

Dear Mr Hoare,

I trust that this finds you well. The Church and Society Commission of the Church of Ireland welcomes the opportunity to submit its response (enclosed) to the Northern Ireland Affairs Committee's inquiry on 'Addressing the Legacy of Northern Ireland's Past: the UK Government's New Proposals' and would welcome any further opportunity to engage with the Committee regarding this evidence.

Thank you for your time and consideration.

Yours sincerely,

The Rt Revd Dr Kenneth Kearon
Bishop of Limerick and Chair of the Church and Society Commission of the Church of Ireland

Response from Church of Ireland, Church and Society Commission

The Church and Society Commission (CASC) has prepared the following response to the Northern Ireland Affairs Committee's inquiry into 'Addressing the Legacy of Northern Ireland's Past: The UK Government's New Proposals'.

CASC is an advisory group, serving the Standing Committee of the General Synod, and engages with governments on a variety of issues, including legislation. The mission of CASC is to provide oversight and direction for the Church of Ireland's work, in respect to social theology in action. CASC's views only become representative of the Church of Ireland after being approved by its General Synod.

- On 18th March 2020, the Secretary of State for Northern Ireland, the Rt Hon Brandon Lewis MP, made a Written Statement to the House of Commons, 'Addressing Northern Ireland Legacy Issues: Written Statement – HCWS168', which set out proposals for a new approach to dealing with the legacy of Northern Ireland's past.
- In his Written Statement, the Minister indicated that the Government's new approach would include some "significant changes" from the Stormont House Agreement (SHA).
- CASC supports the points made in the Irish Inter-Church Meeting's response. The Irish Inter-Church Meeting's Legacy Working Group, at its meeting on Monday, 16th April 2020, expressed concern at the following:
 - The timing of this most recent phase of consultation in the midst of the Covid-19 emergency;

- The lack of detail in the ministerial statement;
 - The apparent unilateral departure from the complex structures set out in the Stormont House Agreement which, while imperfect, were the result of detailed negotiations and reflected the breadth of the challenges;
 - The perception that this was a less victim-centred approach than that set out in the Stormont House Agreement;
 - The risk that the proposed new mechanisms would not reflect obligations under Article 2 of the European Convention on Human Rights and would therefore result in legal challenges; and
 - The lack of a clear vision for reconciliation.
- The implementation of the Stormont House Agreement to date is generally recognised as being piecemeal, inadequate and failing victims and survivors generally, among them veterans, who may become the subject of reinvestigations. The new paradigm, proposed by the Northern Ireland Office, attempts to correct these faults. However, CASC feels we need a properly resourced and more effective implementation of the Stormont House Agreement, rather than a new approach determined unilaterally by the UK Government. The Agreement was the result of determined and protracted cross-community negotiations; any replacement – even one created with the best of intentions – is likely to fail without cross-community support.
 - As regards the new pension arrangement: If there is no agreed funding believed to have been settled, how is the new model to be resourced?
 - It seems to CASC that the SHA was a carefully calibrated way of addressing arguably the most complex problem in Northern Ireland politics but is now being replaced by something that may not be able to attract the necessary cross-community support.
 - CASC agrees that there is a need to prioritise and maintain a clear focus on the needs of all those affected by the Troubles. This will require governments to adequately resource, and effectively implement, the Stormont House Agreement. CASC appreciates the urgency of addressing legacy issues but resolving such complex matters will take time. Language which even hints at ‘speeding things up’ will most likely prove unhelpful; it would be better to suggest a clear approach with effective implementation and appropriate resourcing. The recent conflict lasted some 30 years and was predated by a period of simmering tension; as we seek an agreed and hopeful way forward, we should be wary of undue haste.

- A less victim-centred approach than the SHA would be a backwards step. CASC urges the Northern Ireland Office to provide greater support for victims' and survivors' mental and physical wellbeing, including provision of adequate support for independent living.

- Reconciliation is a critical element in any consideration of legacy and CASC wants to underline the need for a clear vision to guide any process. The NIO's proposed new paradigm aspires to deliver for all those affected by the legacy of the Troubles; to enable all sides of the community to reconcile and prosper; and to have information recovery and reconciliation at the heart of a revised legacy system that puts victims first. In the absence of detail and without clarity of vision, it is difficult to envisage how this model might live up to its objectives.
- Churches feel we have a distinctive pastoral role to play in addressing the trauma experienced by individuals, families and communities resulting from the Troubles.

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