Pat Finucane Centre

Opening Submission to the Joint Committee on Justice, Home Affairs and Migration: General Scheme of the Legacy of the Troubles Bill 2026

Alan Brecknell – Tuesday 29 September 2026

Thank you for the opportunity to address you today on behalf of the Pat Finucane Centre and Justice for the Forgotten, which has been a project of the Pat Finucane Centre for a number of years. Justice for the Forgotten has provided support to the Dublin and Monaghan families, which is ongoing and to other victims and survivors in the south. The PFC have been providing advocacy support to victims and survivors of the conflict for over thirty years. We currently employ six advocates, who all have extensive experience in providing practical support to families engaging with various legacy mechanisms. Over the years this support has taken many different forms. We have assisted victims and survivors in their call for access to truth and justice and have engaged with all the ad-hoc mechanisms that have been in place over that period.

We believe that the best opportunity to access truth, justice and acknowledgement for victims and survivors over recent years was the 'Stormont House Agreement'. These mechanisms were a good starting place to establish organisations that could answer victims and survivors outstanding questions and concerns. Unfortunately, the last Conservative government in Britain unilaterally decided to scrap this agreement and put in place mechanisms that were less than what was envisioned and which did not garner support from political parties on this island, national and international human rights bodies or more importantly victims and survivors of the conflict.

While the PFC welcomes the 'Joint Framework' agreed between the two governments we still have reservations as to what the final legislation will look like both in Ireland and Britain. There is a well-funded campaign at work within the British House of Commons to thwart this legislation and to water down what is currently proposed and we have concerns that these current proposals do not go far enough to address victims and survivors concerns.

We have outlined our main concerns with the 'Heads of Bill' in our written submission. In relation to *'Head 4'* we again make the point that we do not feel an investigation that would return to a Garda Division would hold the confidence of a family seeking truth and justice in relation to a previous Garda investigation. We are also not sure that as this *'Head'* is currently drafted that the Irish State is capable of upholding its Article 2 obligations.

'Head 18' is another area in which we have concerns, this on the face of it incorporates a national security element to the proposed legislation. The PFC have worked with victims and survivors over many years and have been frustrated by the British State

invoking national security in an effort to restrict information becoming available to families and wider society. Many feel this is an attempt to hide direct state involvement in illegal actions or to hide state embarrassment. It is concerning to see this proposal to incorporate a similar national security element into Irish legislation.