

EXTERNAL (for general distribution)

AI Index: EUR 45/13/91

Distr: UA/SC

28 August 1991

PLEASE ORGANIZE UP TO TEN APPEALS PER SECTION

EXTRA 56/91 Allegations of Ill-Treatment in Police Custody

UNITED KINGDOM: Damien AUSTIN

Amnesty International is concerned about the reported ill-treatment and threat of further ill-treatment of Damien Austin, a 17-year-old Catholic youth from Belfast. The organization has received reports that he was ill-treated while in custody at the police interrogation centre in Castlereagh (Belfast) on two separate occasions in recent months. He was first arrested by Royal Ulster Constabulary (RUC) at his home in the Falls Road area of Belfast (a Catholic area of the city) on the afternoon of 7 May 1991. He was taken to Castlereagh police interrogation centre and held under Section 14 of the Prevention of Terrorism Act until 10 May. Damien Austin was one of 18 young people arrested in connection with the investigation into the death of an RUC officer, Stephen Gillespie, in a rocket attack carried out by the Irish Republican Army (IRA) on 1 May 1991.

During the time Damien Austin was in Castlereagh interrogation centre, he alleges that he was verbally abused, punched, slapped, and spat upon by detectives. He has said that he was also burned on the face with a cigarette, that his trousers and underpants were repeatedly pulled down, that a cigarette lighter was held toward his pubic hair, and that death threats were made. In the period following his release and before his second arrest, Damien Austin claims to have been regularly harassed by the police.

He was arrested for the second time on Saturday, 17 August - again under Section 14 of the Prevention of Terrorism Act - and was taken to Castlereagh, where he was examined by a doctor upon arrival. The doctor noted that there were no marks on his body, but that there were four stitches in his right ear from a previous injury. During three interrogation sessions on 17 August (each lasting between three and a half and four and a half hours), Damien Austin alleges that he was regularly punched in the stomach, the throat, on the arms, and the back of the head. During the final session of the day, he alleges that a detective placed his boots between his legs and applied pressure to his testicles. He claims that when he attempted to pull back from this particular assault, he was pushed forward and punched by one of the detectives. He also claims that during this same session, his neck was held so tightly in an armlock that he was choking and felt that he would pass out. He has said that although he requested access to a doctor throughout the day, his request was never met.

On the following morning, Sunday, 18 August, Damien Austin was seen by the doctor then on duty at Castlereagh. The doctor noted bruising and stated that he would be prepared to testify to this effect in court on Damien Austin's behalf. The doctor also provided him with pain killers and two inhalers for his asthma. Damien Austin has said that the detectives refused to allow him to use these inhalers during his interrogations. The ill-treatment allegedly continued throughout the day. In one session, a detective reportedly made a death threat and then pulled Damien Austin's ears very hard. This apparently caused his injured right ear to bleed and resulted in two of his stitches coming out. Another request to see a doctor was refused. During a subsequent interview, he alleges that he was again subjected to pressure on his genital area which he said resulted in bleeding.

When the Castlereagh duty doctor examined Damien Austin again on the morning of Monday, 19 August, he noted marks and bruising. Damien Austin claims that the beatings which allegedly took place during the previous two days continued and became even more severe on Monday, 19 August. When Damien Austin's solicitor saw him late that morning, he also noted injuries

and advised his client to request an examination by his own doctor. Damien Austin's own doctor was allowed to examine him that evening, recording both bruising and the two opened stitches in his right ear. In an affidavit filed in the High Court, Damien Austin's doctor has stated that he

"...examined him in detail and found evidence of severe assaults to his body. In addition to the physical injuries he appeared dazed and apprehensive...I can confirm that Damien Austin is being subjected to severe ill-treatment and the Police Doctor agreed with me on this".

page 2 of EXTRA 56/91

Following this examination on the evening of 19 August, Damien Austin claims that he received threats of further arrest and even execution by a loyalist paramilitary group. He has said that he was told: "You can complain all you want. It's going to get worse".

On Tuesday, 20 August, after further questioning sessions where the beatings allegedly continued as before, he was released without charge. As he was leaving Castlereagh, Damien Austin has claimed that the sergeant said "See you again soon".

BACKGROUND INFORMATION

Allegations about ill-treatment of suspects while in police custody have frequently come from Northern Ireland. People arrested under anti-terrorist legislation are taken to the police interrogation centres in Castlereagh (Belfast), Gough Barracks (Armagh) and Strand Road (Londonderry). The record shows that existing procedures and safeguards are inadequate to prevent the ill-treatment of detainees. Further details on the issue of allegations of ill-treatment can be found in Chapter One of United Kingdom: Human Rights Concerns (AI Index: EUR 45/04/91).

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters in ENGLISH if possible:

- urging an investigation into the allegations of ill-treatment in police custody in the case of Damien Austin, and that the detectives at the Castlereagh (Belfast) interrogation centre responsible for interviewing Damien Austin are not assigned to conduct further interviews with suspects until completion of the investigation.

APPEALS TO

The Rt Hon John Major, MP
Prime Minister
10 Downing Street
London SW1 2AA, United Kingdom

Dear Prime Minister

Telegrams: Prime Minister, London, United Kingdom

Faxes: + 44 71 270 3000 (Please telephone this number and say you wish to send a fax to the Prime Minister)

The Rt Hon Peter Brooke, MP
Secretary of State for Northern Ireland
Northern Ireland Office
Whitehall
London SW1A 2AL, United Kingdom

Dear Secretary of State

Telegrams: Northern Ireland Secretary, London, United Kingdom

Faxes: + 44 71 210 6823

Mr Hugh Annesley

Dear Chief Constable

Chief Constable
Royal Ulster Constabulary Headquarters
Brooklyn,
Knock Road
Belfast, United Kingdom
Telegrams: Chief Constable RUC, Belfast, United Kingdom

COPIES TO

Mr James Grew
Chairman
Independent Commission for Police Complaints in Northern Ireland
First Floor
Chamber of Commerce House
22 Great Victoria Street
Belfast BT2, United Kingdom

and to diplomatic representatives of the United Kingdom in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 September 1991.