



Northern Ireland Affairs Committee

Oral evidence: [HM Government support for UK Victims of IRA attacks that used Gaddafi-supplied Semtex and weapons](#), HC 406

Wednesday 9 September 2015

Ordered by the House of Commons to be published on 9 September 2015.

Written evidence from witnesses:

- [McCue and Partners](#)
- [Docklands Victims Association](#)
- [Families Acting for Innocent Relatives](#)
- [Innocent Victims United](#)
- [Aileen Quinton](#)

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Members present: Mr Laurence Robertson (Chair); Mr David Anderson; Oliver Colvile; Mr Nigel Evans; Lady Hermon; Kate Hoey; Danny Kinahan; Nigel Mills; Gavin Robinson.

Questions 1-92

Witnesses: **Matthew Jury** and **Jason McCue**, McCue and Partners, gave evidence.

Chair: Mr McCue, Mr Jury, thank you very much for joining us. As you know, we are beginning our inquiry—you are the first witnesses—into the Gaddafi Government’s connection with the IRA, and everything that has come from that. We are very grateful to you for joining us. We have three groups of witnesses just this morning, so we are on a very tight time schedule. I have asked the Committee members to ask short, sharp questions, and fairly brief answers would be very much appreciated, so that we can get through. We will have to finish this session just before 10.15 am, and we will have to be quite strict on that in view of the other witnesses we have to see, but thank you very much for coming.

Lady Hermon: Perhaps the Chair could just confirm that, if we felt as a Committee that it was necessary to recall representatives of McCue, we could do that.

Chair: If we wish in future, yes.

Jason McCue: We would be more than willing.

Q1 Chair: Perhaps I could ask you whether you would like to give us an opening statement, particularly concentrating on how you came to be involved in representing the victims and the work that you have been doing and hope to do. Over to you, but could I ask you to be fairly brief?

Jason McCue: I started this action about 15 years ago. It started because at that time, if you remember, a peace process was underway, which had momentum. One of the things that we felt strongly on was that we had been developing civil law cases, which we believe are a useful tool in counter-terrorism, putting victims against terrorists in the courtroom; so it is not the imperialistic arm of the state, as such, but the victims. It is a very powerful message about our society: that they can stand up to the terrorists and get redress. It is part of normalisation—if you want to come in from the cold, you will act like any other citizen. So we developed this, and we felt that there was going to be in the peace process an inevitability of truth and reconciliation, and forgetting the past to move on.

In terms of the victims of these atrocities, we are talking here 6,000 dead because of Semtex and 3,000 injured. It is a significant number; in fact, it is the largest cumulative number of terrorist casualties throughout time in this country. We felt that it needed some redress if it was to move on for peace and reconciliation measures.

So it naturally came that we felt that the route to go was through Libya. Libya had supplied all the Semtex that the Provisional IRA used in their campaign, and what really started it off is that I happened to have a coffee with Havel, the Czechoslovakian premier at the time, some years ago. He explained that the Semtex was bucket science, and that because of this it had a fingerprint, and you could trace it. He confirmed to me that they had sold Semtex to Libya, and Libya had brought it over on the ships: the Eksund for one, etc. So we realised we could use forensics to trace it into the residue of the bombs, say, on Canary Wharf, or the Manchester or the Warrington bombings, and therefore, there was the germ of a case.

So we sought to put it together. The problem with litigation in the country, as you well know, is that you have to pay for it, and if you lose, you can pay costs to the other side. That is a risk that, if you have been through a bombing and you have lost a loved one or lost a limb—as you will understand—you do not need hanging over you. It meant that the only way we could try to bring justice to them was through America, through a contingency fee arrangement, where, even if you lose, you do not get cost penalties. So the families were all completely protected and did not have those concerns, and we went ahead. I think we issued in 2006, after at least five years of research on the case. That is really how it started from the beginning.

Chair: That is very useful. Before we move onto more detailed questions, Sylvia has a question on the background to what you have just said.

Q2 Lady Hermon: Just a point of clarification: I noticed that when this campaign began—and I am full of admiration for what you have done over many long years—it started out as Jason McCue and H2O. I think that was your company originally. I did happen to notice just

now that it has morphed into McCue and Partners. Is there a difference in the fee arrangement that you have?

Jason McCue: No, it was the same from the start. The name just changed over time; I suppose it was egomania.

Q3 Lady Hermon: So you did not have a major falling out with former partners in H2O?

Jason McCue: No, I did not have any falling out. They were old friends, but they wanted to go different routes. They wanted to do employment; I wanted to concentrate on doing counter-terrorism cases.

Q4 Lady Hermon: So the fee arrangements are still the same: it is no win, no fee?

Jason McCue: Precisely the same. It is the standard terms in America, absolutely.

Q5 Chair: Can I just go back to something I think you said? It was confirmed that some of the Semtex had started from Hungary, was it?

Jason McCue: Czechoslovakia.

Chair: Czechoslovakia, sorry.

Jason McCue: It was in the Synthesia factory. Havel confirmed that to me, and it was sold to Libya in two large tranches, from memory. As you know, they became a rogue state that sponsored terrorism throughout the world, not just in Ireland. It is beyond doubt, as you will know from public records and the speeches of Gaddafi, etc., that he wanted to bring his “rivers of blood” here by supporting the IRA, by providing them with Semtex, arms, and money. He did just that, and these people here are the victims of that.

You mentioned an opening statement; I purposely did not want to do one, but one of the things I would be bold enough to say is that when you conclude your thinking on this, in my opinion, you are going to come to the conclusion that these people were failed by HMG—completely failed. However, I think you are going to come to another conclusion, and the other conclusion is that Her Majesty’s Government also failed in its foreign policy to Libya, and it also failed in its counter-terrorism strategy. I say that because the documents that have been provided to you and the evidence on this, whether oral testimony or whatever, will conclusively prove, in my opinion, that what you see is a policy of arms, oil, and creating a partnership with Libya and Gaddafi that puts justice issues and victims as a complete secondary class in everything.

Time and time again, you will see through the paperwork that when the deal is happening—the big deal in the desert, in the tent, or wherever it is—BP is in that tent, as is an arms company; the Jernas missile deal is being done. One of the documents I handed up, which a confidential source revealed, is an email from Vincent Fean, who was a serving ambassador and ambassador to Libya. He is sending an email to Tony Blair’s office after Tony Blair is out of power, and it is like a private foreign policy outfit where he is being advised, knowing that Tony Blair’s office is out for commercial advantage. Within that, it is very clear that Tony Blair is working with President Bush and Gaddafi to

bring out what is known as the Libya Claims Settlement Agreement, which deprived all the British citizens of compensation, but allowed the Americans, in our case, to get 10 million in damages.

Chair: Can we explore that in a little more detail now, if we may? I will ask Nigel to lead on that.

Q6 Mr Nigel Evans: We know that there have been failures in Her Majesty's Government's involvement. You were looking to go through the US administration route, but the British Government's advice was that this would not be legally possible. You counter that and say it would have been legally possible. Could you say something about that?

Jason McCue: Not only do I counter it, but so does the American Government. Lord Brennan, QC, went out to meet them. There was no reason why the British Government could not have, first of all, petitioned for the British citizens to be in it. There is nothing in American law preventing them from espousing a claim, which is the technical term for it, with another state to bring compensation for a class action. The Americans could have done it. Moreover, there is nothing to date preventing the British Government from espousing claims of British citizens against another state. Indeed, there is in fact precedent and a long history of the British Government espousing claims on behalf of British citizens against other states, and guess what? It is all in instances of commerce: oil and arms.

Matthew Jury: If I can provide one example of that, the British Government very much espoused the claims of the Anglo-Iranian Oil Company, which later became BP, in its dispute over oil concessions in Iran. That is but one example, and as Jason said, espousal is perfectly permissible under US law, international law, and UK law. The US Government could have espoused the claims of British victims.

Espousal is quite a technical term; it means that a Government adopts the claims and takes those claims to court on behalf of its nationals or foreign nationals. That is not what actually happened with the US and the Libya Claims Settlement Agreement. "Espousal" is actually the wrong word. What the US Government actually did is simply lobby and perform very strong-arm diplomacy to ensure that its victims were compensated. Our Government could have done exactly the same thing—that is one point—and it still does not do so, either through lack of willingness or for other reasons; we are not sure. There was nothing preventing the US Government from doing it on behalf of the UK victims. The question is: did the British Government actually ask the US to include its UK nationals? Did the British Government approach Libya to ensure that UK nationals were included in the US Libya Claims Settlement Agreement? These are answers we do not know, and those are questions that have to be asked, and can only be answered by the likes of Mr Blair, Mr Brown, and former Prime Ministers and former Secretaries of State. These are the individuals with the answers to these questions, not us, sadly.

Q7 Mr Nigel Evans: You mentioned that the United States have had their claims settled, and a number of other countries as well, but in the United Kingdom, it was just closed down completely?

Jason McCue: Yes. It never engaged with Libya to do it. The other countries in question—France, Germany, and America—actually made huge diplomatic effort to say, “Before you want to come in from the cold, or whatever, before you do this and that, you have got to deal with this issue”. As we know, the amount of compensation that was given in the case of the American matter you are referring to was \$10 million per victim.

Matthew Jury: A total of \$1.2 billion. In respect of Germany, in the case of the La Belle discotheque, \$35 million in compensation was paid for three fatalities and 29 casualties. In the case of the French compensation for UTA 772, that was \$170 million for 170 fatalities; that is \$1 million apiece. It is not about the money; as Jason said earlier, it is about justice and accountability. But the point is that France, Germany and the US ensured that the suffering of their victims was addressed.

Q8 Mr Nigel Evans: Have you got any evidence as to why the British Government did not take a stronger line with the Libyans?

Jason McCue: Yes, it is fairly clear from the materials. If we refer to the email which we have disclosed, it is actually quite useful, because it clearly shows that the British Government is putting the Jernas deal first. I would take you to the paragraph which says, “Four justice issues, MOUs which were signed”—and it says the Foreign Office is telling Tony Blair’s office, “You go and tell them that we are not going to implement those four justice issues, whatever they were, unless they sign the Jernas missile contract”. It goes without saying.

In relation to this victims case, we were messing up diplomacy on something else. It was another thorn in the side; they did not want to do it. They never made the approach. Bush did: he said, “Right, we want to do oil deals”. He went to Congress and said, “We want to bring Libya in off the designated list”, and Congress were the saviours. They stood up and said, “Yes, we agree on that foreign policy, but you must bring out the Libya Claims Settlement Agreement, which brings \$1.5 billion to compensate the victims of those claims, if you want to stop those claims”. Gaddafi was saying, “I cannot possibly do oil deals with you while I have \$6 billion or \$7 billion of terrorist litigation against me in your country”. So they stopped it. Congress saved it.

In this case, there was not even an opportunity for Parliament to say anything, because the British did not engage to say, “We want this to happen”. We are looking now to Parliament to try to act like Congress: not only for this Committee to be a balance against what has gone on, but also to think outside the square on this and say, “Well, what could be done?” We can go on to that at a later stage.

Q9 Mr Nigel Evans: So at that time, it was closed, but it could be reopened with political will?

Jason McCue: It certainly can, yes.

Matthew Jury: At that time, we received a letter from Gordon Brown. I think it was in August 2008. He said that the UK simply could not espouse the claims of its nationals, because it was private litigation. The US could not do so. It had approached the US to see if UK victims could be included in the deal. However, we have gone back, historically,

over all of our notes of meetings, etc. You have had our submissions, which are quite voluminous; apologies for that. But in June 2008, two months before that letter was written, there was a meeting with the State Department, just before the Libya Claims Settlement Agreement was signed. It was a meeting between our counsel, Lord Brennan, and our American lawyers with the State Department, and the State Department advised us that they knew nothing about our case whatsoever.

Jason McCue: Nothing about it. You will see a reference in that email—was that two days afterwards?

Matthew Jury: The email from Fean to Blair, I think, is only two days after that.

Jason McCue: It was two days afterwards. It is clear they know about it, because they are talking about it, saying, “This will have an impact on the UK victims, which Tony is going to go and talk to Bush and Gaddafi about, and make sure it happens”. And the Act was passed but a month later.

Matthew Jury: August, yes.

Jason McCue: Now, as you can imagine, with an Act being passed and a month’s difference, that means that if the UK and Gordon Brown’s letter is correct, the UK could only have made formal petitions right at the end, after the Act was in draft, which was too late. The negotiations were months earlier.

Q10 Oliver Colville: First of all, can I thank you very much indeed for coming to see us, and giving up your time? Can I also give my sympathies to the families of the victims as well? It is something which we do need to put on record at a very early stage. So can you just talk through with me, then, when the selling of Semtex from Czechoslovakia to the Libyans began?

Jason McCue: Yes. I actually cannot remember the dates now.

Q11 Oliver Colville: Are we talking about when the Soviet Union was in place?

Jason McCue: Yes. It is way back. Semtex has one of the remarkable qualities of not going off.

Lady Hermon: It does not degrade, unfortunately.

Jason McCue: Yes, exactly. Thank you.

Matthew Jury: Indeed, any Semtex that is being used to build bombs now is still Libyan Semtex.

Q12 Oliver Colville: So is it your perception that there would have been senior politicians within the Soviet Union who would have been interested in trying to encourage the IRA and giving them the abilities to do that, because they saw this as another version of the Cold War?

Jason McCue: That theory is not unfounded and unsupported by lots of other efforts that have come to light about Soviet Union penetration into the Northern Ireland Troubles. It did happen; whether it happened in this instance, I do not know, but I think we have to compartmentalise this.

Let us focus on Libya. Libya wanted to get its own supply of Semtex. It bought it from Czechoslovakia, and Czechoslovakia was then behind the curtain. I do not think there was any foreseeability from the Russians at that point that Libya would give it for free to the Provisional IRA. I do not think that could have been in the make-up. Maybe they thought they would give it to terrorist groups; of course, they were supporting Abu Nidal, etc.

Q13 Oliver Colvile: Which other terrorist organisations would Semtex have ended up going to, apart from the IRA?

Jason McCue: We were able to show that it went to the Abu Nidal organisation, and also to what became a Hamas offshoot, which was an Al-Quds group.

Q14 Oliver Colvile: So is there still quite a large supply of Semtex running around the Middle East, as well?

Jason McCue: One of the things, now, with the disintegration of Libya, is that not just Semtex from back then but missiles that were sold in the intervening period, during the Gaddafi entente cordiale, are probably now on the market, and probably will be used in the war on terror against us. I am sure that is a possibility.

Q15 Kate Hoey: Welcome to the Committee. Just very briefly, why do you think Tony Blair—when he was Prime Minister, and visited Gaddafi from, I think, 2004 to 2007—did not raise this issue at all? Is that right? Is that what we know?

Jason McCue: We did not start until 2006, but in 2004 there were general petitions. In fact, in the House, there were a few questions raised by some MPs, saying, “You should talk about victims of terrorism”.

Matthew Jury: It was immediately before his trip.

Jason McCue: Yes, it was before that original trip in 2004. But I think in 2004, quite honestly, there was this giddiness and excitement about bringing Libya in out of the cold. It had been an enemy; we would get the WMD; we would do all of this, and actually, that would happen. If you remember, at that time, we were very concerned about the supply of energy. We kept looking more and more towards Russia; we wanted to find it from the northern Mediterranean. This was almost the drug that could solve everything.

You had statements from the Prime Minister—Blair at the time—that I found quite remarkable. I understand diplomacy and negotiation, but Blair was suggesting that this was a partner for life, and someone we could work with. You are thinking, “Well, he brought down Lockerbie. He has killed 600 people with his Semtex here. This does not sound like a partner for life.” I think Blair just did not want anything to rock the boat. In 2007, he went into the tent and he came out with the BP deal and the Jerns deal. That was

on the table. By the way, in the tent were BP executives and arms executives, but none of the victims. We had made it known very clearly, and written to the Foreign Office about this case, saying, “This must be resolved if business is to be successful. If we are to have reconciliation between our two countries, you cannot just sweep this under the table and push it aside.”

Matthew Jury: It is important to note that Jack Straw, who was Foreign Secretary at the time, was asked, “Will the UK take the same measures it took on behalf of the Lockerbie victims by lobbying the UN?” Mr Straw’s answer was an emphatic “No”, with very little explanation—indeed, no explanation whatsoever. It begs the question, “Why?” It is unfathomable as to why not. That has to tie in, also, with the question of why Mr Blair did not lobby on behalf of UK victims when he met Gaddafi in 2004.

Q16 Kate Hoey: Can I just check now? That was before Labour lost the election and Blair was no longer the Prime Minister. Can you just take us through how the Foreign Office attitude changed, or did not change, when the Government changed? I am trying to get at whether this was a specific way that the previous Government under Tony Blair behaved, or whether it changed in any way after 2010. A unit was set up; did that make any difference?

Jason McCue: That is a good question. If I may just lead up to it, under the Blair administration, the FCO and Blair did not even answer our letters or have a meeting, during those years. When Brown came in, he did answer them, and it was basically negative: “We cannot get involved. We cannot help.”

Then, to understand what happened, you need to go to the summer of 2009. If you remember, the Megrahi matter was going on. That was becoming a thorn, and the Government needed to bring more victims onside, particularly because they were going to be in an uproar over the release of Megrahi, etc. Out of that, through discussions with Brown, we ended up with a dedicated Foreign Office unit, which was set up solely for the 150 claimant victims in our case to seek redress. It was set up—I am almost quoting verbatim—to support us, facilitate meetings in Libya, and help us with our trips to Libya, etc. The unit started off with some enthusiasm, but natural condemnation towards ourselves. I do not think the Foreign Office really liked working with outsiders and lawyers; we were seen as a bit of a pain, and all that sort of thing. Nevertheless, we trundled along. This was during the Gaddafi era, at the start. However, although the unit was there, who was the person we were taking advice from? We were having these video conferences with our man in Tripoli: the ambassador, Vincent Fean, who was on the email.

Lady Hermon: Good grief.

Jason McCue: Exactly. So there we were, discussing our tactics with this man, and how we were going to try to get the Libyans to pay this with this unit. This was with parliamentarians—MPs and Lords. Never mind us lawyers; you can mislead us lawyers all you like, but this was MPs and peers.

Q17 Chair: Mr McCue, is that the time you and I worked together a little bit on this? I cannot remember the exact year. Which year was that?

Matthew Jury: 2009.

Jason McCue: I think it is around that time. I think it was around then. What you ended up with was that Gaddafi would not let me go to Libya; I was a persona non grata. So we had to decide who would go over. Kindly, a group of MPs and peers went, and who was the host in their discussions? Who led them and advised them? Vincent Fean. Read the email; it is astonishing. They never told the parliamentarians. Lord Bew made a very prescient statement when he came back, not knowing about this email. He said, “We felt that throughout our visit the Libyans knew more about the British foreign policy towards Libya than we had been informed”.

Matthew Jury: Specifically in respect of the compensation issue.

Jason McCue: Yes.

Q18 Lady Hermon: Do you think we should invite him as a witness in front of the Committee?

Jason McCue: Absolutely.

Q19 Lady Hermon: I just have a couple of questions at this stage. It is a very complex situation and set of circumstances that you have described to us. The evidence that you have given us so far is deeply concerning and very troubling indeed. What makes it more complicated, as you read through the papers, is that the British Government appear to have distinguished between victims. I just want to ask you what justification there could possibly have been for the British Government to have sought and obtained, quite rightly, compensation for the victims of Lockerbie—which, in fact, you just alluded to—and also, quite rightly, in the end, compensation for WPC Yvonne Fletcher, but not the other victims of Gaddafi-sponsored IRA violence and terrorism, from which they have suffered and carry the scars to this day? What possible justification can there be? Even if it was oil, there was not a complete ban on compensation. They appear to have been picking and choosing victims, which is really deeply upsetting.

Jason McCue: There are a number of reasons, in my view. First of all, I will just reiterate how difficult it was to run this campaign, while at the same time trying to say, “Those victims deserve it, but why have these other victims not got it?” It is a very awkward thing to do, and it was troublesome. I think one reason is timing. Because of the Lockerbie date and Yvonne Fletcher being more historic, they had been issues on the table before the 2004 talks came through, if you see what I mean, whereas our case only officially started in 2006. There was a historic reason, in fairness, why it was not there at the beginning.

Now, that does not mean that our case should not have been there to prick the conscience of the Government. A sensible Government should have been thinking about it, and should have been saying, “We are in a peace process in Northern Ireland. This is part of the process with the guy who supplied the weapons. We should deal with this,” and it was not. Why was it not? I don’t know. I suspect it was because of reasons to do with the peace process—the greater good, and things like that, and not wanting to rock the boat. You can imagine that if information was coming out, with our case gaining publicity, and it was about the Provisional IRA bombing people on the streets of Belfast, Manchester or

Warrington, these things are not liked during peace negotiations and in those sensitive periods afterwards. I certainly got the distinct feeling that these victims were this Pandora's box, from which all sorts of problems and other issues could come out.

Q20 Lady Hermon: That is very interesting. We know some of what Tony Blair has done; could I just bring you to the period when Gordon Brown was the Prime Minister? There was a letter that is dated in the papers 11 September 2008. There is a very puzzling part at the end of that letter. This would be during the peace process; Northern Ireland was quite stable by this stage. At the very end of Gordon Brown's letter—and I am quoting from it; it was addressed to your firm—it says, "Furthermore, as you know, Libya has answered questions about its involvement with the IRA to the satisfaction of the UK Government". What in heaven's name does that mean?

Matthew Jury: It is an utter nonsense.

Jason McCue: That whole letter was nonsense. It was basically saying they could not get involved with helping a private action; as we have explained, there is plenty of precedent for that, so that was nonsense. It was also defending against the point that the victims had made in their campaign, that the Government was putting oil and arms and business before them, so he is trying to answer that.

I think I know what that last reference is. The reference is to Libyan intelligence, in an earlier period, before the peace process had been sealed in 1997, providing a list of armaments that they had given to the IRA. So when Chastelain, etc., were doing the decommissioning thing, they did not have a clue at that point. No one knew.

Q21 Lady Hermon: So this was really to supply an inventory of IRA weapons?

Jason McCue: They had given an inventory, and it is wholly irrelevant. It is nothing to do with victims, or victims' justice or compensation. I am absolutely sure that is what it is a reference to.

Q22 Lady Hermon: Do you think that, in fact, when the IRA claimed that they had decommissioned their weapons, someone stood with an inventory and ticked off what was decommissioned against the list that had been supplied?

Jason McCue: I have been told by people who were involved in that that the majority of one of the inventory lists was the Libyan list.

Q23 Lady Hermon: Would your source be reliable? I am not asking you to name them, but the source would be reliable?

Jason McCue: Yes, they would.

Q24 Gavin Robinson: Thank you, Mr McCue and Mr Jury, for being here this morning. You have very comprehensively dealt with the paucity of the arguments around whether a claim could be brought in the United States or not, and we are grateful for the rightful pursuit

of justice and recourse that you are seeking for victims throughout this United Kingdom. Libya has changed somewhat—you have referred to the transition and turmoil that has taken place—and, therefore, finding someone with whom to settle is a difficult proposition. The prospect of using seized funds or frozen assets here in the UK to compensate victims has arisen, although there now appears to be a UK Government view that that, similarly, would be unlawful or impossible. Referring back to the initial deconstruction of the arguments from 2007, 2008 and so on, what is your analysis of the view that it would be impossible to use frozen assets?

Jason McCue: Thanks for giving me the opportunity to actually make this point. My belief now is that Parliament's chance to be like Congress on the Libya Claims Settlement Agreement lies in pushing for an Act of Parliament that enables frozen assets of a terrorist or dictator—in this case, Gaddafi—to be used to pay the compensation to these victims. We have information that there is a fund containing £900 million of Gaddafi's funds here, which has been sat, not earning interest, and which is in management. We would like that to be used.

Lady Hermon: £900 million.

Jason McCue: £900 million is available. When we asked the Government how much money it was, they refused to tell us.

Matthew Jury: We applied through a Freedom of Information Act request.

Jason McCue: “How much money of the Gaddafi regime is being held in this country?” They refused.

Q25 Lady Hermon: So did the Freedom of Information Act request bring the answer of £900 million?

Jason McCue: No, we spoke to somebody who knew of one particular fund, which is frozen.

Q26 Lady Hermon: What about the FOI request?

Matthew Jury: We were given no information whatsoever.

Jason McCue: None whatsoever.

Gavin Robinson: Sorry, you were still in the middle of your answer.

Jason McCue: It is possible. We suggested this to Kim Darroch, under the last Government—the coalition Government—and he came back and he said, “No, legal advice is that it is not possible under international law”. I do not know by name who their lawyers are, but it is possible under international law. It is rubbish, and there is precedent for it. America has done it on numerous occasions. Maybe you can give a few examples of that?

Matthew Jury: It has been done on multiple occasions by the US, in respect of compensation for victims of Saddam Hussein's regime; in respect of victims of Iranian and Cuban terrorism; and more recently, in 2011, Congress passed an amendment to the

Consolidated Appropriations Act—it is their budget Act that they pass every year—which was for the use of frozen funds to top up the fund that was set up under the Libya Claims Settlement Agreement, because there was a shortfall. So money was taken from frozen assets in the US to compensate US nationals for Libyan terrorism. That was what was done.

If I may say so, the Government has said to us that the US could not espouse claims on behalf of foreign nationals, and it could not espouse the claims of foreign nationals. That legal advice was a little lacking, so we do not have a great deal of confidence in its advice on frozen assets. Moreover, I have asked several times for a copy of this legal advice from the Government, as to why frozen assets cannot be used, rather than just this ipse dixit response: “Just because we say so.” We have been refused. They just will not give it to us.

Jason McCue: Incidentally, when the Foreign Office unit was set up, it was also to have legal advice from the Foreign Office to support us and help us with the campaign. We never saw any.

Matthew Jury: Exactly that. If I can add to that, William Hague, when he was shadow Foreign Secretary, gave David Miliband, when he was Foreign Secretary, quite a hard time over whether the Foreign Office would provide us with legal advice on certain matters. Mr Miliband said, “No,” much to Mr Hague’s chagrin at the time. However, that attitude seems to have changed entirely.

Q27 Kate Hoey: So the Foreign Office policy stayed the same, no matter who was in Government?

Matthew Jury: Yes, I suppose so.

Q28 Gavin Robinson: Without wishing to put words into your mouth—so reconstruct this whichever way you want—is your argument that arguments were constructed to frustrate the pursuit of justice and recourse by the Labour Government; you have been asked about a change in Government and a change of approach, and that the Conservative Government, in your view, are doing the same thing? Would you agree?

Jason McCue: Exactly the same thing.

Q29 Gavin Robinson: Whilst I could never agree with the reasons, there are explainable reasons, because of the energy considerations and the sale of arms and so on, back in Labour’s day. Have you got, in your view, any reason why the Conservative Government would be taking a similar approach to try to frustrate the efforts?

Jason McCue: First, we were always told by consecutive Governments that there are issues of national security. It is the usual thing you get in our position: “We cannot tell you about it”. There were issues of trade, which were very important to the national interest, and friendship with Libya. But I would ask you to look at the facts now. Where is the Jerns £400 million deal? It had not happened. Where is the BP deal that was going to make £13 billion? It is not happening in that country anymore. Where is our special relationship with Libya? It is zero. Now, what have we missed? £400 million to these people, who then could have been using this to recreate their lives after having them

destroyed by this rogue regime. It is an incredible incompetence of positioning and strategy.

Q30 Danny Kinahan: Thank you very much for coming today. I know very much that justice is what many want—not just the funding—but if you do not get help from the Government here, do you see any way forward? Equally, in the future, when Libya has a more stable Government, do you see ways forward then, with future deals being a way to go forward?

Jason McCue: I would like to think we are able to say that, somehow, we will find a way, but 10 years since the action, it is rather exhausting. We have hit blind alleys. The situation suggests that victims who have got money off Libya all had their claims espoused and pushed by their respective Governments, and we have not had that. To give an example of times where we lost hope, we even went on a trip to Benghazi two weeks after the revolution to meet the new Government and get them to sign an agreement. The Libyans signed an agreement to pay these people. They agreed; they said, “After we have settled down, and we are out of the war”—because there were bloody missiles going off, and everything—“your Government will come, and we will sort this out”. The Government never came. They kept saying, “We cannot do it”, and that is what has happened. If you ask me, even when we go to great lengths and try anything, we then hit a dead wall. If I was being realistic, I do not think the solution is necessarily with us today. It is with the Government or Parliament now.

Matthew Jury: If I can add to Jason’s comments in terms of our frustration, Jason travelled to Benghazi in April 2011, and came back with this agreement from the new Libyan Government to pay compensation. Rather than following up, the Prime Minister told Parliament that the victims would have to wait for the new Libyan Government to get its feet under the table before the issues of compensation could be properly raised. That was in September 2011. On 6 September 2011, the UK sent a trade delegation out to Libya.

Jason McCue: I do not mean to go on about this Benghazi trip, but you would have thought that the unit would facilitate, support, and provide on-the-ground help. They told me not to go. They did not even give me a briefing on the country. I had to get a car in Cairo and drive with a friend right through the desert, through Tobruk. There was no help. We got there; we were looking around, and I had to walk up to where I saw all the trouble happening and go in and say, “This is who we are”.

Q31 Danny Kinahan: Is that agreement still live?

Jason McCue: Yes, absolutely. From the Libyans’ point of view, Jalil, who became the President, has told us countless times that the British Government are not interested: “They have not brought it up with us; they have not pushed it.” It takes a Government to say, “You had better do that if you want all this help”. There is nothing wrong with a Government saying, “You know, you need to deal with this justice issue if you want us to come and help you with your justice issues and reconciliation”. What our Government seems to do is to say, “We will not help you with your justice issues unless you sign this arms agreement or oil deal”, which is highly questionable.

Q32 Mr David Anderson: Could I refer to the letters of September 2008 and October 2008? In the first part of that, Gordon Brown makes it clear that he tried, through the US, to enter into discussions about compensation and so forth, and that he was prepared to at least look at it, whether we should have done it through this country or not. I think that is something we want to take up with Mr Jury, but the Government had actually made the effort through the US law.

Jason McCue: There are two things I would like to say on that. One is in relation to timing, and one is, what is “making an effort”? Do you say, “Can you do this?”, or do you go in and say, “This must be done”? I strongly believe that there was no pressure or real emphasis put behind it, but I also question the timing. I go back to it. On 6 June that year, Lord Brennan is with the State Department, who have not heard of the British victims. On 8 June, two days later, you see that the Foreign Office and Tony Blair are well aware, and are discussing it with Gaddafi to try to facilitate this thing. We then write to Gordon Brown; his answer is September, so a couple of months later. Well, the Act was passed in July.

Matthew Jury: The Act was passed on 14 August, but it is important to note that this suggestion of a comprehensive Claims Settlement Agreement was being discussed as early as February that year between the US and Libya. I would have to check my notes, but I think that is accurate.

Jason McCue: It was.

Matthew Jury: So I think the UK must have been aware of that at that time.

Q33 Mr David Anderson: So we do not know—exactly as you say—how heavily the Government pushed, but they had made an effort.

Jason McCue: They say they made an effort, but if they did, it was literally in the hours before it was passed.

Q34 Mr David Anderson: That is something we can take up with them. I just want to try to get the timelines right. In the same letter, at the end, Brown said to you, “Furthermore, as you know, Libya has answered questions about its involvement with the IRA to the satisfaction of the UK Government”. Did you have any understanding of what questions had been asked, and, if you did not—and I am not blaming you if you did not—did you ask him what exactly he had been discussing with the Libyans to his satisfaction?

Jason McCue: No. As I was trying to explain to Lady Hermon, that is solely to do with the question of armaments—the amount or quantities of arms that had been given. It was nothing to do with the victims. I am absolutely sure of that.

Q35 Mr David Anderson: Then, in the letter in October 2008, again he makes the statement that Libya has answered questions about its involvement with the IRA, and the UK Government was satisfied and the Libyans consider this closed, and they would be opposed to reopening the issue. So, again, on receiving that letter, did you then go back and say, “Can you be clear?” Again, I am not blaming you if you did not do it; we should have been doing

it. There is no doubt about that. But did you then say, “Can you tell me exactly what the Libyans have answered? Have they discussed these people, or have they not?”

Jason McCue: The answer is that I do not think there was a discussion at that time, at all, with the Government.

Q36 Mr David Anderson: Did you actually raise it with Brown, or whoever you were dealing with in the Government, to say, “What exactly have you come to a conclusion with the Libyans on?” So if it was the oil, the weapons, etc., but not the victims, then I would have thought you would say, “What are they doing about the victims? What are you doing about the victims?”

Jason McCue: Yes. The emphasis and inference in all of our correspondence with three successive Prime Ministers is, “What are you doing about the victims?” But the question gets responded to with sympathy. If I were a victim in their situation, I would now be fed up of sympathy, and would be wanting action. There was never any action. But what was amazing is the tone of that letter you refer to. It is quite adamant: “Nothing, nothing, nothing”. Go on a year, and when Megrahi is coming down on the Government of the time, Brown’s Government, and they are all in panic, what does he do? He rings up from Berlin and says, “You are going to have a dedicated unit. We are now going to help you.” What kind of message is this sending to people—to the victims, to the public? What is going on?

That is one of my big points in this. The crying shame in this is that it has shown a failure of counter-terrorism policy. Victims like these guys behind us are front-line troops in the war on terror, to use that phrase. We have a duty of care to them, and yet we do not seem to value them in our society, like others do—like the French or the Americans do. We do not give them that value; we do not give them that respect. We do not see the humanity in them, and their strength in the war on terror. There is no stronger counter-terrorism measure than a victim standing up and either offering forgiveness or calling for justice against those who attacked them—the terrorists. It is not the imperialistic hand of the state, etc. It is a very powerful weapon. But the way this Government have dealt with rogue states and terrorist groups, which Libya was, is to say to them, “Forget about these humans. Oil and arms are what matters.” Of course, that is the terrorist casus belli, and it is policies like that that have been bringing a deluge of terrorism back on to these streets.

Chair: We have literally one minute left.

Q37 Oliver Colvile: I am getting an impression that the big issue here was the peace process. That was much more important, frankly, and the victims were very much at the bottom of the pile. Is that a fair scenario?

Jason McCue: Very fair.

Q38 Oliver Colvile: So who controls the Libyan fund? Is it the Libyan Government that now controls that money?

Jason McCue: Tell me which fund you mean.

Oliver Colvile: The frozen fund.

Jason McCue: The frozen fund? No, the British Government, under the freezing orders.

Q39 Lady Hermon: In your evidence to us, the word that you used—and I wrote it down at the time—was “incompetence” by the British Government. What you have actually described is not something that is incompetent; it appears to be very deliberate. Is it deliberate, or is it incompetence?

Jason McCue: It is deliberate and intentional, but there is almost a wilful recklessness and negligence towards their duty of care to the victims. That is what I meant.

Q40 Lady Hermon: If you were sitting with us in this Committee, and you were drawing up a list of witnesses—the key witnesses that we should be hearing from—who would you start with?

Jason McCue: I would start with Tony Blair.

Q41 Lady Hermon: And? Carry on.

Jason McCue: Vincent Fean. I would have Gordon Brown.

Q42 Lady Hermon: The Foreign Office?

Jason McCue: Foreign Office officials.

Chair: We have got the Foreign Office coming next week. There are a lot of things to think about.

Jason McCue: But sadly, this has gone on for 10 years, and the person coming is new into the office, I believe.

Q43 Nigel Mills: Could you quickly explain to me what role, if any, the UK courts play in this? Presumably we cannot sue the Libyan Government in the UK courts under some international law, or something.

Jason McCue: No. We had issues, as well, because limitation periods in the UK courts are quite short, compared to other countries. Some of these bombings were in the early 1990s—Enniskillen, and others.

Q44 Nigel Mills: So we cannot establish a liability in the UK, effectively. We cannot create a court-approved debt in the UK that we could set frozen funds against, or anything.

Jason McCue: We looked at the idea of saying, “We have the case, all of this history, and we have the Benghazi agreement, which is an intention to pay them”. We looked to see whether we could use that with the Government to work on, and to get a declaration of a court, but these things are not necessary.

Matthew Jury: Can I add to that that the Libya Claims Settlement Agreement is a court-accepted statement of liability towards the UK victims. Under US law, there has been an acceptance of liability, and under judicial international comity, the UK courts would accept that anyway. It is an academic argument, at best.

Jason McCue: Yes. Our victims are accepted, as per the McDonald case.

Q45 Kate Hoey: So there are frozen assets that are sitting here in London banks, legally. If the Government wanted to do something, could we do something with that?

Jason McCue: There is no bar under English or international law, and there is precedent for it.

Chair: Mr McCue, Mr Jury, thank you very much indeed.

Jason McCue: Thank you.

Lady Hermon: We might need you back.

Examination of Witnesses

Witnesses: **Jonathan Ganesh**, Docklands Victims Association, **William Frazer** and **Barrie Halliday**, Families Acting for Innocent Relatives, gave evidence.

Q46 Chair: Thank you very much. Gentlemen, you are very welcome. Thank you very much for joining us. You have seen the time constraints that we are under, so perhaps if I could, again, ask for brief questions and brief answers. I wonder whether, quickly, you would like to introduce yourselves and the organisations you represent, and the reasons for your involvement. Mr Frazer, would you like to start?

William Frazer: William Frazer, spokesperson for Families Acting for Innocent Relatives, and also Families Research and Policy Unit. I am the chairman of it; I have been involved from the word go with this Libyan case.

Jonathan Ganesh: My name is Jonathan Ganesh. I am the president of the Docklands Victims Association, commonly known as the DVA. We work with victims of all terrorist violence, and we do international humanitarian work.

Barrie Halliday: Mr Barrie Halliday, former UDR soldier, a farmer in south Armagh. I work with William, and my full-time job is looking for justice for victims.

Q47 Chair: I wonder if you could perhaps give us a little bit of background to your involvement: why do we have the groups? What has happened? What is the history? It is quite harrowing, I know, but I wonder if you could perhaps give us a flavour of it, please?

William Frazer: I will try to be as quick as I can. I first met the legal team back in 1999. They were involved in a case in south Armagh to do with a senior terrorist, and that was how I came upon the legal team. We helped out with a bit of local knowledge. During our

discussions, one of the things that we discussed was about holding terrorists accountable. Out of that came the idea of what we called “lawfare”. Victims working together all around the world, we thought, would be a good idea to counter terrorism. Terrorism is all about creating fear, and what better way to counteract that than the victims coming together to counter what the terrorists were trying to do? That is how this first started.

Then the legal team came back and said, “Listen, we can actually take a legal action here, in the United States”. That is how it started off, and that is how we went about it. The whole idea behind that was that we had to get a number of people on the writ to get it kicked off, but we needed to find Americans to take that action, which was very hard to do, believe it or not. It took several months to track down an American to take that case, and it basically snowballed from there. That is how long we have been working on it; 1999 was the first conversation about it.

Q48 Chair: We can perhaps explore where you would like to go from here, but the background is that you represent people who have been bereaved or injured by attacks which appear to have been funded or helped through Libyan involvement. That is the background, is it, to your groups?

William Frazer: The background of the group is that they have all been affected by Libyan arms or explosives. Also, what has been overlooked here is the fact that Libya not only supplied the Semtex; it supplied the technology and how to use it, which was then passed on. Numerous people went from Northern Ireland to get trained in Libya. That fact has been overlooked. This stuff is no good unless you have got the technology and know how to use it. These people were taken to Libya and trained.

One of the questions asked there was about Libya, and their involvement in giving these weapons over. It is not just about the weapons; it is about what went with it. Millions of pounds also came to the IRA. The technology and intelligence that they gave to the IRA was just unbelievable. They created one of the most ruthless terrorist machines around the world, and then every other country that was affected by terrorism to do with Libya held Libya to account, except for United Kingdom citizens, who suffered not one act of terrorism but several hundred acts of terrorism. We are completely ignored. The whole reason this took place in the first place has been ignored, as well. I am not saying that we were against the actions of our Government, but Gaddafi made it quite clear that he did what he did because of the actions of the British Government. We suffered for those actions, but we were prepared to suffer to support our Government; however, our Government in turn did not support us when we went through the suffering.

Chair: Mr Ganesh, would you like to add to that?

Jonathan Ganesh: From the DVA’s point of view, it is very important that we do not forget the victims here. Gaddafi’s Semtex affected countless people. We have members in Northern Ireland; I have been to Northern Ireland many, many times. I have been to Manchester; I have met victims all over the United Kingdom, and even in the Republic of Ireland as well. These people desperately need help. These people are fighting, actually, for themselves.

There is a lady in my community, Gemma Berezag. Her husband was working as a cleaner in the Midland Bank. The man is very seriously ill. I believe her family have submitted

evidence to the Committee, and I welcome that. He is in a nappy; he is brain-damaged; he cannot see. I saw him last week; he cannot remember me. I knew him before the bomb and after the bomb. He is not an isolated victim. There are countless people in Northern Ireland, Manchester, and Warrington who have lost children; there are people with horrific injuries, and these people have been basically told by the Government, “You will fight and campaign for yourselves”.

We are not the most skilful people; we are not experts in certain fields, but we have made progress. We have been helped by parliamentarians and experts, who have never charged us any money whatsoever. They care about our cause. Parliamentarians from all different political creeds have come to help us, including a former Foreign Secretary, who once actually spent five hours before he had to catch a plane writing a report for me to give to the Foreign Office. These parliamentarians, from all different political creeds, have come on board on this. You cannot say, “Well, you are an American citizen; you will get help.” Poor Gemma Berezag was looking forward to buying a new wheelchair for her husband. She has a wheelchair at the moment—that is true—but she was hoping to buy a more advanced wheelchair, and she was hoping that her husband would be recognised.

This goes for the people in Northern Ireland. I met a man in a wheelchair there, and his wife was hoping that he would be recognised. It is fundamentally wrong to say, “We are going to help you, but we are not going to help you”. This is not right. This is fundamental to the principles of society—equality. It would be a terrible injustice. We have campaigned for over a decade at our own expense. We do not receive any government funding. I have met the Libyan ambassador; I have engaged with the Libyans on this matter, and they have tremendous sympathy. I am sorry to say this: it appears we have got more sympathy from the Libyan ambassador and the Libyan people than our own Government. I am sorry to say that; I do not like being critical of people, but I have to say what I believe in my heart to be true.

Chair: Thank you. That is useful.

Q49 Gavin Robinson: Thank you, particularly, for the personal comments that you made. I greatly appreciate the three of you being here. I think it is important not only that we get a true sense of how you are affected as victims from a personal perspective, but also that you get a true sense that we, as individuals and as parliamentarians, want to make sure you get our support, and that you feel our support. I think Mr McCue—you heard his evidence—was suggesting that Government has let victims down, but, more than that, de-prioritised you whenever they were engaged in discussions. From my perspective, the Government are here to protect their citizens, and so as individual victims—whether as a serviceman victim, from a mainland perspective, or, William, not only as a victim yourself but as a representative of them, could you indicate to us just how that makes you feel, and how let down you are by successive Governments by not being a priority when it comes to Libyan compensation?

William Frazer: Hopefully, this will give you some sense of where we are coming from. I have lost five of my own family: my father, a couple of uncles, and a couple of cousins. I have had my house destroyed five times by no-warning bombs. I have been shot at. I have been in rocket attacks and mortar attacks. I have had other members of my family injured. I never put my name on this writ. I am more than entitled to do it, but what was more important to me was a recognition that our Government addressed the problem of justice.

What are the British Government all about? What is democracy about? Is it not about looking after your citizens?

Now, I have been to America; as a matter of fact, we have been all over the world, and we have met with the Libyan victims numerous times, and the comparison is unbelievable. However, the one thing I would like to say is that I have been to the States three times, and I met a number of Senators and Congressmen who had far more sympathy for us than our own Government. I do not mean individual members, like yourselves, but our own Government. Frank Lautenberg, who was a Senator, met with us. He sat down, and he said, “Willie”—this is just how he spoke to me; I suppose he had met me, and he realised I called a spade a spade, so he did the same—“we are not your problem. Tony Blair is your problem. Your Government is betraying you. You need to go back and lobby your own Government. I fully support what you are saying.”

He had a number of photographs of soldiers who had been killed in the Iraq war outside his office. The conversation came around to that, because I had family serving out there as well. He said, “I do this job because of people like those there, and because of my citizens. I support the action that our Government have taken, but your Government are not supporting you, Willie. A deal was done in the tent.” Now, obviously, I am only a layperson. When he talked about the tent, I was wondering what sort of tent he was talking about. At that time, I did not know that Gaddafi had this big tent, so it took a second for it to click. But he said, “A deal was done in the tent between Mr Blair and the Libyans. Willie, you need to go back and get your Government to sort that out.”

That was a Senator on the Hill that took time out to meet us, and our own people here would not respond to our letter—Mr Blair and others. It was only out of embarrassment, I believe, that Mr Brown did what he did. I do appreciate what he did, and so do the victims, but we went to the Foreign Office, and I know when we have been sold a pup. Jon here was sitting there. We did a link-up with that ambassador. What do you call him?

Jonathan Ganesh: Sir Vincent Fean.

William Frazer: He was mentioned earlier. I said, “We have been sold a pup”, on that link-up. You might have been there.

Chair: I was with you, Mr Frazer, yes.

William Frazer: I think “Hold on, Cochise”, were the words I said to him. I may not be that intelligent, but I am a very good judge of character when it comes to right and wrong. I knew something was not right, and it turned out to be the fact. They did nothing for us. There is nothing there whatsoever for the victims of the United Kingdom—never mind Northern Ireland, the United Kingdom—who suffered badly. It is because of people like Tony Blair, who have let us down and betrayed us in the name of peace. There will never be a proper peace in Northern Ireland until we have justice, and this is one way that I see of bringing justice and closure to the victims of Northern Ireland.

Q50 Gavin Robinson: When is the last time that any of you had contact with central Government on this issue? When is the last time somebody from central Government picked up the phone and said, “Here is where things sit. We are still interested in your position; we

want to support you”? When is the last time you had contact from the UK national Government—from the FCO or from the Cabinet Office?

Barrie Halliday: Only whenever we threaten to go to Libya. That is the only time we get a response.

Q51 Gavin Robinson: When was that, if you do not mind me asking?

Barrie Halliday: It is probably two years since I heard from them.

Jonathan Ganesh: I continue to make phone calls to the Foreign Office. To be sincere, I think they are reorganising some sort of structure, because the staff that I knew previously have moved on. I was sad that they did not tell me that, actually. The staff that we were engaging with in the Foreign Office actually moved on. I understand there is some sort of reorganisation now of permanent staff members in the Libyan Reconciliation Unit.

Q52 Kate Hoey: Does this unit that you are talking about give you any help? Clearly, it is there as a token, almost, but what would be your recommendation for that unit?

Jonathan Ganesh: To be sincere, the unit is flawed, and I am sorry to say that. It hurts me to say that, but it is fundamentally flawed. When we managed to secure a meeting with the Libyans—and this took tremendous resources from our own organisation—we asked for an Arabic speaker to be brought along with us. Can you imagine that we had to go to Gemma Berezag, the wife of the husband I mentioned, who just happens to speak Arabic? She is a fluent Arabic speaker. We brought her with us to help us communicate with the Libyans.

Q53 Kate Hoey: Because nobody would help from the Foreign Office?

Jonathan Ganesh: I said, “We desperately need an interpreter. We desperately need some documents translated into Arabic. We simply do not have the money to do that, but you in the Foreign Office have those resources. You simply do.” They said, “Sorry, Jonathan, we cannot help you. We cannot single out your group for help more than anybody else.” We were not asking for that; we are trying to include everybody in this situation. We are trying to get help for everybody. When we engage with the Libyans, we do not just talk about our victims; we do talk about them, but we also want to make sure everyone is included. They were saying, “You are a private campaign, and you have to supply the resources yourself”. That is when we approached experts from the Open University; a former Foreign Secretary, and we either ring them up or write them a letter.

The vast majority of people we wrote to and asked for help have helped us, from all political parties and all political creeds. They do not charge us any money; they do it absolutely for free, and that is really touching. The Foreign Office does have those resources, but it is fundamentally flawed. We are going to engage with the Libyans, but we need the Foreign Office, really, to come along with us and give us Government support. Gemma did a really good job when she was talking to the Libyans, but she actually broke down in tears and asked the ambassador to help everybody.

Q54 Lady Hermon: Your evidence is very powerful; it is really very upsetting, as well. Personally, I think it is amazing you are still standing; that is meant as a compliment, and it is a compliment. I remember, Willie, you coming campaigning—uninvited, I have to say—to Leeds Castle, and that was a very striking demonstration of your commitment to the people that you represent, and to all of the victims, not just those in Northern Ireland but throughout the United Kingdom. Did you ever get a chance to meet Tony Blair to put the points that you have made to us today? Have you ever had a personal meeting with Tony Blair?

William Frazer: No. He did not even respond to correspondence.

Q55 Lady Hermon: Did you ask for a meeting with him?

William Frazer: Yes, numerous times.

Q56 Lady Hermon: We have a new Prime Minister. We have a British Prime Minister with a Tory Government at the present time, with a small majority, but, to everybody's surprise—including probably his—he is now the Prime Minister. Have you sought a meeting with the current Prime Minister, David Cameron?

William Frazer: We have written and asked for a meeting, but, as yet, we have had no response.

Q57 Lady Hermon: When did you write?

William Frazer: Off the top of my head, it was at least six months ago.

Q58 Lady Hermon: Do you mean after 7 May?

William Frazer: Yes.

Q59 Lady Hermon: Jonathan, when William writes, do you write on behalf of all of the group that, in fact, collectively, you have asked for a meeting with the Prime Minister?

Jonathan Ganesh: Lady Hermon, when we delivered our petition to Downing Street, I think in 2012, we did it collectively for the victims of Gaddafi Semtex in Northern Ireland, as opposed to mainland. We tend to work very constructively together.

William Frazer: Just on that point about Mr Cameron—

Lady Hermon: Yes, I really need to know what has happened since the general election, when we have now David Cameron as Prime Minister.

William Frazer: Before he was elected as Prime Minister, I actually met him in Ballymena. I raised the issue of victims with him, and he promised me he would do all he could.

Q60 Lady Hermon: David Cameron promised you in Ballymena that he would do all for the victims.

William Frazer: Yes, because I actually said, “When you are Prime Minister”. He said, “Oh, you are very sure.” I said, “Yes, well, I believe you will be.” Unfortunately maybe, I was correct, because he does not seem to have come back.

Q61 Lady Hermon: Have you even had an acknowledgement of your request for a meeting?

William Frazer: There may have been a letter that came back: “We acknowledge the fact we have received your correspondence”, but that is it.

Q62 Lady Hermon: Bearing in mind what he has said to you on a previous occasion, what are your expectations now of a Conservative Government in Downing Street—standing up for victims, presumably, for the United Kingdom?

William Frazer: I would like to see that happening, because it is not simply about standing up for victims; it is about standing up for society. If you forget about the people who have suffered in your society, what sort of message does that send, especially to terrorist organisations around the world? “Come and blow up the people in the mainland, because nobody cares about them.” I know that is a bit cynical, but that is really what is happening here in the United Kingdom, because this Government is not prepared to stand up for the people who suffered.

If you go to America and you carry out acts, people are looked after. Go to Spain; the policy they have for victims is unbelievable, and the same in Israel. The only country that lets its people down is the United Kingdom, unfortunately. I think Mr Cameron needs to take a serious look at what is going on here. As to Mr Blair in the past—I know we are on Mr Cameron—I was told by Senator Lautenberg that there were deals being done with oil companies and other things in the tent. Now, I had no idea; it was way out of my league, but he told me that those things were going on. This is why we needed to go back and lobby our own Government.

Q63 Lady Hermon: Did you follow through on that advice to meet the Secretary of State, Theresa Villiers? Have you requested a meeting with the Northern Ireland Secretary of State?

William Frazer: Yes.

Q64 Lady Hermon: Have you been more successful with our Secretary of State?

William Frazer: No, not on that issue. We have met on other issues, but not on that issue.

Q65 Mr Nigel Evans: Why have you not met on that issue?

William Frazer: I would need to ask the Secretary of State, Nigel. There seems to be an unwillingness. I suppose, to be truthful—I always believe in the truth—they are concerned that this will affect the peace process in Northern Ireland, but I believe they are very naive

and they do not understand Northern Ireland, or, indeed, the rest of the United Kingdom, because this can actually bring closure to the peace process in Northern Ireland. This can bring justice for everybody in Northern Ireland that has been affected by terrorism. Instead of looking after the terrorists, they should look after the people who have suffered, because then they could turn around and say, “Now it is time to move on. We have dealt with the people who have suffered,” but there is an unwillingness there.

I think the IRA are afraid. The British Government said they have been satisfied with the information they have in relation to Libya. If that is the case, why have they not arrested people? Why have they not arrested the people who set up the biggest arms deals of a terrorist organisation anywhere in the Western world? They had the names and details of them, and they have not done that because it would affect the peace process. So be it, but then do not turn around and say to the people who suffered at the hands of that, “Go away, please. Do not annoy us.” They have to look after both.

Q66 Danny Kinahan: We have very much touched on this. When we spoke beforehand, you talked of justice being most important, and yet, to get an absolute grasp of what you want for justice, it is not just sympathy; it is not just an apology; it is the setting-up of a Government unit that actually takes action. That is one end of it. Is the other end of it, as you were just touching on, actually finding the people who were responsible for setting it up and working it through, and trying to take them to court?

William Frazer: In the real world, we would like to see everybody in court, but, being truthful again—and sometimes I put my foot in it, but I believe truth is the best policy—that probably is never going to happen. They asked us to give up the campaign for that, without giving some sort of recognition that people have come through that and addressing the needs of the likes of this lady here, all the people who are in wheelchairs, people who need 24-hour constant attendance. To say to them, “Please go away and suffer in silence”, that will not happen. There needs to be a special unit set up to compensate and deal with these problems, and not something that the Government come up with but something that the victims themselves come up with, because nobody knows any better how to deal with victimhood than the victims themselves.

Q67 Oliver Colvile: First of all, thank you very much indeed for coming to see us. It is very good to see you again, Mr Frazer, and thank you for coming back. I have some questions. First of all, how much money is this fund worth—the fund that is frozen and under control of the British?

William Frazer: The funds frozen here?

Oliver Colvile: Yes.

William Frazer: There are numerous figures floating about. There is billions; there is £900 million; there is £12 billion; there is £20 billion; there is £30 billion. The only people that can truly answer that are our own Government.

Q68 Oliver Colvile: What we need to do, then, is to put down a parliamentary question to ask the Government as to how much money is in this fund—yes?

William Frazer: Yes. That would be a good start.

Q69 Oliver Colvile: Right. The second question I have for you is: was Semtex used both in the Harrods bombing and also in the Brighton bombing as well, and did this Semtex come from Libya in the first place? I have to tell you, I was in both of those bombings as well, so I have a personal interest in this issue.

William Frazer: Well then, you understand.

Q70 Oliver Colvile: Thirdly, what is the reason that the Government are giving for not releasing the money in order to help the victims?

William Frazer: They are not actually giving a reason. They are blaming everybody else.

Q71 Oliver Colvile: Then we need to put down a parliamentary question asking that question as well: why it is they are not releasing the money in order to help the victims—yes?

William Frazer: Can I just say on that that our Government are shying away from what needs to be done? We have met with the Libyan victims themselves, who are sympathetic to our cause, even though they have suffered greatly themselves at the hands of Gaddafi. There is a relationship that can be built up there, not only within the UK but internationally. We could actually set a template to help counter terrorism around the world, if some of our people would get off their backsides and take this thing seriously. I do not mean yourselves, with the greatest respect.

Q72 Kate Hoey: We talked earlier about whether it was, as Lady Hermon asked, incompetence or deliberate. In how much of this do you think there is really a feeling that, if we get too far and too deep into this, it might implicate people who are in Government in Northern Ireland?

William Frazer: I would say that is one of the major problems. Tony Blair was involved heavily with the process in Northern Ireland. We know that there were lies told about a lot of things that happened in Northern Ireland in relation to the process. We believe, in relation to Libya and Tony Blair's dealing with oil companies now, that lies have been told. Now, we are never going to rectify all the wrongs or all the lies, but, if we make a start now, we can send a clear message. We will never right all the wrongs that have been done, and we all have our different views on the peace process in Northern Ireland, but I believe there is an opportunity here now, if we help the people who have suffered.

Q73 Mr David Anderson: I would ask Jonathan, in terms of practicalities, you mentioned the gentleman in the wheelchair. Is there any recognition of people like that gentleman and others, when you are dealing with Government agencies, that you are in that situation because you are victims of these sorts of attacks, or are you treated as if it was an inherited disease or you had an accident at work? I hate to use the term "special treatment", but I actually think you deserve special treatment. Is that recognised or not?

Jonathan Ganesh: I personally do not think it really is, myself. I do not think it really is, actually. I do not think it really is. I do not.

Q74 Mr David Anderson: I think it should be. There is the bigger picture still in this, but there are the day-to-day lives of ordinary people that perhaps we can take advice on and see if we can move some things on that.

William Frazer: Could I just seize on what you were saying there? This is also part of what we believe can help bring closure: the bigger picture, the things that you have been mentioning there, where you can help not only the people on the writ and the other victims, but the likes of people in wheelchairs. A package could be put together to help the whole victim sector right across the United Kingdom, which then could be wheeled out in other parts of the world, because the similarities are unbelievable. We have been in Colombia, in America, in Israel, in Spain, and we all get on great. What is bringing these victims all together, and why do we get on so well together? It is what they have come through; it is what they have suffered.

You have an opportunity here, but you do need to get Mr Blair in front of you; you do need to get this ambassador in front of you; and you do need to get to the bottom of what went wrong.

Q75 Chair: It has been very, very useful and valuable to us. Thank you very much, gentlemen.

Jonathan Ganesh: Can I just thank the Committee today for giving the victims a voice? On behalf of the victims, we really appreciate that.

Chair: Thank you very much.

Examination of Witnesses

Witnesses: **Kenny Donaldson** and **Aileen Quinton**, Innocent Victims United, gave evidence.

Q76 Chair: Mr Donaldson, Ms Quinton, thank you very much for joining us. Perhaps I could start with you as well by just asking you to briefly introduce yourselves, your background and why you are involved in this issue. Ms Quinton, would you like to start?

Aileen Quinton: I have been involved in victims' issues, often as a loose cannon, from not long after my mother was murdered in the Enniskillen bomb. I got to hear about this and was asked: would I put my name forward and be part of the writ? I was very delighted to do that. I have to say, though, it was quite traumatic. It was not just a matter of saying "yes"; you had to write a lot of stuff out about how you had been affected, and doing that has its cost, but, to me, I saw it as a legitimate and legal way to challenge what had happened to me, to say that this is not right.

We were never brought up to consider that, because of what had happened to us, we had a right to be the cause of somebody else's empty space around the dining table, so I was

really pleased to be part of this, and even more so when we could see all this stuff about Gaddafi being feted despite what had happened to us and despite how he was treating his own people. I was proud to be what seemed to be the only British challenge to that wrongdoing. The whole issue of accountability and justice has been very, very important to me from the start, and, to me, this is what that writ is all about. In a sense, I see this inquiry as part of an accountability, and accountability for Governments, in that it matters how you treat people and that, somehow, in some way, in some measure, you will be held to account.

Kenny Donaldson: It is a pleasure to be here; thank you for the opportunity. I am a spokesman with Innocent Victims United, which is an umbrella organisation for 21 individual groups scattered across the United Kingdom. It was a privilege to hear from Jonathan earlier on, and to hear issues from a victim here on the mainland, because we take those issues very seriously also. In fact, we would see around this table that there are number of representatives: your constituencies are in GB; these are your constituents. Those of us in Northern Ireland cannot vote for you people, but these individuals do, and we very much feel that the legacy of this particular issue needs to be that there are support structures in place for these individuals comparable to what we have in Northern Ireland.

Our interest in this is, obviously, that a significant number of our own organisation's members are on the initial writ, and we are very clear that that writ must be settled, but, secondly, that a legacy fund must be established, free from Government, with an independent trust set up that will provide for victims and survivors in the longer term.

Q77 Chair: Thank you. I think you were in for both the previous sessions; you heard what they said. Presumably you agree with pretty well everything you heard.

Kenny Donaldson: Yes, very much so. What needs tying out in all of this is that Tony Blair initiated a war on the basis of invisible weapons of mass destruction. There have been real weapons of mass destruction used on individuals in this room and others outside of it, and yet this Government, "Government plc" over the years, have not dealt with this issue, and it is absolutely disgraceful. It is not an isolated issue. People have come through traumas in more recent years around OTR scandals; we were before this Committee on that issue as well. We had prerogatives of mercy. Individuals across Northern Ireland and in our border areas are given almost free passes to operate criminal empires without being held accountable. Enough is enough, and the point was raised earlier on today that the sympathy, the tea and scones and biscuits, is over; victims demand action now.

Q78 Gavin Robinson: Thank you both for taking the time to come here this morning, and, Mr Donaldson, thank you for the email last night. It just shares another example of the heartache that victims face. You heard, I guess, my questions to Mr Frazer, Mr Halliday and Mr Ganesh, but I am interested to hear from both of you personally your reflections as to how let down you are by Government's actions. When was the last time, as either a representative of people associated with the writ or as a part of the writ yourself, somebody from central Government, from mainland UK, took the opportunity to get in touch, let you know how things are progressing or what the possibilities are for finally bringing justice and recourse to victims?

Aileen Quinton: I would not be likely to hear myself; it would be more likely the people that have spoken before. Somebody mentioned about being swept under the carpet. Victims are continually having to scramble out from under the carpet and try to drag justice along with us, because that is what people are trying to push under the carpet as well. We should not be the only ones fighting for justice, and we especially should not be fighting our own Government for justice. One thing I would also like to mention is that, as long as this goes on, people in the writ are dying off. We feel that that is what Government hopes we all will do, and, if they carry on, that is eventually what is going to happen.

Myself personally, two of my brothers died last year, so whatever happens now is too late for them. It is back to this being a legitimate response to terrorism. My brother, Christopher, is one of those who died. Within days of the bomb, when there was a media circus, I remember him saying to the rest of us, “We need to be very careful what we say to the media, because, if we say the wrong thing, some Catholic gets shot in Belfast tonight.” That sense of responsibility and the impact of what happens is something that mattered to us, and that we do not matter to our Government is really, really hard to bear.

One of the last emails that I had from him before he died was just about this issue and the Government response, saying that the actions of the Government and the Foreign Office have convinced most of us that they are actively trying—and successfully so far—to prevent the Libyans from settling. That is the very strong message that we get. Governments have a responsibility about incentives: that Government action should give the incentive for people to do right and not wrong. I think the Government have given the Libyans an incentive not to settle in the past, because, to me, they have given a clear message: “We do not actually want you to. There is not the real will for this to be settled, and we just hope that the victims will be quiet and go away.”

Q79 Danny Kinahan: Really, I just wondered if, Kenny, you could tell us what help is given at the moment. When we talk about the package and what we need to have a good pool to work from, I am sure everyone is struggling, if they are getting anything at all.

Kenny Donaldson: What we have in Northern Ireland is the Victims and Survivors Service, which was established by OFMDFM. While it certainly has made some inroads in terms of the health, wellbeing and welfare of victims across Northern Ireland, the reality is that those schemes, while they are open to GB-based victims, are not promoted here. It is really by chance rather than design that people are hearing about it. We have been dealing with folk across GB almost on a daily basis now—people from your own constituency, Mr Anderson, listening to your accent, in terms of the north-east—and a number of family members whose loved ones were regular army soldiers who were murdered in Northern Ireland.

The point in all of this is: the core commodity, which is always at the centre of all this, is oil, and the deals that went on at that particular time. We have made this point recently: it is almost ironic that oil actually opens up the answer for an awful lot of people who were injured as a result of terrorism, because it is that commodity, oil, which can ease their pain in terms of pain relief. If a person is unable to heat their home on an almost constant basis, and they are an amputee or they are suffering from other physical disfigurements, then that is a real issue. We have asked the question, repeatedly, why there has not been a dialogue—between not only Westminster and Stormont but also Dublin, because we have to be mindful that a number of atrocities took place in the Republic—around all these

issues, to ensure that there is a service available to victims and survivors, irrespective of your postcode. Presently, people who are living in GB are discriminated against on the basis of their postcode, and that is not acceptable.

Q80 Danny Kinahan: Is there an organisation going out to find all the people in GB that are involved?

Kenny Donaldson: Again, it is a very good question. At the time of the OTR inquiry, we had raised that particular matter. We asked for Government, at that point, to put in place a process that would enable a scoping study to be done, in GB, of where victims and survivors are located. I have to say, as with the commentary earlier on, we are still waiting in terms of anything being done on that. The reality is, I think, that it scares people somewhat. The numbers are very, very significant. If you think of the number of regular army soldiers, for instance, who were murdered in Northern Ireland and their families that are now here; the number of atrocities that were committed on the mainland here; not to mention the number of Northern Ireland-based victims who have now moved across the water, the numbers are significant, but it is almost as if people want to just wish the problem away.

These individuals are suffering daily. To cite one particular example at the very edge of it all, one individual whom we have been in contact with and who is very seriously injured sleeps underneath an airport in a sleeping bag. He is homeless. Now, if that were to happen in Northern Ireland, that would be front page of any of the newspapers there and there would be an uproar at a victim being treated in that particular manner. In GB here, he is just another guy who is homeless.

Q81 Kate Hoey: Thank you both for the work you have done over many years. One of the things that comes, of course, is that it is not just about money. That, I think, is really important: that this is actually about justice. Aileen, I want to ask you: in your personal statement, which was really very moving indeed and recounted what happened to your mother, you talked about the feeling of let-down-ness that you had when the G8 came to Enniskillen, the Libyan Prime Minister was in Enniskillen, and you and the victims were refused a meeting. Could you just say something about that?

Aileen Quinton: That was, again, my brother, Christopher, who was an arch ferreter on the internet and he happened to find some little, obscure reference to the fact that the Libyan Prime Minister was going to be attending the G8 held in Enniskillen, which was the site of one of the major atrocities associated with Gaddafi Semtex. There was a buzz in the network amongst the victims. To me, even apart from the writ or compensation, this was somebody who had suffered at the hands of Gaddafi; surely the most logical thing would be trying to facilitate him meeting with other people who had suffered at the hands of Gaddafi. That was another missed opportunity for us to create bonds. Victims are having to do that on our own, in despite of our Government. We were just appalled to discover that absolutely nothing was going to be arranged for local victims to meet the Libyan Prime Minister.

Q82 Kate Hoey: Did you find it ironic that he was meeting someone who probably had been involved, or could potentially have been involved, in buying some of these Libyan—

Aileen Quinton: Absolutely, because then we got an email from the Foreign and Commonwealth Office to say, “We are sure some of you will be disappointed, but hope you will consider it positive that he met with Northern Ireland leaders.” Considering the Northern Ireland leaders were Peter Robinson and Martin McGuinness, when it has been said in the media about the potential for his involvement in the bomb, and we were expected to find that positive, it was absolutely heartless—and this is from diplomats. It was just absolutely astonishing and, again, just shows how little our sensitivities mattered. On this issue, too, about saying that victims should be negotiating and sorting this out for ourselves, we were even prevented from that sort of encounter, which seems like the most natural thing in the world for the Government to be trying to facilitate.

Kenny Donaldson: Just to draw on that, the means by which victims were able to communicate with the Libyan Prime Minister at that particular time was that a letter was agreed to be handed over at that stage. It was, I believe, Peter Robinson who handed that letter over at those particular talks, so that was the level of respect that was given to victims and their feelings on it all.

There is another important matter. Enniskillen does feature very importantly in all of this, with the US bombing of Libya in 1986. We have it on good authority from someone within senior intel that there were a number of meetings that took place in the immediate aftermath of that particular bombing, in which senior IRA members at that time, along with officials within Libya, met, determining a strategy around fighting a quasi-war against the British. In effect, the PIRA were quite content to be the subcontractors in all of that. The reality is that Enniskillen was the first significant atrocity where that was being put to test.

As to the individuals who were involved in that, which goes right to the heart of all of this, we have also been advised by a senior former HET investigator that he had cause to wish to bring in the Deputy First Minister for questioning in regards to that atrocity. He was prevented from doing so. The NIO advised that that would not be a good idea, and it did not happen.

Q83 Lady Hermon: Can you give a date for that?

Kenny Donaldson: I haven’t it to hand here, but we do have that information.

Q84 Chair: We will come back to that in a minute. My clear memory of a discussion I had, I think with somebody in the Foreign Office, certainly before the bombing—in 1985, if not before then—was that there certainly was Libyan involvement even at that stage.

Kenny Donaldson: Yes. Libyan involvement did occur prior to then, but it intensified after that particular atrocity. The intel we received is that Gaddafi very much took it personally, that particular atrocity in Libya, and, thereafter, the scale of the willingness to assist with PIRA very much multiplied. If we look at what transpired thereafter in terms of the arms finds in the Republic and the murder of Frank Hegarty—after him being assured that he could have free passage back to Northern Ireland, he was murdered—this is all linked. You need to probe those issues, I would say, very, very seriously.

Aileen Quinton: These things are all part of a bigger picture. To this issue about where victims come in the hierarchy, I would be content to come second, if justice came first, because that should be the thing that takes priority. The other question that leaps out to me is: why has there not been more interest in finding out who was responsible for bringing in this weaponry, this knowhow and this capability? Surely that is a crime, but it seems to be that victims are the only people interested in getting to the heart of that information.

We hear different things about people in Libya who have offered that information, but we are the only ones that seemed interested in finding that. Do I have to get on a plane, go to Libya and ask people myself? That would seem to follow on from the Government saying that we should be trying to sort out the compensation by ourselves. What are Governments for? Are they not meant to be about protecting us and protecting society?

Q85 Lady Hermon: It is really very harrowing. We have had a long session this morning. The information you have given us is really very shocking indeed. I have the greatest compassion for the suffering of everyone in this room. Thank you so much for coming, being so articulate and expressing how this has impacted on you. Am I right in thinking that the Enniskillen bombing will be 28 years ago this November?

Aileen Quinton: Yes.

Lady Hermon: Have we any idea how far forward and how progressed we are in the inquiry to find who was responsible for the bombing? Where are we in the investigation, 28 years later?

Aileen Quinton: Coming up to the 25th anniversary, there suddenly was a movement. There was a link we were told was given from the HET to the PSNI to follow up lines of inquiry. As far as I know, we have heard nothing since. That was in 2012.

Kenny Donaldson: You are talking upwards of two and a half years.

Q86 Lady Hermon: Why do you think that is the case? Personally, I do not want to be seeking criticism of the PSNI, but why do you think there has been this lack of movement?

Kenny Donaldson: What we would say is that the senior former HET investigator would also claim that he, when in the role, had sought the status of a particular named individual of the PSNI at that time, with a very broad question to have asked.

Lady Hermon: His status—i.e. was he wanted? Was he on the run? What sort of status was he asking for?

Kenny Donaldson: He was asking for the individual's status at that particular time in terms of what his involvements or otherwise would have been in terror, and that was not forthcoming.

Aileen Quinton: There is also very unfortunate terminology around a lot of this in terms of Northern Ireland. It is deemed the past. It is a murder; it is a mass murder, and you do not really get mass murder referred to as “the past” with anything else apart from terrorism. There is no statute of limitations on murder, but, the way it is expressed, it is like it is something we should just forget about and draw a line under, implying that everybody was

at it and there were faults on both sides. There was no fault on my mother's side; she did not do anything to bring to her door what happened to her. Some of that needs to be challenged as well. This is murder, and not to be dismissed as "the past".

Q87 Lady Hermon: At the present time, with the Conservative Government, what do you see are the options now? Do you see it as an apology from the Libyans, an apology from your own Government? What do you see are the options open? What should we be asking or seeking answers to in this inquiry?

Aileen Quinton: Just about the Libyans, Gaddafi is no more. For a whole lot of us, we watched what was happening in the safety of our armchairs, willing on the people against Gaddafi. I was always annoyed that this unit in the Foreign Office was a "reconciliation unit", as if we needed to be reconciled with the Libyans and they needed to be reconciled with us. To us, we felt much more bonded with the Libyans and their struggle than we do with our Government. Maybe the Government needs to consider what it should do to be reconciled with us.

Kenny Donaldson: There are two key issues. You are quite right; one is a formal recognition by Government that it failed victims and survivors over the longevity of this process and a commitment that they will now put that right. On this issue of frozen assets, we have already had it confirmed this morning that the evidence has never been provided in terms of the legal advice that the Government has acquired in regards to that matter, so we are expected to take it on a wing and a prayer that it actually is the case. That issue needs to be very much probed. That finance is there, and what we would say is, if it is not to be used for the compensation of those who have been impacted by mass terrorism, then where is it to go?

Q88 Oliver Colville: First of all, thank you very much indeed, both, for coming to see us. It is very good to see you both again. Thank you for giving up your time to come here. We have established during the course of today, and most certainly in the papers—and thank you for your presentations as well—that this is an issue that not only affects Northern Ireland, but also affects the whole of the United Kingdom. I am going to get myself into an awful lot of trouble with my fellow members of the Committee. Do you know whether there are any families in Plymouth who are affected by this? If you cannot do that now, can you look through and then ask them to contact me?

Indeed, can I make a practical suggestion? That is to get your victims' families to write to their Members of Parliament in the United Kingdom to make sure that happens, because, frankly, if there are a number of MPs like myself—Back-Bench Members of Parliament—who write to Ministers, put down parliamentary questions and all of that, that will place an enormous amount of pressure upon Ministers to actually come up with a proper answer to all of this and to try to get the compensation that is desperately needed. I am very happy to work with you on trying to deliver that too, if that is of any help.

Kenny Donaldson: We would be happy to do that. I suppose I would ask the Committee again here to please reason with the Government that there is a scoping study carried out in GB. That is the most pressing issue that needs doing, because we are building up a database and contacts of where people are located, but it is by no means a full picture; it is

very piecemeal at the moment. Government needs to invest in this issue and actually show that it wants to deal with it.

Q89 Mr Nigel Evans: You have just told Lady Hermon that you are coming up to a significant anniversary, and it seems to me that you believe the Government would just prefer for it to all go away. That is the sense that I am getting: that it is almost like pushing jelly up a wall; that you are just not going to be able to achieve it; and that, irrespective of changes of Government even, there does not seem to be a sense of urgency or immediacy about doing something about it. As you say, it may well be historic, but it seems to me that the Government does espouse certain historic crimes. We know now what the flavour of the month is, and huge resources are being thrown at it; the feeling is that people need to bring closure. How do you feel when you see that, and, at the same time, there seems to be absolutely no regard to closure for yourselves?

Aileen Quinton: It just adds to it. I cannot understand myself why I get shocked each time. I still get shocked, even though I know it is the same message over and over again. It really is terrible that it is the victims that have to be fighting for justice. I was so naïve when I was young that I thought that was what Governments were meant to do, but what we try to do is almost in spite of Government. We ultimately cannot fight the terrorists and the Government.

Kenny Donaldson: What has happened in terms of Northern Ireland is that the peace and political processes have become intertwined, and that is the difficulty; they are not two clear processes. What we feel, in terms of representing victims and survivors, is that they have now been put into a particular camp and box where you are almost “anti-peace”; you are anti-establishment; you actually are now the problem. The reality is that, if we look at Stormont and what is going on, and even the developments today—and we have to wait to see the outcome of all that, but there have been very significant arrests today around the recent murder—people need to understand that, with Northern Ireland, you cannot have a phony peace at all costs; you have to have a genuine peace.

Elements of how this peace process has been rolled out have been reckless. In 1998, people took their position on the agreement: yes or no. They took their position. If people in 1998 had foreseen that the prisoners who were released in 1998 as terrorists on licence, 17 years later, would now be considered in law as victims alongside those whom they were incarcerated for, people would have told you that you were away in the head. That is just a very, very clear example of what has happened within our society. That has got to all be re-examined, the pause button pressed and reconfigured, and then we go forward with a proper, sustainable peace, because it is not going to happen the way it is.

Aileen Quinton: A real peace has to have justice at its core. It is something I have said so many times: trying to pay for peace by giving justice as the payment is, to me, like selling the TV to pay for the licence. It just does not work.

Q90 Mr Nigel Evans: I only have a final question, really, which is: why are you not more angry?

Lady Hermon: She is exhausted—dignified and exhausted.

Mr Nigel Evans: I just listened to three sets of evidence here and I am angry.

Kenny Donaldson: Your point is very valid. The Government realises victims do not have guns and bombs, or do not have the threat of using guns and bombs.

Aileen Quinton: I am not going to bomb London, so I do not matter.

Q91 Lady Hermon: It is your dignity. It is your quiet persistence—and it is your persistence; you are not going to go away. You are absolutely not going to go away. You are stood united, and what is so refreshing is that, in fact, victims in other countries like Libya have given you more support—that is what is so shocking—than your own Government. That is a terrible indictment of our own Government.

Kenny Donaldson: The relationships with the likes of Spain and how the Spaniards deal with their victims as well is something where the UK needs to take a wee leaf out of its book. People are effectively given a hero status there for what they have come through. As we have argued, down the borderline parts of Northern Ireland, where people refuse to bring to another door what was brought to theirs, they are the heroes and martyrs within this society, not those who went out and committed violence.

Aileen Quinton: I would say, as regards anger, I have my moments.

Kenny Donaldson: She does.

Q92 Chair: Can I thank you for coming today, and can I thank all of the witnesses? You have given us a very good start to our inquiry. I would just assure you that we are undertaking this inquiry voluntarily, because we care about it; we care about victims, and you can be assured we will take it very seriously indeed.

Kenny Donaldson: We would ask that you put all pressure possible to have Mr Blair before you.

Lady Hermon: Oh, yes, we will.

Chair: Thank you very much.