



# Ministry of Defence

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*Team*

Today, HM Government will announce a new framework for dealing with the legacy of the Northern Ireland Troubles. Firstly, I would like to thank you for your continued engagement on this matter, and to some who I spoke with just yesterday.

I know that this is an issue on which there is great strength of feeling among your members, and I wanted to follow up in writing to set out what we are doing to find a better way forward. We are putting in place a comprehensive new package of protections for veterans, as part of a fair and proportionate system which will allow bereaved Forces families to get answers and ensure no veteran who carried out their duty properly will face endless legal uncertainty.

As a veteran myself, I have some experience of the difficult choices that our veterans faced in extremely challenging circumstances, as they served to protect communities and secure peace in Northern Ireland. We are acutely aware of the stress that historic investigations can place on our veterans. Many who served in Northern Ireland are concerned by the prospect of new or repeated investigations, and of being dragged into processes which feel like punishment.

That's why we will introduce six new rights, safeguards and protections for any Northern Ireland veteran asked to engage with a legacy process:

1. **Protection from repeated investigations** – The Commission will be under a requirement to not duplicate the work of any previous investigations unless there are compelling reasons to do so. Veterans will not be required to provide unnecessary testimony on historical context that has already been established.
2. **Protection from cold calling** – Veterans will be protected from cold calling through a new protocol, ensuring they are only ever contacted with the support of the MOD.
3. **Protection in old age** – The Commission and coroners will be required to consider the health and wellbeing of elderly witnesses – including whether it would be inappropriate for them to give evidence at all.

4. **A right to stay at home** – Changing the law to ensure no Northern Ireland veteran is forced to travel to Northern Ireland to give evidence to the Commission or to an inquest.
5. **A right to anonymity** – Ensuring veterans can seek anonymity when giving evidence.
6. **A right for veterans' voices to be heard** – There will be a statutory advisory group that will provide an opportunity for the voices of all those victims and survivors of the Troubles to be heard, including those from a service background.

In addition, the Commission will be required to take account of wider circumstances and the context surrounding incidents being investigated, and the MOD will put forward an independent advisor with operational experience to support investigations.

This will fundamentally change the experience for veterans and mean that the process can never again be used as a punishment. Instead, we will make sure that veterans are supported throughout any legacy process whilst lifting the cloud of suspicion from those who served honourably. Underpinning our new approach is a firm determination that there will be no rewriting of history. We are clear that the Armed Forces' actions in Northern Ireland saved thousands of lives and were crucial to bringing about peace. The vast majority of deaths were the result of terrorist action. There is no equivalence between those who served to protect life and the terrorist organisations which set out to kill people.

There have been some calls to reintroduce immunity. However, this would have given amnesty to terrorists and has been rejected by the courts, rejected by victims of terrorism, and rejected by the families of service personnel who were killed. There are families of over two hundred British Armed Forces members who were lost or murdered in Northern Ireland who had their police investigations closed overnight by the previous Legacy Act. Those families have a right to know what happened to their loved ones.

To that end, our replacement legislation will fundamentally reform the Independent Commission for Reconciliation and Information Recovery (which will be renamed that Legacy Commission). The Commission will be the primary route for families to find answers: while a small number of inquests that were stopped in their tracks by the Legacy Act will be resumed, there will be no new inquests announced.

We have also secured unprecedented commitments from the Irish Government which will enable many more families – including families of service personnel killed by acts of terrorism – to finally obtain answers about those incidents. They have agreed to legislate to ensure the fullest possible co-operation of the relevant Irish authorities with the Legacy Commission. The Irish Government have also committed to establish a new legacy unit in An Garda Síochána, to investigate all unresolved Troubles-related incidents in Ireland. For the first time they will provide funding to support UK legacy mechanisms.



I know that easing veterans' concerns and anxiety will not just need the strong and meaningful protections we are introducing, but also clearer and better communication – about the importance of what the Armed Forces did in Northern Ireland and the value we place on their service. This is important not only for our veterans, but also for currently serving personnel, and prospective future members of the Armed Forces. We need to reassure the Defence community that the new system will make involvement with legacy processes easier, less stressful and far less hostile than has been experienced in the past. I believe that this historic deal delivers the ability for families to get to the truth, whilst treating veterans with dignity and respect, and not allowing the process to punish those that served with honour, courage and dignity. I hope that you will be able to help us in explaining to your members what we are doing, and in reassuring them about the impact of the reforms.

If you have any questions or concerns, please do not hesitate to reach out to my office or get in touch with me directly. I would also offer that once legislation is in place, your role in ensuring these protections' implementation is vital to their success.

You have my absolute commitment to all those who served with honour in Northern Ireland, and I look forward to continuing to work with you on this and any other issues which affect your members.

A handwritten signature in black ink, consisting of several fluid, overlapping loops and a long horizontal stroke at the bottom.

**ALISTAIR CARNS MP**