

**RESPONSE OF THE COUNCIL FOR PUBLIC AFFAIRS OF THE PRESBYTERIAN CHURCH IN IRELAND TO THE NORTHERN IRELAND AFFAIRS COMMITTEE INQUIRY ON ADDRESSING THE LEGACY OF NORTHERN IRELAND'S PAST: THE UK GOVERNMENT'S NEW PROPOSALS**

**Introduction**

1. The Presbyterian Church in Ireland (PCI) has over 217,000 members belonging to 535 congregations across 19 Presbyteries throughout Ireland, north and south. The Council for Public Affairs is authorised by the General Assembly of the Presbyterian Church in Ireland to speak on behalf of PCI on matters of public policy.
2. PCI has consistently and constructively engaged with various proposals and initiatives on dealing with the legacy of Northern Ireland's past, most recently the extensive consultation that took place in 2018 on the draft Stormont House Agreement legislation, developed to implement the Stormont House Agreement, agreed in 2014.
3. PCI's engagement with this comprehensive exercise<sup>1</sup> has led to disappointment with the further delays in taking forward any proposals to deal with the past, resulting in a piecemeal approach to investigations. More than 50 years since the start of the Troubles and over 20 years since the Good Friday/Belfast Agreement, these conversations about dealing with the past need to be resolved in a coherent way whilst avoiding the temptation to rewrite history in an attempt to portray as legitimate what was morally wrong and totally unjustified.
4. Despite the commitment from the UK Government in *New Decade New Approach* to maintain a broad-based consensus on these issues through an intensive process of engagement with Northern Ireland political parties and the Irish Government, the Written Statement issued by the Secretary of State for Northern Ireland, Rt Hon Brandon Lewis MP on 18<sup>th</sup> March 2020<sup>2</sup>, appeared to be an autonomous and independent action. PCI therefore welcomes the Northern Ireland Affairs Committee's inquiry on "Addressing the Legacy of Northern Ireland's past: The UK Government's New Proposals".
5. PCI's response to the draft Stormont House Agreement legislation included the following comment:

*"A rejection of this broad framework now would most likely set this issue back by many years or potentially forever, and in doing so add even more distress to that already endured."*

The initial reaction to the Secretary of State's statement suggests that there was truth in this assessment.

6. In April 2020 PCI participated in a conversation facilitated by the Irish Inter-Church Meeting on the Written Statement, and following engagement between church leaders and the Minister of State, Robin Walker MP. PCI shares the concerns expressed in that meeting about the timing of,

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<sup>1</sup> <https://www.presbyterianireland.org/Resources/General-Assembly/2018-General-Assembly/PCI-s-submission-to-the-public-consultation-on-leg.aspx>

<sup>2</sup> <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-03-18/HCWS168/>

and lack of detail in, the Ministerial statement; the perception that this approach is less victim-centred; and that it lacks a clear vision for reconciliation.

### **Whether the Government's proposed approach will meet the needs of victims, survivors and their families**

7. It is important to acknowledge that any approach to dealing with the past will have limitations. In that regard it is therefore important to mitigate the expectations of victims, survivors and their families over what the Government's proposed approach might achieve. It is likely that many families will not receive the information they seek, or that details about relatives may emerge which can be neither satisfactorily proven, nor refuted.
8. There is a risk that those with the means and support to engage legal teams have a greater opportunity to benefit from the proposals than those victims, survivors and their families who do not identify with wider victims' groups. Where there is little or no hope of prosecution some may choose to not participate in the process, while others may feel a lack of confidence in securing an outcome where it is felt there is no incentive for the truth to be told.
9. The Secretary of State's statement outlines an approach which focuses on the legal and judicial but misses out other key elements that are required to support the creation of a better society in Northern Ireland and facilitate healing for victims, survivors and their families. Meaningful discussion about reconciliation and related concepts of forgiveness, grace, remorse and repentance remains absent. Creating opportunities for lament in public discourse, finding ways of explaining loss and anger (particularly pertinent during the current pandemic), remains a vital component of dealing with the past, as does creating the context for hope of a better future.

### **What steps the Government can take to ensure that the proposed new legacy body is independent, balanced and open, and complies with the Belfast/Good Friday Agreement and ECHR commitments**

10. Institutions or bodies will never be a substitute for the difficult, awkward and demanding work that is required to facilitate better relationships between and within communities in Northern Ireland, and contribute to healing for victims, survivors and their families. However, institutions or bodies are necessary delivery mechanisms. Developing independent and balanced institutions here has never been straightforward against the backdrop of community division. Recognising these difficulties, there may be merit in seeking an external, independent head for the legacy body. It is also important to acknowledge that all the skills necessary for delivery do not rest solely with Government and efforts should be made to draw in those with the appropriate background and expertise.
11. Any new legacy body must command the confidence of victims, survivors and their families, and also wider society. Perception is crucial and experience illustrates how easy it is for confidence to be lost in bodies and institutions which have been established with goodwill and good intentions. The proposal by the Government to draw all the Stormont House Agreement strands into one body also raises concerns around focus and resource allocation. For example, will an emphasis on information retrieval and investigations be at the expense of work to promote reconciliation?
12. The Government has provided no clarity around accountability structures, membership and proper Westminster funding of this body – it cannot be expected that the financial resources required will be met through the already overstretched NI block grant. The original resource allocation for Stormont House institutions of £150m was considered to be too low at the time.

There is no indication of the costs involved and how these will be met. The Government also needs to be clearer about the time period over which the legacy body will operate.

## **The differences between the Government's new proposals and the draft Stormont House Agreement Bill**

13. While the Stormont House Agreement was not perfect, it was clear that each part could not stand separately on its own – each initiative required all the other proposals to provide a balanced approach. In a way they reflected the biblical principles of mercy, truth, justice and peace (Psalm 85:10), none of which can be imposed in isolation.
14. In that regard we are more concerned with the pillars and principles of the Stormont House Agreement, rather than the mechanism for their delivery. However it is delivered, we are clear that one aspect can't be given a higher priority than any other.

## **Whether and how the Government's proposals will promote reconciliation in Northern Ireland**

15. PCI's response to the Stormont House Agreement consultation included the following:

*"We are convinced that the path to a more peaceful and reconciled society will be smoother if we give attention to issues which affect our common humanity, including tackling endemic underachievement among sections of our young people, addressing social deprivation and freeing our communities from the grip of criminal gangs. When these matters, which cross the boundaries of sectarian division, are addressed collectively, we believe a better context for human flourishing and building relationships will be created."*

16. The Secretary of State's statement aspires to "help the whole of society to effectively heal the wounds of the Troubles and become better reconciled with our difficult history". Rather than seeking to reconcile with a disputed past, the emphasis should be on reconciliation that shapes a better future – the restoration of broken relationships.
17. In 2016 PCI sought to articulate its own thoughts on a better future across the island of Ireland through the development of its Vision for Society Statement<sup>3</sup>. It acknowledges that, at times, we have failed to be peacebuilders but commits to seeking a more reconciled community, working together for the common good. The full text is included below:

*WE, MEMBERS OF THE PRESBYTERIAN CHURCH IN IRELAND,  
saved by grace  
and called by God to grace-filled relationships,  
in the power of the Holy Spirit  
as ambassadors of Christ's Kingdom  
in a broken and divided world;*

*BELIEVE that the Good News of Jesus Christ  
challenges and equips us  
to develop radically new attitudes and relationships  
with our neighbours throughout the whole of Ireland.*

*WE CONFESS our failure  
to live as Biblically faithful Christian peacebuilders  
and to promote the counter culture of Jesus  
in a society where cultures clash.*

*ACCORDINGLY, WE AFFIRM Christian peacebuilding  
to be part of Christian discipleship*

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<sup>3</sup> <https://www.presbyterianireland.org/Utility/About-Us/Statements/Vision-for-Society-Statement.aspx>

*and reassert the Church's calling  
to pursue a peaceful and just society in our day*

*WE SEEK a more reconciled community  
at peace with each other,  
where friend and foe,  
working together for the common good,  
can experience healing  
and the grace of our Lord Jesus Christ.*

18. Through the publication of *Considering Grace: Presbyterians and the Troubles*<sup>4</sup> this denomination has, uniquely amongst political parties and other actors across civil society, opened itself up to scrutiny in how it dealt with the past. The stories contained within *Considering Grace* are told to facilitate healing and forgiveness within our congregations, but also to offer an opportunity to open up a discussion within wider society on dealing with the past.
19. Only a few months after publication it is already clear that sharing our pain provides a point of connection for others, with different stories and perspectives, to share theirs. The Oral History Archive suggested in the SHA, but not referenced in the Government's statement, provides an opportunity to find a way to tell collectively the stories of our past. In communities across Northern Ireland a lot of quiet work has gone on, often unnoticed, providing diversions for young people, supporting families of those injured and bereaved and working to build relationships at local level. It is important that these stories are also given an opportunity to be heard.
20. As we emerge from the immediate shock and impact of societal change caused by the global Covid-19 pandemic a key question is rising to the surface – that is, how do we look after each other by how we live? There is an opportunity now to harness this new way of thinking in considering how reconciliation is promoted in Northern Ireland.

### **The potential merits of consolidating the bodies envisaged in the Stormont House Agreement into a single organisation**

21. More important than how many bodies are created is what those bodies exist to do. Openness, transparency, accountability and perception amongst the wider community are vital.

### **The equity of the Government's proposed approach to the re-investigation of cases**

22. Responsibility for the vast majority of Troubles-related deaths lies with republican (approx. 60%) and loyalist (approx. 30%) paramilitaries<sup>5</sup>. It is equally as incumbent upon those organisations and their political representatives to take responsibility for their actions and to acknowledge their wrongdoing, as much as those governments and institutions which can perhaps more readily provide records and archives.



**Rev Daniel Kane (Convener of the  
Council for Public Affairs)**



**Rev Trevor D Gribben  
(Clerk of the General Assembly)**

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<sup>4</sup> <https://www.presbyterianireland.org/Resources/General-Resources-and-Publications/Considering-Grace.aspx>

<sup>5</sup> <http://www.cain.ulst.ac.uk/issues/violence/cts/tables.htm>

