



**TRANSITIONAL
JUSTICE**
BUILDING JUSTICE

TRANSITIONAL JUSTICE GRASSROOTS ENGAGEMENT

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Transitional Justice: Grassroots Engagement

**A Report for Bridge of Hope
An Ashton Community Trust Programme**

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FOREWORD



Foreword

It's likely that ten years ago most of the people involved in the encounters described in these pages had not heard of the concept of transitional justice. And it is a measure of the exponential growth in interest in that topic that not only have they been discussing its principles in a small corner of north-western Europe, but that in applying those principles have arguably advanced our understanding of the value of the concept.

The rise of transitional justice has led to the emergence of a global cadre of experts. Some have arrived on the scene seemingly from nowhere, while others developed into it from a long-term commitment to human rights, civil rights, women's rights, conflict transformation work and indeed post-colonial nation building.

But there is at least one other level of experts often left out of the picture, those at ground level. There is no denying that in Northern Ireland we have the same issues to wrestle with as in many other societies coming out of protracted periods of political violence - policing, communal rivalry and confrontation, the quest for truth and justice, the issue of apologies and acknowledgement, the life chances for ex-prisoners, the thorny questions of financial support for victims and memorialisation, and the task of economic reconstruction in areas blighted by unemployment and underemployment. It is right that experts, local and international, are involved in helping us find a way through this emotive maze.

And if that is true for this society as a whole, it is perhaps even more so for the area of North Belfast from which the participants in these encounters come. The area suffered disproportionately in 'The Troubles', and the statistics of death, injury, destruction, sectarian confrontation and imprisonment bear witness to this. But, at the risk of coining a cliché, it is worth remembering that behind all these statistics are the lives of real people.

The North Belfast participants in Bridge of Hope's pilot programme brought with them to the table the experience of having lived through the conflict in a place which was in many ways the cockpit of that conflict. They also brought an impressive record of having worked on conflict transformation issues in North Belfast over many years. Experience such as this is invaluable, but there is no skill which cannot be enhanced by a bit of time out for reflection and, in the end, nothing as practical as a good theoretical understanding of practice. Exploring transitional justice seems to have provided a sound grounding for them to move forward in the process of conflict transformation in North Belfast. There is valuable learning here for all of us.

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Acknowledgement

This pilot transitional justice programme called for commitment from everyone concerned. I am grateful to the members of the steering committee who gave of their time and experience; to those who participated in the residential and workshops; and to the academics and activists who contributed to the seminar programme. At Bridge of Hope, Áine Magee was a diligent staff member who made creative contributions at all stages. Irene Sherry, Head of Victims Services at Ashton Community Trust, made the original application for funding and gave inspirational and rigorous leadership throughout. As this report is written for Bridge of Hope I refer to myself in the third person throughout. Any errors that remain are my responsibility, the programme was a collective achievement.

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SUMMARY



Summary

Bridge of Hope is a programme of Ashton Community Trust which is a regeneration charity that seeks to improve social and economic conditions for all the people of North Belfast. Bridge of Hope secured funding to carry out a pilot programme to explore transitional justice from a grass roots North Belfast perspective from the Strategic Support Fund, which is administered by the Community Relations Council on behalf of the Office of the First Minister and Deputy First Minister.

This Bridge of Hope programme in transitional justice was based on the principle that the people most directly and deeply affected by a conflict have a critical role to play in its transition. Considering that one in five of all conflict related deaths took place within North Belfast it is clear that many of its people have a considerable level of experience and knowledge to contribute.

Participation in this pioneering pilot programme revealed a commitment amongst people in North Belfast to reflect further on the conflict and the ongoing transition. They were eager to learn and explain more about how the decisions of politicians and policy makers can have direct impacts in the local place. The level of engagement and enthusiasm for further learning is remarkable in view of the programmes' hard conversations. These centred around what happened and how blame is apportioned, as well as the challenges of building justice after war.

In areas like this, where so many lives were lost, the past will not 'go away'. This unique pilot enabled participants with firsthand experience of the conflict to explore the past in a wider context. They examined the local process of transition and how decisions taken some time ago, at macro levels, continue to affect everyday life in North Belfast. Using the Five Pillars of Transitional Justice framework, they debated reforms that overhauled the Royal Ulster Constabulary (RUC), the creation of a cold case police unit to probe conflict related deaths dating back to 1969 and the creation of a dedicated Victims and Survivors Service. Other decisions featured in programme contributions just as strongly. For instance, compensation and reconciliation initiatives and court/justice mechanisms were discussed alongside equality concerns. The Five Pillars framework, enabled participants to examine decisions taken thus far and their effects. They provided feedback on which local transitional justice processes worked and crucially, what didn't. It became clear, for example, that for many unionists inter-communal networking is a priority alongside the goal of redressing some positive but overall poor levels of engagement with local political parties. For some nationalists issues of equality and accountability are a priority especially as barriers to truth remain. The Five Pillars framework was useful both for these domestic conversations and for linking local developments to global questions about how transitional societies deal with the past and secure reform for future generations.

This is the first time that to our knowledge such a grassroots programme in transitional justice has been developed in a community setting anywhere. As a tool for exploring the past and thinking about the future participants reported that the programme was very effective. It provided a language and a framework for critical conversations. Participants reported that some deeply controversial discussions would not otherwise have taken place.

One of the core strengths of the pilot was that it engaged with residents from one of the most divided constituencies in Northern Ireland, where the 30 year conflict proportionately claimed the most lives and where levels of imprisonment devastated families, sometimes for generations. The involvement of former combatants, police officers and clergy with community and political activists was valuable and informative. They spoke of not only building or obtaining justice for themselves but also about the larger social landscape of daily life that is made harder by serious structural disadvantages in North Belfast in relation to employment, health, education, housing and leisure. Generations of systemic social and economic neglect in the area are not being reversed. Indeed, in the current fiscal climate socio-economic circumstances are set to worsen. However, an occasional upsurge in social unrest in the area is met, participants noted, with media comment that often blames local people but fails to provide a wider analysis of existing deep rooted inequalities.

Bridge of Hope's pilot was viewed by the steering committee as an opportunity for the local community to engage with transitional justice as a global framework and to take knowledgeable ownership of the processes involved whilst giving an account of local impacts. This is exactly what happened. The programme affirmed the principle, shared by all involved, that those who experienced the worst impacts of the conflict have a vital contribution to make to the civic work of dealing with the past and building a just future. This work requires government leadership, social policy delivery and citizenship participation.

In terms of addressing the programme's aims, the pilot surpassed expectations. It clearly addressed legacy issues in North Belfast and contributed to peace building through an approach that involved grassroots partnership both in the steering committee and the programme. Partnership was based upon common goals for the improvement of North Belfast and the recognition of diverse political perspectives. In terms of the original aim of developing a community based model for truth recovery, the entire Five Pillar framework aided this endeavour. As a critical tool, transitional justice provides an opportunity for wider social engagement around what happened here during the conflict. It enables useful comparisons with other conflicted and transitional jurisdictions which aids the work of dealing with the past in the context of social reform. The pilot offered an opportunity to look at what processes, especially around truth recovery and accountability, were put in place and how they didn't always achieve their aims.

The Northern Ireland peace process has been internationally applauded as a global model for conflict resolution. The 1998 Agreement, also known as The Good Friday Agreement is renowned for the centrality it gives to equality and human rights. This local transitional justice model in North Belfast has wider implications. It provides a template for citizen engagement in post conflict conversations that need to happen.

Achievements

- This unique transitional justice programme enabled civic conversations about dealing with the past
- It fostered preliminary engagement with the legal, institutional and policy tools of transition.
- The fast track residential programme was enthusiastically undertaken by participants who engaged in analysing the local impacts of transitional justice.
- Participants identified key landmarks of institutional reform and conflict resolution and requested further opportunities to develop a more detailed map of Northern Ireland's transition.
- Academic and activist seminars bridged knowledge gaps between local experience, international expertise, in-depth local research and advocacy experience.
- The programme was archived as a future learning resource. It comprises participatory teaching and learning methods and materials; mentor expertise; individual and group skills in participation and feedback.
- Investigation of the impacts of institutional and communal modes of dealing with the past indicated the potential, willingness and ability of local citizens to take the process further and to make it gender inclusive.

The Transitional Justice Grassroots Toolkit is an 'added value' outcome. A programme with local women's groups to test the toolkit is in planning.

Bridge of Hope is developing a Grassroots Training Manual for use with the toolkit and will investigate the potential for university partnership in an accredited programme.

- This community initiative produced a model of local engagement around a shared framework that can be disseminated across Northern Ireland and further afield.

INTRODUCTION



Introduction

The scale and longevity of the Northern Ireland conflict make it an instructive site to examine how transitional justice works in practice.¹ The positive achievements of this process have been cited as a global model for peace and reconciliation whilst evaluation of the region's counter-terrorism measures has informed international human rights debate.² The magnitude of the loss of life during the conflict approximates to 2,500 dead per million of population. The figure has to be scaled up to be appreciated. In a country such as the UK (population 62 million) this would be equivalent to 155,000 deaths.³ The scale of family disruption and social instability due to imprisonment is also enormous. In Northern Ireland up to 30,000 people spent time in prison due to the conflict. In the UK the equivalent number of people imprisoned would be 1,240,000. The vast majority of these people were from urban working class districts. Many former politically motivated prisoners have been internationally recognised as having played a positive and critical role in conflict transformation.⁴ Some played key roles in Bridge of Hope's transitional justice programme.

Few jurisdictions in the world have experienced such density of devastation. While an appreciation of this devastation requires a scaling up of the magnitude of loss, so also is the picture more stark when the pattern of conflict-related harm is considered on the human and local scale. For example, over 90 per cent of those killed were men, and over 80 per cent of the violence occurred in the most disadvantaged urban areas of North Belfast, West Belfast and Derry. In other words, citizens living in those areas that saw the outbreak of civil disturbance in the 1960s experienced the worst impacts of the conflict for over 30 years. The statistical pattern of intersecting harms experienced by those most marginalized within a conflict may become so taken for granted that their implications rarely or never warrant examination or action. In Northern Ireland, statistics of conflict-related harm intersect with patterns of socio-economic inequalities that preceded the conflict.⁵ The high cost of conflict amongst the poorest people is largely unexamined. Less visible to the public eye but vital in places such as North Belfast are the positive achievements of strategic NGO alliances and their principled commitments to human rights and equality in the most challenging circumstances. A primary objective of Ashton Community Trust, for example, is social and economic regeneration for the benefit of all citizens in North Belfast.⁶

In the early stages of the transitional justice pilot programme at Bridge of Hope a 'dig where you stand' approach was adopted. An image of a piece of jig-saw puzzle was emailed to members of the steering committee as a logo.⁷ The puzzle piece was blank and had a silvery reflective surface. Along with some proposed strap lines it was projected on a screen in Bridge of Hope's meeting room on Duncairn Gardens one winter evening in 2011. After discussion, it was agreed that along

¹ This report uses academic convention in naming 'Northern Ireland' but acknowledges the contested status of the state reflected in everyday references to the 'north of Ireland' used by many participants.

² CAJ, *War on Terror: Lessons from Northern Ireland* (Shanways, Belfast, 2008).

³ CAJ estimates the equivalent loss of life in United States as that of 'five Twin Towers for each of the past 30 years'; *ibid.* p.1.

⁴ Office of the First Minister and Deputy First Minister (OFMDFM) *Recruiting People with Conflict-related Convictions: Employers' Guidance* (OFMDFM, Belfast, 2007) pp. 2-3; also Harry Mika, *Community-based Restorative Justice in Northern Ireland* (Queens University Belfast, December 2006).

⁵ This is beginning to be examined in the international transitional justice literature, for example, see, Eilish Rooney and Aisling Swaine, 'The "Long Grass" of Agreements: Promise, Theory and Practice', *International Criminal Law Review: Special Issue: Transitional Justice and Restorative Justice* (forthcoming) *International Criminal Law Review* 12 (2012).

⁶ Appendix A: Ashton Community Trust.

⁷ Appendix B: Logos; also Appendix C: Bridge of Hope Transitional Justice Pilot Steering Committee.

with the strap line 'building justice' the image captured the simple, ambitious message of the initiative. The transitional justice jig-saw logo represents the often fragmentary but vital work of building justice initially in the local area of North Belfast. Many people and organisations are involved in other pieces of this post-conflict justice-building work. Bridge of Hope is but one. This report gives an account of a grassroots initiative that engaged with international practice. In the field of community based transitional justice this pilot programme leads the way. As already noted, this is the first grassroots initiative in this transitional society and to the knowledge of the steering committee members it is the first such initiative anywhere. Part One outlines the background to the initial funding proposal. It tells of the people involved, the areas they come from as well as their seminal ideas about transitional justice and early decisions. Part Two describes the initial stages of grass roots engagement in a residential setting plus the follow-up workshops. Part Three sets out the seminar series that brought together participants and activist groups with academics. This engagement culminated in a 'wrap-up' event in the Transitional Justice Institute (TJI) at the University of Ulster (UU). Reflections from that event are in the conclusion.

The Transitional Justice Grassroots Toolkit that accompanies this report is an unplanned or 'added value' outcome of the programme.⁸ It is a practical guide for people whose lives are profoundly changed by conflict and transition. It is designed to empower, equip and encourage those in resource limited, post-conflict settings to explore the experience of transition in everyday life and to assess what does and doesn't work in practice.

It cannot be gainsaid that a report such as this can be expected to emphasise the positives and downplay whatever negatives were encountered in the course of delivering on its initial ambitious outcomes. This is especially so when the pilot was mounted on very little additional resources by a small organisation in the heart of one of the most deprived constituencies in Northern Ireland. This report has a different remit. It conveys to funders how the money obtained is accounted for and how it achieved the targets set either in the way outlined in the application for funding or in response to changed circumstances that added value to the original proposal. With that said, however, the report does not avoid the various decisions taken and difficulties encountered at different stages for each of the participating groups. In doing this it maintains that this model of grassroots engagement in transitional justice is valuable and adaptable elsewhere and for people in other post-conflict societies. The transitional justice pilot exceeded its original targets and moreover went beyond the expectations of the steering committee. It arguably went well beyond the expectations of those charged with the distribution of public funds that made the work possible. We thank them for the vote of confidence in an innovative and risky venture.

⁸ The transitional justice toolkit title originates in Professor Colm Campbell's *Transitional Justice Toolkits* course at the TJI



PART ONE: TRANSITIONING JUSTICE

- A. *Bridge of Hope & North Belfast*
- B. *Local Steering: Mount Vernon,
New Lodge & Tigers Bay*
- C. *Transitional Application & Early Decisions*



A. Bridge of Hope & North Belfast

Bridge of Hope is a programme of Ashton Community Trust that works to support victims and survivors of the conflict.⁹ The team have supported victims and survivors and other individuals for almost 11 years. One of the offices is on the Duncairn Gardens based in a converted house that was derelict for over 20 years. The good size bay window three storey houses that line part of the road once made it one of the most desirable residential areas in North Belfast. It has not been what the estate agents call 'a des-res' for over 30 years. Until recently, to the outsider, Duncairn Gardens had a prevailing feeling of dereliction and neglect and the sense of a shifting population. It gave an impression of being a through-road rather than a destination - a place for people to move through rather than a place where people live, though many people continued to live there. The area is gradually undergoing a transformation. Ashton Community Trust's decision to site an office on the road, Bridge of Hope founder, Irene Sherry maintains is part of the long-term commitment to positive change in the area. The side of the road opposite to Bridge of Hope is now partly fronted by areas for industrial and business development. Some offices are occupied and some local people find employment in these places. However, the number of cars in parking lots during the day suggests that workers continue to travel into the area and leave again in the evening. The Northern Ireland Council for Voluntary Action (NICVA) occupies one of the road's land mark offices. NICVA host a range of events that bring people into the area that might otherwise never be there. The NICVA building, for instance, was the venue used for Bridge of Hope's pilot transitional justice seminars.

At first glance Duncairn Gardens may appear to be an unlikely area to develop support services for victims and survivors of the political conflict. When the local North Belfast conflict experience is considered, however, along with the area's multiple indicators of deprivation, the site is just right.¹⁰ People come to Bridge of Hope to access complementary therapies, stress management training and to contribute to community focused truth recovery and conflict legacy research. This programme of Ashton Community Trust takes to heart the dictum that 'the personal is political'. It combines a range of activities that are not commonly found under the one roof. This gives the organisation critical insights into the personal, social and political legacy issues involved for a society coming out of political conflict and attempting to develop post-conflict social reconstruction. What happens in places such as Bridge of Hope is a measure of how post-conflict transition has an impact on individual lives, on social groups and on an area that suffered some of the worst impacts of the conflict.¹¹ Bridge of Hope has a grassroots perspective on all of this. It also plays its part in collective advocacy initiatives, for example, on investigations into human rights abuses that impacted locally in North Belfast.¹²

An unseen dimension of Ashton Community Trust is interaction and collaborative working with other institutions and groups involved in post-conflict reconstruction. This includes relevant

⁹ Bridge of Hope provides therapies and personal development courses to support victims and survivors. It also carries out conflict legacy research to better understand local experiences. www.thebridgeofhope.org also Appendix A: *Ashton Community Trust*.

¹⁰ For instance, see the stark differences in levels of deprivation by post-code area for the organisations involved in this programme, *Appendix D: Multiple Deprivation Belfast Wards Data & Participant Areas*, which reproduces data for participant wards and that of the UU's TJI.

¹¹ Ardoyne Commemoration Project, Ardoyne: *The Untold Truth* (Belfast, Beyond the Pale Publications, 2002); for detailed data on links between geographical location, gender and deaths, D. McKitterick, S. Kelters, B. Feeney and C. Thornton, *Lost Lives: The Stories of the Men, Women and Children who died as a result of the Northern Ireland Troubles* (Edinburgh, Mainstream Publishing, 1999); also P. Hillyard, B. Rolston and M. Tomlinson *Poverty and Conflict in Ireland: An International Perspective* (Dublin, Combat Poverty Agency, 2005).

¹² Droichead an Dóchais (Bridge of Hope), *'Too much hurt': The shooting dead of six men in the New Lodge in February 1973: The long term impact of a conflict-related traumatic incident in an urban area* (Belfast, Northern Associates, 2005).

government departments and agencies and involves familiarity with the officials and institutional cultures concerned. Vitaly, the work also involves strategic collaborations with other grassroots advocacy groups in local working class nationalist and unionist neighbourhoods.¹³ This work carries mutual benefits, calls for risk taking and builds relationships that play a wider role in social reconstruction.

A reputation for integrity, fairness and effectiveness is not easily gained in a deeply divided society and by a small organisation such as Bridge of Hope. A rich seam of critical, participatory experience is gathered through the knowledge of therapeutic healing, service delivery and advocacy work. This outline of the location and social assets of Bridge of Hope goes some way to explain why the partner organisations backed Irene Sherry's application for funds to develop a pilot initiative on grassroots transitional justice.

North Belfast is the main location for Bridge of Hope's work and that of the other participants. As the second most deprived Assembly Area in Northern Ireland it may appear an unlikely mainspring for a grassroots transitional justice initiative. The population is 83,500 of whom 59% live within the 30% most deprived areas in Northern Ireland. The political and religious mix of the population is calculated in terms of religious identification: 52% Protestant and 45% Catholic.¹⁴ This area has witnessed dramatic changes since the 1994 ceasefires.¹⁵ Many people now move about more freely and feel less threatened. However, this is not a story of steady progress and burgeoning good relations. Like other areas of deep deprivation there have been steep increases in drug and alcohol abuse and suicide.¹⁶ Since 1994 suicide rates in North Belfast have skyrocketed rising from being ranked 319th to the 11th highest in the UK.¹⁷ People in this area have reasonably expected to benefit from the commitments made to equality and human rights and reform in the 1998 Agreement. It was in this area however that the Holy Cross school blockade captured global media attention in 2001 and appeared to threaten the peace.¹⁸ Nonetheless, processes of demilitarization allied to strategic NGO coalitions, some involving ex-prisoner groups, make a difference. This area remains the litmus of Northern Ireland's political tensions which may on occasion be contained by local arrangements. Along with West Belfast and Derry these neighbourhoods continue to top league tables of deepening multiple deprivations.¹⁹ The critical issue of housing for instance in places such as North Belfast was discussed during the pilot and was acknowledged as a test of the outworking of the S75 equality legislation. The pilot enabled open discussions on all of these matters.

¹³ *Appendix A: Ashton Community Trust*. 'Working class unionist' is used rather than loyalist at the suggestion of steering committee members. However, a speaker's terminology is also cited where appropriate.

¹⁴ Northern Ireland Neighbourhood Information Service, *Northern Ireland Constituency Profile* (Belfast, Northern Ireland Assembly, 2010); also Roy Adams, Rev Dr John Dunlop, Monsignor Tom Toner, *North Belfast Community Action Project: Report of the Project Team* (Belfast, 2002): http://www.taristeachnorthbelfast.org/nbcau_dunlop_report.pdf. *Appendix D: Multiple Deprivation Belfast Wards Data & Participant Areas* and the Northern Ireland Neighbourhood Services website for detailed breakdown of multiple deprivations by postcode: <http://www.ninis.nisra.gov.uk/>

¹⁵ However over a third of Belfast's 99 interfaces or 'peace walls' have gone up since the 1994 ceasefires. Seán O'Hagan, 'Belfast, Divided in the Name of Peace', *Observer*, 22 January 2012: www.guardian.co.uk/uk/2012/jan/22/peace-walls-troubles-belfast-feature#

¹⁶ In Northern Ireland between 1998-00 and 2006-08 the suicide rate increased by 64%, Paul Nolan, *The Northern Ireland Peace Monitoring Report* (Belfast, Community Relations Council, 2012), 113.

¹⁷ Girdwood Residents' Jury, *The Girdwood Gamble: Findings and Proposals* (2009) on file with author.

¹⁸ Anne Cadwallader, *Holy Cross: the Untold Story* (Belfast, Brehon Books Ltd., 2004); Fidelma Ashe, 'Gendering the Holy Cross School Dispute: Women and Nationalism in Northern Ireland', *Political Studies*, 54 (1) (2006), 147-164.

¹⁹ The areas of West Belfast, Derry and North Belfast have the most serious and persistent political and religious inequalities. These are calculated by multiple deprivation levels in Super Output Areas (SOAs) with populations of around 2,000. The SOAs rank from 1 (most deprived) - 890 (least deprived). Of the 20 most deprived SOAs in Northern Ireland for Housing Access, 16 of them are in North Belfast, West Belfast or Derry. *Appendix D: Multiple Deprivation Belfast Wards Data & Participant Areas*

B. Local Steering: Mount Vernon, New Lodge & Tigers Bay

At an early stage Billy Hutchinson²⁰ of Mount Vernon Community Development Forum, William Mitchell of Alternatives and Paul O'Neill, community development activist and coordinator of the New Lodge Group and John Howcroft of Tigers Bay Community Development & Transition Group supported Bridge of Hope's proposal and accepted an invitation to join the steering committee.²¹ These members also acted as mentors for the respective groups. The willing engagement of this local leadership, with its wide experience of community and political developments was vital to the grassroots model that evolved.

Apart from coming from different areas of North Belfast and having diverse and opposed political positions, the local steering committee members share a common aim. Each is involved in building social justice across North Belfast. In Bridge of Hope's pilot programme this involved finding out more about transitional justice and how it works locally and internationally. Each representative explored common strategic objectives through the work of the pilot. These were: to assess the impact of transitional justice mechanisms at grassroots levels in North Belfast; to work out how to exert influence in making them more effective for the benefit of local people; to provide group feedback on what does and doesn't work in a transition and why. The groups also had tactical and strategic objectives specific to the area they work in and to their political experience, their sovereignty allegiances and agendas. These included, for example, an emphasis for Mount Vernon on the local detrimental impacts of the then ongoing Historical Enquiries Team (HET) investigations; New Lodge focused on equality, state accountability and ex-prisoner issues; Tigers Bay concentrated on an ongoing process of community transformation and engagement that involved local church partnerships and the Mountcollyer Policing/Community Safety Partnership.

The term 'group' has to be treated with some caution in describing the different sets of local participants in the initiative. Each participating 'group' is different in origin, experience and composition. The challenging local circumstances that they each confront also differ. The participants from Mount Vernon include former Ulster Volunteer Force (UVF) members and former politically motivated prisoners; some are PUP members from outside the area; and some are community workers from Mount Vernon estate. These participants are engaged in a process of transformation, restorative justice training and community development on an ongoing basis.

The New Lodge group all came from or worked in North Belfast but were not members as such of any one local community organisation. Some were former politically motivated prisoners and former Irish Republican Army (IRA) members; some were members of Sinn Féin (SF) and some were local community workers and residents. These participants did not form a group as such. They are activist members of the New Lodge republican community. They came together to make a contribution to the transitional justice pilot. This and the fact New Lodge did not have the opportunity to participate in the residential strongly influenced participation in the early stages.

Tigers Bay participants included former Ulster Defence Association (UDA) members and former politically motivated prisoners, local church leaders, and members of the Mountcollyer

²⁰ Billy Hutchinson was elected leader of the Progressive Unionist Party (PUP) in 2011.

²¹ Appendix C Bridge of Hope Transitional Justice Pilot Steering Committee

Policing/Community Safety Partnership. They were already engaged in a long term process of neighbourhood policing accountability, community transformation and engagement. An array of different factors helped to shape each group's form of participation in all elements of the pilot.

Alongside the steering committee members from the local groups there were four other members. These were Bridge of Hope founder and chair of the steering committee Irene Sherry, Bridge of Hope development worker Áine Magee, external members Leon Litvack from Queens University Belfast (QUB), who is also a member of the Community Relations Council (CRC), and Eilish Rooney, an Associate of the TJI at UU.

C. Application for Transitional Justice Pilot Programme & Early Decisions

Community based and non-governmental organisations are under never ending pressure to make funding applications in a highly competitive climate of shrinking resources. This work is frustrating and time consuming. It often means inventing a rationale and set of outcomes that meet new funding criteria when what an organisation most needs is the wherewithal to continue with existing work in resource poor circumstances. A successful application, welcome as it is, brings its own new resource challenges.

Bridge of Hope's application under the Truth Justice & Acknowledgement target of the Strategic Support Fund was an original and ambitious proposal that grew from the organisation's grassroots experience of working with victims and survivors. The idea for a transitional justice initiative had its roots in a long established professional relationship that existed between Bridge of Hope's Irene Sherry and Ashton board member John Loughran. Previously, they had developed several ground breaking initiatives in North Belfast such as 'Future Together' and 'Making Sense of the Past in the Present'.²²

The idea to run a pilot in this field was suggested by John who himself is a graduate of TJI's Masters Programme in Human Rights Law and Transitional Justice. The award from the CRC to deliver a Transitional Justice Pilot Programme 2010-12 set in motion an array of organisational activities and staff responsibilities far in excess of the calculations contained in the application.

➤ **Rationale**

The application rationale set the scene and explained why Bridge of Hope proposed a grassroots transitional justice initiative at this stage of post-conflict social reconstruction in North Belfast. The pilot would afford participants an opportunity to explore how they individually and collectively are experiencing and dealing with local transitional justice processes. These include a range of institutional reforms such as policing and the reform of the criminal justice system. The themes of victimhood, human rights abuses, truth recovery and reconciliation were all recognised in the application as key themes to be engaged.

➤ **Participation as Principle**

The principles and values of the pilot proposal centred on participatory learning, critical exchange, and recognition of different perspectives. In all of this, the creation of a shared learning environment was viewed as vital in order to establish workable trust, develop understanding and facilitate open exchange between participants. The pilot proposal outlined the importance of sensitivity to the local needs of diverse groups of participants amongst their wider 'community of interest'. Particular efforts were made in the proposal to acknowledge different perspectives towards truth recovery from within both main political communities.

²² The 'Future Together' initiative was an intercommunity working group committed to increasing the prosperity and quality of life of people living in North Belfast. The 'Making Sense of the Past in the Present' project was designed to encourage debate about the conflict.

➤ **Plan & Aims**

The initial plan involved holding discussions around these issues in a structured way with North Belfast communities most deeply affected by the political conflict. The simple but farsighted aspiration was to help to deepen understanding. The specific programme aims were three fold: firstly to address legacy issues in North Belfast; secondly to contribute to healing and peace building in the area; and finally, to develop a community based model for truth recovery.

The original application described the proposed community based Transitional Justice initiative as a multi-faceted pilot programme that would engage in various interconnected strands of conflict in order to:

- Explore the causes and effects of the political conflict
- Document narratives and testimonies
- Investigate policy
- Understand human rights abuses
- Understand state responsibilities
- Investigate and understand the actions of non state actors
- Investigate and understand the actions of other institutions including the churches, media and civil society.
- Investigate the recommendations from the Consultative Group on the Past (CGP) in the context of localised truth recovery models.

➤ **Proposed Outcomes**

The stated pilot objectives were: to build the capacity and competency of at least 40 individuals to engage in the wider truth recovery and healing process; to design and deliver a pilot transitional justice capacity building skills initiative over an 18 month period; to build the capacity of 40 individuals to design and participate in a bespoke truth recovery process and to support their reconnection and healing.

The anticipated outcomes were: the creation of a bespoke model for a bottom up, participatory, truth recovery process; increased understanding of transitional justice; a common narrative that details the causes, nature and extent of conflict and its effect on community relations in North Belfast; commitment to work towards a better future; broadening of the participants' knowledge and skills in relation to understanding legacy issues and how to address and cope with these; 40 victims/survivors supported through therapeutic process for reconnection and healing.

The formation of a steering committee did not feature strongly in the initial application yet it was a vital first step in the lifespan of the pilot and for reasons obvious from the earlier description of the participating individuals and groups. Steering committee discussions and activities remained important for the direction taken at key points and early decisions made by the eight appointed members.

➤ **Early Decisions**

Some decisions taken at an early stage were critical. Leon Litvack joined the steering committee on behalf of the CRC. He was a committed member and subsequently participated in the Lusty Beg Workshops. He made critical contributions to reflections on legacy and reconciliation issues. Eilish Rooney was invited on the steering committee as an academic advisor. She became the pilot programme facilitator on a pro bono basis. Eilish designed and delivered the residential Transitional Justice Workshop and with Áine Magee designed the Lusty Beg programme and participant pack. The pro bono decision placed additional in-house responsibilities for administration and research on the team at Bridge of Hope. Another decision with critical consequences was the date of the residential. Given the logistics of timescale it was decided to hold it in March. At this time members of the New Lodge group were heavily committed to community duties and had to defer participation. At the later stage funds were no longer available to afford the New Lodge residential. This was replaced by a bespoke workshop and mentor inputs. This did not deter the full participation of New Lodge members in the feedback process and the Five Pillars Seminars.

PART TWO: GRASSROOTS ENGAGEMENT

A. Residential

B. Maps & Mentors



A. Residential: Lusty Beg & Back

➤ TRANSITIONAL CONVERSATIONS

The steering committee began its work in earnest in January 2011. The aim was to explore transitional justice and to develop ideas on a local truth recovery process using transitional justice tools. From the outset the programme was viewed by members as an opportunity for the local community to engage with transitional justice as a framework, to take knowledgeable ownership of the processes involved and to give an account of local impacts. The latter was viewed as a critical and democratic contribution that the programme could make to opening up a wider transitional justice conversation 'from below'. A local perspective might tag the process as 'North Belfast Talks Back'.²³ The steering committee aimed to develop a model of grassroots engagement with the array of processes involved in post-conflict transition. How this could be achieved was less clear. For instance, in the funding application and early meetings neither the Transitional Justice Grassroots Toolkit nor this report were envisaged. These elements were proposed over the course of the design of the programme and as the various elements produced documentation an aspiration to disseminate the value of the programme as a grassroots model for other societies in transition.

Engagement in the programme by the communities represented at the table was the main priority. The reference to the 'grassroots' nature of the engagement with transitional justice is more than a catchy if accurate term. North Belfast and its mainly working class people have frequently been the subjects of funded academic research. Such research often provides valuable empirical resources for critical analysis and debate. Along with occasional media headlines, however, an outcome of this attention is the tendency to frame North Belfast as the author of its own intractable problems. The 'North Belfast' in question is imagined as the working class nationalist and unionist districts of the constituency. The lack of involvement of people living in more affluent areas of the constituency in research studies or in the conversation about the past, for instance, was considered in the seminar contribution by the Rev Lesley Carroll. It is not that people in affluent areas, she claimed, are unconcerned about the conflict legacy. Some are clearly less involved and have less reason to be, she explained, just as some institutions excluded themselves from the public conversation about dealing with the past that was instigated by the CGP. She cited the business community, for instance, along with the Education and Library Boards who excluded themselves and were 'not in the conversation' on the past although they were invited to contribute by the CGP. Rev Carroll also observed that the reluctance of some institutions, including the churches, to become more openly engaged perpetuated the notion that responsibility for the conflict rested on some individuals and some areas more than others. Areas such as North Belfast and its citizens are surely in this blame frame.²⁴

The analytical or media lens rarely scrutinises institutional responsibilities nor does it reach the more affluent middle class parts of the North Belfast constituency. These areas appear to be

²³ This wordplay on the Radio Ulster programme *Talkback* is also reflected in the West Belfast Féile event 'West Belfast Talks Back'.

²⁴ This was subsequently raised at the Ashton Community Trust Conference, Good Relations Programme: Dunlop Reloaded, Belfast, March 2012

trouble-free. They are excluded from the conceptual frame of reference when 'North Belfast' is highlighted or mentioned in public discussion.²⁵ An array of other complex factors is in play. For instance, when social indicators of need are taken into account the correlation between social deprivation and patterns of conflict experience is clear.²⁶ Conversely, there is a correlation between affluence and little or no direct conflict experience.²⁷ The practical implications of these realities and the competing political pressures they produce are nowhere examined in detail. An upsurge in community tension in North Belfast or a threat of violence that briefly excites media attention is symptomatic of deeper structural inequalities allied to a conflict over sovereignty and governance. However, local social conditions that compel a more complex public response and wider social responsibility are generally invisible.

The local engagement with transitional justice through Bridge of Hope's transitional justice pilot programme sought to develop ideas about an inclusive community based model of truth recovery which includes investigation of institutional responsibility. This builds upon existing efforts such as the 'coalface' seminar programmes at TJI.²⁸ It makes no claim that Bridge of Hope's participatory model will produce a 'truer' picture of conflict experience. It simply indicates that conflict narratives are rooted in theories, perspectives and even postcodes; that those most directly affected by a conflict have a critical contribution to make to international understandings of transition as well as to the local work of building justice. In the pilot programme this work started with critical conversations in the steering committee meetings.

➤ PREPARATIONS

Almost all steering committee meetings ran on far longer than anticipated and from the outset there was a clear commitment and collective willingness to make the initiative inclusive and make it work. An open, affable and challenging steering committee ethos soon emerged. It did not emerge by accident or simply due to the good will of those present. The strong steering committee ethos had its roots in Bridge of Hope's pragmatic philosophy and in the strong and articulate motivation of the local committee members. The two 'outsider' academics were sometimes viewed as a source of light relief. These incidental details may seem unimportant. They actually are critical. The first challenge encountered by the transitional justice grassroots steering committee was to establish what was at stake for each member and to build the programme around that buy-in knowledge. Three core themes were explored throughout the meetings. These were: the community impact of mechanisms for dealing with the past and particularly that of the HET; accountability for past human rights violations by the state; and the transformative potential of local policing partnerships. The low presence of women at the table and throughout the process was sometimes mentioned but gender was not treated as a central theme. This means that women's roles and conflict experiences were acknowledged but they did not shape the programme. Perhaps a very different programme would have emerged if the experience of conflict in women's lives was the starting point. In the early planning stage, the immediate concern of the steering committee was the challenge of developing a community programme that would attract group participation and

²⁵Roy Adams, Rev Dr John Dunlop, Monsignor Tom Toner, *North Belfast Community Action Project: Report of the Project Team* (OFM/DFM, Belfast, 2002) included a selection of some local voices.

²⁶M. Hamilton, *et al.*, *Social Division, Sectarianism and Everyday Life in Northern Ireland* (Centre for Conflict Studies, Belfast, 2008).

²⁷Susan McKay, *Bear in Mind These Dead* (Faber, London, 2008). See her 'gold coast' interview with a woman who did not know that there was a ceasefire.

²⁸Details available online: transitionaljustice.ulster.ac.uk/tjcoalface.htm

meet the ambitious outcomes of the application. To this end, a residential transitional justice programme was planned.

The already noted diversity in the conflict experience, analysis and local context of the three participating groups meant that considerable time was taken up with discussions around programme content and questions of 'what about' and 'how to'. For instance, the implication of each part of Bridge of Hope's application was scrutinised and the subject of conversation at meetings throughout the process. Once a working definition of 'transitional justice' was put together by Áine Magee it too was discussed at length and adjustments were made.²⁹ At each point of decision making the contribution and agreement of each member was recognised as valuable and known to be critical to the organisation of the residential and to the buy-in secured by members on behalf of each group. Prior to meetings, Irene Sherry contacted members who might be managing tricky situations. This could be anything from an anticipated absence because of time pressure or because of concerns expressed by other group members about decisions taken at Bridge of Hope meetings. As a result, meetings were focused and productive. Aside from administrative business that required decisions and action, group members contributed agenda items and on occasion provided sample group activity exercises as a try-out for the residential. In a 'be careful of what you wish for' way the prospect of the residential featured throughout the 2011 winter and early spring meetings.

➤ **RESIDENTIAL PROGRAMME PACK**

Each participant was given a Transitional Justice Residential Programme Pack of materials for Lusty Beg.³⁰ The contents were put together by Áine Magee in A4 Bridge of Hope presentation folders. The pack included: an outline of the initiative; the programme of activities; a brief bio of each contributor; the power-point presentation and other workshop materials and feedback sheets. All materials carried the transitional justice jigsaw logo. Main documents carried Bridge of Hope plus funder logos. The reason for recording this detail is that the folder attracted adverse comment in one session that led to discussion about the political 'identity' and ownership of the initiative. The use of Bridge of Hope folders risked being interpreted as a bid for ownership rather than a reflection of legitimate leadership and fund-holding responsibility. The steering committee's clarity around common and collective aims that were central to the process was explained when the question arose.

Each group also included its own documentation and bespoke workshop sessions in the folders. An anonymous assessment sheet for each session was also included using headings: Strengths, Weaknesses, and Suggestions. This was mainly for the benefit of the session facilitator but over the course of the whole programme the feedback at various stages indicated an eagerness on behalf of all participants to investigate transitional justice in the local and international context.

²⁹ *Appendix E: What is Transitional Justice?*

³⁰ This Fermanagh holiday/conference facility is on Boa Island and provides pre-arranged organised activities such as off road driving and archery and there is a swimming pool and fitness facility, see *Appendix F: Residential Lusty Beg.*

➤ JOURNEYS

Travelling to Lusty Beg for an overnight stay calls for commitment if not dedication. The island accommodation, the food, friendliness and facilities are excellent. There are no distractions. A walk around the little island takes about 30 minutes. There is nowhere to go unless by boat to mainland Fermanagh. People do not make the long journey to Lusty Beg to see the sights. Its quietness concentrates the mind.

On the weekend of the residential many roads across higher ground were made impassable by snow and ice. Perseverance was needed for the journey alone. The willing participation of the groups was evidence of mentor preparation. It also indicated each group's goal of taking ownership of transitional justice discourse in the promotion of their community based political work. The Mount Vernon and Tigers Bay groups each stayed over one night on Lusty Beg. Facilitator Eilish Rooney and steering committee member Leon Litvack stayed over both nights. Each residential followed the agreed programme.³¹ Each mentor also adapted the programme's informal elements to focus on specific local transitional justice developments and group priorities. In the words of one mentor, 'the workshop [took] up the challenges of developing a localised and indigenous community based approach to Transitional Justice issues'.³² For example, some of the Mount Vernon residential time was given over to individual and group concerns about HET investigations. The Tigers Bay group explored the approach of their work to community safety through a transitional justice lens.

➤ FAST TRAVELLING: TRANSITIONAL JUSTICE GOES LOCAL

The facilitator's community education experience was valuable for allaying anxieties about participatory teaching and learning methods to be used at the residential. Anxiety was understandable in view of the range of experience of formal education within each group. Along with Bridge of Hope, she prepared the transitional justice content of the residential programme that combined a power-point presentation with participatory workshop materials and feedback sheets. All were included in the residential programme pack. The initial purpose of the interactive presentation, 'Transitional Justice: A 20th century fast traveller' was to provide some background, get people talking, introduce the Five Pillars framework and involve participants in using this framework to draw a 'map' of local transitional justice landmarks.³³

The presentation outlined:

1. Origins & Late 20c Travels: this tracked the twentieth century origins of transitional justice as a model of post-war accountability for human rights violations in the International Court at Nuremburg. The implications of this 'victor versus vanquished' form of partial accountability framed some discussion of the dilemmas and trade-offs of transition and debate on which 'crimes against humanity' escaped legal scrutiny.

³¹ As already noted the New Lodge group followed a bespoke version of the programme.

³² John Howcroft, Tigers Bay Lusty Beg Residential Guidance Notes.

³³ *Appendix F: Residential Lusty Beg.*

2. Post Cold War - Peace Breaks Out: outlined the upsurge in transitions from the end of the Cold War and the various accords and efforts to resolve long standing conflicts in places as diverse as Argentina and the former Yugoslavia. This generated discussion around the dampening or oppressive role of the Cold War in internal conflicts.

3. Transitional Justice: Five Pillars: adapted the framework as a practical approach to understanding the complex array of legal and institutional mechanisms for dealing with human rights violations and reform. The pillars are: prosecution; reparation; truth; institutional reform; and reconciliation,

4. Transitional Justice Map: posed the question, what might a transitional justice map of Northern Ireland look like? What would be included, for instance, under 'Institutional Reform'? Participants identified landmarks of Northern Ireland's piece-meal process of transition under each of the five headings. Then in small groups the map-making exercise was fed back to the whole group and recorded on a flip chart.

5. Agreement Documents which gave the titles and websites of three Agreement documents: the 1998 Agreement mandated by an all island referendum; the Agreement at St. Andrews (2006); and the Agreement at Hillsborough (2010).

The Five Pillars framework formed the basis of discussion throughout the residential. The presentation and workshop session formed another part of the transitional justice journey that took the steering committee further than the original Bridge of Hope funding application anticipated. Leon Litvack's generous session on his personal legacy experience of being the child of parents who survived the holocaust was compelling for everyone present. He reflected on the experiences of a child growing up with both the burden and the privilege of dealing with the human rights violations and individual wounds suffered by his Jewish family and by others in the holocaust. He linked his reflections to the origins of transitional justice but he maintained a thoughtful 'personal is political' perspective. The Five Pillars framework from Eilish Rooney's presentation generated lively debate and preliminary mapping materials. The Five Pillar maps from each group were collated back at Bridge of Hope along with the participants' residential feedback. The group feedback was clear and constructive. Each participant wanted to know more about transitional justice - they requested more sessions to examine transitional justice in greater depth and more opportunities to gain knowledge of international experiences. This enthusiasm was most welcome especially as it reflected how well the groups had grasped the framework and made it their own. This quickness represented a positive dilemma for the steering committee about how to respond to such eagerness.

An unplanned but significant feature of the residential was socialising over meals with craic about transitions and much else besides in the evenings. People who may otherwise have been quiet during the planned sessions often came 'into their own' with wit and verve. This camaraderie made a positive difference to the residential.

Maps & Mentors

The Five Pillars landmark maps produced at Lusty Beg by Mount Vernon and Tigers Bay were compiled by Áine at Bridge of Hope for further group discussion. Around the same time the New Lodge group came together for an evening workshop at Bridge of Hope. This involved an abridged version of the residential programme. The New Lodge group drew up their landmark maps of the Five Pillars. Overall, feedback was similar to that of the Lusty Beg groups. New Lodge also wanted to continue to explore transitional justice at home alongside international experience and practice.

It is no surprise that similar aspects of the Five Pillars were identified by each of the three groups in their maps of local transitional justice landmarks. It is also no surprise but of interest to read how the groups estimated the impacts on their community. The map making exercise proved to be an innovative approach towards developing a, 'common narrative that details the causes, nature and extent of the conflict and its effect on community relations in North Belfast' which was an anticipated outcome in the original application. The term 'a common narrative' has begun to be used in community relations discourse. As with other aspirational terminology it is sometimes used with little clarity as to what it actually means. In this programme participants clearly recognised common landmark developments and provided different perspectives, for instance, on policing reform and much else. The Five Pillars provided a conceptual framework for mapping Northern Ireland's transition thus far, for setting out what remains to be done, and for frank reflection on 'community relations'. At this stage it is worth recalling the low level presence of women and absence of an overt gender perspective in the pilot. It is not possible to guess how an equal presence of women would have changed the conversation. That is an opportunity and challenge to be undertaken another time. In the context of the pilot, the 'common narrative' aspiration was not about reaching agreement amongst participants about the transitional process. It was about establishing local landmarks of transition and identifying their differential impacts on neighbourhoods in North Belfast.

Participants were asked to complete the Five Pillars sheets in fairly quick time and with little discussion. Originally this workshop was designed to provide some thinking time, discussion and structure to conversations about transitional justice. This was not part of formal research to find out how the three groups viewed the local transitional justice 'deal'. The effectiveness of this workshop approach and the materials produced, subsequently helped to fashion the Transitional Justice Grassroots Toolkit. On reflection, additional time and preparatory guidance ahead of the residential and workshop would have enabled participants to more thoroughly explore and research the mapping task. As it happened, the exercise worked well as a structured approach that enabled everyone to contribute their views on Northern Ireland's lengthy, ongoing process of transition.

One or more responses from each of the groups is included in the following brief sample. This illustrates differences of experience and analysis between the groups. Each group was sensitive to and willing to explore the other's position. On **prosecution**: the HET was repeatedly cited, particularly by Mount Vernon, as being 'one sided' and damaging for transition at a local level;

references were made to associated prosecution 'by media' and warnings were given of the prospect of future pressure on the republican community; 'looking back' was seen by some Mount Vernon participants as destructive for present day peace and reconciliation efforts that played into the hand of some 'political agendas'; also noted by New Lodge: was an absence of state accountability and the efforts of the British state to hamper truth recovery for victims of state violence; the murky world of collusion was cited as an example of where prosecutions should be extant but clearly are not; the Inquiries Act 2005 was noted as being designed specifically to limit the remit of the enquiries into Rosemary Nelson, Billy Wright, Pat Finucane and Robert Hamill; some prosecutions, for example, of parade season rioters from Ardoyne was viewed as 'politically motivated'. On **reparation**: the 'payoffs and pensions' for the RUC and Ulster Defence Force; and '£500m for Saville' recurred; the lack of 'funding support for POWs' was noted; Eames-Bradley was mentioned by all groups; and prisoner release schemes were viewed as a form of reparation. On the **truth**: questions and comment included, 'what is the truth?' and, that 'truth commissions would be used as a political tool'. The issue of whether or not 'victims are prepared for the truth' was raised alongside concerns about 'the cost' of truth. Also raised were issues of old wounds being reopened; the involvement of former combatants and whether or not 'truth' would cause more tension and insecurity. New Lodge said they wanted answers and accountability for human rights violations from the British. On **institutional reform**: the 'Good Friday Agreement' and policing reform was noted by each group; Mount Vernon and Tigers Bay indicated that at times republicans got everything their own way with some remarks that reform is 'all one sided'. The change of the Crown Prosecution Service to the Public Prosecution Service was cited as an example. However, the slowness of reform was held by New Lodge as having a negative impact resulting in local voter apathy and even the despondency that fuels dissent; this group also noted that 'equality in housing' is another reform urgently required in North Belfast; and that 'Patten' was not fully implemented and policing was not yet fully reflective of society here; Tigers Bay commented on the potential but also the weakness of local policing partnership; ex-prisoner discrimination was identified as a reform failure by more than one group. On **reconciliation**: the following were identified as examples: 'Shared Future'; SF Mayor laying wreaths; the Queen's visit; Irish Language Act; integrated education. However, Mount Vernon and Tigers Bay pointed to the negative impact of parade rerouting and the abolition of certain parades; also, there being no 'after care' package for former combatants compared with benefits given to security forces. Mount Vernon viewed the implementation of equality legislation as a concrete form of reconciliation as well as being linked to human rights.

This sample of responses from the groups indicates some landmark developments and outstanding transitional justice mechanisms identified under each of the Five Pillars. Local communal impacts of macro level decisions and developments preoccupied everyone in follow-up discussions of the maps. Participants discussed the differential and adverse impacts on local community relations, for instance, of 'one size fits all' mechanisms for 'dealing with the past'. This underscored the critical value of grassroots engagement with transitional justice.

Those members of the steering committee who were also group mentors used the Five Pillar maps with the groups on their home ground in preparation for a final round of workshops. A possible follow-up to the residential was discussed with each group. By this time, on behalf of the steering committee, Áine and Eilish began to explore the possibility of an autumn transitional justice



seminar series. Local academics and advocates responded positively to a Bridge of Hope invitation and agreed to contribute to the seminars on a pro bono basis.³⁴ At the mentor led workshops the groups were given the option of a Five Pillars of Transitional Justice seminar series involving local advocacy and academic expertise. This was welcomed by all groups. There followed further Bridge of Hope work to organise the autumn seminars. For some in the groups, the unforeseen consequences of the ongoing HET investigations and the death of Gusty Spence made for uneven seminar participation. However, strong involvement and interest were sustained in the steering committee throughout.

³⁴ *Appendix G: Seminar Contributor Brief Biographies*



PART THREE: ACTIVIST & ACADEMIC EXCHANGE

A. Seminars: Five Pillars

B. Transitional Conclusions



Seminars: Five Pillars of Transitional Justice

The Five Pillars of Transitional Justice seminar programme was made possible by the participation of local academics and activists who gave freely of their time and expertise to engage in critical conversations around the five pillar themes. The excellent quality and range of presentations and participation led to thought provoking and challenging seminars. The exchanges that followed were informed by international research and in-depth local study of transitions in practice. The first seminar, Prosecution & Truth was the first time that the three groups participated face to face. Prior to this each group met and went over the seminar proposal with the group mentor, and with Eilish Rooney and Mary Stanton, Bridge of Hope training co-ordinator. Otherwise, no specific preparation was made for these exchanges. Many people from the different groups know each other by name. Attendance at the seminars varied. It is unlikely that further preparation would have influenced the attendance as other matters come into play. For example, on occasion reasons for uneven attendance were explained as: due to the death of Gusty Spence, the ongoing investigations of the HET and the internal pressures that legal processes exerted on local communities. Some tensions between the groups were anticipated in feedback and discussion from the Lusty Beg residential. Contacts between working class unionists and republicans were generally regarded as being 'no problem'. However, contact between the different working class unionist areas posed dilemmas that everyone recognised. Some participants suggested that leadership within working class unionist districts needs to come together to resolve differences as contact between these groups could be most difficult to negotiate. It should be remembered that the Mount Vernon and Tigers Bay groups at Lusty Beg participated separately. It was acknowledged that internal and intra-group communal tensions for nationalists and unionists may subside or be reignited, for instance, by the on-the-ground outworking of legal mechanisms for dealing with the past or by political or other rivalries. Such internal and fragile tensions are neither unique to North Belfast nor solely to working class unionist districts. The Mount Vernon group maintained that their participation in the pilot transitional justice programme played an essential role in the local management of a potential crisis posed by the HET investigations. During discussions it emerged that the New Lodge group supported Mount Vernon's position on this 'supergrass' matter. In her critical contribution to the seminars Patricia Lundy shed light on the HET debate from her empirical research into its operations. She also anticipated the eventual outcome of the then high profile 'Supergrass Trial'. In her presentation she questioned the legitimacy of a criminal justice process that relied on information from two individuals who, as she asserted, could soon be discredited. This was one of a range of insightful exchanges between seminar participants around state accountability for human rights violations and community truth recovery mechanisms. A community truth recovery process, everyone readily recognised, would face challenges but it would be sensitive to tensions that would inevitably arise within different districts.

Academics and advocates who agreed to contribute from their experience and expertise were briefed about the pilot programme and asked to consider the following questions for the seminar: A: Where and how does your work 'fit' with the Five Pillars? B: What has been the contribution of your work to transitional justice? C: Can you give examples of how other countries have dealt with your specific area of transitional justice? D: What are its implications for the future? Those who agreed to contribute might have had second thoughts when they received this seminar remit. If so, they did not say. It is a tribute to their professionalism and commitment that the speakers accepted

this challenge and contributed on a pro bono basis. Their contributions informed group conversations around transitional justice and the Five Pillars framework. For instance, in the discussion on institutional reform Tim Cunningham noted that it takes time for political representatives and people to gain institutional skill and expertise. He suggested that if there is a follow-up programme it could be useful to invite senior civil servants to discuss how departmental priorities are identified and how local people can exert a positive influence. In the seminar exchange that followed discussion emerged around the apparent reluctance of some working class unionist communities to buy-in to an anti-poverty strategy and the potential of the combined strength of a joint North Belfast lobby on this issue. Each seminar raised sensitive local issues, involved innovative thinking and provided fascinating international perspectives.

➤ SEMINAR SCHEDULE

12 September:	<i>Prosecutions & Truth</i>
Patricia Lundy	Historical Enquiries Team
Louise Mallinder	Amnesties & the Five Pillars of Transitional Justice
Peter Shirlow	Truth
19 September:	<i>Reconciliation</i>
Leon Litvack	Reconciliation Beyond Trauma
Eilish Rooney	Functions of Reconciliation
26 September:	<i>Institutional Reform & Reparation</i>
Tim Cunningham	Institutional Reform of Policing
Lesley Carroll	Consultative Group on the Past: Reflections

➤ SEMINAR FORMAT & SPEAKER NOTES

The seminar plan involved each group in a mentor led learning set prior to the next seminar. At each seminar speakers made a 15 minute presentation which was followed by a conversational question and answer session. Bridge of Hope staff took real-time notes that became part of a growing transitional justice archive. Positive seminar feedback from the groups mentioned everything from the preferred facing-each-other seating arrangements to a request that in future some readings be provided in advance by the speakers. Each event was filmed and an edited version of the presentations is a resource available for use with the Transitional Justice Grassroots Toolkit. To provide a flavour of the seminars and for brevity the following brief notes are taken from each speaker's presentation.

12 September *Prosecutions & Truth*

Patricia Lundy: the issue of prosecution appears more prominent in unionist communities than in nationalist communities; the viability of prosecution is a huge issue; truth commissions are measures of accountability and are about acknowledgement for victims; the alternative is to 'do nothing'; there is a very fragmented approach to dealing with the past here; she had had exceptional access to institutions and families; HET viewed the viability of prosecutions, limited its cases to a handful and have a minimalist approach; difficulties include destroyed files, amnesia, and deaths

of relevant people; the drip-feed of toxic information is destabilising for the peace process and for policing; mixed reaction from families with some happy and some very unhappy; she questioned the legitimacy of the current high profile 'supergrass trial' and its reliance on evidence that is likely to be discredited; she took a critical view of the Ombudsman's Office 'deal' with inquests and enquiries; state and institutional accountability remain outstanding; there are fewer advocacy groups in unionist than in republican communities; Eames-Bradley was impressive for its structured and more holistic approach; it adapted an informant process reminiscent of the Ardoyne Commemoration Project and conduits going into organisations as opposed to a focus on individuals; also important is that this would not be a public or televised process with the accompanying media frenzy; Commission for the Disappeared has had a measure of success in this way; the legacy dilemma involves how to deal with the past; it will not go away; a more structured and holistic approach that includes a truth commission is needed.

Louise Mallinder: Amnesties have limitations; they can be underwritten with conditions i.e. remorse, or willingness to take part in restorative justice processes; impacts differ and will impact differently on the Five Pillars of TJ; some conditions can be punitive or designed to create a richer space for dialogue; if a prosecution policy is pursued then automatically prosecutors are going to prioritise certain groups and other groups will be left outside that process; this means there will be a limited number of prosecutions, so arguably amnesties could be used to remove obstacles for individuals to be brought into broader reconciliation and transitional justice processes; CGP proposed amnesty terms for protected statements; proposals for amnesty style measures should be carefully designed to achieve specific ends; for example, Northern Ireland amnesties were used to: quell disorder and civil unrest (1969); encourage disarmament (decommissioning); to facilitate signing an agreement (Early Release and On The Run); assist truth recovery (immunity for public inquiries, location of victim remains); all transitional societies have to balance demands for accountability with need for leniency; this can enhance transitional justice goals and institutions; internationally amnesties have been used, for example: Cambodia/Sierra Leone, Argentina and Chile, Timor Leste, South Africa and Bosnia; Timor Leste - even with the strongest international pressure and considerable financial support prosecutions couldn't go beyond certain limits; Argentina - said trials were destabilising and introduced amnesty laws afterwards; South Africa - amnesty process was designed to co-exist with prosecutions; This amnesty was to encourage offenders to come forward and testify with the threat of prosecutions for others that didn't, so there was explicit bargaining; those who didn't take part would be prosecuted; since the truth commissions stopped operating there hasn't been the political will to continue; internationally, there is a lack of clarity on how to define amnesty laws; core characteristic is that amnesty extinguishes criminal and/or civil liability.

Pete Shirlow: a problem with truth commissions is that they never suit everyone; we cannot adapt a process from one place for another; when tied to prosecutions they fail to result in conflict resolution; truth commissions work best in societies where there were dictatorships; the problem is there is no agreed society in the North; the collusion issue was part of a republican strategy but has not been helpful to the process; why, after 20 years of conflict transformation work, with prisoners' groups working together, are we still debating issues that are from the past? there are better relationships between former combatants but the majority of people in this society are for the criminalisation approach and see the need to punish and discipline those who were engaged in

activities of the past; he emphasised that collusion seems to be a part of the nationalist strategy - why is it any more important than any other truth? He posed a series of questions: what about the truth of surviving and coping? we do not take care of survivors; selective truths are told to survivors; ultimately truth commissions are ideological, individual, full of propaganda and have major deficits; areas of truth and parts of the conflict are not talked about; there has to be agreement on what 'truth' is in terms of emotional truth and political truth; emotional truth is about what happened and why; political truth exposes collusion and may undermine the legitimacy of politics; recent research reveals that former combatants have higher alcoholism levels and anti-depressant intakes; this is likely the case for police and prison officers and the Ulster Defence Regiment - how can these people go before a truth commission? 1 in every 49 people in Northern Ireland knew someone who died as a result of the conflict; in working class unionist and nationalist communities everyone knows someone who died; truth is messy, contested, nuanced and eclectic; we have witnessed how truth can be resolved through dialogue between loyalists and republicans; a humanist approach to healing is just as important.

Discussion highlights from exchange between panel members and participants:

- There remains a major fault line between people in wider society seeing what is going on in rooms like this - virtually no one knows about these types of exchange.
- Academics could take up the role of communication especially in light of unfavourable media coverage of places such as North Belfast. Media describe working class areas as places with no hope.
- Negativity of media coverage of loyalist areas but positive example of North Belfast Respect Programme led by Ashton Community Trust which secured the media partnership of Belfast Telegraph.
- Unionist politicians appear not to want ex combatants and former prisoners to be part of their process but need NGOs to help them get their message out.
- Real leadership is coming from those communities who were blamed for the conflict in the first place.
- Rural areas are often neglected.

19 September *Reconciliation*

Leon Litvack: his mother was interned in Auschwitz; insight into victimhood and generational trauma from lifelong experience; initiatives concerning the treatment of victims reveal similar themes to those in Northern Ireland; the notion of perpetrators and victims promotes the idea that one side deserves all the help and one deserves all the punishment; post 2WW institutions were established to offer victim reparations and to engender shame for Germany; point is how much is enough? and how do we move beyond trauma and achieve reconciliation? what might this look like? some way should be found to address the past and how events can be made to mean something different; reconciliation is not always about forgiveness; you carry your past, the events and pain with you; how do we let go of the past; to move forward with Transitional Justice we must have a kind of conscious amnesia and leave some things behind if we are going to move forward

Eilish Rooney; reconciliation initiatives have different forms and functions; personal reconciliation may involve forgiveness, remorse and some form of personal healing and restitution; political reconciliation involves public and symbolic acts such as wreath laying; they may help to shift a discourse and enable other relationships to be imagined; this may be ephemeral rather than concrete; a professionalised reconciliation industry tends to emphasise 'contact' between Catholics and Protestants that underpins a belief that community polarization is the problem that contact overcomes; prisoner reconciliation is based on common interest strategies; Bridge of Hope's transitional justice programme is rooted in people's experience and brings the tools of transition into the local domain; there is a central role for equality legislation and human rights safeguards in the reconciliation conversation.

Discussion highlights from exchange between panel members and participants:

- When people don't have a voice and they can't be heard is when community leadership can step in, but that's part of a bigger picture of moving forward, in terms of marginalised people being left behind as with the under representation of loyalism in politics.
- The stronger SF gets, the more the loyalist wagons circle.
- Massive encouragement from more working class unionists going to university to study community development and stand up for themselves.
- We are still in conflict but with a different set of tools.
- For republicans there is potential for disconnect with SF when people don't see any real change in their material lives and the existence of dissidents confirms this. A journey back to negativity is a real possibility.
- In America after the civil rights movement - people got on, went to university, moved on and moved out and left behind a rump - they were then controlled by gangs through the drug trade - worry this could happen to us.
- Reconciliation needs to be underpinned by strong democratic principles of social, economic and cultural rights. So that it doesn't float free from people's lives. It includes us all and excludes no one.

26 September *Institutional Reform & Reparation*

Tim Cunningham: need clarity on why institutional reform is necessary; identify what is expected from reform; what would we expect from a policing institution? One answer is to do its job fairly and to have the trust and confidence of the people it serves; historically police were made up of 7/8% Catholics who comprise around 48% of the population; the 50/50 recruitment rule is recognisably unfair to a candidate who may be discriminated against on the grounds of their religion but this mechanism was needed to make the police representative of the community; the courts agreed that it was legitimately in line with society's goal of creating a representative police service; recently police officers have been victims of dissident republican violence and have stood together; the force is more representative than in the past; there is a level of political buy-in; the quota provision in the US Army Officer Training Corp was recognised as the only way to recruit African American and Hispanic candidates; this showed that the benefits of institutional reform are not confined to post-conflict scenarios; few people now look at the current system and say that they preferred the old system of policing.

Lesley Carroll: former member of CGP; an institution is anything that provides a pillar for stability in society; reform is not something we are ever done with; CGP found that not all institutions are interested in reform; some do not connect with the conflict and are not prepared to engage in conversation about the past; the report shows who is absent from the institutional reform conversation e.g. the Education & Library Boards, Churches and business community; sectarianism is a major issue and very tough to address, we tried to put a commissioner in charge of it; the Ministry of Defence, PSNI, HET and Historical Section of the Police Ombudsman's Office were all interested in signing up to some agreed way forward; we tried to create a legacy commission approach on an opt in basis; institutions can do what individuals cannot e.g. apologise; make reparation. However, calls for this can be a sealing of revenge; if we had agreement about our history we could move into areas of truth, reparation and apology; if we truly want institutional reform we must start with our own darkness.

Discussion highlights from exchange between panel members and participants:

- When is the time to redress quotas? At what point is it acceptable to stop taking religion or gender into consideration when recruiting someone for a job?
- High Court Judge Seamus Treacy's verdict on use of the Irish language in court, which wasn't in favour, was received better because he was from a Catholic background and an Irish speaker. However, if the same decision was handed down by a Protestant judge, reaction to the judgement may not have been so accepting.
- Previously human rights organisations went to Geneva and Brussels but things have changed. We now need to write to Stormont. There is a tendency for everyone to forget the power that our MLAs now have. There are decisions being made now, on a daily basis that affect our lives, some mundane decisions but important decisions too.

- We need to build up institutional expertise, so that the person knows what questions to ask, so that the politician can ask the permanent secretary what s/he needs to know.
- Locally people are involved but they are exhausted and muddled; capacity building is needed.
- Local talent is stretched; more resources and investment are needed if areas like this are to be lifted out of deprivation.

Films of the seminars reveal fulsome and energetic exchanges and debate about the issues. Feedback sheets from participants register their positive engagement, interest in a follow-up programme and affirmation of the approach and seminar format

Transitional Justice Institute: Wrap-up

The final meeting of the steering committee was the wrap-up event hosted by the TJI and chaired by Irene Sherry on 7 December 2011. This group was joined by some of the seminar contributors who heard steering committee members summarise the experience of the transitional justice pilot programme, the impacts it had on their group and their views on the current state of transition in Northern Ireland. For some present at the event this was their first time in TJI. The international and local research priorities of the institute were outlined by Louise Mallinder. Mary O'Rawe contributed her research led reflections on policing reform with some questions about the way forward. Lesley Carroll observed that some of her congregation would greatly benefit from Bridge of Hope's transitional justice programme if it could be provided for them. She said that her congregation from 'up the Antrim Road' live at a more profound distance from Duncairn Gardens than the mileage indicates. Some group members lobbied TJI academics to take action on the ongoing 'Super grass trial'. Others focused on plans to adapt the tools of transitional justice to further the transition conversation within their group. Another said that deep rooted structural social need in places like North Belfast has also to be tackled if transition is to bring about a secure future where a repeat of the past is no longer feared.

Transitional Conclusions

The Northern Ireland peace process has been acknowledged internationally as a global model for conflict resolution. The 1998 Agreement is equally applauded for the centrality it gives to equality and human rights, as noted by former Human Rights Commissioner, Mary Robinson, 'Few documents emerging from divisive and difficult political negotiations have so well captured the importance of fairness in creating right relationships.'³⁵ At the same time and also internationally recognised is the counterproductive impact of counter-terrorism measures on human rights in prolonging conflict. This report's account of a small scale, grass roots transitional justice programme in North Belfast has wider ramifications. Bridge of Hope's pilot transitional justice programme started from the grounded principle that people living in those areas that have experienced the worst impacts of a conflict have a vital contribution to make to the civic work of dealing with the past and building justice. This initiative started in steering committee reflections about transition and justice and what these concepts mean in practice. The programme that followed framed transitional justice in terms of prosecution, reparation, truth, institutional reform, and reconciliation. There is nothing fixed about the framework. It provided a pragmatic way for community activists to map some landmarks of the local experience of transitional justice, to assess what is working, what is not and to name the outstanding issues that have been 'kicked into the long grass'. It enabled critical conversations. The unfinished map of transitional justice contributed by these groups, combined with the contribution of academics and advocates, has built a resource for others to use in their endeavours to assess how a local transition is working in the 'long grass' and furthermore what remains to be done. The Transitional Justice Grassroots Toolkit can be adapted by others in different jurisdictions who are meeting the challenges posed by transition in their own place.

Within a square mile of Bridge of Hope's Duncairn office 635 people were killed during the conflict and over 2,500 were injured. The scale of family disruption and social instability due to the thousands who were imprisoned is also enormous. This pilot programme emerged from North Belfast's local leadership. It involved people based in the nationalist and unionist working class neighbourhoods that are most seriously affected by the challenge involved in 'dealing with the past'. They courageously set out to explore ideas on a community model of truth recovery and carried out the groundwork necessary for that ambitious, complex, contentious and necessary endeavour. The programme revealed a pioneering North Belfast willingness to engage in hard conversation about the dilemmas of peace and past accountability. This provides a grassroots account of transition that may encourage others to engage in a similar way. The programme also contributes to international conversations about justice after war. Finally, and affirmatively, North Belfast leads the way as one contributor noted, 'if a transitional justice programme can happen in North Belfast it can happen anywhere'. The challenge is out there for others to take up.

³⁵ Former UN Human Rights Commissioner and President of Ireland Mary Robinson, cited in, 'CAJ's submission to the NIO on a "A Bill of Rights for Northern Ireland - Next Steps"' (February 2010), p. 4

APPENDIXES



Appendix A: Ashton Community Trust

Ashton Community Trust started in the 1980s as a small community organisation in the New Lodge which launched a share drive in the local community. Over 700 people purchased shares which allowed the group to purchase the land on which the Ashton Centre now stands. It has since developed where it now has a turnover in excess of £3million and employs over 120 people in some of the most deprived wards in Northern Ireland. It owns five centres across North Belfast and is seen internationally as a model of best practice. Ashton Community Trust (ACT) is a registered charity engaged in the delivery of projects aimed at social and economic regeneration of North Belfast. Economic regeneration is a central focus of their work and income generation is essential to its service delivery. This is done primarily through physical development, childcare services and government contracts for employability training and healthcare.

Ashton's Cross Community Programmes:

Bridge of Hope therapy, training and conflict programmes:

Shared Space via OFMDFM North Belfast Strategic Good Relations Programme with Loughview Community Action Partnership (LCAP)

Duncairn Gardens Masterplan Workshops in conjunction with LCAP

New Lodge Arts: Celebrate North Belfast and Xmas Factor arts/music programmes

Halloween cross community lantern parade and celebration at Waterworks

North Belfast Respect Programme

Training and Employment cross community initiatives

Respect Engage and Learn (REAL) Good Relations Programme

Senior Citizens Programme

Neighbourhood Renewal

North Belfast Network Reference Group attached to North Belfast Community Action Unit
Girdwood Master Plan Cross Community Panel



Appendix B: Logos (1st initially adopted & 2nd currently used)



Appendix C: Bridge of Hope Transitional Justice Pilot Steering Committee

John Howcroft - A former politically motivated prisoner who was incarcerated for 12 years in the Maze Prison. John studied Social Science through the Open University whilst in prison. Since his release, under the terms of the Good Friday Agreement, John has been involved in Community Development that has included work on behalf of: North Belfast Prisoners Aid, North Belfast Community Development & Transition Group and the Conflict Transformation Initiative (CTI). He is currently a 3rd year student on the BSc Hons Community Development programme at UU. John is also the North Belfast representative of the Ulster Political Research Group that provides political analysis to the UDA, and represented North Belfast in announcing the completion of decommissioning in January 2010.

Billy Hutchinson - Coordinator of Mount Vernon Community Development Forum. Billy entered community work in 1990 as the director of the Springfield Intercommunity Development Project. Billy was elected to the Legislative Assembly in 1998 representing North Belfast. He is also a former member of Belfast City Council, representing the Oldpark electoral area for two council terms. He returned to the community as coordinator of Mount Vernon Community Development Forum and has received accolades for his work in a range of community capacity building programmes and working with excluded communities. He has also worked in a number of countries examining the role of armed groups with the most recent being Iraq. Billy successfully stood for the leadership of the Progressive Unionist Party in October 2011. He is a Social Science graduate and holds a post graduate diploma in Town Planning.

Dr Leon Litvack - Reader in Victorian Studies and Associate Director of the Institute of Theology at QUB. Leon is a Council member of the CRC, and has a particular interest in issues affecting victims and survivors, including transitional justice, trans-generational trauma, and the ethics of remembering/memorialising. He has spoken publicly on these topics, and has worked on local cross-community projects involving both young people and adults. Leon was raised in Canada, as the child of Holocaust survivors who were interned in Auschwitz, Mauthausen, and elsewhere. He has spoken and written extensively on these topics, and is interested in exploring links between that experience and issues emerging from the Northern Ireland conflict.

Áine Magee - Development Worker at Bridge of Hope. Áine joined the programme in August 2010 and has played an organisational role in assisting the roll out of its conflict related work from a research and operational perspective. This includes its cross community conflict initiative 'Making Sense of the Past in the Present' as well as its Transitional Justice programmes. Prior to joining Bridge of Hope Áine was a journalist for 10 years with the majority of her time working as a senior journalist with the North Belfast News. She studied modern history and politics at QUB as well as newspaper journalism and marketing at Belfast Metropolitan College.

William Mitchell - Project Co Coordinator of Alternatives. William has been involved in community development since the early 1990s, formerly as a volunteer in sports development and since the late 1990s as a full-time youth worker with the Youth Service and with the community-based Restorative Justice Project - Alternatives. Currently, he is project co-ordinator placed in

North Belfast with the responsibility of co-ordinating new programmes in conflict transformation and schools work. William is a DipHE graduate of the YMCA George Williams College in Informal & Community Education, has a Bsc (Hons) 1st Class in Youth & Community work from UU and a post graduate certificate in Restorative Practices. He has recently completed a doctorate researching the sociological influences of paramilitary group membership and was awarded a PhD by UU in January 2012.

Paul O'Neill - Community Development Coordinator for Ashton Community Trust. Paul has worked in a professional and voluntary capacity in community work for over 20 years. Throughout this period he has developed a comprehensive understanding of community development issues, processes, management and coordination. Paul was previously Development Worker at Bridge of Hope; Staff Team Leader and Community Development Coordinator Greater New Lodge Community Empowerment Partnership, and Training Coordinator An Loiste Ur (New Lodge) Training Project. Paul was a founding member of Tar Isteach Republican Ex-Prisoner Support Group and was chairperson for 10 years. He is also a member of the North Belfast Interface Network and Greater New Lodge Safer Streets project. Paul has a BA in politics from QUB; a BSC Degree in Community Development from UU and Advanced Diploma in Business Management from UU.

Eilish Rooney - is a feminist academic and community activist. She teaches on the BSc Hons Community Development, University of Ulster where she is a Senior Lecturer in the School of Sociology & Applied Social Studies and an Associate of TJI. Her research on women in the Northern Irish conflict has appeared in a range of publications and conferences.

Irene Sherry - Head of Victims Services at Ashton Community Trust and chair of Pilot Steering Committee. Irene founded Bridge of Hope as a programme of Ashton Community Trust in 2001 in direct response to the alarming levels of stress and trauma in North Belfast. She holds a wide range of qualifications in management, governance control and mental health. She is one of Belfast's lead mental health contacts in the community sector and currently acts as Joint Chair of the Mental Health & Emotional Well-being Working Group of the Belfast Strategic Partnership and also the North and West Belfast Protect Life Implementation Group. Over the past decade Irene has headed up substantial research into the conflict via a host of Bridge of Hope legacy themed initiatives. She was also involved in the New Lodge Six and Springhill Massacre community inquiries.

*Appendix D: Multiple Deprivation Belfast Wards Data and Participant Areas**

Participating Groups are located in the following post code areas of Belfast: Mount Vernon - BT15 4BJ in Castlevue Ward; New Lodge - BT15 2BB in New Lodge Ward; Tigers Bay - BT15 2JZ in Duncairn Ward.

Contributors to the seminars mostly came from the UU - BT37 0QB in Rostulla Ward which lies in Newtownabbey Local Government District (LGD)

Rank Deprivation: Belfast Local Government District has 51 wards with ranks from highest levels of multiple deprivation 1 (Whiterock) to lowest levels of multiple deprivation 576 (Stormont). All wards in Northern Ireland are ranked, 1 being the most deprived (Whiterock in Belfast) and 582 the least deprived (Wallace Park in Lisburn). Wards with ranks of 58 or lower are in the top 10% most deprived wards in Northern Ireland

a. Mount Vernon: Castlevue

All information for **Castlevue** ward is shown in the table below. On the income domain **Castlevue** ward is ranked 218, while on the employment domain it is ranked 199. Looking at proximity to services **Castlevue** ward is ranked 478.

Ward Scores and Ranks (NIMDM 2010)	Ward Score	Ward Rank
Multiple Deprivation Measure	-	230
Income Domain	-	218
Employment Domain	-	199
Health Deprivation and Disability Domain	-	191
Education, Skills and Training Domain	-	235
Proximity to Services Domain	-	478
Living Environment Domain	-	121
Crime and Disorder Domain	-	144

** Data obtained from www.nisra.gov.uk*

b. New Lodge: New Lodge

All information for **New Lodge** ward is shown in the table below. On the income domain **New Lodge** ward is ranked 5, while on the employment domain it is ranked 5. Looking at proximity to services **New Lodge** ward is ranked 582.

Ward Scores and Ranks (NIMDM 2010)	Ward Score	Ward Rank
Multiple Deprivation Measure	-	3
Income Domain	-	5
Employment Domain	-	5
Health Deprivation and Disability Domain	-	3
Education, Skills and Training Domain	-	12
Proximity to Services Domain	-	582
Living Environment Domain	-	8
Crime and Disorder Domain	-	19

c. Tigers Bay: Duncairn

All information for **Duncairn** ward is shown in the table below. On the income domain **Duncairn** ward is ranked 20, while on the employment domain it is ranked 17. Looking at proximity to services **Duncairn** ward is ranked 547.

Ward Scores and Ranks (NIMDM 2010)	Ward Score	Ward Rank
Multiple Deprivation Measure	-	14
Income Domain	-	20
Employment Domain	-	17
Health Deprivation and Disability Domain	-	18
Education, Skills and Training Domain	-	9
Proximity to Services Domain	-	547
Living Environment Domain	-	15
Crime and Disorder Domain	-	25

d. University of Ulster: Rostulla

All information for **Rostulla** ward is shown in the table below. On the income domain **Rostulla** ward is ranked 491, while on the employment domain it is ranked 534. Looking at proximity to services **Rostulla** ward is ranked 438.

Ward Scores and Ranks (NIMDM 2010)	Ward Score	Ward Rank
Multiple Deprivation Measure	-	507
Income Domain	-	491
Employment Domain	-	534
Health Deprivation and Disability Domain	-	510
Education, Skills and Training Domain	-	473
Proximity to Services Domain	-	438
Living Environment Domain	-	330
Crime and Disorder Domain	-	100

Appendix E: What is Transitional Justice?

Participants of the pilot programme were given this definition of 'transitional justice' as an introduction and for discussion:

Transitional Justice is a term that has come about in response to systematic or widespread violations of human rights. It seeks recognition for victims and aims to promote possibilities for peace, reconciliation, and democracy.

According to the New York based International Centre for Transitional Justice, this is not a special form of justice but justice adapted for societies transforming themselves after a period of pervasive human rights abuses.

In some cases, these transformations happen suddenly; in others, they may take place over many decades. Governments in other parts of the world have embraced this TJ concept by implementing various initiatives such as: Criminal Prosecutions; Truth Commissions; Reparations Programmes; Gender Justice; Military/Police Reform; Equality Legislation and Memorial Efforts.

The Patten reforms, the creation of the Historical Enquiry Team and other initiatives would clearly fall within these remits on a local level.

Bridge of Hope, a programme of Ashton Community Trust works with individuals, families, and communities across North Belfast and beyond who have been affected by the political conflict.

It is seeking to carry out a pilot Transitional Justice Community Initiative which will explore people's experiences of the political conflict through a range of methods including discussions, workshops, residentials and exploratory talks around key themes such as human rights, the role and actions of state and non state actors and other institutions including churches, media and civil society.

Transitional Justice is:

- A conception of justice that is associated with periods of political change
- A model of conflict resolution involving legal and non-legal approaches to 'justice'
- A set of legal modalities for obtaining accountability for past human rights abuses including: truth commission; criminal prosecution; judicial inquiry; international investigation; amnesty
- An array of non-legal mechanisms for conflict resolution including: truth telling and reparation initiative; victims and ex-prisoner organisations; memorial schemes; community relations projects
- State based
- Criminal Prosecutions; Truth Commissions; Reparations Programmes; Gender Justice; Military/Police Reform; Equality Legislation and Memorial Efforts.
- A range of legal approaches to accountability for the past
- An approach to conflict resolution
- A range of processes invoked in post-conflict contexts for dealing with past human rights abuses

Appendix F. Residential Lusty Beg

Lusty Beg Island in County Fermanagh was the scene for the Transitional Justice residential in March 2012. The sessions were facilitated by Eilish Rooney and Leon Litvack as well as relevant community mentors. The venue, participants found, was appropriate in that it offered food, conference facilities, private space for discussion and leisure activities all in one location. The 'away' factor also helped in terms of removing the group from their immediate locality to a place where conversations could flourish. The overnight element further helped to cement group dynamics and secure 'buy in' to the overall pilot programme. For more details about the venue see www.lustybegisland.com

a. Participant Pack & Programme

Prior to the residential Bridge of Hope created a folder of materials for the participants. This pack included: A Terms of Reference of the TJ pilot; a description of who was carrying out the work and who funded it; a description of what TJ actually means; biographies of External Facilitators; an outline of what is required of participants; a biography of Bridge of Hope and what services we provide; more information about Bridge of Hope's conflict/legacy research; separate sheets around the TJ Five Pillars; overview of the TJI at UU; an Evaluation Sheet and an itinerary for each group. Tigers Bay also requested a separate paper, 'The Challenges of localised TJ based Processes - A Tigers Bay Perspective' be included in the pack.

*Appendix F: b: Transitional Justice Five Pillars:
A Global Fast Traveller, Eilish Rooney*

Origins & Late 20c travels

- Second World War: reparations & accountability
- Nuremburg Trials – model of post-war accountability?
- Selective accountability ? Victor versus vanquished (dilemmas and trade-offs of transition from war)
- Transitional justice model post-1989

Post Cold War - Peace Breaks Out

- Since 1990 more than 640 Peace Agreements
- Over 85 jurisdictions:
<http://www.peaceagreements.ulster.ac.uk/>
- International institutes & research (TJI at UU)
- TJ is concerned with legal and non-legal mechanisms aimed at providing societies that have undergone mass human rights abuses with ways of coping with the effects of these experiences in order to transition to sustainable conditions of reconciliation, democracy and peace.

Transitional Justice: Five Pillars

- Prosecutions: *International Criminal Tribunal for the Former Yugoslavia (ICTY)*
- Reparations: *material or symbolic restitution*
- Truth Commission: *South African Truth and Reconciliation Commission*
- Institutional Reform: *Power-sharing governance*
- Reconciliation Initiatives: *Participatory Programmes*

Transitional Justice Map

What might a transitional justice map of Northern Ireland/ the North of Ireland look like?

Task 5/10 mins: Work individually or in group of $\frac{3}{4}$

- Use sheets with each of 5 TJ Pillars
- On each sheet note any element you think is relevant to our TJ process
- Feedback & return
- Thank you

Agreement Documents

- The Agreement, 1998
<http://www.nio.gov.uk/agreement.pdf>
- Agreement at Hillsborough, 2010
http://www.belfasttelegraph.co.uk/multimedia/archive/00189/castle_final_agreem_189972a.pdf
- Agreement at St Andrews
http://www.nio.gov.uk/st_andrews_agreement.pdf

Appendix G: Seminar Contributor Brief Biographies

Reverend Lesley Carroll minister at Fortwilliam & Macrory Presbyterian Church: has worked in North Belfast for 25 years and been involved in developing better relationships across the community. She studied at the Irish School of Ecumenics and found the experience enriching and informative for her work. She was a member of the Eames Bradley Consultative Group on the Past. She is a regular broadcaster and convenes the Presbyterian Church in Ireland's Church & Society Committee. She is especially interested in the interface between religion and politics and is a member of the Faith and Politics Group. As a local minister she has been encouraged by what restorative justice models offer to community development and to the relationship between church and community.

Tim Cunningham PhD Candidate TJI at UU: commenced his PhD at TJI in December 2009 and is looking at the impact of urban regeneration on addressing group inequality and segregation. Prior to commencing his PhD, Tim worked for the Committee on the Administration of Justice, a Northern Ireland based human rights NGO, as their equality programme officer for 10 years. At CAJ he was the main researcher on their 2006 report Equality in Northern Ireland: the Rhetoric and the Reality, which looked at the extent to which the equality provisions contained within the Belfast/Good Friday Agreement had been successfully implemented. Tim graduated from QUB in December 2009 with an LLM in Human Rights Law and in the same year was appointed to the Historic Monuments Council for Northern Ireland.

Dr Leon Litvack Reader in Victorian Studies and Associate Director of the Institute of Theology at QUB: is a Council member of the CRC, and has a particular interest in issues affecting victims and survivors, including transitional justice, transgenerational trauma, and the ethics of remembering/memorialising. He has spoken publicly on these topics, and has worked on local cross-community projects involving both young people and adults. Leon was raised in Canada, as the child of Holocaust survivors who were interned in Auschwitz, Mauthausen, and elsewhere. He has spoken and written extensively on these topics, and is interested in exploring links between that experience and issues emerging from the Northern Ireland conflict.

Dr Patricia Lundy Senior Lecturer in Sociology - School of Sociology & Applied Social Studies at UU: research interests include the study of post-conflict transition, 'dealing with the past', contested memories and the legacy of human rights abuses. She has studied unofficial community-based 'story telling'/ 'truth recovery' processes and official police-led historical enquiries. She is particularly interested in 'truth' recovery and 'bottom-up' participatory approaches. In collaboration with Northern Ireland Life and Times, she co-authored a survey on 'Attitudes Towards a Truth Commission for NI' (2006). Her most recent research is an in-depth study of the Historical Enquiries Team of the Police Service for Northern Ireland. This an innovative police-led initiative which breaks new ground in transitional justice and offers international lessons on dealing with the past. The research involves interviews with victims and their assessment of the HET process. She was awarded a British Academy Large Grant (2007/8) and Leverhulme Senior Research Fellowship (2009/10) to undertake this research.

Dr Louise Mallinder Lecturer in Human Rights and International Law at UU: became a lecturer at TJI in November 2009 and has been appointed TJI's 'Dealing with the Past' research coordinator. She received a BA (2001), LLM in Human Rights Law (2003) and a PhD (2006) from Queen's University Belfast. Following doctoral studies, she worked at QUB as a research fellow, with Prof Kieran McEvoy and Prof Brice Dickson, on a two-year Arts & Humanities Research Council funded project entitled Beyond Legalism: Amnesties, Transition and Conflict Transformation. It is a comparative study of the impact of amnesty laws within Argentina, Bosnia-Herzegovina, South Africa, Uganda and Uruguay, and the project team conducted fieldwork in these jurisdictions. She has also provided expert training for judges and lawyers in Macedonia as part of a programme sponsored by the Organisation for Security Co-operation in Europe and the US Department of State.

Dr Mary O'Rawe Senior Law Lecturer at UU and contributor to pilot Wrap Up event: is a barrister, mother of six and Senior Law Lecturer at UU. Her doctoral work dealt with policing reform and human rights in Northern Ireland and beyond, and she is responsible for the Policing and Human Security Research Group at Ulster School of Law. She is an experienced legal practitioner, NGO activist and human rights consultant. She is a former chairperson of the internationally respected civil liberties organisation, the Committee on the Administration of Justice, and was co-founder of the Northern Ireland Lawyers' Section of Amnesty International. Over the past 20 years she has researched extensively in the field of criminal justice and human rights, with her main focus being on policing in societies in transition. Mary is currently acting as counsel to the Senior Coroner for Northern Ireland in a range of high profile legacy inquests linked to allegations of a shoot-to-kill policy being operated by the security forces in Northern Ireland in the 1980s.

Eilish Rooney Senior Lecturer, School of Sociology and Applied Social Studies and Associate, TJI at UU: is a feminist academic and community activist. She teaches on the BSc Hons Community Development. Her research on women in the Northern Irish conflict has appeared in a range of publications and conferences.

Professor Pete Shirlow School of Law, Director of Education at QUB: joined the School in 2007. He began his career as a geography lecturer but over time has moved towards issues such as violence and equality legislation. Most of his work has been dedicated to analysing republican and loyalist violence and in particular the transition out of violence undertaken by these groups. He has also studied how the 'Troubles' has impacted upon everyday life in segregated communities throughout Northern Ireland. He has studied issues of post-imprisonment among former political prisoners and analysed the construction of fear with regard to ethno-sectarianism. He recently co-authored the book Belfast: Segregation, Violence and the City. He is on the editorial boards of Capital and Class, Irish Political Studies and International Planning Review.





**TRANSITIONAL
JUSTICE**
BUILDING JUSTICE

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