

DÁIL ÉIREANN

AN COMHCHOISTE UM FEIDHMIÚ CHOMHAONTÚ AOINE AN CHÉASTA

JOINT COMMITTEE ON THE IMPLEMENTATION OF THE GOOD FRIDAY AGREEMENT

Dé Máirt, 25 Bealtaine 2021

Tuesday, 25 May 2021

Tháinig an Comhchoiste le chéile ag 9.30 a.m.

The Joint Committee met at 9.30 a.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Jennifer Carroll MacNeill,	Frances Black,
Rose Conway-Walsh,	Niall Blaney,
Patrick Costello,	Emer Currie,
Pádraig Mac Lochlainn,	John McGahon,
Brendan Smith,	Niall Ó Donnghaile.
Peadar Tóibín.	

I láthair / In attendance: Senator Erin McGreehan.

Teachta / Deputy Fergus O'Dowd sa Chathaoir / in the Chair.

Business of Joint Committee

Chairman: Before we start, I ask each group to indicate their interests for the rest of the term as to the issues they would like to raise. We will have a quick meeting on Thursday. The clerk to the committee will be in touch with the members to make sure everybody is happy with what we are doing on that issue.

Representatives of the Ballymurphy Families

Chairman: Our witnesses, Mr. John Teggart, Ms Carmel Quinn and Pádraig Ó Muirigh from Ó Muirigh Solicitors are waiting.

I will go through the process before we introduce our witnesses and they make their address. Apologies have been received from Senator Rónán Mullen. So that our witness will understand, these are merely routine points I must make.

All Members of the Oireachtas should attend this meeting remotely from their offices within the Leinster House campus. Remote participation from outside the campus is not possible. If there is unwanted feedback, it may be necessary to mute everyone and the person speaking can then unmute himself or herself. I ask everyone to stay muted unless he or she is contributing.

As usual, I propose to call members in the following rota order and time limits, repeating as time allows. At the previous meeting, we extended the speaking time for each individual group from ten to 15 minutes to include answers to questions and that worked well. If the members accept that we do that, I will try and do that on this occasion. In other words, as we rotate through the parties, the party and our witnesses have 15 minutes whichever way the party and, of course, the witnesses want to manage that, and after that we will rotate it. As the members will be aware, there is a two-hour limit. Is that agreed? Agreed.

The rotation is as per the clerk to the committee has indicated. On this occasion, the first group is Fine Gael, followed by Sinn Féin, Fianna Fáil, the SDLP, the Alliance Party, Independents, Aontú, Sinn Féin, the Labour Party and the Green Party. Is that agreed? Agreed. We will proceed on that basis, except we will provide 15 minutes. After ten minutes, I will advise the person who is speaking that there is five minutes left in that slot. That is the fairest way. If you do not use up all your time, it will mean that you will get back in again when it comes around.

Our engagement today is with the representatives of the Ballymurphy families: Mr. John Teggart, son of Daniel Teggart, deceased; Ms Carmel Quinn, sister of Mr. John Laverty, deceased; and Pádraig Ó Muirigh from Ó Muirigh Solicitors. On behalf of the committee, I welcome them to today's meeting. I must read a privilege wording that I must say legally to the witnesses. It applies to every witness. It is not specific to the witnesses personally. We say this at every meeting.

The evidence of witnesses physically present or who give evidence from within the parliamentary precincts is protected pursuant to both the Constitution and statute by absolute privilege. However, witnesses and participants who are to give evidence from a location outside the parliamentary precincts are asked to note that they may not benefit from the same level of immunity from legal proceedings as a witness giving evidence from within the parliamentary precincts does and may consider it appropriate to take legal advice on this matter.

Witnesses are also asked to note that only evidence connected with the subject matter of the proceedings should be given. They should respect directions given by the Chair and the parliamentary practice to the effect that, where possible, they should neither criticise nor make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the person or entity's good name.

That is a standard speech I make at every meeting and there is nothing different about today as opposed to other days.

The witnesses are very welcome. I appreciate fully the difficult, hard-fought battle they have had for more than 50 years to get into the public domain the absolute certainty that their family members who died on that day were entirely innocent, that many of them were shot in the back and that it is a searing indictment of the crimes that were committed on their family members more than 50 years ago. It was an indiscriminate use of force. It was an atrocity. It is a damning indictment of the past in our island. I ask the witnesses now to make their opening statement.

Mr. John Teggart: I thank the committee for the opportunity to speak here today about the Ballymurphy massacre.

On Monday, 9 August 1971, at 4 a.m., internment without trial was introduced by the British Government in the North of Ireland. The British Army directed the campaign against the predominately Catholic community with the stated aim to "shock and stun the civilian community". Between 9 August and 11 August 1971, more than 600 British soldiers entered the Ballymurphy area of west Belfast, raiding the homes and rounding up local men. Many were brutalised without good reason as they were dragged from their homes.

In the aftermath of internment, 11 innocent civilians, including my father, were brutally murdered in Ballymurphy. All 11 unarmed civilians were murdered by the British parachute regiment. One of the victims was the well-known parish priest, Fr. Hugh Mullan, and another was 44-year-old mother of eight, Mrs. Joan Connolly. All left their place of safety to go to the aid of others. Almost all were shot in the back. No police investigations were carried out and no member of the British Army was ever held to account.

Evidence suggests that some of the soldiers involved in Ballymurphy went on to Derry some months later and murdered 14 innocent civilians. Had those who were involved in Ballymurphy been held to account, the events of Bloody Sunday may never have happened.

Original inquests were held into each of the deaths in 1972 resulting in open verdicts. We always maintained that these were sham inquests as not all eyewitnesses were called to give evidence, and the RUC did not carry out any investigations into the 11 deaths.

In 1998, the families began a campaign to have their loved one's names cleared and declared innocent. As part of that campaign, families started to source eye-witnesses, and to collect evidence and witness statements, which would later be submitted by our solicitor Pádraig Ó Muirigh to the Attorney General, with a request for new inquests. Subsequently, the Attorney General exercised his powers pursuant to section 14 of the Coroner's Act (Northern Ireland) 1959 and, having considered the submissions made to him, he directed in 2011 that new inquests should be held into the deaths of ten of the victims.

The first preliminary hearing took place on 3 March 2014 and the oral hearings began in

court 12 at Laganside Courts on 12 November 2018, with an opening statement from counsel for the coroner followed by family pen portraits in respect of our loved ones. The inquest heard 100 days of evidence, finishing on 3 March 2020. On each day of the inquests we relived the horror of what happened to our loved ones in August 1971. It was not easy, in fact it was awful, but what gave us the strength to get through it was the knowledge that every day of evidence was another blow to the Ministry of Defence web of lies created 50 years ago. We remained determined and united as the truth was finally recognised by the court and the lies of the British Government were laid bare for all the world to see.

Last Tuesday, 11 May 2021, Mrs. Justice Keegan delivered her long-awaited verdict. It was an historic day for families as they gathered to hear Mrs. Justice Keegan say that all our loved ones were innocent. They are: Joan Connolly, innocent; Joseph Corr, innocent; Eddie Doherty, innocent; John Laverty, innocent; John McKerr, innocent; Fr Hugh Mullan, innocent; Joseph Murphy, innocent; Noel Phillips, innocent; Frank Quinn, innocent; and my daddy, Danny Teggart, innocent.

We were overjoyed at the verdict. We corrected history. We corrected the lies that our loved ones were gunmen and a gunwoman. We always knew our loved ones were innocent, now the world knows it. Our joy was interrupted when the British Prime Minister Boris Johnston issued feeble and insincere apologies. We never asked for an apology, but we did ask for a police investigation. The police have never investigated the deaths of our loved ones. We should not need to ask for a proper police investigation: it is normal practice when citizens are murdered. The British Government now wants to deny us and others any chance for justice by introducing an amnesty for these murderers.

The Ministry of Defence spin doctors, just like they did 50 years ago, are circulating lies, describing these investigations as vexatious or unfair prosecutions. No one should be above the law. Amnesties are for people who are afraid of the truth. If the British Government is so proud of its legal system, why does it not trust it? Instead it chooses to ignore the internationally recognised agreements and make up its own laws when it suits.

Every victim should have a right to pursue justice. We will not accept an apology for these murderers and will challenge any attempts to do so. I ask this committee to use its influence on the British Government to implement the Stormont House Agreement so that other victims do not have to endure many years of campaigning as we did.

Chairman: I thank you, Mr. Teggart, for the very clear, concise, and deeply moving statement you have given to us.

All of our parties here will comment individually on their concerns and how they hope to bring about the objectives that we all want, which are accountability, justice, and reconciliation. The rotation agreed was Fine Gael, Sinn Féin, Fianna Fáil, SDLP, Alliance, Independents, Sinn Féin, the Labour Party and the Green Party. I have a slight difficulty in that I cannot see everyone who is present in the meeting. I am aware that Senator Currie has a motion in the Seanad, but if Senator Currie or Deputy Carroll MacNeill would like to speak now, will they indicate please.

Senator Emer Currie: Good morning. I wish to thank Mr. Teggart and our guests for giving of their time here this morning. I thank them for their tireless campaign over the past 20 years, and over the 50 years since they were denied truth and justice for their loved ones. I was honoured to have read the names of the victims into the Official Report on the night before the

findings of the inquest. We all felt for them that night and on the day when the families finally got vindication for their campaign, and their loved ones were found entirely innocent. When someone is found entirely innocent then someone is entirely guilty as well. Everyone should have access to an effective investigation into all of the Troubles-related deaths. Every family bereaved in the Troubles should have access to effective investigation and to a process of justice, regardless of the perpetrator. I am utterly against any unilateral move that changes the Stormont House Agreement, and what was a collective and comprehensive framework to deal with legacy. I agree with Mr. Teggart that new lies are being told with regard to the rationale for seeking an amnesty. In the vacuum that existed, because we did not have a framework for legacy, what would have been different for the families if they had had access to the types of structures that are available with the Stormont House Agreement? Based on today, what do the families want this committee to do specifically?

My third question is for Mr. Ó Muirigh. If a unilateral action is taken, what does this mean for obligations under the European Convention on Human Rights, which is a key element of the Good Friday Agreement? What does it mean for international human rights?

I thank the guests once more. How would they like their families to be memorialised? Is there anything they would like in that regard? It is heartfelt when I say that if there is anything I and my party can do, and I am sure this committee can do and is already doing, with the relationships and with contacts, please let us know.

Deputy Jennifer Carroll MacNeill: I will not take too much time because I want to leave a lot of time for a response. I agree with everything Senator Currie said. I thank the representatives for being here. I gave the Chairman my time on the statement last week. I was chairing a committee, otherwise I would have been there. I am very honoured to have the opportunity to meet with the guests this morning and I thank them.

Mr. Teggart spoke about the experience of the inquest. In the past and in his statement this morning he has highlighted how difficult that was. Of course, it is difficult reliving the trauma that he experienced. What can we learn from the way in which the inquest was organised, and how it treated the families in practical terms? In addition to going through the inquest on a personal basis, what can we learn from that for any other such events? We have heard much about apologies and this, that and the other but what practical communications, if any, have there been from the British Government to the families? I will leave it there so there is time for answers.

Chairman: It is over to Mr. Teggart. If he wants to bring in Ms Quinn or Mr. Ó Muirigh, they are free to make a contribution.

Mr. John Teggart: I liked the comment from Senator Currie. That is exactly what has happened. New lies have been started with these vexatious investigations. One of the questions asked was about the difficulties then and now. Things would have been different if we had had a proper investigation. If the soldiers at one of these massacres had been properly investigated, and if the courts had been more sympathetic to the families without taking the word of the army at the time, I wonder how many people's lives would have been saved at the likes of Bloody Sunday and events all through the conflict of the Troubles. The committee has to remember it was the army and the likes of its generals who were putting out statements about our loved ones right away, from the first shot, saying they were gunmen and gunwomen. If things had been done differently in the courts and they had been made accountable, and if the Attorney General of the day had been more forthcoming for anybody who committed a crime, whether it was the army or whatever, things would have been different throughout the conflict.

Senator Currie also asked about what the committee can do for us. Obviously the families have been successful in getting the inquest, in correcting history to show our loved ones were entirely innocent and in vindicating their good names. We would hope the same help, the same resources and the same laws would be available to others. Members have to remember the inquests at that time were a sham. They did not call eyewitnesses. Mr. Ó Muirigh can expand on this. The RUC did not interview military witnesses and things like that. That is where we were at. We were treated really badly. One example of how the courts were, although it changed subsequently, was that when my mother went for a civil case at a very early stage she was told by the judge that because my daddy was not working at the time she would have one less mouth to feed and would actually be financially better off. Those were the kinds of judges, and that was the kind of legal system, that we had at the time.

Deputy Carroll MacNeill asked how we were treated at the inquest. From the very start the families had requested a meeting with the legacy department in the Laganside courts for the inquest. It was very helpful. It will set a precedent for what others should be entitled to. They were very family-orientated. They brought us all into the meeting and we asked for a few things. We did not get them all but we got basically what was needed for the families, like a family room as somewhere for the families to go. We brought in the Listening Ear service and things like that. Even at the end, they familiarised the families with the courts. All these things were done and I congratulate the coroners service on the way it worked with the families. I hope it is the precedent for others coming forward. I will give somebody else a chance to talk.

Chairman: When Mr. Teggart is speaking, sometimes we can hear him very clearly and at other times we cannot. It may be that he is going offline or it may be his connection or something. It may need to be switched off and on, just to see about the sound.

Ms Quinn and Mr. Ó Muirigh want to respond. They are very welcome. Before they speak, the clock says we have only five minutes left in this slot. If they go ahead and say what they want to say, we can take other replies in the next round after Sinn Féin or the next group, if that is okay. I am keen to ensure everybody gets an opportunity. I apologise for interrupting Ms Quinn. She has the floor.

Ms Carmel Quinn: I thank the committee for giving us this opportunity. The point I want to make on the inquests relates to the distress caused to the families. There was a lot of information that we heard for the first time. Our legal team were very good at showing us beforehand what would happen on a given day. The issue was the attitude of some of the soldiers who were called, saying they could not remember. It was the same thing right down the line and was actually put on a website.

The other point is that we were one of the lucky families, along with my neighbours, that actually had an inquest. There are families who have not had any kind of recognition. Their loved ones were there one day and then were murdered, and nothing has happened. Early on in the Troubles, my brother's death was investigated by the royal military police. That was the deal they had and it was all a cover-up system, as we now know.

I want to make the point that the Stormont House Agreement is there and the mechanisms are there, but people cannot move on. People are stuck in the past because there has never been any accountability for what happened, none at all. There was a letter sent to the Irish Government with over 3,600 signatures on it of people from all walks who lost someone in the conflict and are looking for some kind of accountability and justice. That needs to be addressed. The Stormont House Agreement needs to be implemented and the Prime Minister of England needs

to be told quite firmly that there is no amnesty on the table. That is how I feel. He came out and gave an apology to the families which I found out about when a reporter rang me to tell me Boris Johnson was apologising to me. This is the same way he will bring an amnesty in; through the back door. The Oireachtas needs to push him on this.

Mr. Pádraig Ó Muirigh: In reply to Senator Currie's question, any unilateral move to bin the Stormont House Agreement and bring in an amnesty for British soldiers would be a clear breach of the European Convention on Human Rights and also of international human rights standards. These families will challenge any such move by the British Government in the domestic courts and, if they need to, in the European courts as well.

There was also a question on the conduct of the inquest and family participation. There is no question that this coroner held an Article 2-compliant inquest. Part of the procedural obligation under Article 2 is to involve the next of kin and we saw that throughout. That included the pen portraits the families opened the inquest with, which was a new process which had not been used before at an inquest in this jurisdiction. We had very practical arrangements at the inquest including appropriate seating arrangements for family members and the facility to have sight of civilian and military witnesses as they gave evidence when they were not screened. It also involved a facility at the courts complex for tea and counselling facilities. All of that was very important so I must commend the coroners service and the coroner in particular, who put the families front and centre of this inquest. As Mr. Teggart said earlier, a precedent has been set going forward that families no longer have to feel that they are outside the legal system or that it is a cold house for them. Mr. Teggart gave a very damning example of how they were treated in 1972. This has changed and this coroner has set a very good example and high standard as we go forward. I hope it is replicated.

Chairman: I thank Mr. Ó Muirigh. As we have a minute left in the slot, perhaps Senator Currie or Deputy Carroll MacNeill would like to come back in. I thank our guests for their replies. I think the core of what they are saying is that there should be no amnesty and that the Stormont House Agreement should be enforced. I presume there are issues affecting our jurisdiction in that regard. Mr. Ó Muirigh might suggest steps we in this jurisdiction need to take to put the necessary legislation in place to ensure full compliance with that agreement.

We will move on to representatives from Sinn Féin who will have 15 minutes. I will tell them when there is five minutes remaining. Those 15 minutes include the replies from our guests. Is Ms Gildernew going to go first?

Ms Michelle Gildernew: Mr. Maskey will go first.

Mr. Paul Maskey: It is great to see Mr. Teggart, Ms Quinn and Mr. Ó Muirigh at the meeting. They are very welcome. I am sure they are exhausted because they have campaigned for many years to get justice for their loved ones. They have not stopped since the announcement by Mrs. Justice Keegan a number of weeks ago that their loved ones were innocent. They need to be commended on all their hard work and determination over the years. They and other family members who are not here today have carried out their campaign with dignity and respect. We are all appreciative of that work over the years. Their composure has been overwhelming in the face of the casual manner of the violence perpetrated by the British powers who murdered the loved ones of our guests on their own streets. They should be proud. As a representative of west Belfast, I assure our guests they instil pride the length and breadth of the constituency and beyond. On the day Mrs. Justice Keegan made her announcement, everybody in west Belfast was saying our guests had done it, they had done what they said they would do. They have

instilled pride in many people across this constituency and beyond, as I have said.

The hurt and pain of the massacre could easily have broken our guests' spirits. The response of successive British Governments that claimed the victims of the massacre were armed and threatening could have left our guests in despair. In actual fact, the opposite happened. Our guests suffered loss. They showed their love for their relatives and their desire to clear the good names of their loves one that were sullied by British liars. They showed their dedication to the truth and pursuit of justice throughout the campaign. They achieved the truth, which they rightly deserved. I believe that for over 50 years the humanity in our guests' hearts lit up the darkness of the loss they grieved. I welcome that.

I wish to make one suggestion to the committee. I suggest that we visit Ballymurphy as soon as possible when restrictions are further reduced to hear in person from the family members. That is important. When we are in Ballymurphy, we should also meet with the families of the victims of the Springhill massacre to hear their stories. Springhill and Ballymurphy adjoin each other and, less than a year after the Ballymurphy massacre, five civilians were killed by the British army. The Springhill massacre is often known as the forgotten massacre. It would be good and useful for the committee to agree to meet the families in Ballymurphy and then meet with the Springhill massacre families.

My question to the families will touch on something that has been mentioned on many occasions over the years but I think it would be useful for members of the committee to hear this. It is a difficult time for our guests and all the other families that were affected. Will our guests tell us what it was like to cope with the loss of their loved ones in such a violent way and then to listen to the British Government and the powers concerned claim that our guests' loved ones were not innocent?

Mr. John Finucane: I will come in now and that will give the families and Mr. Ó Muirigh a clear run at responding to the Chairman and Mr. Maskey. I add my welcome to Mr. Teggart, Ms Quinn and Mr. Ó Muirigh to the committee. I thank them for the determination they have shown over five decades. Such determination is truly inspirational when we recognise the deliberate nature of the obstacles that have been placed before them by the British state throughout the past 50 years. I also want to take a moment to recognise the work of Mr. Ó Muirigh. He is one of the few solicitors in this jurisdiction who are legacy practitioners. They have been deliberately targeted and demonised by the state. I often hear about history being rewritten and I note Mr. Teggart's opening comments about correcting history. I pay tribute to the legal diligence that accompanied the families' determination. Our history books now reflect what actually happened in Ballymurphy in August 1971 and that is something we should all welcome.

In the face of the difficulties the families have faced over 50 years, they still managed to get the truth. My question will focus on the areas of justice and accountability. The British Government has unilaterally walked away from legacy agreements and now seems set on implementing an amnesty that it announced on the very day that Mrs Justice Keegan declared to the world that the loved ones of our guests were innocent. The British Government justified the amnesty by saying it wanted to help families to move forward. How do the families now proceed in the face of the current position taken by the British Government?

Mr. John Teggart: Mr. Maskey asked what it was like and how we coped after our loved ones were murdered and their names tainted. It was very hard, I must say. I was an 11-year-old boy at the time and I grew up angry about what had happened. There was obviously not much I could have done, as an 11-year-old. I heard my mummy crying in the night time. She tried

to be strong for the families. There were 13 of us and we were split up to different sisters and things like that to try to help in some way. I went to my sister, Alice's. Others went to live with Bernie, some to live with Margaret. The family split up as a mechanism of coping and sharing the pain.

Things like these affect people differently. Some were determined to get the truth. Others experienced mental health issues. However, we got there through hard work. As Mr. Finucane said, we have corrected history. The British Government has walked away from its responsibilities. We need a strong co-guarantor of the Good Friday Agreement. We need more pressure than words. We have a strong friend in America at the minute from which support can be sourced. There is a lot of support. At the same time as the British were going to interfere with the Good Friday Agreement, there were some words about what can be done. Those are the kinds of things we need to be doing. I hope that we get where we want, for all the families concerned. We will strongly oppose an amnesty and that goes for the families of all victims.

Mr. Pádraig Ó Muirigh: I want to reply to Mr. Teggart and I thank him for his comments. He and his family will be only too familiar with the obstacles, legal and otherwise, that the families have faced because they have had to face them for many years.

In terms of the next steps, we issued civil proceedings in parallel with the inquest. In light of the damning findings by Mrs. Justice Keegan, that matter will proceed with vigour. It is listed for 11 June at the High Court in Belfast and we can update the committee about that in the future. These families also have a right to an independent investigation, which never occurred, to examine the criminal actions of the British army over the course of three days in Ballymurphy. Mrs. Justice Keegan highlighted many of those actions by the soldiers in her detailed findings. The British Government's proposals on an amnesty will be vigorously opposed by the families when they come forward, and this committee could obviously play its part in supporting the families in that regard. We will be calling, and we hope the committee will continue to call, for the full implementation of the Stormont House Agreement. The Ballymurphy campaign for justice will continue even after these findings. There is a great deal of work still to be done to oppose the British Government's unilateral moves.

Ms Carmel Quinn: I want to speak about the impact it had on our family. I was eight years old when John was murdered. On the morning he was murdered, my other brother who was 18 years old was arrested. My mother and father spent two days looking for them because they did not know where they were at the start. Christmas 1971 really sticks out in my mind as an eight year old. Terry was jailed on 18 December for riotous behaviour, a conviction that was quashed in 2015. There was no Christmas tree in our house. Our house was always full of activity because I was the baby of 11, but there was nothing. It was like a silence came over our home. My mother and father were totally devastated and just trying to cope. The fact is that there were nightly raids on our home. That was what the army did. It targeted the homes of the people who were murdered. It targeted them to try to keep us quiet. It tried to demonise the families through the nightly raids. It was just another way of trying to keep the families down.

My mother was never the same person after that. When I went to school she collected me, we went to the graveyard and we went to mass. That was my time as an eight year old, so I grew up with this. It also has an impact on my life. I am very conscious all the time of where my children are. They are adults now. I am very alert all the time and very anxious. That was the impact it had on my life. The rest of my older siblings were never the same again. They did not live the lives they should have lived. That is why I sometimes get very angry. Not only did they murder my brother, they destroyed an entire family. Being the youngest, I watched it. I

watched my mother slowly dying in front of me. My father died at 61 years of age of a broken heart. It was just horrendous. That is why we got justice - that our loved ones were innocent. We need investigations. We will never move on.

My mother died in 2000. I was holding her hand when she died. That is the way she should have died. I can accept that. My heart was broken, but I was able to accept my mother passing. I cannot accept what happened my 20-year-old brother.

Chairman: I will move on to the Fianna Fáil members. There are 15 minutes in this slot and I will let them know after ten minutes that they have five left.

Senator Niall Blaney: I extend a very warm welcome Mr. Teggart, Ms Quinn and Mr. Ó Muirigh. I am delighted to meet them, although nothing beats a face-to-face meeting. Perhaps we will make that happen at a later stage with your assistance, Chairman.

I have to say that the campaign is one of bravery. I must agree with Mr. Maskey's comments about the dignity and respect with which the witnesses have carried out their campaign. It has been something else to watch. Considering what the witnesses have gone through as individuals and families, to still hold that dignity and respect despite what they are up against has to be highlighted and commended, so I commend them on that.

As someone who worked with Archbishop Robin Eames and Mr. Denis Bradley when they were campaigning for truth and justice, and the report they produced, I am sure the witnesses must have had some contact with them in the run up to that. If they can, perhaps they might give a little background about that and what their expectations were in that regard. Some have the view, even on this island, that achieving truth and justice is not really realistic at this stage and they question the merit of seeking inquiries. Some are putting them down to the times they occurred, the Troubles and so forth. How do those comments make the witnesses feel? What is their opinion of people putting forward those arguments? Some are also of the view that justice will probably not be recoverable, particularly under Boris Johnson's Administration. Is truth recovery enough for the witnesses? They represent an awful lot of people across the Six Counties, and some beyond, who are seeking justice and truth. Some probably would be content with even just getting the truth. I would like to hear their views on those matters. I thank them for attending and making their presentations so honestly.

Chairman: There are two other Fianna Fáil members present, Deputy Brendan Smith and Senator McGreehan. It is in their hands if they wish to ask questions or make a contribution.

Senator Erin McGreehan: Many of the questions have been covered. I extend a heartfelt welcome to Mr. Teggart, Ms Quinn and Mr. Ó Muirigh and thank them for attending. I do not have any questions. I just wish to acknowledge their loved ones and families. What Ms Quinn said in her last contribution brought me to tears. The dignity, respect and love the witnesses show their loved ones, as well as the loss, are clearly there in all their hearts. They highlighted all the beautiful lives that were lost, but also the domino effect in the hurt, pain and legacy they all have to carry with them. I am thankful that we have reached this stage with an inquest, but there is so far more to go. The witnesses have quite rightly said that. This country has been let down time and again by the British Government. The disrespect the British Government has for Irish citizens and their lives is sickening to the core. The value it has put on an Irish citizen's life is clearly not as important as that of a British citizen. That is the bare fact, in my opinion. We see the effect of legacy and the effect of not knowing what happened one's loved one. The witnesses said that over 3,000 people signed the petition seeking answers about all the deaths

in Northern Ireland in past years. I thank them for their bravery and dignity, and for their time this morning.

Chairman: Does Deputy Brendan Smith wish to make a comment?

Deputy Brendan Smith: I join with all colleagues in warmly welcoming Mr. Teggart, Ms Quinn and Mr. Ó Muirigh to our committee meeting. I welcome their comments very much.

The contents of Mr. Teggart's initial statement are very striking and clearly show the huge injustice inflicted on so many innocent people. The taking away of the lives of those innocent people, and also the untold grief inflicted on the families of the victims by being denied the truth for 50 years, must be heartbreaking. I know the Ballymurphy families have welcomed the inquest findings as a vindication of the innocence of their loved ones, and quite rightly. They have outlined very clearly the absolute frustration that it took half a century to reach these findings.

In her report, Mrs. Justice Keegan also referenced the isolation to which some victims' families were subjected in their communities during that period. We all know that losing a loved one - an innocent person - is just horrific. Not having the truth told for 50 years must indeed be an unbearable burden.

I want to refer in particular to two comments made by Mr. Teggart in his opening statement, which I believe are as powerful as any I have ever heard at this committee. He said:

We corrected the lies that our loved ones were gunmen and a gunwoman. We always knew our loved ones were innocent, now the world knows it.

Nothing more can be said. He encapsulated so well everything about the murder of innocent people and the families of victims being denied the truth for half a century.

Of course, the way the British Prime Minister and Government dealt with their so-called apology was totally undignified. Other speakers quite rightly referred to the very dignified campaign in which the families engaged over the years. I was privileged to meet the families in 2014 here in Leinster House. It was clear at the time that they were going to search for and get the truth through a dignified campaign. It is heartening to see the quality of the campaign led by the families.

I also hear, very loud and clear, the comments of Ms Quinn, Mr. Ó Muirigh and Mr. Teggart regarding no amnesties for people who have committed heinous crimes. I absolutely agree. I believe we must never deviate from that position. The witnesses outlining that point at committee sends a very clear message. Amnesties are not acceptable. I will quote Mr. Teggart again, when he said, "We will not accept an amnesty for these murderers and will challenge any attempts to do so." I wholeheartedly agree.

Ms Quinn, and in particular, Mr. Ó Muirigh and Mr. Teggart, also referred to the Stormont House Agreement. That political architecture is in place and it must be implemented. Again, the witnesses have shown the great quality of their campaign, and the dignity of the families and campaigners, when they talked about other families and victims who also need to get the truth. People who, unfortunately, have suffered in other atrocities have also been denied the truth for decades.

The witnesses' message about the Stormont House Agreement is a very strong argument

from families of victims, alongside ourselves as public representatives in political life, in calling for its implementation. I compliment the witnesses on the quality of their campaign over the years and the excellence of the contributions they made this morning.

Chairman: Do any of the relatives or their legal representative wish to comment? There are five minutes left in this slot.

Mr. John Teggart: I welcome all the kind words from Senator Blaney and Deputy Brendan Smith. I would like to comment on Senator Blaney's question about Archbishop Robin Eames and Mr. Denis Bradley. Myself, Carmel and others were there on the day the Eames-Bradley report came out. One has to remember that this is the way the British Government works. That evening, it took away the first payment that would have been made to family members. A lot of family members could have used that for sending their kids to university and things like that. That was the first thing to be implemented from the Eames-Bradley report. It was taken off the table overnight by the British Government, without any reason at all. That is how sincere it is about different agreements. From then on, that has been the way it treats other agreements - with a long finger - and it has done so many times.

One must also remember other mechanisms that were put in place, such as the coroner's inquest coronial system. People who should have known better tried to stop the inquest, and stop people like ourselves, because it was independent and because the evidence did not hold up.

The only way the British Government could have been involved in that at all was the lack of resources. We had the Lord Chief Justice saying we need to clear up the deaths of 95 victims of the conflict and he was confident he would do it in five years. There was a lack of resources, however. It took us actually taking the Government and the First Minister to court for the release of the funding for the inquest. We had to do that also. They were actually choking the system so it would not work and they are still doing the same. Many families are waiting on reports from the police ombudsman. That office is severely underfunded. That is the kind of thing the likes of this committee can also recommend. These things are put in place to help victims like ourselves. People are waiting on inquests because the reports are unfinished years later. Mr. Ó Muirigh and Ms Quinn could perhaps comment on the rest of that.

That, however, shows the sincerity of the British Government when it starts bringing in all these different things like the Eames-Bradley report, the Stormont House Agreement and the new deal. It does not implement them. It believes that if something does not suit it, it can take it off the table and do things overnight, which has happened in the past.

Chairman: I know Ms Quinn and Mr. Ó Muirigh would like to make a contribution. Again, there are approximately three minutes left in the time slot. Hopefully, at the end, we will have time to give them ten minutes to make closing remarks if that is helpful. I am not trying to shut down comments at all but I want to make sure everybody gets in. Would Mr. Ó Muirigh or Ms Quinn like to say something?

Mr. Pádraig Ó Muirigh: I wish to reply to Senator Blaney's question on justice. I want to quote Mhleli Mxenge, brother of Griffiths Mxenge, a human rights lawyer who was assassinated in apartheid South Africa. They dealt with the Truth and Reconciliation Commission, which was set up at the time. He said, "I don't believe ... knowing alone makes you happy ... you ... [need] the next thing - you want justice!" We are very realistic that justice is difficult 50 years later. There are the obvious problems and obstacles, such as the lack of investigation at the time, which meant evidential opportunities were lost, and the issue of tracing soldiers when

the Ministry of Defence has not assisted the coroner fully with the identification of soldiers.

We understand it is difficult. We are realistic about that. The investigative arm was central to the Stormont House Agreement for a reason, however. To do otherwise would, in my opinion, undermine the rule of law and confidence in the justice system, which is very fragile in post-conflict societies. It is very important that we do not measure this on numbers. The right to justice and due process is something the families should have. As I said, it is central to the Stormont House Agreement. That should not be changed and certainly should not form part of any unilateral move by the British Government.

Chairman: Does Ms Quinn wish to add something?

Ms Carmel Quinn: Yes, regarding Senator Blaney's question on whether truth recovery was enough. When I first started this, I just wanted the truth about what happened to my brother. For 23 years, we gathered the information because we did not know what had happened. After going through the process and getting the verdict that he was innocent, I want more. My expectations for my brother should not be any less than any other citizen's. He was murdered. Therefore, he should have justice. Just because it was carried out by the British state, that should not be denied to me. If any other citizen's life was taken, it would be investigated properly and there would be a conviction at the end. I know that time is a factor, but the British strategy is to deny and wait people out. This needs to be addressed. I could not feel stronger about this. We need to be firm, stand together and tell them that there must be due process. They committed a crime.

Chairman: I thank Ms Quinn for that clear point. I support her in that.

Mr. Colum Eastwood: I thank Mr. Teggart, Ms Quinn and Mr. Ó Muirigh for participating in this meeting and again giving their testimony, which they have had to give over many decades. I remember Mr. Teggart and the rest of the families coming to Derry many years ago and meeting the Bloody Sunday families. They were walking a lonely road. The Ballymurphy massacre did not have the same publicity as Bloody Sunday and other incidents. It did not happen in front of the cameras and happened over three days. When one reads through the evidence, the butchery that was visited upon those people in Ballymurphy was astonishing. That evidence was gathered by the families and no one else. The families had to do this themselves.

The British Government murdered these people's loved ones, then blackened their names and denied them truth. Now it is trying to deny them justice. That cannot be allowed to happen. The ten people who were shot and murdered have now loudly been declared entirely innocent. It is also important to remember Paddy McCarthy, who was a brave man trying to feed children on the streets of Ballymurphy that day and was violently harassed by the paratroopers to such an extent that he ended up having a heart attack and dying. It is such a tragedy.

The bravery and tenacity shown by all of the families over the years are inspirational and something from which we should all take heart. We must also be clear. Like others, I am in discussions with the British Government. It is absolutely determined to have an amnesty for everyone who committed murder during the Troubles. That cannot be allowed to happen. I have listened to well-meaning but naive people who always say that we can surely move on. How can we move on if people are denied truth and justice? We cannot get to the truth unless there are proper investigative processes. We have tried asking nicely. The British Government and paramilitaries are not going to come forward with the truth unless we drag it out of them, and the only way to do that is with a proper investigative process. That is the only way the Bal-

lymurphy families will get justice and many other families will get truth.

Right now, we need an urgent response from everyone in Dublin, America and across the world. This minute, there is a determination by the British Government to close this down. That is what it will do quickly. If this committee can do anything, it is to be loud and determined about ensuring that the British Government does not get away with doing this quietly. As Ms Quinn stated, the British Government will try to do this and we need to resist it at every single turn.

I thank the families for participating today. It is not easy for them to have to keep going through this. They should keep telling their story. A couple of weeks ago, they believed they had a big victory. They did, but the British Government rained all over that in the way it responded. It is despicable that Prime Minister Boris Johnson had to be dragged to the House of Commons and, when he actually made some sort of apology, it was not for the actions of the paratroopers, but for the way the investigations were handled or whatever he said. I do not believe anyone expected much more of him, but it was still wrong and we have to keep saying that.

Mr. John Teggart: I thank Mr. Eastwood and all the parties present. I am looking at very familiar faces on my screen. I have met them during the campaign in one way or another. It brings back all the memories of what we had to do in our campaign, including going to Westminster, America and Brussels. Many of the faces present today also sat in solidarity with the families in court. I thank everyone on my screen. It is humbling that, after the inquest, they are still here with us as we continue our campaign for justice.

I hope that, in some way, what we have done over the years can be continued for others. It must be remembered that victims groups from all parties on this side of the water are opposed to the amnesty that the British Government is trying to introduce. There needs to be unity among everyone, and that unity needs to be seen. As we come out of Covid, a delegation from each political party and victims group should go and tell Boris Johnson that we will not stand for this. We will stand in unity and fight this. We will shame them as much as we can.

We need to be strong on this across the board. We need to bring in other friends of Ireland. The case needs to be made strongly. There are committees proposing and making laws for the British Government. We must remember that almost all of them are composed of ex-service people. They were getting a free run until we went over and confronted them in their chambers where they held their committee meetings. We need to confront them. We need to be proactive and be there in their faces with a unified voice. We must make the case strongly that this amnesty is going nowhere. They are lying to the ex-veterans because this cannot go anywhere. There are many ways of challenging it through the legal system, as Mr. Ó Muirigh would say.

Mr. Pádraig Ó Muirigh: I thank Mr. Eastwood, who has been active in working with the families over the past number of years. I have met him a few times with them. He is familiar with the situation and has always been a voice in support of them. I also thank the other members. Mr. Teggart has met them more than me over the past number of years. We are grateful.

As Mr. Teggart has indicated, members will be equally or even more important in opposing the British Government's approach to dealing with the inquest's findings and the legacy issues. Again, I thank members. Unfortunately, we will have to meet, plot, talk and campaign again together but we appreciate the support of members.

Chairman: Does Ms Quinn wish to comment? There is no pressure to. I will move on to Dr. Farry from the Alliance Party.

Dr. Stephen Farry: I wish to say good morning, in particular to our witnesses, John, Carmel and Pádraig. They are very welcome here today. I join with others in paying tribute to their courage and dignity over the past 50 years in what has been a very long and tortuous road to justice. I turned 50 this year and feel quite old, which puts into perspective how long a period it is in terms of having to fight for truth and to fully get on record what happened on those days in August 1971, and what happened afterwards.

I appreciate that the witnesses are probably fed up hearing from Boris Johnson with his constant failures to properly apologise. It probably affects a lot of questions as to how we can continue to highlight and showcase the issues at stake arising from what happened in the Ballymurphy massacre. In particular, I am very conscious that while the so-called apology last week had the wrong focus there are substantive issues on how the Ministry of Defence dealt with the issue on the days in question, in the immediate aftermath and over the past 50 years, including right through to the inquest. These aspects are probably not part of the public consciousness, particularly for an audience in Great Britain who see a situation where people were falsely killed. They were innocent people. The public do not have an appreciation as to exactly how the situation was so poorly handled by the UK state over that period. So there is a job of work to be done to highlight and challenge those issues. The Ministry of Defence, in particular, has been notable in its silence in the intervening days since the inquest itself.

Again, I want to stress my party's commitment to the Stormont House Agreement and keeping the prospect of justice very much alive. Even if the actual real world prospects of prosecutions are slim it is important for all families right across the spectrum that that very much does stay on the table.

It is noticeable that whenever the UK Government has responded to the situation that it very quickly pivots to trying to offer an apology for what happened in Ballymurphy and then talks up what it is doing in legacy. That shows a huge disrespect to the families in that they are linking the families' grief and fight for justice to what it is doing when it is very much at odds with the view of the families as, indeed, of many other people as to how legacy issues should be taken forward.

Chairman: As I took the Independents first last week I will take Aontú first this week after commentary by the witnesses.

Mr. John Teggart: I thank Stephen for his kind words and, as always, he supports the families.

It is true that prosecutions should still be on the table. After 50 years people think that there is not much hope. I think that after 50 years, like our campaign, there is hope because there is new evidence. There have not been many cases where there has been no investigation at all, as has been said during the day here. We investigated ourselves. We went on foot, knocked on doors and found the evidence ourselves. We brought that forward to Mr. Ó Muirigh to legalise and the statements are with the Attorney General. So there is hope even after 50 years but it is the kind of thing that the British Government wants to close. The British Government is disrespectful, as has been said.

We must remember who the UK Government is trying to represent and support. They are

actually murderers and they are people who have committed crimes. Our loved ones were entirely innocent of crimes. The UK Government is trying to shield the people who committed these crimes from families and the families from them, because these people wore a uniform.

Our story has been told here today and we must remember everybody no matter who it is. All of these families shed the same tears at the funerals of their loved ones. All of these families have the same hurt and are affected in every way.

If one looks at what the parachute regiment alone did, twelve months after Ballymurphy there was Bloody Sunday. Eleven months later people went to the Shankill and murdered Richard McKinney and Robert Johnston. This was an elite force who should not have been on the ground in the first place. Ms Brieghe Foyle, in her statement on the day, said that parachute regiment should be disbanded. When soldiers are deployed on the ground in communities in the North then it is a military force, especially a combat force like the parachute regiment. None of this should have happened and these murderers should not be shielded by any government.

Chairman: Thank you. Next is Deputy Tóibín, Aontú, and Senator Frances Black.

Deputy Peadar Tóibín: Go raibh míle maith agat, a Chathaoirligh. Tá fáilte roimh gach éinne go dtí an cruinniú anseo. I extend a special welcome to all of the witnesses. We greatly appreciate their attendance.

I have followed this campaign for the past two decades. I am still absolutely dumbfounded that it has taken 50 years for justice to be recognised by the State in the North of Ireland. There was an incredible injustice done to the victims on those three days. That injustice was compounded by the defamation of their good names and compounded again by a 50-year wait for the truth. Many people, when they look back on certain elements of the Troubles, view them as only existing in the past but this campaign shows that that injustice actually exists right up until now, which is an incredible thing.

I welcome the fact that the full political spectrum here has given such support to the families of the Ballymurphy massacre. As has been mentioned before, there are many other groups of people in the North of Ireland who have been murdered, their families have been murdered, they have been absolutely wronged and they still seek justice; I am thinking of Kelly's Bar and Springhill. The victims and their families of the Glenanne Gang where 120 people were murdered by elements and agents of the British state in a small location in the North of Ireland. The father of an Aontú councillor, in Dungannon, was murdered in front of her when she was four years old. Recently, she received death threats from the murderer of her father in the name of the East Tyrone brigade of the UVF. For many people this injustice resonates strongly in their lives today.

One of the biggest tributes that maybe the southern political establishment can make to the Ballymurphy families would be to make sure that no other campaign walks a lonely journey to justice in future. We must ensure that all of those who seek justice now have the full energy of the southern State to make sure that they achieve justice for their families. I would like to hear the voices of the witnesses on that matter.

It is important to say that it was the action of a rogue state when the British army murdered citizens in Ballymurphy. The withholding of justice from families is the action of a rogue state. The breaking of international agreements, such as the Stormont House Agreement, is the action of a rogue state. That needs to be called out. I propose that this committee take legal advice

regarding what actions the Irish State can take to ensure that the British Government fulfils its responsibilities to the international agreements it has signed with the Irish State and with the parties in the North of Ireland. The Irish State should use all the legal levers it has in the context of international law to ensure that the pathway to justice is achievable and not blocked for, or withheld from, any family in the North of Ireland and that agreements are not renegeed upon.

Chairman: I call Mr. Teggart, Ms Quinn or Mr. Ó Muirigh, whomsoever might like to respond to that point, and after that will be Senator Black.

Mr. John Teggart: I think Mr. Ó Muirigh could enlighten us regarding the legal aspects just mentioned.

Mr. Pádraig Ó Muirigh: I endorse the comments made by Deputy Tóibín concerning the behaviour of the British Government. On actions that might be taken by the Irish State, we welcome consideration of any legal action it could take. It might be undertaken alongside actions taken by the families in the courts. The Irish State could consider a possible role in respect of international law in this regard. I am not best placed to comment now. I think it is a good idea, however, and the Irish Government should examine it. This might also be an aspect that the committee could raise, keep an eye on and request a formal response from the Irish Government, and keep in touch with the families. I fully welcome the involvement of the Irish State, and we have seen it take the British Government to court before in the famous case involving the hooded men. Therefore, that is a consideration worth looking at and I thank the Deputy for the suggestion. It should be followed up.

Chairman: Ms Quinn can comment now if she wishes.

Ms Carmel Quinn: Returning to the point made by Deputy Tóibín about it having been a lonely road, it certainly was a lonely road, a very lonely road. Other families should not have to go through the same experience. They should have back-up in that regard. We used to have to go in and tell our story to convince people that this was what happened. I would not like to think that any other family would have to do that. We lost a second priest in the Springhill massacre when Fr. Fitzpatrick was shot, less than ten months after Fr. Mullan. People need to be held to account for all of this. British Army personnel were protected in 1971 by the British State. It is now trying to bring in an amnesty and to protect them. The families have nothing to hide. Anyone who lost anyone in the conflict deserves truth and accountability. This goes across the board. The Irish State should use all its power and get behind families seeking some kind of truth and accountability. I thank the committee members.

Chairman: I thank Ms Quinn. We cannot contact Senator Black at the moment, but we will keep her on the list. We are moving to Sinn Féin time now. I have been informed that the speakers are Mr. Francie Molloy and Deputy Rose Conway-Walsh. I call Mr. Molloy.

Mr. Francie Molloy: I welcome Mr. Teggart, Ms Quinn and Mr. Ó Muirigh this morning. It is very important that we hear their stories. The dignified manner in which they have put across their stories and run their campaign has been an inspiration to everyone, right across the board. Families across Tyrone and mid-Ulster have been inspired by the commitment and dedication of the Ballymurphy families to bringing about justice for their families. It is important that we view this situation from that perspective. Mr. Teggart, Ms Quinn and Mr. Ó Muirigh are fighting for their families and to justify the innocence of their family members. I reiterate that they have inspired people right across the board.

It must have been a roller-coaster of an experience for them, in the run-up to the inquest and then also in its aftermath. Therefore, I thank them all very much for taking the time now to talk to us about the experience. Their campaign has been undertaken on behalf of everyone looking for justice. In that regard, we think very much of the Dublin and Monaghan bombings. The Irish Government has a role to play there to ensure that we do get justice. One of the things which comes across to me is that it has taken 50 years to get this far. However, if governments would get behind these campaigns immediately and fight alongside the families involved to try to get justice, that would serve to move things along faster.

As Mr. Teggart said, the British Government has been happy to tell lies for the last 50 years and to spread the narrative that their families' loved ones were guilty. The families fought very hard to get the inquest findings and in doing that they were pitted against the Ministry of Defence, MOD, the former Royal Ulster Constabulary, RUC, which did not undertake an investigation, and the British Government, which blocked progress in every way, including by blocking inquests and not providing funding for inquests. All that sort of stuff has brought us to a situation where the families have now proved that their loved ones are totally innocent. There are no ifs, ands or buts about it. As others have said, the British Prime Minister, in particular, and the British Government then refused to be magnanimous and stand up and admit to that innocence the House of Commons, as other British Prime Ministers have done in the past.

The British Government has a record of not implementing agreements. It has failed to implement every agreement it has ever signed up to. I refer to the Stormont House Agreement, the agreement concerning legacy issues, and it has never even fully implemented the Good Friday Agreement. Under the auspices of New Decade, New Approach, the British Government agreed to legislate for legacy issues within 100 days, but it has again reneged on that commitment. It is now moving to shut down the legal process, which was the only opportunity left to the Ballymurphy families and which was the avenue they had to use. The criminal justice route, therefore, for the Ballymurphy families and others-----

Chairman: I apologise, but we cannot see Mr. Molloy. His camera is off. We can hear him, but we cannot see him.

Mr. Francie Molloy: The camera will not come on again.

Chairman: We can hear Mr. Molloy, so I ask him to keep going, if he wishes. The technology has intervened and now we can neither see nor hear Mr. Molloy. I apologise. We will return to Mr. Molloy, if that is possible at some stage. In the meantime, I call Deputy Conway-Walsh. I might have just heard Mr. Molloy.

Deputy Rose Conway-Walsh: The Chair might have heard me.

Chairman: I am not sure, but I ask the Deputy to continue. We will then go back to Mr. Molloy.

Deputy Rose Conway-Walsh: If the Chair tells me when Mr. Molloy is able to join us again, we can then work it out that way. I welcome Mr. Teggart, Ms Quinn and Mr. Ó Muirigh. It is significant that the witnesses are here today because there is cross-party support within this committee. In that regard, we must come out of this meeting having made some concrete decisions that will help the Ballymurphy families in future. I had the humbling experience of joining the families for a few days of the inquest and seeing first-hand what they were going through. It resonated with me when Ms Quinn commented on the attitude of some of the sol-

diers, in respect of the witness statements given. I found the reported attitude and demeanour of the soldiers to be most shocking. I can absolutely understand how the lack of accountable justice to which the families should have access is preventing them from healing. The challenge being presented to us today is to determine how that justice can be delivered and to look at the deficit in the implementation of the Stormont House Agreement.

My first question is as follows: can the witnesses put into words how the families felt when Ms Justice Keegan declared that all those who were killed were innocent and they knew they had succeeded in correcting the lies that demonised and dehumanised their loved ones?

I address my second question, in respect of the right of the families to an independent investigation, to Mr. Teggart. What, specifically, do we need to do to move that on to ensure it happens in a speedy way, if one can use the term “speedy” after a period of 50 years has elapsed? I ask him to outline the terms of reference that would be required within that investigation.

I suggest that as a committee, on a solid and cross-party basis, we write to the British Prime Minister and specifically set out the actions that we need him to take at this moment in time. Indeed, we should also set out the actions that we need our Taoiseach to take in terms of putting pressure on the British Prime Minister. I understand Mr. Teggart’s point that we need more than words. We need to apply pressure. I ask him to outline exactly how he sees that pressure from the committee manifesting itself.

I wish to thank the witnesses for attending the committee today. I also endorse Mr. Maskey’s idea of us visiting the sites of the Ballymurphy massacre and the Springhill massacre as soon as regulations allow us to do so.

Chairman: I thank the Deputy. Mr. Molloy has reconnected.

Mr. Francie Molloy: The British Government has closed down the criminal justice route, asserting that we should look forward and not back. Do the families have any faith in that approach? How can the families navigate around that situation? What can all the political parties here and outside of here, and also the Irish Government, do to ensure that there is justice and accountability for the actions of the British army 50 years ago? Criminal acts were carried out in Ballymurphy. Murders were committed. Therefore, we need an adequate response whereby people are charged and the criminal justice process is followed through. I apologise for the disruption.

Chairman: Do any other members from Sinn Féin wish to speak? No. I invite the witnesses to respond.

Mr. Pádraig Ó Muirigh: I can respond to Deputy Conway-Walsh’s question. She referred to the terms of reference for any investigation. In short, those terms should be the opposite of what was provided in 1971. It was a sham process whereby the police responsibility for the investigation of crimes was usurped. There was an arrangement between the general officer command of the army and the chief constable, which meant that the use of lethal force by soldiers was investigated by the royal military police. Throughout the Ballymurphy inquest, we saw that the royal military police was involved in the falsification of statements. That became clearly apparent in the inquest.

What we need - and the Stormont House Agreement is a route to delivering it - is an independent investigation which has the appropriate powers to compel documents and witnesses. That will not happen and there will not be co-operation, for example from the Ministry of De-

fence, unless the investigation is established on a statutory basis. A multidisciplinary approach must be taken to the investigation. It must have access to the forensic techniques that are required for any modern police-type investigation.

The key issue is independence. The families have never had access to an independent investigation. They have a right to that and deserve it. We have a framework for the investigation in the Stormont House Agreement, but it has not been implemented. Therefore, we ask the committee members to continue to call for the British Government to implement fully its responsibilities under the Stormont House Agreement. We also ask members to oppose proposals to introduce an amnesty for deaths caused by soldiers.

Chairman: Would Mr. Teggart or Ms Quinn like to comment?

Mr. John Teggart: There is much to cover. I agree with Mr. Ó Muirigh on his point about the need for an independent investigation. There are mechanisms that must be implemented. The Stormont House Agreement and its provisions for setting up an historical inquiries unit must be properly implemented with acceptable leadership. It would be good for those mechanisms to be put in place for a number of reasons, for people across the board.

I mentioned earlier the issue of funding for the mechanisms and the legal system. Funding for the mechanisms that are currently in place must be backed up. It must be ensured that funding for the likes of the offices investigating legacy cases is protected and not lost along the way.

I mentioned earlier the issue of funding for those mechanisms and the legal costs. The mechanisms that are currently in place need to be backed up. It must be ensured that funding for the likes of th are not protected or lost along the way.

Mr. Molloy spoke about the journey of the families being like a rollercoaster ride. It was an emotional rollercoaster. We felt that we were hardened campaigners going into the inquest. We thought we knew it all when we investigated the deaths of our loved ones ourselves. However, once the inquest went into the detail of how they died, the pain and the injuries they suffered and how they were left to bleed to death in some cases, it was very challenging for the families. We brought ten pictures of our loved ones into the courtroom. The idea was to emphasise that they should not be thought of as another statistic, but as people who were murdered in Ballymurphy. We brought in representations of who they were, what their characters were, who they left behind and how the families were impacted by it all. It was a rollercoaster.

Deputy Conway-Walsh mentioned cross-party support. We can see that we have that support currently. However, things need to be implemented. The former Taoiseach, Enda Kenny, the Minister for Foreign Affairs, Deputy Coveney, Deputy McDonald and others have come forward and visited the sites in Ballymurphy. They have walked in the footsteps of our loved ones. If others were to visit the sites of the Ballymurphy and Springhill massacres, the families would welcome it and it would lift them greatly.

The murders in the Ballymurphy area are linked. When my father was murdered, an 11-year-old boy was badly injured in the field alongside him. He was actually an eyewitness to how the victims were treated by the army when the soldiers came into the field. The boy's father, Paddy Butler, was murdered along with a priest exactly 11 months later on 9 July 1972. Those murders took place in a small area. The boy's father was murdered in the spot where John McKerr was murdered, outside the Corpus Christi Church. Those murders took place in one area alone.

It is important to remember all the children, like Martha Campbell, who were murdered by

rubber bullets and other weapons. It was not just the adults who were murdered; our children were also murdered. They were murdered in their own area.

When we were campaigning, I came across archives. It has helped and will continue to help. I must say that it was difficult when we turned our attention to the archives held by the southern Government. I know the Dublin and Monaghan bombing families have encountered the same issue. As I was saying, that needs to be more accessible. Rather than requesting archive documents, they should be open to family members who are the experts on how their own ones died or on what information they would be looking for. That is one of the things we found difficult when we went down to the South.

On the day that Enda Kenny came to Ballymurphy, he also met the Kingsmill families. He said he would lead by example. Here is what we need to do. The Irish Government needs to lead by example.

Chairman: I invite Ms Quinn to make a contribution.

Ms Carmel Quinn: I will answer the questions about how the families felt. The night before, I did not sleep at all in anticipation of what would be delivered. When Mrs. Justice Keegan delivered her findings, I felt overjoyed but also felt very sad. Here we were 50 years later. It was a lifetime - my lifetime. My mummy and daddy were not there. My eldest sister, Tilly, passed away on Christmas Eve 2014. She had been through the courts with my daddy because my mummy was not able for the first inquest in 1972, which was a sham, as we all know.

The findings made me feel a bit relieved because my mummy had asked me and my other sister to prove to the world that her son was not on trial and was innocent, and we did that. It was the same day that the Queen was making her speech. We were waiting. We had got these findings, we had the truth and we wondered if we would be denied justice. The next day, when the Secretary of State for the Six Counties gave a so-called apology, it totally deflated the families again. You are away up there, you are feeling, "Right, we did this", and you are deflated again because they have given you the truth but they are taking away justice. As a family, we still feel we did that for my mummy. We did that for my brother. Now, we need accountability as a family.

Chairman: The Labour Party member is in the Seanad at present. I call Deputy Costello on behalf of the Green Party

Deputy Patrick Costello: I would like to start by welcoming the families here and echoing the words of the rest of the committee in relation to the steadfastness they have shown, the journey they have walked and the dignity they have walked it with despite the obstacles put in their way.

I support the motion put forward by Deputy Tóibín on seeking legal advice. Such legal advice could be useful in relation to other matters in the Good Friday Agreement as well and the wider Brexit conversation. That is a good idea. Also, it would be useful as a topic for this committee to look at in general but that is a conversation for the committee.

It strikes me that the families here and the families of Ballymurphy are not alone. The Bloody Sunday families in Derry had to walk a similar journey from the Widgery tribunal to the Saville inquiry. We have seen obstruction by the British Government at every turn. We only need look at inquiries such as the Stevens inquiries and the Cory inquiry where hard drives were seized and destroyed in the middle of an inquiry. Every effort is being made to prevent inquiries

or tribunals happening and, when they do happen, to obstruct them even if it is by sabotage, by arson or by theft of hard drives. The lengths to which the British Government has gone to prevent the truth coming out are quite incredible. Now, of course, we see the British Government trying to use the system, in terms of the amnesty and such like, to prevent again the truth coming out. We have the Stormont House Agreement. We have structures in that agreement that we should be using to help to establish the truth so that no family has to walk that lonely route, as one of the other Deputies said. No other family has to wait 50 years or should be left waiting another 50 years.

One of the points I have been making is that it is not only the British Government we should be focusing on. I do not want to let the British Government off the hook, but the Irish Government is a co-guarantor of the Belfast Agreement. One of the key parts in the Stormont House Agreement is the Independent Commission for Information Retrieval, ICIR. Something like this requires legislation in London and in Dublin and I do not see the progress coming from Dublin on this. We need both but in reality we can start pushing ahead. We can start having the conversation on what we want our legislation to look like and what we want our legislation to do. The process of pre-legislative scrutiny that we use in this House allows those conversations to happen, allows a broad picture of legislation to be put out there and enables committees and expert witnesses to engage with it. If we can begin that process, it gives us moral leadership here to say to London that it should get on with it and start doing what it needs to do for the families, for justice and to uphold its end of the agreements it made. We should be looking at the legal route, as Deputy Tóibín has suggested, but we also need to show our own leadership on this. Other members and some of the families here have spoken about the need to be proactive and this is an example of how the Irish Government can be proactive in the need to confront. It is an example of how we can use our action as a form of moral leadership to confront the British Government about its failure of leadership and action. The Government needs to be shown to be proactive and we as a committee need to be making those demands of the Government and be proactive in making them. There are other things that the Government can do to be proactive such as ensuring the funding, as has been pointed out. It is a key part of making sure these things work. We need to make sure they are funded properly. These are things we can do.

Without trying to excuse the British state or let it off the hook for its failures time and again, we as a committee also need to be asking the Irish Government what is it doing, where its moral leadership on this matter is, where the consultation is on what the ICIR will look like, and where the heads of the Bill are so that we can at least have a conversation even if it is like the question of a border poll on which everyone is saying we need to be better prepared. We need to be better prepared for the ICIR. Part of the role of this committee should be thrashing these ideas out, as we do with any other piece of legislation.

I do not really have any questions. Many of the questions I would have asked have already been answered. I will wrap up now. Essentially, the point I want to make quite strongly is that the British state has failed so many families who were seeking justice but we cannot let the Irish State off the hook. As a committee, we need to be proactive in demanding the Irish Government is proactive.

Chairman: For clarity, there are some members who have not spoken yet who have come in from the Seanad or elsewhere. Is there anybody present who has not yet made a contribution who would like to make one? We have ten minutes left.

I have been talking to the clerk to the committee on some of the points that have been made. On the first one, as regards the invitation to visit Ballymurphy, if we would all agree, the clerk

to the committee will find out how soon we could possibly visit and inform us as soon as the regulations allow us to go. Is it agreed that we make a decision to go there as soon as we can? Agreed.

I call Senator McGahon. I will give the Senator a couple of minutes.

Deputy Peadar Tóibín: Can I come in there, briefly? I made a proposal earlier.

Chairman: I will let Senator McGahon speak first and then I have a proposal on Deputy Tóibín's note, which I hope he will agree with.

Senator John McGahon: I thank Ms Quinn, Mr. Ó Muirigh and Mr. Teggart. It is a bit awkward when the Seanad is sitting and we have to hop in and out on the Order of Business so I am sorry that I am coming back in late. I will be totally honest. To my utter shame, I was not hugely aware of everything that went on in Ballymurphy until the past few months. I am from a Border area as well so there is no real excuse. However, I think some of it is a generational thing because it happened 22 years before I was even born. What the witnesses and their families have done over the past 50 years in continuing to fight for justice for their family members is so important in making people of my generation aware of the huge wrongs that happened 50 years ago. I cannot imagine what it must have been like to go up against the full force of a state pushing against them to deny them justice and the rights to which they are entitled. While the situation is not the same, I am reminded of the Ludlow family in County Louth. One of their family members was murdered and they have said to me on numerous occasions that when their generation passes on another generation of the family will continue their fight for justice. There are similar tones there.

To follow up on a few of the questions asked previously, do the witnesses feel the Government has been supportive in recent years? Are there areas where we could be more supportive? In what areas might the Government need to take a stronger stance to properly support the families? Is there anything we can do as a committee or even as individual members that would be helpful in supporting them more often? To follow up on Mr. Maskey's suggestion, I would love if the committee could visit Ballymurphy as soon as restrictions allow. That would be a worthwhile endeavour.

Chairman: I am conscious of a number of different proposals and of allowing the family members time to make closing remarks. Regarding Deputy Tóibín's proposal on legal advice, I suggest that we ask the clerk to the committee to bring that to the attention of the legal advisers in the Houses and get an opinion on what steps the committee can take to ensure compliance by the British Government, and all the issues that might arise as a result. Do I understand the Deputy correctly as regards that proposal? I am referring to advice to the committee, which is different from advice to the Government. I ask the Deputy to think about that for a moment. If it is acceptable, I propose that we invite the Minister for Foreign Affairs to come before the committee and ask the Department to read the transcripts of today's meetings and answer the questions that apply to Government actions and processes. Is that acceptable?

Deputy Peadar Tóibín: My proposal was that the committee seeks legal advice on what options exist in international law for the Government to force Britain to adhere to international agreements it has signed and prevent it from blocking the pathways of families to achieving justice.

Chairman: We will bring that to the Oireachtas legal advisers and when they come back-

Deputy Peadar Tóibín: We could either send it to the Oireachtas legal advisers or use a budget within the committee, if there is one. I would be happy either way.

Chairman: That is fine. Is the proposal to invite the Minister and ask his officials to read the committee's transcripts with a view to responding to queries members have raised agreed to? Agreed.

On the question of other deaths, massacres and so on, I propose we have a meeting on Thursday and discuss that then. I ask members to submit proposals so the clerk can get an opportunity to follow them up. The Stormont House Agreement is a hugely important issue. We will ask the Minister to respond to that urgently and have a follow-up meeting on it.

I think I have covered most of the points raised. There are only about five minutes left. I ask members to agree that we will have a special private meeting on Thursday to discuss the proposed action plan, with the knowledge and support of the family members. In other words, we are not just having a meeting here today. We are going to follow it up with the actions we have outlined and on Thursday we will have a special meeting to drill down into the points on which the families would like us to follow up, to make sure we are not missing any of the actions they would like us to take on their behalf and, indeed, on behalf of everybody.

Senator Niall Blaney: I also have a proposal. Following the response from all parties and everybody at the meeting, we should first and foremost write through the Chair to the Taoiseach and the Minister for Foreign Affairs opposing the amnesty the British Government currently has on the table. I also propose that he writes on our behalf to Boris Johnson outlining that the committee opposes any amnesty. Given some of the comments today, it would be a good idea to also write a letter to the President of the United States asking him to use whatever influence he can to make sure these people get justice.

Chairman: I would not have an issue with any of those actions and would support them fully. There would be no dissension on those proposals.

Unfortunately, we have to finish the meeting in about three minutes due to Covid regulations but we will meet on Thursday and the clerk to the committee will communicate with the witnesses to follow up on the exact actions they would like us to take.

Mr. John Teggart: I commend the Chair on the way the meeting has gone today and the proposals being put forward. There are a lot of issues on which I ask the clerk to the committee to keep the families in the loop going forward. Many points were raised. After the meeting maybe we could get a checklist and as we progress we can update that and come back to it every couple of weeks to see where we are and what we need focused on, for ourselves, our solicitor and everybody at the meeting today. I thank every one of the members for giving us time and a platform. That is what our campaign is about - a platform for awareness. I would urge a wee bit of a nudge towards RTÉ to show "Massacre at Ballymurphy" because as was said, a lot of people still do not know what happened in Ballymurphy. That documentary was partly funded by RTÉ and with a wee nudge in the right direction, it would be good timing for that to go on RTÉ as soon as possible.

Ms Carmel Quinn: I thank everybody for their contributions. It is very uplifting to see that everybody is on the same page and that as a collective unit we can put pressure on the British state to deliver justice and accountability to people who are seeking it. It is the only way for-

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ward because, as was said, there is a generation coming behind us and I do not want to have to pass this on to my children. We need accountability and we need amnesty to be taken off the table. I thank the committee.

Mr. Pádraig Ó Muirigh: I endorse Mr. Teggart's and Ms Quinn's comments and thank the Chair and the committee for the invite. We look forward to seeing them in Ballymurphy very soon in person and speaking to them again.

The joint committee adjourned at 11.29 a.m. until 9.30 a.m. on Tuesday, 1 June 2021.