

Written evidence submitted by Mr Robin Horsfall (LEG0001)

My name is Robin Horsfall. I served five tours in Northern Ireland between 1975 and 1984. I am a spokesperson for many veterans but submit this opinion as an individual.

The five premises that this investigation are founded on are flawed and as such will fail to achieve the aims that are proposed.

1. 'meet the needs of victims, survivors and families'. This premise does not clearly include members of the armed forces so must exclude members of the armed forces.
2. 'complies with the Belfast/Good Friday Agreement' (GFA). The exclusion of the armed forces from the GFA is a major cause of the ongoing investigations. The GFA specifically excludes the armed forces from the privileges obtained by convicted terrorists which included early release for murderers. The additional commitment by HMG to provide letters of comfort to yet to be convicted terrorists promised no further investigations. The GFA was flawed in favour of criminals who have since been designated as 'survivors'.
3. There are no new factors that significantly change the principles of previous investigations that were supposed to investigate only when 'new and compelling information is discovered. Under those criteria none of the current investigations should be continuing against members of the armed forces. Forty five year old 'evidence' based on memory rather than empirical fact is not new. Even confessions gained under the duress of prolonged interrogation by the PSNI can be neither new or compelling.
4. The Governments new proposals do nothing for reconciliation because the process is political not criminal. Sinn Fein want the conviction of a British Soldier as evidence that soldiers committed atrocities. The DUP want cases to go to court so that soldiers can be found not guilty and thus achieve a political victory of their opponents. The soldier is a victim of both sides of the religious/political divide. He spends his final years being probed and investigated for actions that were previously investigated up to forty-seven years ago. Soldiers currently under investigation are victims of this bias and political process.
5. The governments approach to the 'reinvestigation of the cases' will repeat the process once again and waste money of legal fees. Any agreement must be political just as the GFA was political. All criminal cases against the armed forces should be stopped.
6. There cannot ever be equity between a soldier who is armed to protect the public and a terrorist who deliberately sets out to commit murder. The concept of equity is preposterous. The IRA never released any prisoners. The IRA made it clear that it would bomb the UK into submission and create a united Ireland. The IRA is still an organised criminal organisation. Every shot fired by a British soldier was recorded and investigated immediately after the fact. A paper trail identifies every soldier that opened fire in Northern Ireland. No such trail exists for criminals who bombed and shot members of the armed forces and public for thirty years. These facts remove any possibility for 'equity'.

7. The only acceptable steps that the government can take that would be acceptable to the four million Armed Forces Veterans that currently reside in the UK would be to stop all investigations that were previously investigated. A political settlement must be enacted that changes the GFA.
8. All funding for criminal prosecutions that go back more than ten years should be stopped. There is a vested interest in keeping these cases going that is purely financial. Even with so possibility of success an investigation funded with legal aid can maintain a money supply for generations.
9. The continued threat of a return to violence by the IRA if soldiers are not convicted must be confronted for what it is, a continuation of terrorism.

Unless the injustices currently being committed against former British soldiers who served to protect the whole community in Northern Ireland are addressed there will not be a lasting settlement. The problems of Northern Ireland should be settled by the people of Northern Ireland and the British Soldier must be excluded from all future negotiations.

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