



Northern Ireland
Assembly

Committee for Finance and Personnel

OFFICIAL REPORT (Hansard)

Civil Service (Special Advisers) Bill:
Ann Travers/Catherine McCartney Briefing

21 November 2012

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Members present for all or part of the proceedings:

Mr Daithí McKay (Chairperson)
Mr Dominic Bradley (Deputy Chairperson)
Mrs Judith Cochrane
Mr Leslie Cree
Ms Megan Fearon
Mr Paul Girvan
Mr John McCallister
Mr David McIlveen
Mr Mitchel McLaughlin
Mr Adrian McQuillan
Mr Peter Weir

Witnesses:

Ms Ann Travers
Ms Catherine McCartney

The Chairperson: I welcome Ann Travers and Catherine McCartney. You are both very welcome. Ann, thank you for your written submission to the Committee. I invite you to comment on the legislation, and I will then open it up for questions.

Ms Ann Travers: Mr Chairman and Committee members, thank you very much for inviting me to speak to you today. I am unused to such formal occasions, so please excuse my nerves.

On Wednesday 25 May 2011, my day started as normal. I got up early, I organised my children for school and managed to get them all there safely. I arrived home around 9.30 am, and I had just made myself a cup of coffee when my phone rang and my world came crashing in. A BBC researcher from Radio Ulster's 'Talkback' programme asked me whether I was aware that Mary McArdle had been appointed as special adviser to the Culture Minister. In those few seconds, my stomach heaved and I felt like I was going to be sick. My head whirled and I remember panicking and saying, "No, no, no". It was like I was being told that Mary was dead again. That was the first time that I had heard Mary McArdle's name mentioned by someone other than my family since her trial, even though, in the past 28 years, Mary Ann McArdle has haunted the recesses of my mind. To regain my composure, I asked the researcher to phone me back in five minutes and I hung up.

As a direct result of that appointment, I found myself unable to speak about my sister Mary without crying. I found myself frozen and reliving running down Windsor Avenue; my mum leaning over my dad saying, "My poor husband, my poor husband; somebody please help my poor husband"; dad mumbling and trying to take off his watch; and Mary lying on the gravel, head turned awkwardly and gurgling. Ambulances, police cars, chaos.

Recently, I was driving down the N11 in Wicklow, and I suddenly found myself sitting in my car outside my house. I do not know how I got home safely. I had spent the 30-minute journey reliving every moment of 8 April 1984. Those flashbacks continue in other places: the supermarket, my home, and while out with friends. On more than one occasion, my youngest daughter has said to me, "Mum, mum", and I have come around from one of those flashbacks. Prior to the appointment, I had not had any flashbacks for about 20 years.

All the behaviours and patterns that I had developed after my sister's murder came back to haunt me. I became depressed, then hyperactive. My children saw their usually controlled mum weeping uncontrollably one moment and getting cross with them over very small things the next. This appointment has made my family and me revisit something so dreadful, which we never wished to revisit.

Much has been said about ex-prisoners' rights to work and the spirit of the Good Friday Agreement. Never, for one moment, have I said that ex-prisoners are not entitled to work. In fact, it is the contrary. I believe quite strongly in rehabilitation and allowing truly remorseful ex-prisoners to move on with their lives. Everybody deserves a second chance. Mary McArdle has shown no remorse. The Historical Enquiries Team wrote to her, and she ignored its letter. I and my brother Paul have asked her, through the media, to tell us who else was involved in Mary's murder and the attempted murder of our parents. She has told us, via the media, that Mary's murder was a tragic mistake that she regrets, yet if she was to explain why it happened, she would only compound my hurt. That is, in my mind, still justifying it.

I know that some of you know Mary McArdle quite well. I plead with you to speak with her after this meeting and ask her to tell me who else was involved in the planning and execution of the murder of my sister and the attempted murder of my parents. Surely that would be the greatest restorative justice of all. I am happy to wait here afterwards until an intermediary can come back to me.

Where in this is the spirit of the Good Friday Agreement for the benefit of victims? The job of special adviser is very important. It is at the very heart of government and it is unlike the role of an MLA, because it is not elected by the people. Special advisers have no mandate, posts are not usually up for open competition and they are usually appointed by a Minister. However, in this case, Mary McArdle was appointed by the party, as the Culture Minister said in a 'Spotlight' documentary. In my view, the appointment that has caused us to be here was for a job well done: a reward.

Some have suggested that the Bill cannot be based on one family. However, any Bill has a catalyst, which is usually one case or one individual. An example of that is the present abortion debate in the South due to the death of Savita Halappanavar, or indeed the X case. However, you are right. The Bill is not about one family; it is about protecting all victims. I do not want to see another family go through what we went through.

As the position of special adviser is taxpayer-funded, victims find themselves in the surreal position of contributing to the salary of the person who destroyed their family. That is wrong. Victims have rights, too, and they have the right to move on with their lives. While someone who has been convicted of murder may find their life has improved when they are appointed to a high-profile government position, the victim's lives will certainly not have improved. Indeed, it will have been damaged once again through no fault of their own

Victims deserve the very important human right not to be re-traumatised time and again. For those who do not support the Bill, I ask one simple question: do you believe that the rights of perpetrators of violence are more important than, or supersede, those of victims in today's civil society?

Mr Weir: Ann, first, thank you for your evidence. I appreciate that these are very difficult circumstances for you, and I salute your courage in trying to raise this issue that was thrust on you and in speaking to us today.

I do not want to add to your trauma, so I will just ask you two simple questions. In your evidence, you say that, for you, the purpose of the Bill is not about revenge but about protecting innocent families in the future. Can you expand on that statement?

Ms Travers: Many people have spoken privately to me since all this has come about. It has become so obvious to me that so many families, sitting in their homes, are being hurt by the things that are said and done nearly every day in Northern Ireland. They are trying to get on with their lives, but

sometimes a thoughtless remark can bring back to them exactly the hurt and the pain that they initially went through. I had got on with my life. I have five children, and I was doing well with everything. This has thrown me into the middle of something that I thought I had dealt with. So, no, it is not about revenge, and it is not about saying that somebody does not have the right to work or to move on. It is about having thought and treating victims as equally as those who made them victims in the very first place.

Mr Weir: Finally, we as a Committee have obviously received quite a bit of correspondence in relation to this. Perhaps not surprisingly, a large volume of those who are critical of the Bill made very similar points and wrote very similar letters. To pick out a phrase or theme, they talk about their opposition — as they put it — to discrimination and the "further punishment" of former prisoners. What is your reaction to that? What are your views?

Ms Travers: I feel that I have been punished. I feel that my family has been punished. I know that my brother over in Australia is watching this today. He was most certainly punished by that appointment last year. We did not do anything wrong. My dad did not do anything wrong, and my sister Mary did not do anything wrong. They were walking home from Mass.

I welcome and embrace how far Northern Ireland has moved on, but there has to be some form of consideration to the victims of violence. I do not really know what else to say about that. It really upsets me. I wish I could just say to the ex-prisoner groups, "I have no problem with you, if you are remorseful and if you are getting on with your life, earning a wage and supporting your family. That is how society works and grows. But, surely, there must be a duty of care towards your victims when deciding what post or position to go for".

Mr D McIlveen: Ann, thank you very much for your presentation. Just to echo Peter's words, the courage and dignity that you have shown from the start of this has been incredible, and that is a real credit to you and to what your family has been through.

You mentioned the term "truly remorseful". I am trying to get my head around whether any course of events would have got you to the stage where you were able to accept the appointment of Mary McArdle. Could she have taken an action that would have made you think that you could deal with it and that, ultimately, you could get on with your life and accept it?

Ms Travers: There were quite a few people involved in my sister's murder, not just Mary McArdle. Yes, Mary McArdle stood trial. However, there were two gunmen, there were people who sat around a table and decided that they would target my family, and there was the place where the gunmen went afterwards. If Mary McArdle could have come to me and told me the details down to the very minutiae, that, for me, would have shown remorse. It is very easy to say sorry. It is simple. I can say it: "Sorry". You have to mean it. Actions show that you mean that you are sorry.

Mr D McIlveen: Ann, if any of us ask you anything that you do not feel comfortable with, please just avoid it. I am not trying to take you down a path that you do not want to go down.

Let us move to a parallel universe in which those actions took place but Mary McArdle has acknowledged that what she did was beyond regrettable and wrong and is prepared to co-operate with the investigative authorities, such as the Historical Enquiries Team, and name the people involved. Would you then be able to draw a line under that and say that there was demonstrable evidence that she has moved on and acknowledged the wrongdoings of the past? Would you feel that that would free her from the bonds that this legislation would attempt to put on her?

Ms Travers: If she could do that and not justify the attempted murder of my dad, well, I am a Christian and a human being, and I just want to be able to go and visit my sister's grave and get on with life.

Mr D Bradley: Good morning, Ann and Catherine. Thank you for coming here today. I know that it is very difficult for you. You have given us a very clear picture of the effect that this has had on your life and how it has led you to relive a very traumatic experience, the loss of your sister. We very much respect you for giving of your time today.

You may have heard some of the evidence from the previous witnesses, who were from the Human Rights Commission. Before that, there were three academic lawyers from Queen's University. We discussed ways in which the Bill, as it is at present, might offend against human rights. Some issues mentioned were that one clause implies a blanket prohibition on a certain group of people and that

some aspects of the Bill are retrospective and seem to punish people twice for a crime for which they may already have served a sentence.

The commissioner who spoke during the previous session said that the vetting procedures that the Department had developed were compliant with human rights, although he thought that they were weak from the point of view of the voice of victims. He mentioned that the Victims' Commission is working on that to come up with some ideas on how to strengthen them. What would be your view if the Bill were to be amended in some way to ensure that it was human rights-compliant?

Ms Travers: Personally, I think that it is human rights-compliant at present. My worry is that because murders like my sister's are still justified, the Bill will be manipulated in some kind of way. At the moment, what are the human rights for the victim? Where does the victim come into this? I heard Mitchel speak earlier about a hierarchy of victims, but I feel that, as a victim of the IRA, I am down here, and those in the IRA are up there. That is all that I can see. All that I can see is reward after reward after reward. We can go into the arguments of why it all happened, why people went into the IRA and whatever, but, at the end of the day, when somebody is convicted of murder, surely it is the victim who should be considered. Mary McArdle and other prisoners were released under the Good Friday Agreement and are now able to get on with their lives. I think that some feel abandoned by the groups that they were once in, and they have different problems and issues, but others do not. Others are able to move on and get on with their lives, and they are doing very well, thank you. My life has not improved. It certainly has not improved since this appointment came about last year. I am sorry if that does not really answer your question, Dominic.

Mr D Bradley: I understand what you are saying. In fact, I said in my speech in the Assembly that it looked very much like the perpetrators were being rewarded and the victims were being punished again, as it were — made to suffer again, in any case. That does not seem to be as it should be, to most of us anyway. That said, we cannot pass legislation that is not human rights-compliant. If legislation offends against human rights conventions, standards or laws, we have to take that on board.

Ms Travers: Surely there are certain jobs that people who have certain convictions could not do. Ex-prisoners frequently talk about how their crime is different from that of the common, or Joe Soap, criminal. I do not really understand what they are saying. They say that if Mary had been battered over the head, mugged and murdered on her way home, and Mary McArdle was involved in that, she could not get that position. However, because she was involved in taking guns and in Mary being shot, she should be able to get the position. It just does not make any sense to me.

Mr D Bradley: I understand what you are saying all right. You feel that the Bill, as it stands, upholds victims' rights.

Ms Travers: I feel that it does. I feel that it protects victims and that, as long as murders in the past are still being justified, it is all that victims have to cling to. Being told, "We are really sorry that your dad was shot or that your son was blown up, but let's just think about everything else that is going on" does not really wash with victims.

Mr Cree: Thank you very much, Ann. You are a very brave woman, and thank you for coming this morning. I know that it cannot be easy. You touched on the question of whether there are competing rights between offenders and victims. This case probably highlights that as well as any case possibly could.

You gave your opinion on the Bill, which you have obviously studied fairly well. Drawing on the practical experience of the trauma that you have suffered, do you feel that anything else should be included in this Bill, or in any other legislation that may need to be developed, to try to avoid this problem happening again?

Ms Travers: I believe that victims should be kept informed. I am not saying that if Sinn Féin had come to me the previous week and said that it was going to appoint Mary McArdle as a special adviser, I would not still be upset and sitting here today. I am not saying that, but, I tell you, that phone call — it was just like when I came home on that day. Even though I had been in the ambulance and heard the woman in it say to my brother, Paul, that Mary was not going to make it — neighbours had brought me to my aunt's flat in Dunmurry, and I had to tell her because I could not get through on the phone — when I came home, walked into my hall and we were told that Mary was dead, it hit me just like that. It was like somebody had just punched me in the stomach. Hearing Mary

McArdle's name, and I am sorry because I know that she is a human being but, for me, it was like something from out of this world — it really was. I cannot emphasise enough how much that affected me. So, yes, I believe that families should be told, as it would show a bit of consideration. I know that they would probably not be happy about it, but at least it would be a warning.

Mr Mitchel McLaughlin: I thank you for being here and echo Leslie's comments: you are both very brave women dealing with extremely tragic and dramatic circumstances. On a personal level, I want to acknowledge that to you both. I am not sure whether you are going to give evidence, Catherine, but I want to acknowledge your presence. My party's position on your case is that the PSNI is the investigating authority, and people should give whatever information and evidence that they have to it and fully co-operate with that investigation. I repeat that consciously this morning.

Ann, not only are you brave but you are trying to do something about the situation. I know that you are a member of the victims' forum, for which we owe you a debt of gratitude because you will bring a depth and breadth of personal experience that will help to inform the collective approach to this issue. You posed a very direct question to me, and I hope that you understand that it is out of absolute courtesy that I will respond directly. I think that there is only one way in which you can get a satisfactory answer to the truths that you are trying to uncover. That can happen only when all parties to the conflict agree to contribute their truths as well. In the 14-odd years since the Good Friday Agreement, we have not progressed one iota in that direction. We have put forward a proposition for debate, which could be improved if other parties want to join that discussion. That proposition is this: let us establish an independent and international truth recovery process. The British Government and their agencies should contribute to that as well as the loyalist groupings, the IRA and anyone or any organisation involved in the conflict or responsible for sustaining it. That is my opinion, but it is a reflective position because I have thought about it very deeply. Unless we crack that, we are in danger of more and more people being re-traumatised in the way that you quite evidently were.

I cannot understand why, in the appointment of Mary McArdle, no consideration was given. By the way, I just want to make the point that I probably got the same notice as you did. However, if you made contact, you should have had a response. I do not believe that it was anybody's intention to cause you to relive that terrible experience.

I think that the work that you are doing in the victims' forum will contribute to helping other people. In a post-conflict society, there are those trying to move towards a process and towards that necessary level, which you described in your statement as reconciling people with one another. It is not that they would become friends or could completely set aside what happened, but, at a human level, people have acknowledged one another's dignity as well as the trauma and may have addressed, in a satisfactory way, their responsibility for that.

In some instances, people know exactly who they want satisfaction from or who they want to have that discussion with, but very many in our community do not have a clue who to turn to. They may know the corporate identity of who caused the trauma but not the individual. I think that the trauma for you was being confronted with the individual and the name coming back from the past in a way that you were totally unprepared for. I can see the very visible effect that it has had on you, and you have the additional struggle in that your personal health is suffering.

I want to address your point in the way in which I have and perhaps incorporate support from other political parties for how we can approach the issue of recovering the truth that people such as you and Catherine require. Does this Bill do it? I have to say that I do not think so. Just on the basis of having read the text of the Bill very carefully, I do not think that it does. Undoubtedly, your case was the catalyst, but it was the catalyst for many things that I do not think were helpful to you or to the wider debate: the way in which your case was sensationalised and the way in which people came at it not to limit your re-traumatisation but, in a sense, to score political points. Although that was understandable, it was not helpful.

What I would like is not this type of Bill, which will deal with, at most, a handful of individuals. We are talking about special advisers to 12 Ministers, and that number will possibly be reduced following a review of the Assembly and its Executive Departments. A wider group of thousands of individuals were affected by the conflict and violence from all sorts of directions and agencies. Within the group of survivors and those injured are combatants and non-combatants who were just caught up in a conflict that flared up around them and engulfed them, their families and their communities. We have a duty to them all, and that is what will inform my approach.

I have answered your question as best I can, although it is not the purpose of today's discussion. I have read very carefully your written submission. It is a heart-rending story, but you will acknowledge, by agreeing to go on the victims' forum, that we are not dealing with your case on its own. We are dealing with many, many other cases and people who are screaming for help and support.

Ms Travers: I will come back to you on a couple of things. First, as I pointed out, two gunmen murdered Mary that day, and I do not know who they were. So, like the other people whom you talked about, I do not know who those people are. Mary McArdle knows who they are, but she will not give their names. Waiting for the truth and for an international truth body is not doing the victims much good. It does not really wash with me at the moment. My dad searched for the truth about what happened to Mary, and, sadly, he passed away in 2009. He searched for the truth until he was too weak to search for it any longer. I am searching for the truth about what happened to Mary, and I have cancer, from which I hope that I will recover. Many families are waiting for the truth and, unfortunately, dying before they get it. With their death, they leave behind all that baggage and history for the rest of their family.

As for the sensationalising of this particular case, I would not have had a voice were it not for the media. I am very grateful to the media for everything that they have done to support me and for allowing me to have that voice. At times, certain commentators may have criticised me. That is fine, but they still gave me the voice, which I had not had as a victim. I am very grateful to political representatives who have supported me because, without their support, I would not know what to do. I remember phoning the First Minister's constituency office on hearing of Mary McArdle's appointment. I had no idea what to do — I was lost. I had never experienced anything like this before. I spoke to a secretary. I remember crying and asking her, "What do I do? Who can I go to? How do I stop this? How do I change it? What do I do?" That is where it started for me.

For the sake of all victims, I wish that people could find it in their hearts to give them the answers that they so deserve. I think that this Bill will protect victims. You are right in saying that it is for a handful of people, but it means that it will never happen again, and it should never, ever, ever happen again. Nobody should have to go through what we went through last year. It dragged on and on and on, and it could have been stopped within days. It could have been stopped within hours, and I would have been fine with it. If Sinn Féin had said, "Hold on. We did not read this right. We are really sorry. Yes, Mary has the right to work, but we are going to take into account the victims and how upset the Travers family is. We will move her to another post.", I probably would not be sitting in this room today. That would have been it.

Mr Mitchel McLaughlin: Acknowledging that we are talking about only a few individuals, how do you think that we can deal with all those other victims? I know that this is deeply personal, and my question is not meant to be interrogative. I am very intrigued and, I have to say, impressed by the fact that you are prepared to go on to the victims' forum. It is obvious that you are not going on to that body to prosecute Ann Travers's particular case; you will be dealing with everybody.

Ms Travers: I am listening to everybody. I am not only listening to them but hearing them; not only hearing them but respecting them; and not only respecting them but considering them. That is a starting point for victims.

Sinn Féin/IRA are the only ones who continue to justify the murders that were carried out. For me, the very first step towards reconciliation would be to stop justifying those murders. I know that that might be really difficult for you. I know that that is like saying, "That was a big waste of time; we should have started talking years ago." That is fine. You know, there is no harm in being humble. There is no harm in saying, "We made a mistake; this is where we go." I could put my hands up and say that I have made a mistake. I have just been asked whether I would be happy for Mary McArdle to have this post if she showed complete remorse and told me exactly who was involved. I could very easily say, "No, she should never have it." No, that is not what life is all about. There is no harm in sticking your hand up and saying, "We made a bloody mistake. We should not have blown up people in Enniskillen; we should not have massacred workmen on buses; we should not have tied people to bread vans." That was wrong. It was immoral, it was inhuman and it was wrong. So stop justifying those actions by talking about Bloody Sunday, which was absolutely wrong, and the Ballymurphy massacre, which was absolutely wrong. I am not arguing with that. It is insulting to me when you do that. Do you realise how insulting that is to me?

Mr Mitchel McLaughlin: I hope that I did not insult you.

Ms Travers: It is insulting. That is not directed personally just at you; I hear it time and time and time again.

Mr Mitchel McLaughlin: I am anxious, particularly given the commitment that you have brought to this, that you understand that I have a very deep concern for the people whose victimhood is, for some, impossible to recognise because it was not the IRA who killed them but a state agency. All I am doing is taking your particular tragic experience and extrapolating that to all sections of our community, because there are many people who look to the state as the perpetrators and wonder at what point the state will come forward and say that it has a truth to tell as well.

Ms Travers: That is not my view. I understand what you are saying, but that is not where I am at.

Mr Mitchel McLaughlin: May I put this to you as an intellectual point?

Ms Travers: I do not know. My hair is falling out, and my brain has gone with it.

Mr Mitchel McLaughlin: No, you are brilliant. What are you on about?

You see, that is an impediment to what you are trying to achieve: the peace and the truth that you are looking for. People are paralysed by the fact that if you ask those on only one side of the conflict to account for themselves, you paralyse them. They look across the table and ask who they were fighting, who was shooting at them, who threw the first stone or drew the first baton. There is a history. Your mother and father went through a terrible experience, and you have spoken eloquently about it. Your sister lost her life. However, they were born, as we all were, into a society that was already divided. There is a long history here, and we are trying to deal not with what Mary McArdle did as an individual but why these issues were not addressed in the past and whether we can get them addressed now. That is why we have a victims' support service and why we are having dialogue about how we can bring about truth and reconciliation process so that we never revisit that situation.

This is not a combative question, but I hope that it will help us all. I know that Carál Ní Chuilín offered to meet you and that you found that unacceptable and refused. Do you regret that now?

Ms Travers: No; I did not refuse to meet her. That is not what I said at all. I sent back the message that I would be happy to meet her if I could be told who was involved in Mary's murder. She sent back the message that there could be no preconditions to a meeting and no agenda. I am sorry, but does every meeting not have an agenda? I did not refuse to meet Carál Ní Chuilín. That is completely wrong.

Mr Mitchel McLaughlin: Did you not ask her to do something that she could not do?

Ms Travers: No. Why can she not do it?

Mr Mitchel McLaughlin: How would she know or how do you know that she would know?

Ms Travers: For one, she is very good friends with Mary McArdle. I happen to know that for a fact. My intelligence would be really insulted if you were to expect me to believe that she and Mary McArdle did not speak in prison and that she would not know who else was involved. If I was not going to get anything from that meeting, what on earth was the point of it? I did not refuse to meet her. That was the reply that I sent back, and that was the reply that I got.

Mr Mitchel McLaughlin: Let me make this point to you, Ann. I was addressing your earlier mention of getting a phone call in advance of the appointment. The Minister was coming to you to explain and, probably, to apologise —

Ms Travers: No, she was not. She came to me about four to six weeks afterwards, and that was through a phone call from our family friend, a priest.

Mr Mitchel McLaughlin: OK, but you would have had the opportunity to ask her for the explanation that you asked for today.

Ms Travers: Yes, and I sent the message back that I would meet her if she was going to ask Mary McArdle who was involved in Mary's murder. It came back that she would not do that. She said that there were to be no preconditions and no set agenda.

The Chairperson: Catherine, did you want to make a point?

Ms Catherine McCartney: We could bring the discussion back to the Bill, in a sense. I do not understand how Ann's interactions with Sinn Féin feed into what Dominic asked about how we make the Bill human rights-compliant.

It could, at one level, be how the parties put forward people for appointments or what procedure should be followed in contacting families. Some people may not want to be contacted at all, so that has to be taken into consideration. Therefore, bring it back from the intellectual to the pragmatic. I do not have the answers. The blanket ban, Dominic, may not be human rights-compliant. I am no lawyer, but that does not mean that the Bill, if there is a sense that it is not human rights-compliant, cannot be looked at to see whether amendments could be made that would make it human rights-compliant.

Mitchel, I agree with you in that, yes, we have not dealt with the past, but victims are powerless in that sense. You people are the ones with that power. If you cannot agree on how it is done, victims are left having to approach this issue on an ad hoc basis, and it flares up all the time. Ann and I are just ordinary people, so we should not be here. You got the Good Friday Agreement, and it is up and working, but really, apart from that —

This is what we are told all the time: the Good Friday Agreement, the Good Friday Agreement. Yes, everyone is behind that 100%. We all agree with that, but there seems to be an imbalance in pace of who is able to move on.

What would be wrong with parking, not for ever but for a while, the appointment of people who were involved? I agree with you also that if prosecutions came from the Bloody Sunday inquiry and a soldier were found guilty of unlawful murder, I would totally disagree with anybody in this room who appointed him as a special adviser.

You may come back to me and say, "Let's look at that in the context of the time. Was it a political murder?" The law would have to decide that. This is not a one-sided or individual thing. Ann is fighting it individually, but it is symbolic for Northern Ireland as a whole. Where is the accountability not just to Ann as an individual but to society?

There are a lot of points on which we could go around the hall, but we could be here all day, because they are all complex issues. However, I will say one thing: your actions in life, no matter what you do in life, never disappear into thin air and be gone. Sometimes we do things in life and there are consequences, even though your family or society may have forgiven you. Sometimes if you commit murder, there are consequences. That does not mean to say that you are locked away and denied your human rights for ever, but there are some consequences, in that you have limited yourself to a degree. That is taking personal responsibility and acknowledging that.

How the law, society and the state deal with that is another issue, which we are dealing with today. It is bigger than Ann, although she is the one who brought it forward. It is about how the state accounts to victims.

Mr M McLaughlin: That is very helpful —

Ms C McCartney: I agree, too. There are victims on both sides.

Mr M McLaughlin: I completely and absolutely accept your point about the political parties. One of my opening comments was that we have not moved one iota on these issues in the 14 years since the agreement. Therefore, we are —

Ms C McCartney: I disagree. There has been movement, but the movement has been, as I say —

Mr M McLaughlin: On this issue.

Ms C McCartney: Let us take the example of truth and reconciliation and how everybody moves on. We have an example here of Mary McArdle, who you would recognise as someone who is, to a degree, a victim, because she became involved in a conflict that was not of her making. Therefore, from your perspective, to a degree, she is a victim. She has been able to move on from that. Have the state and you policymakers here not created some mechanism by which Mary McArdle has been able to move on from that?

You have made inroads into that, but the fact is that the inroads are on only one side, not on the other side. Where are the victims? The victims are having to come on an ad hoc basis, as I talked about. As far as I am concerned, the political parties have done absolutely nothing apart from establishing the Victims' Commission and victims' forum. I totally respect what they are trying to do, but is there any evidence that they are effective?

The Chairperson: Mitchel, will you just wind up your —

Ms C McCartney: I am just saying that I agree. The issues that you raised are all very relevant, but we could talk about those all day. I would prefer to stick to what the Bill is about. How can we make it human rights-complaint? Is there any discrimination in the Bill? Is there a hierarchy of victims? I do not think that there is a hierarchy of victims in society, but I do think that a hierarchy of citizens is developing. If you are seen by parties not to have done enough to implement the Good Friday Agreement, perhaps because you were not in a position to do so, you as an ordinary person are not really important.

Mr Girvan: Thank you very much indeed. I really want to thank you for coming along this morning, Ann and Catherine. I appreciate that this is not an easy thing to do.

In your opening statement, Ann, you indicated that, for a number of years, you had managed to get on with your life, lead it properly and, as I will put it, get back to some sense of normality. I understand that the lack of consideration for victims has led us to the position in which we are in today. The fact that we actively brought forward this debate indicates that there was something wrong with the system. Special advisers did not go through the normal appointment procedure for civil servants, and they were not subject to the same criteria — the Human Rights Commission made a point about that earlier — so they were given a free road in. Any political party with a Minister could have made such an appointment. We could have done that. I will turn it around: the DUP could have gone down that route and done the very same thing by bringing in a ministerial adviser who had perpetrated numerous murders. We could have brought in, for example, Johnny Adair. What would that have done? It would have added insult to injury and rubbed salt in the wounds of the people affected.

We feel that the appointment was totally insensitive. Bringing forward some form of control mechanism to legislate against that, therefore, seems to be the only way to deal with it, because you cannot rely on the good nature or common sense of parties to deal with things in that sort of way. This had to come forward in order to deal with it.

I want to thank you very much for coming along. Given that my family has been a victim of republican terrorism — I know some people say, "You do not know", but I do, because I have been touched by it first hand — I appreciate that it is sometimes difficult to sit across the table from certain people. I am not saying that those people are in this room today. I am just saying that sometimes it is difficult when you know that someone had some involvement in something. Each and every one of us is trying to move forward.

I appreciate that hard subjects are being touched on today. I think that this debate has been shied away from on a number of occasions, but it is good to have it. This is perhaps an opportunity to heal wounds. I appreciate what you have done here today. Do you believe that the Bill will achieve anything? I am not trying to put words in your mouth, but I believe that until we have maturity in the political process to deal with things properly, it is totally insensitive to make such appointments. Would you like to comment on that?

Ms Travers: Yes, I do. I know that I am known as being a great waffler, but that is basically what I am saying. That is why I believe that the Bill is really important. Until things are otherwise, until, as you said, there is political maturity, and until there is no more justification of murders — I worry about manipulation — I think that the Bill is really important for protecting all victims. You are right: it is to protect people who have been affected by any act of terrorism.

Mr Girvan: It has brought the focus back on to the victim, which is where the focus should be. It should not be on the perpetrators, who seem to have been rewarded up until now, as opposed to the victims. Thank you very much indeed. I really appreciate you coming along.

Ms Travers: Thank you very much.

Mr McCallister: Catherine and Ann, most of us will probably feel that we have heard today some of the most powerful evidence that we have heard at any Committee. Ann, you showed a spirit of generosity by saying that someone, in your case, should have shown remorse, and by saying that you are not against people seeking employment and moving on. I say this as someone who regards themselves very much as not a victim. Thankfully, I did not lose any members of my immediate family or very close friends. Long may that continue. I am not someone who buys into the view that we are all victims. Certainly, your experience of the Troubles and mine are very different. I would be absolutely embarrassed if they were even compared. Thank you for coming and for sharing.

I have a few brief points. The numbers whom the Bill would affect might be small, but do you feel that it sends out a very important message? Secondly, do you think that a piece of work could be done to draw up guidelines or to make sure that we lift the position of the victim much higher up in the decisions? I am thinking about the political process and how appointments or any of these sorts of things would be handled.

My third point is on the human rights issue. I have listened to all the human rights evidence. It is still very much that, on the one hand, you have this and, on the other hand, you have that, and there is no definite decision of yes or no. Dominic and I have passed private Member's Bills, albeit on very different subjects. The human rights element comes into a lot of legislation, but the Bill should be passed, and if someone wants to challenge it in a court, that can be done. That is the great thing about our system: people can take it to the Supreme Court of the United Kingdom or the European Court. Let that happen, and that can be a test. That is one way around it. The numbers are small, but the impact is not. No one here today will have failed to have been moved by your evidence.

Ms Travers: Thank you very much. The Bill will be a signal for all victims, even for victims who are looking for answers elsewhere. It would be a very strong sign that victims are being supported. There is a lot of conversation about how we deal with our past and what we do with victims. Listen to victims, consider them and respect them.

I am jumping to your third point, because I am trying to remember what your second one was.

Mr McCallister: It was about victims. Could a piece of work be done on how to lift the role of victims up in our thinking so that we can avoid or minimise the chances of this happening again? The Bill would deal with it in a special adviser context, but what about other realms of public life?

Ms Travers: We on the victims and survivors' forum are trying to do a lot of work on this, but I feel that the very simple thing of a phone call, a letter or using an intermediary of some kind would soften the blow. As I said before, I am not saying that it would not make people upset or that it would not mean that you would not object to it. However, it would stop that initial throwback that I certainly experienced.

Sometimes I just wonder about the whole human rights issue. I hear so often about human rights in Northern Ireland. I just wonder where victims' human rights are. It always comes back to me. I always think about the right to work and the right to worship. I am personalising it again. That day, after Mass, my sister was going to be going to St Agnes's Church in Andersonstown to bring her P3 children to make their first confession, which is the sacrament of penance, in preparation for their first Holy Communion. Therefore, she was not allowed her right to work. My dad was not allowed his right to work, along with many other hundreds — thousands — of policemen, UDR men, and everybody else who was affected. He was not allowed his choice of job, which he chose in order to pay his mortgage and look after us.

I am kind of chuckling to myself. Dad was a solicitor for a long time. I remember him coming home when he was offered the position of resident magistrate. He asked, "Should I take this?" Dad was a very good solicitor. He was always there, seven days a week, for everybody. He would get phone calls on a Sunday, and all the rest of it. He said, "If I take it, I will be working from 10.00 am until 2.00 pm every day." I said, "Oh yes, dad, take it." I just wanted my daddy at home with me. Dad knew the

risks that he was putting himself under. I often think about human rights. Listen, guys, it is time to start thinking about the human rights of victims.

Mr McCallister: I just want to wish you all the best in your battle with your illness.

Ms Travers: Thanks very much.

Mr McCallister: I am praying for you.

Mrs Cochrane: Thank you, Ann, for coming along today and the manner in which you have explained your situation to us. I know that you were disappointed that I did not vote in favour of the Bill at the time. Your brother also wrote to me about that. It came after a lot of discussion in the party. Our thinking was very much that that small piece of legislation would not be the fix or the solution. I was quite clear about the fact that I did not agree with the McArdle appointment. Following on from conversations that others have had here about the requirement for maturity in our process in future, I will certainly take your evidence back to my party. We will have further discussions about it. The point was made that although it is small piece of legislation, which may affect only a small number of people, the signal that it will give to victims is very important. I will go back to my party. Thank you.

Ms Travers: Thank you very much.

The Chairperson: Ann and Catherine, thank you very much for your contributions. The contributions and engagement have been worthwhile. The Committee will take that away, and it will inform the report that we issue in the new year. Finally, I want to echo what John said, Ann, and wish you all the best with your continuing treatment.

Ms Travers: Thank you very much, and thank you for giving me the opportunity to speak. I am sorry if I took a long time to answer anybody's question.