



OMAGH SUPPORT & SELF HELP GROUP

OSSHG Legacy Submission Booklet in Response to the UK Governments Consultation on 'Dealing with the Past'

Contents

	Page Number
A. Executive Summary	2
B. Introduction to OSSHG	3-4
C. Consultation in preparation for this response	5-6
D. Completed response to each consultation question	
1) Question 1	7
2) Question 2	8
3) Question 3	9-10
4) Question 4	11
5) Question 5	12
6) Question 6	13-14
7) Question 7	14
8) Question 8	15
9) Question 9	16
10) Question 10	16
11) Question 11	17
12) Question 12	17
13) Question 13	18
14) Question 14	18

A. Executive Summary

Having supported not only our members but victims and survivors of other incidents and members of the general public. This is the most important consultation in Northern Ireland since The Good Friday Agreement, we are disappointed in the complexity of these proposals, and the way in which the consultation was launched and believe that the response to this consultation will reflect this.

We at OSSHG are gravely concerned about the institutions which have been proposed within this consultation. In particular one of the most contentious issues raised in this consultation has been the proposed changing of the remit dates for the HIU. OSSHG strongly oppose the attempt to extend the remit dates of the HIU from those internationally accepted as the end of the troubles, the signing of the Good Friday Agreement on 10th April 1998. There is no Political Mandate supporting the change of date; the consultation paper references conceded that the proposal in the Stormont House Agreement was that HIU's remit would only cover deaths up to 11 April 1998. The Consultation papers also conceded that it was **proposed** that the HIU remit should be extended to cover deaths up to 31 March 2014; no agreement was reached on this issue. No political mandate exists to move the date from the 11 April 1998 and to do so without such agreement would be constitutionally wrong. The **Agreed** Stormont House agreement does not provide any support or reference to the change of date.

OSSHG welcome these long-awaited proposals but we would suggest that there appears to be significant work/ reconsiderations before these mechanisms can work for victims. OSSHG believe that all mechanisms should follow similar remits and guidelines, there should be intergovernmental agreements between all mechanisms so that those in Great Britain, Northern Ireland, Southern Ireland have the opportunity to access each of the proposed mechanisms and both bereaved victims and injured victims should have equality of access to all mechanisms.

Cat Wilkinson
Director

Nichola McGowan
Advocacy Case Officer

Stanley McCombe
Chairperson

B. Introduction

Omagh Support & Self-Help Group (OSSHG) is the charity founded in the aftermath of the Omagh Bomb in August 1998 to give support and solace to victims of terrorism and the wider community affected by such acts.

In practical terms the Charity operates a Community Centre in Omagh that is the hub for social activities, reconciliation seminars, family days, holistic therapy, advice, advocacy, truth and justice campaigns and lobbying. We provide a very full programme of activity throughout the year.

When on Saturday 15th August 1998 at 3.10pm a car bomb exploded in Omagh, County Tyrone, it killed 29 people plus two unborn children, and physically injured over 200 others. The bomb not only affected those directly injured and bereaved but impacted significantly on the wider community. In a review of the Omagh bomb investigation team it found that the murder of 29 people plus unborn twins and the injury of over 200 persons had a profound effect on the general public throughout the Western World and particularly in Ireland both North and South. This was illustrated by the unprecedented media interest and the outpouring of revulsion against the bomb attack, which occurred at a time when the two communities in Northern Ireland were beginning to enjoy the benefits of peace. In the Irish Republic 3 young boys were killed and 2 young people from Spain. We continue to provide support and retain close connections with these families.

While those not closely affected are able to consign the Omagh Bomb to history, our people still need help, support and care to deal with that tragic event. OSSHG was set-up by the survivors of the bomb and has been serving the people of Omagh and further afield ever since. The charity provides services in three main areas:

1. To have positive impact on the social, physical and emotional well-being of victims and survivors.
2. To increase understanding and awareness of victim and survivors' issues.
3. To advocate or and pursue reparations for victims and survivors.

Our Mission: To promote, advocate for and address the needs of victims and survivors of trauma; locally, nationally and internationally.

Our Vision: A society where there is truth and justice; and victims and survivors of trauma have a positive sense of well-being and are valued, respected members of their community.

The ethos & principles of the organisation:

- Respecting, valuing, and including different perspectives on healing and recovery
- Valuing the concerns/issues identified by members
- Respecting diversity and promoting inclusive participation
- Raising people's awareness of the range of choices available to them
- Working and learning together
- Openness and accountability
- Empowerment and support
- Reflective practice – learning from mistakes and successes

C. Engagement with politicians, families, local community groups and the wider public

In preparation for our response OSSHG held a number of events to engage with politicians, families, local community groups and the wider public. In the run up to our 20th anniversary commemorations we held our three public events in the hope that the significance of these events would attract media coverage and increase interest in a consultation which The Victims Commissioner Judith Thompson on 26th July warned was in danger of a low response.

We held 3 public events, organised an evening drop in session, organised an open day for community groups, engaged in CVS smaller focus groups alongside members and we have also carried out individual 1:1 appointment regarding the consultation.

Presentations to local political parties

In the immediate aftermath of the consultation launching Omagh Support & Self-Help Group's Advocacy team, organised and delivered a number of presentations to political party leaders, to inform politicians what the proposed impact of the implementation of such institutions would mean for the group.

On 23rd May 2018 Our advocacy team delivered a presentation to SDLP Party Leader Colum Eastwood, legacy spokesperson Dolores Kelly MLA and Nuala Meehan an SDLP policy advisor. On 26th June 2018 our advocacy team delivered the same presentation to UUP party leader Robin Swann, former party leader and local representative Tom Elliot. Unfortunately to scheduling we were unable to facilitate presentations between ourselves and The Alliance Party and Sinn Fein. We received no response from The DUP regarding our invitation.

In finalising our draft response, we circulated this amongst all parties asking for their consideration of our views in formulating their own responses, particularly surrounding the contentious issue of changing the proposed remit dates for the HIU. OSSHG strongly oppose the attempt to extend the remit dates of the HIU from those internationally accepted as the end of the troubles, the signing of the Good Friday Agreement on 10th April 1998.

Public Events

Our Public Events took place on the following dates at these venues;

- Tuesday 7th August - Omagh- The Silverbirch Hotel Omagh - 7-9.30pm
- Wednesday 8th August - Buncrana- The Inishowen Gateway Hotel
7.30 9.30pm
- Monday 13th August - Belfast – Canada Room Queens University Belfast
12-3pm

Drop in Sessions & Open Day

We held a drop-in session in our centre on Thursday 6th September from 7pm-9pm and we also held an open day on Tuesday 2nd October from 11m-3pm for members of the public and community organisations in the local area to find out about services, and how they and their organisations can respond to the consultation.

Individual One on One Consultation Appointments

We also facilitated individual meetings in our office or at an alternative venue. This allowed for individuals an opportunity to discuss the proposals in respect of individual cases. A number of those we consulted with individually sought assistance in preparing submissions on their behalf.

Additional Engagements

Omagh Support & Self-Help Group engaged with officials from the Northern Ireland Office (NIO), Department of Foreign Affairs (DFA) in Dublin, the Commissioner for Victims and Survivors, and the Victims and Survivors Service. In addition to this we consulted with the legal professionals who are engaged in our ongoing Judicial Review.

Question 1:

Do you consider that maintaining the current system for dealing with the issues of the past through legacy inquests, PSNI and OPONI investigations is the right approach, or do you think there is a need for reform?

No

There were over 3,200 homicides in Northern Ireland from January 1969 to the signing of the agreement on April 10th, 1998. Northern Ireland is still a society in trauma. The region has the highest suicide rate in the U.K, the legacy of the Troubles is often cited as a factor. Alcohol and prescription drug abuse are persistent problems. These facts alone demonstrate that the current system is not working for victims or the population of Northern Ireland.

In addition to that if you take into consideration the quantity of cases being dealt with by a number of agencies who aren't equipped or resourced to properly deal with the past for example;

- 55 legacy inquests with the Coroners Service (these cases relate to 94 deaths). Very few of the legacy inquests have been completed, with a mere 11 inquests out of a total of 96 deaths in 55 officially recognised legacy cases having been completed. There are only 3 full time Coroners in the jurisdiction with approximately 3,800 reported deaths annually. The average number of inquests held annually is 152 (an average of one per week per coroner). Northern Ireland's Lord Chief Justice Declan Morgan publicly stated that he recognised the disappointment felt by families waiting for inquests into the deaths of their loved ones and said the issue of resources must be addressed. The Lord Chief Justice previously asked for additional funding to complete the 54 outstanding legacy inquests within five years. The Lord Chief Justice has been able to make very limited progress in dealing with the outstanding legacy inquests since his requests for additional funding last year. The lack of resources is aggravated by the insouciant disregard by agencies of the State's engagement with the Coroners Court, with what is considered by relatives to be an approach to achieve as much delay as possible

- 27 legacy files actively being considered by the Attorney General's office.

- OPONI have a caseload of 423 complaints of them only 165 historical matters currently under investigation, a further 258 such cases are pending and OPONI is receiving approximately 60 new historical complaints each year. The Ombudsman has a staff team of 25 investigators and five members of support staff within their Historical Investigations Team. It is not possible for them to simultaneously investigate all the historical matters and as a result, they have a prioritisation policy which informs the sequence in which matters progress to investigation.

- 1,186 of the Northern Ireland deaths are still part of the caseload of the Legacy Investigation Branch (LIB) of the Police Service of Northern Ireland (PSNI).

Question 2: Does the proposed approach help to ensure all groups of people can effectively engage with the legacy institutions?

If no, please suggest additional measures that would improve this for specific groups.

No,

There are an estimated 98 incidents in the Republic linked to the Troubles. Many involve more than one fatality despite this, victims of troubles related violence in the Republic of Ireland are being excluded from accessing the mechanisms for dealing with the Past for example they will not be allowed to access planned support services and the Historical Investigations Unit (HIU).

Statistics obtained from The Sutton Index of Deaths through CAIN: University of Ulster show that outside of Northern Ireland 125 deaths occurred in GB and 116 in Southern Ireland. This equates to a difference of 9 deaths- therefore we would suggest that it is unjustifiable that victims who live in Southern Ireland particularly victims in boarder counties cannot get access to the HIU.

The success of the mechanisms hinges on the Co-Operation of the Irish Government, in the document it is stated "they gave their commitment"- this is not a legally binding agreement, therefore co-operation between the North & South of Ireland is not guaranteed. The solution to this is an intergovernmental agreement and unified mechanisms between North and Southern Ireland and Great Britain, similar to the intergovernmental agreement between the Irish and British Governments on signed on 27 April 1999 which allowed for the establishment of The Independent Commission for the Location of Victims' Remains.

In addition to this there is a lack of focus to support those who have been left physically/psychologically injured in these incidents. Statistics indicate there are 47,000 injured victims yet majority of the legislation is developed around victims who have been left bereaved, however there is little mention of how these proposed mechanisms can support those who;

- Want to find out the truth about how they sustained life changing injuries from traumatic events.
- Want to get justice for what has happened to them.

Question 3: Should the HIU's remit also include deaths which took place between the signing of the Belfast Agreement on 10 April 1998 and 31 March 2004?

No,

OSSHG strongly oppose the attempt to extend the remit dates of the HIU from those internationally accepted as the end of the troubles, the signing of the Good Friday Agreement on 10th April 1998.

The justification for the change of date is based on PSNI having introduced new operational practices for investigations of deaths, which have ensured that all deaths since April 2004 have already been subject to appropriate review. This assertion is not corroborated by independent review and is a broad assertion at best.

There is no Political Mandate supporting the change of date; the consultation paper references conceded that the proposal in the Stormont House Agreement was that HIU's remit would only cover deaths up to 11 April 1998. The Consultation papers also conceded that it was **proposed** that the HIU remit should be extended to cover deaths up to 31 March 2014; no agreement was reached on this issue. No political mandate exists to move the date from the 11 April 1998 and to do so without such agreement would be constitutionally wrong. The **Agreed** Stormont House agreement does not provide any support or reference to the change of date.

Research by Paul Nolan from the Northern Ireland Policing Board (NIPB) discovered that 158 people have died from the Good Friday Agreement in what the Police term as 'security-related killings' up until December 2017. From 10 April 1998 and 31 March 2004, there has been 90-100 deaths, Omagh is the only multiple deaths incident throughout this period. In Paul Nolan's research Paul has went onto say that the pattern of killings over the past 20 years has been quite different than that during the Troubles when atrocities with multiple deaths had been Common place, The Omagh bomb was more characteristic of the earlier period of the Troubles, and the figures from 1998 to December 2017 are significantly altered if the Omagh deaths are excluded. Mr Nolan told Good Morning Ulster that - with the exception of the Omagh bomb - the pattern of paramilitary murders has changed since the 1998 agreement. Mr Nolan's suggestion that sectarian murders have decreased significantly, but paramilitaries have continued to attack people within their own communities and paramilitary groups widely reflects the deaths during the period proposed from 10 April 1998 -31 March 2004.

There have been approximately 60 security related killings since 31st March 2004 up until the present day, this includes high profile deaths such as the Massereene Army Base killings, deaths of PSNI Officers Stephen Carroll & Ronan Kerr and Prison officer David Black. What makes the victims of these incidents any different from the other 90-100 who died between 10th April 1998-31st March 2004.

Prior to the publication of this document The Omagh Families had cross party support from all of the political parties in Northern Ireland that the remit for the HIU should follow the dates internationally agreed in the Good Friday Agreement. In April 2004, The PSNI introduced new operational practices for

the investigation of deaths, which have ensured that all deaths since April 2004 have already been subject to appropriate review. The first murder review It has been suggested that the extension of dates is to bring inline the PSNI's Murder Review Investigations so that all murders from the signing of the Good Friday Agreement have been investigated inline with the PSNI's current murder reviews. In 2000 the RUC enlisted the help of Officers from Greater Manchester and the Metropolitan police in conducting an independent Murder Review into the Omagh Bombing, this was the first of it kind in Northern Ireland and ended in 274 recommendations. The Omagh families don't believe that the HIU would benefit the Omagh Families as there has been numerous investigations and failed attempts to obtain criminal prosecutions for those involved with Omagh. Many high-ranking officials have publicly stated that it is unlikely that anyone will ever be criminally convicted for Omagh;

Garda Commissioner Pat Byrne-" It was highly unlikely that the Omagh bombers would ever be caught"

Desmond Rea NIPB- "The board accepts the finding of the review, shared by the chief constable, that unless further witnesses or evidence is made available there is no prospect of securing a prosecution,"

Sir Hugh Orde – On 21st December 2007 In a public statement stated that it is highly unlikely that anyone will ever be convicted in connection with the Omagh Bombing.

Deputy Chief Constable Drew Harris – Following The Daly Trial collapsing said there were currently no new lines of inquiry in the investigation. "Police profoundly regret that we have, to date, been unable to secure a conviction for the Omagh bombing and that individuals and families in Omagh and beyond who deserve justice have yet to secure it,"

The HIU is the Only mechanism which has proposed the extension of dates. If this proposed institution were to be genuinely victim centred, then the solution to this would be to follow the original dating of the troubles and allow victims/survivors involved in '*security related killings*' the option to opt into having a HIU investigation.

Question 4: Do you think that the process set out above is the right way to assess whether an investigation into a Troubles-related death has taken place or whether investigation is needed?

No

As discussed above the Omagh families have serious issues with the proposal to change the dates as it could be detrimental to our case. The ECHR has ruled that in line with requirements of Article 2 investigations must be;

- initiated by the State,
- independent,
- effective,
- sufficiently open to public scrutiny,
- involve the next of kin to the extent necessary to safeguard their legitimate interests,
- prompt and carried out with reasonable expedition

The Omagh families recognise that whilst the HIU would be detrimental for us there are victims who would see value in a HIU type investigation. In taking into consideration Art 2 requirements to include family involvement, we would suggest that the HIU use remit covers traditional dates up till 10th April 1998 and have an opt-in option for families who wish to access further investigations.

The Historical Enquiries Team (HET) remit was to examine all deaths attributed to The Troubles from January 1969 to the Good Friday Agreement in 1998, equating to 3,268 deaths which occurred in 2,516 incidents, or 'cases'. HET conducted 1,615 investigations from 2006-Dec 2014. A 2013 report into the HET by the UK's Her Majesty's Inspectorate of Constabulary found that the HET was not reviewing all of the historical cases within its remit in a consistent manner, and that some cases involving deaths caused by members of the police and military (which the report called 'state involvement cases') were 'being reviewed with less rigour in some areas' than non-state cases this resulted in deaths caused by security forces over 900 cases involving 1,200 deaths were re-referred back to LIB.

The HIU can only take over cases outstanding by LIB and outstanding OPONI investigations. Therefore, those who had a previous HET investigation completed would not be eligible to have an investigation conducted by HIU. Given that the PSNI have proposed extending the remit dates to ensure compliant Human Rights investigations and given that HET was viewed by many as flawed, its reasonable to request that for families who wish to have their investigation re-examined should have access to HIU.

Question 5: HIU - disclosure appeals mechanism Do you think that the proposed mechanism to appeal disclosure decisions to a judge provides adequate opportunity to challenge decisions by the UK Government to protect information?

The Omagh families do welcome appeal disclosure decisions be dealt with via the coronial system, this is a positive development and ensures independence however the court system needs to be adequately resourced in order for the process to be effective for victims and lessons would need to be learnt from our Current Judicial Review;

As a result of numerous failed investigations, the Omagh families are Judicially Reviewing the then Secretary of State's decision not to hold a Public Inquiry into Omagh. The SoS at the time advised the Police Ombudsman could deal with outstanding matters, however this was not the case as the Ombudsman was unable to deal with intelligence.

It is proposed that the State would hand over relevant intelligence material regarding cases. In our experience we would be highly critical that this would be the case and have issues with how and who would make the assessment as to what material is and isn't relevant.

Using our experience as an example the State applied for to use Closed Material Procedures, this is the first case of its kind in Northern Ireland.

From our own experience we believe the process has not been victim centred in that 2/3 of our case is held in secret, our legal team is unaware of what is going on in the case bar two special advocates whom we are not permitted contact with. This has been particularly difficult for many of the bereaved families who have experienced delay after delay, when a Judicial Review is usually a short process we are almost 6 years down the line without a hearing.

It is clear that a lot of issues surround National Security and matters of Public Interest Immunity. The appeal procedure is susceptible to Court Challenges and inherently will undermine the proposed HIU process; a judicial process is to be favoured overall with powers similar to the Inquiries Act 2005. There is no mechanism to deal with National Security Issues on a fair and measured basis.

Question 6: HIU - overall view Does the HIU provide a method to take forward investigations into outstanding Troubles-related deaths in a proportionate, victim centred manner with an appropriate structure and safeguards?

A major concern with the HIU is its access to material and questions over who makes the final decision as to what material is relevant and what is not?

Following a BBC Panorama investigation which suggested the Omagh Bomb Car and Phone's belonging to the bombers were being monitored by GCHQ. The then PM ordered Sir David Crompton to conduct an intelligence review around information around the Omagh Bomb. The Omagh Families have reason to believe that even Sir David Crompton did not have access to all intelligence material relevant to Omagh, so the Omagh families would be highly sceptical that the State will willingly hand over ALL relevant intelligence.

Questions over resourcing and independence-

Within proposals it is apparently clear that those who will be seconded into the HIU derive from policing backgrounds, with specific mention that officers from NI, England and Wales can apply. There is no mention of secondments or use of personnel from An Garda Síochána or the Scottish Police Force. In order for the HIU to be independent, effective, and secure the trust of the population, it is important that a large quantity of the investigators is from global police forces not involved in Troubles related cases.

Questions over safeguards and structures

Offering families, the option of advocacy services as delivered by the Community 'Groups. The resource is already established and experienced in supporting victims and survivors. Proper lines of referrals should be built into the process at the earliest point. Families should have access to talking therapies and a dedicated case manager who will remain constant throughout the process.

Questions over timescale & Proposed Sequencing

It has been proposed that the HIU will expect to investigate 1,700 cases within 5 years. We believe that this is extremely ambitious and potentially unattainable- Victims should not be promised that all cases will be completed within this timescale, as it could potentially lead to further disappointment.

The order in which cases have been proposed to be investigated is chronologically. This would mean that if current proposals were in place the Omagh families (who have no desire to be involved with the HIU) will be at the very end of 30 + years of investigations.

In instances where there is no Criminal Investigation

In this instance it will be impossible to be proportionate. Victim impact statements should be applied, and a review of compensation should award when there is a lack of criminal convictions.

Question 7: Independent Commission on Information Retrieval-What actions could the ICIR take to support families who seek information about the death of their loved one?

This institution has the capability & potential to create division, mistrust and sectarianism within the community. Good relations at times is frayed and this institution could cause more harm than good.

Due to the dating remit of the ICIR following the traditionally accepted dating of the troubles, incidents between 01/01/1966-10/04/1998 in UK, ROI & Europe would be able to submit a request. This in effect means that the Omagh families would not be able to access the ICIR.

In the past OSSHG have been contacted with information from a number of individuals, therefore it is one of the proposed mechanisms whilst in principle we don't agree with it, but we recognise that it could potentially be of benefit to the families. However, there are a number of concerns around this mechanism for example;

- Information would not be valid in court proceedings
- A person providing information, could potentially still face prosecution- OSSHG would have doubts about how the ICIR could work- Why would an individual come forward to provide information and risk possibility of prosecution?
- Authenticity of information, how can the information volunteered be verified? In OSSHG's opinion information needs to be verified in order not to retraumatise families.
- ICIR is proposed to operate for 5 years- if the mechanism is successful why put a time limit on it, why not let ICIR come to a natural completion itself.

Question 8: Independent Commission on Information Retrieval- Do you think the ICIR is structured correctly, with the right powers and protections, in a way that would provide victims and survivors with the chance to seek and receive information about the deaths of their loved one?

Yes,

The ICIR in a way is victim centred as they are respecting a family's involvement and will only look for information at a family's request. ICIR will hold onto information which has been provided even if a request hasn't been submitted to a family in the event that the family may choose to do so at a later date.

No,

In that the ICIR focuses more so on families who have been bereaved, there appears to be limited provision for individuals who have been injured in violent incidents. ICIR will only issue an injured person an interim report or a family report if authorised by another bereaved family. OSSHG believes there should be a tailored aspect of this program which would allow a surviving victim to find out the truth about what happened to them.

The ICIR will not have powers of compulsion therefore they will not be able to compel groups/individuals/witnesses to co-operate.

The authenticity of information, how can the information volunteered be verified? In OSSHG's opinion information needs to be verified in order not to retraumatise families.

Those who served in security service/armed forces will still be bound by official secrets, this is problematic in that it isn't conducive of producing the truth.

OSSHG also believe that for families who engage with the ICIR there needs to be an increased support package available which could be done by;
Only accessing this service through a Peace funded advocacy worker
Ongoing emotional support and assessment by professionals to ensure that victims are able to receive information.

Question 9: Oral History Archive Do you think that the Oral History Archive proposals provide an appropriate method for people from all backgrounds to share their experiences of the Troubles in order to create a valuable resource for future generations?

This institution has the capability & potential to create division, mistrust, and sectarianism within the community. Good relations at times is frayed and this institution could cause more harm than good and has the potential to create a hierarchy of victims. The Oral History Archive will only serve to perpetuate propaganda and political agendas.

OSSHG believes that if this institution were to be established there needs to be careful consideration of the grouping and presentation so as not to retraumatise and diminish victims' suffering.

The Omagh families believe the OHA is wrong for the current times. This is possibly a mechanism later down the line, truth and justice need to be obtained first.

Question 10: Oral History Archive- What steps could be taken to ensure that people who want to share their experiences of the Troubles know about the Archive and are encouraged to record their stories?

The Omagh families believe the OHA is wrong for the current times. This is possibly a mechanism later down the line, truth and justice need to be obtained first.

OSSHG would suggest that in advance of the OHA becoming active a nationwide media campaign which would involve print, web, audio and visual - possible documentary which would go through the new mechanisms and provide information how to access services.

A variety of options when it comes to designing the OHA, it should be a user-friendly option which could be easily accessed by the community, we suggest the following;

- A postal option
- A submission section of a website – which would have to be approved by admin before published.
- One to One support in compiling their testimony, many victims due to the impact of trauma and disruption to education have limited literacy skills.
- Testimony's compiled and submitted alongside advocate councillors.

The submissions would have to be verified and discussed with OHA staff before being uploaded to the archive. This would involve the testimony being linked to a person which is anonymously displayed

Question 11: Commissioning the academic report on themes and patterns- Do you think that the ESRC should be engaged to commission the academic work on patterns and themes to ensure independence, impartiality, and best practice in academic research?

The Omagh families believe like the OHA, an academic report is wrong for the current times. OSSHG believe to complete a report after 5 years, would be a waste of money and believe the report would quickly become outdated. OSSHG believe that an academic report would be best later down the line.

OSSHG query whether this is duplication of the Community Relations Council's Peace monitoring report, in order to save public money would it not be best for patterns and themes arising from these new institutions to be included as part of the Peace Monitoring Report and the money allocated to the report publication be allocated to the likes of a victim's pension/ Mental Health Trauma Service.

It has been said that this proposed academic report is separate from the peace monitoring report to bring acknowledgement to victims. OSSHG believe that victims will feel acknowledged when there are structures in place to support them with their everyday living.

Example- PIP Assessments- those who live with life changing injuries sustained, should not have to reapply for PIPs and face on-going assessments, their prognosis is not going to change.
Pension- Those who have been left physically or psychologically injured and were unable to accrue pension contributions should not be left financially struggling.

OSSHG agree that if this institution were to be created an independent person should conduct the report. OSSHG would suggest that in commissioning their work, should regularly engage with victim's groups.

Question 12: Implementation and Reconciliation Group- Do you think the IRG is appropriately structured to allow it to review the work of the legacy institutions, to commission an independent academic report and promote reconciliation?

In theory this mechanism sounds ideal, however the IRG will be made up of 11 representatives from the British Government, The Irish Government, and the political parties in Northern Ireland.

We are currently in a position whereby we have no executive government in Northern Ireland. OSSHG don't believe that the IRG should be compromised of only politicians. OSSHG believes that for genuine reconciliation it is necessary to involve those who were involved in the conflict and that considerations should be given to include members from
Victims Groups
Ex-Paramilitary Groups
Ex-Service personnel

Question 13: Stormont House Agreement proposals - overall view Do you think that the package of measures proposed by the Stormont House Agreement provides an appropriately balanced and planned way to move Northern Ireland forward that can command the confidence of the community?

Yes/No

OSSHG welcome these long-awaited proposals but we would suggest that there appears to be significant work/ reconsiderations before these mechanisms can work for victims. OSSHG believe that all mechanisms should follow similar remits and guidelines;

- There should be intergovernmental agreements between all mechanisms so that those in Great Britain, Northern Ireland, Southern Ireland have the opportunity to access each of the proposed mechanisms.
- Both bereaved victims and injured victims should have equality of access to all mechanisms.

Remit dates for all of the mechanisms should follow the traditionally agreed dates of the troubles which is between 01/01/1966-10/04/1998. After this victim should be able to opt in to specific individual mechanisms if they wish to do so.

Question 14: Other views on the past- Do you have any views on different ways to address the legacy of Northern Ireland's past not outlined in this consultation paper?

Statute of Limitations/Amnesty for armed forces/ Reduced sentences

OSSHG would strongly disagree with the inclusion of an amnesty / statute of limitations due to possibilities of state agent's involvement during the Troubles. Should an amnesty be introduced we feel it is incompatible with Human Rights Law.

Victims and Survivors of the troubles deserve truth and justice, a statute of limitations/amnesty would open the door to an amnesty for everyone including those who perpetrated the violence. During the 1998 referendum the population voted for early release of prisoners, however Omagh happened in Peacetime and we would not support the dissidents who went against their own organisations and murdered 31 people in Omagh. We do not believe that in the event there would be a criminal prosecution for Omagh. that its perpetrators should receive reduced sentences.

Statistics have shown that deaths at the hands of security forces throughout the troubles is 363 which equates to 10% of deaths. The security services have been recorded as being responsible for 55% of the civilian deaths throughout the troubles, the families who's loved ones have died should be given fair and equitable access to truth and justice.

Pensions

OSSHG support pensions for those who have been left physically injured by incidents, but we would also go as far to say that there should be consideration to extend pensions to those who have been left psychologically injured and those who have been bereaved. During the 'troubles' survivors who have been left seriously injured and therefore unable to accrue a pension to support them in their retirement, however, psychologically injured victims such as those bereaved were also unable to return to work and contribute towards retirement. The remit for pensions needs to be examined more widely to encompass all those impacted and adversely affected. This should be done without delay and should be a priority action moving forward.

Mental Health Trauma Service

As mentioned earlier, the region has the highest suicide rate in the U.K, the legacy of the Troubles is often cited as a factor. Alcohol and prescription drug abuse are persistent problems. These facts alone demonstrate that the current system is not working for victims or the population of Northern Ireland.

Political Uncertainty

Due to the lack of political leadership OSSHG are concerned that there is no-one who can represent Victims & Survivors, should the political institutions continue to disagree, and we are put into a position where Westminster have direct rule, we would have serious issues with the possibility for jeopardising the Omagh Case given we are Judicially reviewing the SoS decision not to grant a public inquiry.