Video shows state collusion with violent Israeli settlers

On 21st May 2012, *The Guardian* posted a shocking video that had been released by Israeli human rights group B'Tselem. The video shows Israeli settlers from the settlement of Yitzhar shooting at a group of Palestinian protesters in the West Bank village of Asira al-Qibliya while police and soldiers stand by. One of the settlers is seen crouching while aiming and then firing his pistol at the group of Palestinians. Two other settlers are seen firing assault rifles. Fathi Asayira, a 24-year-old Palestinian, is hit in the face and is seen in the video collapsed on the floor. He is taken to hospital with facial injuries following the shooting.

A shocking attack, but not surprising or unusual, as I know that the people of Asira have been experiencing violence and harassment from both the Yitzhar settlement and from the Israeli army since at least the year 2000. I know the village of Asira al-Qibliya from my time working with the Women's Centre for Legal Aid and Counselling (WCLAC) in Ramallah. We got to

know some of the women in the village very well and visited regularly.

Colleagues and I from WCLAC met Khadra for the first time in June 2009 in her home on the hillside just down from where the Jewish settlement of Yitzhar is located. She told us about the frequent attacks from Yitzhar settlers. She lives on the outskirts of the village and we could just see the settlement over the brow of the hill and also the Israeli military tent which is just 300 metres away from her house. She told us that she thought that there were 10 soldiers living in the tent but that they never did anything to stop the settlers from attacking the village.

Her family was one of the families that had been given video cameras by B'Tselem to record what happened when they were attacked by settlers.

A year later Khadra contacted us, devastated to tell us that her 16-year-old son Mohammed had been arrested by the Israeli army and that they didn't know where he had been taken. On 10th June 2010 the family had been woken up at 2am by somebody shouting

The video shows Israel settlers from Yitzhar shooting at Palestinian protestors while

in Hebrew – 'army, army'. Mohammad's hands were tied with plastic ties, he was blindfolded and taken away on his own by Israeli soldiers. Khadra later found out that Mohammad and his friend, Fadi, were accused of starting a fire which had spread up the hillside from the village and threatened the settlement of Yitzhar. Mohammed was held for 22 days in Israeli interrogation and detention centres including six days in solitary confinement. He told his mother later how the interrogator had banged at the

table violently to scare him, shouted at him and threatened to electrocute him if he didn't confess. He said he was terrified but still did not confess to something he did not do. Then on 1st July 2010, without prior notice, Israeli soldiers dropped the two boys off at a checkpoint far from their home at 8.30pm and told them to 'go home.'

Mohammed is one of just 700 Palestinian children who are arrested, interrogated, prosecuted and detained in the Israeli military court system each year. Children

June

8: The Government confirms that forced marriage will be outlawed in England and Wales. The Prime Minister said he was persuaded to act after listening to victims. However some rights groups expressed concern that it may discourage victims from coming forward.

'An unfortunate logistics planning problem' Molly Prince, boss of workfare firm Close Protection UK, on the job seekers her firm left to sleep under a bridge.

12: Ministers pledge to push through legislation to give same-sex couples the right to marry. However, the move faced opposition from Tory backbenchers and the Church of England. The Home Office has had over 100,000 responses to its consultation.

'I recall the drink, I don't recall the dinner'
'I can't remember'
'I don't recall'
'I don't think so'

Prime Minister David Cameron in another display of selective memory during the Leveson inquiry.

Young Legal Aid Lawyers

This regular column is written by YLAL members. If you are interested in joining or supporting their work, please visit their website www.younglegalaidlawyers.org

Goodbye to minimum salary?

It was the winter of 1795 when Samuel Whitbread, scion of the great brewing family, first tried to introduce legislation to allow Magistrates to enforce a minimum wage wherever they felt it was needed. It was not to be. In the House of Commons, Whitbread's attempts at social reform were comprehensively demolished by the Prime Minister, William Pitt. Relying on the economic teachings of Adam Smith, Pitt the Younger decried Whitbread's Bill as an unwise and futile interference in the laws of supply and demand.

Introducing the National Minimum Wage Bill to the House of Commons 200 years later in 1997, Margaret Beckett declared that the legislation would end once and for all 'the scandal of poverty pay'. The Bill was passed and Whitbread's vision finally came to fruition.

Against this historical background the proposal of the Solicitors Regulation Authority (SRA) to abolish the minimum salary for trainee solicitors (£18,590 in Central London and £16,650 elsewhere) seemed all the more astonishing. If given effect the proposal would have paved the way for trainees to be paid as apprentices at £2.60 an hour.

In May 2012, following consultation, the SRA opted instead for a slightly watered down and more politically palatable alternative of 'partial deregulation': from September 2014 firms need not pay trainees more than the national minimum wage. The opaque policy statement accompanying the announcement expressed the view that 'setting a minimum salary level for trainees above the national minimum wage main rate for employees was not in the public interest'.

The change is not as drastic as was feared but it is still misguided. The timing of the decision is poor. Many legal

aid firms and Law Centres are already struggling to keep the lights on. As the cuts contained in the Legal Aid, Sentencing and Punishment of Offenders Bill take effect, their situations will become more precarious. The likelihood is that it is these firms who will opt to pay trainees at the minimum wage. The result is that those who do the most socially valuable work will receive the least reward. For many aspiring solicitors, legal aid work will simply be out of the question. It seems ironic that trainee legal aid solicitors may be one of the few sectors of the population still eligible for legal aid.

Scrapping the minimum salary would constitute a huge step backward for the legal profession. The SRA's figures show that women and black and ethnic minority trainees are the most likely to be paid the minimum salary. The inference can be drawn that it will be these individuals who will be hardest hit by the change. The legal profession is by no means as diverse as it should be but it has come a long way in the last 40 years. In her book *Eve Was Framed*, Baroness Kennedy described how, qualifying as a lawyer in the 1970s, she was ritually humiliated by 'blustering

public school boys'. It would be a damaging prospect if the profession were to slip back toward those days.

It is vitally important that the legal profession is representative of society as a whole. Working in the Magistrates' Court I frequently come across young people who struggle to relate to and understand their lawyers who, all too often, come from very different backgrounds from themselves.

Ask these same young people whether they would consider incurring upwards of £40,000 in university tuition fees followed by £13,000 on the Legal Practice Course only to be paid the same as they could get now, working in McDonalds and they would probably laugh in disbelief. And so, for them, another door closes.

The SRA argue that in reducing the minimum salary to the level of the national minimum wage, more training contracts will be offered. There may be an element of truth in the SRA's argument, but it misses the point. The fundamental question should be what kind of society do we want to live in? Is it one where the legal profession is closed off to anyone who is not from an affluent background?

It is telling that even as the country slides back into recession and unemployment hovers stubbornly above eight per cent, neither the Conservative Party nor its allied think-tanks have suggested that the abandonment of wage regulation would be an acceptable way to boost employment.

As a regulatory body the SRA is charged with protecting and promoting the public interest and with encouraging an independent, strong, diverse and effective legal profession. It is both surprising and disappointing that the SRA believes that the removal of the current minimum salary could in any way be compatible with these responsibilities.

● **Connor Johnston** is the Co-chairperson of Young Legal Aid Lawyers

police and soldiers stand by.

are interrogated in the absence of a lawyer and family member, and the interrogations are not audio-visually recorded as an independent oversight. Reports of ill-treatment, and in some cases torture, are common, and the overwhelming majority of children confess.

Khadra, her family and her neighbours deserve to live in peace and they deserve an end to the violence and harassment which will only end with an end to the occupation.

Hannah Rought-Brooks

27: Sir Nicholas Bratza, the British President of the European Court of Human Rights warns senior politicians against using 'emotion and exaggeration' to criticise the court. In an article in *The Independent*, Bratza responded to increasing hostility from Tory frontbenchers.