

Review of Evidence of the ‘Contribution to Public Discourse’ on Dealing with the Past in Northern Ireland by the ‘Model Bill Team’

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1. Introduction

This report was commissioned by Queens University, Belfast (QUB) to explore the utility of a university/third-sector partnership, working collaboratively on the issue of dealing with the legacy of the past in Northern Ireland.

In 2014 Professor Kieran McEvoy secured QUB Business Alliance funding designed to maximize impact by enhancing links between the university and the broader business and third-sector community in collaborative research projects. In this instance, the funding was used to underpin work with the local human rights NGO, the Committee on the Administration of Justice (CAJ), on dealing with the legacy of the conflict in Northern Ireland. The work has also been supported by AHRC follow-on funding (an impact orientated funding scheme) secured by Professor McEvoy and Professor Louise Mallinder (2012-2014) as well as ESRC Accelerated Impact Funding (2019).

Outputs from the collaboration have included authoring over 30 policy documents and blogs, providing evidence to parliamentary committees, drafting ‘model legislation’, writing responses to government consultations and providing free technical legal and policy advice to politicians in Northern Ireland, Britain and the Irish Republic as well the British and Irish governments and international actors e.g. Council of Europe, US Congress and the United Nations. The joint QUB/CAJ team have also engaged in widespread knowledge exchange activities amongst a diverse group of civil society actors ranging from victims and survivors of the conflict, ex-combatants, the British Army, veterans, police officers and many others.

The collaboration became known as the ‘Model Bill Team’, comprising of Prof Kieran McEvoy, Prof Louise Mallinder and Dr Anna Bryson from QUB working in equal partnership Brian Gormally, Daniel Holder and Gemma McKeown from CAJ.² While the QUB law academics had significant international knowledge and expertise, CAJ’s experience was grounded locally and by working together, the ambition was to advance discussions and progress legislation on

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² Until 2016, Dr. Jeremy Hill was also a member of the team. Dr Hill previously held a number of policy and legal posts in the Foreign and Commonwealth Office and the UK Attorney General’s office, including being the British Ambassador to Bulgaria and Lithuania, and the Legal Adviser of the UK Representation to the EU. Since 2008, Jeremy has been involved in devising and conducting training programmes for EU Presidencies, EU Foreign Ministries (including UK Foreign and Commonwealth Office) and the European External Action Service.

dealing with legacy issues in Northern Ireland. The stated aim of the partnership was to ‘place QUB law and the partner organisation CAJ at the very heart of the debate on dealing with the past in Northern Ireland.’³ The expectation was that together the team would develop a model or range of models for dealing with the past, with significant buy-in from stakeholders and that this work would have a tangible impact on resolving issues around dealing with legacy in Northern Ireland.

This report examines the utility of this style of collaboration. It explores the extent to which the collaboration met its stated aim of being at the heart of the debate around legacy in Northern Ireland by examining four distinct forms of public discourse. In particular, I looked for evidence of influence and impact in four streams (a) ‘Public Consultations’, (b) ‘Media’, (c) ‘Direct Engagement with Civil Society’ and (d) International Engagement on Dealing with the Past.

2. Methodology

a. Public Consultations

In the period between 2013 and 2020, there have been three major public consultations addressing the legacy of the past in Northern Ireland:

- Northern Ireland Office (NIO): Addressing the Legacy of Northern Ireland's Past (2018)⁴
- Northern Ireland Affairs Committee (NIAC): Consultation on implementation of the Stormont House Agreement (2019)⁵
- Northern Ireland Affairs Committee (NIAC): Addressing the Legacy of Northern Ireland's Past (2020)⁶

I examined all of the publicly available submissions to those inquiries (almost 100 written responses, plus 9.5 hours of oral evidence). I looked for citations, quotes or references to the work of the Model Bill Team both collectively or as individuals (Kieran McEvoy, Louise Mallinder and Anna Bryson). I also scrutinised the content of the submissions to identify whether the work of the Model Bill Team had influenced ideas or attitudes in wider society, even if their work had not been specifically referenced. For example, using phrases, themes or arguments originally put forward by the Model Bill Team.

b. Media

Here I looked at dissemination of the Model Bill Team’s work through print, online, and broadcast media from the period 2013-2020. This included all articles and blogs written by the QUB law team within this period.⁷ I also examined English-speaking news sources to identify occasions when members of the team had been interviewed, quoted or referenced. This involved carrying out searches using engines such as Google News, Lexis UK and the internal search engines of news outlets. I identified any reference to the work of ‘The Model

³ QUB Impact Development Fund - Application for Business Alliance Fund, 2014

⁴ <https://www.gov.uk/government/consultations/addressing-the-legacy-of-northern-irelands-past>

⁵ <https://old.parliament.uk/business/committees/committees-a-z/commons-select/northern-ireland-affairs-committee/inquiries/parliament-2017/consultation-stormont-house-agreement-inquiry-launch-17-19/>

⁶ <https://committees.parliament.uk/work/282/addressing-the-legacy-of-northern-irelands-past-the-uk-governments-new-proposals/>

⁷ <https://www.dealingwiththepastni.com/public-engagement/media-contributions>

Bill Team’, ‘Kieran McEvoy’, ‘Louise Mallinder’ and ‘Anna Bryson’ and assessed whether it was positive, critical or neutral. The full list has since been published on the project website.⁸

c. Direct Engagement with Civil Society

Here I looked at a record of bilateral meetings, conferences and public civil society events which were either organised by, or at which the members of the Model Bill Team presented since 2013. This review looked at not only the numbers, but also the breadth of groups and individuals that the Model Bill Team engaged with over the period of funding. Due to the sensitive political nature of some interactions, not all meetings can be made public and therefore cannot be listed in this report. A sample list can be found on the project website.⁹

d. International Engagement on Dealing with the Past

Finally, I looked at the activities of the team internationally, beyond Northern Ireland, Ireland and the UK. For example, in March 2015 Professor McEvoy gave evidence to a US Congress hearing, in November 2015 the team met with the UN Special Rapporteur on Transitional Justice and in 2018 Professor McEvoy and Dr. Bryson were appointed by the United Nations Special Rapporteur to complete a report on ‘Apologies in Transitional Justice’ based on their experiences in Northern Ireland. I contacted the Office of the Special Rapporteur to get data on the number of times the report had been downloaded and determine whether it had gained traction in the international community.

3. Results

a. Consultations

1. Northern Ireland Office 2018 – Addressing the Legacy of Northern Ireland’s Past¹⁰

This consultation ran from May 2018 to October 2018 and was designed to ‘give everyone a chance to have their say on the best way to address the legacy of Northern Ireland’s troubled past’. The consultation received 17,000 written responses, 137 of those were from groups.¹¹ For this report, I was able to access 43 group responses online. Of those, eight (19%) directly cited the Model Bill Team. This included, Amnesty International,¹² Green Party NI,¹³ KRW Law¹⁴ and the Northern Ireland Association of Care and Resettlement of Offenders (NIACRO).¹⁵ The human rights group, The Pat Finucane Centre said, in reference to the Oral History Archive (OHA), “We are persuaded by the argument put forward by the SHA Model

⁸ <https://www.dealingwiththepastni.com/public-engagement/media-coverage>

⁹ <https://www.dealingwiththepastni.com/public-engagement/knowledge-exchange/who-we-have-engaged-with>

¹⁰ <https://www.gov.uk/government/consultations/addressing-the-legacy-of-northern-irelands-past>

¹¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836991/Addressing_the_Legacy_of_the_Past_-_Analysis_of_the_consultation_responses_2_.pdf

¹² [https://www.amnesty.org.uk/files/2020-](https://www.amnesty.org.uk/files/2020-05/Amnesty%20International%20UK%20response%20to%20NIO%20consultation%20Addressing%20the%20Legacy%20of%20Northern%20Ireland%27s%20past%20Oct%202018.pdf?hbw3gTgULVYRopNF7ggKnzNExbtYGjbr)

[05/Amnesty%20International%20UK%20response%20to%20NIO%20consultation%20Addressing%20the%20Legacy%20of%20Northern%20Ireland%27s%20past%20Oct%202018.pdf?hbw3gTgULVYRopNF7ggKnzNExbtYGjbr](https://www.amnesty.org.uk/files/2020-05/Amnesty%20International%20UK%20response%20to%20NIO%20consultation%20Addressing%20the%20Legacy%20of%20Northern%20Ireland%27s%20past%20Oct%202018.pdf?hbw3gTgULVYRopNF7ggKnzNExbtYGjbr)

¹³ https://www.greenpartyni.org/green-party-responds-to-the-addressing-the-legacy-of-the-past-consultation/?fbclid=IwAR31VrK_fDijw_fHuluWEmlLIRXtHXbT9GUeMuYZQkIoBTEIOEFBT1mGwnc

¹⁴ <https://krw-law.ie/wp-content/uploads/2018/10/KRW-Submissions-to-NIO-Legacy-Consultation-2018.pdf>

¹⁵ <https://www.niacro.co.uk/sites/default/files/consultations/NIACRO%20Response%20to%20Addressing%20the%20Legacy%20of%20Northern%20Ireland%27s%20Past.pdf>

Bill Group that this represents a practical solution to limit potential political interference and generate a greater degree of trust and confidence from potential contributors”.¹⁶ NICARO stated in their response, “...having been part of a wider 3rd sector consultation we, for the most part, support recommendations contained in the response of ‘The Model Bill Team’”.¹⁷

The Northern Ireland Committee of the Irish Congress of Trade Unions (NIC-ICTU) is the largest civil society membership organisation in Northern Ireland¹⁸ representing 34 trade unions with over 215,000 members across Northern Ireland. In response to the consultation, they stated, “Our allies in the Committee on the Administration of Justice (CAJ) and QUB Law and have already produced their joint submission to this process, which has our support” and “Questions 1 to 13: We concur with the points made and concerns raised by the legal experts from CAJ/QUB Law”.¹⁹

The House of Commons Defence Committee submission²⁰ included the Committee’s 2017 report, ‘Investigations into fatalities in Northern Ireland involving British military personnel’,²¹ which explains their point of view as having originated from the written and oral evidence submitted to that investigation by Professor McEvoy.²² The 2017 report also cites the work of McEvoy and Mallinder several times including in relation to there being no obligation to prosecute under Article 2 of European Court of Human Rights.²³

In addition to direct references to the Model Bill Team within the NIO consultation responses, a further 32 responses (74%) raised points that had previously been identified by the Model Bill Team. For example, Louise Mallinder drew attention to verifying the credibility of submissions to the ICIR in 2015²⁴ and this was raised by very diverse organisations from across the political spectrum including the Ulster Unionist Party (UUP),²⁵ Commission for Victims and Survivors (CVS),²⁶ Police Federation of Northern Ireland,²⁷ Ulster Human Rights Watch²⁸ and Sinn Fein.²⁹

¹⁶ <https://www.patfinucanecentre.org/truth-recovery/pfcs-response-consultation-deal-legacy-past>

¹⁷ <https://www.niacro.co.uk/sites/default/files/consultations/NIACRO%20Response%20to%20Addressing%20the%20Legacy%20of%20Northern%20Ireland%27s%20Past.pdf>

¹⁸ <https://www.ictuni.org/about/>

¹⁹ <https://www.ictuni.org/publications/nicictu-response-to-nio-legacy-consultation-sept-2018/>

²⁰ <https://www.parliament.uk/globalassets/documents/commons-committees/defence/HCDC-letter-to-NIO.pdf>

²¹ <https://publications.parliament.uk/pa/cm201617/cmselect/cmdfence/1064/106406.htm>

²² “During our evidence session we questioned our witnesses on whether a statute of limitations could be permissible under the UK’s existing international obligations. According to Professor McEvoy and Professor Rowe, any such statute would need to apply to both state and non-state actors, and would need to incorporate a truth recovery mechanism”

<https://old.parliament.uk/business/committees/committees-a-z/commons-select/defence-committee/news-parliament-2015/fatalities-british-military-personnel-ev-16-17/>

²³ McEvoy, K. and L. Mallinder, (2013). Truth, Amnesty and Prosecutions: Models for dealing with the past.

²⁴ <http://rightsni.org/2015/04/verifying-information-at-the-independent-commission-on-information-retrieval>

²⁵ <https://uup.org/assets/images/uup%20nio%20consultation%20response%20legacy%20of%20past.pdf>

²⁶ <https://www.cvsni.org/media/1970/jan-2019-addressing-the-legacy-of-northern-ireland-s-past-policy-advice-paper.pdf>

²⁷ <https://www.policefed-ni.org.uk/media/1321/pfni-response-to-legacy-consultation.pdf>

²⁸ <https://www.uhrw.org.uk/cms/wp-content/uploads/2018/10/UHRW-legacy-consultation-response.pdf>

²⁹ [https://www.sinnfein.ie/files/2018/Sinn_Fe%cc%81n_Legacy_Consultation_\(Final\)_1.pdf](https://www.sinnfein.ie/files/2018/Sinn_Fe%cc%81n_Legacy_Consultation_(Final)_1.pdf)

2. Northern Ireland Affairs Committee (NIAC) 2018 - Consultation on Stormont House Agreement Inquiry³⁰

The Northern Ireland Affairs Committee's inquiry intended to examine the scope of the Northern Ireland Office's SHA consultation to ensure it met the needs of victims and survivors. The Committee committed to looking at resources, the implementation timetable, stakeholder engagement, and the remit of the consultation to make sure it is being carried out effectively.

The consultation received 16 written responses (excluding the Model Bill Team's). Two referred directly to the Model Bill Team (13%). The Police Federation of Northern Ireland cited the work of Louise Mallinder³¹ and the QUB Human Rights Centre cited the work of Kieran McEvoy.³² A further 10 submissions referenced themes repeatedly highlighted by the Model Bill Team such as political interference in the Implementation and Reconciliation Group, disclosure to Historic Investigations Unit by the Republic of Ireland, and a 'de facto' amnesty to paramilitaries afforded by a Statute of Limitations. For example, in their consultation response, the Ulster Unionist Party (UUP) dismissed a Statute of Limitations, saying, "We would be concerned that such a Statute of Limitations (SoL) would result in a de facto amnesty for terrorists."³³ McEvoy stated this in his evidence to the Commons Defense Committee in 2017.³⁴

3. Northern Ireland Affairs Committee 2020 – Addressing the Legacy of Northern Ireland's past: The UK Government's New Proposals³⁵

In April 2020, NI Affairs Committee launched an inquiry to examine the UK Government's proposals to address the legacy of the Troubles in Northern Ireland. On 18 March, the Secretary of State for Northern Ireland, Rt Hon Brandon Lewis MP, outlined the Government's new approach to addressing the legacy of the past in a written statement to the House of Commons. The statement also set out that these would include some "significant" changes from the Stormont House Agreement. The inquiry examined whether the Government's proposals deliver for victims, survivors and their families.

³⁰ <https://old.parliament.uk/business/committees/committees-a-z/commons-select/northern-ireland-affairs-committee/inquiries/parliament-2017/consultation-stormont-house-agreement-inquiry-launch-17-19/>

³¹ "Whilst the ICIR will have no prosecutorial function, a local academic of the Transitional Justice Institute (TJI), Mallinder, argues that, essentially, it should have for specific issues" <https://www.policefed-ni.org.uk/media/1321/pfni-response-to-legacy-consultation.pdf>

³² "More recently a mixed model has been proposed where a parallel process would have separate panels to address the needs of civilians and ex-combatants." Luke Moffett and Kieran McEvoy, Pensions, Reparations and Reintegration: Parallel Processes for Injured Ex-Combatants and Civilians, 23 October 2017, Sluggar O'Toole, <https://sluggerotoole.com/2017/10/23/pensions-reparations-and-reintegration-parallel-processes-for-injured-ex-combatants-and-civilians/>

³³ <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/northern-ireland-affairs-committee/consultation-on-implementation-of-the-stormont-house-agreement/written/85454.html>

³⁴ "First, on the statute of limitation that was discussed in the House of Commons last week or the week before, it is an amnesty." McEvoy giving oral evidence to Commons Defense Select Committee, 7 March 2017. <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/defence-committee/investigations-into-fatalities-in-northern-ireland-involving-british-military-personnel/oral/48520.html>

³⁵ <https://committees.parliament.uk/work/282/addressing-the-legacy-of-northern-irelands-past-the-uk-governments-new-proposals/>

The consultation received 36 written responses (excluding the Model Bill Team's).³⁶ There were also four oral evidence sessions. The transcripts of those sessions have also been examined for references to the work of the Model Bill Team.³⁷

12 (33%) of the written responses referenced the work of Kieran McEvoy and the Model Bill Team directly. Of those, three argued *against* the points put forward by the Model Bill Team. For example, Dr. Austen Morgan, a prominent Unionist barrister and member of the 'Malone House Group' wrote, "I adopt a rule of law approach, and a historical method, distinguishing these from the radical social science on the past promoted exclusively in Northern Ireland's two universities (the Transitional Justice Institute at Ulster University and the senator George J. Mitchell Institute for Global Peace, Security and Justice at Queen's University, Belfast)."³⁸

Although the Model Bill Team was not referenced in their written evidence, the Commissioner for Victims and Survivors Northern Ireland, Judith Thompson, in her oral evidence spoke of "... a pretty detailed piece of work done by the law faculty at Queen's University over the last number of weeks that looked at all the proposals, including the new one, and came to the view that, on the face of it, it would not be compatible with either [the Good Friday Agreement or international human rights law]." Claire Hanna, MP for Belfast South, identified this as a "document from Kieran McEvoy, Louise Mallinder and others from the law department at Queen's." Claire Hanna then went on to question the commissioner about Model Bill Team's 'principled compromise' idea, "...they had outlined one potential compromise that would, essentially, implement the Stormont House Agreement. It would deliver on Article 2-compliant investigations but then use the Northern Ireland (Sentences) Act to reduce to zero jail time for people of whatever background who have gone through a process and who have been convicted, but who have engaged with truth and justice and the needs of victims."³⁹

A further 17 written submissions (47%) referenced themes and important legal cases within the Model Bill Team's submission or their recently published paper, 'Prosecutions, Imprisonment and the Stormont House Agreement: a critical analysis of proposals on dealing with the past in Northern Ireland', 2020.⁴⁰ For example, the case of *Brecknell v United Kingdom* (2007)⁴¹ was referenced by members of the Model Bill Team in, 'Truth, Amnesty and Prosecutions: Models for dealing with the past' (2013)⁴², 'Prosecutions, Imprisonment and the Stormont House Agreement: a critical analysis of proposals on dealing with the past in Northern Ireland' (2020)⁴³ and the Model Bill Team's response to the NIAC 2020

³⁶ <https://committees.parliament.uk/work/282/addressing-the-legacy-of-northern-irelands-past-the-uk-governments-new-proposals/publications/written-evidence/?page=1>

³⁷ <https://committees.parliament.uk/work/282/addressing-the-legacy-of-northern-irelands-past-the-uk-governments-new-proposals/publications/oral-evidence/>

³⁸ <https://committees.parliament.uk/writtenevidence/5575/html/>

³⁹ <https://committees.parliament.uk/oralevidence/573/html/>

⁴⁰ https://pureadmin.qub.ac.uk/ws/portalfiles/portal/203198685/Prosecutions_Imprisonment_the_SHA_LOW_R_ES.pdf

⁴¹ European Court of Human Rights, Case of Brecknell v The United Kingdom (2007) All ER(D) 416 (Nov), para 66.

⁴² McEvoy, K. and L. Mallinder, (2013). Truth, Amnesty and Prosecutions: Models for dealing with the past. Queen's University Belfast, pp.2-4

⁴³ https://pureadmin.qub.ac.uk/ws/portalfiles/portal/203198685/Prosecutions_Imprisonment_the_SHA_LOW_R_ES.pdf

consultation⁴⁴ in relation to the UK's ECHR Article 2 duty to reinvestigate. The case was similarly referenced by Amnesty International⁴⁵, Malone House Group⁴⁶, NI Retired Police Officers Association⁴⁷ and QUB Human Rights Centre⁴⁸ in their responses to the NIAC 2020 consultation.

In sum, the Model Bill Team's work can clearly be identified both directly and indirectly within the civil society responses to all of the major public consultations on Northern Ireland Legacy in the past three years. Furthermore, the groups who are repeating the concepts, points and ideas that were initially introduced by the Model Bill Team, come from right across the civic and political spectrum in Northern Ireland, demonstrating that the team's work has not just reached one particular group or side of the debate.

b. Media

Between 2013 – 2020, QUB members of the Model Bill Team – Anna Bryson, Kieran McEvoy and Louise Mallinder - were interviewed, referenced or quoted individually or collectively over 130 times in print, broadcast and online media. 90% of the coverage was positive or neutral, 10% was negative.

In print, they appeared in publications such as the Financial Times (28 Aug 2015 & 2 Jun 2014 - circulation of 155,000 per issue and 1 million online subscribers), The Times (2 May 2017 & 27 Apr 2017 - circulation of 400,000 and 300,000 online subscribers) and The Irish Times (9 Apr 2020, 5 Dec 2018, 19 Mar 2015 - circulation of 79,000 and 10.8 million monthly online users).

On radio, they were interviewed on the BBC Radio 4 programme PM (21 Nov 2013 - 4.11 million listeners weekly), LBC Radio's Nick Ferrari show (20 Jun 2018 – 1.3 million listeners) and the BBC Nolan Show on Radio Ulster (14 May 2018 & 22 Nov 2017 - the most listened-to radio show in NI, reaching 21% of the population over the duration of the show). On television they appeared on UTV News (8 May 2014, which attracts double the audience share than any other local news programme in the UK), Sunday Politics NI (the BBC's flagship weekly Sunday politics show that directly follows the Andrew Marr show on BBC1) and seven times on UTV's weekly politics programme, 'The View from Stormont' (eg 5 Mar 2019, 3 Oct 2017 & 6 Feb 2017). A full list can be found on the project website.⁴⁹

In addition, they have written over 20 feature articles and Op Eds in newspapers and blogs. For example, The Guardian (11 May 2018⁵⁰ – circulation 125,000 and 85 million global monthly website users), The Irish Times (30 March 2018⁵¹ & 31 Oct 2013⁵² – circulation 79,000 and

⁴⁴ <https://committees.parliament.uk/writtenevidence/5977/pdf/>

⁴⁵ <https://committees.parliament.uk/writtenevidence/7058/pdf/>

⁴⁶ <https://committees.parliament.uk/writtenevidence/6025/pdf/>

⁴⁷ <https://committees.parliament.uk/writtenevidence/5314/pdf/>

⁴⁸ <https://committees.parliament.uk/writtenevidence/5841/pdf/>

⁴⁹ <https://www.dealingwiththepastni.com/public-engagement/media-coverage>

⁵⁰ <https://www.theguardian.com/commentisfree/2018/may/11/investigations-troubles-ex-soldiers-northern-ireland>

⁵¹ <https://www.irishtimes.com/news/politics/the-legacy-of-the-troubles-and-the-law-1.3445735>

⁵² <https://www.irishtimes.com/news/politics/amnesties-could-play-a-positive-role-in-north-s-reconciliation-process-1.1578292>

10.8 million monthly users) and the Belfast Telegraph (5 April 2017,⁵³ 19 June 2017⁵⁴ & 16 Dec 2013⁵⁵ – circulation 31,000 with 3.4 million monthly users). The team have also authored 13 blog posts on the leading political and human rights blogs for Northern Ireland. A full list of their media contributions can be found on the project website.⁵⁶

In summary, while the number of articles written by the Model Bill Team and published in public-facing media over the past seven years is notable, the quantity of references to their work in the news over the same period provides greater insight into their impact on public discourse. Firstly, the sheer volume of coverage of the Model Bill Team shows that they are widely regarded as *the* ‘experts’ on Northern Ireland legacy matters by journalists and commentators. Even if the author of an article disagrees with a principle or argument put forward by the team, the fact they feel the need to present a counter-argument to the public, shows the influence the team hold in the debate. Secondly, the broad range of media (online, print, TV and radio) and outlets that have reported on the work of the team (e.g. BBC and ITV; Belfast Telegraph and Irish News), or interviewed its members, has meant that the work has been disseminated to both a large and board audience locally in Northern Ireland, and also in Britain and Ireland.

c. Direct Engagement with Civil Society

As well as meeting directly with actors in the political sphere (for example, Irish and UK senior government officials, political parties and parliamentarians), the Model Bill Team have connected widely with civil society groups and individuals over the course of the project.

Since 2013 they have held ten public conferences and seminars (two in partnership with ‘Commission for Victims and Survivors’). Some events were specifically designed to gain public input into their work. For example, in May 2015, they held a joint conference with CAJ, Amnesty International and the Transitional Justice Institute at Ulster University in which they presented a draft version of a ‘Model Implementation Bill’ for the Stormont House Agreement and invited input from stakeholders. The final ‘Model Implementation Bill’, which was launched at the House of Lords in October 2015, reflected the outcomes of these discussions as noted in the CAJ report.⁵⁷

In addition to conferences and seminars organised by the team, they also attended scores of public events arranged by other others, for example the Bloody Sunday Trust, EPIC loyalist ex-prisoners group, Respect Human Rights Film Festival, Féile an Phobail Festival. They also attended dozens of private bilateral meetings with individuals and groups from Great Britain, Northern Ireland and Republic of Ireland, many of which must remain confidential.

The interesting feature of the civil society groups is not only the large number (over 60) with whom the team engaged but also the range of groups from different cross-sections of the

⁵³ <https://www.belfasttelegraph.co.uk/opinion/news-analysis/stormont-legacy-issues-impasse-can-be-overcome-with-legal-imagination-35593763.html>

⁵⁴ <https://www.belfasttelegraph.co.uk/opinion/news-analysis/is-the-price-of-an-amnesty-for-the-security-forces-just-too-high-to-contemplate-35839290.html>

⁵⁵ <https://www.belfasttelegraph.co.uk/opinion/news-analysis/gathering-student-voices-to-tackle-northern-irelands-past-29841264.html>

⁵⁶ <https://www.dealingwiththepastni.com/public-engagement/media-contributions>

⁵⁷ <https://caj.org.uk/2015/04/17/dealing-past-implementing-sha-conference-report-papers/>

society in Northern Ireland. They have reached audiences as diverse as the Northern Ireland Retired Police Officers Association, former IRA and UVF combatants, the office of the Lord Chief Justice, British Army headquarters, the Police Service of Northern Ireland, the Director of Public Prosecutions, human rights NGOs, victims' groups and faith organisations. A sample list can be found on the project website.⁵⁸

d. International Engagement on Dealing with the Past

As a result of their work on dealing with the past in Northern Ireland, members of the team have also been engaged with international interlocutors. In March 2015 Professor McEvoy gave evidence to a US Congress hearing on dealing with the past in Northern Ireland. In November 2015 the team met with the then UN Special Rapporteur on Transitional Justice Pablo De Greiff as part of his ten-day mission to Northern Ireland and helped facilitate a number of his engagements with local civil society organisations. In 2018, Professor McEvoy and Dr Bryson were appointed by the United Nations Special Rapporteur to complete a report on 'Apologies in Transitional Justice' based on their experiences in Northern Ireland.⁵⁹ This report is designed to assist states and non-state armed groups in the design and delivery of apologies and statements of acknowledgement in moving out of conflict. The report was presented unamended by the Special Rapporteur to the 74th session of the UN General Assembly in October 2019.⁶⁰ Member state ambassadors commented on the high quality of the report with regard to 'gender sensitivity' (Argentina, European Union), 'victim and civil society engagement' (Colombia, USA, Switzerland), the 'relationship between apologies and truth recovery' (Argentina), 'reparations' (USA, China) 'follow-through' and 'reputation' (Belgium) and 'harmonisation with other transitional justice measures' (Morocco). To date, according to the United Nations, the report has been downloaded 2,433 times (1,518 English language version, 406 Spanish, 192 French, 175 Arabic, 75 Russian, 67 Chinese).⁶¹

4. Conclusion

This report examined whether the QUB law team and their partner organisation, CAJ, were successful in placing themselves 'at the very heart of the debate on dealing with the past in Northern Ireland'. Looking at four distinct areas of public engagement – consultation responses, the media, direct engagement with civil society and international engagement on dealing with the past – there is clear evidence to conclude that they have been successful in meeting this aim.

Proactive engagement with a wide cross-section of civic society, through events, bi-lateral meetings and public conferences has led to an absorption of the work of the Model Bill Team into the public discourse. This is confirmed by frequent references to the Model Bill Team in the media, and by civic groups in their responses to public consultations. Even when

⁵⁸ <https://www.dealingwiththepastni.com/public-engagement/knowledge-exchange/who-we-have-engaged-with>

⁵⁹ https://pureadmin.qub.ac.uk/ws/portalfiles/portal/190050915/UN_report_Apologies_in_Transitional_Justice.pdf

⁶⁰ <http://undocs.org/A/74/147>

⁶¹ Email correspondence from the Office of the UN Special Rapporteur on Transitional Justice (Promotion of Truth Justice, Reparation and Guarantees of Non-recurrence) Geneva, 9th November 2020.

journalists or stakeholders have not agreed with the proposals put forward by the team, the fact that they make efforts to build counter-arguments is testimony to the fact that their work is worthy of comment and dispute.

It is clear that the outputs of the collaboration have not been simply distributed one-way into society (broadcast), but that the efforts by the team to engage directly and meaningfully with stakeholders has meant that their work has been assimilated and absorbed by wider society and reflected back in a multi-way discourse (communicative). Moreover, the quality of the work is evidenced by its international respectability, including with the United Nations.

The process and mechanisms required in order to effectively deal with the legacy of the past in Northern Ireland are yet to be agreed politically. The evidence laid out in this report demonstrates that the QUB Business Alliance-funded collaboration between QUB law and CAJ has proved highly successful in providing civic society with the information and opportunities they require to contribute to and influence the on-going debate.