; it documents and denounces murders, disappearances, torture, arbitrary imprisonment, exile, censorship and other abuses of internationally recognized human rights.

In April 1994 Human Rights Watch created a Children's Rights Project. The Project works to defend the rights of children around the world by investigating, reporting on and publicizing appalling human rights abuses and working to end them. Our concerns include such issues as the killing of street children by police, the use of children as soldiers, torture and inhumane treatment of children by police, locking up children without due process, and bonded and forced labor of children.

Abuse of Children in the Criminal Justice System

The Human Rights Watch Children's Rights Project found grave abuses of children in the criminal justice system in Northern Ireland. Some of this ill-treatment consists of physical and mental abuse of children by police during interrogation, and some stems from the laws themselves, many of which violate international standards.

The age of majority in the United Kingdom is eighteen, yet seventeen-year-olds (and sometimes fourteen- through sixteen-year-olds) are treated as adults by the criminal justice system. Children can be interrogated in adult holding centers, detained in adult remand prisons

while awaiting trial, and sentenced to adult prisons in violation of international standards for the treatment of children.

The United Nations Convention on the Rights of the Child defines a child as a person under the age of eighteen unless majority is attained earlier under state law. Children are recognized as being in need of special care; the United Nations Declaration of the Rights of the Child states in Principle 2 that "the child shall enjoy special protection."

The principle that incarcerated children must be kept apart from adults is central to international standards for the treatment of children: UNCRC Article 37(c) and the United Nations Standard Minimum Rules for the Administration of juvenile justice (Article 13.4, 26.3) require that children be kept separate from adults in both detention centers and prisons.

The Human Rights Watch Children's Rights Project found that in spite of these international protections, children below the age of eighteen in Northern Ireland are confined in both detention centers (remand prisons) and prisons for sentenced prisoners (see section on detention, below).

Treatment of Children Detained under Emergency Legislation

Emergency laws have been in effect in Northern Ireland since 1922; these laws profoundly affect the treatment of children. Children who are suspected of crimes connected to political violence are treated quite differently from children suspected of ordinary crimes. By virtue of emergency laws, children can be detained longer, denied access to lawyers for forty-eight hours, sent to adult remand prisons and given longer sentences if convicted.

Under Section 14 of the Prevention of Terrorism (Temporary Provisions) Act 1989 (PTA), anyone suspected of being a terrorist- including children - may be held for forty-eight hours without being charged. In addition, the Northern Ireland Secretary of State has the power to extend detention for an additional five days. In *Brogan v. United Kingdom* (1988), the European Court of Human Rights ruled that a detention under the PTA that lasted for four days and six hours violated Article 5(3) of the European Convention on Human Rights. In response, the United Kingdom has derogated from that section of the Convention rather than reform its detention practices. Children suspected of ordinary crime, however, must be brought before a court no later than thirty-six hours after an arrest; those under fourteen must be brought before a court as soon as possible, and in any case no later than thirty-six hours after an arrest.

The Codes of Practice issued by the Northern Ireland Office (1994) under the Northern Ireland (Emergency Provisions) Act 1991 (EPA), which do not have the force of law, indicate that children should be interviewed only in the presence of a parent, guardian, or some other appropriate person. Under the Prevention of Terrorism Act, however, children suspected of crimes connected with political violence may be denied access to a lawyer for 48 hours (Section 14); thus seventeen-year-olds are questioned alone.

Under Section 6 of the EPA, a young person (aged fourteen through sixteen) who is charged with a "scheduled offense" (including murder, armed robbery, possession of explosives, and certain lesser offenses) can be held in an adult remand prison until trial. Children suspected of ordinary crimes cannot be held in adult remand prisons. Children and Young Persons Act (NI) 1968, Section 51. Elsewhere in the United Kingdom, children may not be confined in adult prisons.

Under Section 11 of the EPA confessions can be admitted into evidence unless they are the product of torture, inhuman or degrading treatment, or a threat of violence. Confessions elicited by promises, inducements, psychological pressure, trickery, or other means, may be admitted in cases alleging acts connected with political violence. Such confessions may not be admitted in cases alleging ordinary criminal acts.

The right of an accused person to remain silent has been part of English law for more than 300 years. In 1988 this right was fundamentally eroded in Northern Ireland by the enactment of the

Criminal Evidence (NI) Order, which permits a court to take adverse inferences from a suspect's silence during interrogation or at trial. Lawyers who represent children in Northern Ireland have told HRW/CRP that this order has effectively removed the right of silence. The removal of the right to silence, added to the admissibility of a wider range of confessions, has significantly eroded legal protections for children accused of acts connected with political violence. For a fuller discussion, see Helsinki Watch, *Human Rights in Northern Ireland* (New York: Human Rights Watch, 1991), pp. 11-44.

Under Section 13 of the EPA, a juvenile may be sent to an adult prison if found guilty of a scheduled offense that can result in a sentence of more than five years. According to statistics provided by the Northern Ireland Office (NIO), two children, ages fourteen through sixteen, were sentenced to adult prisons in 1990. For the previous eight years, between two and five such children were sentenced to adult prisons each year. As statistics are kept separately only for children under seventeen, there are no official figures on the number of seventeen-year-olds sentenced to adult prisons each year. Nor are there figures on the number of seventeen-year-olds interrogated in adult holding centers, or on the number of those interrogated who are subsequently charged with criminal offenses.

According to Alan Shannon, the Controller of Prisons for Northern Ireland, four seventeen-year-olds were confined to adult prisons in June 1994; three girls were in Maghaberry, the women's prison, and one boy was in Belfast Prison (Interview, Belfast, June 23, 1994). This overrides the Children and Young Persons Act provision that a juvenile can be sent to prison only for an offense that carries a sentence of more than fourteen years.

Abuse of Children in Detention

In April 1992, Human Rights Watch/Helsinki (formerly Helsinki Watch) interviewed at length two seventeen-year-old boys suspected of involvement in political violence. Both charged that they had been physically and mentally abused by police during interrogation in Castlereagh Holding Centre - an adult detention facility in Belfast. These allegations included being hit, kicked, punched, spat on, held in a choke hold, having the testicles squeezed, having a lighted cigarette lighter held under the testicles, being picked up and thrown against the wall. Medical examinations found evidence of physical injuries and "severe ill-treatment."

In June 1992 a community worker in a Protestant area in East Belfast told HRW/CRP of a seventeen-year-old Protestant girl who
had the frightening experience of being taken to Castlereagh and interrogated about a murder. She was pushed about, was insulted, was told "your father was a bastard and a murderer and you'll end up the same way" and released after three days without being charged.

Interviews in 1992 and 1994 with children and their solicitors revealed severe psychological ill-treatment. Children report being threatened, insulted, deceived as to their rights. One boy was allegedly told, "If you don't tell us, we'll phone Sinn Fein [the political wing of the IRA] and they'll go around to your house and kneecap your mother." Another child was reportedly told that his mother had died (untrue) and that if he confessed, police would let him go home to his family. A seventeen-year-old girl was reportedly told that the charge against her was "withholding information," when it was actually murder. Many children have reportedly been told that their solicitors are members of the IRA who -will not, help them. Children are often reportedly pressed to be informers; if found out, informers stand a good chance of being killed by the IRA or the UDA.

The Human Rights Watch Children's Rights Project believes that the use of threats and psychological pressure against children violates Article 37(a) of the UNCRC and other international law provisions that proscribe inhuman or degrading treatment. HRW/CRP also believes that children, who are particularly vulnerable, should never be questioned in detention - whether or not they have been formally arrested - or in matters that may lead to their detention without a solicitor being present.

The RUC's treatment of children under eighteen during interrogation in holding centers appears to violate the UN Convention on the Rights of the Child's (UNCRC) proscription of torture or other cruel, inhuman or degrading treatment or punishment (Art. 37(a)) as well as those of the International Covenant on Civil and Political Rights (ICCPR), the European Convention on Human Rights (ECHR), and the UN and European conventions against torture, to all of which the U.K. is a state party.

In addition, the lengthy detentions of seventeen-year-olds violate international standards that require detention for the shortest appropriate period of time. Moreover, the boys do not appear to have been treated with dignity and respect for their needs as children. Nor have they been granted prompt access to attorneys, brought promptly before a judge, or brought speedily before a court for adjudication of the cases against them - all requirements spelled out in the UNCRC (Articles 37(b), (c), and (d)), as well as in Articles 9, 10 and 14 of the ICCPR, and in similar provisions of the ECHR.

Conditions in Castlereagh Holding Centre and Belfast Remand Prison

Human Rights Watch has been denied permission to visit interrogation centers in Northern Ireland. We have, however, received reliable reports that children are confined in abysmal conditions in Castlereagh Holding Centre. The Standing Advisory Commission on Human Rights, a quasi-governmental organization, visited Castlereagh Holding Centre in 1992 and told Human Rights Watch/Helsinki in April 1992 that 'We were disgusted by the physical conditions in Castlereagh - they were degrading and appalling. There was two-year-old graffiti on the walls; the walls were encrusted with grime. The cells were dirty and smelly, most unhygienic.'

These conditions do not appear to have improved. In his first report, submitted to the Secretary of State for Northern Ireland on January 31, 1994, Sir Louis Blom-Cooper, the first Independent Commissioner for the Holding Centres, sharply criticized conditions in the centers for detainees' lack of access to fresh air or exercise in the open air; the lack of reading and writing materials or a table for writing; the size of the cells, and for other inadequacies. Sir Louis reported, "Being for the most part without access to daylight or natural ventilation, the physical conditions at Castlereagh and Armagh [holding centres] are, to employ moderate language, austere and forbidding" (page 32).

Conditions in Belfast Remand Prison (Crumlin Road Prison), which was built in 1854, are dreadful. Josie Garland, the mother of Tony Garland, who has been detained there since August 1992 when he was seventeen years old, told us in June 1994 that prisoners charged with offenses connected with political violence are locked in their cells twenty-one hours a day and are permitted only one hour a day in the exercise yard and two hours a day in a canteen area. Alan Shannon, the Controller of Prisons for Northern Ireland's Prison Service, denied this and told HRW/CRP that such prisoners are allowed out of the cells four to five hours a day. Interview. Belfast, June 23, 1994; letter to HRW/CRP, July 4, 1994. Two of their daily meals are eaten in the cells. Cells do not contain sanitary facilities; the boys must use chamber pots, sometimes in the presence of cellmates, or put their names on waiting lists to defecate in a toilet. Prisoners are supposed to 'slop out' - empty their chamber pots - every morning, but have reported that they sometimes sleep and eat in cells with overflowing chamber pots. Prisoners complain of roach infestation, inadequate medical facilities, and sometimes as long as a sixteen-hour wait between dinner (sometimes served at 3:30 p.m.) and breakfast (served at 8:00 a.m. the following day). Remand prisoners - including seventeen-year-olds - have no work or activities. Moreover, prisoners serve long periods on remand; Tony Garland, as noted above, has been in Crumlin Road for two years, along with others who are part of the "Ballymurphy Seven" case.

In addition, Crumlin Road Prison is a dangerous place. Protestant and Catholic prisoners are not segregated from each other as many wish (and are in some Northern Ireland Prisons), and violent incidents occur often. On November 24, 1991, a bomb exploded in the canteen in C Wing, killing two Loyalist prisoners and injuring seven others.

UNCRC Articles 37(c) and 40(l) require that detained or incarcerated children be treated with "humanity and respect" and "in a manner consistent with the ... child's sense of dignity and worth."

Article 13.3 of the United Nations Standard Minimum Rules for the Administration of juvenile justice states that children detained pending trial are entitled to all the rights and guarantees of the United Nations Standard Minimum Rules for the Treatment of Prisoners. Among other things, those rules require that

- Young prisoners shall be kept separate from adults (Rule 8(d)).
- Young prisoners ... shall receive physical and recreational training during the period of exercise. To this end, space, installations and equipment should be provided (22(2)).
- Young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions (85(2)).
- An untried prisoner shall always be offered opportunity to work, but shall not be required to work. If he chooses to work, he shall be paid for it (89).

Detention of seventeen-year-olds in Northern Ireland falls far short of these international standards.

The conditions in which seventeen-year-olds are confined in interrogation and remand centers further violate international standards. UNCRC Art. 37(b) states that detention of a child shall be used only as "a measure of last resort and for the shortest appropriate time." The UN Standard Minimum Rules for the Administration of juvenile justice echo this requirement (Art. 13.2). These rules suggest the use of alternative measures instead of detention, including close supervision, intensive care or placement with a family or in an educational setting or at home (Art. 13.2). The standards also say that while in custody, children should receive care, protection and all necessary individual assistance -social, educational, vocational, psychological, medical and physical - that they may require in view of their age, sex and personality (Art. 13.5). Care, protection and individual assistance are in short supply for seventeen-year-old inmates in Northern Ireland.

Street Harassment of Children by Security Forces

One of the most frequent complaints that the Human Rights Watch Children's Rights Project has received from Northern Ireland concerns street harassment by security forces - the Royal Ulster Constabulary (RUC - the Northern Ireland police force), the British Army, and the Royal Irish Regiment (RIR), a locally-recruited regiment of the British Army made up of part-and full-time members. Children under eighteen appear to be particular targets of street harassment. HRW/CRP found that harassment of under-eighteens is endemic in West Belfast and in other troubled areas in Northern Ireland; that harassment is not confined to Catholic youngsters, but is carried out against Protestant youth as well; and that lodging harassment complaints against security forces is generally seen as useless.

Under emergency laws in force in Northern Ireland, security forces have broad powers to stop and question people, including children under eighteen. Under Sections 23(1) and 26 of the Northern Ireland (Emergency Provisions) Act 1991 (EPA), police or army may stop any person or any automobile for the purpose of ascertaining "that person's identity and movements" and what the person may know "concerning any recent explosion or any other recent incident endangering life ..." This power to stop and compel answers can be exercised without a suspicion of wrongdoing. Further, under Section 19(6)(a), the officer may search the person who has been stopped, to determine if s/he is carrying munitions or transmitters.

Interviews with children and adults indicate that these powers have frequently been used to degrade and humiliate children and are often counterproductive - creating antagonism against security operations and sometimes driving children into the arms of paramilitary organizations that advocate political violence.

Human Rights Watch conducted interviews with children in Northern Ireland in April 1992 and in June 1994. In Belfast and in outlying areas we interviewed approximately thirty young people about their experiences with security forces. In addition, parents, lawyers, community workers and local councillors have described to us many more incidents in which children have been abused by security forces.

Harassment of children in troubled areas is so common that children and their parents treat it as a matter-of-fact part of everyday life. Some children report that they are stopped, detained, questioned and pushed around several times a week. Some parents charge that there is a constant campaign of harassment against young people, ages fourteen to eighteen.

A father in Ballymurphy, a heavily Catholic area of West Belfast in which trouble between security forces and residents is frequent, told us:

The soldiers are on the street when the kids go to school, they're back when the kids come home for lunch, and they're back again when the kids leave school. They constantly provoke the kids. They call them "Irish bastards," and push and shove and jostle them. They search them and they put them against the wall, spread-eagled. They ask them to take their shoes and socks off, even in the middle of the street, and when it's cold or rainy. It's very humiliating. There's no great age gap between the soldiers and the kids - most of the soldiers are only eighteen or nineteen. It's a sort of "hearts and minds" policy in reverse. It happens daily - they try to degrade the kids, to make them feel small. If we complain to the RUC about it, they say "it's not us, it's the Army," and don't do anything about it.

One kid in the area wouldn't spell his name for a soldier, and got a punch in the eye. Another kid was threatened that the soldiers would take him out in a jeep and drop him off on the Shankill Road [a Protestant area]. It's constant torture for the kids - lots of times the kids don't even tell their parents about it. They don't want them to worry. It's as though the army is trying to drive young people into the arms of the paramilitaries.

Another parent noted:

There are two Army jeeps and two RUC jeeps in the area - in Greater Ballymurphy, including Ballymurphy, Beechmount and Springhill. They're patrolling all the time: they think we're the hard core of West Belfast. The kids won't leave their houses until the jeeps pass. They know they'll be stopped as soon as they walk out of the door. If they're out at night, they're afraid to come home late because of the police. So they stay at their friends' homes.

A mother of three reported:

They hassle certain families, and they concentrate on young people between sixteen and twenty. They tell the kids, "You'll go down for it next time." They stop young girls on their way to school and tell them to open their coats; they search their school bags and call them sluts. They use terrible language to the kids - sometimes the kids won't repeat it to their parents. One boy in the area got a death threat from the army - he wouldn't tell his mother. So our kids stay home and play cards and watch videos. Half the time they're afraid to go out. They're interned in their own homes. And mothers are so frightened they ask their kids where they're going - they shouldn't have to do that. The kids suffer and the mothers suffer. And the RUC drives some of the kids into the IRA, because they can't stand the constant humiliating treatment.

In June 1994, a Catholic priest told us:

Kids in my area - County Tyrone - are constantly harassed by the police. The DMSU [Divisional Mobile Support Unit] are the worst. They just do whatever they like - they act way outside of normal police procedures. And you can't get their numbers because they're almost always covered up by their rainproof jackets. They have no respect for ordinary working class people. Many police can't hide their sectarianism - the force is 95 percent Protestant. They seem to target kids under eighteen. Some police put out a statement that kids are being recruited by the IRA, and that therefore it's justifiable to pick them up. They specifically mentioned teenagers.

Police even go after very young ones. One five-year-old girl went home and asked who King Rat [the nickname of a Loyalist leader in the area] was. A police officer had told her that King Rat would get her. Twelve- and fourteen-year-old girls are sexually harassed, told things like "you're an Irish whore."

The HRW Children's Rights Project was told that harassment is particularly severe in Crossmaglen, a heavily militarized area in South Armagh. A thirteen-year-old boy was reportedly injured while walking through a checkpoint when soldiers pulled @pikes out in front of him; the boy was kept in hospital overnight. He also reported that he was threatened that soldiers would shoot him. For about nine weeks, checkpoints were located twenty yards from a school; children were afraid to pass through them. Parents report that bedwetting has increased because of younger children's fears. Teenage girls are reportedly taunted: "Would you like to have my baby?" Local parents were so upset that they organized a one-day school boycott. Of 750 children, 677 stayed away in spring, 1994.

In June 1994, the Human Rights Watch Children's Rights Project interviewed a sixteen-year-old boy who lives in a small Catholic enclave within a Protestant area, who reported:

The Peelers [RUC] stop me on the street and call me queer and say I've been writing on walls, when I haven't. Sometimes they stand and point at me and laugh and snicker at me. They made fun of me once because I couldn't spell the name of my street. Sometimes they won't let me pass. Once they said to me, "Your mother charges two pounds an hour." They keep stopping me and asking me the same questions, like what is your name, even though they know my name, and what is your address, even though they know where I live. And they keep saying, "Will you tell your ma?"

They started doing this when I was thirteen. In the middle of winter, around Christmas time, at my own corner, they made me take my shoes and socks and coat off. I was so nervous my legs were shaking. After that I was so scared for a long time I wouldn't go out of the house.

The Children's Rights Project learned of another sixteen-year-old boy who reported:

On Thursday, June 23, 1994, I had been at the Valley with about six friends to the garage where we go every night. Land Rovers with soldiers and police came up and one police officer grabbed me, threw me against the wall and started shaking me. He hit me with a baton in the stomach. One of my mates asked the police why they were bothering me, and a cop grabbed him and made his ear bleed.

The police said they had been looking for someone wearing a red baseball cap. I had a hood on with a blue baseball cap underneath. I was taken into the Land Rover and brought to the police station. In the Land Rover they were calling me names, telling me I was ugly. Four or five officers were laughing at me in the station. I was charged with disorderly behaviour.

A boy from Stewartstown reported:

A while back, before I was eighteen, they told me I would not see eighteen and then after that I would not see my next birthday. They stop me every time they're in Stewartstown.

A mother from County Tyrone and four of her children told the Children's Rights Project in June 1994 stories of continuous harassment. The seventeen-year-old daughter said:

The soldiers stop me all the time and make very sexist remarks. They call me by name -they know who I am. It makes you feel very vulnerable, like they're marking you.

Her fifteen-year-old sister said:

I don't want soldiers or police searching my bags. It's very degrading to have your stuff searched; you might have personal stuff in your bags. Six or eight months ago I was walking down the road by myself. There was a foot patrol in the hedge. They started yelling, "where are you going; Who lives in your house?" I tried to walk. and they wouldn't let me pass. We live in the country with no one near, and I was very scared. Finally they let me pass. But they kept asking me what my

older brothers were doing, using their names.

Just before Christmas I was coming home in a car with two friends. A car was following us. We were very worried. We pulled over so the car could pass us, but the car pulled in and two police got out and questioned us. I tried to go into a house to call home, but the police wouldn't let me. It was very dark and we were very frightened - you don't know who's following you. After a while they let us leave.

A community worker in West Belfast told the Children's Rights Project:

Last month a nine-year-old boy from Turf Lodge was throwing stones. The RUC picked him up and threw him into a jeep [a closed armoured car with no windows in back]. His mommy heard and ran up to get him. The child didn't speak for three days. Another boy in the neighbourhood who's fourteen is continually stopped by the RUC and the army and punched, because his father and mother have been charged with something. If you complain to the RUC about the treatment, they produce witnesses who'll back up whatever the officer says.

The mother of a five-year-old in West Belfast told CRP:

Two months ago my little boy was playing with his friends and he had a stick in his hand. He went to hit a British soldier with it, and the soldier took the stick and hit the child. He still has a wee scar where he was grabbed. And the soldier twisted his arm and called him a "Fenian bastard." My neighbor saw it all. Later the boy's father took him to the army to complain. They said, "nobody hit him. "F--- off or I'll shoot you." Now my little boy is afraid to go out of the house; he's afraid a British soldier will hit him.

The West Belfast community worker said:

Kids can't walk one block without being stopped. People are very bitter about the harassment. It's gotten much worse since the Anglo-Irish agreement. All the harassment is acting as a recruiting agent for the IRA.

A thirteen-year-old boy in West Belfast told the Children's Rights Project:

Last September I was coming out of band practice, playing my flute. The RUC and the Brits went past. Then they came back and pulled over and pushed me into the back of the jeep. I was petrified. They said to me, "Well, you're in the s--- now." Later at the police station they asked me if I threw a stone, or if I had a stone in my hand, and "how many stones did you throw" "What were you doing at the time?" I told them I didn't throw any stones and that I was coming out of band practice playing my flute. Then they finally let me go.

His mother said:

I was in an awful state. They drove him all around the estate in the back of the jeep. Why didn't they just bring him home? He's thirteen. When I got to the station, he was white. He was panicked. He said, "Mommy, I didn't do nothing." They kept him there for three quarters of an hour. The police mumbled something about a stone being thrown. Then they took him to Grosvenor Station. The custody sergeant said, "what in the name of God is that child doing here?" After about half an hour my solicitor came. The inspector said, "I don't understand what this was for. The officer should have brought him home to you or given him a good telling off or cautioned him." They let him go, but later I was told to go to the juvenile Liaison, and then they charged him with disorderly conduct.

Protestant children are harassed as well. A community worker in a Protestant area of East Belfast told the Children's Rights Project:

The RUC is not accepted in my community; of 2,000 households, only one is an RUC family. Harassment and house searches have gotten worse in the last two years. Young people are stopped on the street and put up against the wall. It's very humiliating. The RUC's attitude is that the young people don't matter.

A ten-year-old Protestant boy told us in June 1994:

Three or four weeks ago on a Saturday night I was coming around a corner with friends and the Peelers stopped me. They said, 'get over here now,' and grabbed me at the neck by my clothes. They threw me into a Land Rover [an enclosed armoured vehicle] and ripped my shirt. They were asking me about a stone - throwing. I didn't throw any stones. One of them said, "if you tell me porkies [lies] I'm gonna smash your jaw.' Then they took me home in the Land Rover. Later on I saw a red mark on my arm where they had grabbed me.

The boy's father told us that the boy is afraid to leave the house now because of the incident.

In 1992, Human Rights Watch/Helsinki talked with children in and outside of Belfast. Children reported being "slapped around", punched in the face, hit on the head with a rifle butt, thrown against a wall, lifted up and thrown down, kicked, grabbed by the throat, threatened with death, pinned against the wall, elbow-punched in the stomach, having a gun shoved into the face or the chest, being hit on the head with a gun, being hit with a rifle and suffering a broken wrist. In addition, they reported being insulted and threatened. Girls of sixteen and seventeen reported sexual insults and threats that they found very frightening. For details, see Helsinki Watch, *Children in Northern Ireland: Abused by Security Forces and Paramilitaries* (New York: Human Rights Watch, 1992), pp. 18-34.

Harassment of children by security forces violates international law. The United Nations Convention on the Rights of the Child requires "protection and care" of children (Article 3); and specifically outlaws "the torture or other cruel, inhuman or degrading treatment or punishment" of children (Article 37(a)). The United Nations Standard Minimum Rules for the Administration of juvenile justice requires in Paragraph 10.3 that "Contacts between the law enforcement agencies and a juvenile offender shall be managed in such a way as to respect the legal status of the juvenile, promote the well-being of the juvenile and avoid harm to her or him, with due regard to the circumstances of the case."

The International Covenant on Civil and Political Rights (1966) (Article 7), the European Convention on Human Rights (1950) (Article 3) and the United Nations Convention Against Torture (1964) prohibit inhuman or degrading treatment, as well as torture.

The Human Rights Watch Children's Rights Project concludes that Harassment of children under eighteen in Northern Ireland is endemic, is directed against children in both traditions - Nationalist and Unionist - and is in violation of international agreements and standards.

Abuse of Children by Paramilitary Organizations For a more complete discussion of this question, see *Children of Northern Ireland: Abused by Security Forces and Paramilitaries* pp. 34-56.

Policing in Northern Ireland is difficult and dangerous, and police have largely abdicated normal policing in many troubled areas. Instead, the RUC concentrates its efforts on fighting political violence; police in troubled areas travel in armoured personnel carriers or armoured Land Rovers, or patrol with rifles, backed up by soldiers in full battle gear.

In part because of the absence of normal policing, paramilitary groups -both Republican (Catholic) and Loyalist (Protestant) - have stepped in to fill the vacuum and police their own communities. The IRA operates a parallel unofficial criminal justice system that handles complaints of ordinary non-political crimes allegedly committed by members of its own community. The IRA acts as investigator, prosecutor, judge and jury, and carries out its own sentences. Children called before IRA tribunals are denied all but the bare rudiments of due process. On the Loyalist side, the Ulster Defense Association (UDA) orders punishment shootings and severe beatings for "anti-social activities" by Protestants and carries them out.

These informal justice systems have ordered maimings and shootings and have banished people from Northern Ireland. Their actions are carried out against children as well as adults. Public opinion appears to be divided on these 'rough justice' systems; some residents applaud them and some residents are horrified by them.

The degree of danger involved in police work in Northern Ireland is indicated by the fact that two hundred ninety-three police officers were killed in connection with political violence between 1969 and January 31, 1994. According to the Northern Ireland Office, during the same time period 444 members of the British Army, 201 members of the Ulster Defense Regiment (now the Royal Irish Regiment), and 2,176 civilians (including members of paramilitary groups) were killed in violence associated with "The Troubles." Police fear that calls for assistance from the

'ghetto' (working class) areas may be traps, as some have in the past. But the Human Rights Watch Children's Rights Project has concluded that unless the Royal Ulster Constabulary resumes normal police work, the vacuum left by police inaction will continue to be filled by armed paramilitary groups using brutal tactics against the people of Northern Ireland - Catholics and Protestants alike.

The RUC acknowledges that it does not carry out normal policing in certain areas in Northern Ireland. Sir Hugh Annesley, Chief Constable of the RUC, has said:

It is a fact, a highly regrettable fact, that terrorism has distorted policing, to the disadvantage of the community and the Police - and against the desires of both. Necessary security measures have adversely affected policing methods; the terrorist threat has inhibited the degree and quality of contact between the Police and the public and, at times and in places, the nature of the Police response to community needs. Address to the Armagh Diocesan Synod, October 22, 1991, p.5.

The number of people who are victims of punishment shootings and assaults by the IRA and the UDA is appalling. The Northern Ireland Office issues statistics on both. Between 1969 and December 31, 1993, 1,874 people were victims of punishment shootings - 1,145 by Republicans and 729 by Loyalists. In the first thirteen years, shootings by Republicans heavily outnumbered those by Loyalists. Since 1986, however, in every year but 1989 shootings by Loyalists have outnumbered Republicans'.

As for punishment assaults (beatings) - between 1982 and December 31, 1994, 536 people were victims; 333 were severely beaten by Republicans, and 203 by Loyalists.

The Children's Rights Project has not been able to obtain a complete breakdown of punishment shootings and assaults by age. It is clear, however, that a great many of the victims of punishment shootings and assaults are young people - in some cases, even younger than seventeen. For the years 1988 through 1991, for example, the NIO reported a total of 409 punishment shootings; of these, 113 (27.6 percent) were of people under twenty years old.

The damage inflicted by these shootings and assaults ranges from flesh wounds to serious disabling of all four limbs. Some beatings carried out by paramilitaries have been very grave. According to the Northern Ireland Office, "the injuries ... can be of a most serious nature and it is a fact that victims have bled to death. Clearly some of the victims do suffer permanent injury or disfigurement as a result of the attack." Undated statement given to the Standing Advisory Commission of Human Rights in early 1992. Young people have been laid out on the ground and had the bones of their arms and legs systematically broken. Malachi O'Doherty, "Social Work-over," *New Statesman*, Vol. 5, No. 191, 28 February 1992, P. 22.

A community worker in West Belfast described the assaults:

In 1989, fifty attacks occurred that involved the use of hurling sticks, baseball bats (sometimes with nails driven through them), hammers, hatchets and breeze blocks. Injuries sustained included fractures to the skull or limbs, spinal injuries, broken fingers and cuts and bruises. In the same period, fifty-one severe attacks occurred using fists and/or feet. Injuries sustained included fractures to jaws and limbs. Some of these attacks were perpetrated against women.

In 1989, 161 shootings occurred. Weapons used included stun guns, hand guns, rifles and sawn-off shotguns. Injuries sustained included fractures to the elbows, knees, ankles, hands and thighs. There was also damage to skin, muscle, blood vessels and nerves.

The common injuries resulting from 'kneecappings' included damage to kneecaps, soft tissue, tendons, muscles, arteries, veins and nerve damage. In some cases total mutilation occurred. Where there is total mutilation of a joint, a surgeon may consider amputation. Interview in Belfast, April 1992.

Northern Ireland presents the extraordinary picture of paramilitary groups that use violence for political ends in attacking security forces and each other, simultaneously attempting to police

and control their own communities. Paradoxically, both groups inflict arbitrary and cruel punishments against their own community members which are often more severe than those that would be ordered by courts of law. The Human Rights Watch Children's Rights Project concludes that punishment shootings and assaults by paramilitary groups are unjust and inhumane. The paramilitary groups and the Northern Ireland authorities must share the blame - the paramilitaries for carrying out these abuses, and the government for its defacto ceding of authority to the paramilitary groups. The Human Rights Watch Children's Rights Project also concludes that unless the RUC resumes normal police work in troubled areas, armed paramilitary groups will continue these brutal and illegal acts.

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