

Northern Ireland Affairs Committee

Oral evidence: Effect of paramilitary activity and organised crime on society in Northern Ireland, HC 24

Tuesday 17 October 2023

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Members present: Simon Hoare (Chair); Sir Robert Buckland; Sir Robert Goodwill; Carla Lockhart; Jim Shannon.

Questions 496-557

Witness

I: Jamie Bryson, Director for Northern Ireland Policy, Centre for the Union.



Examination of witness

Witness: Jamie Bryson.

Q496 **Chair:** Good morning, colleagues, and good morning to our witness.

You probably will not be surprised, Mr Bryson, to know that your attendance before us this morning, for which we are grateful, has generated a little bit of conversation in social media and in my inbox. I just want to say this, if I may, to put it on the record: we are a democratically accountable Committee of the House of Commons, and we are a pluralist Committee committed to hearing all voices and all strands of opinion across the spectrum of views in Northern Ireland. I said right at the start, when I was elected as Chairman back in 2019, that I wanted to hear as many voices as possible to ensure that our knowledge base was as full as it could possibly be in order to help shape the politics of Northern Ireland. That is why you are here this morning.

It is not the first time that you have appeared before this Select Committee. Five years ago, you told our predecessor Committee: “There is no place for terrorism in the modern Northern Ireland and we all need to move forward within the parameters of the democratic process.” Can you confirm that that is still your view? How do you envisage people moving forward within the current democratic process? Could you make particular reference to your relatively recent letter to the three leaders of the Unionist parties, which very explicitly threatened violence on the streets were certain people not entirely to get their way with regard to Windsor? But I think the first thing, for the comfort of this Committee, would be if you could confirm that the quote that you gave the Committee five years ago is still your position.

Jamie Bryson: Emphatically, Chair, and I will just expand slightly on that. People are entitled to have—indeed, the Belfast agreement recognised that people have—disparate and different views on the conflict in Northern Ireland and roles people played. But we are now 25 years into peace—more than that, if you count the period since the ceasefires. I emphatically believe that the only way forward, particularly for working-class Unionists and loyalists, is via the medium of education, politics and particularly the law, in which I have a particular passion. There is no place in Northern Ireland for terrorism, violence or any such activity; I emphatically stand over that.

To your first point, yes, controversy seems to be generated and to follow me wherever I go, but I appreciate this Committee being open to engaging. When we met, Chair, at the Belfast agreement 25th anniversary conference, the message from Senator Mitchell and many other people was about engaging with all views and voices. Of course, Senator Mitchell engaged with people from all backgrounds, and John Hume, for example, engaged with Gerry Adams at the height of the IRA’s campaign. I don’t think there is anything wrong with engagement, as long as that engagement is to try to move people along. My engagement with loyalist



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groups is in that context: it is to try to move people along to a place where they can play a positive role in society within the confines of the law and a culture of lawfulness, and where if anybody does have an influence in society it is used positively without crossing over into coercive control.

I know that some members of the Committee, for whatever reason, are not here today, but I just want to put it on the record that I am happy to engage with anybody. A couple of weeks ago, I had cause to be looking over old correspondence and I recalled how well Claire Hanna and I worked in relation to SIF and other matters like that. We had a very good relationship, and I am happy to rekindle that and engage with anybody.

Chair: Can we pause there? You mentioned education.

Jamie Bryson: I was just going to come to your final point about the letter. I emphatically reject the suggestion that there was any threat at all in the letter, let alone a threat of violence. What the letter, which was from a policy studies group, actually said was that the group's analysis was that protest would take place. There was emphatically no reference whatsoever to violence; I don't even think the recipients of that letter took it that way. It is unfortunate that the letter was taken somewhat out of context on social media, primarily with it being presented as a threat or something like that. It was nothing of the sort.

Q497 **Chair:** Sir Jeffrey Donaldson took it as a threat.

Jamie Bryson: I spoke to Sir Jeffrey and no, I don't think he did. I don't think he took it as threat of violence at all—definitely not. He took a particular view in relation to protest. It was unfortunate that the letter was turned into some type of personality issue between myself and Sir Jeffrey, because that emphatically was not what the letter was about. I have a very good relationship with Sir Jeffrey. He is a leader of Unionism—a democratically elected leader of Unionism—and it will be for Sir Jeffrey and his party, who have received a mandate, to take the decisions on the best way going forward.

What the letter was doing—by the way, it is entirely legitimate for any citizen or any lobby group to contact their elected politicians—was saying, "Look, we believe this is what the mandate is based upon. This is what we would like you to do." That is what the letter did.

Q498 **Chair:** Let us pause again for a moment. You have referred to any Unionists who may—not necessarily with enthusiasm, but in the world of realpolitik—not see the Windsor framework as an impediment to the restoration of Stormont as "collaborators". The general narrative has been that anybody who moves away from the ultra position is no Unionist, is a collaborator, and would be guilty of a sell-out. It is not an extraordinary interpretation of your letter, is it? You are right to say that you referred to protest, but having used language such as "the subjugation of the Union", "collaborators" and so on, it does not take a great step to realise that you were probably were not referencing peaceful protest.



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Jamie Bryson: No, I emphatically was.

Q499 **Chair:** If you emphatically were, why did you not say “peaceful protest within the law”?

Jamie Bryson: Because in a democratic society and in the United Kingdom, and if you look at all the jurisprudence under article 10 of the convention, which talks about protest, the default position is that protest is peaceful. Let me set it out clearly: when I talk about protest, I talk about peaceful protest.

Q500 **Chair:** But you know as well as I know that when we had the demonstrations and the protests against the protocol, quite a lot of the quid pro quo from some of the paramilitaries was to say to the young from within their own communities, “We need you to go out and start throwing your weight around, throwing a few missiles about, setting fire to a few things and so on, and we will expunge or reduce your drug debt.”

Jamie Bryson: No, emphatically not.

Q501 **Chair:** That is not within the rules, is it?

Jamie Bryson: I will come back to that. I will deal first with the language in the latter. “The subjugation of the Union” are the words of the Supreme Court of the United Kingdom. The ultimate judicial authority in the United Kingdom held that the Act of Union—of which Lord Trimble, who negotiated the Belfast agreement, rightly said, “The Act of Union is the Union”—is subjugated and in suspension. In fact, the word “subjugation” was introduced into that litigation by senior Crown counsel for the Government. It was the Government, in their written submissions to the Court of Appeal, who said that the Act of Union—

Q502 **Chair:** But when you use the term, you are not using it in a legal sense. You are talking in a much more robust manner.

Jamie Bryson: Subjugation is subjugation, and if there is a quarrel over the word “subjugation” I suggest the first port of call ought to be senior Crown counsel for the Government, who went to the Court of Appeal and put that in his written submissions and his oral submissions. In terms of “collaborator”, legitimate political discourse can be robust at times. It can be colourful, and that’s what that is, and I do hold the view that the Act of Union is the Union.

Q503 **Chair:** You have referenced an understanding of history. Anybody who has an understanding of Vichy France will understand the weighted language in the use of the word “collaborator” or “collaboration” in a political context. It is not an appropriate word to use, is it?

Jamie Bryson: Well, I feel it is, and another very senior elected politician, Jim Allister, has used the term—

Q504 **Chair:** Do you know what happened to collaborators in Vichy France?

Jamie Bryson: Nobody is suggesting that, but Jim Allister, for example—



Q505 **Chair:** Are they not?

Jamie Bryson: Jim Allister, for example—an elected political leader in Northern Ireland—used that term. As I say, I stand over it, but I am not going to quarrel over terms.

Q506 **Chair:** Good, because language is important, Mr Bryson. You mentioned in your opening remarks something on which I fundamentally agree with you, which is the role of education. Social media, et cetera, just allows, effectively, the echo chamber to be repeated, sometimes with a greater degree of volume. I think everybody around this room would agree that the need for political education—rights and responsibilities, et cetera—has never been more important. What is your role within that with paramilitary groups, advising, effectively, on the scope of realpolitik? Allied to that, there is a huge amount of interest in, but a greater degree of uncertainty about, your specific relationship with the leadership of the DUP and Jeffrey Donaldson, because at one point you were sort of seen as—

Jamie Bryson: Well, what is the question?

Chair:—sort of Siamese twins.

Jamie Bryson: Let me just answer that part, because you made a comment about the anti-protocol rallies. The anti-protocol rallies were organised by perfectly lawful groups of people who come together. They were attended by the political leaders of Unionism—Sir Jeffrey; Jim Allister; Baroness Hoey, a former Government Minister; Ben Habib, a former MEP; and myself. At all times, Sir Jeffrey, Jim Allister and I called for those to be peaceful. They were peaceful, and actually those protests were designed to act as a pressure valve to allow the immense anger in Unionist and loyalist communities out, through a productive way. I think that is why it was appropriate that Sir Jeffrey and the Unionist leaders engaged within that. Actually, whether people like it or dislike it, loyalist leaders used their influence to prevent violence on the streets—to defuse violence on the streets—and didn't encourage anybody.

If loyalists wanted to turn on violence, I am quite sure they well could have done it. They didn't do it. We saw a sporadic outburst of violence in April. It was actually loyalists—the PSNI will back up this assessment—who then engaged with the young people, along with Northern Ireland Alternatives and other bodies such as the ACT Initiative, and discouraged young people from taking part in those violent protests. Instead, coalitions and groups like that engaged in peaceful protests.

I think Assistant Chief Constable McEwan was before this Committee, and he said that some of the people involved in those coalitions may have had a paramilitary background. The answer to that is this: I am not interested in who somebody is. I am interested in what they are doing. If somebody is coming along and engaging in peaceful protest and encouraging others to engage in peaceful protest, I am not particularly concerned about what that person's background is. I am more interested in what they are doing in the here and now.



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I am sure we will get into this later in the discussion, but as the IRC recognises, when you talk about loyalist paramilitaries, there are different motivational groups within that. I assume we will come on that in more detail later on, but it is important to recognise that.

You touched on the relationship with Sir Jeffrey, but what was the question?

Q507 **Chair:** Are you an adviser?

Jamie Bryson: No.

Q508 **Chair:** Are you a conduit between Jeffrey Donaldson and—

Jamie Bryson: No, and I am glad to have the opportunity to put it on the parliamentary record. Sir Jeffrey Donaldson is the elected leader of Unionism, and one of the complaints that people like me and grassroots Unionists and loyalists had for a long time—actually, the media themselves, and commentators and politicians in England make the point—is: is there a disconnect between the DUP and grassroots? What Sir Jeffrey has been very good at is engaging with all sections of the community at a grassroots level, right the way up. I represent various lobbying groups and advocacy groups, and Jeffrey Donaldson engages with me to hear the views of those groups.

But Sir Jeffrey Donaldson engages with many groups across the piece. He, like any political leader, listens to his constituents, to the people he represents, and then he takes all those views on board, goes back to his own party and makes his own decision. The notion that Sir Jeffrey Donaldson, who has been an MP for more than 30 years, an elected leader with a mandate of more than 160,000 people, needs to ask me for permission to make a decision is quite frankly for the birds.

Q509 **Chair:** You would describe yourself as a loyalist.

Jamie Bryson: Yes.

Q510 **Chair:** Would you describe yourself as a paramilitary?

Jamie Bryson: Emphatically not. I have not ever been involved in any paramilitary organisation in any shape or form. That has been substantiated, by the way, by the PSNI. That is not to say that I do not engage with those groups.

Q511 **Chair:** That is precisely the point I want to come on to, and then I want to turn to Jim Shannon. You would identify as being a loyalist and a recognised voice of loyalism, but very explicitly—as the force of your answer indicates very clearly—you do not see yourself as a paramilitary.

There are lots of people who would describe themselves as coming from the loyalist tradition who have no links at all or conversations or relationships with the leaderships of paramilitary organisations. You do, because you are often quoted in the media as effectively the articulation of their voice, as a result of some sort of consultation you may have undertaken—not a formal consultation, but taking soundings and so on.



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You have given us the answer to the question with regard to your relationship with Jeffrey Donaldson. How did you forge a relationship with the UVF and the UDA? What is the relationship? Are you a paid consultant to them? How does it work?

Jamie Bryson: I have been involved in community development work since I left school, when I was 16 or 17. I was a community development worker in Bangor. That work was in working-class and especially socially deprived areas. The area I first worked in was a Housing Executive designated area of social deprivation. In that work, in working-class loyalist communities, there are obviously loyalist paramilitaries, it will not shock you to know—the same way as in west Belfast and Republican communities there are past and present members of the IRA.

As part of that work, I built up relationships and have undertaken various pieces of work. I do engage regularly with senior figures in those organisations on political and community issues. I seek to use whatever influence I have for good. But those organisations have their own Loyalist Communities Council, which has appeared before your Committee; I note with interest that there was a full turnout that day when the LCC came. That being said, that is the vehicle by which they articulate. They articulate their views.

In my job—I have a consultancy business—I also represent a lot of people, in complaints to the media and issues like that, who some would suggest may have had or have a paramilitary background. Obviously in my professional work I have that relationship.

I engage on positive transition work, but I engage with the IRC on positive transition work. Two weeks ago, I was in a meeting with the Assistant Chief Constable of the PSNI. I engage with the district commander of the police on a daily basis in the local area. I engage with political leaders. I engage across the piece on these issues.

Q512 **Chair:** Okay. Let me ask you this, and then we will go to Mr Shannon. You have mentioned community development work. Everybody will understand the importance of that, particularly in communities of high deprivation, relatively high levels of unemployment and not as high educational attainment as one would like to see. Is the selling of drugs, in your opinion, useful to community development?

Jamie Bryson: Absolutely not.

Q513 **Chair:** Is the shooting in the leg of somebody who will not play ball with regard to drug dealing an essential part of community development?

Jamie Bryson: Absolutely not.

Q514 **Chair:** Is the enforcement of young women into prostitution as a way of paying off either their drug debts or the drug debts of their children an essential part of community development?

Jamie Bryson: Absolutely not.



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Q515 **Chair:** Thank you. You have mentioned your positive transition work with these groups. Can you give us a couple of examples of that?

Jamie Bryson: Yes, I can. But I hope we will get into the nuts and bolts later of the different motivational groups, as identified by the IRC. On those points, I want to take this opportunity to set this out very emphatically—

Q516 **Chair:** Could you take this opportunity to answer the question? Could you give us a couple of examples of positive transition work that you have been engaged with in recent months, with organisations that would wear the badge of paramilitary organisations?

Jamie Bryson: Yes, and not just in recent months, but right back to when I was 16 or 17.

Chair: Let's deal with the present time.

Jamie Bryson: I was involved in setting up the first anti-drugs scheme in Kilcooley, Bangor: the Keep Safe scheme, which worked in partnership with the police to get rid of and dispose of illegal drugs, and run an anti-drugs campaign. I have been involved in work on re-imaging, where paramilitary murals—militant murals of gunmen—were taken down and replaced with community images. I work on a daily basis with Northern Ireland Alternatives, which is a Government-accredited community-based restorative justice scheme. I, along with a number of others, teach courses in constitutional law, human rights and community development.

I want to take the opportunity to say this: drug dealing or criminality of any sort is not loyalism, is not welcome in loyalist communities and does not represent loyalist communities. As a loyalist I want to say, if anybody is being intimidated or bullied in relation to drug dealing, "First and foremost, go to the PSNI. Every decent loyalist will support you in doing that. If you do not feel comfortable going to the PSNI, go to an accredited restorative justice scheme like Northern Ireland Alternatives."

Drug dealing and criminality have no place in our communities, and I fully support the PSNI in dealing with anybody who is engaged in drug dealing or criminality. That includes people who purport to be under the banner of an organisation, when quite often they actually are not. With anybody who is involved in criminality or drug dealing, no matter who they are, the PSNI should deal with that, and deal with it as strongly as it possibly can. I emphatically support that work—when done within the law, obviously.

Q517 **Chair:** That is encouraging to hear.

Finally, you are a very articulate individual, passionate in your political beliefs. You know as well as I do, this Committee knows as well as you do, and Northern Ireland knows as well as you do that the moneys, the funding and the mechanisms of the loyalist paramilitary groups are solely generated through criminality. You have referenced the work that you have done on those areas of criminality, which we have spoken about. I do not want to put the onus all on you, because there are a number of actors in the field, but why do you feel that you have been unsuccessful



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in persuading paramilitary loyalists to cease criminal activity?

Jamie Bryson: I will address the issue now. In its fifth report, the IRC identifies what I term the three motivational groups. Within loyalist paramilitaries, there are essentially three groups of people with different motivations; this is the IRC's analysis translated into my words, but I agree with it.

You have people who are involved for socioeconomic reasons: young people who have been dragged into these organisations, or who may be being used by other people. They do not have many life opportunities or employment or educational opportunities, so they find themselves drawn in for socioeconomic reasons.

You then have another group of people, who I think—and I think the IRC agrees with this—are the main bulk of the membership. They are political. Of course, membership of an organisation is in and of itself a crime, but their membership is their only crime. They are not involved in drugs and are not involved in criminality; in fact, they emphatically reject such activity.

Those are two important groups for transition, and then there is a third group: people who may have joined the organisations to use them as badges of convenience for their own criminal activity. Those people are a policing issue.

How do you deal with this? I term it the three Ps. For the socioeconomic group of people, there need to be pathways in terms of education and job opportunities to provide upward social mobility. For the central group—we will come on to this a bit later, I am sure—there has to be an appropriate political context, because they are politically motivated. There has to be a political context which facilitates and creates the environment for that group of people to move their organisations to the final stage of civilianisation.

Chair: Like the Good Friday agreement.

Jamie Bryson: The third issue is policing. For the criminal group, it is a policing issue and the PSNI needs to deal with that. There are concerns in many loyalist communities that sometimes the PSNI has not been robust enough in dealing with criminals who are using the flag of convenience of loyalism.

Pathways, political context and policing—those are the three components that deal with the three motivational groups. Hopefully we will have an opportunity to talk later about more of the nuts and bolts.

Q518 **Jim Shannon:** Jamie, you are very welcome. I understand exactly the point you are making in relation to transition and how important it is. I can point to that in my constituency of Strangford; I am thinking right away of the Scrabo residents group, who have walked away from a very long and historic past. They are one of the groups in Newtownards leading the community when it comes to community issues. I just love



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engaging with them, because they are so refreshing. There are many other examples across the area—I am also thinking of those in Ballynahinch, who I deal with on a regular basis because of their positive engagement and their wish to see the community moving forward. There are many examples of transition being successful.

At the same time, you will know that in my constituency of Strangford we have had a paramilitary feud taking place. Well, they say it is paramilitary—there are three groups, as you and I know—but I feel that the core issue is criminality. “For God and Ulster” is a long time gone for most of the people who are involved in criminal activity. The fact is that they have a territory marked out in relation to drugs, moneylending, protection rackets and so on.

Quite clearly, those who are of a historically loyalist community are trying to move on, while those who want to hang on are those involved in criminal activity. Is that your perception of what has been going on?

Jamie Bryson: Thank you, Mr Shannon. You are right about the great work that goes on by the Scrabo residents and other groups who have transitioned very effectively.

On the issues in Newtownards, we have a criminal drugs gang who were expelled from another group and then took for themselves the title of the so-called Real UFF—an organisation that has no credibility and is not recognised in loyalism. They are a drugs gang who have terrorised Newtownards. The community are at their wits’ end with that drugs gang.

I engaged with the police and the Assistant Chief Constable not two weeks ago. I raised concerns and said, “Look: these people, in broad daylight, are still burning people’s cars, attacking property and threatening women and children who have peacefully protested against them. Where is the PSNI action?” I think those comments were reflected—I am not sure if you have seen this, but I am sure you get the *Chronicle* and the *Spectator*—by District Judge Mark Hamill himself, who said that this so-called Real UFF drugs gang were being treated with kid gloves.

That is why I talk about the policing issue. We need the PSNI to rid our community of these drug dealers and criminals. It is a policing issue, not an issue for loyalists or conflict-related loyalist groups to deal with. It is an issue for the PSNI to deal with, and it needs to get to grips with it.

So yes, I agree with your analysis entirely. I engaged with the police at the start, when they presented this as a loyalist feud. I have done a lot of work with the district commander and other people, and if you look at the police’s language now, they have changed it. They have accepted that it is not a loyalist feud and is not reflective of loyalist communities.

This is a drugs gang who have given themselves the name Real UFF—and now they are fighting amongst themselves, so we will have the “Continuity Real UFF” next. They are not loyalists; they are drug dealers and criminals. The police should deal with them and put them where they belong, which is in prison.



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Q519 **Jim Shannon:** Thank you very much. I also wholeheartedly support your comment in relation to the PSNI, and all my statements to the *Newtownards Chronicle* and other papers have been very clear that I support the PSNI and our elected representatives. We need to make sure that those who are involved in criminal activity in the community are focused on very clearly by the police.

I know from the background information that we have before us that you are also involved with Unionist Voice Policy Studies. It is a very important issue to galvanise Unionist opinion and bring it together. In relation to that, the Chairman said that it represents all Unionist parties, and I understand that it does. Therefore, it is a good grasp for Unionist opinion. In relation to where we are at this moment in time, what is your rating of where Unionist opinion is?

Jamie Bryson: This ties in with the transition point; when I get to the end of the answer to this, you will see. I think Unionist opinion is as it was, on the basis of the mandate they gave the DUP, based on seven key tests. Although it was mostly ignored by the media, as Sir Jeffrey referenced twice in his speech on Saturday, he clearly and consistently—as recently as his conference speech—set out what are now the essential two aspects that need to be addressed. He said that there has to be the restoration of the Act of Union, which means putting it back to its pre-protocol status and protecting that going forward, and that there has to be unfettered trade—essentially, the removal of the Irish sea border, which impedes trade between Northern Ireland and the rest of the United Kingdom. On that issue, I think people fail to recognise the compromises that Unionism has made—all of Unionism.

By the way, loyalism produced a paper—I am sure you are aware of it—not long ago. All of loyalism—all the organisations—signed up to that paper. I know that paper went to Downing Street and the Irish Government. The paper—and the DUP’s position, which is similar—accepts that for goods moving from Great Britain through Northern Ireland to the Republic of Ireland, there can be checks on the red lane. That is a significant compromise that all of Unionism, loyalism and the DUP have collectively accepted. The issue is that that is a hard border for those going to the EU, but there is a soft customs border, the so-called green lane—aptly named, perhaps. If you read article 9(2) of Joint Committee decision No. 1/2023—I am sure you have, because I know you read all this stuff intently—it is clear that you have to require authorisation and provide customs information in order to even access the green lane. That is a fetter on trade internally, and it has to be removed.

The solution here is very clear and has been clear for quite some time. By the way, I engaged with EU Commissioners days before the Windsor framework. I know Downing Street has seen these papers as well. The solution here is that for those trading with the European Union, you assume the obligation to follow EU law. If you want to trade with Canada, you have to abide by the Canadian standards. There is no issue with that. As a compromise, Unionism accepts that those who are trading with the



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EU can be subject to checks within the UK territory—the so-called red lane. But for those who—

Chair: This is an inquiry about paramilitaries. I don't want to get into the weeds of the operation of the Windsor framework.

Jamie Bryson: A final point: for those trading in the green lane entirely within the UK—

Chair: No, I really don't want to go into the weeds of the Windsor framework. We are having an inquiry on paramilitaries.

Jamie Bryson: Okay.

Q520 **Jim Shannon:** You represent PUL opinion through the voice that you referred to. Is there a hardening of opinion?

Jamie Bryson: Yes, there emphatically is. I am bringing it back to the transition issue. I spoke earlier about the three groups of people: the socioeconomic group, those who are politically motivated, and those who are just criminals. Let's forget those who are criminals, as that is a policing issue. In terms of moving forward the political group, as with 1994 and 1998, the political context has to be right to facilitate those moves. When loyalists brought about a ceasefire in 1994, they did so based on a political context and constitutional guarantees.

And you have the people who put their lives on the line within loyalism to bring that peace: the Billy Hutchinsons and Jim Wilsons of this world—very respected people in loyalism who were ex-prisoners but who committed themselves to the peace process and put their lives on the line for that. In 1998, there was a political context whereby Unionists and loyalists believed there were constitutional safeguards.

In 2023, in order to facilitate that politically motivated group within the loyalist organisations and move on to where I believe they want to go and we all want to see them go—to complete civilianisation—there has to be the correct political context, and I am very worried. Again, these groups can speak for themselves; this is just my view from my policy studies work. But I think the process of transition and civilianisation is halted and is unable to progress for so long as the political context remains as it is, which is that the guarantees that were given to loyalism in 1994 and 1998 have not been respected.

In that regard, I struggle to see how those organisations can progress, because the leaderships of those organisations need to be able to say to their members, "The Union is safe. The guarantees which we signed up to in 1994 and 1998 are still in place," and they can't do that while this protocol and framework remain. That is an issue which needs to be resolved, and I deeply worry—until that is resolved, I don't think we are going to see the progress that we all want to see on that issue.

Q521 **Chair:** Mr Bryson, let me take you back to your opening comment, where you repeated your commitment to peace, as it were, which you had made



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to this Committee five years ago. We have discussed the use of the word “collaborator”. You have just, in answer to Mr Shannon, referred to a hardening of opinion, and in your publicised letter to Sir Jeffrey and others, you refer to protest. Quite specifically, you don’t mention violent protest, but by the same definition, you don’t mention peaceful protest either. Would a casual observer be right to be worried in trying to reconcile your opening statements with subsequent ones?

Jamie Bryson: I stand over my opening statement. I stand over the context of the letter. Opinion is hardening. That is a view—

Q522 **Chair:** How does this hardening manifest itself?

Jamie Bryson: Well, what I don’t want to do is this: I don’t want to come to this Committee and—I know there will be much media attention on this—say something which is going to whip up tension, because I don’t think that’s—

Chair: I am not asking you to—

Jamie Bryson: I’m being careful how I answer these questions, for that reason.

Q523 **Chair:** I am not asking you to whip up tensions. You have told us—you have told the world—that Unionists who have any hand in implementing Windsor are a collaborator and no Unionist. You have told Mr Shannon that Unionist and loyalist opinion is hardening. You reference—some people might say “threaten”, but I am going to use a more anodyne phrase: you reference “protest”. What is your worst fear with regard to how that hardening of opinion might manifest itself on the streets of Northern Ireland, and what can people, including you, do in order to ensure that that doesn’t happen?

Jamie Bryson: You are taking me down a path here. I want to be careful how I answer this, because I don’t want to be accused of whipping up tensions.

Q524 **Chair:** No, but are we seeing lawful civil disobedience? Are we seeing rioting on the streets?

Jamie Bryson: Well, what I want to say initially is that any protest that I would be involved in would be peaceful and lawful. I want to preface my answer by saying that all protest—as is the democratic and basic human right to protest—should be peaceful and lawful at all times. If it does get to the stage where people in loyalist communities feel like they want to protest, that should be done peacefully and lawfully, without any hint or threat of violence.

One of the most difficult things over the last number of years in the work of engaging with loyalist communities is when, for example, MPs from the nationalist background have threatened “civil disobedience at a very minimum” if they did not get what they wanted over Brexit. When the Irish Prime Minister went to the European Union and, whatever his intent, held up pictures of IRA bombs, that sent out a very worrying and



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dangerous message because you had people in the loyalist community who said—I don't encourage this thinking—"Well, if the threat of violence is good enough to prevent a land border, why should the same not apply to prevent moving the sea border?" That is a dangerous precedent that was set.

Again, I emphasise that all protests should be peaceful and lawful. And again, I don't want to whip up tensions, but there is significant anger in working-class loyalist communities. At the moment, the valve for that anger is the political action that the DUP have taken, and they have massive support for that, as all the polls show, as does the mandate that the DUP has got. I am worried that if we don't get a solution to this issue—I put it no higher than this—we could see the progress that has been made and that we all emphatically want to maintain, going backwards, and a new generation of young loyalists taking a course that I don't think they ought to take.

By the way, people like Billy Hutchinson and Jim Wilson—people who took that course when they were young men and then committed themselves to peace—have repeatedly said to these young people, "This is not the way to go. Violence is not the way to go." But I live in working-class loyalist communities. The DUP are from working-class loyalist communities; they hear it day in, day out—Jim Shannon essentially referenced it. Young loyalists are very, very angry. Many of them are looking at non-political solutions, and many of us are working to discourage that and to find a political way forward. I want to emphasise that that is the only way forward, and I would discourage any young loyalist from that way of thinking. But I alone or the DUP alone cannot achieve that. There has to be a collaborative approach and a solution that deals with the very real concerns and issues.

Q525 Chair: That is an important point about having a political home. We have all heard, in terms, "Don't talk to me about the LCC—that's just a talking shop. Don't talk to me about any of the Unionist political parties. They only come and see us every five years to ask for a vote." It has all become frightfully middle class and the loyalist working-class Protestant who would describe themselves as a loyalist effectively see themselves as party politically homeless at the moment. That is something that should be addressed in order to try to find an avenue with elected representatives to articulate their particular point of view, otherwise they just become disenfranchised and disengaged, don't they?

Jamie Bryson: Well, we do have this anomaly within Unionism and loyalism. I think you have three camps of people. You have PUL Union people—border poll Unionism—who might vote for Alliance or might not vote at all, but if there was a border poll tomorrow, they would vote for the Union. You then have political Unionism. The DUP are far and away the largest manifestation of that. But then you have cultural Unionism and loyalism—this is going to sound like a bit of an anomaly, and it is—with people who are highly culturally and politically motivated, but are disengaged from the political institutions, and that is a real problem. It is a



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problem for Unionism that has to be addressed. I think that is part of the reason, for Sir Jeffrey—I am proud of Sir Jeffrey, by the way.

When Edwin Poots was leader, Ian Paisley MP initiated a loyalist engagement process within the DUP to try and engage with working-class loyalists. When I say, “a loyalist engagement process”, I don’t mean a paramilitary engagement process; I mean that in loyalist communities, he worked to try and bridge that gap. So there is a problem. The DUP, through their engagement, are trying to solve that problem, but I absolutely agree with you: of the 10,000 or 20,000 people that line the Newtownards Road in Belfast on 12 July, probably 2,000 of them vote. Although all of these people are very politically passionate and engaged, they are actually disengaged from elective politics.

There is a job of work for Unionism and loyalism to do to bridge that gap. That is why that work is undermined whenever people present such engagement in a negative way. Sir Jeffrey Donaldson engages with me and those who I represent to hear our concerns, try to bridge that gap and try to deal with those educational issues; the next minute, Sir Jeffrey Donaldson is presented unfairly, as if I exercise some type of influence over him, which I do not and have never done. If we as a society want to deal with that issue and to have a peaceful and stable society, all sections must be politically engaged and feel as if they have a home, so undermining Unionist leaders who engage with working-class loyalist communities is problematic.

Chair: I will turn to Ms Lockhart very quickly, and then to Sir Robert.

Carla Lockhart: I have quite a few questions, Chair. We have taken up a lot of time on questioning this morning.

Chair: On this line of questioning?

Carla Lockhart: Yes, and several others as well.

Chair: You don’t have to leave.

Carla Lockhart: No, I don’t have to leave, but we will not be quorate.

Chair: Can I just bring in Sir Robert Buckland? The floor will then be yours.

Q526 **Sir Robert Buckland:** Mr Bryson, I want to go back to the word “subjugation”. Do you think that the Act of Union, important political Act though it is, is somehow entrenched in British constitutional law and cannot be amended by normal processes?

Jamie Bryson: Thank you for your question, Sir Robert. I published a paper two weeks ago alongside the Irish High Court judge, Mr Justice Richard Humphreys, and we debated this issue. I accept that the prevailing authority in, for example, the Allister case is that parliamentary sovereignty is maximalist, and they can change the Act of Union.

Q527 **Sir Robert Buckland:** It is more than prevailing authority; it is a



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fundamental tenet of British constitutional law, isn't it?

Jamie Bryson: As established presently, but—

Q528 **Sir Robert Buckland:** As always established. What is novel about the point?

Jamie Bryson: Another fundamental aspect of the British constitution is that it is evolving, changing and unwritten, so different legal views and authorities may prevail. I have the view that we ought to have constitutional fundamentals that, unless expressly and deliberately disavowed, should prevail. I accept that that is not the prevailing legal authority. We have seen that in the Allister case, but the Allister case actually sidestepped the Thoburn issue—the constitutional statutes issue—because with a bit of clever footwork it found that section 7A deliberately and expressly subjugated article VI. I would like to do a straw poll of all the MPs who voted for the 2020 EU withdrawal Act and ask them if any of them knew that they were subjugating article VI of the Act of Union.

Q529 **Sir Robert Buckland:** I must press you on this. There is nothing novel about one Act of Parliament modifying another. That is parliamentary supremacy: no Parliament binds its successors, and that is a fundamental tenet of British constitutional law. As a British loyalist, why can't you accept that?

Jamie Bryson: If we take that maximalist view, Parliament could, if it wanted, completely abolish judicial review.

Q530 **Sir Robert Buckland:** A sovereign Parliament could. Politically, that would obviously be an extremely unwise action. The point is this: these are arguments about policy and politics, aren't they? The word "subjugation", which in the legal context means modification or suspension, is being used in a very pejorative way to dress up something that is a fundamental legal reality of constitutional law in Britain. There is nothing novel, suspicious or dangerous about this. You can disagree with the policy, of course, but to dress it up as some sort of constitutional crisis is surely to overblow the point for political purposes, isn't it?

Jamie Bryson: No, I don't agree with that at all. You touched on a point when you accepted and said that Parliament could abolish judicial review, for example. It may well be the case that something is legal and lawful, but that is quite different from something that may be unconstitutional but still be legal. Let us take as an example judicial review—the issue that we are playing with at the minute. The right of access to the court is an enshrined constitutional fundamental. Parliament could set aside that constitutional fundamental; that may well be unconstitutional, but it may be lawful, so I don't accept the premise of the point. As for subjugation, that was introduced by the Government. The Government went to the Court of Appeal and used the word "subjugation".

Sir Robert Goodwill: But my point is that it is an entirely unremarkable word in the legal context.

Chair: It could have used the word "triage".



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Q531 **Sir Robert Goodwill:** Laws are repealed and changed all the time. In fact, the Supreme Court did not say that there was a complete subjugation of article VI of the Act of Union. It said it was partially modified for however long the protocol was brought into domestic law. So if you want to quote the Supreme Court, Mr Bryson, get it right.

Jamie Bryson: Sorry, I do get it right. Is it not paragraph 42? The Supreme Court says that the Act of Union is subjugated and in suspension. Actually, probably the finest judgment in this series of cases is Lord Justice McCloskey's judgment in the Court of Appeal, which sets out emphatically the impact. In his words, he said that Northern Ireland belongs more to the EU market than to the UK market. The Act of Union, which has been a fundamental from 1801, has been set aside. That is Lord Justice McCloskey, one of our most senior jurists—who, by the way, sits part time on the Supreme Court.

I am not quarrelling with the fact that Parliament can do what it has done. The Supreme Court has held that. I am happy to email you a copy of the paper with Mr Justice Humphreys, but I think that there should be constitutional fundamentals. That is not the prevailing authority, so dealing with the situation as it is, yes, Parliament can do what it has done while it is constitutional and wise, and while it is consistent, by the way, with the promises made and understandings given in 1998. Lord Trimble, who negotiated the Belfast agreement, stood up and said, "The Act of Union is the Union," and the Act of Union remains in force, but the Act of Union has been modified, suspended and subjugated without consent. That fundamentally alters the promises and understandings given to the Unionist people.

Q532 **Sir Robert Buckland:** The Act of Union has been modified before, Mr Bryson. We know that. The creation of Northern Ireland modified the Act of Union in a way. There is nothing novel about this.

Jamie Bryson: No, actually it didn't. The Government of Ireland Act changed the territorial extent of the Act of Union; it did not actually alter it.

Q533 **Sir Robert Buckland:** It impliedly repealed parts of the Act of Union, didn't it?

Jamie Bryson: Actually, the territorial extent of the Act of Union, article VI, was not impliedly repealed by the Government of Ireland Act. The territorial extent was changed. We see this point on social media sometimes. It is a somewhat silly point, saying that the Act of Union referred to Ireland, and it is now Northern Ireland so it doesn't apply. There was a statutory instrument that said, "From here forth, every reference to Ireland should be read as the six counties of Northern Ireland." The fundamentals of the Act of Union remain in force, and every court up to the Supreme Court has held that, and they have been modified, amended and subjugated.

Q534 **Sir Robert Buckland:** That is what has happened here. What is novel or remarkable about it?



Jamie Bryson: What is remarkable about it is that in Northern Ireland, understandings were given and promises were made. In article 1 of the constitutional issues section, sub-paragraph (iii) said that there should be no change to the constitutional status of Northern Ireland without consent. All courts have held that the Act of Union is a constitutional statute. That constitutional statute has been subjugated, amended, suspended.

Q535 **Sir Robert Buckland:** It can be amended with clear rationale.

Jamie Bryson: That is a change that has been put upon the people of Northern Ireland without their consent as promised in the Belfast agreement. That is the issue here. For example, I don't know whether it is section 1 of or the schedule to the Belfast agreement that deals with the border poll, but what if Parliament said, "I know what we'll do, we'll just change that—we'll say 75% for the border poll now"? Would that be appropriate? Does anybody think that would be consistent with the Belfast agreement or acceptable? No, it wouldn't. It would not be accepted or tolerated, yet fundamental understandings are changing—for example, key decisions coming before the Assembly subject to cross-community consent. Section 42 of the 1998 Act was expressly disapplied by section 56A inserted by the withdrawal Act, so the very moment that Unionism sought to reach for the constitutional safeguard in section 42, the constitutional safeguard was unilaterally set aside. That is the source of the anger and frustration.

These things are lawful, and the Supreme Court has held that they were—I do not quarrel with you on that—but are they politically fair? Are they equitable? Do they preserve the very delicate political balance in Northern Ireland? Northern Ireland rests on a political balance more than a legal balance, and that has been upended by both the protocol and the Windsor framework.

Q536 **Sir Robert Buckland:** As I understand it, you think that the important constitutional convention about our unwritten British constitution should be replaced by something codified. Is that what you want to see: entrenched constitutional provisions? Is that your view?

Jamie Bryson: I would not entirely object to that, but I think as a starting point that there are constitutional fundamentals. Let me put it like this. Article III of the Act of Union creates this place—this beautiful place in which we sit. Do you say that Parliament could repeal article III of the Act of Union, that Parliament could abolish itself?

Sir Robert Buckland: But no Parliament can bind its successors.

Jamie Bryson: So article VI of the Act of Union creates the political union.

Q537 **Sir Robert Buckland:** There is no such thing as entrenchment in the British constitution.

Jamie Bryson: Yes, and I emphatically accept that, but article III of the Act of Union creates this place within which we sit—that is the political union—and article VI creates the economic union. Could Parliament abolish



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itself and say, "We are not going to have Parliament any more; we are going to usher in a dictatorship"?

Q538 **Sir Robert Buckland:** Ultimately, Parliament, because it is sovereign and supreme, can pass Acts as it pleases and chooses. No Parliament can bind its successors, Mr Bryson. That is the point that—

Jamie Bryson: I accept that.

Q539 **Sir Robert Buckland:** Well, do you?

Jamie Bryson: Well, therein lies my point. Parliament could abolish itself and usher in a dictatorship, to take an extreme example, and could do that legally, but is anybody seriously suggesting that that would be constitutional?

Q540 **Sir Robert Buckland:** We all know that there is a difference between law and politics, and that is the point that I am trying to make to you, Mr Bryson. You are perfectly entitled to make your political points; to dress them up in the language of constitutional law is to push things too far. I am afraid that we are going to disagree about that point.

Jamie Bryson: We will agree to differ.

Q541 **Sir Robert Buckland:** May I ask you about something entirely different? You and I know that there are different functions that the police exercise with regard to paramilitarism as opposed to terrorism. Overall responsibility for national security, of course, remains with the UK Government and the PSNI, and the Northern Ireland Executive Office has responsibility for paramilitary activity and organised crime. That in itself can cause a lot of misunderstanding and dislocation, which we know about. Do you think that there is enough understanding in the Protestant, Unionist and loyalist community as to that fundamental difference—you can call it a "dislocation" if you like—of function?

Jamie Bryson: The short answer is no. For example, the Paramilitary Crime Task Force that was set up, that is PSNI and it has responsibility for crime and paramilitary activity, but this artificial distinction has been created whereby the Paramilitary Crime Task Force deals with non-national security issues. I put this to the PSNI, and it said that the Paramilitary Crime Task Force does not investigate the IRA. We know from MI5's security assessment and police security that the Provisional IRA continues to be involved in a range of criminal activity, but it is not investigated by the Paramilitary Crime Task Force.

Many people in working-class loyalist communities would say, "What is the artificial distinction here?" I think it is accepted that the Provisional IRA is no longer involved in terrorism; it does not actually pose a national security threat, and I am quite sure that it is not at the top of MI5's watch list. It seems to fall through the gap, because the paramilitary crime taskforce says, "National security—nothing to do with us." The Provisional IRA seems to scoot through the middle and continue with its money laundering and white-collar crime without challenge. That is a real issue, and it is a real issue for the perception of bias in policing.



Q542 **Sir Robert Buckland:** What could be done to counter that perception? Clearly having two-tier policing would be wrong in any society.

Jamie Bryson: Yes, I emphatically agree, Sir Robert. I am engaged regularly with the police. Under the leadership of Assistant Chief Constable Bobby Singleton, after the Bobby Storey funeral and the frustrations in Unionism and loyalism, ACC Singleton set up a community engagement unit. That is headed by Inspector Patrick Mullan, and I engage with that unit regularly. The work that ACC Singleton and Inspector Mullan have done includes working a lot with the District Commander Superintendent Johnston McDowell, who is a superb police officer and very community-driven.

There is that type of engagement constantly going on to try to rebuild confidence, but some of the issues are structural. For example, when you have the Paramilitary Crime Task Force, which in its own words does not investigate the IRA, that is a constant source of confusion and anger. Then you have the good work of, let's say, the uniformed side of the house, that community engagement team, district policing. The two almost undermine each other.

There is a job of work for the police to do in terms of marrying up what the Paramilitary Crime Task Force and what the local police do. For example, you have community police officers in working-class communities who engage and build up relationships with people; then the Paramilitary Crime Task Force uses the same officers to go in and carry out house searches. While a police officer is a police officer, that somewhat undermines the ethos if you are building relationships with communities, and then the next day you are taking a child's iPad in a house search.

I think the police accept that they need to do a job of internal work, but I want to place on the record that there has been a lot of work done by that team of Assistant Chief Constable Singleton, Inspector Mullan and Superintendent McDowell, which is very important work, and they should be commended for that, it is fair to say.

Sir Robert Buckland: Thank you, Mr Bryson.

Q543 **Carla Lockhart:** I would like to say at the outset, thank you very much, Jamie—or Mr Bryson—for coming to today's meeting. I have to say, it is a disappointing meeting—disappointing in the attendance, and disappointing that the voice of loyalism has not warranted attendance by some from across the board. That is very disappointing, and it will not be lost on the people back in Northern Ireland.

Chair: We are a quorate meeting, and between the three of us, we can cover the ground.

Carla Lockhart: Chair, with due respect, I am going to make my points.

Chair: I was going to say that I take your point.



Carla Lockhart: The hostility that has been evident in this meeting, the barrage of questioning and re-questioning, I believe, has been nearly a character assassination. Sadly, for any loyalist watching these proceedings, I think they will see the hostility in which the loyalist voice is held by the Government of this land.

Chair: Ms Lockhart, I am going to interrupt you. This is a Committee where we have robust discussion. You have effectively suggested that questioning hitherto has been either disorderly or out of order. That is a challenge to the Chair.

Q544 **Carla Lockhart:** I did not say “disorderly”. I just felt it has been very hostile. I will proceed with my questions.

As a loyalist voice within the community, you have been subject to consistent silencing or attempts to silence you within the media and the public square. Why do you think this is? What message do you feel that that sends out to the community you speak on behalf of?

Jamie Bryson: It is a political purpose. We have seen recently, for example, the SDLP and Alliance and others who have campaigned, essentially, to have voices like mine deplatformed from the BBC and blocked from the media. That is a long way from John Hume’s engagement with everybody. It has become very angry and toxic, and—look—I am willing to engage with anybody.

As I touched on at the start, for example, I had an excellent relationship with Claire Hanna around a social investment fund—it is unfortunate that she is not here today. I was looking at correspondence the other day. We worked together on formulating questions, challenging SIF and things like that. There were those excellent relationships, so I do find it a bit strange that some of the people who are most hostile to me now, or to me engaging with Sir Jeffrey, were more than happy to work alongside me when I was in dispute with the DUP on certain issues. So it seems that people will work with you as long as they are getting their own purposes served, but when they are not—

Chair: That’s the transactional nature of politics.

Jamie Bryson: It is, it is. But I think it is important to put that on the record.

Ms Lockhart, I think there is a political purpose to it, in that they want to silence working-class loyalist voices, because actually many people would be more than happy to see loyalists out on the streets with balaclavas, throwing petrol bombs, because they can understand that and they can demonise that. People don’t want me sitting in Parliament in a suit, engaging positively with MPs or others, bringing a loyalist message, because, No. 1, they don’t like the message, and No. 2, they can’t understand the messenger—and when you can’t understand something, you try to destroy it.



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Look, I have had this for 10 or 15 years. I'm not talking about people on this Committee—external to that. When you've had that for 10 or 15 years, it doesn't bother me any more. It's water off a duck's back. I don't care, but any new voice coming through in Unionism or loyalism will look at what has been attempted to be done to me and others, and it will dissuade and discourage them. It is an intense thing. You've been subjected to much of this yourself; it is an intense experience. There's a co-ordinated effort by some political parties to shut down the voice of loyalists, and I just happened to be the most fertile target of that. That's what has ended up happening.

The message I'll send is: I'm not going away; I'm going to keep articulating my message; I'm going to keep fighting for the rights of my community; I'm going to keep appearing on "The Nolan Show"; I am not going to be bullied or intimidated, and neither is the loyalist community. We are going to put our best foot forward, we are going to encourage education and we are going to engage with our political leaders. I am going to stand side by side with Sir Jeffrey, with Jim Allister, with yourself, with Ian Paisley and with all these other people, because loyalism is not a dirty word. We will continue to engage with our elected representatives, and we will continue to stand shoulder to shoulder with you and one hopes you will continue to stand shoulder to shoulder with us.

Q545 Carla Lockhart: Thank you, Mr Bryson. We know that the Northern Ireland protocol—the Chair touched on this earlier—was created partly in response to the threats by senior nationalist republicans, Leo Varadkar among them, that violence would return if there were any border created on the island of Ireland. What impact do you feel that had on the loyalist community, when threats were seen to win?

Jamie Bryson: It just reinforced what many people felt—and this had been building since 1998—which was that the ethos of the Belfast agreement, in terms of its implementation and outworking, almost turned into "Unionism must give and nationalism must get". Because nationalism would not tolerate so much as a CCTV camera on a legitimate land border, Unionism had to be subjected to a full-blown sea border. The basis for that, undoubtedly—people will disagree with me on this; I hope the DUP agree with me, but others will not—was that the threat of violence was rewarded. The threat of violence was weaponised for political currency.

I mean, the Belfast South MP said—this is a direct quote—that we will have "civil disobedience at a very minimum" if there is so much as a CCTV camera on the land border. Now, if I came to this Committee today and said, "There'll be civil disobedience at the very minimum unless the Irish sea border goes," I would be hung from the highest tree. I would be pilloried. Why was it okay for nationalists to weaponise for political leverage the threat of violence? Many people in loyalism and people like me are saying, "Look, two wrongs don't make a right. We need to do this politically and work with the DUP to get the political solution." But many people in loyalism look at that threat of civil disobedience at a very minimum and look at the waving around of pictures of IRA bombs.



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Could you imagine if the United Kingdom Prime Minister went to the European Union, waved about a picture of the Dublin and Monaghan bombings, and said, "If we don't get what we want in these negotiations, this is what could happen again"? The world stage would have been in uproar, yet when the Irish Prime Minister does it, the immoral nature of it is ignored and actually he is allowed to use it for significant leverage.

Chair: I am going to intervene, as I did earlier. We are having an inquiry on paramilitarism, not on how we arrived at the Windsor framework and the protocol.

Q546 **Carla Lockhart:** We did have quite a long question session on the Act of Union, so I am just following up on this part, which I would like to ask questions on. But thank you very much for your answer on that.

Do you feel that the ongoing presence of the Irish sea border does allow for the recruitment of paramilitaries? Do you think that that is having an impact on recruitment, or potential recruitment, given the unrest that it is causing within Northern Ireland? Does it make transition more difficult?

Jamie Bryson: The short answers are yes and yes. To flesh that out a bit, senior leaders in the paramilitary organisations told me—I know this and live in loyalist communities—that young lads were beating their doors down wanting to join the organisations to fight against the Irish sea border. To their credit, the leaderships of those organisations did not go on a recruitment drive. They put those young lads down the pathway of peaceful protest, politics and discouraging violence. I think it is important to put that on the record.

As I touched on earlier in response to Mr Shannon—I want to stress this; it is important—this is my analysis from the work which I do and engagement with senior figures. The organisations can and do speak for themselves and they will put their own position forward, but my analysis is that I cannot see the transition process moving any further forward for so long as that political context remains.

So I think there is a big prize here. Loyalism, politically, produced that paper which went to Downing Street, and I know Sir Jeffrey also engaged on that issue with the Government. There is a big prize here, if we can get a solution that restores the constitutional safeguards and guarantees and restores the balance. That is what Northern Ireland is about: it is about an equilibrium and a balance. The balance is upset. If that balance is restored in legislation and in law for the people of Northern Ireland, there is a big prize, in that the organisations could then be in the political context to move towards the final stages of civilianisation, which is dealing with existing structures, if any, and extant weapons. That would be a process which the IRC is trying to facilitate—but this is not just my analysis. The IRC, in its fifth report, recognised that the ongoing political instability is impeding a transition. I do not think loyalist organisations are going to be in a position to move further with that until there is a solution to these very important political issues.

Q547 **Carla Lockhart:** My final question is about confidence in policing. I know



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that Sir Robert touched on the policing side of things, but obviously confidence, from a policing perspective, is at an all-time low, I believe—certainly within the constituency that I represent—due to the proven two-tier approach that there has been. For the benefit of the Committee, maybe you could outline the basis for the belief of the need for reform of policing to ensure that the loyalist voice is heard. How does that then feed into transition? How important is that to loyalist transition?

Jamie Bryson: There is a lot in that, so if I forget a bit, please remind me. One of the important issues—we have seen recently that there have been enhanced calls for the return, for example, to 50:50 recruitment and all those issues. I think that is very destabilising and unhelpful, because I take this view: the best person for the job in the PSNI should get that job, whether they be Catholic, Protestant or any other religion. We should not have quotas imposed upon people. We should not have discrimination against people in order to achieve these quotas. Some of the best police officers I work with are the officers from a Catholic tradition. They are very fair to the Unionist and loyalist community and very understanding. I want to put that on record. Calls for 50:50 recruitment are destabilising. It was always wrong and we should not go back to further discrimination.

In terms of confidence in policing, I believe structural reform is needed. Policing was created in the womb of politics, in the sense that the PSNI came about as a concession to nationalism. I don't think that is disputed. Nationalism did not like the RUC, so the RUC had to go. In 2013, after flag protests, then Assistant Chief Constable Will Kerr said—I paraphrase—“Look, I accept we have focused too much on winning the support of nationalist and republican communities, and we forgot all about Unionist and loyalist communities.” I think that has continued right the way through.

We do have two-tier policing. People talk about the perception of two-tier policing, but it is a reality. What Sinn Féin wants, Sinn Féin gets. We have seen that with legacy, we have seen that with Bobby Storey's funeral, and we have seen the damning judgment of Mr Justice Scoffield. As for how that feeds into transition, an important part of transition is that Unionists and loyalists—particularly loyalists—have confidence in policing and that the PSNI will do its job. For example, where there are criminal gangs giving themselves some badge or name, loyalist communities need to be confident that the police will deal with that, and will deal with it effectively. At the moment, they are not.

This is going to sound like a conspiracy theory, but criminality has been allowed to embed itself in loyalist communities over the last 25 years, and that has led to socioeconomic deprivation and a lack of opportunities. I just wonder: does it suit some people's interests very well to have working-class loyalist communities criminalised?

To go back to your question about how I am treated, people will go to the ends of the earth to try to demonise me: they can't understand me, so I must be a drug dealer, I must be a criminal, I must be a paramilitary, because it's not possible to have a working-class loyalist sitting before a



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Committee of Parliament giving evidence in a suit. I should be sitting here in a Rangers top and a baseball hat, with UVF and UDA tattoos and "LOVE" and "HATE" on my knuckles. That is what people want to see, and that is how they have characterised our community. That is where a lot of the demonisation comes in, and in order to move forward, we need to get over all of that.

To eradicate criminality from our communities, there need to be opportunities for young people to engage in education. Look at all the money that was poured into communities through the peace process. I say this all the time, and it is a generalisation, not applicable to every case, but a lot of the money that went into loyalist communities was, "Have a trip to the Boyne"—lovely in and of itself. "Do a cross-community trip. Go to the Somme"—fantastic. All this superficial stuff, which is great for a day trip. The money that went into nationalist communities went into building capacity and infrastructure, to send people to law school, to train people in journalism, to allow that community to become socially upwardly mobile, whereas the loyalist community was sent off on trips to the Boyne and the Somme. I want to see investment, not into paramilitaries, but into bona fide community organisations like Alternatives, the ACT Initiative, women's centres, to empower and build capacity in our communities, to allow young loyalists to become lawyers.

The best message I can give to a young loyalist is, "The best weapon you can pick up to defend the Union is a law book. You will have more success in the High Court than you will on the street with a petrol bomb." I think that message is starting to get through. I use the example of the Tiger's Bay bonfire, when there was an effort to remove the bonfire. Five years ago, that would have turned into a riot; young people were building petrol bombs, but I said, "Let's not do this. Let's go to the court. Let's intervene in the case. Let's put our message across." We did, and we won. That sent out a clear message.

It is really important that we create those pathways to build capacity in our communities. Having safe communities, free from criminality, is a really important part of that.

Q548 Carla Lockhart: That is a very strong message. Your last comments there are very good and very helpful for young loyalists. As someone who represents an area with a lot of loyalist housing estates, I am very proud to represent them and some of the very best people from those estates who have made the transition successfully. I believe you are right; I believe it is education. I am trying to phrase this as a question: do you believe that if this Government were to invest in education, particularly for young Protestant boys, it would assist in trying to transition people away?

Jamie Bryson: Absolutely. I will use an example that you will know—I was in your constituency along with the former Attorney General, John Larkin. We engaged and taught in a constitutional law and human rights workshop for loyalists in the Portadown and Lurgan area. It was fantastic. We did a six-week course, which went through knowing your rights and



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human rights law. I felt a real empowerment in those people at the end of it who became really engaged in the subject—some of them are complex subjects. They felt empowered to stand up for themselves and build that capacity.

I think there needs to be targeted education to build pathways. I had this conversation at the 25th anniversary with the present Attorney General, Dame Brenda King. I would like to see, for example, the Attorney General doing some work to go into loyalist communities to show the potential of the law.

I always use the example of the so-called “letter to Leo” during Brexit. I cannot remember the exact number, but nationalists in their professional capacity signed a letter to the Irish Prime Minister. I think there were probably 200 or 300 solicitors and barristers who identified themselves with that nationalist republican cause quite openly. If I went down to the Bar Library today and asked to find one barrister, saying, “Look, put your name to a letter for the rights of the loyalist community and identify yourself as a loyalist,” I honestly, genuinely do not think I could find one person. I think there is a real imbalance in terms of the professional class, and we need to find pathways for young loyalists to get into that—particularly law, media and academia.

I shamelessly say to young loyalists that it is the best way to advance your political cause. If you can influence through academia and build intellectual capital that trades up the chain, if you can be in the media and put the message across that way—we know there are many journalists who use their professional capacity to advance their own political objectives—and if you can be in the law to represent your community and take strategic cases, that is the best way by which to advance the cultural, constitutional and economic prosperity of your community. Don’t let anybody say to young loyalists, “You are not good enough.” I joined the National Union of Journalists in badness in 2015, for the very simple reason: why shouldn’t a loyalist who meets the criteria be admitted? People resigned, there was chaos and people walked out. This is the same organisation that accepts former IRA convicted terrorists into their ranks.

There is a glass ceiling, and it is a class issue as well. Loyalism is not about working class and middle class; loyalism and working-class Unionism has become an underclass and is treated that way by the professional class. My simple message is, “No more.” We are going to go to the courts, and we are going to stand up, we are going to have a suit and a tie on, and we are going to argue our cases. We are going to do it competently and professionally, and we are going to engage in the media. We are going to come to the Houses of Parliament and fearlessly engage with MPs, even if we respectfully disagree. We are going to take our message, and that is where loyalism is going. I am not going to let anybody criminalise or demonise my community. In that respect, the fight goes on.

Carla Lockhart: Thank you, Chair, for allowing me the leniency of time, and for ensuring that Mr Bryson was able to present to the Committee; I



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know that you assisted in that. I was not challenging your chairmanship, but simply making the point that for any loyalist watching the proceedings, it felt very much that there was hostility. It is important that if we are looking at transition—and we want transition for loyalist communities to divert young people away from entering the deep, bad world of paramilitarism—loyalists who subscribe to law and order need a voice. That is my point.

Q549 Chair: I think your answer to Ms Lockhart's question with regard to the efficacy of education and engagement and the empowerment that that brings is absolutely on the money; I do not think anybody should question that. I fundamentally agree with you that there was a queasiness—that might be the most polite word to use—about engaging with the loyalist world among professional politicians and civic society, because such a gulf has been allowed to open up for a whole variety of reasons. Part of these sorts of sessions is about trying to identify that gulf and find ways to close it.

That takes me to this point: as a result of our conversation back at Queen's, you very kindly put together a programme of engagement for me, for which I was very grateful. I came away with a few takes, which I would like to put on the record if I may. There is an appetite to transition from many—not all, but many. There is an argument for those who do.

I want to take issue with one point that you made. I am absolutely certain that you are right that opposition to Windsor is not the best recruiting sergeant to the argument to transition: it puts a brake on it. The rebuttal point, clearly, is—

Jamie Bryson: It is a transition brake, never mind the Stormont brake.

Q550 Chair: There were 20 preceding years to transition, so there must be a question, which I am not asking you to answer: when does the rope of patience finally snap? I take your point about the need for robust policing, because there has been a general perception, whether right or wrong, among loyalists who are not involved with paramilitarism—by far the greatest number of people who would describe themselves as loyalists are not involved in paramilitary activity—that it has become endemic and will always be there, so we just have to work around it or through it.

We have had people who have sought to pull out, principally from the drugs trade. I agree with your point about using loyalism as a flag of convenience. We are talking here about organised criminal gangs who destroy their own communities. They are not destroying the other side's communities; they are destroying their own communities. They pull out of drug dealing, and a new or rival group—the "Real UVF", or the real whoever—comes in and says, "We are going to take over this territory." The need for the drugs does not disappear when one group of people transition out.

At this late stage, post 1998, how can we expedite a permanent transition for those who are currently engaged? The same side of that coin is to energetically ensure that there are not others who will backfill



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the vacuum created as they move into other forms of activity. If it is just a perpetual cycle, there is no incentive to transition out, because people will lose the proceeds of criminality and just let some other devil enjoy the proceeds of criminality.

Jamie Bryson: There is a lot to unpack in that. I will take the IRC's point. I want to initially preface this—people may not like this point—by saying that when constitutional issues with the framework are sorted, when the political context is right, when we get to the stage where that is all sorted and the big prize can then be pursued in terms of a process to bring finality to these matters, the organisations themselves must be engaged with in the process design. Whether people like it or not, that is the Belfast agreement. Decommissioning all that involves the Governments at a senior level engaging directly with the organisations. There is no point in imposing a process; in terms of the design piece, there must be that engagement.

It is not for me to come here and float a design or an idea. I have many in my head, but I do not want to fly kites. There is a lot of work to do, and as I have said we have a transition break at the minute because of the current political situation. It is important to develop procedures whereby those who want to transition are facilitated in doing that.

I have talked already about the three Ps: the pathways, the political context and policing for the criminals. It is important to understand that the central group are generally politically motivated. It is important that whichever process develops creates the ability for the central group, who are generally politically motivated, to bring the bulk—the critical mass—of the membership, inclusive of the legacy and the name, with them into the stage of civilianisation. For example, Mr Shannon addressed the Newtownards issue. What you had there was a crime gang who were expelled. A loyalist group who were moving towards transition expelled that group, the so-called Real UFF group, who were involved in heroin dealing and criminality. Once expelled, they started to feud and fight among themselves.

While it is a difficult point to make and I see the moral opposition to it, intellectually the structures of the organisations at present are important. If the fighting groups in Newtownards had been under a central leadership, that feud would have been resolved and mediated out inside a week. Instead, we are six or seven months later and it continues. It is important in any process to ensure that there is a pathway for the group as a structured entity to move and to preserve the legacy.

Q551 **Chair:** Society has changed, as we know. The days of the godfather stroking a cat and giving instructions in some dimly lit room, with people, through fear, loyalty and obedience, just going, "Okay, that's what we're going to do," are over. That deference to officialdom has broken down across almost all facets of society. The leaderships find it very difficult, do they not, to provide unchallengeable leadership and obedience, because society has just changed? Does that take you to that third P, policing, if a group of people say, "Right, we're stopping these drugs because it's



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harming our young and stopping them getting education and opportunities, and we are going to work very closely with the police to make sure that a faction that breaks off because it is not happy with the decision and won't abide by the order feels the full weight of the law"?

Jamie Bryson: Let me put it this way. Here is the key conceptual issue with transition. By the way, I don't have the answer to it as yet, although I turn it over in my mind regularly. Whether people like it or dislike it, it is a fact with which we have to grapple that those who had a position in paramilitary organisations in a conflict period, and still do, have influence in working-class communities. Whether they should or shouldn't is a different question—they do. I sum up the real question in terms of transition like this: how can that influence be used positively without crossing over into coercive control?

Say, for example, a young guy takes a UVF flag and puts it outside a Catholic church, and then the local police or the church leaders get on to people with influence in the community and say, "Look, we want this down. This is not appropriate." The person they go to may have had a paramilitary past and may have that status in the community. When that person goes to the young lad and says, "Take that flag down," does the young lad take the flag down because he has been persuaded of the merits of the argument that that is the best thing to do, or does he take the flag down because there is an unspoken big stick behind the back because of that status? That is the line you have to tread: where does exercising positive influence stop and coercive control start?

Q552 **Chair:** Which takes you back to your first point about education, because the well-educated would say, "We're not going to put a flag up because it's the wrong thing to do."

Jamie Bryson: Yes, but those lines are blurred. I want to stress again that I do not speak for any of these groups—they have their own channels, they have the LCC—but in my analysis the leaderships could probably deal with drug dealers in the community if they wanted. But they would have to deal with them by violence, which would be counterproductive to the process. If the UVF and the UDA went out tomorrow and shot four or five drug dealers, they would be the worst in the world. So the issue here is—

Q553 **Chair:** And if they marched them into the police station?

Jamie Bryson: Drug dealers have weapons as well. You are dealing with drug gangs who are heavily armed.

Q554 **Chair:** I am just pausing there, because this is something we probably all unite upon. You have used the phrase "flag of convenience". Are we right as a Committee, and is broader Westminster thinking right, to think that this would not solve the problem because some of these things are hard nuts to crack, but that if we are resolute in stripping away the flags of convenience—whether those flags are red, white and blue or green, orange and white—from both sides, and in saying, "Look, these activities we're undertaking are nothing to do with expediting the task of kicking



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the Brits out, keeping the Irish out, keeping the Brits here or whatever,” then in actual fact what we are dealing with is what we have in all our major housing estates in Manchester, Birmingham, London, Southampton, Bristol and elsewhere: people who would not know an honest day’s work in their life, who have never paid taxes and never wanted to, who intimidate their own communities and who are small men making big money through selling drugs and being organised criminals? There is no political axe to grind here; we are just talking about criminality. Does that in any way empower your non-paramilitary loyalist to say, “God, it has never been said that starkly to me before. I see it. We’ve all got to work together to clean up our streets”?

Jamie Bryson: The issue with loyalist paramilitaries has to be dealt with in terms of the flag of convenience, and I agree with you on that, but—

Q555 **Chair:** We are wrong to use the term “paramilitary”, aren’t we, because it suggests some sort of grand structure of defiance or—

Jamie Bryson: People miss this, but it is in section A of the fifth report of the IRC, and it is really very important. I spent many hours engaging with the IRC, and it grasped this. In Committees like this it is easy to demonise loyalist organisations. Some people are still in those organisations for political reasons. The IRC recognises those divisions of motivations.

Chair: Yes, indeed.

Jamie Bryson: And the problem for the people who may have been involved for conflict reasons, and who may stay there because they do not want to surrender the legacy of the organisation to criminal gangs who would use it as a flag of convenience, is that they are tarred with the one brush.

I think a really important piece of the IRC’s work is that when we look at loyalist organisations, conflict-based organisations or proscribed organisations, we look through the lens of the motivations behind the individuals. It is an unpopular opinion, but Tim O’Connor, Mitchell Reiss, Monica McWilliams and John McBurney are very experienced in this stuff. They are not mouthpieces for paramilitaries in any shape or form, but they have put their name to the point of saying, “Look, hold on a minute. It is not so simple. There is actually a group of people here who are politically motivated.” I think if society wants to get to the bottom of this issue, and if it wants to help in removing the flags of convenience for those who are just criminals, it has to recognise that distinction.

I have to say that I think you were unfairly criticised by a number of people for your engagement. There was nothing improper about your engagement whatsoever. I organised the engagements. You did not know the names of those who you were going to meet beforehand. Again, I want to put it on the parliamentary record that in every engagement we had, no matter who it was with—from people from loyalist backgrounds to those in the public sector and chairs who we met—you made it very clear that there was no place for drugs or criminality. At no stage did you come and say, “Guys, I think I could get youse a load of money if youse



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change.” At no stage did you try to sell the Windsor framework, which would have been an unsellable deal.

Some of the criticism you got for that was absolutely and utterly disgraceful, particularly from people who put it in the manifesto, who want a protocol for engaging with paramilitaries. I just wonder whether it would have been acceptable had you engaged through their protocol rather than your own good judgment and offices. I am sure that in the engagement you had, you will have seen and met men who have a past, and who have been much maligned and much demonised, but I think they are genuine. They are looking for a pathway to better their communities, to better themselves and to get out from under the constant demonisation. If they are not genuine, it is a matter for the police to deal with.

I hope you have seen in your visit that there are people in loyalist communities who are much maligned and much demonised, but who are nevertheless committed to making efforts to move on. I think that work should be positively encouraged and facilitated, and I am certainly not going to apologise for continuing to engage to encourage that.

Q556 Chair: I am grateful to you for that. Almost echoing your answer to Ms Lockhart, politics is about talking, selling, learning and listening, and trying to make progress. By definition, therefore, my view—I hope it is not overly simplistic—is that you engage robustly with people from all shades of opinion to try and find a sweet spot of compromise.

You have just used the word “men”. Northern Irish politics and society are still very male-dominated. The common-sense voice of Northern Irish women, across the communities, often rings out on issues. It was the aunts, the grannies and the mums who swept the streets of broken glass, picked up the wounded, tended the bereaved and so on. Would we be right to think that we could make more progress in getting the understanding of education, the need to engage in politics, the need for democracy and so on if more women were allowed—I use the word advisedly—to get into that space and influence events?

Jamie Bryson: I do not think it is a case of women being disallowed. There are all sorts of reasons for that, but I would love to see more women, particularly in working-class loyalist communities, engaged, coming forward, finding their voices and being facilitated in doing so, and getting platforms in the media. The media should seek out loyalist women—

Q557 Chair: I used the word “allowed” advisedly, because on a different inquiry during covid—we were still on Zoom—we had a lady who clearly represented peaceful working-class loyalism, who gave us much food for thought and was howled down on social media. There was an absolute pile-on, with all sorts of threats—only from men. I use the word “allowed” advisedly, although maybe I should say “allowed and encouraged”, because sometimes that is the route to the common-sense solution.

Jamie Bryson: There are two points to make to that. Absolutely women should be encouraged, but by the same token one of the key things, in my



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view, in empowering women is to stop making a distinction that a woman is somehow less able to engage in robust debate or discussion, or that a woman has to somehow be treated with kid gloves in debate or discussion, differently from how a man would be treated. The real way to women's empowerment is when a woman is treated in the same way as a man is treated in political debate and discourse. Within loyalism and border Unionism, there are many powerful, exceptional women: Diane Forsythe, Emma Pengelly, Ms Lockhart. Anyone who went to Drumcree Sunday and saw Ms Lockhart and the reception she got—

Chair: My invitation must have got lost in the post.

Carla Lockhart: You are very welcome next year.

Jamie Bryson: Unfortunately—or maybe fortunately for Ms Lockhart, with the famous picture of me and Jeffrey walking through the streets—she spent most of the journey walking beside me, although that disclosure might get her in trouble. The reception that Ms Lockhart got from her constituents, men, women and children, was phenomenal the whole way. We have really powerful, articulate women—

Chair: She is reaching for the smelling salts. Far more of the grassroots, changing the mindset house by house, street by street—

Jamie Bryson: Emphatically. But it is important to see powerful women elevated into positions and speaking out and being strong. The issue Ms Lockhart touched on earlier in terms of her treatment as a loyalist—she is an example because she is in the room—on social media, the misogynistic abuse and the targeting of people's appearance, is disgusting and disgraceful. If a young woman or girl in a loyalist community looks at their female leaders and sees the abuse that they get, that is enough—

Chair: We would do better to call it antisocial media.

Jamie Bryson: It is a sewer. We have had many great fights and arguments on it. It is important that we empower, and we encourage and we hold up the achievements of female leaders within our communities, and that drives on.

Chair: I am conscious of time. We could spend all day discussing the issues, but we are grateful for your time and attendance this morning. Often, with these sessions, some questions are answered and some lead on to other questions that will be for another time and possibly for reflection in our report. Thank you very much for your attendance.