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Victims commission just an insult to those affected

Susan McKay

By Susan McKay

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The parties to the "not a cross word" creation of a victims commission are expected today to present an amendment to the law which so embarrassingly collapsed last month. Its collapse showed what sensible people

had recognised from the start – that the decision to set up a four person commission, instead of appointing one commissioner as originally proposed, showed not agreement, but disagreement.

That failure to agree had been apparent from the start when Peter Hain made a present of the position of interim commissioner to the DUP, behind the backs of the other parties, and without consultation. Bertha McDougall, whose RUC husband was murdered by the INLA, struggled valiantly through her year in office under a cloud of ignominy which she had no part in making. Her report was anything but challenging.

Then the job was advertised, and we waited, and waited.

To fob us off, we were told that there was a shortlist and the appointment was imminent. We waited. Then we were told that the post was to be readvertised, and we waited. We learned that the lucky ones on the new shortlist were to perform a song and dance routine for the first and deputy first ministers. Just when it seemed they were about to appoint the person who'd been tipped to get the job first time around, they announced the commission instead.

This, they conceded, when pressed by pesky journalists, would cost four times what the commissioner would have cost, to do a job which had no defined powers and for which there was no enabling legislation. The commissioners were a matching set, with Bertha McDougall back, matched by Patricia MacBride, whose IRA brother was killed by the SAS, and two others, Brendan McAllister, a former mediator from the Catholic community, and Mike Nesbitt, a former journalist from the Protestant community.

It looked like a sectarian carve up, based on the crude assumption that the likes of FAIR could go to Mrs McDougall, while the likes of Relatives for Justice could go to Ms MacBride. Others could take their pick. It was extremely hard to see how the four of them could reach any difficult decisions, even if they had the power to act upon them, which they did not. The legal action launched by, among others, Michelle Williamson, whose parents were killed in the IRA's Shankill bomb, was, though it was on different grounds, as entirely inevitable as Brenda Downes' action against the appointment of Mrs McDougall.

The commissioners are all decent individuals, and have been trying to look useful while waiting for their bosses to draw up their job descriptions. Patricia MacBride has come under unfair attack from the "innocent victims" only lobby. But it's a sorry mess. The Alliance amendment, which scuppered the new law, proposed a chief commissioner. Sinn Fein cried majority rule and hierarchy of victims, assuming it seems, that Ms MacBride would be the underdog.

The proposed solution is, it has been suggested, that the foursome should proceed as equals, but that executive ministers will have the power to appoint a chief commissioner, if desired, at a later date. All this goes to show is

how utterly powerless the commission will be.

The issues which surround the rights and needs of victims of the conflict are sensitive and politically charged.

This appointment process has been characterised by prevarication, insincerity and failure to make decisions.

Are we really expected to believe that Sinn Fein and the DUP will, in the middle of some crisis no doubt, be able to agree to appoint a chief commissioner to solve it?

Meanwhile, every day brings new evidence of the needs of victims. The Finucane family find out they've been shafted by the NIO, again. A policeman's family finds out that there was no proper investigation of his murder, perhaps to protect an IRA informer. The family of a young Catholic man has to wait 12 years for the inquest at which they hear that their son, knifed to death, may have been one of the first victims of the Loyalist Volunteer Force.

The parents of Paul Quinn have to deal with the political squabbling which follows the publication of yet another report from the Independent Monitoring Commission. The relatives of those who died in the Omagh bomb learn that they may receive derisory compensation payments if they win their hugely costly civil action.

This endless humiliation of those who paid the heaviest price for the conflict must end. The victims commission has become the latest insult to the victims.

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