



The Rt Hon Hilary Benn MP

**Secretary of State for
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Tonia Antoniazzi MP
Northern Ireland Affairs Committee
House of Commons
London
SW1A 0AA

Via email: northircom@parliament.uk

05 February 2025
Our reference: MC/25/30

Dear Tonia,

Thank you for your letter dated 15 January.

The approach taken by the last Government caused immense pain amongst many victims and survivors, and in many respects has been found to be incompatible with human rights. This Government will implement mechanisms that are human rights compliant and can command public confidence.

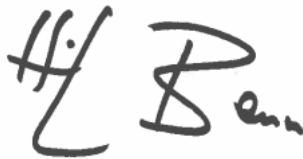
In 2020, the Supreme Court found in favour of Mr Adams, deciding that the Secretary of State was required to consider an Interim Custody Order (ICO) personally. In June 2023, during the Legacy Act's passage through Parliament, the previous Government belatedly agreed to an amendment that sought to address the issue relating to ICOs. Last year, that amendment was ruled by the Northern Ireland courts to be incompatible with human rights. This Government takes its human rights obligations extremely seriously, and has consistently stated that it will repeal and replace the Legacy Act.

On 4 December 2024, I laid a proposal for a draft Remedial Order under the Human Rights Act to take the first steps in fulfilling this commitment. If adopted by Parliament, the Order will remedy several legal deficiencies identified by the Northern Ireland Courts, including those relating to ICOs.

This Government has also committed to introducing new primary legislation as soon as parliamentary time allows. As part of this process, the Government is carefully exploring how to lawfully address this complex issue alongside our clear commitment to implement legacy mechanisms that are fully compliant with human rights.

I look forward to speaking to the Committee directly in the coming months as part of its inquiry into 'the Government's new approach to addressing the legacy of the past in Northern Ireland'.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'H. Benn', with a stylized 'H' and a large 'B'.

**THE RT HON HILARY BENN MP
SECRETARY OF STATE FOR NORTHERN IRELAND**



Northern Ireland Affairs Committee

Rt Hon. Hilary Benn MP
Secretary of State for Northern Ireland

By email only

15 January 2025

From the Chair
Tonia Antoniazzi MP

Dear Secretary of State,

During my Committee's meeting on 15 January, members asked me to write to you regarding the recently published Policy Exchange report entitled, 'Misjudging Parliament's reversal of the Supreme Court's judgment in R v Adams', authored by Richard Ekins KC (Hon) and Sir Stephen Laws KCB, KC (Hon).

Members raised concerns that former Sinn Féin leader Gerry Adams, as well as many others, may receive compensation as part of the Government's process to 'repeal and replace' the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023. We note that subsequently at Northern Ireland Office oral questions on 15 January you addressed this issue and, indeed, that at Prime Minister's Questions the same day, the Prime Minister told the House that the Government would look at "every conceivable way" to prevent such an outcome.

My Committee would therefore be grateful for some more detail on this process, namely:

- how the Government plans to 'prevent' individuals such as Gerry Adams from receiving compensation out of the public purse without breaching its obligations under the Human Rights Act 1998;
- what the timeline is for resolving this issue; and
- whether that timeline will impact the Government's plans to bring forward primary legislation in relation to legacy.

Yours sincerely



Northern Ireland Affairs Committee

Tonia Antoniazzi MP, Chair of the Northern Ireland Affairs Committee