



**BRITISH-IRISH
INTER-PARLIAMENTARY BODY**

**COMHLAUGHT IDIR-PHARLAIMINTEACH
NA BREATAINE AGUS NA hÉIREANN**

REPORT

from

COMMITTEE D (The Environmental and Social Committee)

on

TRUTH AND RECONCILIATION FOR NORTHERN IRELAND

REPORT

1. The British and Irish Governments committed themselves in the Good Friday Agreement to address the suffering of the victims of the conflict in Northern Ireland as a necessary element of reconciliation. It was agreed that both Governments would: support victims' groups and encourage the participation of victims, especially young people; develop community centred initiatives based on international best practice; and provide resources, including funding to meet the needs of those victims and support programmes.^[1]

2. The British and Irish Governments accepted in the Joint Declaration of April 2003 that acknowledging and addressing the suffering of the victims of violence was a necessary element of reconciliation. The Declaration also included agreement that in the past the needs of victims had been neglected. However the Governments agreed that much had been achieved since the signing of the Good Friday Agreement and that the time had come to develop the next stage of policies for victims with a long term approach. The British Government re-affirmed the principle that there is no hierarchy of victims and the two Governments agreed to work with the parties, victims and survivors to seek to establish what further practical steps could be taken to recognise and address the suffering of all victims, taking into account the state of the readiness of the community as a whole to engage in such a process. The Declaration also agreed that the Governments would facilitate this work and give consideration to the establishment of a victims' and survivors' forum. It was also agreed that remembering and recognition are an essential part of the healing process.^[2]

3. The British Government has appointed a Victims' Minister^[3] and has provided more than £30 million in victims' initiatives since 1998. The range of projects supported includes financial support for victims' groups, the establishment of a Memorial Fund to provide assistance to individuals and the creation of two trauma centres. The Victims' Minister is currently drawing up proposals for improvements to the planning, coordination and delivery of service to victims and survivors.

4. Committee D recommends that the British and Irish Governments provide a progress report on the implementation of the above aspects of the Joint Declaration, particularly on the establishment of a victims' and survivors' forum.

5. There has been widespread support for a victims' and survivors' forum; the Chief Constable of the PSNI said "There needs to be something that gives everyone an opportunity to say their piece, to get the best explanation they can on what happened to their families, their loved ones, so that they can then get on with their lives"; Professor Desmond Rea, Chairman of the Police Board, has suggested an amnesty for those involved in violence as part of a move to "reconcile the losses of the past and embrace the future"; and the British Prime Minister remarked that people should be allowed to express their "grief, pain and anger" as part of an organised process. The Secretary of State for Northern Ireland, Mr Paul Murphy MP has also undertaken a consultation process around the themes of truth and

reconciliation, including a visit to South Africa. He explained then that "there are no ready-made solutions... Northern Ireland needs to find its own approach to proceed in a way which respects the feelings of all concerned".

6. The Committee urges the British and Irish Governments to identify the institutional barriers to a truth and reconciliation forum and to encourage further discussion around suitable vehicles for remembering and recognition, particularly models being advocated by victims and survivors.

7. In August 2001 at Weston Park the two Governments accepted that certain cases from the past remained a source of grave public concern, especially those giving rise to serious allegations of collusion by the security forces in each jurisdiction. The Governments agreed that a judge of international standing needed to be appointed to examine the allegations in six named cases; if the appointed judge recommended a public inquiry the Governments undertook to implement the recommendations of that inquiry.^[4]

8. Justice Peter Cory investigated the matter and found insufficient facts to substantiate the allegations of collusion in the murder of Lord Justice and Lady Gibson but recommended public inquiries into the remaining cases. Following these reports Justice Peter Cory stated that "the documentary evidence indicates that there are matters of concern which would warrant further and more detailed inquiry".^[5] Subsequently the Irish Government agreed to establish a public inquiry into the murders of Chief Superintendent Bob Buchanan and the British Government agreed to establish inquiries into the murders of Robert Hamill, Rosemary Nelson and Billy Wright.

9. On 24 September 2004 the Secretary of State for Northern Ireland said that the British Government had taken into account the exceptional concern about allegations of collusion in the murder of Pat Finucane and concluded that steps should be taken to enable the establishment of an inquiry "in order that the inquiry can take place speedily and effectively and in a way that takes into account the public interest including the requirements of national security, it will be necessary to hold the inquiry on the basis of new legislation which will be introduced shortly".

10. The family of Mr Finucane, who have been calling for a public inquiry for fifteen years, have expressed concern that this statement casts doubt upon the commitment of the British Government to fulfil its obligations to the effective investigation of his death and the allegations of collusion that surround it.

11. The restoration of public confidence in the fair and effective administration of justice and a new beginning to policing in Northern Ireland requires an independent public inquiry as recommended by Justice Cory to establish the truth about allegations of collusion in the murder of Pat Finucane. Such an inquiry must be open and transparent and must be given sufficient resources and powers to examine all the evidence; it must endeavour to hold to account those responsible and must involve and seek to gain the confidence of the Finucane family.

12. The Committee recommends that the British Government provides further clarification on arrangements for a public inquiry into the death of Mr Patrick Finucane.

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- 1 The Good Friday Agreement, 10 April 1998, page 22.
 - 2 Joint Declaration, April 2003, page 4, paragraph 26.
 - 3 Angela Smith MP
 - 4 The Implementation of the Good Friday Agreement, Weston Park, August 2001, page 6, paragraphs 19-19.
 - 5 Cory Collusion Inquiry Report, 1 April 2004, HC470 Session2003/4.