

'Legacy of the Troubles' theme for O'Loan lecture

By Seamus McKinney

FORMER police ombudsman Dame Nuala O'Loan has called for a completely independent new organisation to investigate all unsolved murders from the Troubles.

She said such a body should have the power to recommend prosecutions and could overcome existing legal problems caused by having different investigative agencies such as the ombudsman and Historical Enquiries Team.

Dame Nuala was speaking in Derry last night where she delivered the annual Bloody Sunday memorial lecture.

She chose as her theme 'The terrible legacy of the Troubles'.

"We must ensure that we leave no unresolved legacy of the Troubles which may enable people to attempt to justify any return to violence," Dame Nuala said.

She said it was important that people in Northern Ireland should learn lessons of the past to combat global concerns about international terrorism and organised crime.

The present system of re-examining Troubles-related crimes through the PSNI's Historical Enquiries Team and the Police Ombudsman has created legal obstacles to investigation and inefficiencies, she said.

Dame Nuala pointed out that in cases where there was suspected security-force collusion the police ombudsman could not investigate paramilitaries.

"The consequence of this is that police officer suspects are PSNI witnesses and police ombudsman suspects and paramilitary suspects are PSNI suspects and police ombudsman witnesses," she said.

Dame Nuala said having two separate bodies also meant there were two separate investigations with investigators covering the same ground. This led to "legal and practical difficulties".

"My suggestion, therefore, is that we need a completely independent investigation organisation which has a remit to investigate all past unsolved murders with full police powers including full powers under the regulation of investigatory powers act," she said.



■ **RECOMMENDATION:** Dame Nuala O'Loan delivers the Bloody Sunday lecture at the Clagach Centre in Derry last night

PICTURE: Margaret McLaughlin

"We need a completely independent investigation organisation which has a remit to investigate all past unsolved murders with full police powers"

Dame Nuala O'Loan

"It should have the power to recommend prosecution."

Dame Nuala said the new organisation should also have a clear understanding of factors which might inhibit prosecution such as alleged offenders being incapable of trial through illness.

She said it was essential that it be as open and as transparent as possible.

While there were many obstacles to investigating the past and on occasions only incomplete accounts might be possible, the former ombudsman

said that such accounts should still be produced.

"This is how we must use the past not only to try to help those who carry the grief of the past but also improve today's policing and try to ensure that the structures of policing and security are right to ensure the delivery of an efficient and effective service to all our people," she said.

The annual Bloody Sunday commemoration march takes place in Derry tomorrow, starting at 2.30pm.