



Northern Ireland Affairs Committee

Oral evidence: [Administrative scheme for 'on-the-runs'](#), HC 177

Afternoon Session, Monday 9 June 2014

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Members present: Mr Laurence Robertson (Chair), Mr Joe Benton, Oliver Colvile, Lady Hermon, Kate Hoey, Naomi Long, Dr Alasdair McDonnell, Nigel Mills, Ian Paisley, David Simpson.

Questions 1098-1185

Witnesses: **William Frazer**, Families Acting for Innocent Relatives (FAIR), **Barry Halliday** and **Gordon Murdock**, gave evidence.

Q1098 Chair: We reconvene and open another sitting. Gentlemen, thank you very much for joining us, you are very welcome. I think you know what we are doing here, so no need for me to go into a long explanation. Perhaps I could ask you—maybe, Mr Frazer, you would like to lead—to tell us a little about your organisation, what it is for and what it does, for the benefit of the Committee. Thank you very much for coming.

William Frazer: Thank you, Chairman. I appreciate you taking the time to meet us.

The organisation I have been involved with from 1988 is probably one of the largest victims groups in Northern Ireland and certainly comes from one of the worst affected areas of Northern Ireland, South Armagh. We have 3,000-odd members; some of them lost not only one, but several members of their family. It ranges from mass murder to kidnap, torture—you name it, it has happened to our members. We are involved in trying to bring closure for people, to help them move on and to help Northern Ireland move on.

I just heard it last night, that even the Israeli Prime Minister himself said that unless you have justice, you will never have a genuine peace. That is something that everyone recognises. There has to be some type of closure for people, and that includes getting some type of justice and recognition. The suffering and pain—even though some of the murders go back as far as 1970, to a lot of the families it is the same when they get up in the morning as it was 35 or 40 years ago. I know that not every victim feels like that, but certainly ourselves we are inundated with people, not only from South Armagh, but from right across Northern Ireland and, indeed, from the mainland now as well, especially around London, Manchester, Birmingham and up in Scotland. Obviously we must be doing something right for all these people to be contacting us.

It is about moving on. One thing that I would like to make clear to the Committee is that we do want to move on; we want to bring closure to the past. That is a rough outline. We do a lot of welfare work and stuff for the victims as well, but justice is one of our main issues.

Q1099 Chair: Thank you very much. Obviously, we can come back to issues and perhaps go slightly wider than the terms of our inquiry on this occasion, but, in terms of the on-the-runs scheme, when did you first become aware of its existence?

William Frazer: Believe it or not, we were talking about this back in 2001. I have actually got communications, which I wrote to several people, dating back as far as 2001. We raised it numerous times—

Lady Hermon: With whom?

William Frazer: With different politicians and, later, the HET and the police. I have correspondence, which we can send to yourselves—I even have some here with me. It was quite clear that a deal was being done, given the feedback that we were getting on the ground, because people need to realise that a lot of our members were security force members, but we also lived within the communities. A lot of the people who were involved in murdering our loved ones were people we grew up with and ran about with in some circumstances. Many of these people who were on the run were well known to us, and their family circles were well known to us. It was quite clear that, to get the IRA on board, they had to come to some sort of a deal. Just simply letting the prisoners out was not going to be the end of it, because the prisoners—if four or five men are involved in a murder and one gets locked up, there are still the others to bring to account. There is obviously no point in letting a prisoner out and saying that the other boys are going to be brought to account when Sinn Féin made it quite clear that what they did and what they intended to do to stay on the peace trail was to say, “Give us what we want or else we will not accept what is going on.” We have seen that continuously. We watched conversations taking place locally.

Believe it or not, Sinn Féin is not the completely secretive organisation that everybody portrays them to be. They are no different from the loyalist community. Within their own communities, they do talk and because we live within their communities we do hear certain things, because not everybody supports the republican movement and not everybody who is in a family actually supports the actions of some of the individuals within that family. We did hear what was going on. We did get feedback about what was taking place. This was one of the issues. The OTRs had to be allowed to be returned.

Q1100 Chair: You were aware of the issue, but were you aware of the attempts to bring about—not a solution; were you aware of a scheme being put in place?

William Frazer: Yes. We named that in several letters. In several press releases that we put out, we said that there was a scheme going on. Now I will confess that we did not actually say, “They’re going to give them a letter.” We never at any stage said that we believed that a letter was going to be given out, but we did believe that a scheme was in place. There were a number of reasons for that. In 2006—just to name one individual, for example—a well-known mass murderer made it quite clear in a public interview while he was on the run that he would never be taken alive and he said at that stage that he had killed 27 people. We actually believe that it was more than that, but 27 wasn’t a bad figure for him to admit to. He was caught in the south and was taken alive. That man had been wanted for 30-odd years. He was known as the Border Fox. I went to his house in 2006 when I heard about him being returned to Northern Ireland. I rang the police to say, “He’s here,” and the police came out. While they were there, a number of them said, “Brilliant. We’re glad. We’ve finally got this man,” because some of them were RUC officers. Some of the newer members of the PSNI didn’t understand who the Border Fox was. The

inspector came to me and said, “Willie, I’m sorry. You’re going to have to leave or we’re going to have to arrest you.” That is on public record. It is in the media. It was well documented. This man has openly admitted to killing 27 individuals. It is not as if there is no evidence. He said in the public domain that he would never be taken alive and that he had killed 27 people. Some of them were members of our organisation. We know that for a fact. He was identified while carrying out shootings on their loved ones or indeed themselves.

That is only one incident, but there are numerous others, so something had to be happening for a man of that calibre—he was so evil. He cut off the fingers of an individual during a kidnap in the south of Ireland and posted them, I believe, to his wife in an attempt to extort money from a businessman. I think he was German, but I stand to be corrected on that. There are numerous incidents like that. That is only one, but it is one that jumps out. Other individuals have been named, such as James Morgan, who was named at the Smithwick tribunal. He was wanted, and is still wanted, but he has been allowed to return. He was identified as being at a location, and I went to that location and asked the police to arrest him. The police refused to say that the man was wanted, even though it is well known that he is wanted. In the Smithwick tribunal a colleague of his named him as the man responsible for a number of incidents, and the police threatened to arrest me. That is just two of the latest ones; there are numerous others. People know that as a fact.

A girl rang me—it was her father who was killed—crying her heart out because the police followed her home whenever she stopped in the road having seen this man. They made her leave the scene and followed her home. That girl has since had to have psychological help. She is back to where she was, and she might even be further back, because the police refused, and still refuse, to arrest that individual. They won’t even tell us. The only answer they will give me is, “There is nobody that we know of who we are looking for.” I rang, and I did not blame the local sergeant who was there. He was on the phone, and he was ringing somebody higher up, and they made it clear that they were making no arrests.

Chair: There is a lot there to explore. I will open it up to the Committee.

Q1101 David Simpson: You are very welcome, gentlemen. It is good to see you again. I pay tribute to your organisation for the work it has done for victims over a number of years, sometimes not under the easiest circumstances given the area and the victims that you represent.

William, you mentioned that you knew something was going on but that you weren’t sure whether it was going to be letters, or whatever the case was. When you discovered that these letters were there and that the Government had done this, as some have described it, dirty deal—any of the three of you can answer this—what was the reaction from your group and the victims you represent?

William Frazer: People were devastated—I mean literally devastated—especially those from a security forces background who lived in an area such as South Armagh. The kill ratio was 139 per 100,000, which is the worst. I think the closest to that was Fermanagh at 60%. Why were they devastated? It wasn’t even the incidence of their being killed. They lived daily with the threat of being killed because they believed that somebody had to uphold law and order, which was stood completely on its head. The suffering that those people went through was stood completely on its head because they believed in the system. They believed in the Government, and they believed that sooner or later the law would be upheld. The amount of suffering that that created is like being shot all over again. It is like walking into the house the night that someone has been

told that their loved one has been shot. There is no difference. Other people might say different, but I know. I got a call from the neighbour of a lady of 77 years of age to ask me to go down to her. She was walking about the housing estate in her nightdress at 3 o'clock in the morning. She had taken a load of tablets and just wanted to end her life. That is the sort of effect that this was having, and is still having, on people. Barry, do you want to say any more on that?

Barry Halliday: No, that's fine.

William Frazer: Barry does a little bit of pastoral work with the group. People underestimate the effect that this is having on the community. They also believe that we cannot move on because the victims are holding up the whole thing, but it is not the victims who are holding it up.

Q1102 David Simpson: The background to your group, as you mentioned in your opening comments, is that what the victims seek is justice on all of this. They want to try to get closure on the cases so that they can try to move on. I am not trying to put words in your mouth, but in your opinion is a deal with OTRs unacceptable at any price unless justice comes with it?

William Frazer: There has to be justice.

Q1103 David Simpson: The last person we interviewed was Nick Perry¹—permanent secretary to the Justice Minister. A letter sent some time ago on OTRs stated: "Our Attorney-General has agreed to drop three prosecutions and is still considering some other cases." In other words, they were willing to drop prosecutions in other cases to get over the line with this. The message I am getting from victims—certainly in my constituency—is that they now fear that justice will not be done. The HET is now sitting frozen. Reports that have been completed are not being given to the victims' families. The message is that victims have been sold short because the Government were more interested in placating Sinn Fein than they were in trying to get justice for victims.

I want to hear your view on what I have just said, but I want to ask one last question. With all the letters that have been sent out, an issue that we have raised continually in this Committee—this was the biggest shock to me—is that royal pardons were issued. Have you been able to establish whether any of those letters or royal pardons went out to people and families of victims you represent? Have you managed to get names of individuals who have received OTR letters who were involved in any of the atrocities in your area?

William Frazer: No, unfortunately we haven't. As a matter of fact, at a meeting with the Secretary of State not that long ago, I gave her a document, which related to an individual who was actually wounded while trying to carry out an act of murder. He is named by his colleagues, he is named by the guards—it is quite obvious the man was responsible. Also, the weapon he dropped was the weapon used to shoot the men—who lay on the ground dead and dying—in the back of the head. There was an order given at the Kingsmill massacre to finish them off. The people involved went round and shot them once in the back of the neck and once in the back of the head.

When the Secretary of State wrote back and said, "It's not an issue for me. Take it to the police", the police would not even take a statement off me. We have the SIB report—the equivalent of a

¹ The transcript of Nick Perry's evidence to the Northern Ireland Affairs Committee on 9 June 2014 can be found here: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/northern-ireland-affairs-committee/administrative-scheme-for-ontheruns/oral/10382.html>

special branch report—which documents the whole thing exactly down to the detail. That individual gang is linked to 110 murders and attempted murders—there is no doubt about it. Seven of them, on that Kingsmill massacre alone, are OTRs. The clear-up rate in South Armagh was 2% of 359 murders—2%, and that is not a full clear-up rate. That should be embarrassing for any Government to ask a community to accept.

They say it is in the name of peace. Well, the community in South Armagh did not retaliate and did not go out and kill their Catholic neighbours. Indeed, 46 Roman Catholics were killed in South Armagh by the IRA—twice as many as were by loyalist paramilitaries. If we are to build any sort of society, how do you teach the next generation what is right and wrong if you are saying to them that you have to uphold law and order? We have all got children; my mother had 38 grandchildren, and I don't know how many great-grandchildren she has. They do not forget the suffering, watching her spend her last years on her own. That is true not only for my mother, but for a lot of other people.

Q1104 Ian Paisley: William, good to see you here today, and thank you for taking time out to do this presentation. In your opening statement, you mentioned how important it was for victims to get closure. One of the things the Committee is trying to do is to make victims central to what is going on so that they are recognised. Can you help us? What does closure look like? We have had so many public positions on closure thrown at us—from people being able to tell their own story, to payments being made to certain victims, to closure by way of a court case and a result in court. What does closure look like? Is it even possible to get to that point?

William Frazer: I actually do believe it is possible to get closure, but in that closure has to be a type of justice. Justice, at the very least, has to be seen to be done. We are told that there is not evidence in some of these cases to bring these men to account. I can show you documents here where there is very damning evidence and, where that evidence exists, these people need to be held to account. It is bad enough that they will only do two years—that's bad enough—but if that's the law, that's the law. People will accept that. Even men who cut men's throats, stabbed them 37 times and stood and laughed, watching them die on the ground, even if they only get two years at least the people can say, "At least the law was upheld. It's not our fault, we've done our duty by our loved ones."

Where there is not evidence, we are big enough and ugly enough to realise that if there is not evidence, you cannot create evidence. But where there is evidence, the law has to be followed through and fully implemented.

Q1105 Ian Paisley: Can I just focus on that latter group where there isn't evidence? Is there a mechanism of closure that you would look at there or is it simply that we haven't been able to get the evidence? I hate to say that there's a line drawn, but is that it for those people? What do you want for that general group, if it is even a group, for those general cases where there isn't the evidence to get it into court?

William Frazer: Can I put it this way, Ian? One of the big issues with the past is, who writes it? Who actually writes the past? A lot of the families do not want to read in 20 years that their loved ones somewhere were responsible for what went on. The republican community—not so much the loyalists because they don't have the resources or whatever—are a very slick machine. They have a lot of resources and a lot of capability at their disposal. They want to write history. Groups like ourselves, and victims like ourselves, are not being allowed to tell the history. Not made-up

history, factual history about what actually took place because in 20, 30 or 40 years time—sorry for jumping, but I had a debate, or an argument, a few months ago and it ended up with this person saying, “800 years ago—”, and I said, “Hold on a minute. Let’s get over these last 30 years, never mind 800 years ago.” This is where the problem lies.

I’ve actually something I can show you there. In 1922, William Frazer in Newton Hamilton—that’s where I come from—was kidnapped and murdered. He is a relation of mine and I didn’t even know it. Why? Because we didn’t write our history, because we didn’t record it properly. That man was kidnapped and murdered and his body dumped. I didn’t even know that.

Q1106 Ian Paisley: So a platform or a book or something, whether it’s television or a documentary, that allows the story to be told truthfully would help get closure for some of us, do you believe?

William Frazer: Yes, but for the family to be able to tell it in their own way, not in a way that is politically correct and that will suit certain individuals. It is the republicans’ intention to write history—like we say, the victor always writes history. If you study the republican philosophy on things, they are certainly convinced that they were wrong done by. Even Gerry Adams continually in the past, and Martin McGuinness and people like that, said there can be no peace without justice. So, if we are going to have this peace process that they talk about, where is the justice in that? If the justice is going to be created, who is going to create it? The republican movement will create it and thereby they will demonise not only the Protestant people, but the ordinary law-abiding Catholic people and especially the people from the mainland, the soldiers who came over here and risked their lives. A large number of them, I think about 800, paid dearly with their lives. They are going to be the ones to blame for what happened in Northern Ireland. It wasn’t their fault; they didn’t ask to come here, to go out and protect the communities, irrespective of where mistakes were made here and there, because there were mistakes made.

Can you imagine how a family feels? There is a case going on at the minute where two well-known IRA men were going into a hay shed. There were weapons in that hay shed and the soldiers are being lambasted for opening fire on them men. Them men were well known for their activity, but they are being deemed now as wrong to have opened fire on them men, who were in to lift weapons to go out and kill people.

Q1107 Ian Paisley: One of them cannot come back to his jurisdiction because he is wanted for something else. Maybe he has got a letter.

William Frazer: In that case there is another situation. There is that much stuff and this is where the problem lies. People think that nobody knows. We have a situation where a family came to us a number of weeks ago. Within a few days, we were able to find out that two of the individuals were actually got for the killing of his father. The third one got away, went on the run, was convicted later on in the South of Ireland for the human bomb, if you remember, on Pat Gillespie, when they tied him into the van. Martin McGuinness’s brother was charged along with another individual. It says in the HET report in 2007 that this fellow is no longer wanted for questioning.

Now what happened? Please give us a bit of credit. Do not treat us as morons, as if we do not know what happened in Northern Ireland, because we do know what happened in Northern Ireland. The majority of people—and that is to the 85-year-old sitting knitting at the fireplace—know exactly what is going on in Northern Ireland, but there is an attempt out there to try to demonise, revictimise and rewrite the history of our country. We can’t accept it. This country will

never move on as long as we keep trying to do it with that frame of mind. Now, that is not every victim—there will be individual victims who feel different—but I can tell you the majority of victims feel that way. That is why we are sitting in the situation we are in.

Q1108 Oliver Colville: First of all, thank you very much to you and to your colleagues for coming to see us. We met in this very room when we were talking about Kingsmill. That was a heartrending story, which you told us about two years ago.

It appears to me that all of this is a legacy of not dealing with the events that took place during the course of the 30 or 40 years before, and there has got to be a solution to it. There is some thought, is there not, that maybe what should have happened, or what should happen, is to have a truth and reconciliation commission similar to what happened in South Africa? Do you have a view on whether that would be a way forward, or how do you think we can try and get over this? You have given some indication, but it would be interesting to hear your view about a potential truth and reconciliation commission.

William Frazer: I have given my view over past year but I would say that a truth and reconciliation package will not work in Northern Ireland, because Northern Ireland is too small. We grew up—the men who murdered my father came into our house, my older brothers played football with them. We know what happened. We might not be able to stand up in a court of law on every individual murdered, but we know what happened and who was involved. We know the man who stopped his car and let the gunmen out on the road because the neighbour saw them.

A truth commission? The IRA would not know the truth if it jumped up and bit them on the nose. You only have to take the Bloody Sunday inquiry. I believe there is even one incident where Martin McGuinness was carrying a Thompson sub-machine-gun, but he was “no threat to the community”. Tell that to somebody else, but please do not tell it to us. In Northern Ireland, the majority of people know the truth. There are two sides to every story. We accept that, and if the republicans want to tell their side of the story, let them tell it; but please let us tell our side of the story if we are not entitled to get the full—

Q1109 Oliver Colville: What do you think the mechanism is for delivering that? I want to be practical about this. You say that you should have the opportunity to tell your story, but in what environment, in which forum, should that be?

William Frazer: Could I give you an example? We had a project running where we were recording stories from individuals and, unfortunately, some of those individuals have now died. That was stopped. It was individuals sitting and telling their own stories—not putting a political slant on it; forget about the political slants—from a personal perspective. They were telling how they grew up, what they did growing up and what happened—what actually happened, and not from a political perspective, because the politicians such as yourselves are more than capable of dealing with that. The families want it on the record that their loved one was not involved in A, B and C and there was no justification for what happened to their loved one.

This whole thing about the truth: we have heard Sinn Féin continually saying and Martin McGuinness says, “The people who stood about who were injured in the bombs, if they weren’t so nosy, they wouldn’t have been killed.” Is that his truth? It is certainly not my truth and certainly not the truth of the people who were killed. Just to go back to South Africa, I don’t know how many million people there are in South Africa or how big a country it is, but I know that in

Northern Ireland, if you had asked me about some part of Northern Ireland, most people would probably know something. When people start saying, “The truth”, whenever you cross-reference it, you will find a lot of it may not be the truth that you believed it to be.

Q1110 Oliver Colville: I know quite a bit about South Africa and I suspect the reason why it has worked in South Africa and it would not work here necessarily, is because there was a complete change in the political culture that ended up taking place. There was a movement away from having the apartheid regime and moving to a one man, one vote majority rule and so that worked. There was a complete divorce from what had gone on before and that necessarily has to happen. I am sorry to be really boring about this, but I want to understand the forum where you think that can happen. Should it be an internet site, where people can put their experiences? What are you physically looking for? You said everybody should have the opportunity to tell their story, but how?

William Frazer: The first thing that I think needs to be done is that there needs to be a genuine effort to see if justice can be brought in every case, irrespective of how many cases, in every case where people want it. Secondly, if people come and tell their story, I believe it needs to be recorded in front of a camera. Some people may not be comfortable in front a camera and may just want someone to write it down for them, or they may want it to be recorded on a radio, or whatever, but the actual facts, in their words—not my words or a politician’s words, but the words of the individual themselves—should be recorded and put in an archive process where people can go, so if someone wants to go and find out what happened to Bertie Frazer on 30 August, what happened to Johnny Bell, what happened at Kingsmill, what happened at Tullyvallen, what happened at La Mon, what happened at Droppin Well and what happened at Greysteel, they can go and do that. But it should not be set up by politicians, with the greatest respect to politicians, or by academics, because academics also have their own slant. It has to come from the individuals.

Q1111 Oliver Colville: I would be very grateful to hear what Mr Murdock and Mr Halliday have to say and whether or not you agree with the proposal that Mr Frazer is putting forward. What do you think?

Gordon Murdock: Yes sir, I would certainly endorse what I have heard William saying here today. The thing that I found about on-the-runs is that the question asked most often and what was the surprise to our people was why our politicians seemed not to know about this. That would be one thing. That is not a criticism of the politicians, but there was a bit of surprise at that. The other thing, which was no surprise but was more often on their minds, was the HET. You just wondered how much of an impact the on-the-runs situation had on any success that had been gained by the HET.

Barry Halliday: I endorse everything William said. Of course, pastors in this country have to be very careful what they say, as we know in recent days. Yes, truth and reconciliation, that kind of thing. It would be bloodshed and it would be unimaginable shame on the British Government to allow someone to walk into a room, tell the truth and then go home. It would be a disgrace. South Africa was a new country, reborn. This is the United Kingdom. There is no comparison. South Africa has nothing, nothing to offer us and we have got nothing to offer South Africa. Absolutely not.

Just to back up what Gordon said, representing the Government here today, the tens of millions spent on HET and the hundreds of millions of peace money spent knowing that they

were going to do a deal with OTRs is money wasted. It is a public disgrace. People were led on: "Come out and tell your stories. Cry again to the HET. Let's foot the bill of £10 million, £20 million or £30 million. It's not going to work, but it will pass a bit of time." Our loved ones and our neighbours—I am from a UDR background and am now a pastor in South Armagh—were asked to take the oath of allegiance to the Queen in public; they served in public and they died in public, but their future, their murders and so forth are being discussed behind closed doors and in secret. That is a disgrace. It is morally wrong and absolutely abhorrent to any—we are still a Christian country, thankfully. Thank you, Chairman.

William Frazer: I just want to say one other thing. I do not want people to get the wrong idea when I say this, but because Northern Ireland is so small, if someone comes out and says, "Yes, I was the Kingsmill person. I carried out the shooting at Kingsmill," that may be the truth and he will be glorified within a section of his own community, but there are people out there who will say, "Hang on a minute. That's my father, my brother, my uncle he's talking about, and that's the boy I meet every day on the road. I have never had any redress for that." I believe it could create another cycle of violence. Obviously, I can't say that for definite, but I believe it because I know these individuals; I deal with people on a regular basis who are heartbroken. If they ever had it confirmed to them that certain individuals—even though they know it—did carry out an act and there was never any type of justice, I think they would take the law into their hands. That is a very dangerous situation.

Q1112 Lady Hermon: It is very nice of you to come along this afternoon; we do appreciate it. May I pick up on the last point that you made? What you just said, that people might be tempted to take the law into their own hands, is quite worrying. Obviously, you would advocate that people do not take the law into their own hands—

William Frazer: Absolutely, yes.

Lady Hermon: And I am hoping that you will also take some comfort and reassurance from the fact that the PSNI has established a team of 19 dedicated, experienced officers to look at every single OTR letter—that is 228 OTRs. That team is expected, according to the evidence given to us, to take between two and three years to complete its work, so no one should be taking the law into their own hands.

May I ask you something now that you know that the PSNI has set up what it calls Operation Redfield, for whatever reason? You have indicated—you have put your hand down several times—that you have evidence and documentation there. May I take it that in fact it is fair to say that your organisation and you yourself will be co-operating and will make that evidence, which appears to be evidence of serious offences, available to Operation Redfield? Will you be co-operating fully with the PSNI?

William Frazer: Very much so, because it is important that we do and for anyone else out there who has any information, it is important that they do, because there is a lot of people out there.

There is one point that I would like to make. I do not want to sound biased, but there is a lot of good people, nationalist people, Catholics, who served in the security forces, but who also believed in upholding law and order. We have a number of them coming to us. I know that they do not feel comfortable coming to us, but they do not feel that there is any other place that they

can go, for security reasons, if that makes sense. I think that needs to change as well—to help those people to be able come forward. I do not mean that disrespectfully—

Lady Hermon: You are just summarising your experience.

William Frazer: Yes.

Q1113 Lady Hermon: Just to confirm that the documentation you have with you today will be made available to the PSNI to review all of the 228 cases of those who received OTR letters. That would be very helpful.

Barry Halliday: Sorry, Lady Sylvia, it would have to be conditionally: it would have to be once youse have established exactly what part of the PSNI was involved in this cover-up and how genuine they have been. We have taken Kingsmills families to cry in front of Drew Harris. Whenever youse have come to us and told us that the PSNI are exonerated in any shoddy policing whatsoever, we will go in heartily.

Q1114 Lady Hermon: Are you saying on the record today that you have—

Barry Halliday: It is conditionally.

Q1115 Lady Hermon: It is conditional. Does that mean you do not have full confidence in the Police Service of Northern Ireland?

Barry Halliday: No, not as yet. Hopefully your inquiry will deliver that confidence, so that puts the onus back on the Chairman and his friends.

Q1116 Lady Hermon: Are you saying that you do not have confidence in, for example, ACC Drew Harris, who gave evidence to this Committee?

Barry Halliday: No. We are getting bits and pieces, mainly through the news. Whenever youse dig deep and bring the truth out of what part the PSNI had to play come, back to us and ask then victims to come again and be truthfully dealt with by a proper police investigation into every allegation.

William Frazer: Could I just say, on that, that there is a reason for that?

Q1117 Lady Hermon: That would be helpful, if you could explain the reason for non-co-operation with the PSNI.

William Frazer: We were heavily involved with HET way back, maybe even in helping with the idea of setting up something like that. A lot of the police officers—good, sound police officers—the information they had and were given was knocked back. Mr Cox—I know he came here and spoke to you—refused to allow it to go into HET reports. That concerned us. That is where we are coming from.

Q1118 Lady Hermon: What sort of information did not go into HET reports?

William Frazer: Again, documents—we were told. There was no proof in relation to who was involved in Kingsmills; it was all hearsay. But a mile away from where Kingsmills took place, an individual who was responsible and named as being responsible for being involved in it was shot and dropped the weapon that was used in the Kingsmills report. People who were related to individuals who were caught that day whose brother was also involved—they wouldn't even question them, even though the man was caught with the weapon that was used to kill the people. Mr Cox refused to allow it to go into the report, because they knew that once it was in the report, somebody would have to take action.

Q1119 Lady Hermon: Mr Cox will have to account for himself. He is obviously no longer the director of HET.

William Frazer: That was no reflection on the investigating officers.

Q1120 Lady Hermon: Thank you. What we have as a reflection today is that it appears that there is some hesitance about co-operating with the PSNI.

William Frazer: There is to a certain extent. If there is evidence there, whether that evidence is acted on—

Q1121 Lady Hermon: I thought that what you indicated earlier was that the fact that beside you you have documents. You referred to them as evidence in documents. Let me repeat my question, which is very straightforward and needs just a yes or no. Operation Redfield has already commenced; 19 dedicated PSNI experienced officers are looking at every single OTR case—228 of them. Are you going to co-operate and give all that evidence and documentation that you have to the PSNI now?

William Frazer: Yes. We will co-operate with the police, but that has to work both ways.

Q1122 Lady Hermon: Could you reconcile that with what Mr Halliday has said?

Barry Halliday: At the time, when the time is right.

Q1123 Lady Hermon: So you are going to co-operate when the time is right.

William Frazer: I will give you an example. I've been to the police with this documentation and tried to give a statement and they would not take it from me. I tried to give them the paperwork and they refused to take it from me.

Q1124 Lady Hermon: All of the paperwork that you have brought with you today you have offered up to the PSNI before and they have refused to take it.

William Frazer: At different times. There is the latest bit; I will bring it out to you and give a copy to the Committee.

Q1125 Lady Hermon: That is not necessary. What is necessary is to make it absolutely clear: are you going to co-operate with the PSNI in Operation Redfield? Or is that conditional on the PSNI proving something to you?

William Frazer: It is conditional on the fact that they act on the evidence that is given to them. I say it again, Lady Hermon: I went to the police to make a statement—on the advice of the Secretary of State, I went, with the documentation—in relation to mass murder. I put the document to them. They made several phone calls. They said, “Can you leave this with us?” They then rang me back and the two police officers dropped the stuff at my house and said, “Sorry. You may go to the police ombudsman on this.” I don’t think that should be my duty; I think when I go to a police station and go to a police officer, it is his duty.

Q1126 Kate Hoey: Mr Frazer, do you think the reason for that is perhaps that at some stage certain people in the PSNI were, knowing a lot of letters and so on had gone out—that a lot of this was tied to the fact that they weren’t being allowed, in whatever way, to open up some of these cases.

William Frazer: Yes. That is why I said we don’t blame the individual police officers. It goes right up to somebody at the very top. It may even be higher than Drew Harris. Politics must come into play here somewhere.

Q1127 Lady Hermon: Who are you suggesting would—

William Frazer: Well, if you go higher than Drew Harris, you’re into the Chief Constable, and then the Chief Constable must answer, he says, to the Policing Board. I don’t believe this is anything to do with the Policing Board. There has to be politics involved here somewhere along the line.

Q1128 Kate Hoey: Are you aware that the Chief Constable actually appointed Mr Cox and was a good friend of Mr Cox?

William Frazer: Yes. The problem you have—Mr Cox, we know, sat for dinner with people who we believe to be suspects; was going out for dinner with them. That’s the reality of living in the community.

Kate Hoey: We are getting a bit short of time, Chairman, but could I just—

Lady Hermon: Sorry, could I just finish off the question?

Chair: Yes. Sylvia can finish off. We are running a bit tight now.

Q1129 Lady Hermon: At the very beginning, Willie, you mentioned that in fact you had written several letters to politicians. Could you mention some of the politicians, or at least the political parties if not the politicians, and, specifically, what replies did you receive?

William Frazer: I wrote to the Unionist party; I wrote to the DUP. The replies were just that there was something going on, but obviously they didn’t know, either, what was taking place. But it was quite clear that something was taking place.

Q1130 Lady Hermon: Do you have those letters? Do you have copies of the replies?

William Frazer: I have copies of them, yes.

Q1131 Lady Hermon: You do. Would you kindly supply the Committee with them, because obviously we would be very interested to see what politicians said? You said—I took this down—it was quite clear a deal was being done as early as 2002; I think that’s what you said.

William Frazer: I think one of the first letters was in 2002—maybe even as early as 2001.

Q1132 Lady Hermon: But you said you didn’t know about the letters—you didn’t know it took the form of a letter.

William Frazer: No, we didn’t know there was an actual letter. We didn’t think they would be so naive as to actually give a letter out.

Q1133 Lady Hermon: So how did you think it operated if it wasn’t by letter?

William Frazer: Well, a bit like how Northern Ireland operates, Lady Hermon.

Q1134 Lady Hermon: But how is that?

William Frazer: A nod and a wink. If a man is wanted for murder and he comes back and you don’t arrest him, there’s something not right. If there’s evidence there to say that man—he didn’t go on the run for 30 years because he wanted to get away from the wife; he went on the run for 30 years because he wanted to get away from the security forces. If he all of a sudden comes back and the security forces make no effort to arrest that man, there is something seriously wrong. They tell us, “Oh, there’s not evidence.” Well, okay, I can understand how that may happen, but what we are saying is that there are circumstances where there is evidence. There is no justification for mass murders. This is not an individual case of one or two murders. If it had been my father’s murder, I would have to say, “Well, this is one murder,” but these are serial murders. These are men who carried out some of the most brutal acts in the history of the United Kingdom and Ireland. It’s not a simple case where they shot one or two individuals. They carried out heinous crimes, and we are supposed to accept those people back into our community even though they were away for 30-odd years. I am reluctant to say something else, because it will maybe start a row if I say it.

Lady Hermon: Oh, we wouldn’t want you to start a row, Willie. You have never started a row, and we wouldn’t want you to start today.

William Frazer: On the pension issue, which I believe will come to materialise very shortly as well—

Q1135 Lady Hermon: Could I just finish with one question? I will bring you back to Kingsmill, which was an absolutely ghastly, appalling atrocity. I am sure you are aware—I think I am right in saying this—that the coroner has asked the Secretary of State to confirm whether a certain individual or individuals received OTR letters that may have been made available to them after the Kingsmill

murders. Surely that gives you some sense of reassurance that the coroner in the Kingsmill inquest will be told the truth, the whole truth and nothing but the truth and that you will eventually know whether OTR letters have been given to those individuals. Are you confident in that, Willie?

William Frazer: It certainly has helped, but the issue there, Lady Hermon, is that we have behind, pushing that, right from the word go, to get that inquest. It is ourselves who have been involved with the coroner, Mr Leckey, I believe—

Q1136 Lady Hermon: And did you push for the letter to be written to the Secretary of State to confirm whether an OTR letter—

William Frazer: We have been working very closely with legal teams and other people. I'll give you an example: we are pushing for all of that and there is not one piece of help coming to us; but at the same time we see other organisations out there getting hundreds of thousands of pounds, as long as that is to lambast the security forces. But when it comes the other way, it seems you're left on your own, and that is where the problem lies.

Q1137 Kate Hoey: I want to get back to the John Downey case. Obviously you were as surprised and shocked as everyone else when you heard that the case had collapsed.

William Frazer: I was disgusted.

Q1138 Kate Hoey: When he went back, you were one of the people who went over the border and picketed his home. Did you take a lot of abuse for that from elements within Northern Ireland?

William Frazer: I certainly did.

Q1139 Kate Hoey: Did you take any abuse from the PSNI?

William Frazer: No.

Q1140 Kate Hoey: What you did was legal.

William Frazer: Yes, it was legal. No, I didn't take any—I was given advice, let's say, but I certainly did not take any abuse from the PSNI. But there is a reluctance to go after certain types of information. I don't mean that disrespectfully to ordinary individual police officers, because they are dedicated, but there is somebody at the top pulling the strings. It is as simple as that.

Q1141 Kate Hoey: What do you think the reason for that is? I could give you a couple of suggestions, but what do you think it is?

William Frazer: Knowing the people and growing up with some of these people, they continually use the threat of violence, and if they do not get what they want, they will huff and they will puff. Even with the arrest of a certain individual, they said we're going back into the dark ages—back to the bad old days. There is always that continual threat of violence, and whenever you've lived with violence, the treat of violence is every bit as bad; indeed, it can be worse, because when you are waiting on something to happen, the stress that that puts that family through is—well, it's

hard to explain. We believe that that is what is going on. Every time you get near something, the threat of violence, or of returning to violence, is being used.

Q1142 Kate Hoey: The affair has been going for a very long time. You have all worked really hard and taken lots of abuse over the years, for different reasons—you have personally, Mr Frazer. What keeps you going? When would you like to feel that you, as an organisation, could disband?

William Frazer: Basically what keeps us going is the belief in justice and the sacrifice that people made—from both sides of the community—to uphold law and order. People say to me, “What do you want out of this, Willie?” I want to get out of it; I want to get out of the victims sector; I want to see a day when we do not have to do the work that we are doing. But we are continually told that we need to do it this way, that way or the other way—every way but the way that we feel that we want to do it. If the people who are the ones that are affected don’t want to go down a certain road—the IRA couldn’t drive us out of our homes. I remember sitting in my own home as a child and listening to my father and them speaking. Every one of them knew that they were going to get murdered—every one of them. They had a choice to pack up and leave, and they wouldn’t do it, because they believed they had to stand their ground to protect their community. Every one of them men was killed—well, with the exception of my brother, but they tried to kill him a few times. We can’t ignore that fact. That’s what this is all about: justice and having a community where you feel safe and secure, not one that’s ridden by an organisation that brutalised and terrorised a community for 40-odd years in the name of a united Ireland, where the majority of people in Ireland would not agree with what they did.

Q1143 Naomi Long: It is good to have you with us. I have two questions. First, we have mentioned the HET, and we raised with Dave Cox the lack of any linkage between the HET and Operation Rapid, which would have allowed the HET to feed directly into the investigations it was undertaking at the time and show whether any of the people who are on the run were pertinent to any of its investigations. Are you surprised that a more robust connection was not put in place by the PSNI between the work that was being done with the HET and the work that was being done by Operation Rapid on the OTRs?

William Frazer: I was and I wasn’t, I suppose—that’s nearly a politician’s answer. The reason why I say that is because one of the things we suggested to the HET at the very start is that it should not look at the murders from an individual perspective because a lot of them were linked—there was a lot of linkage—and that they should all have been linked. I know you have 228 OTRs, but whenever you go to each area, it’s actually a small number of people who were involved in the murders over the years. The men involved in Kingsmills were actually involved in Breen and Buchanan and were also involved in the Omagh bombing.

Q1144 Lady Hermon: Allegedly.

William Frazer: Definitely—I have the pleasure of saying that, Lady Hermon. Stuff has been seen; they just don’t seem to be able to get that final piece of the jigsaw. But okay, fair enough; granted, “allegedly”.

There seems to be an attempt to get away from the linkage. We believe the linkage would tie it all down, in relation to the OTRs—the whole lot—because it is a small number of people; it is actually compact, if you look at the areas. There is nobody on the run, as far as I know, from

Portavogie, Portaferry, Newtownards, Bangor, Portrush, Coleraine or Ballymena. As far as I know, there is nobody on the run from those areas; it is mostly from areas such as Tyrone, south Armagh and maybe Belfast. Whenever you look at it from that angle, it is a compact group of people you're looking at, and there's multiple murders that they're tied into, so I can't see why they don't go for this linkage.

Q1145 Naomi Long: What do you make of the argument that has been put to us that those who were, as you put it, tied into murders and were actively under investigation—where there is evidence to pursue—wouldn't have received letters, and that letters would have been given only to those who were not in that situation?

William Frazer: This is where I would ask the question: where a man—the likes of James Morgan, who was named in the Smithwick tribunal by a man who was there when he was given a bomb that was planted under an individual's car. He has been wanted for 25 years and is allowed to return home. He was also named in the shooting of young Alan Johnston. An individual—an undercover agent—has given witness statements. His wife drove him out of Kilkeel, because the cordon was put down so quick they couldn't get him out. Whenever a man like that can return home, there are serious questions that need answering. Why all of a sudden is he allowed to return home? It's bad enough that he can go home; he's not even being questioned, despite that amount of evidence, where an individual who was associated with him named him as being responsible.

I know people say, "That's not enough to convict him." Okay, it may not be, but there's other things as well. He used to scrape "IRA" on every device that he made. That's well known: he scraped "IRA" on every under-car booby-trap bomb he made. That was his print. They tell me—you people are a lot smarter than I am—that when it comes to making bombs, every bomb maker leaves his own fingerprint, because of the way he makes it and the types of stuff he uses. Whenever a man like that comes back and is not questioned, why? Something has to have been done somewhere, because if you were to do something wrong—God forbid—you would be arrested. Do you understand what I'm saying?

Naomi Long: I do.

William Frazer: I don't know, maybe there is some mad reason out there for it, but we cannot find it.

Q1146 Naomi Long: This is my final question. All three of you mentioned the issue of the secrecy of the OTR scheme specifically. There are two elements to this: the scheme itself and whether or not it is acceptable, but also the manner in which the scheme was conducted—that it was conducted out of sight, in a manner that was secret and hidden. Setting aside the scheme and what it did or did not do, how much has the secrecy that surrounded how it has been operated affected your confidence? You mentioned your trust in the police, for example, but how much has the fact that this was all conducted so secretly affected your confidence generally in the justice system, the PSNI and, indeed, the Government itself?

William Frazer: Could I answer that with a question? The reason the OTR scheme did not get through—as you all know, it went in front of Westminster—was Sinn Féin were the biggest objectors to it. The reason for that was that they wanted to follow and prosecute members of the security forces. We believe that is why it was done behind the scenes. That bit was taken out.

They did not put it through Westminster because they could not get it through Westminster, because even Sinn Féin was objecting to it, because they wanted the soldiers and policeman and whatever followed to the full rigours of the law, so some type of a deal was done—“Okay, it’ll not go through Westminster, but we’ll let your boys back home.”

If I said to you, “I bought a new car,” are you really interested? If you are, you might say, “What sort of car is it?” This is a bit like the OTR scheme: unless people are actually affected by it, do they really care? That is maybe harsh, but as far as the majority of people are concerned, the OTR scheme did not exist, because it did not get through Westminster, so there’s no way it could have worked. Unfortunately, as we know, in the history of this country, most of the deals were done behind closed doors. I’ll not go into Tony Blair writing the promises on the blackboard, because we will be here all day; the reality is that the biggest objector to the OTR was Sinn Féin, because that meant the police and Army men would be let off the hook. They weren’t prepared to accept that. Somebody, somewhere along the line, did a deal to get their people added.

Naomi Long: Thank you.

Chair: This will have to be the last question.

Q1147 Dr McDonnell: Thank you. Willie, you are welcome and it is always good to hear you; less when you start fighting with us. My point might extend beyond this particular scheme, but there is a lot of discussion and debate at the moment around the past and how we deal with it. In a couple of sentences, how would you see us bringing closure to some of the people and some of the victims you represent? How would you see us getting some satisfaction for them?

William Frazer: I think the people need to be given what they are asking for. That is, the physical help, the mental help, the telling of their story and that where justice can be got, justice is got for them. Let it be even in this Committee here. There needs to be a body somewhere along the line that can hold certain people to account, because—again, I do not want to get thrown out of here for nagging politicians—politics plays a big role in Northern Ireland when it comes to making decisions. Because of the peace process a lot of decisions were made that would not be justified or acceptable anywhere else in the United Kingdom, or, indeed, the south of Ireland. That is going to have to stop; if we want to move on, people are going to have to be treated fairly and properly.

Just to give you a quick example on that: it might not be everybody’s thing to tell their story—so be it. If somebody else wants to do something else, that is up to them. I cannot speak for every victim, and never have pretended to, but I can speak for a lot of people in the South Armagh area, and a lot of people connected to ourselves.

We actually do believe we can bring closure to the situation in Northern Ireland, but it has to be done fair and just, and that includes justice being involved—or at least justice being seen to be involved. By that, I mean, if you want to take it to the full rigours of the law: two years, if these men are held accountable. Even if the men were got for Kingsmills, which is probably one of the most heinous crimes, they are only going to do two years. We have to live with that. We have to accept that, and for the good of the peace agreement, the good of the country, we will accept that; but please do not ask us to accept these men writing our history. It is like Keenan said, it took the Kingsmills to put manners in the Protestants. Is that what history is going to say? We cannot accept that. I do not know—hopefully that will answer.

Chair: Thank you very much indeed, gentlemen. It has been very useful. Thank you for coming.

William Frazer: Thank you, Chair.

Examination of Witnesses

Witnesses: **John Beggs**, Secretary to the Commission, Commission for Victims and Survivors², **Adrian McNamee**, Head of Policy and Research, CVSNI, and **Ann Travers** and **David Scott**, Members, Victims and Survivors Forum, gave evidence

Q1148 Chair: Okay, we will kick straight off. Thank you very much for joining us. I am sorry to keep you waiting a short while. I do not know who is going to be the opening spokesman, but could I ask one of you perhaps to give us a bit of a very brief history of your organisation—when you were set up, and what your aims and objectives are now?

John Beggs: Thank you; I will start off. My name is John Beggs and I am secretary to the Commission for Victims and Survivors. Today I am accompanied by Adrian McNamee to my left, who is our head of policy and research within the Commission. We have also got two of our forum members along today: Ann Travers and David Scott. As part of our forum they will be able to give you some sort of direct evidence on the impact it has had on them as individuals. I also send the apologies of Kathryn Stone, the commissioner. She is unable to make it today, so sends her apologies for the record.

In terms of a quick review and background, the Commission for Victims and Survivors was established under legislation in 2006—the Victims and Survivors (Northern Ireland) Order 2006. It is the public body responsible for promoting the interests of victims and survivors in Northern Ireland. It was set up under the Office of the First Minister and Deputy First Minister and carries out research and policy advice on all matters relating to victims and survivors. Also, as part of that, we have a statutory obligation to represent the interests of victims and survivors. As part of that we are regularly engaged in meeting not just our forum, which comprises 18 victims and survivors, but also engaging with groups and individuals across Northern Ireland; so we have quite an extensive engagement process in order to take the views from across the sector. That is really the background to it.

We welcome the opportunity to come along here today and provide evidence on the on-the-runs scheme itself. We have also as a commission, as a forum, given evidence—part of the Lady Justice Hallett review team—as well, recently; so we welcome the opportunity to come here today and make sure the impact of this on individuals and families is clearly heard by this Committee.

² A link to the written evidence provided by the Commission for Victims and Survivors in July 2014 can be found here: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/northern-ireland-affairs-committee/administrative-scheme-for-ontheruns/written/10917.html>

Q1149 Chair: Thank you very much. As we did in the previous session, we went perhaps slightly wider than the terms of reference of our inquiry, which I am happy to do now. Just coming back to the main issue of the OTR scheme, perhaps you could talk us through your knowledge of that and the history of it.

John Beggs: Yes, certainly. In terms of knowledge within the commission, we actually only became aware of the on-the-runs scheme on 25 February when the news broke regarding the John Downey trial. At that point in time, it is worth noting that the commission had been engaged in a comprehensive research programme around solutions for dealing with the past. We had held a conference that day in the Stormont hotel, at which we had 250 delegates from across the victim sector who found that to be a very positive experience, and we were very pleased with the progress we had made on that day.

Unfortunately, the timing of the announcement came as a bit of shock to the commission and to the forum and the broader sector. We had no prior knowledge, of course, of that scheme. We are aware that it was, in various forms, in the public domain historically, but we certainly did not have any awareness of the details of that scheme as it has now transpired. Since that announcement, our forum called a special meeting a week later following the announcement of the Downey trial, and the forum had a session just to discuss that specific issue. Of course, within Northern Ireland and within our victims forum there is always a range of views on these issues, but it is fair to say that there was a majority view that there was shock and there was a sense of betrayal with regard to how this scheme was operated. Unfortunately, at that meeting we also had a resignation of one of our forum members, who stood down on the back of the announcement, stating that the reason was that he felt let down by the Government. Unfortunately, we lost a very valuable member of our forum at that session.

Since then, the forum have continued to discuss the issue. There still are differences of opinion. There may be some members of our forum who would contest that the on-the-runs scheme was in the public domain, and that it was part of the political context at the time and it was a necessary part of the peace process. However, it is fair to say that the majority view was shock and betrayal in terms of this announcement.

The forum, after their exceptional meeting, did however continue to discuss this. They made a press statement at the time that I will just read out for the purposes of the Committee: "The forum had a robust, frank and dignified discussion today. What we are clear about is that we are committed to continue trying to make things better for victims and survivors. In the time we have been together we have encountered and dealt with many difficult issues. This has been one of the biggest and we still don't know what is ahead. We will continue to consider and discuss with clear and level heads as we look to give our advice to the Commissioner. We all agree that our common goal is to make things better for our children and our grand children." That was the statement that the forum agreed at that exceptional meeting.

As I say, since then they have given evidence to Lady Justice Hallett as part of her review. I think the key message from all this is that we really need to be getting some clarity, and that is why we welcome both this inquiry and the Lady Justice Hallett review on how the scheme is operated and what implications it has for the future, particularly for victims and survivors in the pursuit of accessing justice.

Q1150 Chair: And regarding the sessions we have had so far, not just today but going back over the last few weeks, what do you make of what you have heard?

John Beggs: I will be honest: we have not had a read-out and we have not taken any feedback on that as yet. It is something that we are going to wait on and, as I say, we will have our forum engaged on the outworkings of that in due course.

Chair: Okay. I will open questions to the Committee.

Q1151 Dr McDonnell: Have those of you—Ann and David—who are victims and survivors had any success in trying to connect the on-the-runs scheme to your particular bereavement, injury or whatever? Do you suspect that the on-the-runs scheme affected your personal circumstances?

Ann Travers: That is the problem. We just do not know. I do not know who the man was that murdered my sister, who fired the shot that murdered her. For all I know, he could well have one of these letters, and that is what is so distressing. When I heard, I was at the “Dealing with the Past” conference, and it came on Sky News about the John Downey case. Suffice to say, I did not take it all in that day. I drove home just feeling like my stomach was down in my boots. As the week went on, and with the media speculation and discussions about it, I became increasingly distraught. In fact, I went in one day after being out at the shops and sat on the arm of my settee and just burst into tears. My husband came over and put his arm around me and said, “What is wrong?” I said, “What is happening?”

My sister Mary was murdered while walking home from mass and my father and mother were shot. Mary was only 23. My dad was a resident magistrate. It is like she doesn’t matter any more. I feel as though it is like the victims do not matter any more and the people being protected are those who went out and murdered them. I have to say, from a personal point of view, that I am very disappointed that not everybody will be co-operating with this inquiry. I think that that is the problem; I do not know who to trust any more. I put my hands up: I find it difficult to trust Sinn Féin, obviously, because my sister was murdered by the IRA and because of Sinn Féin’s support for what the IRA did. I now find it difficult: who else do I trust? Which other politicians do I trust? We must have openness, transparency and everybody should be held accountable. Certainly, no one should be above the law.

Q1152 Lady Hermon: So it was a mistake for Gerry Kelly to refuse to come and give us evidence³.

Ann Travers: I believe that very strongly. As John said, we met with Lady Hallett and we have co-operated with her inquiry. That was a closed, private session, and it was, I hope, very informative for her, but it is very important that the public can see and hear exactly what is being said. Personally, I was very disappointed.

David Scott: My own personal experience is that my father was an indirect victim of the troubles. Suddenly, when he was preparing to go to the funeral of a family member who was one of the most senior ranking officers murdered in Newry police station in 1985, he dropped dead. My brother, who was a part-time member of the Royal Ulster Constabulary, which he was always very proud of, had three attempts on his life. Because of that, there was an option for him to go full time or come out of the police. He was very keen to pursue a career in the police, but my mother could not take any more of it, simply because of the

³ The letter from Gerry Kelly to the Chair of the Northern Ireland Affairs Committee (June 2014) can be found here: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/northern-ireland-affairs-committee/administrative-scheme-for-ontheruns/written/10353.html>

number of family members who were associated with the RUC. I had various uncles, one of whom had two attempts on his life. One of those was a 600 lb car bomb planted outside his front door in a very built-up residential area. While I personally have not been affected, my family has, in a variety of different ways. I feel passionate and I feel obliged to do something for those people who are unable to speak for themselves. That is the driving force behind my involvement in the forum.

Speaking on behalf of those members of my family who have had direct experience, it is difficult for me to express the deep sense of disappointment and betrayal that they feel. They feel that they served their country with pride, dignity and honour, yet here we have a system in place whereby the perpetrator appears to get the green card and appears to get off the hook. Those who try to pursue the murderer of my brother—I have no idea who it was, but he is apparently still on the run somewhere, as are those who are perhaps well known to other members of the family who have had attempts on their lives. It is deeply distressing for family members.

Q1153 Dr McDonnell: This might be slightly off the focus of our inquiry, which is more Downey-oriented and on-the-runs-oriented, but as you are here, can you briefly answer the question I asked William Frazer earlier? How do you think we can bring closure and satisfaction to your family, to your relatives and to those who have been bereaved?

David Scott: The phrase that comes continually to my attention is the word “justice”. Justice does not appear to be on the radar currently. There is a deep sense of betrayal since the perpetrator appears to be benefiting much more from the benefits of the Belfast Agreement than the victim. For many folk, there is a difficulty in relation to the Belfast Agreement. A lot has been said about the on-the-runs scheme and that they should have known about it and that it was well documented in the press. But, from the victim’s perspective, when you are in that deep traumatic experience and dealing with bereavement, many things go way beyond the radar, and sometimes they just were not in the frame of mind. The Belfast Agreement was a huge shock for many of them, not to mention trying to take on board the potentially damaging impact of the OTR scheme.

Q1154 Lady Hermon: Just following on from Alasdair’s question, do you think it would be helpful if the 228 OTR letters were annulled or withdrawn?

Ann Travers: That is what I would personally like to see. Also, I would like to see the cases being looked at again. If there are any prosecutions to be done, they should go ahead.

Q1155 Naomi Long: It is good to have you with us. There are two separate aspects that we are looking at. One is the scheme itself and what it did or did not do and trying to get clarity around that. The other issue is the secrecy with which the scheme was implemented. Obviously, at the time of the Good Friday Agreement, there were some very difficult issues to do with victims. Certainly, for me, one of the most unpalatable parts of the Agreement was the early release of prisoners. I find that difficult, and I was not a victim of the troubles, but it was one of the more difficult parts for many people. But it was done in the open, it was put to the public, and people had a say in what happened. To what degree has the way it has been handled—the covert manner in which it has been done—added insult to injury? And what impact has that had on your confidence and trust not only

in political parties, but actually in the system itself? I am interested to explore that with you, as I did with the previous witness.

Ann Travers: Hugely, for me. I am somebody who likes to face things head on. I like to know what I am dealing with, even if it is something that I do not like or do not agree with. I like to know what it is, and then I can consider it and see what way I am going to deal with it. Whenever we are being exposed to stuff—nearly on a daily basis, we are hearing of something else that was agreed and some other backroom deal, if I can use that phrase—it is hugely retraumatising for victims.

What you all have to remember as you sit here today is that whenever we hear about things like the OTR scheme or anything else relating to terrorism or people who committed murder, you have got widows, mothers, fathers, brothers and sisters who might actually be having quite a good day, who might have been in some euphoria if something nice has happened, and then they switch on the radio and they hear about that and immediately they sink down. You think about what happened to your loved one, and it plays over and over in your mind. I cannot agree with David more. It has irritated me whenever I hear people say, “You should’ve known about this. It was reported. I reported it.” We are talking about 1998 when we agreed the Belfast/Good Friday Agreement. Maybe people’s loved ones had been blown up or murdered only 10 years previously.

It took about 20 years for me to be able to really feel that I had dealt with my sister’s murder, but obviously it has not been properly dealt with, because every time I hear of stuff like this, it brings me back to that day when I was running down Windsor Avenue and I saw my sister lying dead in the gravel and my mother leaning over my father and saying, “My poor husband, my poor husband.” I was 14 at the time. If I can do anything now in memory of my sister, I will. That is why I am here today and why I am on the Victims Forum, because everything I do is for the love of my sister Mary. Anything I can do is to help prevent victims from being retraumatised. They have been through enough. I do agree that the secrecy just cannot happen any more. We need to have transparency, and we need to have honesty.

Q1156 Naomi Long: And you would agree that that needs to come not just from the official sources in terms of Government and others, but from some of those who were key to this? You mentioned the fact that Gerry Kelly has refused to give evidence, but, for you it would be important. As victims it would be important that he comes here and actually answers the questions that this Committee has.

Ann Travers: Absolutely. I would also be very interested to know what the people who received on-the-run letters actually took from them. I would be interested to know what they felt those letters meant. I have heard people say, “Anybody could get one of these letters.” I could walk into a PSNI station today and ask them if they were looking for me, and they could write me a letter saying, “No, we’re not looking for you,” but I have no need to go into a PSNI station to ask them whether they are looking for me because I know I have not broken the law. I would like to know what they have taken from it. If I was them and had done nothing wrong, I would want to clear my name and let the due legal process go forward. In my mind, nobody is above the law, whether they are republican or loyalist, or whether they acted while a member of either the RUC or UDR and used information to go off and murder somebody innocent. In my opinion, nobody is above the law.

David Scott: I concur with what Ann says. We are currently substantially debating how the past has been dealt with, and justice has not come the way of many innocent victims. As Ann rightly says, transparency is key to all this. There is a huge sense of disappointment in relation to people such as Gerry Kelly, who the victims would see as dictating to them how they should live their lives and how Northern Ireland should progress to a safer, better future. How can victims do that if they have not had an opportunity to have their past dealt with sufficiently in their opinion? That is one of the key things, and it is a huge disappointment.

In answer to your question on the scheme's impact, on how the scheme was delivered and presented, and on the ongoing shenanigans, I think it is fair to say that there are many victims who are being driven further back into victimhood. I know that may be an outlandish statement for some folk to accept, but I have spoken to quite a number of folk locally who are well known to me and who have witnessed and been on the receiving end of some of the most atrocious terrorist activity, and they are being driven back into a place of insecurity. They are even disengaging with simple practical things in life, be it their church life or community group life. They just feel that they do not trust anybody anymore, which is a very sad thing to have to present to the Committee today.

Lady Hermon: That doesn't surprise me. It is very good to hear from you.

Q1157 Ian Paisley: Please do not underestimate how powerful your words are today. Your words are powerful for us as Members of Parliament, but more importantly they are powerful to the audience out there who hear them. They are incredibly powerful, they tug at heartstrings and they tell a real story. Never underestimate how important they are.

As a Committee, we have tried to give victims a platform to say some of the things that you are saying today. Indeed, in the next few weeks we hope to hear from relatives from the Hyde Park bombing, too. I think that will be important. I hope you take away with you a sense that this is incredibly important. It is incredibly important for the public to hear your words and voices giving expression to this grief.

I want to explore what the Committee can ultimately do. Alasdair or Sylvia, I cannot remember who, asked about the publication of the actual letters. Would you find it helpful if we were to publish every single one of those letters if we got access to them so that people could see for themselves what the on-the-runs thought they were running from and, secondly, what they thought they were getting indemnity for? Would that help?

Ann Travers: Anything that is going to be transparent will help. At least people could then see what exactly is in the letters. As I said, my father, sister and mother were not given a chance to plead for their lives; it was taken from them. Mary's life was taken from her just like that with a single bullet in the back. We didn't receive a letter giving us a chance to not go to mass—as was my father's, mother's and sister's right—that day. If I did something wrong—if I had gone out and sought revenge after Mary's murder and killed somebody—I would be held accountable and be brought to court and, if found guilty, serve time in prison.

I just do not see why a certain part of society should receive these letters and we should be told, "It was all for peace", because it is not for peace. If it is not a true and honest peace it is a shaky peace. I quite agree with David: I have never felt more of a victim in my entire life than as I do now. I would always have thought that I was a survivor, but each and every time something like

this happens it makes victims feel that they are worthless. So, to answer your question, yes, absolutely, to publish the letters would be helpful.

Q1158 Ian Paisley: As a citizen of this country, do you feel, observing this process, that these letters that people are carrying have meant more than what the piece of paper actually says? Is that why there is such a fight over them? Is that your impression?

Ann Travers: Even if they legally do not have much truck and they aren't as bad as we all think—and we are told that they are perhaps not as bad as they actually are—it is the principle. It is the fact that they have them, and the fact that we have nothing. As I said, there are so many victims who do not know who murdered their loved ones, and there are those who suspect that the people who were involved in the murder of their loved one have one of these letters—maybe they have been told by journalists that somebody who is suspected of being involved in the murder of their loved one holds one of these letters.

When I heard about the OTR letters not only was I so upset myself but I was extremely angry for all those other families and for people who I am now so proud to call friends, whom I have met over the past number of years, who know that somebody involved in, for example, the Enniskillen bomb is holding one of these letters. It is that suspicion. We have nothing.

Q1159 Ian Paisley: Finally, in terms of the issue of closure, obviously those of us who believe in the rule of law want to see people held accountable and punished for their actions sufficiently. But what else can be delivered to victims in terms of closure? I think it is important that we try to move to a point where victims help shape policy. What else can be done to assist victims in helping them get to a point of closure and—I hate to use the words—help them move to the next phase or move on? I say that very delicately because I do not believe that even in normal bereavement you actually move on—it is just that time goes on.

Ann Travers: Again, speaking for my own personal case, I am not stupid. I realise that the likelihood of getting any prosecution of the gunman who murdered Mary and attempted the murder of my father is practically nil, but I do not want that hope to be taken away from me. So I would like to see documents that the police, the Government and MI5 hold being released as well. I would like to see an openness. If it means that people who did wrong and are now in positions of authority end up being prosecuted, then so be it, or else where are our morals? What sort of sort of society are we living in, to say that, for example, Mary was murdered on 8 April 1984 but now in 2014 we can forget about that—that was just all part of a conflict, or war, or terrorism? Every family has the right to justice, so I would just like to see a bit more openness. It is a bit of a Pandora's box and things will probably come out of it that we might not like, but I think that there should be transparency all round.

Q1160 Ian Paisley: These other things keep emerging, such as pensions, payments or a truth and reconciliation commission. Where do they sit in terms of the—

Ann Travers: I would have been quite supportive of truth and reconciliation—certainly reconciliation—but now I wonder how I would know who will be telling the truth. Every day, I hear politicians saying that they were not responsible for what happened—sorry, actually that is unfair to some; only certain politicians say that. I just despair, because as time moves on, I see—certainly coming from the point of view of a victim of IRA violence—politicians within Sinn Féin

distancing themselves or saying that they knew nothing about anything, that it was not to do with them, and I just wonder. So I don't know—if we had a truth commission, how do I know that they are actually going to go and tell the truth? How do I know, when they won't come here today, and they will not sit and face you guys and be questioned? How can I trust them? But absolutely, I think it is about meeting each other and learning to understand each other and understanding that we are all human beings at the end of the day.

David Scott: May I concur again with what Ann has said? There is nothing I wish to add to or amend in that. One of the hurts and fears of the victim on the ground is that they appear just to be becoming another statistic—some kind of statistical evidence that they are part of a troubled past—and that is very difficult for them to bear up to, while they watch and listen to some folk in political life posturing and telling us all how we should live and how we should move forward to a safer environment and to a better, ensured future. The statistical element is very difficult for those people to take on board, so the value in their contribution to a more peaceful and stable Northern Ireland has not been taken into account.

If you take into consideration the valued work of organisations such as the Royal Ulster Constabulary, the UDR and the Prison Service, those people kept Northern Ireland from going into a civil war position, and I think sometimes that is never valued. The perception is that there is much more value in keeping the perpetrator at bay and keeping them peaceful and quiet, as opposed to backing up and supporting those who have sacrificed their all—those who have the empty chair in the house, who have the dinner place where the family member no longer sits. It is very difficult to tell a boy who was 12 years of age when he was orphaned, and is now a man heading for 40 years age, why they would want to murder his father. For him, as the only child, who lived with his father alone in a nice little rural part of rural Ulster, it is very difficult to comprehend what made his father such an unlikeable person that they had to murder him.

Q1161 David Simpson: You are very welcome. Around this table today, you would very much have a sympathetic ear, because the members of this Committee are from Northern Ireland or have suffered at the hands of the provos, as my family did—they murdered four of them. Those sort of things are very hard to forget, and I can understand where you are coming from, but in the rest of the United Kingdom and in the House of Commons, not everyone will be sympathetic to this, because they think that the OTRs—we have dealt with evidence today where Attorney-Generals agreed to drop prosecutions and looked into other ones, and blind eyes were turned and all the rest of it, over the past 30 years of a dirty, dirty war. What is the message that you want to send to other Members of Parliament in the Palace of Westminster? What is the core message you want to get to the people there to listen and to make sure, at the end of the day, that justice is done for the victims? In my opinion, for what it's worth, despite the fact that 19 officers are going to re-investigate, and all those things, the message I am getting from a lot of victims is, "It's over. We're not going to get justice. HET is closed down. Everything is just falling apart for us." The pain, as you rightly said, David, earlier, is as raw today as it was the day the murders happened.

What is the clear message that you want to get out to those in the Labour party, the Tories, the coalition, or whatever? What core message do you, as victims, want to get out there, so that they will listen?

Ann Travers: Please don't forget about us. Put yourself in our shoes. Just imagine what it would have been like if you had waved your father off one day, expecting to see him come back and

come in to eat his dinner, and for him to never walk in through the door again; for a nine-year-old child witnessing your father being murdered in front of you; and as an eight-year-old girl, opening the front door to let gunmen run in to murder your father. Just imagine what it is like living with that and to be told that we have to accept stuff for peace, yet we have lost our loved ones.

I have heard politicians justifying the OTR letters and it was incredibly hurtful. We were told to be thankful that we have Martin McGuinness now as Deputy First Minister and that violence has stopped. There are families who suspect that, perhaps, there are politicians within this building who could help them get closure and who refuse to do so. I would just plead with them to remember us and to think of us from a human point of view. We are not just statistics: we are real people. You have widows in their 70s and 80s living alone now and every time they hear something like this, they feel that they are worth nothing.

My father, as a resident magistrate, worked for the Government, for the state, for the Queen. Surely, he is worth something, Surely, the lives of all those men and women who served as police officers and in the UDR are worth something.

David Scott: I suppose, from my perspective, I think the key message would be that we cannot live in the past; we all have to progress to a better future, and I think Ann and I are both in agreement that we are on the Forum to make that difference. However, it would be wrong to—and my message to those within Her Majesty's Government would be, "Don't put the victims in an archival box". Don't put us in a box labelled, "The Troubles", "The Past", because they are a key part of the future of Northern Ireland. Don't stick them in the background and don't forget about them. Give them the opportunity to be heard and give them their place in society, because at the end of the day they are British citizens.

Q1162 Lady Hermon: It has been very moving listening to Ann in particular and David—very moving indeed, very helpful for us.

Could I just make a suggestion? If Mr Gerry Kelly and his colleagues are listening to the evidence that you have given to us today, then Mr Kelly should revisit his decision and perhaps come and give evidence publicly to this Committee. What has he got to hide? If he does not do that—if he does not make a sensible decision to come and give evidence to the Select Committee—would it be in your mind to ask Mr Gerry Kelly to come and give evidence to the Victims and Survivors Forum? Has that been given some thought?

John Beggs: No, we haven't given that any thought.

Q1163 Lady Hermon: You could hear a pin drop in this room as you are speaking.

There is hurt, pain and loss of trust—the huge loss of trust—in so many organisations and in the rule of law. It is clear that the PSNI, the Director of Public Prosecutions and the Attorney-General's office were all involved in this secret scheme to facilitate Mr Adams and republicans. We have to somehow repair the damage and repair that trust. The right hon. Member for Neath, Peter Hain—let me just nominate him, because he comes immediately to mind—has announced that he is going to stand down at the next election. This gentleman defended the OTR scheme, and he defended the letter that was given to Mr Downey in 2007⁴, saying it was to save the peace process. Well, the peace

⁴ A link to the letter from the Northern Ireland office to Mr John Downey of July 2007 is provided here: <http://www.parliament.uk/documents/commons-committees/northern-ireland-affairs/Cover-letter-from-NIO-to->

process was not in any danger in 2007. But there are others as well; there is Jonathan Powell, who signed off the early letters in Downing street. Would it be helpful to have the victims looking in the faces of those who made these key decisions, even 14 or 15 years afterwards? Would that be something that you would contemplate? Would it be acceptable to other victims? Would that help, Ann?

Ann Travers: Absolutely. I'm a member of the Forum, but I can't speak for everybody in the Forum, because they are not here, but, absolutely, I think that it would be very welcome to be able to speak with those gentlemen to let them really realise the damage that has been done and to try to find some way of repairing it.

The main issue in all this is trust, because whenever I hear—personally, again—Peter Hain defending the OTR letters, I find it difficult now to take anything that he says seriously. I feel that he has put members of the IRA above victims and above innocent people, who did absolutely nothing—they were innocently going about their business, only to be murdered. So, yes, it would be helpful.

I say again, we need to build up that trust. Look, members of Sinn Fein have come so far, and they have done a lot to help bring forward peace and to lift the guns away from here, and that must be given to them—that respect must be given to them. A couple of years ago, I would have said that I felt that life had really changed here for the better and that politicians had changed. Then I had my own circumstance, with a special adviser being appointed. I thought that, maybe, Sinn Fein would do the right thing—that they would look at me as being a human being, and they didn't. They were quite arrogant, really, about the situation. I sort of feel that not coming to speak with you today again shows that arrogance and dismisses victims; it dismisses people like me—"Look at that poor girl. She's obviously very traumatised. She mustn't be well." That's what is being said about me—"She must be mental." That is what is said to try to get you to stop speaking out like this, but families and victims are not going to stop speaking out, and I am really delighted that they have found their voices, but they shouldn't have to. We should not have to appear in front of you today; we should not have to be here. This is something that should just be a moral correctness—just what is right. Do what is right.

Lady Hermon: Yes, and we are very pleased that you are here this afternoon.

David Scott: Could I add to that? I just want to say that it appears to me that people like Mr Kelly think that they are beyond the law—that they are untouchable. I think that that message needs to change.

Lady Hermon: So do we.

David Scott: I think they, too, should be held to account for not appearing here today.

Q1164 Lady Hermon: Well, if Mr Kelly, as I say, had nothing to hide, he would voluntarily come along and give evidence, like some of his colleagues—Raymond McCartney of Sinn Fein had no difficulty coming and giving his evidence about 18 months ago. Chairman, we will ponder the proposal about perhaps facilitating a meeting with leading politicians, and we will perhaps take it back as a suggestion for our report.

I am interested in how we restore trust. Obviously, the Police Service of Northern Ireland have a new chief constable coming in, at the end of this month it seems now—a little bit earlier than we were anticipating. How do we help victims have confidence in Operation Redfield, which is going to take a considerable period of time, it is going to be very detailed and is going to look at every single OTR case? If I have understood what you have said to us this afternoon, it is the openness and the transparency. How can the PSNI, as they are reviewing those cases, help build back confidence and trust that the OTR letters haven't gone to the murderer of your family member? Is there a process that they could engage in? Could they write to you to reassure you? Would that be helpful? Could we suggest that?

Ann Travers: Yes. I think that would be very helpful.

Lady Hermon: I know that Chief Superintendent Breen and Superintendent Buchanan were the two most senior RUC officers who were murdered along the border, and certainly I understand that the lawyer of at least one of those families believes that the possibility is—as probably every family of someone who has been murdered suspects and has no evidence to the contrary—that their loved one has been murdered by somebody who has now got an OTR letter. That is a suggestion that perhaps could be useful as well for us to take back.

May I now direct my comments to Mr Beggs and Mr McNamee?

Chair: Questions, please.

Q1165 Lady Hermon: Yes, it is a question. Am I right in thinking that the Commission for Victims and Survivors in Northern Ireland is actually appointed by the Office of the First Minister and Deputy First Minister?

John Beggs: Yes.

Q1166 Lady Hermon: I knew it was, but you have confirmed that. When you heard about or even read the Downey case and discovered that this administrative scheme giving these comfort letters had been in operation since as late as 1999 and certainly by the beginning of 2000, obviously with the knowledge of the now Deputy First Minister, Martin McGuinness, how did that make you feel? He was responsible for the appointment of the commission—he is one of those who are responsible for the appointment of the commission and, indeed, the victims commission—and never let on that he knew anything about the OTR scheme. Whichever of you wants to answer first, or does one of you want to answer on behalf of the other?

John Beggs: As I said in the opening statements, the announcement of the scheme was certainly a shock to the commission. The timing of that announcement around work that the commission had been doing for some 18 months or two years on trying to find a strategic way around dealing with the past, the pursuit of justice—

Q1167 Lady Hermon: And when you say dealing with the past, did you spend a considerable amount of time dealing with the issue of OTRs as part of dealing with the past?

John Beggs: No, not OTRs specifically.

Q1168 Lady Hermon: You hadn't wasted time on that issue? You hadn't spent time on it?

John Beggs: No, as it emerged, and we understand that these reviews are ongoing, we haven't spent any time until we hear what the findings and the outcome of the two reviews will be. Then we will come together again and, with the forum, consult on the way through it. But it was certainly a shock to us initially. We had provided advice to the First and Deputy First Minister—policy advice on issues relating to victims and survivor—and certainly part of our advice on dealing with the past is a lot of work around the pursuit of justice and being sure victims have the right and the opportunity to seek justice. So certainly from that perspective we have concerns, but as it is ongoing advice, we have not had a response back yet from the First and Deputy First Minister on our dealing with the past advice. It is something that is on our work programme and we will actively pursue because it means a whole lot. As you have heard from Ann and David today, it is such a critical issue that we need to address.

Q1169 Lady Hermon: But can I just repeat the question? Has the revelation from the Downey case, that the OTR comfort letters have been in existence for an awfully long time, damaged the confidence that you might otherwise have had in the Deputy First Minister, who knew all about this scheme all along?

John Beggs: Commissioner Stone has recently issued a press statement on this and certainly we have felt over the past number of weeks, and as information comes to the fore on this issue, that there is a loss in trust and confidence on this issue.

Q1170 Lady Hermon: Had it any part to play in Kathryn Stone's decision to leave the post?

John Beggs: Certainly not. Kathryn Stone's decision to move on is for another job opportunity and that reason alone had no bearing on her decision.

Q1171 Lady Hermon: Could I ask David and Ann about the impact of the OTR scheme on each of you and the fact it has been going on for such a considerable period? How do you view Martin McGuinness, as our Deputy First Minister? You do not have to say if you do not want to.

Ann Travers: To be honest, I am very disappointed in him—not just because of this. I am disappointed that he does not seem to quite understand how detrimental it has been to victims of IRA violence. Mr McGuinness likes to say how much work he does with people from different communities and how far he has come but he has not—to my knowledge—met with victims like me. He has not requested to meet to explain about the OTR letters.

Q1172 Lady Hermon: Would you like him to do that? Would that be helpful?

Ann Travers: There would probably be people who would not want to meet him but, as I said at the start, I like to face things head on and I like to know what I am dealing with. I like to think that I can see through somebody if they are not being entirely honest with me. So, yes, I think it would probably be helpful.

David Scott: We have talked quite a bit about truth, haven't we? I do not think that anybody can ever trust a word the man says. It may be—this is very difficult—irreparable damage. I am sorry but you are dealing with folk who have borne the brunt of a dirty terrorist

campaign. All they have left is a photograph and a headstone to visit. How do you trust someone if their party cannot come here today and face this Committee? I am sorry but I do not have trust in that.

Chair: Before we move on, Sinn Fein notified me over the weekend that they were not prepared to come to this Committee. I now have to write back to them and, perhaps, correct some of the misapprehensions that they have about this Committee—about the way it works and the way it is set up. That is a process we are taking forward; it is only right for me to point that out at this stage.

Q1173 Oliver Colvile: First, I thank you very much for coming and expressing your case and the history of what happened to you and your family. You have my condolences. I will just make one small point: there will be a number of people who are in very senior positions making decisions about the on-the-run letters and who will be appearing before us, I hope, in the House of Commons. You may want to make sure that a number of you are there so that they can physically see you as the victims and what the implications of their decisions were. You may want to take that on board. There are two things I really want to talk to you about. First, are you very shocked that Sinn Fein was able to bully the British Government in the way it ended up doing?

Ann Travers: Absolutely. I was brought up to live by the rule of law. That was how my father brought us up. I am quite disgusted that these sort of deals were done and it lets down all those thousands of people who were murdered and the families that were left behind. Those senior politicians should be thoroughly ashamed of themselves because, while they may think they were doing something for a peace process, I view it now that they were looking for some kind of Nobel peace prize and to get a pat on the back for what they did. They had absolutely no thought or consideration for those mothers and fathers who have been left without their children, the brothers and sisters or the daughters and sons who were left without mothers and fathers. I think that they need to be held accountable, and I really hope that whenever they appear in front of you they tell the truth and that they do not give excuses. I do not want them to give excuses and say, “Oh it was for this.” They need to look at us and see what they have done. They have broken people. There are people who are sitting at home, broken. They are devastated. My own mother would say to me, “Sure they don’t care, but Mary doesn’t matter.” It is heartbreaking for me to hear my elderly mother say that. It is how many, many, many men and women feel in this country and beyond and in the UK and over in England, such as those who had loved ones blown up in Birmingham. They feel exactly the same way; as though they don’t matter any more, which is just wrong. I would not wish harm on anybody, including those who wish harm on my family. I really hope that they are open and transparent.

Q1174 Oliver Colvile: I have some understanding of what you are going through for the simple reason that I was based in Harrods during the incident in the 1980s and I was also in Brighton and left the Grand hotel about 10 minutes before that incident took place, so, believe you me, they have tried to have a go at me—perhaps not me specifically, but it was a group of people.

David, do you want to add to that comment?

David Scott: Absolutely. I just ask them to search their conscience to find what justification they have to rubber-stamp or give a seal of approval to letters to let terrorists off the hook. As Ann rightly says, we were brought up in Christian homes and were taught to respect the rule of law. You are taught the basic moral of life, which is that if you do wrong, you are punished for it.

Q1175 Oliver Colvile: My personal view is that a strong country is one that has an independent judiciary and a non-corrupt police force. One of the things that may have come out of all this—I have said this on several occasions in this Committee—is that by making decisions to do what they did end up doing and by issuing on-the-run letters, they may have actually stopped that judicial process from being able to work properly. Therefore, there is a real threat that what has actually happened has been a perversion of the course of justice. I would be grateful for your comments on that.

Ann Travers: I just want to say that there will always be people who are unhappy with the police—always. I have always supported the police. At times, I have maybe been disappointed at decisions that have been made, but generally and on the whole we have very good men and women who serve in the police force. They deserve our support, but they also deserve to be held to account. I cannot emphasise enough just how the OTR letters seem to be nearly the final nail in the coffin for victims. We have honestly had enough. Nobody is getting any justice. Nobody is getting any prosecutions for their loved one's murder. We just keep on seeing that those who are responsible for putting us in the situation that we are in now—as in today—seem to be continually rewarded or let away with or can say, "We don't want to speak to you," or "We can do things behind closed doors." That has to stop, because we need to build up trust. When that trust is built up, slowly, I think things will move on.

Just before I finish, I know that if I had an acknowledgement that there was absolutely no justification in attempting to murder my father or in the attempted murder of my mother and the murder of my sister—if I had a, "Sorry. It wasn't justified. We should never have done it. We wish that we had sat and talked sooner," that would be a very small step towards healing, because, as David says, we cannot live in the past and not one of us wants to.

Oliver Colvile: The other point, which I just made to you, is that I represent a naval garrison city with not only the Royal Navy, but the eminent, brilliant Royal Marines, a number of whom came and served in Northern Ireland as well. They will be sitting there also thinking, "Why is Sinn Féin allowed to get away with some of this when, frankly, we still have the sword of Damocles hanging over our heads, too?" That is a point that is incredibly important for people to recognise during the course of this inquiry.

Q1176 Kate Hoey: Can I thank you, too, and add to what Ian said about the powerfulness of what you all have said—Willie Frazer, Kenny Donaldson—because all of the victims speaking out is so crucial. The ignorance that there is within the British Parliament in the UK on this issue is quite sad.

You said, Ann, that Gerry Kelly perhaps felt that he was above the law. Does it ever occur to you that Gerry Kelly, Martin McGuinness, Gerry Adams perhaps, are above the law and have been given some form of commitment in many of these secret deals that went on that they would never be charged with anything?

Ann Travers: I think that is what an awful lot of families do believe, but it is wrong. Maybe this is a good thing. Maybe the Downey case has been a positive thing. Maybe it is a watershed where we change it so that nobody is above law—nobody. Everybody must be held accountable and everybody must take responsibility for their own actions and not try to pass it on to others. For a lot of families there have certainly been a lot of discussions. People wonder what other deals have been done. Again it comes down to that trust: who do we trust?

Q1177 Kate Hoey: That brings us on to trust in Northern Ireland and the situation today. Some politicians like to present it as being very rosy and it is obviously hugely better, but it is still not just a divided society but one with possibilities of problems and issues arising at any time. How much trust do you think victims and families generally and the pro-Union community in Northern Ireland can feel that whatever is happening today is not one-sided, or slightly more one-sided, given what has happened in the past, in terms of decisions being taken by the DPP and the Attorney-General and such things? Do you think there can now be real trust in the institutions?

Ann Travers: I don't think at the moment that there is much trust in them at all. I do think friends of mine in the Unionist community and various victims' groups would say that they feel that it is very one-sided. However, I believe that everybody has got the right to justice. I think those families who want to have inquiries for things that the British Army did are absolutely entitled to have those inquiries. Inquiries are important because you get to ask the questions that you want to have the answers for.

I find it very sad that we seem to be at this stage where nobody feels that they can trust. They don't know who to turn to or what is going to happen next. That is why I welcome this inquiry. I have watched just a bit of it and some of the things that have been said are quite shocking, but it can only help to heal. The more we have these conversations, the more that we can heal and perhaps build up that trust again.

David Scott: Can I just add that justice should be a right to those who have suffered and are bereaved? It should not have to be sought for or fought for by the victims, but that is apparently what they appear to have to do on a continual basis. Part of my explanation as to why they have been driven further back is because of that lack of trust. The OTR scheme was probably the cream on the cake that pushed them to the limit.

In all sections and all walks of life we look for accountability. In everything that we do, be it in our employment or our voluntary community organisations, we seek accountability, but there appears to be no accountability in relation to this particular topic. There appears to be a big drive and emphasis placed on the fact that you've got to keep the troublemaker at bay, you've got to keep the peace with them, you've got to keep the lid on their potential actions, because the victims ain't going to do much harm. Many people's perception appears to be that it is not they who are going to create much difficulty—these people who have been affected by the troubles are going to be no bother—but there is a bigger and greater risk from those perpetrators who might perhaps ignite the flame again. So all measures have to be taken to keep that fire at bay. That is the perception.

Q1178 Kate Hoey: A form of peace at any price, or the end justifies the means?

David Scott: Absolutely.

Q1179 Kate Hoey: Tony Blair is ultimately responsible for all of this. Tony Blair and Gerry Adams could be the two people who actually are responsible for this all being the way it is. The Northern Ireland peace process is probably one of the last crowns on Tony Blair's head. My former leader has been derided on Iraq and a whole number of other issues, but he has this still hanging over him: that he solved Northern Ireland. Do you think this on-the-run situation could be the end of that halo, or the slipping of the halo?

Ann Travers: I can tell you, the amount of people I know who could well have a dartboard up in their bedroom somewhere—

Kate Hoey: As long as it's only darts.

Ann Travers: Certainly, a lot of people feel very let down. Politicians and Government are supposed to look after the most vulnerable in society and, for me, the victims of what happened in Northern Ireland are among the most vulnerable in society. We still seem to have to fight for everything. We fight for services; we are having to fight now for truth and justice; and we are having to speak up every time that something is hitting us between the eyes. Personally, I feel very let down by what Tony Blair did and wonder exactly what other deals went on. That is why I was saying earlier that I would like to see papers released from that time, just to know what exactly went on.

Q1180 Kate Hoey: Is it the deceitfulness of the whole thing that really gets to you?

Ann Travers: Yes, and the dismissiveness towards victims.

David Scott: Very much so.

Ann Travers: Basically, you have to accept it if you want to have peace. That is what we have had to sacrifice. But, you know, we have sacrificed the most. We have sacrificed: not only have I personally lost and sacrificed my sister, but I have sacrificed my education and I have sacrificed the career that I should have had; I have sacrificed parts of my mental health, probably. We have sacrificed the most and I don't believe we should have to sacrifice any more. I plead with you to ensure that this never happens again and to ensure that there is transparency and accountability for all.

David Scott: If I could add to that and say that the condescending nature of some of the comments and statements from some people certainly adds more misery to those who have been hurt the most. It is that continual statement, "Sure, do you really want to live in the bad old days again? Do you really want to really want to bring those bad old days back?" when in actual fact, we were not the creators of the bad old days. We were protectors of law and order and our families were involved in that process.

Ann Travers: We also get things like, "You either accept the Good Friday Agreement or you don't." So if you speak out, you are in some way wanting to rock the peace process. That could not be further from the truth for victims of violence. There is no way any one of us would want to go back to what we had, nor could we could wish it upon another human being.

David Scott: Somebody quite recently said to me—Ann has just brought it to my attention—"We appear now to be the troublemakers." That sort of gives you a reflection as to the attitude of the victims. They are now asking, "Well, what have we done wrong? Why is our past so much under scrutiny and question, when these other folk, who were the perpetrators, are being glorified?"

Q1181 Chair: Your overall point would be that sweeping things under the carpet does not lead to peace.

David Scott: Absolutely.

Ann Travers: Absolutely. Definitely.

Chair: Hopefully, the last question. Nigel.

Q1182 Nigel Mills: Just to finish, perhaps, the direction Kate was taking, would this have been a deal-breaker back in the Good Friday Agreement? If it had said, “It’s a two-year maximum sentence and they get out, and all those on the run get away with it” would that have been a deal-breaker, do you think, for the peace process? If it had been transparent, would you have just said, “Well, it is one more bad thing, but we will take it, to get there, to get the peace”?

Ann Travers: I think that people were desperate back then. I think they were so desperate for the murdering to stop that they were nearly down on their knees just pleading for it to happen, and they perhaps would have accepted things without even realising what it was they were accepting.

As I have said, earlier on, the trauma of losing somebody—either being involved in an incident yourself or losing a family member—is so huge that some things, you just would have believed that the politicians were doing the best thing for you, and that it was right. It is only afterwards—I suppose maybe we should have been given a cooling-off period, maybe. You know, like a day to have had a bit of time to actually think and realise what the consequences actually meant; because I think as Naomi said earlier, people accepted the release of the prisoners in the Good Friday Agreement. They didn’t like it, but they accepted it because they thought, “Well, if no one else is going to be murdered then we will accept it.” Equally, it is difficult whenever you see the person who was responsible for murdering your loved one in a well-paid job and getting on with their life, and you think that your family member was not even given the opportunity to even get married or even start their career.

So I don’t know if it would have been a deal-breaker or not, is what I am saying. I think people tend to, at times of absolute desperation, just to have peace, just to have that quiet time—perhaps might have accepted it if they had known about it. I don’t know.

Q1183 Nigel Mills: The fact is the deal was some kind of justice, no matter how limited.

Ann Travers: But because it was kept quiet—obviously it was kept quiet because they knew it was wrong. I mean why do you keep things quiet? Why do you do things without telling anybody? Why do you slip the brown envelope to somebody? You know it is wrong. You know in your gut it is wrong. I do not believe that Peter Hain did not know it was wrong, and Jonathan Powell did not know it was wrong, in their gut, but, you know, maybe they wanted that pat on the back.

David Scott: I think, to add to that, as well, the Belfast Agreement in its own right was written in such legalistic language by and large that ordinary folk did not really understand it. Ann is quite right: the prospect of at least putting a halt to ongoing murder after murder was perhaps the most focal point in people’s mind. But whenever we were advised by, perhaps, some politicians then of the potential dangers of the Belfast Agreement and what potentially could come in the ripple effect thereafter, I think that was deemed to be scaremongering. So whenever you look back 15-odd years, now, I do not think by and large victims then felt that Her Majesty’s Government would do a dirty deal on them. I think they believed all along that they would be well cared for, that they would be respected and they would be taken care of, because they were seen to be the protectors of law and order.

Q1184 Mr Benton: I do not think there is any need for me to ask the question now, except to say that I was going to ask a question on the same lines that you just received, but I was going to phrase it this way: suppose the position had been really transparent—there had been open discussion, it had gone through Parliament and so forth. Not that I think this would have happened, but if Parliament had endorsed those proposals, how would you have reacted to it then, in a democratic way? I suppose it is more or less the same line; but what I would like to add is that I have been very impressed with this evidence session. I have listened very carefully. It may sound a bit personal but it made more poignant to hear about your late father, Ann; I was a magistrate for 20-odd years in a former life and I can imagine how you felt doing a public service with all its demands and so on, but today's evidence has been very poignant and informative. At the end of the day, how you began your evidence is the key to it all: the openness and transparency of everything. We have got to be emphatic about that and I want to assure you that that is what we are all about. It is about getting to the bottom of it. Thank you very much for your contribution.

Ann Travers: Just with the OTR letters, I do not believe that anybody should get a letter. If somebody has done something wrong, they need to go through our judicial process. I do not believe that a letter should ever have been given out in exchange for peace.

Q1185 Mr Benton: Would you agree with the accepted democratic position?

Ann Travers: I believe in democracy and I have never used a bomb or an Armalite to get my own way, so whatever the public votes for, I will accept.

David Scott: Just like Ann—I would be no different. I was a huge opponent of the Belfast Agreement, but, at the same time, I accepted the democratic will of the people.

Chair: This has been very interesting. You have been very open and frank with us and it has been a very moving session. I hope that we have had a good television audience, because it has been very important. Thank you very much indeed for joining us.