

The two girls being held in Peru accused of smuggling drugs are classic drug mules, according to one expert. And prison life there can be brutal, says **Loretta van der Horst**

Reality sets in for accused in Peru

MICHAELLA McCollum-Connolly and Melissa Reid, caught with a total of 11kg of cocaine hidden in their luggage at Lima airport, may have so far underestimated the situation they are in. They could be sentenced to up to 15 years in prison, and their claims of being forced into the crime will be scrutinised heavily.

In the video which emerged of the two girls being questioned, Reid can be heard saying: "I was forced to take this bag." She also said she did not know it contained drugs.

Eduardo Castañeda, a counter-narcotics prosecutor, says those kinds of claims are generally false. "If you are trafficking drugs you are doing it for profit. The narcos [people involved in organised crime] want to use people who want to do it. It is for their own security. If they forced anyone, they would be putting themselves at risk."

Colonel Roberto Reynoso, head of police investigators at the counter-narcotics police, Dirandro, where the girls are being held, says they are classic examples of burriers — drug mule. "They are young and naïve, they could have easily bought into a story about earning a lot of money quickly and easily."

McCollum-Connolly and Reid are not alone. There are 6,000 women in Peruvian prisons, 90% of whom are in for drug-related offences. "We have seen a feminisation of drug mules in Peru," says Ricardo Soberon, former head of Devida, the government's anti-drugs agency. "Organised crime groups have moved from using planes or shipments for transportation to drug mules who carry lesser quantities."

Organised crime groups increasingly target women because of their psychological characteristics. "They are easier to manipulate — especially if they are drug addicts," says Soberon. But according to anti-drug prosecutor Castañeda it is not easy to get past the security checks. For the past 10 years Peru has been implementing various techniques in detecting drug mules, including sniffer dogs; specialised technology for cocaine detection; and psychological indicators: "The way people walk, look around and behave can be telling," says Castañeda.

Undercover police officers at the check-in area were keeping a lookout for people with specific profiles of drug mules when they spotted the girls. People they often look out for are travellers with brand new bags, indicating they haven't travelled around much; people who arrive at check-in at the last minute so they don't have to wait in line; and people who look

around a lot or get nervous when asked questions.

"Criminal organisations often use some drug mules as distractions for police, sniffer dogs, and customs" says Soberon. "An informant from the crime group will call the police to say a certain person is carrying drugs, they will describe the person and the bag. The police intervene and get to boast that they caught a drug mule while another mule with a much larger amount of drugs can pass by undetected."

A commander who has dealt with hundreds of foreigners at the Lima airport says the flights bound to Spain are most notorious: "That is where a lot of the drugs goes."

McCollum-Connolly and Reid will first be transferred to the Santa Monica women's prison in Chorrillos — a poor neighbourhood of Lima. According to statistics from Dec 2012, there are 32 British nationals in Peruvian prisons, of whom three are women. So far 22 men have been sentenced and one woman — the rest are awaiting a verdict. In Peru it may take up to three years for the girls to receive their sentence.

If they confess to their crimes, they will receive their sentence within six months, after which they would be transferred to the more modern prison in Ancon, which is where most foreign prisoners end up.

The Santa Monica women's prison is relatively mild compared to other women's prisons around Lima; the maximum security prison in Chorrillos and the Virgen de la Fatima Prison inside the city and the women's prison in Ancon just to the north of Lima. In Oct 2012 the redistribution of women inside the three prisons resulted in mixing maximum and minimum security inmates. A total of 750 women were transferred unannounced — 107 of them were foreigners. According to a 28-year-old Australian national, the transfers occurred brutally in the middle of the night and many personal belongings were left behind. Inside the Santa Monica prison, inmates pay for their own food, clothes, and — if they can afford it — a living space. The prison is 70% overcrowded and the conditions of the cells are deplorable, with many women sleeping on filthy floors.

But comfort can be bought. Guards are paid so little they often work several jobs on the side. "It makes them vulnerable for bribes," says Soberon.

Poor inmates hustle for money in different ways — some by cooking or selling handicrafts, others by serving as a llamadora or caller on visiting days. Visitors rely on these callers to bring



ABOVE: Dirandro, the counter narcotics police headquarters where Michaela McCollum-Connolly and Melissa Reid are being held.



LEFT: Michaela McCollum-Connolly and Melissa Reid. People the police often look out for are travellers with brand new bags, indicating they haven't travelled around much.

BELOW: Some food packages allegedly containing cocaine and found in the girls' luggage.



them to their loved one once they enter the visitors' courtyard. But the most well-behaved and highly-educated prisoners work inside the prison library, and try to keep to themselves. Some of them claim they were set up and wrongly convicted of serious crimes such as murder.

Peru has been under foreign pressure to crack down on drugs, and after Peru's 2003 drug law reform, penalties against offences such as those Reid and McCollum-Connolly are accused of have gone up. "Judges who punish harshly are applauded in Peru," says Ricardo Soberon, who heads the centre of drug and human rights investigations in Peru.

The two girls will likely be discriminated against for their relative wealth compared to Peruvian inmates and guards. Soberon adds that the girls need to be careful not to be exploited. "It is common for Peruvian lawyers to ask families for a lot of money promising a lesser sentence. But they know this is not going to happen."



Family solicitor Peter Madden at Belfast City Airport yesterday afternoon before flying out to Peru to co-ordinate the legal team which will be appointed to handle the case involving Michaela McCollum-Connolly. Picture: Alan Lewis

Judge lived a life committed to the law

GOOD lawyers don't look for popularity in the cases they take but even Kevin Feeney must have wondered how he got landed with one particular brief which looked like it could only put him in a lose-lose situation.

As barrister for the newspaper accused of libelling a district court judge lampooned for stopping proceedings to take a mobile phone call in the late 1990s, Feeney found himself facing down a claimant and witnesses he'd normally refer to as "his lordship".

Loss the case and his client would be miffed, win and people in his professional circle might feel similarly. As it happened, the judge won the case but little of the hefty associated costs so everyone involved lost something. Such outcomes didn't seem to faze Feeney, however. As he developed an expertise in defamation law, he became used to representing media outlets that defended claims more in hope than expectation.

Broadcaster Marian Finucane, rugby international Mick Doyle, republican Thomas 'Slab' Murphy, and politicians such as Mary Harney, Prionsias de Rossa, and Beverly Flynn were among those who came to the High Court claiming ruined reputations.

Murphy and Flynn were notable exceptions to the rule of thumb that meant the defendants usually settled, apologised, paid up or some combina-

Mr Justice Kevin Feeney was an expert in libel law and in efforts to confiscate proceeds of crime, writes Caroline O'Doherty



tion of all three. But if Feeney was often on the losing side in the verdict, his versatility, tenacity and courtesy meant he was on the winning side in terms of his own reputation.

Before he was made a High Court judge in 2006, he worked on two of the longest-running and most complex commercial cases to come before the courts — the Bula mines debacle and the Fyffes insider trading claims.

But he was equally at home untangling the intricacies of the financial world, as he did in a case that resonates with more recent events — the fallout from the State's bailout of AIB after the collapse of its subsidiary, ICI; and with the medical world as he did in the Beaumont Hospital Inquiry and numerous Medical Council cases.

On his appointment to the bench, he immediately presided over high-profile cases, within days finding the behind the scenes goings-on in Aras an Uachtaráin opening before him in a personnel dispute involving one of President Mary McAleese's staff.

He also heard two of the most emotive deportation cases to come before the courts, the ultimately unsuccessful appeals by the family of autistic boy Great Agbonlahor and by Pamela Izevbekehi, not to be returned to their native Nigeria.

In 2007, he heard his first Criminal Assets Bureau case, the battle over land in Carrickmines in south Dublin owned by the Jackson Way property company embroiled in the planning corruption scandals.

Soon after, he had his first encounter with John Gilligan, who was instructing lawyers from his prison cell in an effort to recover €17m in assets frozen by CAB.

He would meet the former drugs gang boss repeatedly throughout the following years as Gilligan, who is still battling CAB, tried every avenue to explain his inexplicable wealth and prevent disposal of the assets he held.

He was later given charge of the entire CAB court list and made many orders under the Proceeds of Crime Act allowing gardai to seize, hold, and dispose of property in the possession of senior criminal figures.



Kevin Feeney: Became judge in 2006.

In between CAB cases, he presided over a varied list, and chaired the Referendum Commission for the 2012 fiscal treaty referendum.

Judge Feeney, who was 61, was from Dublin, the son of Margaret and Prof John Feeney, a consultant obstetrician. He graduated from University College Dublin with a degree in history and politics before going on to study law and qualified as a barrister in 1973.

He married Geraldine and the couple had four grown-up children, a daughter, Barbara, and three sons, Kevin, Andrew, and Peter. Judge Feeney, himself one of four boys, lost one of his own brothers, journalist John Feeney, in the Beaujolais plane crash in 1984. Another brother, media

consultant Peter, also went into journalism and is a former head of current affairs at RTE.

Judge Feeney died suddenly on Wednesday while on holidays in Ballycotton, Co Cork.

Tributes were led yesterday by Justice Minister Alan Shatter who said his death of one so dedicated to public service was a loss for the entire country. "Kevin was a judge of exceptional ability who graced the High Court bench with courtesy and good humour. He will be sadly missed by everyone who had the privilege of knowing him."

Attorney General Máire Whelan, said his death would leave a "a great void in the Irish legal community".

"As a judge, Mr Justice Feeney combined enormous intellectual ability with a compassion and courtesy which left an abiding impression on litigant and lawyer alike."

"As counsel, he acted in a series of landmark commercial actions, and he was unquestionably the leading defamation lawyer of his generation, making the sometimes arcane nature of libel law accessible for a jury."

"He leaves a legal legacy of incalculable value in his body of reported case law, which will continue for many years to be the bedrock of jurisprudence in matters which concern the recovery of the proceeds of crime."

Tourists to Egypt told to be wary

Travellers have been told not to visit Egypt unless they intend only to visit Red Sea resorts, writes **Dan Buckley**



PLANNING a trip to Egypt this year? Don't, unless you intend only to visit the country's Red Sea resorts, such as Sharm el-Sheikh, Hurghada, and Dahab.

That's the advice of the Department of Foreign Affairs which has been monitoring the declining security situation in one of the greatest tourist destinations in the world.

"Due to increased civil unrest, Irish citizens are advised to avoid non-essential travel to Egypt at the present time, with the exception of the Red Sea resorts," says the department.

"We strongly advise Irish citizens who are currently in Egypt to exercise extreme caution, to avoid all protests and demonstrations and to monitor this travel advice and the local media for updates on the situation."

"Protests and demonstrations can turn violent, often without warning, and there have been cases where this violence has resulted in large numbers of deaths and injuries. If caught up in a demonstration, Irish citizens should not attempt to take photographs and should leave the area immediately."

These warnings are on foot of a state of emergency declared by the Egyptian authorities which is expected to last at least one month.

The Egyptian daily newspaper *al-Ahram* reports that the ministry of state for antiquities has closed all archaeological sites and museums across Egypt.

British Airways says it has altered flights schedules to Cairo so that they do not land in the evening, into the dusk-to-dawn curfew that has been imposed across the capital and other major areas.

The unrest is taking its toll on Egypt's hospitality industry since June when violent protests broke out against president Mohamed Mursi. On July 3, the army ousted the Muslim leader, leading to further violence and the tour buses that once lined the streets around the pyramids have disappeared.

"We hope to the Lord that he will bring back those busy days, because all of us rely on tourism alone," Gameel Hassan told the French news agency AFP.

He has run a shop near the pyramids selling papyrus prints for nearly 20 years. Now, his shop is empty. "There have been no tourists coming from outside. From June 30 until now, there have been none," he said.

Tourists, many of them Irish, have disappeared from the Khan el-Khalili bazaar in Cairo. This warren of narrow streets used to see coach-loads of people coming to haggle over souvenirs.

After dark, the area is crowded with Egyptians talking a stroll after the iftar meal to break the Ramadan fast, but the foreigners are nowhere to be seen.

Egypt's tourism minister Hisham Zaazou acknowledges to AFP that the tourism sector is suffering, as the current unrest is hitting the peak season.

"In the first 15 days of July 2013, Egypt welcomed 387,000 tourists compared with 515,000 tourists in the same period last year," he said.

In 2010, the year before the revolution, Egypt attracted 14.7m visitors, a record high. That plunged by nearly a third to around 10m in 2011, then rose to 11.5m in 2012.

Zaazou said he had plans for a fresh PR offensive abroad, but added that getting countries to lift advisories against travelling to Egypt is his main aim.

The situation has been made worse by reports of sexual assaults on tourists. Hotels will be closed down immediately if it is proven that their employees sexually harassed tourists, said Zaazou.

"We [the ministry] have received reports of around 150 cases of sexual harassment committed against tourists. There have been three rape cases reported."

He has vowed to close hotels where attacks occurred.



People mourn sitting next to bodies of supporters of ousted President Mohammed Morsi. Picture: AP