



## DEBATE PACK

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# Implementation of the Stormont House Agreement

Westminster Hall Debate initiated by  
Sir Jeffrey Donaldson  
10 January 2016, 4.30pm

### Summary

This Pack provides background to the Stormont Agreement and Implementation Plan agreed on 17 November 2016 between the UK and Irish Governments and the largest Northern Ireland parties, the Fresh Start agreement. Full details are given in the Commons [Library briefing on the Northern Ireland \(Stormont Agreement and Implementation Plan\) Bill](#) to implement provisions of the Fresh Start Agreement on tackling paramilitarism and balanced budgets.

The pack also contains links to recent news articles, press releases, parliamentary and NI Assembly material as well as links to further reading.

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

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# 1. Background

The [Stormont House Agreement](#) was concluded in December 2014 between the parties in the Northern Ireland Assembly and the UK and Irish Governments.

The talks covered flags, parading and the past, welfare reform, the Northern Ireland Executive budget and reform of political institutions.

This is discussed in detail in Briefing Paper 7284, 18 August 2015, [Northern Ireland: Stormont House Agreement update](#).

Aspects of this have been implemented, as mentioned below. Various measures were agreed on the past, which have not been fully implemented, including:

A new independent Historical Investigations Unit (HIU) was to be established to take forward investigations into outstanding deaths from the Troubles. This followed the closure of the Historical Enquiries Team (HET) as a result of budget cuts for the Police Service of Northern Ireland, but would also seek to address some of the criticisms made of the HET. This was regarded as less effective in its approach to cases potentially involving the state. The HIU was to complete its work within five years, and it would be overseen by the Northern Ireland Policing Board.

A new Independent Commission on Information Retrieval (ICIR) was to be created by the UK and Irish Governments to enable victims and survivors to obtain privately information about Troubles-related deaths of next of kin.

An Implementation and Reconciliation Group (IRG) was to be set up to oversee themes, archives and information recovery: it would commission a report on themes after five years.

The participants in the talks described themselves, in the Agreement, as “very conscious that the integrity and credibility of this agreement is dependent on its effective and expeditious implementation”.

Implementation of the Stormont House Agreement ran aground over welfare reform. Sinn Fein wanted to use devolved powers to offset the impact of UK Government reforms, but agreement could not be reached and legislation was not passed. The matter continued to create problems in agreeing a balanced budget in Northern Ireland, one of the factors that had given rise to the Stormont House process.

A statement in August 2015 by the Police Service of Northern Ireland implying the continued existence of the IRA led the UUP to leave the Executive and the DUP to adopt a policy of rolling resignations.

By late summer 2015 the political institutions were in crisis, and the UK Government acknowledged a real risk that Northern Ireland would return to direct rule.

Talks between the five largest parties in the Northern Ireland Assembly and the UK and Irish Governments took place for ten weeks in the autumn.

At the same time, an independent commission stated that paramilitary groups still existed, and their members engaged in violence, but that their leaderships were committed to political objectives achieved through peaceful means. The DUP returned to its role in the Executive.

In November 2015 the talks ended with the [Fresh Start Agreement](#).

This included measures on welfare reform and paramilitarism. It also included material on other aspects of the Stormont House Agreement, such as a start date for the devolution of corporation tax, a draft Northern Ireland Assembly bill to reduce the number of Members for each constituency, a restriction on spending plans that exceeded the block grant or borrowing limits, and an extension of the period between the Assembly meeting and the Executive being formed, to allow agreement on a Programme for Government.

UK legislation had allowed the devolution of corporation tax earlier in 2015, and, after the Fresh Start Agreement, had created powers for the Secretary of State to enact welfare reform.

The *Corporation Tax (Northern Ireland) Act 2015* was covered in Standard Note 7078, [Devolution of corporation tax to Northern Ireland](#), 12 February 2015.

The *Northern Ireland (Welfare Reform) Act 2015* was covered in CBP 7389, [A Fresh Start: the Stormont Agreement and Implementation Plan and the Northern Ireland \(Welfare Reform\) Bill 2015-16 \[Bill 99\]](#), 20 November 2015.

The *Northern Ireland (Stormont Agreement and Implementation Plan) Act 2016* took forward commitments in the Fresh Start Agreement on tackling paramilitarism and on balanced budgets. It introduced a new Independent Reporting Commission to monitor progress towards ending paramilitary activity. It was covered in CBP 7503, [Northern Ireland \(Stormont Agreement and Implementation Plan\) Bill 2015-16 \[Bill 133\]](#), 15 February 2016.

## 2. Press Articles

*Please note: the Library is not responsible for either the views or accuracy of external content.*

### **Devenport's politics review of 2016, 'Fresh start?'**

Mark Devenport, NI Political Editor

BBC News

1 January 2017

### **Mitchell Reiss to be UK commissioner overseeing efforts to tackle paramilitarism**

Belfast Telegraph

14 December 2016

### **Dublin must account for its part in Troubles killings: Donaldson**

Belfast Newsletter

13 December 2016

### **Ireland calls for investigation into Troubles legacy to support victims 'let down' by historic inquests; Irish Government urges British counterpart and Northern Ireland Executive to urgently take all necessary measures to enable legacy inquest system to conclude effective investigations**

The Independent

Michael Mchugh

8 December 2016

### **Progress on Troubles inquests 'remains elusive', says human rights chief**

Belfast Telegraph

8 December 2016

### **The Troubles investigations will help the IRA get away with murder. Theresa May must turn off the money tap**

Telegraph

Tim Collins

8 December 2016

### **Fresh Start anniversary brings criticism over implementation**

The Irish News

John Manley

17 November 2016

**A year after 'The Fresh Start: Stormont Agreement and Implementation Plan,' Willie Hay weighs in on paramilitaries**

Derry Journal

Kevin Mullan

17 November 2016

**Still work to be done' one year after Fresh Start**

ITV Report

17 November 2016

**McGuinness meets Brokenshire over Troubles legacy**

Belfast Newsletter

13 October 2016

## 3. Press release

### Fresh Start Agreement: One Year On

Northern Ireland Office  
17 November 2016

On the first anniversary of '[A Fresh Start: the Stormont Agreement and Implementation Plan](#)', known as the 'Fresh Start Agreement', the Secretary of State for Northern Ireland James Brokenshire said he was encouraged by the significant progress made, but emphasised there was still work to be done.

Fresh Start concluded 10 weeks of intensive talks at Stormont House between the UK government, the Northern Ireland Executive parties and the Irish government which aimed for the full implementation of the Stormont House Agreement, as well as how to deal with the legacy of paramilitarism.

In the last year significant progress has been made on a range of issues, including:

- Implementation of welfare reform legislation in Westminster putting the Executive's finances on a more stable footing;
- Royal Assent for the Northern Ireland (Stormont Agreement and Implementation Plan) Act;
- The first tranche of half a billion pounds of funding for shared and integrated education projects in Northern Ireland;
- Publication of a report from an independent panel on tackling paramilitary activity in local communities; and
- The restructuring of the Northern Ireland Civil Service.

The Rt Hon James Brokenshire MP, Secretary of State for Northern Ireland said:

The Fresh Start Agreement concluded 10 weeks of talks at Stormont House and addressed issues that threatened devolution itself. It put the Executive's finances on a more stable footing and resolved the deadlock over welfare reform. It put important new obligations on Northern Ireland's elected representatives to work together on their shared objective of ridding society of all forms of paramilitary activity and groups.

Much has been achieved. In the past year welfare reform legislation has passed through Westminster and Stormont and the first tranche of the available £0.5 billion funding for shared and integrated education projects has been released. A new Independent Reporting Commission on paramilitary groups will be in place before the end of the year.

Political stability is vital in Northern Ireland. I know it is a great place to live, to work, to visit, to invest and do business in no small part thanks to the firm foundations of Fresh Start, and the Stormont House Agreement before it. They are a solid platform as we continue to build a Northern Ireland that works for everyone.

There has been significant progress in the past year in combating paramilitarism. New measures were agreed to enhance law

enforcement aimed at tackling cross-border organised crime linked to paramilitarism and a Joint Agency Task Force was established to take this forward in December last year. The same month, a three-person panel was appointed by the Executive with the task of recommending a strategy to disband paramilitary groups. Their report was published in June, and the Executive has now published an action plan based on it. There's also now an obligation on Assembly Members to pledge to tackle organised crime and paramilitary activity.

The UK Government has also signed a treaty with the Irish government to establish an Independent Reporting Commission. This is an international body established to promote progress towards ending paramilitary activity, which is due to be in place by the end of the year.

Although agreement on the legacy institutions contained in the 2014 Stormont House Agreement was not part of Fresh Start, the Secretary of State has made finding consensus on a way forward in dealing with Northern Ireland's past a priority. He has undertaken numerous meetings with victims' groups and Northern Ireland's political parties to try and build the necessary consensus to take this forward. He has also indicated the process would benefit from a public phase in order to make progress on this vital issue.

### **[The Northern Ireland executive, the UK and Irish governments have agreed a set of actions following ten weeks of talks](#)**

#### **Northern Ireland Office 17 November 2015**

After ten weeks of intensive cross party talks at Stormont House, the Northern Ireland executive and the UK and Irish governments have agreed a set of actions to address the two key themes the talks were convened to address: to secure the full implementation of the Stormont House Agreement; and to deal with the impact of continued paramilitary activity.

'A Fresh Start: the Stormont Agreement and Implementation Plan' [A Fresh Start - Final document](#) (PDF, 692KB, 67 pages) builds on previous political agreements and brings closer the goal of a Northern Ireland where politics works, the economy grows and society is stronger.

On the Stormont House Agreement the agreed package will:

- Help give the Executive a stable and sustainable budget, including additional UK Government financial support of around £500 million to assist the Executive in tackling issues unique to Northern Ireland, including support for their programme to remove peace walls;
- Pave the way of the devolution of corporation tax powers which is expected to lead to a reduction to 12.5 per cent by April 2018;
- Allow measures to address the issues of flags and parades to go ahead; and
- Introduce institutional changes to make devolution work better including on the size of the Assembly, the number of departments, use of the petition of concern and provision for an official opposition.

On paramilitary activity, the document strongly reaffirms support for the rule of law. Additional measures include:

- Fresh obligations on Northern Ireland's elected representatives to work together on their shared objective of ridding society of all forms of paramilitary activity and groups;
- A concerted and enhanced effort to combat organised and cross border crime, which the UK government will help to fund.

Despite some significant progress a final agreement on the establishment of new bodies to deal with the past was not reached. The Government continues to support these provisions of the Stormont House Agreement and to providing better outcomes for victims and survivors. We will now reflect with the other participants on how we can move forward and achieve broad consensus for legislation.

The Prime Minister said:

This breakthrough today is an important turning point for Northern Ireland. The agreement secures sustainability for Northern Ireland's budget, sets out how we'll deal with paramilitary groups, and could provide a basis for a shared future for the people of Northern Ireland.

The progress we've achieved is testament to the commitment and hard work put in by the Northern Ireland parties, backed by Theresa Villiers and the Irish Government, and I'm very pleased we're taking this step forwards. What is vital now is that the parties in Northern Ireland use this agreement as the platform for stable devolved government that delivers on the day to day issues that matter to people.

Secretary of State for Northern Ireland, the Rt Hon Theresa Villiers MP said:

This is a good day for Northern Ireland and a fresh start for devolved government. This Agreement deals with the issues that have cast the greatest shadow over the future of the devolved institutions here.

This Agreement means that Northern Ireland's finances can be put back on a sustainable footing, ending the long-standing dispute over the budget. There will be a fresh emphasis on tackling paramilitarism and organised crime and clear declaration that such activity will never be tolerated. And there will be reforms of the Executive and Assembly to make devolution work better.

Today's agreement is another step towards the Government's goal of building a brighter, more secure future for all the people of Northern Ireland.

## 4. Parliamentary material

### 4.1 Ministerial statement

The cross-party talks that ran from 8 September to 17 November last year, which culminated in the Fresh Start agreement, brought us closer than ever before to consensus on the best way to deal with Northern Ireland's past. While we established much common ground, it was not possible to reach agreement on all issues. I am committed to working with the Northern Ireland parties, with the Irish Government as appropriate, and with representatives of victims and survivors, to build on the progress made during the talks. The UK Government is determined to resolve the outstanding issues that are preventing the establishment of the legacy institutions set out in the Stormont House Agreement.

One of these institutions is the Independent Commission on Information Retrieval (ICIR). This will be an independent body designed to enable victims and survivors privately to receive information about the Troubles-related deaths of their next of kin. As set out in the Stormont House Agreement, and building on the precedent of the Independent Commission on the Location of Victims' Remains, the ICIR will be an international body. To that end, the UK and Irish Governments have signed an international agreement to enable the establishment of the ICIR and to set out its functions. Today I have placed a copy of this treaty in the libraries of both Houses.

The ICIR will be an important institution which will help victims and survivors to seek information which it has not been possible to obtain by other means. Engagement by families with the ICIR will be entirely voluntary. Information provided to the ICIR about deaths within its remit will not be admissible in court, something which families will always be told in advance. The ICIR will not, however, provide any form of amnesty or immunity from prosecution. This Government believes in the rule of law and would not countenance such a step. As the Stormont House Agreement set out, information provided to the ICIR will be protected but no individual will be protected from prosecution if evidence is obtained by other means. It is the Government's intention that the legislation needed to implement the ICIR will contain provisions clearly setting this out.

It had been our aim to lay the treaty before Parliament at the same time as introducing the legislation required to establish the legacy bodies. However, as agreement has not yet been reached on this legislation, this is not possible. Once any treaty is formally laid, Parliament has a period of 21 sitting days, in which it can resolve that the treaty should not be ratified, in accordance with the Constitutional Reform and Governance Act 2010. I believe that it would be best if this consideration took place alongside the legislation, which will contain more detail about how the ICIR will function. I propose therefore formally to lay the treaty once we are able also to introduce legislation. These particular circumstances mean that placing a copy of the treaty in the libraries of both Houses is an appropriate way to ensure that

Parliament is aware of the text of the treaty, without instigating the formal process of consideration.

In addition to the ICIR, the Stormont House Agreement envisaged the establishment of the Historical Investigations Unit, the Oral History Archive and the Implementation and Reconciliation Group. Together, this set of institutions provides the best opportunity to help Northern Ireland deal with its past and provide better outcomes for victims and survivors, the people who we must never forget suffered more than anyone else as a result of the Troubles. The Government is committed to implementing the Stormont House Agreement and to establishing the legacy bodies it contains. I will continue to meet victims' representatives and others over the coming days and weeks to discuss these matters and to build support for the new institutions.

## 4.2 Oral questions

### Questions to the Secretary of State for Northern Ireland

#### Stormont House Agreement

[HC Deb 7 Dec 2016 cc198-200](#)

**Craig Whittaker (Calder Valley) (Con):** What steps he is taking to build consensus across Northern Ireland on establishing the legacy bodies included in the Stormont House agreement. [907642]

**The Secretary of State for Northern Ireland (James Brokenshire):** I continue to meet victims groups, the Executive and others to establish the legacy bodies set out in the Stormont House agreement. When I am confident that there is sufficient political consensus, I intend to move to a public phase, to allow wider community consideration, and to build confidence and momentum behind the creation of the new legacy bodies.

**Craig Whittaker:** Does my right hon. Friend agree that it is vital that the legacy bodies in the Stormont House agreement operate in ways that are fair, balanced, impartial and proportionate if we are to counter the one-sided focus on cases involving the state, whereas over 90% of deaths in the troubles were caused by terrorists?

**James Brokenshire:** My hon. Friend makes a powerful and important point. I agree that the legacy bodies must be balanced and proportionate. That was at the heart of the phraseology in the Stormont House agreement and will be important in delivering that more balanced approach.

**Conor McGinn (St Helens North) (Lab):** Part of addressing the legacy of the past is breaking down divisions that exist today. Will the Secretary of State therefore join me in expressing sympathy to the family of Danny Murphy, the secretary of the Ulster Gaelic Athletic Association, who died this morning and who worked tirelessly to build peace and reconciliation and to bring people together through sport? He is a loss to all of us and to that vital work.

**James Brokenshire:** I thank the hon. Gentleman for drawing to the attention of the House the sad death of Danny Murphy. I am sure all of us extend our condolences to his friends and family. It is worth reflecting at this time on the powerful way in which sport can unite people and bring them together.

**Gavin Robinson (Belfast East) (DUP):** Does the Secretary of State recognise the sheer hypocrisy of republicans who seek 100% transparency on 10% of the deaths in the troubles, but offer none in return? Until they do, and until they offer the assurance that they will give information about the killings, deaths and murders that they were responsible for, it will be incredibly difficult to build the consensus that we need.

**James Brokenshire:** It is important for everyone to work together to move the process on. That is why I continue to commit significant efforts and work to doing just that. The hon. Gentleman is right: at present, the system is heavily focused on the 10% rather than the 90%, and the balanced, proportionate measures that I put forward will assist in changing that.

**Mark Durkan (Foyle) (SDLP):** First, I associate myself with the tributes paid both to the fine journalist Austin Hunter and to the fíor Gael Danny Murphy, who was such a good servant of community relations and reconciliation. Would the Minister not do better in building consensus if he did not revisit pejorative remarks that give offence to victims of state violence? In relation to having a balanced approach, surely having a stronger provision in respect of thematics would be much better—one that was not restricted to killings, as other measures are, but would examine the patterns and practices of paramilitaries.

**James Brokenshire:** The hon. Gentleman will be well aware that the legacy bodies contemplated cover a range of issues. Yes, of course, part of this is about investigation, and part is about more information and consideration of the issues to come forward in a number of different ways. That is why it is a priority that we move forward with the Stormont House bodies, and why that remains a key focus for me.

**Mr David Anderson (Blaydon) (Lab):** One of the most serious omissions over the past years has been the failure to address the desperate plight of people who have been seriously injured as a result of the troubles, and who have been unable to work and therefore unable to build up second pension provision. Notwithstanding what the Secretary of State said about the need for political consensus, will he meet me and representatives of the WAVE trauma centre to see how we can work together to try to resolve this tremendous anomaly as quickly as possible?

**James Brokenshire:** I am grateful to the hon. Gentleman for raising this issue. I have met with the WAVE trauma centre previously, and look forward to continuing engagement with it. I am conscious of the issue of pension rights. Discussion is continuing with the Northern Ireland Executive, and I will continue to seek to gain the necessary consensus to make progress on this important issue.

**Questions to the Secretary of State for Northern Ireland  
Stormont House Agreement**

**HC Deb 25 Nov 2015 c1337-45**

**Bob Blackman (Harrow East) (Con):** What progress has been made on implementing the Stormont House agreement. [902245]

**The Secretary of State for Northern Ireland (Mrs Theresa Villiers):** The fresh start agreement reached last Tuesday opens the way for implementation of a range of provisions in the Stormont House agreement on welfare and sustainable public finances, flags, parades and reform of the devolved institutions, including establishing an official Opposition, reducing the size of the Assembly and cutting the number of Executive Ministers.

**Bob Blackman:** I thank my right hon. Friend for the progress that she has made on implementing the agreement. However, there are many other aspects still to be implemented. Will she update the House on what action she is taking to ensure that the entire agreement is implemented forthwith?

**Mrs Villiers:** I think that the fresh start agreement is a good deal for Northern Ireland. It is vital that we put the implementation of the Stormont House agreement back on track. It is, of course, a matter of regret that we were unable to agree on enough points on the legacy of the past to introduce legislation, as we had hoped to do, but we will be working hard on this matter, and I shall be meeting the victims commissioner and the Justice Minister next week to consider a way forward.

**Mr Jeffrey M. Donaldson (Lagan Valley) (DUP):** Will the Secretary of State work with members of my party to ensure that we continue to address the issues relating to the legacy of our troubled past? It is crucial that we do our best to provide support and care for the innocent victims, and that we find a way of enabling them to have access to truth and justice.

**Mrs Villiers:** I can give the right hon. Gentleman that assurance, and I look forward to continuing to work with him on these important matters. I believe it is very important for the institutions envisaged under the Stormont House agreement to be set up, because the current institutions are not providing good enough outcomes for victims and survivors. We need to do something about the current situation, and that is why we need to make progress.

13. [902255] **Wendy Morton (Aldridge-Brownhills) (Con):** As we all know, politics is not an easy business, but what lessons can be learnt from the recent events, so that we can do everything possible to ensure that they do not happen again?

**Mrs Villiers:** That is a very good question, but I think we have already learnt from the problems relating to the Stormont House agreement, whose implementation was stalled a few months after it was established. Both the Northern Ireland Executive and United Kingdom Government have moved swiftly on the fresh start agreement. The

Assembly has passed a legislative consent motion agreeing to a balanced budget in the Executive, and we in the House of Commons have pressed ahead with legislation on welfare reform.

**Vernon Coaker (Gedling) (Lab):** Despite the best efforts of the parties and the Irish Government, and despite the welcome deal that was done last week, the victims, survivors and their families will be both frustrated and disheartened by the fact that measures dealing with the past could not be agreed. However, I am told that progress was made on the issue. Will the Secretary of State tell us exactly what the problem was, who disagreed, and whether any of the documents that were discussed can be published?

**Mrs Villiers:** We will certainly reflect on whether it might be appropriate, in the coming months, to publish a draft Bill for consideration, but we would take no such steps without engaging in extensive discussions with the First and Deputy First Minister and with victims.

We made considerable progress on the issues of how the Historical Investigations Unit would work in practice and what sort of reflection in statute would be needed for the Implementation and Reconciliation Group. A number of issues were more or less resolved, although a key problem was establishing a mutually agreeable arrangement when it came to matters relating to national security. The Government made it very clear that we would provide the fullest possible disclosure for the HIU, but we have to ensure that documents that go from the HIU into the public domain do not jeopardise national security.

**Vernon Coaker:** I thank the Secretary of State for what I thought was a helpful answer. As I have said, the planned Stormont House agreement Bill was supposed to include new mechanisms to deal with the past so that victims and their families could find out more about what happened during the conflict, to ensure that justice was done, and to provide better help and support for those who were affected. Is it not critical that that work is not lost or forgotten, and that we take it forward? How do the Government propose to do that, and will the families be included in the process?

**Mrs Villiers:** As I have said, I think it important for discussions to take place with victims' groups on charting a way forward. I also think it important for the issue not to be parked by the Northern Ireland parties pending the Assembly elections. We cannot let it rest for another year without taking action. We need to find a way to make progress, and we should try to retain the progress made in the Stormont House talks, which, as I have said, involved broad agreement on a number of important issues.

**Maria Caulfield (Lewes) (Con):** What steps the Government are taking to deal with the legacy of Northern Ireland's past. [902246]

**The Secretary of State for Northern Ireland (Mrs Theresa Villiers):** The recent political talks established significant common ground between the parties on dealing with the past, but, sadly, not enough to allow us to legislate at this point. We will keep working to achieve the

necessary consensus to allow new structures for dealing with the past to be established.

**Maria Caulfield:** Does the Secretary of State agree that one of the key ways of moving away from the past, and from the lure of paramilitary activity, is to improve the economy of Northern Ireland, which currently has a higher level of working-age inactivity than any other region in the United Kingdom? What measures are the UK Government taking to help the Assembly to improve employment opportunities for young people in particular?

**Mrs Villiers:** My hon. Friend is absolutely right that a strong economy is key to more or less every other goal in government. Unless we have a strong economy, we cannot deliver the effective mechanisms for dealing with the past. The Government will continue to pursue their long-term economic plan to deliver opportunities for people young and old in Northern Ireland by creating new jobs: 33,000 more people are in work in Northern Ireland than in 2010. *[Interruption.]*

**Mr Speaker:** Order. I understand the sense of anticipation in the Chamber at this time on a Wednesday, but I point out that we are talking about the legacy of Northern Ireland's past. Out of respect for the people of Northern Ireland, if for no other reason, a seemly atmosphere would be appreciated. Let us hear Mr David Simpson and the Minister's reply.

**David Simpson (Upper Bann) (DUP):** I am sure the Secretary of State will agree that, whatever settlement is agreed on the legacy of Northern Ireland, the victims are paramount in this, as has already been mentioned. Does she agree that no one, but no one, should be allowed to rewrite the history of Northern Ireland when we make that settlement?

**Mrs Villiers:** I can give the hon. Gentleman that assurance. It would be unacceptable to set up institutions that facilitated attempts to rewrite history. That is why the Stormont House agreement has written very clearly into it that new bodies must be objective, fair and impartial in all the work they do.

**Sir Gerald Howarth (Aldershot) (Con):** My right hon. Friend was not here in the House last week when I pressed my urgent question about the arrest of Soldier J, formerly of the Parachute Regiment. In answer, her excellent and gallant Friend, the Under-Secretary of State for Northern Ireland, said that the Secretary of State and the Irish Government had decided, on legacy issues, that the best future is to move forward and not back. Does she agree that to prosecute, nearly 50 years later, former British soldiers now in their late 60s and 70s who have done their best to serve their country would be an injustice?

**Mrs Villiers:** I am of course very much aware of my hon. Friend's long-standing concern about that case. He will appreciate that decisions on policing and prosecution are rightly matters for the police and prosecuting authorities entirely independent of Ministers, but I reassure him that I am absolutely confident that the Police Service of Northern Ireland will approach that sensitive case with all the principles of

objectivity, fairness, impartiality and respect for human rights that it displays in all its work.

**Mark Durkan (Foyle) (SDLP):** Does the Secretary of State recognise not just that dealing with the past is what we owe to victims, but that people want to know that we have not simply replaced the years of dirty war with a dirty peace? Does she recognise that, in the light of the serious questions raised by the “Spotlight” programme last night, the strictures she is placing on national security could suppress the truth not just about what state forces and state actors did, but about what paramilitary forces and paramilitary actors did during the troubles?

**Mrs Villiers:** The UK Government are committed to the Stormont House agreement provisions on the past. We do think that they need to be set up, that it is important to give clearer answers to victims who suffered as a result of the troubles and to do all we can to pursue evidence of wrong-doing. However, I emphasise that I believe the vast majority of the police and armed forces in Northern Ireland during the troubles carried out their duties with exceptional courage, bravery, integrity and professionalism, so I wholly dissociate myself from the hon. Gentleman’s characterisation of this as a “dirty war”.

## 4.3 Written questions

16 Dec 2016 | 57509

**Asked by Mr Gregory Campbell:** To ask the Secretary of State for Northern Ireland, when he expects the Independent Reporting Commission on paramilitary activity in Northern Ireland to begin its work; and how many full-time personnel he expects it to comprise initially.

**Answering member James Brokenshire | Northern Ireland Office:** Commissioners to the Independent Reporting Commission have been appointed by the UK Government, the Government of Ireland and the Northern Ireland Executive. They will begin their preparatory work in January 2017. The Commission will become fully operational when the Treaty signed in September between the UK Government and the Government of Ireland, and supporting legislation in Ireland, is in place. The UK Government is providing up to £3 million over four years under the Fresh Start Agreement to establish and run the Commission. It is anticipated that the Commission will comprise up to four support staff.

12 Dec 2016 | HL3634

**Asked by Lord Lexden:** To ask Her Majesty's Government whether all the provisions of *A Fresh Start: The Stormont Agreement and Implementation Plan* signed in November 2015 have been put into effect.

**Answering member Lord Dunlop | Northern Ireland Office:** The Fresh Start Agreement has contributed to greater stability in Northern Ireland than has been known for some time. Good progress has been made on its implementation, including the delivery of legislation on welfare reform and steps towards establishing the Independent Reporting Commission on paramilitary activity. The Government is working closely with the Northern Ireland Executive and the Irish Government, in accordance with the three-stranded approach, to deliver the outstanding commitments. This includes further steps to tackle paramilitary activity, financial reforms to support the devolution of powers over the corporation tax rate, and continuing work to build consensus for the creation of the new institutions on the legacy of Northern Ireland's past as the process moves into a more public phase. A meeting to review progress is scheduled for 14 December.

26 Oct 2016 | 906768

**Asked by Steve Baker:** To ask the Secretary of State for Northern Ireland, what recent progress has been made on the implementation of the Stormont House and Fresh Start Agreements.

**Answering member James Brokenshire | Northern Ireland Office:** Significant progress has been made, including on welfare reform, and towards the establishment of the Independent Reporting Commission

on paramilitary activity. We are working closely with the Executive and Irish Government on outstanding commitments. The devolution of corporation tax powers and building consensus for the legacy bodies are top priorities.

14 Jul 2016 | 42186

**Asked by Mr Nigel Dodds:** To ask the Secretary of State for Northern Ireland, what progress has been made on the establishment of an independent reporting commission under the Fresh Start Agreement.

**Answering member Mrs Theresa Villiers | Northern Ireland Office:** We are making significant progress in the arrangements to establish the Independent Reporting Commission (IRC) by the end of this year. We are working with the Government of Ireland to finalise the detail of the international treaty which will establish the Commission and I propose to bring forward supporting regulations on the appropriate immunities and privileges as soon as possible after the Treaty is signed.

14 Jul 2016 | 41986

**Asked by Mr Nigel Dodds:** To ask the Secretary of State for Northern Ireland, what recent discussions she has had with the Northern Ireland Policing Board about the implementation of the Fresh Start Agreement.

**Answering member Mrs Theresa Villiers | Northern Ireland Office:** I have regular discussions on implementation of the Fresh Start Agreement with the Minister of Justice for Northern Ireland and the Chief Constable of the Police Service of Northern Ireland. I attended a review meeting on implementation of the Fresh Start Agreement on 29 June 2016 with the Northern Ireland Executive and the Government of Ireland. I have not had any recent discussions with the Northern Ireland Policing Board on implementation of the agreement.

05 Jan 2016 | 20459

**Asked by Vernon Coaker:** To ask the Secretary of State for Northern Ireland, what progress was made at the recent tri-lateral cross-border ministerial meeting on the Stormont House agreement; and what topics were discussed at that meeting.

**Answering member Mrs Theresa Villiers | Northern Ireland Office:** The Ministerial tri-lateral on 21 December 2015 stemmed from a commitment made in 'A Fresh Start – the Stormont Agreement and Implementation Plan'. The meeting's focus was on law enforcement co-operation aimed at tackling organised crime and criminality, including where this is linked to paramilitarism. Work continues on implementing all outstanding commitments from both the Fresh Start Agreement and the Stormont House Agreement of 2014.

23 Dec 2015 | HL4637

**Asked by Lord Eames:** To ask Her Majesty's Government whether they will consider publishing the papers on legacy issues shared by the parties during the recent Stormont House discussions.

**Answering member Lord Dunlop | Northern Ireland Office:** The UK Government is committed to establishing the legacy bodies set out in the Stormont House Agreement. We are considering whether further drafting or documentation should be published as part of an engagement process on how to move forward on this issue.

17 Dec 2015 | 20044

**Asked by Ruth Smeeth:** To ask the Secretary of State for Northern Ireland, what assessment she has made of the adequacy of her powers contained in the Stormont House Agreement to determine what can be disclosed to victims' families.

**Answering member: Mrs Theresa Villiers | Northern Ireland Office:** The UK Government has made clear that it is committed to providing full disclosure to the Historical Investigations Unit (HIU) for the purpose of its investigations. This will give the HIU access to very sensitive information, including information which would, if disclosed generally, damage the UK's national security and put lives at risk.

As acknowledged in the Stormont House Agreement, the UK Government has a duty to ensure that sensitive information is not released publicly where to do so would put lives or national security at risk.

02 Dec 2015 | HL3879

**Asked by Lord Laird:** To ask Her Majesty's Government whether they will publish the draft bill setting up the Historical Investigations Unit and other legacy bodies that was presented to political parties at the recent negotiations held under the Belfast Agreement 1998.

**Answering member: Lord Dunlop | Northern Ireland Office**

The recent negotiations established substantial common ground between the parties on how to establish the legacy bodies identified in the Stormont House Agreement.

The Government is currently reflecting on how we can move forward and achieve broad consensus in support of legislation to establish these legacy bodies.

23 Oct 2015 | 12159

**Asked by Helen Hayes:** To ask the Secretary of State for Northern Ireland, what steps she has taken to establish on a statutory basis an Implementation and Reconciliation Group as proposed in the Stormont House Agreement.

**Answering member Mr Ben Wallace | Northern Ireland Office**

The Government intends to introduce the Northern Ireland (Stormont House Agreement) Bill to Parliament soon. This Bill will deliver on a number of key commitments in the Stormont House Agreement related to addressing the legacy of the Troubles. It will create the legislative framework for: the Historical Investigations Unit, the Independent Commission on Information Retrieval, and an Oral History Archive.

Another of the key commitments in the Agreement is the establishment of the Implementation and Reconciliation Group (IRG). It is not currently envisaged that the IRG will be included in the Northern Ireland (Stormont House Agreement) Bill, but the UK Government stands ready to assist on matters related to the IRG if requested to do so by the Northern Ireland parties.

## 4.4 Northern Ireland Affairs Committee

### Future of the land border with the Republic of Ireland inquiry

#### Oral evidence, 13 December 2016: Future of the land border with the Republic of Ireland, HC 700

Q211 Jack Lopresti: Earlier this week, the PSNI submitted a report to the Public Prosecution Service after interviewing former soldiers in your Bloody Sunday investigation. Are you able to tell us more about whether you expect prosecutions of former soldiers?

George Hamilton: That would not be appropriate, given that it is being considered by the Director of the Public Prosecution Service at this stage.

Q212 Jack Lopresti: Due to the Good Friday agreement, we have lots of former terrorists walking the streets. Some of them have worked their way up into quite eminent positions in society and political life etc. We had the debacle over the on the runs and the John Downey case, where there was a perception of de facto amnesty for former terrorists. Yet the full force of the law is being used to potentially prosecute people on the other side of events, who were just doing their best, doing their duty and serving their regiments and their Crown as they saw fit. Do you feel that that enhances your reputation as an independent and non-politically-motivated police force?

George Hamilton: We do not take any comfort from it, but, being the Police Service of Northern Ireland and having the honour of being its Chief Constable, we receive on a regular basis from all directions and all quarters charges of not being independent, two tier policing, partial policing and all of that. The fact that it comes in equal measure and equal volume from both or all sides is small comfort to us, actually, because we do act in good faith; we act within the law. The arrangements for dealing with legacy cases, whether it involves British soldiers or former colleagues of ours in the police service and the Royal Ulster Constabulary, are the same. We try to act, and we do act, with integrity and good faith around all of that.

As police funding shrinks generally and the complexity of crime changes upwards and becomes more globalised and more sophisticated, resources are shrinking and demand is rising. Along with safeguarding, mental health issues and all of that, we have more and more of a stretch on police resourcing. To also have the statutory responsibility to be the body charged with investigating the past is not something that we covet.

We take our responsibility seriously around it, but all of this points to the need to put better arrangements in place. We are hopeful the infrastructure recommended and coming out of the Stormont House agreement, like the Historical Investigations Unit for example, would actually remove that responsibility from us to allow us to focus on keeping people safe today and tomorrow. All of that said, that is all subject to the political momentum within the devolved parties and the

devolved Administration and all of that. We will help, wherever we can, to help those arrangements come about.

The other part of your point was about whether this all feels a bit one sided, with the Bloody Sunday soldiers being reported to the PPS on one hand and the John Downey case on the other, where the letter had been issued that led to the dismissal of his case. I can understand how people would come to that impression or that conclusion. All we can do is act with integrity around this.

Over 3,000 deaths occurred during the period of the Troubles, the vast majority of them carried out by terrorists and not by members of the police service or by the British military. We have a case sequencing model that we would like to apply. While we retain this responsibility, we would like to have some mechanism that would seem to be independent—it was independent, actually—about what would bring us to a case at what point in time. Chronology is just one factor. It is probably a key one, i.e. start at the start and work forward, but there are other factors around evidential opportunities and so on that could play into that, which would move some cases up the list.

As things stand at the moment, most of the cases our Legacy Investigation Branch is dealing with are on the basis of Section 35(5) referrals under the Justice (Northern Ireland) Act 2002. This is a unique set of circumstances, where—I cannot remember the exact wording in the legislation—the Director of Public Prosecutions can direct us to investigate. For example, the investigation into the Military Reaction Force is one such case, and there are other isolated incidents that are actually consuming most of the resource of the Legacy Investigation Branch.

A number of those cases have been highlighted through the request for an inquest or based on the findings of an inquest. We do not have a great deal of choice in investigating most of these cases. The term actually used in the legislation, Will reminds me, is “ascertain and furnish”. Now, to us as police officers, that means “to investigate”. We are asked to ascertain and furnish the facts around a specific death or whatever.

Most of the time consumed by the Legacy Investigation Branch is on cases that there is absolute public interest imperative around: for example, Operation Redfield, which is a re examination of all of these letters of comfort for the so called on the runs. We have a full team working on those. The investigation is not going as fast as we want, because, frankly, we are spreading the jam so thinly, but we have a team and that is one of the prioritised cases. By the way, that is not a Section 35 referral. That was on the back of the Downey case. We want to make sure we get on top of this, get all of the intelligence and evidence re examined and get ourselves on a more sure footing. There is a huge public interest in that on the back of the report by Lady Justice Hallett.

The problem we have is this legislative requirement to “ascertain and furnish”—in layperson’s terms to investigate—coming from the Director

of Public Prosecutions. I am not suggesting for a moment that the Director of Public Prosecutions is being selective around the cases he is picking. These are coming from things like very impactful investigative journalism, inquests or public inquiries. There is a stimulus created that brings it on to his desk.

It is not up to me to justify his actions or decisions, by the way, but I do not want to create the impression to the Committee that I, in some way, am saying the Director of Public Prosecutions has some bias in his referrals to us. It is just that the reality is that the ones that hit the desk of the Crime Operations Department or the Legacy Investigation Branch to investigate are coming with a legislative imperative behind them to get on and do it. It is either that or the Lady Justice Hallett type stuff, which creates a huge public interest.

Q213 Jack Lopresti: Just to reassure you, I have nothing but the highest regard for your own personal integrity and the integrity of the people who serve in the PSNI. That is not where I am coming from, just to reassure you. From what I can pick up from your comments, however, am I right in thinking you are uncomfortable with what is a growing perception here on the mainland that there is one rule for former terrorists and people potentially suspected of terrorism and there is another rule for former soldiers and security service personnel?

Can you tell us honestly whether you feel there is any political pressure coming from somewhere so that, as I say, you are going after former soldiers and security services personnel with the full force of the law, and yet if you are a former terrorist, you are treated with kid gloves and it is a bit soft-pedal and it is all to keep everything going nicely?

George Hamilton: I certainly do not feel any political pressure. Maybe I am just oblivious to it. Frankly, my life is not always straightforward, but one straightforward element of it is legislative requirement and prioritising resource against my statutory obligations.

I did start off my comments in this section by talking about how we get criticism and charges of impartiality and a lack of independence in equal measure and in equal volume from all sides. When we have arrested some significant, high profile figures within the nationalist republican tradition, for example, loud accusations of political policing come. All we are doing is following the evidence and doing what you would expect us to do as police officers.

That is a given, and one of our values or anchor points is that we do not feel intimidated either by political commentary or even by political consequence. We will keep an eye to political consequence, but we will not change our actions. We might change our "how", but we certainly will not go with a softer approach or neglect our duty on the basis of political consequences. In our time here, there has been enough evidence to demonstrate, with our actions and the statements we have needed to say, that we are not fettered and we will do our duty in that regard.

All of that said, the advantage of being a police officer, I suppose, is that you do not get to write the rules; you get to implement them. I

have explained to you why there could be this impression created or why some people could have the honestly held belief that there is too much emphasis in one direction, i.e. towards so called state killings by soldiers or police officers or whatever. That is because of this stimulus that I have explained through Section 35(5) of the Justice (Northern Ireland) Act 2002.

That is the legal and statutory framework within which we need to operate, however, and I can see the reason for that statutory provision being there. However, the fact there has been this mass amount of violence and wrongdoing over 40 years, which is all now getting channelled through a very narrow choke point called the Police Service of Northern Ireland, means we cannot do everything as quickly as we would want. We have diminishing resources, an increasing complexity of current crime and demand, and a massive legacy demand. Every one of those demands has heartbroken families carrying grief and trauma—and we are not disrespectful of that, but we are constantly trying to balance that against our responsibilities to keep people safe today and tomorrow.

Q214 Chair: Finishing on this point, can I ask whether there is anybody who is not connected to the security forces who is being investigated in connection with Bloody Sunday, in other words civilians—anybody who has not served?

George Hamilton: I am not sure I can be definitive about that at this stage. Undoubtedly, there will be or there have been things to investigate out of Bloody Sunday from people who were not soldiers.

Chair: That is what I am asking.

George Hamilton: I do not want to mislead the Committee because of a lack of knowledge of the detail. I am happy to come back to you on that.

Chair: Yes, that is fine.

George Hamilton: That is, as long as it does not undermine the investigation. We might not have got to it yet.

Chair: No, no. We are not looking for names or anything like that, obviously. It is just to address this balance or imbalance issue that Jack referred to.

## 4.5 Debates on the Northern Ireland (Stormont Agreement and Implementation Plan) Bill

### [Second Reading in the House of Commons](#)

HC Deb 22 Feb 2016, cc70-114

### [Committee Stage and Third Reading in the House of Commons](#)

HC Deb 10 Mar 2016 cc466-532

### [Second Reading in the House of Lords](#)

HL Deb 12 Apr 2016 cc221-252

### [Committee Stage in the House of Lords](#)

HL Deb 21 Apr 2016 cc768-801

### [Third Reading in the House of Lords](#)

HL Deb 28 Apr 2016 cc1303-6

## 5. Northern Ireland Assembly

### 5.1 Debate

[Private members motion: Addressing the past](#)

7 November 2016.

**Mr Attwood:** I beg to move that this Assembly believes in a victim-centred approach to addressing the past and that victims and survivors should have a meaningful input to the content and design of legacy proposals; further believes that justice, truth and accountability, acknowledgement and support for victims and survivors are essential elements in a comprehensive approach to the past; notes the comments by the Secretary of State for Northern Ireland on a public phase on legacy proposals; and calls on the British and Irish Governments for an urgent, renewed effort to conclude legacy issues, including the further development of the proposed roles and powers of the Oral History Archive, Historical Investigations Unit, Independent Commission on Information Retrieval and the Implementation and Reconciliation Group and rejects any attempts by the state, state agencies, illegal groups and others to evade justice, suppress the truth of and resist accountability for the past.

### 5.2 Questions

#### Written question to the Ministry of Justice

20 October 2016

**Mr Chris Lyttle:** To ask the Minister of Justice what action she is taking to improve access to justice and information for victims and survivors of conflict related incidents.

**Answer:** The Stormont House Agreement proposed a range of bodies to provide a comprehensive approach to dealing with the legacy of the past.

The new institutions will include: the Historical Investigations Unit, a new independent body to take forward outstanding investigations into Troubles-related deaths; the Independent Commission for Information Retrieval, a new independent body, established by international agreement, to enable victims and survivors to seek and privately receive information about the Troubles-related deaths of their next-of-kin; and an Oral History Archive, a central place for people from all backgrounds to share experiences and narratives related to the Troubles.

While final political agreement has not yet been reached on the Stormont House Agreement proposals for Dealing with the Legacy of the Past, my officials and I continue to engage with others to secure agreement on the legislation which would establish the new institutions proposed by that Agreement.

## **Oral Question to the Ministry of Justice: Legacy Issues**

**8 December 2015**

4. Mr A Maginness asked the Minister of Justice what steps are being taken to ensure that funding is in place to support the PSNI in carrying out legacy investigations into historical cases. (AQO 9308/11-16)

7. Ms Maeve McLaughlin asked the Minister of Justice what measures he is taking to address the past following this issue not being resolved during the recent negotiations. (AQO 9311/11-16)

9. Mr Lyttle asked the Minister of Justice what discussions he has had with the Secretary of State about funding that was promised by the UK Government for institutions to deal with the past. (AQO 9313/11-16)

15. Mr Dickson asked the Minister of Justice what are the implications for the justice system of legacy issues not being included in 'A Fresh Start'. (AQO 9319/11-16)

Mr Ford: With permission, Mr Deputy Speaker, I will take questions 4, 7, 9 and 15 together.

I am extremely disappointed that legacy issues were excluded from the recent political agreement. Whilst there is progress in certain areas, the failure to address or make a commitment to the legacy institutions set out in the Stormont House Agreement leaves a major hole in how we address the issues of our past.

There are immediate implications, as well as potential long-term implications, for the justice system and the families of victims of Troubles-related deaths. Without the establishment of the Historical Investigations Unit (HIU), the responsibility for carrying out legacy investigations remains with the existing bodies involved in this important work.

A key ingredient of the Stormont House Agreement's approach to dealing with the past was the £150 million promised over a five-year period to fund new legacy structures and arrangements. I met the Secretary of State last Monday on legacy matters. At the meeting, I raised a number of issues of concern, including the UK Government's obligations under the ECHR; the implications of non-agreement for victims; the financial implications of managing legacy issues without the new institutions; and funding for existing legacy institutions. The failure to agree to the establishment of the HIU means that significant burdens fall to my Department. Those legacy issues are much wider than the remit of my Department, and responsibility for dealing with them lies with the Executive and the Government. There is no "do nothing" solution. In the absence of political agreement on dealing with the past, it is crucial that existing structures are adequately funded to fill the gap. Without the necessary additional resources to address outstanding Troubles-related deaths, we will fail the families of victims and fail to meet our obligations under the European Convention on Human Rights. We will be potentially throwing away the best opportunity for a generation to resolve issues of dealing with our troubled past.

Mr A Maginness: I thank the Minister for a detailed reply, and I agree with much of what he said. The failure in the recent talks to agree on

the HIU leaves a terrible gap in dealing with the past. Is the Minister telling the House that there is no additional funding coming to the PSNI to deal with legacy issues either from the Department or through it from the British Government? Is that the position, or can some of the moneys that were, at least, notionally committed by the British Government during the talks come forward to assist the PSNI, at least in the interim period?

Mr Ford: I thank Mr Maginness for that supplementary; he puts his finger on a significant issue. There is, at this point, no additional funding for the PSNI. There is, at this point, no additional funding for the Police Ombudsman. There is, at this point, no additional funding for legacy inquests. I have made the point strenuously to the Secretary of State, although it is not a matter solely for her, because it is an issue that also engages the Executive. Given that the Government were promising £150 million for legacy institutions, there are major questions about the responsibility that the Government have to deal with those issues in the absence of the legacy institutions. Certainly, there were to be no new institutions for inquests, and the police and the ombudsman have to carry out functions, including those that, at times, are court-ordered or are ordered by the DPP, in the absence of funding. It is simply not sustainable to expect them to deal with the past on the budget for the present. There will need to be an arrangement to find that funding if we are to meet the needs of the victims of the past.

Mr Deputy Speaker (Mr Dallat): Mr Lyttle, your question has been answered: do you wish to ask a supplementary question?

Mr Lyttle: Yes, please, Mr Deputy Speaker. I thank the Minister for his stark warning about the implications of failing to adequately deal with the past and, indeed, to fund the institutions that are required to do so. Can he provide any insight into where the blockage to the delivery of a comprehensive mechanism for legacy issues lies? Does he believe that the UK Government will honour their responsibility to adequately fund existing structures to ensure that victims and survivors get access to the information, justice and services that they deserve?

Mr Ford: I thank my colleague for that expansion of Mr Maginness's point. It is not easy to define where blockages currently sit. In fairness to the Secretary of State, I know that she has said that the money that was committed by the Treasury is still committed if legacy institutions are established. The challenge is that the work has to be done whether or not legacy institutions are established, and issues such as those that would be dealt with by inquests would be done without new institutions. I believe, therefore, that the commitment that was made by the Treasury on the back of the engagement with the Prime Minister a year ago shows that there was a recognition that the work had to be done. At the end of the day, the obligations under ECHR are obligations for the state party, even though they are carried out by devolved institutions, and it will be the UK Government who will answer in Strasbourg and in other international fora if they fail to provide the necessary resources.

Mr G Kelly: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister for his comprehensive answer. I agree that doing nothing is not an option as far as victims and survivors are concerned. Does the Minister agree with me that the lack of disclosure, which I think he mentioned earlier, by various agencies of the British Government, including the PSNI, to families and, indeed, to inquests and other courts is a huge issue and that justice delayed, in some cases for a number of decades, is justice denied?

Mr Ford: I thank Mr Kelly for the question. I am not sure that he and I would necessarily have an identical view on issues of national security, but there are difficult issues that need to be worked through in that area. There is no doubt that there are a number of legacy inquests where there are not concerns about national security and it should be possible to make progress. I welcome the work being done by the Lord Chief Justice and Lord Justice Weir to carry through the examination of the state of each potential inquest. The provision of additional resources at judicial level, including the provision of a High Court judge to take on the role of coroner in one complex inquest, the work, which I have already highlighted, being done by Judge Sherrard in another one and the examination of the whole package as one by a single judge in January will be very beneficial. However, there will be issues, and I will continue to engage on the issues of disclosure and how they are carried through in order to best meet the needs of families.

### **Written question to the Ministry of Justice**

**22 September 2016**

Question: Mr Trevor Lunn: To ask the Minister of Justice to outline any discussions she has had with the Secretary of State in relation to funding for historical investigations.

Answer: The Stormont House Agreement was an agreement made at the end of 2014 between the Northern Ireland Executive and the British and Irish governments. Under that Agreement, the United Kingdom government committed to providing the Northern Ireland Executive with £150 million for legacy.

Since the agreement was made discussions have continued between the Northern Ireland Executive and the United Kingdom Government to ensure that the outstanding legacy issues are resolved and the bodies proposed to deal with the past are established. I have had a number of meetings with the Secretary of State, during which legacy issues were discussed. Funding has naturally formed an important part of those discussions.

My Department has never been resourced to deal with the legacy of the past. Having met a number of victims' families, I am conscious of the impact of further delay in legacy investigations and legacy inquests. My concern is that, in the absence of the necessary additional funding, it will not be possible to complete the investigation of outstanding Troubles-related deaths in a reasonable period of a time and that we will fail the families of victims.

## 6. Further reading

### 6.1 Commons Library briefings

Northern Ireland (Stormont Agreement and Implementation Plan) Bill 2015-16 [Bill 133], 15 Feb 2016

A Fresh Start: the Stormont Agreement and Implementation Plan and the Northern Ireland (Welfare Reform) Bill 2015-16 [Bill 99], 20 Nov 2016

Northern Ireland: Stormont House Agreement and implementation, 19 Aug 2015

### 6.2 Lords Library briefing

Northern Ireland (Stormont Agreement and Implementation Plan) Bill: Briefing for Lords Stages, 23 Mar 2016

### 6.3 Northern Ireland Assembly Research and Information Service Blog

Michael Potter, [Dealing with the past in Northern Ireland.](#), 22 Nov 2016

Ray McCaffrey, [Should the Assembly break the constituency link with Westminster](#) [on impact of reducing numbers of MLAs, as in Fresh Start], 18 Jul 2016

Ray McCaffrey, [A new era for the Assembly and Executive](#) [on impact of creation of opposition in NIA; reduction of Departments and other aspects of Fresh Start], 10 Jun 2016

### 6.4 Government

#### **Fresh Start & Stormont House Agreements: Six-Monthly Updates**

Latest report, 14 December 2016

This report highlights the progress made over the past six months in implementing the Stormont House (SH) and Fresh Start (FS) Agreements.

**The Stormont House Agreement**, Northern Ireland Office, 23 Dec 2014

An agreement on key issues that opens the way to a more prosperous, stable and secure future for Northern Ireland

## **A Fresh Start: the Stormont Agreement and Implementation Plan**

### **UK government response timeline**

#### **8 September**

A spokesperson from the Prime Minister's Office gives a [statement](#) on the political situation in Northern Ireland and the need for cross-party talks. Secretary of State for Northern Ireland Theresa Villiers leads these talks.

#### **10 September**

The Prime Minister [rejects](#) requests to introduce emergency legislation to suspend the Assembly, but promises to explore what more the UK Government could do to address remaining paramilitary activity in Northern Ireland.

#### **20 September**

The Secretary of State commissions and publishes a [factual assessment](#) from the UK security agencies and the PSNI on the structure, role and purpose of paramilitary organisations in Northern Ireland.

#### **29 September**

The Secretary of State [stresses](#) the need for an agreement to be made soon, to address paramilitary activity and implement the Stormont House Agreement in full.

#### **17 November**

A [deal](#) is reached! The Secretary of State talks about what it means for the future for Northern Ireland

## **6.5 Northern Ireland Executive**

[Tackling paramilitary activity, criminality and organised crime: Executive action plan](#), 19 July 2016.

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