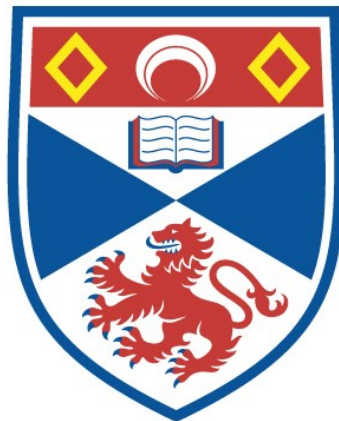


New voices, old pain: a qualitative investigation into victim support bias in the Northern Ireland conflict

Jamie Harry McCann

A thesis submitted for the degree of MPhil
at the
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General Acknowledgements

I would like to express my deepest gratitude to the individuals who played a crucial role in making this thesis possible: the participants from the victims' community. It is my sincere hope that this study accurately reflects their experiences and properly acknowledges the time and trust they have invested in it. I am also grateful to the advocacy groups that served as representatives of this community, facilitating access and providing support. Special thanks are due to the South East Fermanagh Foundation (SEFF) and the Pat Finucane Centre for their assistance and guidance in connecting with and collaborating with members of the victim community.

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Lastly, I cannot adequately express the depth of my gratitude towards my family, particularly my parents, for their unwavering support since day one. Above all, this study would not have reached this stage without my wife, Gabby, who never stopped believing in me, even during times when I doubted myself.

Abstract

The concept of a 'hierarchy of victimhood' has become a significant phrase in Northern Irish politics, particularly in the aftermath of the Troubles and the subsequent 'meta-conflict' following the Good Friday Agreement. Some factions argue for the establishment of a moral hierarchy among victims, while others contend that such a hierarchy already exists, fuelled by sectarian divisions and institutionalized prejudices against the Catholic population. This qualitative study explores the experiences of 35 individuals affected by the Troubles, including 15 members of the security forces, 10 Protestant civilians, and 10 Catholic civilians. A distinct subgroup was also formed, focusing on victims who allege collusion and miscarriages of justice.

The primary objective of this study is to investigate whether the support offered to victims through various institutions demonstrates biases based on their religious affiliation in the short to medium term. By conducting interviews and analysing victim testimonies regarding psychological and financial support, the justice process, and media coverage, this study presents victim-centred evidence to examine the existence of hierarchies in the official channels of support provided to these communities.

The findings of this study reveal that while there was no deliberate bias based on religious denomination, unintended consequences disproportionately affected Catholic civilian victims. This disparity was particularly evident in the removal of the Historical Enquiry Team and the inadequate financial assistance offered. Moreover, victims of collusion and miscarriages of justice were unjustly denied financial aid and justice due to their classification as non-innocent victims and the alleged misrepresentation of their losses.

This study highlights the profound impact of policies that inadvertently perpetuate a hierarchy of victimhood and underscores the importance of fair and equitable support for all victims of the Northern Irish Troubles. It calls for a comprehensive reassessment of existing support systems to ensure equal treatment, regardless of their religious background.

List of Acronyms

BBC - British Broadcasting Corporation
DUP – Democratic Unionist Party
GFA – Good Friday Agreement
HET – Historical Enquiry Team
HMIC – Her Majesty’s Inspectorate of Constabulary
IRA – Irish Republican Army
LVF – Loyalist Volunteer Force
PANI – Police Authority of Northern Ireland
PPS – Public Prosecution Service
PSNI – Police Service of Northern Ireland
RTÉ - Raidió Teilifís Éireann
RUC – Royal Ulster Constabulary
SDLP – Social Democratic and Labour Party
SPA – Service Prosecuting Authority
TUV – Traditional Unionist Voice
UDA – Ulster Defence Association
UDR – Ulster Defence Regiment
UTV – Ulster Television
UUP – Ulster Unionist Party
UVF – Ulster Volunteer Force

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1. Introduction

'It is probably universal that in every serious, harsh and violent intergroup conflict, at least one side – and very often both sides – believe that they are the victim in the conflict'.¹ This statement, by academics Bar-Tal et al. largely highlights the origin of the contemporary issue plaguing Northern Irish political discourse, repeatedly resulting in government stalemates. Fuelled by a loose assortment of political, cultural, and religious divides, the Northern Ireland conflict, known as 'the Troubles', often saw sectors of both communities naturally viewing their goals and demands as well-justified, and that those claims made by their opposition were illegitimate and misbegotten, a trend common in regions experiencing a post-conflict period.² Whilst Republican paramilitaries fought a guerrilla campaign to force the British Government to relinquish Northern Ireland and allow for a re-unification with the Republic of Ireland, Loyalist paramilitaries fought to maintain the political status quo in the country. Often caught between (and often integrated into) these two groups, like any intrastate conflict, was the civilian population of Northern Ireland.

Thirty years of conflict, between 1968 and 1998, resulted in over 3,600 politically-motivated deaths (the majority of which were civilians), and a loosely estimated 30,000 injuries and continued echoes of violence over-flowing into the beginning of the 21st Century, whilst the social and political environments of Northern Ireland were forever changed.³ Steeped in centuries of otherisation between two religiously and politically denominated communities, within a relatively small geographical region, the country of Northern Ireland has seen a degree of success in taking its achingly cumbersome and tentative steps away from its recent history of ethno-nationalist conflict. Despite this comparable success, the Troubles was a conflict that is commonly defined by its opposing sides as either 'just' or 'unjust'.⁴ The rival elements involved in the Troubles often view those harmed during such strife in equally polarised perceptions. Republican combatants view their aforementioned demands of a unified Ireland and civil rights for the Catholic population as just reason for committing political violence, and Loyalist combatants equally view the defence of their communities as a worthy rationale for

¹ Bar-Tal, D. Chernyak-Hai, L. Schori, N. Gundar, A. (2009). 'A sense of self-perceived collective victimhood in intractable conflicts'. *International Review of the Red Cross*. Vol. 91, No. 874. Pp. 229.

² Madlingozi, T. (2007). 'Good Victims, Bad Victims: Apartheid's Beneficiaries, Victims and the Struggle for Social Justice', IN. Le Roux, W. Van Marle, K. (eds.) '*Law, Memory and the Legacy of Apartheid*' Pretoria: Pretoria University Press. Pp. 107–26; Meyers, D. T. (2016). '*Victims' Stories and the Advancement of Human Rights*'. Oxford. Oxford University Press

³ Fitzduff, M. O'Hagan, L. (2009). 'The Northern Ireland Troubles: INCORE background paper'. *International Conflict Research Institute*.

⁴ Hancock, L. E. (2014). 'Narratives of Identity in the Northern Irish Troubles'. *Peace & Change*. Vol. 39. No. 4. Pp. 443

their own violent actions.⁵ From the perspective of those that hold such views, it is understandable that victims within ones-own camp can often be subconsciously viewed as more legitimate and worthy of aid than those identified within an opposition.⁶

This dialogue has historically created unproductive and further polarising considerations of how such a conflict should be remembered through an agreed upon narrative, which often devolves into blame, resentment, and debates on which party 'suffered most' during the conflict.⁷ As Northern Ireland finds itself attempting to forge a final, lasting peace (or have a lasting peace forged for it⁸), naturally the legacy of the conflict is investigated and scrutinised.⁹ Frequently, these investigations are conducted with the aim of achieving justice, reconciliation, and creating a commonly accepted account of events.¹⁰ However, investigations are also frequently motivated by political expediency, and the victims of the conflict may be championed in public discourse to serve as a warning against a resurgence of violence, or to represent a marginalised community. This had led to very public political debates over definitions, policies, and status, where even the term 'victim' itself becomes highly politically charged, having raised questions of prioritisation and privilege of one group over another, whether real or imagined; forming a 'hierarchy of victimhood'.¹¹

It is with this in mind that the title of this research, '*New Voices, Old Pain*', becomes truly appropriate, as victims have found their place as representatives and ambassadors of the public memory of the Troubles by expressing the lived-reality of their experience¹². Moreover, as commonly seen in Northern Ireland, whilst victims of political conflict may be supported by political parties, they also face the possibility of being exploited by those third parties who seek to elicit emotional reactions from the public. In some cases, these third

⁵ Breen-Smyth, M. (2018). '*Suffering, Victims and Survivors in the Northern Ireland Conflict: Definitions, Policies, and Politics*'. De Gruyter. Pp. 44-45.

⁶ *ibid.* Pp. 46

⁷ Jankowitz, S. (2018). 'The 'Hierarchy of Victims' in Northern Ireland: A Framework for Critical Analysis'. *International Journal of Transitional Justice*, 2018. Pp. 217.

⁸ This Bill is described as: A Bill to address the legacy of the Northern Ireland Troubles and promote reconciliation by establishing an Independent Commission for Reconciliation and Information Recovery, limiting criminal investigations, legal proceedings, inquests and police complaints, extending the prisoner release scheme in the Northern Ireland (Sentences) Act 1998, and providing for experiences to be recorded and preserved and for events to be studied and memorialised. *Northern Ireland Troubles (Legacy and Reconciliation) Bill (2022)*. Government Bill. House of Commons, Session 2022-23

⁹ McGrattan, C. (2017). 'Responsibility, justice, and reconciliation in Northern Ireland'. Chapter 12. In. White, J. T. (Eds.) '*Theories of International Relations and Northern Ireland*'. Manchester University Press. Pp. 224.

¹⁰ Hamber, B. Kelly, G. (2016). 'Practice, Power and Inertia: Personal narratives, archives and dealing with the past in Northern Ireland. *Journal of Human Rights Practice*. Vol. 8, No. 1. Pp. 25-44.

¹¹ Brewer, J. Hayes, B. (2015). 'Victimhood and Attitudes towards Dealing with the Legacy of a Violent Past: Northern Ireland as a Case Study'. *The British Journal of Political and International Relations*. Vol. 17. Pp. 512-530.

¹² McEvoy, K. Bryson, A. (2016). 'Justice, Truth and Oral History: Legislating the Past 'From Below' in Northern Ireland'. *Northern Ireland Legal Quarterly*. Vol. 25. No. 3. Pp. 67-90.

parties may use the victim's plight to cast negative attention on their opponents, rather than prioritising the victim's recovery and pursuit of justice.¹³ It is for this reason that this study seeks to place its focus upon the narratives of the victims themselves, presenting its findings through the lens of their lived reality. Through these victims' experiences and the manner in which they discuss them that a comparison between different communities can be considered. Through their opinions, their provision, and their representation, this study formulates victim-centric evidence to discuss the existence of hierarchies within the support offered to the victims in these communities.

The macro goal of this study is to develop our understanding of these hierarchies of victimhood in Northern Ireland, through the perspective of a qualitative sociological analysis, specifically participant interviews and discourse and thematic analytic methods. With each community commonly declaring that their side suffered worse, through the context of their localised experience, and that the other side received no more than they deserved, the potential for these biases prevails.¹⁴ This discussion aids in uncovering data to support or oppose the existence of an institutionalised hierarchy of victimhood within Northern Ireland, and to understand the far-reaching effects of such policies, whether intentional or otherwise. These policies, through the perspective of victims themselves, will be used to draw parallels between those intended policies and the lived-reality of those personally affected. The state support provision under investigation includes the immediate intervention and short-to-medium term support offered, finding particular interest in the psychological and monetary support through various institutions post-violent event; the victims' experience during the justice process, both through their interaction with the police service and the judicial system; and finally, the perception of the media attention that surrounded violent actions against each community. In short, this study uses qualitative investigation methodology to raise and respond to the question of state bias in victimhood on the grounds of religious affiliation, and to represent the reality for those involved, attempting to find evidence discuss the existence of hierarchical policies. This choice of the research topic is intended to aid in answering the following wider research question: **Does the aid, justice efforts, and media coverage provided to victims of political violence vary based on their religious affiliation?**

The concept of hierarchies of victims does not only fit to define the matter of the Northern Irish conflict and its ongoing peace process but is an extremely common result to many post-conflict zones that feature an embittered societal divide. Such accusations of a

¹³ Schweppe, J. (2012). 'Defining Characteristics and Politicising Victims: A Legal Perspective'. *Journal of Hate Studies. Hate and Political Discourse*, Vol. 10. Pp. 173-198.

¹⁴ Jankowitz, S. (2018). 'The 'Hierarchy of Victims' in Northern Ireland: A Framework for Critical Analysis'. *International Journal of Transitional Justice*, 2018. Pp. 225.

hierarchy of victims have permeated the debates in transitional justice of many nations in the past and into the present, including (but not limited to) The Basque Region¹⁵, Sri Lanka¹⁶, Colombia¹⁷, Peru¹⁸, and the former Yugoslav states¹⁹. Northern Ireland provides for a strong case study to develop our understanding of a state's involvement, possible biases, and potential failures in the victim recovery and reconciliation process, both during and post conflict, in the context of politically motivated nationalist violence. Northern Ireland forms a microcosm in this manner, in that it is a comparatively small population sample to the other countries that experienced intra-national violence. Further, it experienced violent events that are largely comparable to multiple international settings, with reduced language barriers, greater accessibility, and featuring a relatively clear beginning and period in which the conflict came to a close. As stated, Northern Ireland has been extensively researched as a case study for victim experience of political violence, with large quantities of scholarly literature surrounding the topic of the Northern Irish conflict in its entirety.²⁰ Further, multiple victim support groups are highly active in supporting further study and engagement, with a common drive towards the use of the victims of political violence as credible voices in the enduring peace process and legacy enquiries that drive political rhetoric today.²¹ Each element of which enables Northern Ireland to provide for a key environment to encourage further understanding of victims of ethno-nationalist conflict.

The upcoming section of this chapter will elaborate on the academic discourse that this thesis will utilise for its investigation. This discourse specifically revolves around the concept of hierarchies of victimhood, the terminologies employed to define them, and the approach this thesis will adopt to detect their existence.

¹⁵ Berastegi, A. A. Heary, K. (2018). 'A context-based model for framing political victimhood: Experiences from Northern Ireland and the Basque Country'. *International Review of Victimology*. Vol. 25, No. 1. Pp. 19-36.

¹⁶ Seoighe, R. (2016). 'Discourses of Victimization in Sri Lanka's Civil War: Collective Memory, Legitimacy and Agency' *Social & Legal Studies*. Vol. 25, No. 3. SAGE Journals. Pp. 355-380.

¹⁷ Franko, K. Roriguez Goyes, D. (2022). 'Drug Violence, War-Crime Distinction, and Hierarchies of Victimhood'. *Social & Legal Studies*. Vol. 32, No. 1. SAGE Journals. Pp. 75-95.

¹⁸De Waardt, M. (2018). 'The Politics of Victimhood at the Grassroots Level: Inclusion and Exclusion Among Peruvian Victim Organisations'. In. Druliolle, V. Brett, R. (Eds.) 'The Politics of Victimhood in Post-conflict Societies: Comparative and Analytical Perspectives'. Palgrave Macmillan. Pp. 133-158.

¹⁹ Vandermaas-Peeler, A. Subotic, J. Barnett, M. (2022). 'Constructing victims: Suffering and status in modern world order'. *Review of International Studies*. Cambridge University Press.

²⁰ English, R. (2012). *Armed Struggle: The History of the IRA*. Oxford University Press, New York; Coogan, T P. (1996). *The Troubles: Ireland's Ordeal 1966-1995 and the Search for Peace: Ireland's Ordeal, 1969-96, and the Search for Peace*. Arrow Books, London; McKittrick, D. McVea, D. (2012). *Making Sense of the Troubles: A History of the Northern Ireland Conflict*. Penguin Books, London.

²¹ Bradfield, P. (2017). 'Standing ovation at Stormont for maimed ex-UDR man'. *News Letter*. March 13, 2017; Carroll, K. (2017). 'PSNI widow Kate Carroll: You politicians have a been given a second chance – time to grab it by the scruff of the neck.' *Belfast Telegraph*. March 9, 2017; Bradfield, P. (2017). 'RUC widow: Martin McGuinness died with his family, my husband died in a ditch'. *News Letter*. March 31, 2017.

Hierarchies of Victimhood

As highlighted in the beginning of this thesis, this study is primarily focused on the matter of hierarchies of victimhood, concentrating entirely on the context of the Northern Ireland conflict to provide points of discussion for wider scale conceptualisations of victim experience. The term 'hierarchy' for many conjures forth feelings of differing authority, status, rank, or priority, whether that takes the form of a business, social class, or military hierarchy. A 'hierarchy of victimhood' is thus the consideration that a victim is more deserving or worthy of aid, support, or sympathy, and that they are 'more innocent' than other victims by the circumstances surrounding their injury/death, their (non-)combatant status, the perpetrator, and the ethno-nationality of those actors involved.²²

In regions where conflict spans diverse geographical areas and extended periods of time, such as Northern Ireland, it is commonly accepted that a significant proportion of the population cannot be excluded from the category of 'victim' in the broadest sense. This is due to the necessary changes made to their lives, whether as a result of harm, threats, risk avoidance, or other factors, in response to the ongoing conflict.²³ Whilst the Bloomfield Report, conducted by the Northern Ireland Victims Commissioner Sir Kenneth Bloomfield, stated that 'some substance in the argument that no-one living in Northern Ireland through this most unhappy period will have escaped some degree of damage.'²⁴ However, it must be admitted that not all suffered equally, despite the individual pain and suffering that one may personally shoulder, Marie Smyth highlights that under empirical, moral, political, and practical grounds not all victims experienced equally difficult realities. Whether it be on the grounds of geography, religion, career, or politics, many individuals and communities were disproportionately targeted and suffered to a greater extent than others, leading to the reality of 'hierarchies of pain': a concept of resource control and management, that dictates the appropriate distribution of aid and support on the basis of the extent of the harm (or pain) experienced by a victim.²⁵ These hierarchies of pain should thus create an appropriate victim support response. Since the conflict did not affect all individuals equally resources must be

²² Hearty, K. (2016). 'Legislating Hierarchies of Victimhood and Perpetrators: The Civil Service (Special Advisers) Act (Northern Ireland) 2013 and the Meta-Conflict'. *Social and Legal Studies*. Vol. 25. No. 3. Pp. 333-353.

²³ Ferguson, N. Burgess, M. Hollywood, I. (2010). 'Who are the Victims? Victimhood Experiences in Postagreement Northern Ireland'. *International Society of Political Psychology*. Vol. 31. No. 6. Pp. 857-886.

²⁴ Bloomfield, K. (1998). *We Will Remember Them: Report of the Northern Ireland Victims Commissioner*. Belfast; HMSO. The Stationery Office Northern Ireland. P.14

²⁵ Smyth, M. (2000). *Remembering in Northern Ireland: Victims, Perpetrators and Hierarchies of Pain and Responsibility*. CAIN. University of Ulster. Pp. 7-8

directed proportionately to those who have experienced the most harm and thus require the most aid. It is through the deviation from this systematic prioritisation that a greatly more pejorative form of 'hierarchies of victimhood' stems. In circumstances in which support, justice, or attention is provided not on the grounds of necessity, but instead in a precedence of the assumed 'deservingness' of specific victims, less reputable or different victims' worth can be disputed and as such can be provided with a disproportionate (or entire lack of) support response.²⁶

This research seeks to identify the policies that relate to those institutions most involved with victims, primarily public bodies such as the NHS, police service, criminal justice system, and further, major news media outlets. A comparison will be made between the official policies in the act of supporting victims of the Northern Ireland conflict (whether it be in monetary/psychological aid, justice provisions, or media attention), and the lived reality of those that sought its backing. Further, a comparison between the various victims' groups (to be identified in the following section) will be provided, identifying trends that exist within each group and highlighting the variations that do or do not exist.

The foundation of the conclusions made from the thesis will be made by examining who the victims are, how they were intended to be supported, and whether or not intent transferred to reality for certain victims. If it did not, was this discrepancy a result of their religious affiliations. Alongside this matter, it must be understood that by the nature of this conflict developments and changes occurred over time and space; what policies existed and were enacted in the 1970's may not have been the same in the 1980's, whilst those efforts being put in place to support victims in Belfast (a relatively large city) may not have been to the same quality or thoroughness in Fermanagh (a highly rural, and sparsely populated region). The temporal and geographical nature will also be discussed throughout this work, with efforts made to discuss any and all changes over time and highlighting probable causality for any difference that occurred as a result of location, using all appropriate statistics available.

This study stratifies its investigation around the specifics of the Troubles within the regional boundaries of Northern Ireland, seeking only those policies, statistics, and interview testimonies that relate to after 1966, as this is seen to be the beginning of the Northern Ireland conflict in contemporary literature²⁷ as a result of the first fatality that can be linked to the

²⁶ McEvoy, K. McConnachie, K. (2012). 'Victimology in transitional justice: Victimhood, innocence and hierarchy'. *European Journal of Criminology*. Vol. 9. No. 5. Pp. 527-538.

Bauman, M. (2010). 'Contested Victimhood in the Northern Irish Peace Process'. *Peace Review*, Vol. 22. No. 2. Pp. 171-177.

²⁷ McKittrick, D. Kelters, S. Feeney, B. Thornton, C. McVea, D. (2012). '*Lost Lives: The stories of the men, women and children who died as a result of the Northern Ireland troubles*'. 3rd Edition. Mainstream Publishing. Edinburgh. Pp. 23.

extended conflict. Framing this piece, this study only features those individuals that had experienced their victimhood by the end of 2005; the year that the Loyalist paramilitary feud provisionally ended. This ensures that enough time has passed between the latest victim case study and this piece of research, for the relative effects of victim intervention to be thoroughly experienced by the participant. In particular, enough time has been given for proper monetary and psychological provision, efforts made in finding justice, and media attention potentially provided, and thus a full and comparable testimony may be obtained. Throughout the Troubles, we see many distinct periods of conflict and participant experience: from the late 1960's which saw the Civil Rights marches and the British Army beginning Operation Banner; the 1970's experiencing the bloodiest period of the conflict; the 1980's which was met with Hunger Strikes and failed attempts at creating a cessation to the violence, the 1990's which brought forth hope of an end to the long conflict, and the new millennium of the post-Good Friday Agreement (GFA), which saw a greatly reduced number of violent incidents. These differing periods of time, and the events that often define them, enable a temporal comparison in the thoughts and experiences held by the participants in this thesis, as well as the official responses and policies that were characterised these durations. Throughout the analysis presented in this thesis, these varying times through the length of the conflict will be repeatedly referenced back to, often when providing a backdrop to the legislation and human experience being shown.

In the next section we will further explore the research design that underpins this thesis's investigation. More precisely, we will elaborate on the hypotheses that this thesis sought to answer and the sample that was used to obtain the necessary data for these answers.

Research Hypotheses and Design

This study is an investigative analysis of the Protestant and Catholic communities, as well as the locally recruited security forces within Northern Ireland. Specifically, within these communities, this study is focused on the experiences of those deemed as a 'victim and survivor', under the definition provided in the Victims and Survivors (Northern Ireland) Order 2006²⁸ (a point of discussion throughout this thesis). These individuals' victimhood will have occurred between the years 1966 and 2005. These stated victim experiences will be compared with official legislation and policy surrounding the matter of intended victim and survivor

²⁸ Northern Ireland. (2006). *The Victims and Survivors (Northern Ireland) Order*. 2006 No. 2953 (N.I.17). November 14, 2006. Section 3

support. Through their experience, evidence has been sourced to discuss the comparative experience of various communities of victim, how victim support changed over time, and how the experiences of Catholic and Protestant civilians compare to each other and members of the locally recruited security forces.

This study was designed with the four hypotheses in mind. These hypotheses were formulated as a result of initial consultation with victims and victim advocates prior to the beginning of this thesis. These hypotheses will direct the necessary research methodology that will be used to provide potential answers for them:

- 1. The British government in Northern Ireland, the judiciary system, the security forces, and media corporations did not have deliberate policies aimed at establishing a hierarchy of victimhood on the grounds of religious bias.**
- 2. However, the available support opportunities were distributed unequally among victims.**
- 3. Protestant victims received disproportionately higher media attention, whereas coverage of Catholic victims was significantly reduced.**
- 4. Over time, the disparity in proportional victim support and media attention decreased, with the most equitable support opportunities observed after the Good Friday Agreement, and the least equitable occurring at the beginning of the study period.**

The analysis in this thesis builds on several sources. It draws from the body of literature on victims and survivors of terrorism generally, and the small but crucially important corpus of academic work on victims and survivors in Northern Ireland. It also draws from sources such as official reports, and statistics and legislation. Importantly, this thesis breaks new ground through the inclusion of primary data gathered through interviews with victims and survivors of the conflict in Northern Ireland and their families. For this thesis, 35 semi-structured interviews²⁹ were conducted with individuals who fit within one or both of the following parameters: individuals who have directly experienced violence within Northern Ireland conflict and thus have 'primary victim' status (whether they are civilian, security forces, or former paramilitary); individuals who have not directly experienced violence as a result of the Northern Irish conflict, but have a close family member, friend, or colleague who has, who

²⁹ This number was selected as a result of limitations brought on by the COVID-19 Pandemic.

thus have 'secondary or co-victim' status.³⁰ The parameters for selection fall in line with the Victims and Survivors (Northern Ireland) Order 2006³¹, pertaining to the definition of 'victim' as independent of the individuals' particular involvement in the act of victimhood itself.

The study did not find it necessary to categorise its' interviewees based on their personal perception of being a victim, their pursuit, acceptance, or denial of support, or the frequency of incidents related to their victim status. These factors were discussed during the questioning process. However, it is important to acknowledge that this case study has limitations, particularly as it focuses on Northern Ireland. This case study has a unique approach to how it treats its citizens, handles criminal activity, and protects civil rights, specifically due to being a liberal democracy. This specificity may reduce the applicability of the findings to other regions, especially those that are ranked higher on the 'fragile state index'³² or have a post-colonial environment. Nonetheless, the study provides valuable insights into the best practices for states when interacting with and supporting victims of political violence.

This study initially divides its' interview sample into three groups of participants: members of the security forces and their families, Protestant civilians, and Catholic civilians. Previous studies have singularly focused on the involvement of security forces³³, or the experience of Catholic and Protestant civilians³⁴, or specific political sectors of society, but few (if any) have combined these three groups as a subject sample. As a former Chief Constable of the Royal Ulster Constabulary quipped "there's three religions in this country, Catholics, Protestants and peelers"³⁵, however there is a degree of factuality behind this statement. Often treated as a separate entity, despite their officer's personal denomination, the police service was frequently at odds with both sides of the community, often untrusting of their neighbours and the environments that they must work or travel due to the environment of threat they

³⁰ The specific sampling method and access to these individuals will be detailed in its entirety in Chapter 3.

³¹ Northern Ireland. (2006). *The Victims and Survivors (Northern Ireland) Order*. 2006 No. 2953 (N.I.17). November 14, 2006. Section 3. Pp. 3

³² The Fund for Peace. (2017). *Fragile State Index*. [Online] [Accessed on: 02/10/2018] [Accessed by: <http://fundforpeace.org/fsi/>]

³³ Mulcahy, A. (2000). 'POLICING HISTORY: The Official Discourse and Organizational Memory of the Royal Ulster Constabulary'. *The British Journal of Criminology*. Vol. 40, No. 1. Pp. 68-87.

³⁴ McEvoy, K. Smith, A. D. (2008). 'Catholic grievances and Catholic emotions in Northern Ireland'. *Nations and Nationalism*. Vol. 14. No. 2. Pp. 327-347. AND. Muldoon, O. Trew, K. (2000). 'Contact and conflict in Northern Ireland: Reactions to integrated education.' *Peace and Conflict: Journal of Peace Psychology*. Vol. 6, No. 3. Pp 245-261. AND. Ganiel, G. (2016). 'Transforming post-conflict societies: Women's stories of dealing with the past in Northern Ireland'. *Journal of Peace Research*. Vol. 53, No. 3. Pp. 373-387.

³⁵ The term 'Peeler' references a Police Officer, specifically in Northern Ireland, stemming from the name of the individual who is considered the father of modern British policing, Robert Peel. Brewer, J, D. (1994). 'The Ethnographic Critique of Ethnography: Sectarianism in the RUC'. *Sociology*. Vol. 28, No. 1. Pp. 240-241.

worked and lived in. It is with this in mind that whilst Catholic and Protestant civilian victims were sought for inclusion in this thesis, security forces families were specifically treated as a separate entity due to the potential for variation in their personal experiences. As will be explained in Chapter Three, a further category of victim emerged from within the group of interviewees as a result of their particular experiences. Cutting across the three categories of victims were several participants who identified as victims either of state collusion with paramilitaries or victims of miscarriage of justice by the state. As we will see in later Chapters Four, Five, and Six the experiences of these participants, both in terms of how they came to be become victims, but also in their efforts to seek justice and support from official channels differs from the wider victim and survivor population and is worthy of closer examination.

The Conflict and Statistics

Between 1968 and the relative peace that came from the Good Friday Agreement in 1998, an undeniable level of suffering and harm was caused throughout (but not entirely constrained to) the country of Northern Ireland. This was a conflict surrounding both the issue of national boundaries, as Great Britain's claim over Northern Ireland was greatly disputed by members of the Republican and Nationalist communities, and the matter of equality amongst for two rivalling ethnic communities. Northern Ireland was defined by two competing ideals of identity, which lead to two combating visions of collectivist aspiration.³⁶ To better understand the victim communities that make up body of primary data present in this thesis, and the potential hierarchies at play between them, this section will highlight the statistical realities of victimhood during the Northern Ireland conflict. A better understanding of these events, their causation, and their aftermath can not only aid in ensuring that such a scenario doesn't reoccur, but also transferable lessons can be brought forward to other current and future post-conflict environments.

Like in any conflict zone, alongside the relatively large number of homicides, a remarkable number of maimed and injured exist. Further, psychological trauma was experienced by countless thousands, as well as irreparable damage to the political foundations of the country. To best highlight the number of victims from this conflict, the statistics surrounding them, and the various state responses and support, we will turn to two particular studies conducted between 1996 and 1999: 'We will Remember Them', a study

³⁶ McGrattan, C. (2010). *'Northern Ireland 1968-2008: The Politics of Entrenchment'*. Palgrave Macmillian. Pp. 7

released in 1998 by Sir Kenneth Bloomfield,³⁷ and 'The Cost of the Troubles Study' by the University of Ulster,³⁸ which were both written as the political conflict in Northern Ireland was foreseeably coming to a conclusion. To begin, these reports state that by the 3rd of December 1997, 3,585 people had been killed since 1969. The following details, taken from both studies, provide for a useful cross-section of the violence, who it was primarily committed against, and which parts of the country experienced some of the worst consistent conflict:

Male fatalities	91%
Fatalities under age 24	37%
Fatalities under age 29	53%
Fatalities under age 39	74%
Civilian fatalities ³⁹	53%
Security forces fatalities	28.8% (14.3% RUC/UDR/RIR, 14.5% outside of Northern Ireland)
Republican paramilitary fatalities	12.5%
Loyalist paramilitary fatalities	3%
Death rate by religion	Irish Catholic: 2.5/1,000. Irish Protestants: 1.9/1,000
Fatalities caused by paramilitaries	87% (59% Republican paramilitaries, 28% Loyalist paramilitaries)
Fatalities caused by security forces	11%
Regions with the highest death tolls	North and West Belfast, Derry/Londonderry, South Armagh

Within the current post-conflict environment of Northern Ireland there are a great many people who face the continued effects of serious physical injury, as well as a great many who have to support and care for them on a daily basis.⁴⁰ The full extent of the injuries is difficult to quantify, with secondary effects of violent injury often resulting in a reduced standard of living, acute mental agony, and prolonged, continuing trauma. This physical and emotional

³⁷ Bloomfield, K. (1998). 'We Will Remember Them'. *Report of the Northern Ireland Victims Commissioner*, April 1998.

³⁸ Fay, M.T., Morrissey, M., Smyth, M., Wong, T., (1999) 'The Cost of the Troubles Study. Report on the Northern Ireland survey: the experience and impact of the troubles'. *Derry/Londonderry INCORE Coleraine*: University of Ulster

³⁹ The use of the term 'fatality' rather than 'homicide' is to include those individuals that accidentally killed themselves during attempted attacks, i.e. using explosive devices. Fitting the definition provided in *The Victims and Survivors (Northern Ireland) Order 2006*.

⁴⁰ Ferguson, N. Burgess, M. Hollywood, I. (2010). 'Who are the Victims? Victimhood Experiences in Postagreement Northern Ireland'. *Political Psychology*, Vol. 31. No. 6.

trauma may lead to further negative effects, including adverse economic consequences, reducing employability and earning power.⁴¹ There is no reliable central register of those injured during the Northern Irish conflict, or any way to accurately measure the long-term economic damage done to communities within the region, with Bloomfield's report indicating between forty and fifty thousand physical injuries being sustained between 1969 and 1999.⁴² Given the propensity towards particular methods of violence in paramilitary conflict (e.g. gun and bomb ambushes), there is a commonality in many of the forms of injuries experienced, specifically; partial/total loss of vision; partial/total loss of hearing; disfigurement; single/multiple amputations, etc.⁴³

The physical results of conflict are often the first envisioned when paramilitary conflict is discussed, however the invisible damage involved has in the past been previously overlooked within scholarly literature related to the Northern Irish conflict. Those large numbers of persons who exist outside of the sphere of primary victimhood, specifically those secondary victims who understandably have trauma from the injury or fatality of a close family member, including the substantial economic pressure that results from such a loss. Certain locations in Northern Ireland particularly suffered in this regard, specifically Belfast, South Armagh, West Armagh/South-Mid Tyrone, and the city of Derry/Londonderry.⁴⁴ These regions particularly endured an atmosphere of tension and hazard, with social life utterly constrained, and economic progress/development entirely impeded. Individuals who lived in this environment can be deemed 'tertiary victims' of the surrounding conflict. However, due to the pervasive atmosphere of threat that characterised Northern Ireland during this time, the entire population could reasonably claim this status.⁴⁵

Due to the current relevance of the issue surrounding victims in Northern Ireland, particularly their recent role as representatives and ambassadors in promoting public memory related to 'legacy inquiries' into the conflict, published news articles are one of the most pertinent literary resources available today. Media coverage of victim issues and debates across the last 25 years of post-conflict transition have proven to help in framing the rhetoric

⁴¹ Breen-Smyth, M. (2012). *'Injured in the Troubles: the needs of the individuals and their families'*. Executive Summary. WAVE Trauma Centre.

⁴² Bloomfield, K. (1998). *'We Will Remember Them'*. Report of the Northern Ireland Victims Commissioner, April 1998. Pp. 13.

⁴³ Cairns, E. Mallett, J. (2010). 'Who are the Victims? Self-assessed victimhood and the Northern Irish conflict'. *Northern Ireland Office Research & Statistical Series: Report No. 7*. Northern Ireland Statistics & Research Agency.

⁴⁴ Kelleher, L. (2012). *'Maps - Deaths (1969-2001), by area (Northern Ireland, Belfast, Derry), and by status, at ward level'*. The Centre for Social Justice. CAIN: University of Ulster. [Online] [Accessed on: 15/07/2021] [Accessed by: <https://cain.ulster.ac.uk/victims/gis/maps/gismaps-04.html>]

⁴⁵ Sellin, J, T. Wolfgang, M. (1964) *'The Measurement of Delinquency'*. New York, NY. John Wiley and Sons. Pp. 155–6; Meadows, R. J. (2018). *'Understanding Violence and Victimization'*. Seventh Edition. Pearson, New York.

surrounding the victims of historical political violence. Testimonies and opinion pieces from victims of paramilitary violence (of both Republican and Loyalist violence) has seen an increase in prominence for multiple purposes: they are utilised to engage as credible voices in modern political events⁴⁶, and to act as remembrance of family and colleagues⁴⁷. Further, they often seek to relay effective warnings to those becoming attracted, permissive of, or indifferent towards radical movements, opinions, or propaganda⁴⁸; and to provoke exchange and dialogue between formerly opposing sides, giving audiences the opportunity to reflect on experiences and relate to it. ⁴⁹ Furthermore in victims media, we see a clear increased readiness to discuss and highlight cases of state misconduct allegations, and the voices of those most affected, whether in acts of collusion between state agents and paramilitary groups⁵⁰, or cases in which allegations of miscarriages of justice by obscuring the events of security forces misconduct.⁵¹

To conclude this chapter, the following section will outline the structure that this thesis will adhere to, emphasizing the significant components of each subsequent chapter.

Thesis Structure

Chapter Two will identify the academic literature that exists on this topic. It is through this review of the body of literature that encompasses the topic of victims (both specific to Northern Ireland and more generally) and hierarchies of victimhood, that the existing absences will be highlighted. Further, this chapter will discuss current political and academic debates revolving around victims in Northern Ireland and the provision of aid. These aspects will

⁴⁶ Bell, J. (2017). 'Martin McGuinness death: I'll never know why my husband was used as human bomb, says Patsy Gillespie widow'. *Belfast Telegraph*. 22 March 2017; Clancy, P. (2017). 'IRA victims families anger at Sinn Fein's Gerry Adams'. *Irish Central*. 24 November 2017; Sawyer, P. (2016). 'Victims' anger at £1.6m payouts for IRA kidnap gang'. *The Telegraph*. 30 January 2016; BBC News. (2020). 'Michael Stone: Victim's sister bids to keep loyalist killer in jail'. 16 October 2020.

⁴⁷ Johnston, K. (2017). 'The IRA killed dad, and then mum died of a broken heart'. *News Letter*. Saturday 15 April 2017.

⁴⁸ Bradfield, P. (2017). 'RUC widow: Martin McGuinness died with his family, my husband died in a ditch'. *News Letter*. Friday 31 March 2017; Carroll, K. (2017). 'PSNI widow Kate Carroll: You politicians have been given a second chance - time to grab it by the scruff of the neck'. *Belfast Telegraph*. 9 March 2017.

⁴⁹ Bradfield, P. (2017). 'Standing ovation at Stormont for maimed ex-UDR man'. *News Letter*. Monday 13 March 2017; McAleese, D. (2017). 'Gerry Adams says he understands how the families of the victims of IRA violence feel'. *Daily Record*. 19 November 2017.

⁵⁰ Ambrose, T. O'Carroll, L. (2022). 'Evidence police in Belfast colluded with loyalists in the Troubles, report finds'. *The Guardian*. 8 February 2022; BBC News. (2015). 'Claims of NI 'collusion' between UK agents and paramilitaries'. 28 May 2015.

⁵¹ BBC News. (2021). '*Ballymurphy Inquest: 'A cry of horror I'll never forget''*. 11 May 2021; Cavendish, D. (2022). 'Bloody Sunday 50th anniversary: 'Jackie was a typical teenager, up for pranks and the craic''. *The Telegraph*. 30 January 2022.

display the novelty of this study and how it is intended to supplement those current conversations. Chapter Three will then detail the research methodology in use throughout this study, primarily in gathering data through the aid of interviewees, as well as how their data will be recorded, stored, disseminated, and analysed.

Beginning the substantive analysis gathered from interviews, Chapter Four will delineate the participant data surrounding the topic of practical victim support, specifically that of the immediate intervention in the form of monetary aid and psychological assistance. Chapter Five will continue this course, discussing the highly personal and impassioned topic of justice, presenting participant experience relating to the police service, the courts system, offender sentencing, and independent investigatory bodies. Chapter Six will then discuss the matter of news coverage by media organisations, highlighting the participant perception of the trends and circumstances of their portrayal, and the benefits and issues that surround this opportunity. These chapters will each follow the same process, for the sake of comparison; displaying the thoughts and experiences presented by the interviewees, divided into their stratified groups of security forces, Protestant civilians, Catholic civilians, and victims of collusion and miscarriages of justice, before concluding this chapters with the trends and differences that exist between these groups.

The information and analysis presented in the three analysis chapters will be combined in Chapter Seven. This final chapter will provide a comprehensive analysis of the trends observed in each group and assess whether significant differences existed between them. This study will conclude by discussing these trends and presenting evidence to address the research question and hypotheses introduced in the beginning.

2. Literature Review

Introduction & Foundational Discussions

In this chapter we will review the themes that incorporate this thesis, whether they be academic analysis, political rhetoric, or identifiable gaps in the literature. Specifically, this chapter seeks to summarise and highlight the primary political academic debates and the theoretical basis for the overall topic under evaluation, gradually narrowing its lens on the subject by first exploring the overall field of victimological thought, then by focusing on the specificities of our primary discussion. As this review continues it will emphasise a more specific debate in victimology, and especially so in Northern Ireland: the definition of a 'victim'. This trend will continue, first through a reflection on the statistics of victims of the Northern Ireland conflict, the discussions surrounding victim self-identification, and then the highly prominent topic of victim legislation and politics and the primary debates surrounding them. Each of these elements directly reflect upon the overarching debate of 'hierarchy of victims' in Northern Ireland, which will be used to both conclude this chapter and establish the investigation to be detailed in the following chapters.

Victimology is a field entirely in its relative juvenescence. Initially proposed as a social science, stemming from modern criminological research trends as a shift in interest began to form within the realm of criminal justice after World War II (largely as a response to the atrocities witnessed), when the academic field started to focus its attention on the victim as an untapped source for the better understanding of both crime and criminals.⁵²

Early victimologists in the 1940's until the late 1960's, such as Hans Von Hentig⁵³ and Benjamin Mendelsohn⁵⁴, Stephen Schafer, and Marvin E. Wolfgang⁵⁵, became interested in the concept of a victim contributing to his/her own victimisation. This then extended toward the topic of the victimhood experience itself, including methods of treatment for victims after the criminal justice process is complete.⁵⁶ Around the turn of the century, the contemporary discipline of victimology became much more interested in the study of the criminal-victim

⁵² Doerner, W. Lab, S. (2002). *'Victimology'*. 4th ed. Cincinnati, Ohio: Andersen Publishing.

⁵³ Von Hentig, H. (1948). *'The Criminal and His Victim: Studies in the Sociobiology of Crime'*. New Haven: Yale University Press.

⁵⁴ Mendelsohn, B. (1956). 'Une Nouvelle Branche de la Science Bio-psycho-sociale: Victimologie'. *Revue Internationale de Criminologie et de Police Technique*. France.

⁵⁵ Ferguson, C. Turvey, B E. (2009). *'Victimology: A Brief History with an Introduction to Forensic Victimology'*. Pp. 11.

⁵⁶ O'Connell, M. (2008). 'Victimology: A social science in waiting?'. *International Review of Victimology*. Vol. 15. No. 2. SAGE journals. Pp. 91-104.

relationship in all its forms. This perspective concerns ‘the interaction in which both the criminal offender (the usual target of inquiry) and the victim [having] functional roles and responsibilities.’⁵⁷ The relationship between the perpetrator and the victim is thus viewed through the lens of mutual involvement. The role of a victim in the criminal act can vary between extremely passive to highly active in the victimisation process.

It is surprising that the role of the victim has been greatly overlooked in criminology⁵⁸, given that in those cases in which a direct victim of a crime exists, they constitute half of the criminal offence. Until the development of victim-centred thought the primary focus merely played upon the accused, their legal representative, the prosecutor, and the presiding officer.⁵⁹ This fact is one of the very tenets of this particular piece of research; that through an empirical, qualitative approach, the experience of victims can be analysed and cross-compared between separate communities to better understand the role of the state and legislation in the post-victimisation period, with the ability to uncover evidence to discuss the existence of hierarchies of victimhood.

A primary discussion within the field of victimology surrounds the manner in which victims are engaged and how the victims themselves engage third parties after their victimhood. With communities and governmental bodies creating greater numbers of victim support initiatives, increased importance has been placed on understanding the availability, engagement, and effectiveness of support services, psychological support methods, and the role of the justice system in that experience. Unfortunately, Bryce, et al. suggest that the overall level of victim engagement with support services is still generally low, and as a result, the likelihood of long-term trauma symptoms and negative psychological outcomes become increasingly prevalent, despite evidence to support significant benefits as a result of engagement with these services.⁶⁰ Wiik, et al. suggest that without repeated trauma occurring, generally emotional and psychological strain reduces over time (other than during the criminal proceedings, when they worsen),⁶¹ this highlights the increased psychological risk to the victim in the context of ongoing conflict and risk of repeated violence.

⁵⁷ Parsonage, W H. (1979). ‘*Perspectives on victimology*’. London: Sage. Pp. 9 – 10.

⁵⁸ Bharmal, Z, Batthini, D. (2015). ‘Victims Still in Obscurity: Concept of Victimology’. *VIDHIGYA: The Journal of Legal Awareness*. Vol. 10. No. 1. Pp. 34

⁵⁹ *ibid.*

⁶⁰ Bryce, J. Brooks, M. Lowe, M. (2016). ‘A qualitative examination of engagement with support services by victims of violent crime’. *International Review of Victimology*, Vol. 22. No. 3. SAGE journals. Pp. 239-255.

⁶¹ Wijk, A V, Leiden, I V, Ferwerda, H. (2016). ‘Murder and the long-term impact on co-victims: A qualitative, longitudinal study’. *International Review of Victimology*, Vol. 23. No. 2. SAGE journals. Pp. 145-157.

Another important element of victimological discussion is the role of support for those individuals who experienced harm, particularly regarding financial aid. Compensatory damages awarded by the state are designed and intended to, in some manner, make the victim 'whole again' by providing financial aid to help them return to their pre-injury state, as well as to support funeral arrangements or hospital bills,⁶² which has also been referred to as a state-provided 'social safety net'.⁶³

Becoming more prevalent at this study continues, alongside those who directly suffered from violence, there exists a distinct group of secondary victims:⁶⁴ individuals who are victims as a result of state operations, such as deaths resulting from the actions of security forces, whether legally conducted or otherwise. Within this group commonly exists impassioned opposition towards the state that harmed their loved ones (the primary victim), and their family members (co-victims) who are not entitled to access this form of compensation due to being deemed as victims who were responsible for their own harm, a matter that will be discussed thoroughly throughout this study. This forms one particular area that this review notes as being significantly sparse in existing literature, in that few studies have been conducted on the experience of those who are declared non-innocent victims and their view of their lack of state offered support opportunities. This is primarily of interest when related to those individuals who allege the involvement of collusion or miscarriages of justice, as these scenarios create foundational barriers between the victim and practical intervention and justice, both of which are a matter that will also be highlighted throughout the following chapters of this study. The value in further research of this topic lies in the study of the methods of politicisation within this sector of the victims community, in that independent groups (whether they be NGOs or community groups) have been accused of using victims to further their political agenda through garnered sympathy.⁶⁵ Doorn, et al. suggests that the use of anger and blame has a clear positive effect on charitable donations as a result of sympathy

⁶² Mulder, J D W E. (2009). 'How do we compensate a victim's losses? An economic perspective'. *International Review of Victimology*, Vol. 16. No. 1. SAGE journals. Pp. 67-87. AND Burrows, A. (2019). *Remedies for Torts, Breach of Contract, and Equitable Wrongs*. Oxford University Press. Pp. 35-50.

⁶³ Karmen, A. (2010). *Crime Victims: An introduction to Victimology*. Seventh Edition. Wadsworth, CENGAGE.

⁶⁴ Rheingold, A.A., Zinzow, H., Hawkins, A., Saunders, B.E., & Kilpatrick, D.G. (2012). 'Prevalence and mental health outcomes of homicide survivors in a representative US sample of adolescents: Data from the 2005 National Survey of Adolescents'. *Journal of Child Psychology and Psychiatry*, Vol. 53. No.6. Pp. 687-694; Center for Victim Research. (2019). *What We Know about Homicide Co-Victims from Research and Practice Evidence* Research Report. July 2019. Pp. 3.

⁶⁵Ferguson, N. (2016). *'I'm the Victim Here': Intrastate Conflict and the Legacy of Political Violence* Liverpool Hope University. Liverpool, UK. IN. McGarry, R. Walklate, S. (Eds.). *The Palgrave Handbook of Criminology and War*. Palgrave Macmillan. Pp. 162; McGovern, E. (2021). 'Troubles victims 'pawns' in political row over payment scheme'. *Belfast Telegraph*. 19 January 2021.

towards the victim and is often taken advantage of to solicit further funding.⁶⁶ This use of victimhood as a political tool links directly to 'moral beacon' theory, which associates the reduced agency of a victim to the lending of a moral authority to a particular cause, whether or not this cause directly benefits the victim.⁶⁷ This politicisation of a victim can lead to a villainising rhetoric towards those that these groups blame for their harm, with the primary goal of such narratives often being the mobilisation of their audience against said 'other', rather than the prioritisation of support for the victim and their needs.⁶⁸ Specifically in Northern Ireland, this politicisation occurs on both sides of the socio-political divide, forming a 'competitive victimhood'.⁶⁹ This politicisation of victimhood, McGrattan and Lehner suggest, through the championing of a specific victim/group of victims actually results in rendering the victim voiceless through their inability to represent themselves, and their necessity to ascribe themselves to a larger cause or group.⁷⁰

More generally, whilst third-party aid leads to both benefits and issues for a victim, without adequate support victims become increasingly at risk of pursuing self-medication through the use of drugs and alcohol.⁷¹ The long-term use of both drugs and alcohol as methods of coping results in obvious impacts on health and welfare, leading to further psychological issues such as depression, dependency, and cognitive instability.⁷² Studies have shown that within the Northern Irish population, those who were directly affected by Troubles-related events are most likely to experience poor mental health.⁷³ Specifically, mental health disorders have been found to be 25% higher in Northern Ireland than in England

⁶⁶ Doorn, J V, Zeelenberg, M, Breugelmans, S. (2017) 'The impact of anger on donations to victims'. *International Review of Victimology*, Vol. 23. No. 3. Pp. 303-312. SAGE journals.

⁶⁷ Brewer, J, D. Hayes, B, C. (2013). 'Victimhood status and public attitudes towards post-conflict agreements: Northern Ireland as a case study'. *Political Studies*. Vol. 61. Pp. 442-461.

⁶⁸ Schweppe, J. (2012). 'Defining Characteristics and Politicising Victims: A Legal Perspective'. *Journal of Hate Studies*. Hate and Political Discourse, Vol. 10. Pp. 173-198.

⁶⁹ Jankowitz, S. (2016). 'Sociopolitical implications of exclusive, intergroup perceptions of victims in societies emerging from conflict'. *Peacebuilding*. The University of Sheffield. Pp. 14.

⁷⁰ McGrattan, C. Lehner, S. (2012). 'Re/Presenting Victimhood: Nationalism, Victims and Silences in Northern Ireland'. *Nordic Irish Studies*. Vol, 11. No. 2. Pp. 39.

⁷¹ Consistent with learning theory, the use of alcohol to temporarily alleviate PTSD symptoms acts as a cogent short-term negative reinforcer. Therefore, repeated and increased use of alcohol to obtain the learned and desired effects of temporarily mitigating PTSD symptomatology increases the likelihood of developing more severe forms of alcohol use. Hawn, S, E. Cusack, S, E. Amstadter, A, B. (2020). 'A Systematic Review of the Self-Medication Hypothesis in the Context of Posttraumatic Stress Disorder and Comorbid Problematic Alcohol Use'. *J Trauma Stress*. Vol. 33, No. 5. Pp. 699-708.

⁷² De Lint, W. Marmo, M. (2018). 'Narrating Injustice Survival: Self-medication by Victims of Crime'. Palgrave Studies in Victims and Victimology. Palgrave Macmillan.

⁷³ Betts, J. Thompson, J. (2017). 'Mental Health in Northern Ireland: Overview, Strategies, Policies, Care Pathways, CAMHS and Barriers to Accessing Services'. Research and Information Service Research Paper; O'Reilly, D. Stevenson, M. (2002). 'Mental health in Northern Ireland: have "the Troubles" made it worse?'. *Public Health Policy and Practice*. Mental Health in Northern Ireland. Pp. 488-492

and Scotland, which has led to Northern Ireland having the highest national levels of drug and alcohol abuse.⁷⁴

The last element of victimology theory that is of particular interest to this study, and indeed the end goal of many victims, is the matter of 'justice'. Through the apprehending, indictment, and sentencing of those responsible for the harm that has befallen them, victims are able to close a difficult chapter of their experience and right some of the wrongs that had befallen them. The theoretical standpoint that this thesis will use as a guideline for satisfaction in justice is the concept of 'procedural justice'. The theory of procedural justice, first coined by John Rawls⁷⁵ as a central legal concept in liberal democracies, is focused entirely on the concept of 'due process', which is defined as a course of legal proceedings according to rules and principles that have been established in a system of jurisprudence for the enforcement and protection of private rights.⁷⁶ Procedural justice theory focuses entirely on the normative concept of 'fairness', in that if all decisions made during the criminal justice process are made in an open, logical, and fair way then the victim will accept the decision made, even if not particularly favourable to them.⁷⁷ Whilst this study will be continuing with the assumption that procedural justice theory is accurate to our normative values as a citizenry, it must be highlighted that there are discussions that posit concerns with this theory. Bernard Williams argues that in an environment in which those involved in the criminal justice system, whether defendants or plaintiff, do not see the power held by the state as legitimate then procedural justice cannot be satisfied.⁷⁸ This can be particularly relevant within the case study of Northern Ireland given numerous individual's political position that the British state's rule in Northern Ireland is foundationally illegitimate, and whilst this study will seek the opinion of each

⁷⁴ Poole, G. Callan, S. Wales, B. Parsley, I. (2010). '*Breakthrough Northern Ireland*'. The Centre for Social Justice. CAIN: University of Ulster. Pp. 22-35; Office of National Statistics. (2021). '*Alcohol-specific deaths in the UK: registered in 2019*'. Section 3. Alcohol-specific deaths by UK constituent country. 2nd February 2021. [Online] [Accessed on: 10/02/2022] [Accessed by: <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/causesofdeath/bulletins/alcoholrelateddeathsinthekingdom/registeredin2019>]; McKinney, E. (2021). '*Alcohol use and related harm in Northern Ireland*'. Alcohol Health Alliance. 4th May 2021. [Online] [Accessed on: 10/02/2022] [Accessed by: <https://ahauk.org/alcohol-use-and-related-harm-in-northern-ireland/>]; CVSNI. (2012). '*Troubled consequences: A report on the mental health impact of the civil conflict in Northern Ireland*'. Bamford Centre for Mental Health and Wellbeing. University of Ulster. Northern Ireland Centre for Trauma & Transformation and Compass. Pp.47

⁷⁵ Rawls, J. (1971). '*A Theory of Justice*'. Belknap Press.

⁷⁶ Encyclopaedia Britannica. (N.d). '*due process*'. Law. [Online] [Accessed on: 10/10/2022] [Accessed by: <https://www.britannica.com/topic/due-process>]

⁷⁷ Sunshine, J. Tyler, T. R. (2003). 'The role of procedural justice and legitimacy in shaping public support for policing.' *Law & Society Review*, No. 37, Pp. 513-548.

⁷⁸ Williams, B. (2005) '*In the beginning was the deed: realism and moralism in political argument*', Princeton University Press, Princeton. Pp. 3; Bottoms, A. Tankebe, J. (2021). '*Procedural justice, legitimacy, and social contexts*'. Chapter 2, No. 4. In, Meyerson, D. Mackenzie, C. MacDermott, T. (ed). '*Procedural Justice and Relational Theory: Empirical, Philosophical, and Legal Perspectives*'. Routledge. Pp. 87.

participant relating to their access to justice, this matter of illegitimacy deviates from the overall focus of this thesis.

As this chapter continues, we will discuss the literature surrounding definitions of a 'victim' and the almost insurmountable issues surrounding this definition in Northern Ireland, the national statistics that this definition provides us, the matter of victim identification, and the political dimensions that stem from all of the above occurring within such a deeply divided country, all of which encompasses the matter of the 'hierarchy of victimhood', both in a macro scale and in Northern Ireland in particular.

Definitions of a Victim

To begin from the etymological roots regarding the term '*victim*', we look to the classical Latin, '*victima*'. This word is literally translated to 'sacrificial animal', a trend which follows suit in the majority of Western languages. For example, the German '*opfer*' which translates to 'the sacrifice' and 'the sacrificed object', the Dutch '*slacht-offer*' which means 'the object that is slaughtered by way of sacrifice', and the Icelandic '*fórnarlamb*' which means 'sacrificial lamb', each of which creates the imagery of a fatalistic offering of those affected by criminal acts.⁷⁹ With these sources of the term, it is easy to understand the fact that the word 'victim', in its English form, was originally used (circa. 1536) as an epithet for Jesus Christ, used to denote the sacrificial nature of his life and crucifixion, and then further as a literal term for sacrificial animals (circa. 1557).⁸⁰ Following this consideration, inadvertently in the modern recognition of victims of criminal acts, alongside the use of a word previously reserved specifically for Jesus himself, the modern vernacular has connected those that suffer from criminal acts with that very same innocence. This naturally draws forth perceptions of compassion and empathy towards the individual, all whilst considering a true 'victim' as innocent and virtuous. Further emphasising the nuance that is subconsciously imparted upon any individual that receives the title of 'victim', in many modern languages with gendered nouns the word 'victim' is specifically feminine, such as 'la victima' in Spanish, or 'la victime' in French⁸¹, creating inherent correlations of idealism in public subconscious.

⁷⁹ Fletcher, G. P. (2007). *The Grammar of Criminal Law: American, Comparative, and International*. Oxford: Oxford University Press.

⁸⁰ Van Dijk, J. (2009). 'Free the Victim: A Critique of the Western Conception of Victimhood'. *International Review of Victimology*, Vol. 16. Pp. 3-8.

⁸¹ Rainer, F. (2020). 'Sex-Denoting Patterns of Word Formation in the Romance Languages'. *Linguistics*. [Online] [Accessed on: 28/03/2023] [Accessed by: <https://oxfordre.com/linguistics/display/10.1093/acrefore/9780199384655.001.0001/acrefore-9780199384655-e-734>]

Whilst the word 'victim' is now defined more ambiguously, in that it is any 'person harmed, injured, or killed as a result of a crime, accident, or other event or action',⁸² further nuances have now been gained. This modern definition challenges the former socio-historical nuances of this word, removing concepts of morality, blame, and innocence from the equation, yet subconsciously there remains the concept of an 'ideal victim'; 'the person or category of individuals who, when hit by a crime, most readily are given the complete and legitimate status of being a victim'.⁸³ The subject of 'ideal victims', a term championed by Nils Christie, is highly prominent in how the public perceives victims.⁸⁴ Ideal victims, whilst a result of normative factors in public perception, are commonly reinforced by media coverage strategy as the result of the frequency that a specific type of victim is represented over another.⁸⁵ The most common example of ideal victims are elderly women and young children, whilst the antithesis of these are young, working class men, individuals who are homeless, drug users, and those who are perceived as being on the margins of society. Christie highlights that 'non-ideal' victims are either those with power or those whose environment and means place them in a position in which harm may come to them, marking them as a 'loser' rather than a 'victim'.⁸⁶ Inversely, by being deemed an 'ideal victim' said victim becomes labelled as 'weak', 'powerless', and without any further examination into the nuances, 'innocent'. The matter of 'ideal victimhood' is only exacerbated further when entering the highly politicised and ever-evolving realm of criminal law, particularly as we look towards post-1998 Northern Ireland, after the Good Friday Agreement. Through this lens, victims then gain a defining characteristic to this label, such as 'good victims', 'invisible victims', 'forgotten victims', 'privileged victims' or '(un)desirable victims'.⁸⁷

The UK Ministry of Justice' Code of Practice for Victims of Crime⁸⁸ (through the Domestic Violence, Crime and Victims Act 2004⁸⁹), defines a 'victim' as such:

- A natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence.

⁸² Oxford English Dictionary. (2019). 'Definition: Victim'. [Online] [Accessed on: 16/01/2019] [Accessed by: <https://en.oxforddictionaries.com/definition/victim>]

⁸³ Christie, N. (1986). 'The Ideal Victim'. In Fattah, E. (Eds.) 'From Crime Policy to Victim Policy'. Macmillan: Hampshire. Pp. 18.

⁸⁴ *ibid.* Pp. 17 - 31.

⁸⁵ Rolston, B. (2007) 'Facing reality: The media, the past and conflict transformation in Northern Ireland.' *Crime, Media, Culture*. Vol. 3. No. 3. Pp. 356.

⁸⁶ *ibid.* Pp. 24

⁸⁷ Krystalli, R. (2023). 'The Politics and Hierarchies of Victimhood'. *Centre for Peace and Conflict Studies*. [Online] [Accessed on: 06/01/2023] [Accessed by: <https://cpcs.wp.st-andrews.ac.uk/research/the-politics-and-hierarchies-of-victimhood/>]

⁸⁸ Ministry of Justice. (2015). 'Code of Practice for Victims of Crime'. London: Williams Lea Group. Her Majesty's Stationary Office.

⁸⁹ Gov.uk. (2004). 'Domestic Violence, Crime and Victims Act 2004'. Part 3. Chp. 1, 32.

- A close relative of a person whose death was directly caused by a criminal offence.

An important element of this definition lies in the inclusion of the words '*caused by a criminal offence*', which denotes that the individual that is considered the 'perpetrator' must conduct an unlawful act for the recipient of such an act to be a 'victim'. This matter has resulted in a particularly crucial element of this study, regarding the comparisons that can be made between two temporally close definitions. Specifically, the one provided above (that relates to the majority of the United Kingdom as a whole), and the definition of a 'Victim and Survivor' for those involved in the Northern Ireland conflict.

Found in 'The Victims and Survivors (Northern Ireland) Order 2006', Article 3⁹⁰ provides the following criteria for an individual to be known as a 'Victim and Survivor' of the Northern Ireland conflict:

- a) Someone who is or has been physically or psychologically injured as a result of or in consequence of a conflict-related incident;
- b) Someone who provides a substantial amount of care on a regular basis for an individual mentioned in paragraph (a); or
- c) Someone who has been bereaved as a result of or in consequence of a conflict-related incident.

Further, allowing for the matter of psychological injury, this definition includes:

- a) Witnessing a conflict-related incident or the consequences of such an incident; or
- b) Providing medical or other emergency assistance to an individual in connection with a conflict-related incident.

The definition provided above differs from the previous example, as this case does not include the necessity for the 'victim' to suffer from the results of an unlawful act. Instead, this definition establishes that any individual who has been harmed (be it physically, mentally, or economically) as a result of any action conducted in the name of the Northern Ireland conflict will therefore be included within the catch-all terminology of a 'victim and survivor'. With this in effect, the criteria of a 'victim' now includes a much wider range of individuals; specifically, paramilitaries involved in conducting unlawful acts who have been harmed in the process, their families, as well as individuals who experienced lawful state mandated violence are all now included in this legal definition (however the blame for such events are often greatly contested⁹¹).

⁹⁰ Gov.uk. (2006). '*The Victims and Survivors (Northern Ireland) Order 2006*'. 2006 No. 2953 (N.I.17).

⁹¹ Jamieson, R. (2016). '*Framing Blame and Victimhood in Postconflict Northern Ireland*'. In. McGarry, R. Walklate, S. (Eds.). '*The Palgrave Handbook of Criminology and War*'. Palgrave Macmillan. Pp. 175-

The matter of an amoralistic approach to victim recognition has proven to be one of the most controversial matters that has arisen over the last two decades, due to the incredibly politically charged atmosphere of the post-Good Friday Agreement environment. Disputes have formed over groups labelling themselves (or being labelled by others) as ‘real victims’ or ‘innocent victims’, and by doing so, they automatically decree other groups of victims to be ‘non-innocent’.⁹² Whilst public policy surrounding the social reintegration of former paramilitary combatants uses this victim status as a lynch-pin in the efforts to form a degree of stability in the wake of peace settlements, a considerable amount of tension has been produced with those who demand improved retributive and transitional justice policies.⁹³ With this definition in place, multitudes of cases in which the involved individual would not otherwise be considered a ‘victim’ have arisen; from paramilitary members who have died in the attempt to plant an explosive which then mistakenly detonated early; Hunger Strikers who took their own life by denying meals in protest whilst in prison; to those who were killed in an ambush by SAS soldiers in Loughgall whilst detonating an explosive in an effort to destroy the RUC station there.⁹⁴ The Democratic Unionist Party, Northern Ireland’s largest Unionist political party, have always argued that ‘*the current definition of victim, brought in under Direct Rule, is wrong. Terrorists must be excluded from the definition of victim*’.⁹⁵ This study does not seek to state a stance on this debate, but instead seeks to give voice to the opinions of the victims who experienced these events directly, from every side of the community.

Key academics on the matter of transitional justice in Northern Ireland, such as Breen-Smyth, Radford, and Templer, have discussed the issue of loyalist definitions of victimhood at great length. With Radford and Templer arguing that the loyalist definition of ‘innocent victims’ does not go far enough to simply distinguish between those who did and did not bear arms during the conflict, primarily seeking to utilise the term ‘terrorists’.⁹⁶ Breen-Smyth highlights an

176; Belfast Telegraph. (2016). Villiers warns of ‘pernicious’ bid to blame State for Troubles atrocities’. *Belfast Telegraph* Digital. February 11 2016. [Online] [Accessed on: 03/09/2019] [Accessed by: <https://www.belfasttelegraph.co.uk/news/northern-ireland/villiers-warns-of-pernicious-bid-to-blame-state-for-troubles-atrocities-34443161.html>]

⁹² Kulle, D. (2001). ‘*Victims and Survivors: A Study of the Dynamics of the Victims Debate in Northern Ireland*’. In Magowan, J. Patterson, N. (Eds), ‘*Hear and Now... and Then... Developments in Victims and Survivors Work*’. Pp. 79-87. Belfast: The Northern Ireland Voluntary Trust; Fowler Graham, L. (2014). ‘*The “innocent” victims of the Troubles and the enduring impediment to peace in Northern Ireland*’. Trinity College Dublin.

⁹³ Brewer, J. Hayes, B. (2011). ‘Victims as moral beacons: victims and perpetrators in Northern Ireland’. *Contemporary Social Science*, Vol. 6. No. 1. Pp. 74.

⁹⁴ Baumann, M. M. (2010). ‘Contested Victimhood in the Northern Irish Peace Process’. *Peace Review*. Vol. 22. No. 2. Pp. 171-177.

⁹⁵ Democratic Unionist Party. (2014). ‘*Our Key Commitments to Innocent Victims of Terrorism*’. [Online] [Accessed on: 30/09/2019] [Accessed by: http://www.mydup.com/images/uploads/publications/DUP_Victims_White_A5_v3_no_crops.pdf]

⁹⁶ Radford, K. Templer, S. (2008). ‘*Hearing the Voices: Sharing Perspectives in the Victim/Survivor Sector*’. Community Relations Council. Belfast.

example of this issue, given that whilst the Ulster Defence Association was not declared a terrorist organisation until 1992, it was responsible for around 430 deaths, primarily Catholic civilians. Thus, during the period prior to 1992, several political parties would have defined those members of the Ulster Defence Association as worthy of the term 'victim' despite their eventual 'terrorist' title.⁹⁷ This highlights the highly politicised dynamic that has remained prominent in Northern Irish politics and academic discussion today, including the above-mentioned addition of potential perpetrators in the official state definition of a victim and survivor.

To provide a theoretical rationale behind the inclusion of perpetrators and those killed in lawful acts within the legal definition of victims of the Troubles, we will now discuss the theory of 'victim precipitation'. To excuse those injured/killed whilst conducting an unlawful conflict-related violent act (i.e. individuals involved in paramilitary organisations), 'victim participation/blame' in the occurrence of the crime can, in theory, alleviate the responsibility of the perpetrator. In this criminological perspective, the primary victim (i.e. the state and its assets/representatives) advertently or inadvertently provoked the violent action from the perpetrator.⁹⁸ As Morrissey and Smyth highlight: 'both Loyalist and Republican paramilitaries make reference to their status as victims as a context that justifies their respective recourse to armed conflict', using the narrative that they were each defending their own community and/or way of life from aggressors.⁹⁹ This stance allows those involved in criminal acts, that would otherwise cause the perpetrator to be removed from a legal definition of 'victim', to garner sympathy and support within the highly politicised Northern Irish context. Within this context, Heather Hamill¹⁰⁰ highlights that there is no general determination to conform to the rigid categories of [an] 'illegitimate offender' or 'legitimate victim', but instead both sides quote narratives of collective historical injustices to mobilise support and to legitimise their former use of violence.¹⁰¹ There are examples of this dynamic occurring in many conflict zones globally, in which previously victimised individuals become victimisers themselves, as a result of motivations of vengeance and justice, known as the victim-offender overlap.¹⁰² Within the Northern Irish context, author Tony Doherty uses his father's murder by state forces during

⁹⁷ Breen-Smyth, M. (2018). 'Suffering, Victims and Survivors in the Northern Ireland Conflict: Definitions, Policies, and Politics'. De Gruyter. Pp. 49.

⁹⁸ Timmer, D. Norman, W. (1984). 'The Ideology of Victim Precipitation'. *Criminal Justice Review*. Vol. 9. No. 2. Pp. 63-68.

⁹⁹ Morrissey, S. Smyth, M. (2002). *Northern Ireland After the Good Friday Agreement. Victims, Grievance and Blame.* London: Pluto Press. Pp. 5.

¹⁰⁰ Hamill, H. (2002). 'Victims of Paramilitary Punishment Attacks in Belfast'. In Hoyle, C. Younger, R. (Eds.). *New Visions of Crime Victims.* Oxford: Hart Publishing. Pp. 50.

¹⁰¹ Lynch, O. Joyce, C. (2018). 'Functions of collective victimhood: Political violence and the case of the Troubles in Northern Ireland'. *International Review of Victimology*. Vol. 24. No. 8. Pp. 183-197.

¹⁰² Jennings, W. G. Piquero, A. R. Reingle, J. M. (2012). 'On the overlap between victimization and offending: A review of the literature'. *Aggression and Violent Behavior*. Vol. 17. Pp. 16-26.

the Bloody Sunday event to rationalise his taking up of arms against the British state and its' representatives in Northern Ireland. In his own words, he states:

*My journey towards the IRA happened on that day," says Doherty. "I have a very clear memory of the day of the funeral, and thinking that it was only a matter of time. After Bloody Sunday, and the killing of my father, I think a lot of it was predetermined, so it's not that surprising to find that as an 18-year-old I ended up walking down a street in my own city with a bomb in my hand."*¹⁰³

This perspective shows the concept of victim precipitation actively used to explain the use of violence against the state, by referring to themselves and their community as the initial victims of aggression, and that the acts they intended to commit were defensive and reactionary in nature. Whilst the lack of qualifying innocence in the definition of victim and survivor is highly contentious in Northern Irish politics, there can be a degree of explanation provided through the use of victim precipitation theory. This, much like other acts of settlement with paramilitary elements (e.g. prisoner releases) comes from a degree of understanding that an overlap may indeed exist between offenders and victims, and that the state may not be entirely free of blame.

In comparison to the legal discussion above, the following section will discuss the matter of personal definitions of victimhood, and the further debates that exist surrounding it.

Victim recognition/self-recognition

Given how widespread and protracted the conflict in Northern Ireland had been, almost all the population have been affected in some way.¹⁰⁴ However a study conducted in 2003 by Cairns and Mallett shows that the vast majority of people in Northern Ireland do not consider themselves to be victims of the conflict.¹⁰⁵ Less than 12 per cent of the approximately 1000 adults surveyed recognised themselves as victims of the conflict. Interestingly, Catholic respondents were no more likely to self-recognise themselves as victims, when compared to their Protestant counterparts, despite Catholic fatalities being statistically more frequent than

¹⁰³ McClements, F. (2017). "My journey towards the IRA started on Bloody Sunday". The Irish Times. Saturday 7th October 2017. [Online] [Accessed on: 22/01/2019] [Accessed by: <https://www.irishtimes.com/news/ireland/irish-news/my-journey-towards-the-ira-started-on-bloody-sunday-1.3247159>]. For a more personal account of this journey, read his memoir 'The Dead Beside us'.

¹⁰⁴ Dillenburger, K. (2001). "Discovery' and treatment of trauma'. Response. In Hamber, B. Kulle, D. Wilson, R. (Eds.). 'Future Policies for the Past, (Report No. 13).' Belfast: Democratic Dialogue. CAIN.

¹⁰⁵ Cairns, E. Mallett, J. (2003). 'Who are the Victims? Self-assessed victimhood and the Northern Irish conflict'. NIO Research & Statistical Series, Report No. 7. Coleraine: University of Ulster. Pp. 7-27

those of Protestants.¹⁰⁶ Cairns and Mallett suggest that as a result of the intensity and consistency of conflict throughout a period of 30 years, the population of Northern Ireland 'may be setting a stricter criteria for those who are to be accorded the label of 'victim' [and may] choose to describe themselves as victims based on a range of factors not strictly limited to the direct impact of the Troubles on their lives'.¹⁰⁷

Brewer and Hayes¹⁰⁸ categorised the various forms of victim self-identification in Northern Ireland accordingly:

- 'Individual Victims': Those who have experienced victimisation and perceive themselves as victims.
- 'Silent Victims': Those who have experienced victimisation but do not perceive themselves as victims.
- 'Collective Victims': Those who have not experienced personal victimisation but perceive themselves as victims at the group level.
- 'Non-Victims': Those who have not experienced victimisation and do not perceive themselves as victims.

The matter of self-recognition and identification using the term 'victim' is often both a highly contested and personal element of the victimhood experience. With many people who have been affected by The Troubles finding the title as both reductionist and temporal in nature; in that it 'traps them in a specific moment when they experienced loss and it reduces their identification to that experience.'¹⁰⁹ The term 'victim' can also be seen to disempower the individual, implying helplessness and pity, whilst also carrying with it the stigma of mental illness, post-traumatic stress disorder, and feelings of shame.¹¹⁰ With this in mind, the term '*Survivor*' has become increasingly more utilised by victims communities and is seen as politically correct, due to the implication that the individual is moving forward from the event, allowing for development, recovery, and growth in resilience to hardship.¹¹¹ This term allows

¹⁰⁶ Fay, M.T., Morrissey, M., Smyth, M., Wong, T., (1999) '*The Cost of the Troubles Study. Report on the Northern Ireland survey: the experience and impact of the troubles*'. Derry/Londonderry INCORE Coleraine: University of Ulster. Pp. 15

¹⁰⁷ Cairns, E. Mallett, J. (2003). '*Who are the Victims? Self-assessed victimhood and the Northern Irish conflict*'. NIO Research & Statistical Series, Report No. 7. Coleraine: University of Ulster. Pp. 29

¹⁰⁸ Brewer, J. Hayes, B. (2011). 'Victims as moral beacons: victims and perpetrators in Northern Ireland'. *Contemporary Social Science*, Vol. 6. No. 1. Pp. 79-80.

¹⁰⁹ Kulle, D. Hamber, B. (2001). '*Introduction*'. In Hamber, B. Kulle, D. Wilson, R. (Eds.). '*Future Policies for the Past, (Report No. 13)*'. Belfast: Democratic Dialogue. CAIN.

¹¹⁰ Boyle, K. (2014). '"Victims" and "Survivors" of crime: The effects of labelling unwanted sexual experiences on mental health'. Abstract for Presentation on the XVIII ISA World Congress. [Online][Accessed on: 30/09/2019] [Accessed by: <https://isaconf.confex.com/isaconf/wc2014/webprogram/Paper35946.html>]

¹¹¹ Dillenburger, K. Fargas, M. Akhonzada, R. (2006). 'Victims or Survivors? Debate about victimhood in Northern Ireland'. *The International Journal of the Humanities*, Vol. 3. Belfast: Queen's University.

for reflection on self-empowerment and is seen by advocates to create a more positive, mobile and less defeatist connotation.¹¹²

These terms are often exchangeable in standard linguistics; however, it is seen as a personal preference as to which is used, and how the term matches one's own individual experience. This discussion occurs in multiple fields of support (relating to political conflict, sexual violence, domestic violence etc.), however few studies have been conducted outside of Western countries.¹¹³ A rare example of such a study was conducted by Skjelbaek¹¹⁴, who conducted interviews with women who had experienced sexual violence during the war of Bosnia and Herzegovina, finding that these women commonly regarded themselves as both 'victims' and 'survivors', combining the titles to best convey that they both suffered said violence and found their way towards recovery.

Given the highly personal, interchangeable, and often euphemistic nature of the terms, this whilst study may utilise either the word 'victim' or 'survivor' in isolation, it must be noted that they should be considered interchangeable in use. However, outside of their personal use lies a legal matter of significant concern for these titles, both of which had ignited decades of contentious debate that had thrown the Northern Ireland Assembly into standstill for almost exactly three years.¹¹⁵ This specific element will be discussed in greater detail in the following section, discussing matters of victim legislation and policy, and the 'meta-conflict' that has stemmed from this new arena.

Legislation/Policy for Victims

Victim politics is perhaps one of the most prominent elements of the post-Good Friday Agreement era in Northern Ireland. As McGrattan and Lehner accurately highlight, the question of victims in Northern Ireland involves two aspects: 'the overt challenge of meeting legal norms and providing medical and psychological treatment, and the covert task of ensuring political and social understanding, cohesion, and integration'.¹¹⁶ As highlighted in

Pp. 222-231. AND. Dunn, J. L. (2010). 'Judging Victims: Why we Stigmatize Survivors, and How they Reclaim Respect.' USA: Lynne Rienner. Pp. 1-55.

¹¹² Mills, T. (1985). 'The assault on the self: Stages in coping with battering husbands'. *Qual Sociol.* Vol. 8. Pp. 103-123.

¹¹³ Papendick, M. Bohner, G. (2017). "'Passive victim – strong survivor'? Perceived meaning of labels applied to women who were raped.' *PLOS ONE.* Vol. 12. No. 5.

¹¹⁴ Skjaelbaek, I. (2006). 'Victim and survivor: Narrated social identities of women who experience rape during the war in Bosnia-Herzegovina.' *Feminism & Psychology.* Vol. 16. Pp. 373-403.

¹¹⁵ McDonald, H. (2020). 'Northern Ireland assembly reopens three years after collapse'. *The Guardian.* 11 January 2020.

¹¹⁶ McGrattan, C. Lehner, S. (2012). 'Re/Presenting Victimhood: Nationalism, Victims and Silences in Northern Ireland'. *Nordic Irish Studies.* Vol, 11. No. 2. Pp. 42.

previous sections of this chapter, the simple definition of a ‘victim and survivor’ is a matter of hotly contested debate between the political parties within Northern Ireland, as the Northern Ireland Assembly uses a broad-brush approach to its victim definition. The Unionist parties (The DUP, UUP, and TUV) entirely reject the definition within the N.I. Order 2006, using strong rhetoric to oppose it, each stating that ‘*it is immoral that the current definition does not exclude perpetrators*’, ‘*it is morally unjustifiable that those innocent people injured by the actions of terrorists should be placed in the same category as those injured while carrying out acts of terror*’, and they want ‘*to see the perverse definition of victim – which equates the terrorist with innocent victims – changed*’ respectively.¹¹⁷ In contention with these stances, the main Republican and Nationalist parties (Sinn Féin and the SDLP), as well as the centrist Alliance Party, support the current definition and believe that any attempt from the opposition to alter the current definition is an attempt to [try] to *scupper the whole legacy process*’ and that the opposition is ‘*seeking to redraw the definition in order to fit their narrative of the conflict and the past.*’¹¹⁸

This matter began largely during the peace process throughout the 1990s and came to a head in the Good Friday Agreement. Whilst the Agreement sought to resolve a number of issues relating to the conflict, through forming new devolved political institutions, policing reforms, armament decommissioning, and enhancements of human rights, the matter of victim support was left much more vague. It recognised the role and necessity of victims in the possible transitional period, as well as the very real need to provide a refined method of financial and practical support yet did not provide any detail as to how the future government should conduct such a matter beyond providing ‘sufficient resources, including statutory funding as necessary, to meet the needs of victims’.¹¹⁹

Regarding the specific needs of victims of paramilitary conflict, the existing instruments that are in place to closely resemble victims of general criminal activities. In examples provided by Antony Pemberton, the Council of Europe’s guidelines regarding victims of terrorism and victims of crime show that the stated requirements and support methodologies are largely

¹¹⁷ News Letter. (2015). ‘NI parties Q&A: What is your definition of Troubles victim?’ Friday 1st May 2015. [Online] [Accessed on: 26/01/2019] [Accessed by: <https://www.newsletter.co.uk/news/ni-parties-q-a-what-is-your-definition-of-troubles-victim-1-6720327>]

¹¹⁸ Edwards, M. (2018). ‘To equate bomb maker with innocent victim morally wrong and indefensible’: DUP rejects definition of victims in legacy proposals’. *Belfast Telegraph*. October 5th 2018. [Online] [Accessed on: 26/01/2018] [Accessed by: <https://www.belfasttelegraph.co.uk/news/northern-ireland/to-equate-bomb-maker-with-innocent-victim-morally-wrong-and-indefensible-dup-rejects-definition-of-victims-in-legacy-proposals-37387942.html>]

¹¹⁹ Gov.uk. (1998). ‘*The Belfast Agreement*’. 10th April 1998. Pp. 23. [Online] [Accessed on: 26/01/2019] [Accessed by: <https://www.gov.uk/government/publications/the-belfast-agreement>]

similar, further cross-referencing UN Declarations on Victims' Assistance.¹²⁰ However, Pemberton further highlights issues with this similarity, stating that given the differing fundamental nature of criminal activity and terrorist activity, that the guidelines should vary greater, with victims of terrorism requiring specific needs in their support for physical trauma, post-traumatic incident therapy and resilience building, justice efforts, and re-victimisation reduction.¹²¹ Whilst respecting that victims of terrorism likely do require differing frameworks than victims of crime, given that this study focuses entirely on victim experience relating to state institutions (who are of the opinion that the needs between these groups do not vary), this study will treat the victim requirements as being the same between both groups.

From 2005 onwards, the matter of victimhood truly began to become the primary battlefield in the post-conflict era and its' meta conflict (a point of discussion in the following section). As an initial example, Bertha McDougall, the widow of a Royal Ulster Constabulary Reservist, was appointed as the interim full-time Victims' Commissioner in 2005. This posting garnered a large amount of resentment. There were concerns over her impartiality but also around the appointment process since the role had not been advertised to the public. As a result, McDougall's appointment was challenged in the courts on grounds of fairness and lack of due process. The issue was finally resolved in 2008 when the decision was made to appoint four Victims Commissioners, two male and two female with two coming from Catholic backgrounds and two from Protestant backgrounds. McDougall was reappointed as one of the four commissioners.¹²² Despite this attempt at ensuring parity of office across all sectors of Northern Irish society, this office only remained held by four individuals until 2012. This office, like many other aspects of the victim debate in Northern Ireland, has been reflected on as a hotbed for political controversy by academics and political commentators¹²³

A further example of such debate and discussion surrounds the matter of victim remuneration. Much like the previously stated reaction to the formal definition of 'Victim and Survivor' provided in the 'The Victims and Survivors (Northern Ireland) Order 2006', the vast majority of political parties and public commentators piled disdain upon this early attempt at providing payments to victims of the Troubles. The 2009 Report of the Consultative Group on the Past (known as the Eames Bradley Report) underlined the contemporary issues with

¹²⁰ Letchert, R. Staiger, I. Pemberton, A. (2010). *Assisting Victims of Terrorism: Towards a European Standard of Justice*. Springer. Pp.73

¹²¹ *ibid.* Pp. 87-107.

¹²² BBC News. (2008). 'Victims' posts details revealed'. *BBC News*. Monday 28th January 2008. [Online] [Accessed on: 27/01/2019] [Accessed by: http://news.bbc.co.uk/1/hi/northern_ireland/7212044.stm]

¹²³ Graham, L. F. (2014). 'The 'innocent' victims of the Troubles and the enduring impediment to peace in Northern Ireland'. *Shared Space*. Pp. 37; Davenport, M. (2005). 'What defines a victim in NI?'. *BBC News*. [Online] [Accessed on: 19/02/2023] [Accessed by: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/4375816.stm]

legacy and reconciliation matters that should be of primary focus in the coming future. Whilst it recommended such points as an independent legacy commission on matters of reconciliation, justice, and information recovery, it also made the recommendation to provide the nearest relative to all individuals who died as a result of the Northern Irish conflict, from the 1st January 1966, with a single ex-gratia payment of £12,000. Further, this payment was to be entirely separate from any previous or future payments/support opportunities offered to those harmed during the conflict, as well as being unconcerned with the innocence of those benefitting from said payment.¹²⁴ All Unionist parties rejected this unbiased approach, stating that a clear line has to be drawn between 'real victims' and 'perpetrators'. Those in the Nationalist and Republican communities separately found issue with the report, as they believed the Commission would be biased, and that all such matters of legacy should be handled by an independent international body, such as the United Nations.¹²⁵

Victims' rights and opinions have been both championed and utilised for political persuasion throughout the post-conflict period; a prime example of this came from the appointment of former IRA prisoner Mary McArdle as a Special Advisor (SPAD) to Sinn Féin minister Carál Ní Chuilín. McArdle was convicted for the killing of Mary Travers in 1984, and was incarcerated with Ní Chuilín, and drew forth large criticism particularly from the family of Travers, as this was a particularly well-paid position that garnered a considerable amount of political power and were noted as being 'unaccountable gatekeepers that wield significant influence on policy'¹²⁶. Jim Allister of the TUV tabled a Bill that would ban any individual that has served more than 5 years in prison from SPAD posts. This Bill, known as the Civil Service (Special Advisory) Act (Northern Ireland) 2013 (SPAD Act) was granted royal assent in July 2013, and was lauded for its' sense of justice for 'innocent victims' rights being promoted over those who were considered 'victim makers'. Writing on the topic of peace building in Northern Ireland, McGrattan states that policies such as the SPAD Act were 'favouring the rights and needs of victims of violence over and above those of perpetrators'.¹²⁷ However, not all academic discourse agrees with the view that legislation such as those listed above are purely designed with the victims in mind. Hearty posits that the creation of such combative legislation such as the SPAD Act provide little benefit to the victims, instead being tabled to 'benefit only a selectively particularist group of victims by satisfying retributive interests directed towards a

¹²⁴ Northern Ireland Affairs Committee. (2009). *'Report of the Consultative Group on the Past'*. 9th December 2009. London: House of Commons. Pp. 92.

¹²⁵ BBC News. (2009). *'Reaction to Eames/Bradley report'*. [Online] [Accessed on: 27/01/2019] [Accessed by: http://news.bbc.co.uk/1/hi/northern_ireland/7856590.stm]

¹²⁶ Yong, B (2014) *'Who are special advisers?'* In: Yong, B, Hazell, R (eds) *'Special Advisers: Who They are, What They Do and Why They Matter'*. London: Bloomsbury, pp. 2

¹²⁷ McGrattan, C. (2014) *'Peace building and the politics of responsibility: Governing Northern Ireland.'* *Peace & Change*. Vol. 39, No.4 Pp. 519.

selectively particularist group of perpetrators'.¹²⁸ McEvoy and McConnachie state that this Bill typifies the current state of Northern Ireland political discourse, in which there is a 'mismatch between the rhetoric and reality of victim experiences in transitional justice'.¹²⁹ Their view was that these forms of policies benefit only one particular group, in this case victims of Republican paramilitaries, as all Special Advisors that would be affected by this Bill had been appointed by Sinn Féin. Such legislator approaches can be viewed as satisfying antagonistic ambitions against perpetrators whilst not allowing similar opportunities for victims of differing ethno-nationalist backgrounds, due to the authority held by the British state. This reinforces the potential existence of institutionalised hierarchies of victims through the creation of a 'hierarchy of perpetrators',¹³⁰ in which certain perpetrators of political violence face greater condemnation by both society and political institutions than others, not on the grounds of their relative harm caused, but the political position which they advocate.

Hierarchies and Conclusions

The Northern Ireland conflict still echoes within the collective identities of the country, with a population that still holds deep grievances and divisive opinions on the narrative of the conflict itself. Whilst the Good Friday Agreement aided in bringing the Troubles to an end, the combative nature of the conflict has remained, with less focus upon bullets and bombs, but rather in the political arena. As Northern Ireland attempts to continue into a third decade of relative peace, the narrative of the Troubles is still clearly seen as one of the most pivotable elements of this post-conflict period. This is a common case in intrastate conflict zones, particularly as victims attempt to form a narrative that challenges the rhetoric and 'truth' of those organisations that harmed them.¹³¹ We see in the previous sections that a great amount of discussion (both politically and academically) has been conducted in the combating narratives regarding the deeming of some victims as more deserving, worthy, or innocent than

¹²⁸ Hearty, K. (2016). 'Legislating Hierarchies of Victimhood and Perpetrators: The Civil Service (Special Advisors) Act (Northern Ireland) 2013 and the Meta-Conflict'. *Social and Legal Studies*. Vol. 25, No. 3. Pp. 335.

¹²⁹ McEvoy, K. McConnachie, K. (2012). 'Victimology in transitional justice: Victimhood, innocence and hierarchy'. *European Journal of Criminology*. Vol 9. No. 5. Pp. 527-538.

¹³⁰ Hearty, K. (2016). 'Legislating Hierarchies of Victimhood and Perpetrators: The Civil Service (Special Advisors) Act (Northern Ireland) 2013 and the Meta-Conflict'. *Social and Legal Studies*. Vol. 25, No. 3. Pp. 342.

¹³¹ Althoff, M. Dollinger, B. Schmidt, H. (2020). 'Fighting for the "Right" Narrative: Introduction to Conflicting Narratives of Crime and Punishment.' In. Althoff, M. Dollinger, B. Schmidt, H. (Eds.) *'Conflicting Narratives of Crime and Punishment'* Palgrave MacMillan. Pp.1-20. AND. Lynch, O. Argomaniz, J. (2014). 'Meeting the needs of victims of terrorism: Lessons for the international context'. Chapter. 9. IN. Lynch, O. Argomaniz, J. (Eds.) *'Victims of Terrorism: A Comparative and Interdisciplinary Study'*. Routledge. Pp. 142-144.

others by the virtue of their death, their political status, the perpetrator of the act, or often simply by the ethno-nationalist collective to which they belong, even to the point of having brought the Northern Ireland Assembly to a complete stalemate several times over.

The above sections explain what a 'victim' is, first in the wider framing of human society, and then delves into the myriad of issues specific to Northern Ireland and its history of transitional justice. The inclusion of possible perpetrators and their families under the catchall of 'Victim and Survivor' has been (and continues to be to this day) a dominant component of the polarised political landscape. It has resulted in an exceptionally difficult struggle to properly develop an acceptable and all-encompassing legislative foundation to support the large number of individuals that can consider themselves 'Victims and Survivors' of the Troubles.

The lens used on Northern Ireland is a highly public demonstration of the issue of the overarching topic of the 'hierarchies of victimhood', in that certain elements of society are, as Jankowitz summarises, 'less innocent, vulnerable, moral, or perhaps even as deserving their treatment, [and thus] find themselves 'lower' on this hierarchy'.¹³² Within almost every environment which has a history of an 'us-versus-them' mentality, whether in relation to support opportunities, justice efforts, or media coverage, a similar debate exists: competing claims are made regarding victim status and victim virtue. This mentality is a natural extension of the former conflict, also dubbed the new 'meta-conflict'¹³³, in which adversaries must instead find political methods to further their position, continuing the reinforcement of the same partisan attitudes of personal morality and legitimacy, regarding both their past violence but also the victims within their own communities. This fits many known descriptions of victim dynamics in conflict, with the socially constructed 'hierarchy of innocence' that Erica Bouris describes; 'with children at the top and all others recognised in varying degrees based on their conformity to the image of innocent victim.'¹³⁴

As such, with this study's focus on this debate across the entirety of this thesis, this chapter will conclude by highlighting a practical definition of a 'hierarchy of victims' presented by a leading academic in the field, with the intention of referring to it throughout the remainder of this study. Susan McKay, in reference to a Guardian interview with Prof. Roy Greenslade in

¹³² Jankowitz, S. (2018). 'The 'Hierarchy of Victims' in Northern Ireland: A Framework for Critical Analysis'. *International Journal of Transitional Justice*. Vol, 12. Pp. 216-236.

¹³³ A term first coined in: McGarry, J. O'Leary, B. (1995). '*Explaining Northern Ireland: Broken Images*'. Blackwell.

¹³⁴ Bouris, E. (2007). '*Complex Political Victims*'. Bloomfield: Kumarian Press.

1999¹³⁵, constructs the following 'hierarchy of victimhood' during the Troubles (which was referred to in this interview as a 'hierarchy of death'), which this study will be utilising to cross-compare the lived reality of those individual testimonies provided in following chapters:¹³⁶

1. British people killed in Britain.
2. Members of the security forces (whether Army, RUC, UDR).
3. Civilian victims of Republican Paramilitaries (Incl. Prison Officers).
4. Members of the IRA or Sinn Féin.
5. Innocent victims of Loyalist Paramilitaries.

This list highlights, descending from most valuable to least, the theorised order of perceived public worth for victims during the Northern Ireland conflict, formed from the media attention that has surrounded violent events through the Troubles. We can see that murders by the Republican paramilitaries received total scrutiny, and thus their victims were regarded as being of a higher moral value, whilst those conducted by Loyalist paramilitaries or security forces were severely neglected, and subsequently their victims were often considered to have much less merit behind their victim status.¹³⁷ This hierarchy can then be further cross-examined with the aforementioned theory of 'ideal victims', in that within each degree of priority exists further stratification in relation to where ones fits within the normative values of social worth (children/elderly/female at the top, with men of working age and social misfits at the bottom). This matrix of social worth in Northern Ireland will continue to be referenced in the remainder of this thesis, both in its combination and individually.

The following chapter will explain how this study will investigate the lived-reality of different sectors of the Northern Irish victim community, cross-comparing their provided testimonies to better understand how (if at all) these individuals' cultural, political, or religious identities framed their experience of victimhood.

¹³⁵ Greenslade, R. (1999). 'Out of the spotlight'. *The Guardian*. Thursday 1st July 1999. [Online] [Accessed on: 01/02/2019] [Accessed by: <https://www.theguardian.com/uk/1999/jul/01/northernireland.comment>]

¹³⁶ McKay, S. (2008). *Bear in Mind These Dead*. London: Faber and Faber.

¹³⁷ McDowell, S. (2007). *Who are the victims? Debates, concepts and contestation in 'post-conflict' Northern Ireland*. CAIN Institute, University College Dublin.

3. Methodology

Introduction & Methodological Approach

The previous chapter reviewed the various literature and debates surrounding the topic of victims, focusing on how victims have been discussed in criminology generally, in terrorism studies literature, and concluding with the more focused literature related to the Northern Ireland conflict. It highlighted that there are two contentious issues related to victimhood in Northern Ireland; who can be called a victim of the conflict, and whether there exists a 'hierarchy' of victimhood. As such, a clear avenue of potential investigation, or a gap in the literature, was revealed. This study sought to identify evidence to discuss the existence of a disparity in the provision of adequate institutional support and assistance opportunities for victims and survivors of the Northern Ireland conflict, on the grounds of said victims' religious denomination. In other words, did a 'hierarchy of victimhood' in fact exist in Northern Ireland during 'The Troubles', and does it still exist today?

This chapter begins with an explanation of the research design that was utilised whilst undertaking this study, including a breakdown of the rationale and appropriateness of such a method when seeking to investigate the propositions made regarding the above query. Further, elaboration of the investigative method and process, sample selection method, data analysis method, and the ethical considerations behind this study will each be discussed and reviewed. The final aspect that must be discussed prior to analysis is the matter of potential unintended variances in this study's population sample. The details of this variation will be elaborated upon in their entirety at the end of this chapter, providing a lead into the data analysis chapters that follow.

This study sought to record and investigate the experience of individuals that fall under the definition of a 'victim' and 'survivor', as defined in The Victims and Survivors (Northern Ireland) Order 2006¹. As detailed in this legislation, this covers any such individual that '...is or has been physically injured as a result of or in consequences of a conflict-related incident' and 'someone who has been bereaved as a result or in consequence of a conflict related incident'. With this in mind, this investigation can be best defined as a phenomenological study², in that

¹ Gov.uk. (2006). 'The Victims and Survivors (Northern Ireland) Order 2006'. 2006 No. 2953 (N.I.17).

² Groenewald, T. (2004). 'A Phenomenological Research Design Illustrated'. *International Journal of Qualitative Methods*. [Online] [Accessed on: 16/10/2022] [Accessed by: <https://journals.sagepub.com/doi/pdf/10.1177/160940690400300104>]; Bliss, L, A. (2016). 'Phenomenological Research: Inquiry to Understand the Meanings of People's Experiences'. *International Journal of Adult Vocational Education and Technology*. Vol. 7, No. 3. [Online] [Accessed

it seeks to better understand and find evidence surrounding several individuals' lived experiences of an event or phenomenon: political violence related to the Northern Ireland conflict.

The essence of a phenomenological study, in this case concerning the highly subjective experiences of trauma and recovery, is that data is to be collected from both primary and secondary sources. These sources when combined will form a composite description that enables a depth of understanding of how such a group experienced this event, and most importantly to this study, the aftermath. This form of research is best conducted by using a collection of in-depth interviews with select participants.³ An inquiry of this type fits squarely in the frame of qualitative research, enabling a greater understanding of a complex element of discussion with a group or specific population, identifying a depth of variables that could not otherwise be measured by quantitative means.

This form of study is best practiced through the focus on the use of a case study that represents the phenomenon most accurately, specifically the matter of political violence and post-violence support. This study will utilise three individual subject groups within this case study, the security forces community, the Protestant civilian community, and the Catholic civilian community.⁴ Yin states that a case must be bound within physical parameters, such as time and place, using multiple examples of participants within each case study sample to illustrate variances or similarities in those examples presented.⁵ For this investigation, the cases will be bound within the population of Northern Ireland and will be temporally confined to those incidents that occurred in between 1966 and 2005. Further details on this matter will be discussed within the 'Sample Selection Method' section.

The theoretical approach that will provide a foundation for the chosen methodology of this research is that of social constructivism. This approach highlights the utility of the subjective, lived-realities of respondents, finding great importance in their experiences, and the meanings they place upon certain objectives and events. The subjectivity of each respondent is an incredibly important element to this investigation, given the political, historical, and cultural ties that are negotiated to form their thoughts and opinions, creating both personal and distinctive patterns of thought. This allows for a broader form of questioning, enabling the participant to

on: 16/10/2022] [Accessed by: <https://sageprofessor.files.wordpress.com/2017/10/phenomenological-research-inquiry-to-understand-the-meanings-of-peoples-experiences.pdf>].

³ Creswell, J. (2013) '*Qualitative Inquiry & Research Inquiry: Choosing Among Five Approaches*'. Third Edition. Sage Publications: California, United States of America.

⁴ It must be noted that the majority of individuals within Northern Ireland self-identify as either 'Protestant' or 'Catholic', despite their personal beliefs or practises.

⁵ Yin, R. K. (2009). '*Case Study Research: Design and Methods*'. Fourth Edition. SAGE Publications: London.

construct meaning and importance on their own, developing upon their own personal context in which they live and work.⁶ As such, when conducting both this studies' fieldwork method and in analysing the resultant data, social constructivism theory provides a framework of how this study conceptualises and analysis the matters being discussed by each participant. This theory suggests that individual perceptions and knowledge develops through normative, social factors, resultant of the environments, cultures, and societies we prescribe to.⁷ Particular importance was placed on the personal views of this study's participants, whilst framing their significant responses in the historical, social, and cultural settings to better understand why and how their opinions have formed. This theoretical perspective is paramount to this topic of investigation, given the desire to better understand the personal variances that form as a result of the lived-realities of each participant. Each individual may view or experience an event or stimulae in drastically different ways, as a result of their pre-existing understanding and interactions, influencing their perspective on those matters compared within and between subject groups.

Investigative Method

To repeat the goal of this research topic; the intent is to investigate the existence of an institutionalised hierarchy of victimhood within the lived-reality of victims of political violence of the Northern Ireland conflict. This study first examines the monetary and psychological support that victims were offered directly after they became a victim of the conflict (as defined by the Victims and Survivors (Northern Ireland) Order 2006). The study then investigates the experience of the participant regarding their view of the efforts made by the criminal justice system (both the police service and the judicial service), in finding justice for the aforementioned incident. Finally, the topic of media coverage will be discussed, in particular the coverage of both the primary victim and their family (if any) within media publications (e.g. print media or broadcast news media).

By investigating these three distinct elements (each of which has had accusations of hierarchies of victims within Northern Ireland⁸), this study gathered individual experiences and

⁶ Jackson, R. H. Sørensen, G. (2016). *Introduction to International Relations: theories and approaches.* Sixth Edition. Oxford University Press. Pp. 208

⁷ *ibid.*

⁸ Jankowitz, S. (2018). 'The Order of Victimhood: Violence, Hierarchy, and Building Peace in Northern Ireland'. *Palgrave Studies in Compromise After Conflict*. Palgrave Macmillan; Jankowitz, S. (2018). 'The 'Hierarchy of Victims' in Northern Ireland: A Framework for Critical Analysis'. *International Journal of Transitional Justice*. Vol. 12. Pp. 216-236; Ferguson, N. Burgess, M. Hollywood, I. (2010). 'Who are the Victims? Victimhood Experiences in Postagreement Northern Ireland'. *Political Psychology*, Vol. 31. No. 6. Pp. 857-886.

views from a data set of victims. A collection of testimonies enables a greater understanding of the lived reality of the wider groups that they each represent, separate to the official institutional statement on post-incident victim support and representation. Given the exceptionally varied responses that come from such a complex experience as victimhood, the most fitting form of qualitative investigative method is semi-structured interviews, with data gathered through recorded audio. This enables the use of a series of open-ended, non-leading questions, allowing the participant to impart their experiences, behaviours, and understanding, favouring a more personal narrative which is guided by the researcher through non-leading conversation and subject prompts.⁹

A rapport with the participant guides the discussion in a manner that draws forth salient information, alongside the use of an interview question order that best suits the subject, with the distinct intention of reducing the potential stressors that may stem from the topic in question.¹⁰ This in-depth method is more similar to a conversation, creating a more natural and comfortable flow, and thus is less focused upon pre-determined response categories (as in questionnaires), instead using generalised optional questions to guide particular strands of discussion, all while maintaining overall themes.¹¹

A further benefit of allowing the participant to lead the topic is that it reduces the likelihood of the interviewer injecting his or her own biases and opinions into the topic, which is especially important in circumstances in which the researcher is emotionally close to the topic under discussion (to be discussed further within the ethics section). It should be highlighted that whilst a semi-structured interview method is both beneficial and fitting for this particular topic, the comparability across testimonies becomes sacrificed to a certain degree, in exchange for a heightened level of personally relevant information that may cover a wider range of topics.¹² The importance placed upon this theoretical element of semi-structured interviews was the primary design method for the series of questions used to guide each interview. The interview process was planned with branching pathways, used to specifically tailor each participant to the topic under discussion, as well as to 'lift' the participant out of the more sensitive discussion (which is front ended in the interview). This ensures the interview is ended on a more positive note, a necessity when discussing such distressing topics, as it aids in a reduction of potential distress after conclusion. As Ross underlines, this form of research is interested in both the information that the participant can provide about the realities of the topic under investigation,

⁹ May, T. Ed. (2003). *'Qualitative Research in Action'* SAGE Publications: London.

¹⁰ King, N. Horocks, C. (2010). *'Interviews in Qualitative Research'*. SAGE Publications, London.

¹¹ Marshall, C. Rossman, G B. (1999). *'Designing Qualitative Research'*. Third Edition. Sage Publication, California.

¹² Breakwell, G M. (1990) *'Interviewing: Problems in Practice'*. British Psychological Society. Routledge.

but also the manner in which the participant understands and speaks about their experiences and attitudes, forming greater depth to the information provided.¹³

Sample Selection Method

To represent an unknown population, given that there are no confirmed official statistics regarding the number of 'secondary victims' within Northern Ireland, this study looked towards the academic literature surrounding a similar phenomenological case study such as this for guidance in the selection method. Polkinghorne states that to best represent a population in an in-depth qualitative investigation interview series between 5 and 25 individuals provide the best sample size since it ensures an appropriate variance in responses whilst establishing that no additional information can be obtained (and thus not wasting both time and resources), also known as 'saturation point'.¹⁴ With this in mind, the appropriate sample from each of our three subject groups will meet the median between the above stated sample sizes. This project intended to gather 15 participants from both the security forces sector, the Protestant civilian community, and the Catholic civilian community, with an overall total sample size of 45 subjects. Due to limitations resulting from the Covid-19 Pandemic during the participant gathering period, this total was then reduced to 35 individuals, split between 15 security forces, 10 Protestant civilians, and 10 Catholic civilians. Within each set of participants both 'primary' and 'secondary' victims are represented for a stronger range of discussible and comparative data, not only between each sector of the community under investigation but also between each criterion of 'victim'.

The selection of 35 total participants allows this study to gain a substantial knowledge base for this phenomenon, with each interview lasting approximately one hour. The in-depth data gathered on the topic of response to negative events, personal experience in recovery and resilience, and their ability or inability to access psychological and monetary support will be invaluable to the overall product of this studies' evaluation.

Foundationally, all 35 of these individuals must have personal experience of an event that has involved either homicide or attempted homicide, that is confirmed (due to the nature of the target, or the action of a specific perpetrator) to be directly related to the Northern Ireland

¹³ Matthew, B. Ross, L. (2010). *Research Methods: A practical guide for the social sciences.* Pearson Education Ltd.: Essex.

¹⁴ Polkinghorne, D. E. (1989). *Phenomenological research methods.* In R. S. Valle & S. Halling (Eds.), *Existential-phenomenological perspectives in psychology: Exploring the breadth of human experience*. Plenum Press: New York. Pp. 41-60; Fusch, P. I. Ness, L. R. (2015). 'Are We There Yet? Data Saturation in Qualitative Research'. *The Qualitative Report*. 2015. Vol. 20. No. 9. How to Article 1. Pp. 1408-1416.

conflict, whether those involved be the intended target or an unintended casualty. Worthy of note, whilst victims of physical assault fit within the aforementioned definition of a 'victim' and 'survivor' of the Northern Ireland conflict, this study has chosen not to include such participants. Whilst these individuals' victimhood, suffering, and trauma is undeniable, the choice to not include their experiences in this thesis stems from the vast degree of variables that exist within this victim group. The inclusion of their testimonies would greatly reduce the comparative nature of this thesis' findings, unnecessarily complicating the evaluation of results, gaining little salient data, and avoidably placing further individuals at risk of secondary trauma through their participation.

The sample selection process that primarily guided this study was quota sampling (initially 15 per each group), by following a non-probability division of the population of victims into the three specific sub-groups stated above. This was chosen as a result of the understanding that it is nearly entirely impossible to achieve proper randomisation of each group, due to the sensitive nature of the subject under discussion. Only certain individuals will be comfortable enough to discuss matters such as trauma and loss with a stranger, let alone have their experiences noted and analysed, as well as simply having the time and availability to do so. This sampling method focuses on the convenience and best judgement of the researcher (and any third parties aiding in sample gathering), collecting individual testimonies that meet the subject criteria until the desired proportion has been met.

To support this quota sampling method, snowball sampling was also used to meet the necessary criteria and to access respondents that would not otherwise be known/attainable. Snowball sampling utilises an initial smaller number of participants that meet the criteria before they are asked to identify other participants to form part of the study. This process uses positive word of mouth to help participants who would otherwise be uncomfortable discussing such highly sensitive and emotive matters to become more amiable with the concept of taking part in this investigation. The arrangement of further interviews through word of mouth will continue with those further selected individuals until the data saturation point has been reached.¹⁵ This method is a particularly appropriate strategy when the target population under investigation is especially hard to access and is quite tightly defined such as this, combating both access and resource constraints at once.

The initial access to this sample group is through the support of regional non-governmental organisations that offer counselling and welfare advice for victims of the Northern Ireland conflict. In particular, through the aid of advocacy support workers employed by the South

¹⁵ Kumar, R. (2011). *'Research Methodology'*. Third Edition. SAGE Publications: London. Pp. 189.

East Fermanagh Foundation (SEFF) and The Pat Finucane Centre¹⁶, initial contact was provided with participants. These individuals then received an introductory participant briefing to inform them of the goal of this research project, the potential risks, and what they will be asked. Upon confirmation with the subject and following the completed interview, the snowball sampling method was then employed to gather further participants until the quota was met. It must be noted that whilst these two NGO's aided in the initial contact with numerous service users within their network, as a result of the snowball sampling method contact was made with several participants outside of these organisations' user base, not having affiliation with any particular victims' group.

As a point of clarification, consideration was given towards the option of using a purposive sampling method to ensure that the population sample was closely matched to national statistical elements, using the researcher's own judgement to personally search for and recruit interviewees that best matched the population criteria.¹⁷ It was deemed that this ran the risk of introducing errors of judgement when selecting participants, as well as an unintended selection bias, when compared to both quota and snowball sampling methods, in which each participant is accepted if they meet the overarching stratification identified in this research topic.

Nonetheless, potential biases and complications can still occur from this study's method of investigation, which will be discussed in-depth in later sections of this chapter, once all appropriate details have been given on the entirety of the investigative method, including the following section; how such in-depth respondent data will be analysed once it has been gathered.

Data Analysis Method

After 35 total interviews with participants, this study gathered over 50 hours of interview audio, transcribed into nearly 300 pages, totally over 152,000 words of qualitative data. The huge depth of information within this sample clearly necessitated a specific data analysis toolset to properly draw forth salient data, to accurately approach our hypotheses and research question.

¹⁶ More information on these organisations can be found at the following webpages: South East Fermanagh Foundation: <https://seff.org.uk/>, The Pat Finucane Centre: <https://www.patfinucanecentre.org/>.

¹⁷ Lavrakas, P. J. (2008). *Encyclopedia of Survey Research Methods*. SAGE Publications, California. Pp. 148.

To properly analyse this wealth of in-depth, emotive, and personal data this study used a latent level thematic analysis method to segment, categorise, and link aspects of data prior to a final interpretation and conclusion.¹⁸ The best-known scholars in the field of thematic analysis are Clarke & Braun,¹⁹ who describe this analytical tool as a ‘method’, not a ‘methodology’. Simply put, this means that unlike many qualitative methodological tools, it is not tied to any specific epistemological or theoretical perspective, which remains suitable for this investigation’s pragmatic, social constructivist perspective. Through this theoretical and epistemological freedom, thematic analysis is known to provide a highly flexible approach that can be modified for the needs of this study, as well as its ability to transfer to alternative fields of research, as it provides a rich, detailed, and yet complex account of the data gathered.²⁰

Thematic analysis is particularly centred around the process of interpreting and gaining a strong understanding of the words, stories, accounts, and personal explanations of the studies’ respondents. Transcriptions are separated and individually disassembled. The disassembling of data involves the process of identifying salient information and crafting meaningful groups or ‘codes.’ Coding, within qualitative analysis, is defined as ‘the process by which raw data is gradually converted into usable data through the identification of themes, concepts, or ideas that have some connection with each other.’²¹ As such, the primary instrument of this process is the researcher him/herself, in that all judgements regarding coding, themes, contextualising of data, and evaluation is under their control.²² Upon identifying no new themes or avenues of dissection within the data, the researcher can be confident in the coding scheme and continue the process onto further sub-sections of the sample population, increasing validity and transferability of analysis.

Within the field of thematic analysis lies two avenues to the investigation: semantic and latent analysis. Whilst semantic analysis merely looks at the surface and explicit meanings of the data, the use of latent level analysis seeks to ‘...identify or examine the underlying ideas,

¹⁸ Grbich, C. (2007). *Qualitative Data Analysis: An Introduction*. SAGE Publication: London.

¹⁹ Braun, V. Clarke, V. (2006) ‘Using thematic analysis in psychology’. *Qualitative Research in Psychology*. Vol. 3. Pp. 77-101; Braun, V. Clarke, V. (2012) *Thematic analysis*. In Cooper, H. (Ed.), *The Handbook of Research Methods in Psychology*. Washington, DC: American Psychological Association; Clarke, V. Braun, V. (2013) ‘Teaching thematic analysis: Overcoming challenges and developing strategies for effective learning.’ *The Psychologist*, Vol. 26. No. 2. Pp. 120-123.

²⁰ Nowell, L. S. Norris, J. M. White, D. E. Moules, N. J. (2017). ‘Thematic Analysis: Striving to Meet the Trustworthiness Criteria’. *International Journal of Qualitative Methods*. Vol. 16. Pp. 1-13.

²¹ Austin, Z. Sutton, J. (2014). ‘Qualitative Research: Getting Started’. *Can J Hosp Pharm*. Vol. 67. No. 6. Pp. 436-440.

²² Starks, H. Trinidad, S. B. (2007). ‘Choose your method: A comparison of phenomenology, discourse analysis, and grounded theory.’ *Qualitative Health Research*. Vol. 17. Pp. 1372–1380.

assumptions, and conceptualisations that are theorised as shaping or informing the semantic content of the data.²³

To follow Braun & Clarke's framework of conducting thematic analysis, the following process was conducted when engaging the transcribed testimonials from each respondent²⁴:

1. Become familiar with the data,
2. Generate initial codes,
3. Search for themes,
4. Review themes,
5. Define themes,
6. Write-up.

This process organises the initial dataset into meaningful and systematic sections, reducing large sections of contextual data into its base statement, and the sentiments expressed behind it. The process of coding is determined by the research question and hypotheses that guide this topic and was then used to define overall inductive themes. These themes were revised to better understand how they interact and relate with the overall investigation and to each other, before being cross-referenced with the codes and themes created for the separate sub-groups of our sample population.

As thematic analysis draws upon a substantial amount of in-depth data, software programs are commonly used to better account for and process raw data into more manageable forms.²⁵ This investigation placed particular use of both NVIVO (by QSR International Pty Ltd) and Microsoft Excel to handle, categorise, and process the interviews, their data and its' themes, easing the process of generation and cross-comparison. Thematic analysis is considered to be a form of data analysis method that has a number of pitfalls, due to the highly flexible and free-form method of analysis. As stated by Roulston 'thematic analysis is a poorly demarcated and rarely acknowledged, yet widely used qualitative analytic method within and beyond psychology.'²⁶ It is up to the researcher involved in the process of coding and developing themes to produce a valid and truthful evaluation of findings.

For the data conclusion to be considered trustworthy, the researcher must demonstrate that the analysis process has been conducted in a precise, consistent, and exhaustive

²³ Braun, V. Clarke, V. (2006) 'Using thematic analysis in psychology'. *Qualitative Research in Psychology*. Vol. 3. Pp. 84.

²⁴ *ibid.* Pp. 87.

²⁵ Castleberry, A. Nolen, A. (2018) 'Thematic Analysis of qualitative research data: Is it as easy as it sounds?'. *Currents in Pharmacy Teaching and Learning*. Vol. 10. Pp. 807-815.

²⁶ Roulston, K. (2001). 'Data analysis and 'theorizing as ideology'. *Qualitative Research*. Vol. 1. No. 3. Pp. 279-302.

manner, and it is up to the reader to determine the credibility as a result of the researchers process of recording, systematising, and providing full disclosure of the analysis technique as the data is divulged. The process of identifying the most salient themes, recurring statements and language tones, and patterns of thought process that link each of our participants is the most challenging element of this process. To truly refine the conclusions provided in an entirely scholarly form, both the positionality and the ethical quandaries surrounding such research need to be defined, which will be elaborated upon in the following sub-section.

Ethical Concerns

Using human subjects as a source of data always carries along with it a great deal of ethical concerns, a matter that is only amplified by a topic such as personal experiences in grief and recovery. The ethical concerns of this research topic have always been of primary consideration when designing this investigation, given the sensitive and personal nature of the information provided within the testimonials of our participants. The choice of sample population fits within the criteria of a 'vulnerable population', defined simply as 'the disadvantaged sub-segment of the community requiring utmost care, specific ancillary considerations and augmented protections in research.'²⁷ As such required specific parameters to ensure all ethical concerns have been satisfactorily met.

The topic of victim experience draws forth multiple issues of emotional re-traumatisation, requested participant anonymity, and data storage practicalities. Each element of this sub-section intends to clarify those ethical concerns (both for the sample population but also as a researcher in the field) and the approaches that will be utilised to clarify the intended manner of which to ensure academic rigour and to meet the standards of the University of St Andrews.

Obtaining the informed consent of each participant had priority when engaging with each respondent. Participant Consent forms and Research Information sheets were provided to each participant before an interview took place. The participant was made adequately aware of the type of information that was desired from them, why it is being sought, what purpose their information is being used for, and how it will directly or indirectly affect them. Given the vulnerable status of the participant, this ensured that each individual had a clear understanding of the relevant aspects of the topic that they will be questioned on, had an opportunity to ask questions of their own, could request omission of certain topics, and provided ample opportunity to withdraw from the research project altogether. To expand on this latter point, as

²⁷ Shivayogi, P. (2013). 'Vulnerable population and methods for their safeguard'. *Perspectives in Clinical Research*. Vol. 4, No. 1.

all participation was under a voluntary basis, no inducements were used to gather subjects within these sample groups, including no offer of payment for the participants time and involvement.

In the process of gathering sensitive data, many ethical hurdles must be faced. Questions relating to confidential elements may cause emotional harm to the participant. This can also include taking data that a participant may deem an invasion of privacy, such as age, faith, or employment history, as such factors can become relevant to their overall testimony. In response to this matter, full disclosure of the intended topics of conversation was provided prior to the interview beginning, as well as a detailed explanation on how their data will be stored and utilised, in an effort to ensure comfort and allow participants sufficient time to decide if they wish to share such information.

In a further effort to address participant comfort during an interview, the location selected for the interview was an important parameter. All interviews were conducted in a comfortable and secure location, whereby the individual was able to discuss personal matters in an environment that posed reduced risk to their anonymity or privacy. Venues included private meeting halls, social clubs, and cafés chosen by the participant. Further, the participant was given control of the audio recording device, enabling them to have agency over what is (and is not) recorded. They were allowed to turn off or pause the recording if they became uncomfortable or did not wish to have specific personal details or opinions recorded.

Despite these efforts, participant discomfort is a natural and expected response, given the highly emotionally sensitive nature of the topic, which is expected to draw forth memories of trauma and suffering of a highly personal nature. 'Minimum risk' is ensured when confronting this matter, in that the level of discomfort experienced by the participant should not be greater than what could ordinarily be encountered in daily life, surrounding the recollection of such matters. Draucker, Martsof, & Poole provide a method for both identifying significant emotional strain on a participant, as well as the method for handling this distress upon identification.²⁸ Upon confirmation of standard emotional distress identifiers, the protocol for the handling and support of distress in interviews was the following: Distress – Response – Review – Response – Follow Up, which involves the interview immediately ending (entirely or temporarily), the participant receiving adequate and appropriate support through contact with emotional support professionals, and that their emotional status is brought back within acceptable parameters.²⁹ At the end of each interview, the participant was provided with

²⁸ Draucker, C B. Martsof, D S, Poole C. (2009). 'Developing Distress Protocols for research on Sensitive Topics'. *Archives of Psychiatric Nursing*. Vol. 23. No. 5. Pp 343-350.

²⁹ *ibid*.

contact details (both a telephone number and website) were they may access emotional support, and was advised to use said contact details if they experience any later emotional distress as a result of the interview process.

In regard to the desired confidentiality and anonymity of participants, each individual was provided with the opportunity to choose to either be referred to by their name within this study or alternatively have had their details omitted, wherein they were referred to by their interview number (e.g. INT7). Providing confidentiality in these cases are of the utmost priority in the design of this investigation, since many participants have been targeted by paramilitary organisations in the past as a result of their political, cultural, religious, or professional affiliations. As a result, any publication of this individuals' names or any identifying features of their testimony may risk the continued safety of the participant.

Whilst every effort was made to remove all identifying features of an interviewee from their interview transcript, in the case studies under discussion in this thesis, it is difficult to entirely fulfil the promise of full anonymity, given the full, rich and highly personal nature of the gathered data.³⁰ Due to Northern Ireland being a country with both a relatively small population and area of land, with tight knit communities that pay close attention to conflict related matters, it's possible that even where participants biographical information was omitted, that the details of their ordeal could lead to them being identified. As such, special care and attention was taken to ensure that any such specific details that would put the anonymity of the participants at risk were not included in thesis.

A further level of risk exists in the handling of both physical and digital data both before and after any intended publication of this investigation. The storage of all testimonies followed a specific, secure procedure to ensure the safety and anonymity of all participants involved; all digital files, including transcriptions and audio files, were stored on a portable physical storage device, which in turn was stored in a secure location, remaining locked during such times that the files are unused. Alongside this, any further physical data of a sensitive nature (i.e. subject names, addresses, contact details, physical transcription copies, audio recording devices) followed this same procedure, and thus was stored in the same secure location, also kept under lock and key.

The next ethical quandary that this study faces is the matter of bias, both in the results and the sample selection. Bias is defined as the deliberate attempt to either hide findings in a study or to highlight something disproportionately to its true existence.³¹ When studying a social group

³⁰ Mason, J. (1996). *'Qualitative Researching'*. First Edition. London, Sage Publications Ltd.

³¹ Kumar, R. (2011). *'Research Methodology'*. Third Edition. SAGE Publications: London.Pp. 287.

that holds similar emotional or political viewpoints to the researcher, it is incredibly important to ensure that one individual group does not experience an 'over-rapport', forming a natural bias to the line of questioning and the analysis thereafter.³² This disproportionate affiliation with one side of the investigation can lead to harmful results to the overall validity of any findings, and as such, all efforts were made to ensure that each sample group was offered an equal opportunity to have their opinions heard without bias in either their line of questioning or the analysis thereafter.

The status of an insider/outsider for the researcher towards a singular participant group is exceptionally important for proper representation. Innate bias and the background of the researcher involved is a recognised element in qualitative research, and is often used to shape the interpretation, as the researcher 'positions' him/herself within the case study. This enables the reader to understand and confirm the writers own personal, cultural, and historical experiences on the topic.³³ This positionality is of utmost concern when assessing issues that the subject may be fearful of disclosing, and through establishing rapport and representing the true voice of the participant without stereotyping or using labels that the participant does not embrace, and acknowledging opinions that may differ from that of the researcher involved. In short, all efforts possible were made in ensuring that a stance of 'empathic neutrality' was maintained.³⁴

Whilst the ethical concerns lie at the forefront of a study with such emotive and sensitive matters at its core, all efforts have been made to meet the issues of obtaining consent, participant distress, confidentiality and data security, and potential biases. As such, this study entirely followed the guidelines set in place by the University of St Andrews Teaching and Research Ethics Committee (UTREC).³⁵

Participant Self-Selection

This section will investigate the matter of self-selection amongst the volunteer participants involved in this study and whether any bias has resulted from the subject recruitment method. At the outset, this study planned to investigate the comparative experiences of Catholic civilian, Protestant civilian and security force victims of the conflict in their accessing of victim

³² Lee, R. (1993). *'Doing Research on Sensitive Topics'* SAGE Publications: London.

³³ Funder, M. (2005). 'Bias, Intimacy and Power in Qualitative Fieldwork Strategies'. *The Journal of Transdisciplinary Environmental Studies*, Vol. 4. No. 1; Whitehead, T. L. (1980). 'Identity, Subjectivity and Cultural Bias in Fieldwork'. *Journal of Black Studies and Research*. Vol. 7. No. 1. Pp. 40 – 87.

³⁴ Patton, M. Q. (2002). *'Qualitative Research & Evaluation Methods'*. Third Edition. SAGE Publication: London. Pp. 49.

³⁵ See Appendixes for Ethical Approval.

support. Once the process of participant recruitment and interviewing had begun, an interesting trend was noted that cut across these initially targeted demographic groups. A significant number of participants alleged that the incidents that led them to become victims had involved either security force collusion, or a miscarriage of justice through the deception of the public by some element of the state. This represents 9 of the total 35 participants (4 Protestant civilians, 4 Catholic civilians and 1 security force respondents). Within the victim community this group provides a distinct outlier to the overall victimhood experience, and as such creates deviation within each individual data set.

This study refers to the act of collusion in the context of Northern Ireland as ‘the involvement of state agents (members of the police, army, prison and intelligence services) or state officials (government ministers, legal officers, civil servants), directly or indirectly, through commission, omission, collaboration or connivance, with armed non-state groups or agents, in wrongful acts usually (although not exclusively) involving or related to non-state political violence and extra-judicial killing’.³⁶ Miscarriages of justice, in the context of this thesis, specifically refers to both ‘errors of due process’ and ‘errors of impunity’ as forms of miscarriage of justice. An error of due process is defined as ‘unwarranted harassment, detention or conviction, or excessive sanctioning of people suspected of crime’³⁷, whilst an error of impunity is defined as ‘a lapse of justice that allows a culpable offender to remain at large’.³⁸ Examples of this, in the context of Northern Ireland, are the events of 9-11th August 1971’s ‘Ballymurphy Massacre’³⁹ and 30th January 1972’s ‘Bloody Sunday’,⁴⁰ due to the victims of these events being inaccurately deemed as guilty for Troubles-related offences, and all efforts to find justice formerly being impeded by the British Government.

The 9 cases that were identified involved either an agent of the state aiding a paramilitary group in conducting or remaining unindicted for the offense, an agent of the state directly involving themselves personally in an illegal activity, or the withholding of vital evidence necessary for prosecution of an illegal activity by an agent of the state. Due to the clandestine nature of collusion, it is entirely unknown truly how many cases of violent deaths in the Northern Ireland conflict involved collusion, and as such there is no way to formulate a ‘recommended’ sample size. However, with over 25% of this data sets’ respondents stating that their personal experience of Troubles-related violence involves collusion by elements

³⁶ McGovern, M. (2019). *Counterinsurgency and Collusion in Northern Ireland*. London: Pluto Press. Pp. 4.

³⁷ Forst, B. (2004). *Errors of justice: Nature, sources, and remedies*. New York: Cambridge University Press. Pp.10

³⁸ *ibid.* Pp.23

³⁹ BBC News. (2021). *‘Ballymurphy Inquest: ‘A cry of horror I’ll never forget’* 11 May 2021.

⁴⁰ Cavendish, D. (2022). *‘Bloody Sunday 50th anniversary: ‘Jackie was a typical teenager, up for pranks and the craic’*. *The Telegraph*. 30 January 2022.

within the security forces, it can be debated whether this ratio is reflective of the true reality of the conflict. This project will be working with the assumption that this is a higher ratio than occurred nationally, and that in the process of gathering subject testimonies a certain degree of unintended selection bias occurred.

The definition of selection or volunteer bias is *'a specific bias that can occur when the subjects who volunteer to participate in a research project are different in some ways from the general population'*⁴¹, which inadvertently causes a reduction in the representativity of a particular data set due to the less-than-random aspect of their recruitment.⁴² Selection bias is of particular note in the study of any distinctly politicised field, and particularly in a case such as the Northern Ireland conflict, with ongoing investigations, campaigns for justice, and general feelings of dissatisfaction in and disenfranchisement from not only the criminal justice system, but many elements of official state conduct by victims who allege to have suffered collusion or miscarriages of justice.⁴³

To place this observation into further context, an individual who has allegedly experienced substantial personal injustice would be more likely to volunteer themselves for an opportunity to publicise their personal experience more widely, if they believed that such an opportunity would provide greater endorsement or public recognition of their particular agenda, campaign, or trauma. Whether this is in an attempt to right the wrongs they feel they have experienced regarding support opportunities, victim recognition by media sources, justice, or as a counter to the general sense of dissatisfaction that comes from the misfortune of being one of those who suffered the tragedy of victimisation. Furthermore, it is highly understandable that those individuals that allege collusion or a miscarriage of justice would access victim and survivor groups to advocate on their behalf when actively seeking justice. As this study primarily used these groups for its' subject selection, it is likely that this also aids in the explanation as to why an increased number of this victim group was present in our sample.

The political dimension of victimhood in Northern Ireland, especially regarding the deeply entrenched tribalism that has been experienced in the Post-Good Friday Agreement era of

⁴¹ Salkind, N. J. (2012). *'Encyclopedia of Research Design'*. Volunteer Bias. SAGE Research Methods. [Online] [Accessed on: 17/08/2021] [Accessed by: <https://methods.sagepub.com/reference/encyc-of-research-design/n492.xml>]

⁴² Catalogue of Bias Collaboration, Brassey, J. Mahtani, K. R. Spencer E. A. Heneghan, C. (2017). *'Volunteer bias'*. Centre for Evidence-Based Medicine. University of Oxford. [Online] [Accessed on: 17/08/2021] [Accessed by: <http://www.catalogofbias.org/biases/volunteer-bias>]

⁴³ Finucane, G. (2015). 'GERALDINE FINUCANE, WIDOW OF MURDERED HUMAN RIGHTS LAWYER PATRICK FINUCANE'. In. Joint House and Senate Hearing. (2015). 'NORTHERN IRELAND: STORMONT, COLLUSION, AND THE FINUCANE INQUIRY'. Commission on Security and Cooperation in Europe. One Hundred Fourteenth Congress. 18th March 2015. U.S. Government Publishing Office.

politics (also known as the new 'meta-conflict'⁴⁴, as stated in the previous chapter), increases the likelihood of selection bias resulting in a particular politicalised disposition within our testimonies. Through the realities of this studies' methodology, we see that this issue is likely a result of the use of a snowball sampling method. When making a request to each participant for recommendations of potential volunteers this study observed a clear trend in contributors that closely resembled a similar participant experience or political agenda to the previous participant, saturating the data set with one specific victim experience than could potentially be present otherwise.

In this section, this study has identified a series of elements that has the potential to have the risk of reducing the efficacy of its data analysis, due to the manner in which the participants were identified and recruited. Whilst the topic of selection bias is a concerning one, in that an inadvertent misrepresentation of the overall data set may occur due to the overrepresentation of a particular political, this occurrence has the benefit of involuntarily creating a fourth distinct subject group amongst the three that were initially intended in the subject recruitment strategy. As such, amongst each of the upcoming data analysis chapters; 'Practical Victim Support', 'Justice', and 'Media Coverage', this study will be able to compare the experiences and opinions of the pre-existing subject groups with those in each group that reportedly experienced collusion or miscarriages of justice by entities within the British Government.

Conclusion

Concluding this chapter, after conducting 35 interviews utilising both a quota and snowball sampling recruitment method, this study ran the legitimate risk of having a reduced degree of data validity when conducting its analysis due to the inclusion of a variable group of participants. As both of the above approaches are non-probability sampling methods, in that the researcher recruits a subject based on the degree to which the subject fits into a particular group, as well as those individuals that the subject recruits on the researchers' behalf, the overall sample is less-than-random and as such ran the risk of being less representative of the overall population in question. With 9 participants alleging to have had collusion or miscarriages of justice by the state involved in their experience of victimhood, we can rightfully believe that this project has experienced a degree of subject selection bias, due to the (likely) over-representation of collusion and miscarriage of justice victims in this subject sample. Whilst the issue of one individual political viewpoint being over-represented is to be considered a matter of concern, this research instead includes those testimonies that make these

⁴⁴ McGarry, J. O'Leary, B. (1995). *Explaining Northern Ireland: Broken Images*. Blackwell.

allegations as a fourth sector of victim experience testimony, treating this experience as its own classification for cross-comparison in the upcoming data analysis chapters. With an example of a testimony that includes an allegation of collusion or miscarriage of justice by the state being present in each of our three stratified subject groups, with a ratio of 1/4/4 in the security forces, Protestant civilians, and Catholic civilians respectively, this provides an unintended but welcome opportunity for further comparison than was initially intended by this project.

Though there has been concerns raised by the above aspects regarding the validity of these participants within of the subject sample, this project will instead continue with these elements integrated into its' analysis procedure. This study benefits by utilising these participants' differing perspectives in a comparison to the remainder of the subject sample, to provide a more nuanced set of conclusions. By this rationale, this research presents that not only does this data set provide an approximated representation of the overall national victim and perpetrator statistics of the Northern Ireland conflict, but also provides access to several groups that have been under-represented in larger qualitative victims' studies, particularly those who allege to collusion or miscarriages of justice in their testimony.

Across the following three chapters this study will now compare the testimonies provided by its' participants, within the individual contexts of practical victim support opportunities, the efforts to find justice for the event(s) in question, and their experience of third-party support via media coverage. These chapters will be sub-divided into the testimonies of each stratified subject groups, before being concluded with a cross-comparison of the subject experiences and opinions, analysing the differences (if any) between subject experiences within.

4. Analysis: Practical Victim Support

Introduction

In this chapter, we will investigate the practical support opportunities made available to our four victim groups: security force victims, Protestant civilian victims, Catholic civilian victims, and victims of collusion and miscarriages of justice. Through these individual sections, this chapter will highlight a number of inadequacies and variances in the British Government's approach to supporting victims in Northern Ireland throughout the length of the Troubles. These inadequacies are highlighted best through the voices of those who experienced them; the victims themselves, whilst cross-referencing statements and studies made within the academic community. This chapter will then be concluded with an overarching cross-comparison between the reported experiences of these communities, observing the variances in their lived realities, identifying the trends present and enabling a conclusion to be drawn.

When this study utilises the term 'practical support opportunities', it is defined in the short-to-medium term, pragmatic responses that can be offered to a victim after a violent event or the loss of a loved one. In practice, Lynch and Argomaniz define these forms of immediate intervention (whether by official or unofficial channels) as 'medical', 'psychological', 'financial', and 'occupational' support opportunities, which this study will utilise as part of its' working definition going forward.¹ Unless applicable to the participant's testimony through its' exceptional circumstances, this project will not be investigating the immediate medical support provided to a victim that survived their incident(s). It is largely established that the emergency medical treatment administered to the vast majority of victims during the Northern Ireland conflict was of a high quality and was made equally available to all sectors of the community.² With this in mind, in the case of those participants who survived their attack, it is their recovery period that is of greatest interest to this study. This period follows directly after the wounds they received are medically stabilised, and the receiving of treatment for chronic physical or psychological issues begins. Within these case studies, it is the dispersion of this aid (if at all made available) amongst each stratified subject group that will be investigated.

¹ Lynch, O. Argomaniz, J. (2017). 'Victims of terrorism and political violence: identity, needs, and service delivery in Northern Ireland and Great Britain' *Terrorism and Political Violence*. Vol. 29. No. 3. pp. 464-482.

² Breen-Smyth, M. (2013). '*Injured and disabled casualties of the Northern Ireland conflict: issues in immediate and long-term treatment, care and support.*' *Medicine, Conflict and Survival*, vol. 29, no. 3, pp. 244–266.

To better understand what each of our participants were entitled to and what they were potentially denied, we must first delve into the government legislation that dictated these practical support opportunities. Over the 30-year period of the conflict, the legislative framework that enabled victim support changed greatly. In particular, the participant testimonies within this study present Troubles-related events ranging between the years 1966 to 2005, with several changes in the appropriate legislation occurring during this period. In chronological order, the following governmental legislation will be the framework with which each testimonies' provision of compensation will be compared, including personal injury and damage of property:

- *The Criminal Injuries to Persons (Compensation) Regulations (Northern Ireland) 1969*³
- *The Criminal Injuries to Property (Compensation) Act 1971 (Date of Commencement) Order (Northern Ireland) 1973*⁴
- *Criminal Injuries (Compensation) (Northern Ireland) Order 1977*⁵
- *Criminal Damage (Compensation) (Northern Ireland) Order 1977*⁶
- *Criminal Injuries (Compensation) (Northern Ireland) Order 1988*⁷
- *The Criminal Damage (Compensation) (Northern Ireland) Order (Northern Ireland) 1990*⁸

This series of legislation specifically offer compensatory payments to a surviving victim or their dependents, payable from the state, in the event that an individual and/or their property sustains criminal damage. These payments are specifically intended to remunerate pecuniary loss suffered as a result of property damage, or that is resultant of the victim's injury or death. Given the nature of this topic and the personal harm, threat, and familial loss that is the focus of these testimonies, it is the former of these two cases that are of particular interest to this study. In the event of a successful application for compensation, lump sum payments are provided to remunerate costs incurred, including medical costs, and familial loss of earnings as a result of injury/death, upwards of 4/5^{ths} of the victim's salary for the six months preceding the event. Further, a discretionary bonus lump sum payment of upwards of £5,000 for

³ *The Criminal Injuries to Persons (Compensation) Regulations (Northern Ireland) 1969* (1969). Parliament: House of Commons. Bill no. 17. London: The Stationery Office. Pp. 83

⁴ *The Criminal Injuries to Property (Compensation) Regulations (Northern Ireland) 1973* (1973). Parliament: House of Commons. Bill no. 185. London: The Stationery Office. Pp. 981

⁵ *Criminal Injuries (Compensation) (Northern Ireland) Order 1977*(1977). Parliament: House of Commons. Bill no. 1248. (N.I. 15). London: The Stationery Office.

⁶ *Criminal Damage (Compensation) (Northern Ireland) Order 1977* (1977). Parliament: House of Commons. Bill no. 1247. (N.I. 14). London: The Stationery Office.

⁷ *Criminal Injuries (Compensation) (Northern Ireland) Order 1988* (1988). Parliament: House of Commons. Bill no. 793. (N.I. 4). London: The Stationery Office.

⁸ *The Criminal Damage (Compensation) (Northern Ireland) Order (Northern Ireland) 1990* (1990). Parliament: House of Commons. Bill no. 25. London: The Stationery Office.

widows/widowers and £500 for each child, if the victim died before 10th December 1981, or £10,000 and £1,000 respectively if the victim died after this date.⁹

Whilst a number of practical changes were made between the above legislation (e.g. the adjustment for inflation), the most consistent element among the compensation is that the payments are intended to renumerate losses incurred upon the victim (and their family) as a result of their injury, rather than as acknowledgement of harm done. It is clear that developments were made in the provisions within these legislation as gaps in potential beneficiaries were discovered within the service. For example, between the Criminal Injuries Orders of 1977 and 1988, further allotment of payments for more intangible harm was added: (iv) his pain and suffering and loss of amenities; (v) certain consequences of rape in accordance with Article 9, both of which were not included in the preceding Order. An initial attempt at specifically providing compensatory payments for mental harm also can be seen in 1988, with many excessive caveats included. As Article 2(2) of the 1988 Order states, 'injury' is newly defined to include '... any impairment of a person's physical or mental condition...', however potential compensation is greatly confined by the exclusions later included in Article 5(12) of this Order. Unless experiencing all 3 of the following consequences of a violent incident, no compensation shall be paid:

- a) the injury amounts to a serious and disabling mental disorder;
- b) he sustained the injury by virtue of being present when that act was committed;
- and
- c) the amount of compensation which, but for this sub-paragraph, would be payable by virtue of Article 3(2)(a)(iv) (his pain and suffering and loss of amenities;) in respect of that injury is at least £1,000.

Given the incredibly conditional requirements of this act, including aspects that are entirely up for personal interpretation, the likelihood of an individual being deemed eligible for this compensation is very low. As Greer notes in his review of this Order, 'it seems difficult to avoid the conclusion that article 5(12) is a classic example of "overkill", the effect of which is made all the more arbitrary by its limited application to one head of compensation'.¹⁰ We can clearly see evidence that throughout the majority of this conflict, the concept of mental trauma (and support for such invisible injury) was underdeveloped within governmental legislation.

⁹ These discretionary payments are to be approved by the Secretary of State if he considered it to be in the public interest to do so.

¹⁰ Greer, D, S. (1988). 'The Criminal Injuries (Compensation)(Northern Ireland) Order 1988 Comments and Notes'. Northern Ireland Legal Quarterly. Vol. 39, No. 4. Pp. 376.

It was not until 2002 that compensatory legislations surrounding 'mental injury' (defined as 'a disabling mental illness confirmed by psychiatric diagnosis') was wholly included for consideration for compensation. Comparatively to the above 1988 Order, *The Criminal Injuries Compensation (Northern Ireland) Order 2002*¹¹ now listed any of the following three circumstances as applicable for compensation:

- [The applicant] was put in reasonable fear of immediate physical harm to his own person.
- [The applicant] had a close relationship of love and affection with another person at the time when that person sustained physical or mental injury (including fatal injury).
- [The applicant] was involved in a professional capacity in containing, limiting or remedying the consequences of a crime and either:
 - (a) ...was, or reasonably believed himself to be, exposed to exceptional danger, or
 - (b) ...had a reasonable fear that someone with whom he had a close relationship of love and affection had been killed or seriously injured.¹²

Given the late date of this legislation (2002) in relation to this studies collection of interviews (which concludes at 2005), most of our participants were not eligible to receive this form of financial support for the majority of their victim experience. As such, whilst this positive development was made in supporting those who suffered less physically tangible injuries, it was often too late for those who have had their life trajectory irrevocably changed.

Further to the above legislation, relating to those individuals within this studies' security forces victim group, specifically those members of the Royal Ulster Constabulary, the following regulations were in place during the events of the Northern Ireland conflict. The following legislation each included an 'injury award', provided in the case of an officer's disablement (permanent or temporary) in the line of duty, and a lump-sum compensation and widows' (and later widowers') pension in the event of their death in the line of duty:

- *The Royal Ulster Constabulary Pensions Order (Northern Ireland) 1949*¹³
- *Police Act (Northern Ireland) 1970*¹⁴

¹¹ *The Criminal Injuries Compensation (Northern Ireland) Order 2002* (2002). Parliament: House of Commons. Bill no. 796. (N.I. 1). London: The Stationery Office.

¹² Department of Justice. (2002). '*NI Criminal Injuries Compensation Scheme 2002*'. 29th April 2002.

¹³ *The Royal Ulster Constabulary Pensions Order (Northern Ireland) 1949* (1949). Parliament: House of Commons. Bill no. 211. London: The Stationery Office.

¹⁴ *Police Act (Northern Ireland) 1970* (1970). Parliament: House of Commons. Chapter 9. London: The Stationery Office.

- *The Royal Ulster Constabulary Pensions Regulations (Northern Ireland) 1988*¹⁵

For those serving in the Ulster Defence Regiment, *The Armed Forces Pension Scheme (1975) (AFPS 75)*¹⁶ was in place, a largely similar provision to the above listed legislation, but instead within the boundaries of the British Armed Forces' specific legislation.

These 11 pieces of legislation (and their various amendments) provide the foundation of our investigation, regarding the provision of compensation that each individual victim (or their family) was entitled to as a result of their bodily harm or the destruction of their property, in the event of a criminal act within Northern Ireland. It is through these compensation schemes being made available to all citizens of Northern Ireland that have experienced 'criminal damage' or 'criminal injury', that enabled the opportunity for these testimonies to be cross-referenced, analysing key trends amongst our four stratified groups. The intention of this comparison is to gather data to enable a discussion regarding the alleged institutional hierarchy of victimhood amongst the religious/cultural denominations of Northern Ireland during the Troubles. This will be done by establishing if a variance existed in the user experience of victim services amongst this studies' participants, specifically based on the sectarian biases.

On the topic of psychological/mental health support opportunities in the aftermath of a traumatic event, only a singular piece of governmental legislation can be attributed to this study's investigation: *The Mental Health (Northern Ireland) Order 1986*¹⁷. This piece of legislation was largely focused on the removal of patient autonomy and forcibly instilling guardianship in the event of the insistence of a medical professional if psychological harm was deemed severe enough to warrant drastic action. Under a medical practice review known as the 'Bamford Review', initiated in October 2002 by the Department of Health, Social Services, and Public Safety, it was concluded that this legislation was not fit for purpose. This was primarily due to this legislation not complying with principles of patient autonomy, justice, or human rights, and that general mental health provision during this period in Northern Ireland was largely not fit for purpose and was unnecessarily unfocused for a topic that is extremely complex.¹⁸

¹⁵ *The Royal Ulster Constabulary Pensions Regulations (Northern Ireland) 1988 (1988)*. Parliament: House of Commons. Bill No. 374. London: The Stationery Office.

¹⁶ Ministry of Defence. (2015). '*Armed Forces Pension Scheme 1975*'. Veterans UK. February 2015.

¹⁷ *The Mental Health (Northern Ireland) Order 1986 (1986)*. Parliament: House of Commons. Bill no. 595. (N.I. 4). London: The Stationery Office.

¹⁸ Department of Health. (2007) '*Bamford Review of Mental Health and Learning Disability*'. [Online] [Accessed on: 26/01/2022] [Accessed by: <https://www.health-ni.gov.uk/articles/bamford-review-mental-health-and-learning-disability>]

Prior to the substantial revisions made to this legislation (which are still in effect today)¹⁹, that which would now be recognised as more common health support opportunities (e.g. counsellors, sponsored support groups, paid leave from employment) were not provided on an institutionalised, governmental level. As such, the opportunities that were made available to victims were on a case-by-case basis by medical professionals and third-party non-governmental organisations²⁰; an element that will be highlighted further among the many testimonies within this chapter. It must be noted that academic studies published at the time of the introduction of this legislation in its original form commented upon both the lack of development in understanding and measuring of PTSD symptoms and systematic assessment in trauma-affected populations. It was commented in this study that ‘PTSD is not a concept familiar to Northern Irish doctors’²¹, as well as a general reluctance to confront the ‘social and political issues raised by violence and civil unrest’ relating to psychological health, attempting to present more optimistic assessments than exist in reality.²²

In post-Troubles Northern Ireland, the combination of the previous lack of available mental health support and the long-lasting levels of violence previously experienced by large sections of the community led to several ill effects on the population. Northern Ireland was noted in 2017 as having the highest levels of mental ill health in the entirety of the United Kingdom, with 1 in 5 adults and around 45,000 children having a mental health problem at any one time.²³ The severity of mental health issues in Northern Ireland has become a common topic of research during the Post-Good Friday Agreement period, due to the higher than average reported numbers of psychological morbidity (clinically diagnosed anxiety combined with depression) and suicide.²⁴

¹⁹ Alterations were made to this piece of legislation throughout the early 2000’s following the aforementioned Bamford Review, with the most recent revisions being made in April 2022.

²⁰ O’Neill, S. Heenan, D. Betts, J. (2019). ‘*Review of Mental Health Policies in Northern Ireland: Making Parity a Reality*’. Ulster University. June 2019.

²¹ Loughrey, G. C. and Curran, P. S. (1987) ‘The psychopathology of civil disorder’, in Dawson, A. M. and Besser, G. M. (eds) *Recent Advances in Medicine*. Churchill Livingstone, Edinburgh. Pp. 14.

²² Gallagher, A. M. (1987) ‘Psychological approaches to the Northern Ireland conflict’. *The Canadian Journal of Irish Studies*, Vol. 13, No. 2, Pp. 21

²³ Betts, J. Thompson, J. (2017). ‘*Mental Health in Northern Ireland: Overview, Strategies, Policies, Care Pathways, CAMHS and Barriers to Accessing Services*’. Research and Information Service Research Paper. Northern Ireland Assembly. [Online] [Accessed on: 27/01/2022] [Accessed by: <http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2016-2021/2017/health/0817.pdf>]

²⁴ O’Reilly, D. Stevenson, M. (2002). ‘*Mental health in Northern Ireland: have “the Troubles” made it worse?*’. Public Health Policy and Practice. Mental Health in Northern Ireland. Pp. 488-492; CVSNI. (2012). ‘*Troubled consequences: A report on the mental health impact of the civil conflict in Northern Ireland*’. Bamford Centre for Mental Health and Wellbeing. University of Ulster. Northern Ireland Centre for Trauma & Transformation and Compass. Pp.13

As such, given the academically and professionally agreed upon inadequacy of mental health provisions²⁵, this study will compare the testimonies within these sets of participant testimonies to gauge whether a particular sector of the community was disproportionately affected by its' absence, and the degree to which that has changed over time, if at all. Further, alongside this more inconspicuous form of traumatic harm is the overt issue of long-term, chronic injury welfare that is necessitated through surviving a physical attack (whether that be bomb blast or gunshot damage, loss of limb(s), loss of hearing and vision, or a less visible form of physical harm). This will be discussed where applicable in the following sections of this chapter.

Within this study's three original interview groups, there has been three differing forms of victim/survivor identified; those who were directly attacked and survived unharmed (either on one or multiple occasions), those who were attacked and survived the event, but suffered injuries in the process, and those participants who lost a loved one as a result of an attack. As such, differing legislation becomes applicable to each individual testimony, based on whether they were primary or secondary victims, or whether they suffered physical harm as a result of their particular incident(s).

The experiences related through these testimonies will provide us with potential signifiers of a hierarchy of victimhood in Northern Ireland. Beginning with those participants from the security forces, followed by Protestant civilians, Catholic civilians, and finally victims of alleged collusion and miscarriages of justice. The most salient participant experiences will be detailed and evaluated, concluding with a statement on the trends that can be taken away from this section of victim experience. Where applicable, the experience of those within our three victim categories who allege to have encountered state collusion or miscarriages of justice will be included in their appropriate denomination section, in the case that their personal circumstances and allegations do not influence the element under discussion. In order, we will analyse the monetary provisions provided to each group, followed by the psychological support offered, and where applicable throughout, the post-incident long-term medical support provided.

²⁵ Wilson, G. Et. Al. (2015). *'An evaluation of mental health service provision in Northern Ireland.'* Action Mental Health. Queen's University Belfast. 5th October 2015.

Security Forces Victims

To begin this first section, we will detail the stated experiences of the 15 participants within the security forces group.²⁶ Starting with the topic of monetary support, under the series of legislation listed in the previous section, until 2002 compensation was primarily provided in the event that '...you've been injured or your parent, child, husband, wife or partner has died because of a violent crime'.²⁷ As such, those participants who were not physically injured in their attack were usually ineligible to receive compensation, whether they experienced severe mental health complications as a result of their incident (which can severely alter life trajectories of those suffering), until 2002. However, in the event that a member of the security force was injured, fatally or otherwise, they (or their family) were entitled to an enhanced criminal injury compensation compared to civilians (until the recent civilian victims' pensions were confirmed by the Northern Irish Executive²⁸). Further, non-governmental funds were made available specifically for members of the Royal Ulster Constabulary and the Ulster Defence Regiment, a matter that will be discussed throughout this section.

Through official sources, compensation was available upon death, paid in a series of lump-sums, to the bereaved. For example, Elizabeth Woods, whose brother Robert Hill was murdered in an UV-IED attack by the IRA, states that her mother received a series of compensation instalments as Mr Hill was a part-time UDR reservist with no widow: "Mummy got £12,500 for the murder, that was it, in bits from the UDR - like £1,000 or £2,000 - that was it."²⁹ Similarly, upon the death of Sgt. Eric Brown, an RUC Officer killed in a gun attack by the IRA in 1983, his daughter Andrea Brown states that:

*You were left very much on your own. There was no one really for Mummy to turn to for advice, anything like that. My dad was actually studying for his inspectors exam at the time, he had his notes on his knee when he was murdered - he would have went very far, and mum was left with a widow's pension, and £15,000 compensation.*³⁰

When following up her statement with the question of whether she believed this renumerated the monetary gap left by the loss of her father, whether in the long or short-term period, she simply answered "No". From the discourse in their responses, we can see that

²⁶ Comprised of 12 members of the former RUC, and 3 members of the former Ulster Defence Regiment.

²⁷ NIDirect. (2002). 'Compensation for criminal injuries'. Crime, justice, and the Law. [Online] [Accessed on: 28/01/2022] [Accessed by: <https://www.nidirect.gov.uk/articles/compensation-criminal-injuries>]

²⁸ *The Victims' Payments Regulations 2020 (2020)*. Parliament: House of Commons. Bill no. 103. London: The Stationery Office.

²⁹ Woods, E. (2019). *Interview with J McCann*. 20th March 2019.

³⁰ Brown, A. (2018). *Interview with J McCann*. 29th October 2019.

both Ms Woods and Ms Brown believed the amount that they received was insufficient for the loss they experienced. Further issue was taken by the mother of Elizabeth Woods, in that she received a reduced compensatory package as a result of her decision not to leave her home in response to the attack:

She didn't get anything for intimidation, because they said she wasn't intimidated, because it wasn't done on her it was done on him [Robert]. You know the way people get intimidated out of their home, mummy didn't get anything because they said she wasn't intimidated.³¹

It has been noted that there was strict and narrow eligibility criteria surrounding compensation and rehousing for intimidation, being described as 'narrow and requires strict criteria to be fulfilled in order for an offence to be committed', under the definitions provided in the *Protection of the Person and Property Act (Northern Ireland) 1969*³², marking a distinct difficulty in successfully accessing intimidation compensation.³³ Further issue with this difficulty in receiving intimidation compensation stems from the high frequency of reported incidents, with the RUC stating that between the years 1997 and 2000 a total of 1,309 intimidation offences were reported.³⁴ In the event that an individual has to be rehoused for their personal security, it is the Northern Ireland Housing Executive that is responsible for their relocation, whilst the Northern Ireland Office is responsible for compensation in the result of damage to property in the act of intimidation. William Matchett, a former member of the RUC who was directed targeted by paramilitary attacks on several occasions, stated that the amount of compensation and the property they were provided in this incident was not adequate: "No. You lose money. The houses we were in were decent houses! You took what the basic package was, and you were away. So that was it."³⁵ Specifically, Mr Matchett is referring to the 'Scheme for the Purchase of Evacuated Dwellings' (or, SPED), which offers compensation for intimidation, and the possibility of the Housing Executive to buy your property if you have been intimidated into leaving your home.³⁶

Further to this reportedly insufficient financial aid, several secondary victims were deemed ineligible for compensation due to several justifications, despite the necessity for financial aid resulting from the loss of a primary income source in their family. Examples of

³¹ Woods, E. (2019). *Interview with J McCann*. 20th March 2019.

³² *Protection of the Person and Property Act (Northern Ireland) 1969*. (1969). Chapter 29. Parliament: House of Commons. London: The Stationery Office.

³³ Parliament.uk. (2000). *'Memorandum submitted by the Northern Ireland Office'*.

³⁴ *ibid*.

³⁵ Matchett, W. (2019). *Interview with J McCann*. 3rd November 2019.

³⁶ House Rights. (2022). *'Intimidated from your home'*. Housing Advice for Northern Ireland. [Online] [Accessed on: 20/12/2022] [Accessed by: <https://www.housingadviceni.org/intimidated-your-home>]

such reasoning include being the son or daughter of a victim who is of an age that could be perceived as potentially having their own source of income, being in a same-sex marriage/civil partnership (until 5th December 2005³⁷), or recipient remarrying after the death of their spouse (until 1st April 2015³⁸). Having experienced the former of these examples, Michelle McBride states:

*No, I never received any compensation. I know that my sisters [12 years old] did, and obviously my mum did, but because I was 17 I didn't. To this day, I am very bitter that I was deemed that I didn't have a loss that deserved compensation, that I wasn't deemed deserving that my father gave his life because of his job. Even though I had to step in to be my mother's support, to be her rock, so I do feel very aggrieved that I didn't get anything. Looking back, I don't think I have post-traumatic stress, I don't have that, but there are times that I consider going down that route - should I try to get a claim? Should I try to do something like that? But who would I go to? Who do I ask? Who gives you guidance in that sort of thing?*³⁹

Given the perceived shortfall in the practical support offered to victims within the security forces community several charitable organisations formed, to relieve the hardship of former security force members or their surviving family who did not receive adequate support in the event of harm, funded through public donations. An example of one such charitable organisation is The Royal Ulster Constabulary George Cross – Police service of Northern Ireland Benevolent Fund (known in short as the Police Benevolent Fund), established in 1969, whose mission statement is ‘...to relieve hardship, need and distress by means of monetary gifts or loans’. The criteria of eligibility for this monetary aid is: ‘...to provide assistance to officers, injured & disabled officers, ex members/pensioners, ex members not pensionable, widows/widowers, partners/dependants of any of the above & parents of deceased single officers’.⁴⁰ When queried about the forms of compensation his family received, Louie Johnston, who lost his father Const. David Johnston in 1997, stated:

³⁷ National Association of Retired Police Officers NARPO (N.D) ‘Survivor Pension information’. [Online] [Accessed on: 31/01/2022] [Accessed by: <https://www.narpo.org/survivor-pensions-information/>]

³⁸ *The Police service of Northern Ireland and Police service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2017* (2017) Parliament: House of Commons. Bill No. 36. London: The Stationery Office.

³⁹ McBride, M. (2019). *Interview with J McCann. 21st March 2019.*

⁴⁰ RUCGC PSNI Benevolent Fund. (2020) ‘Eligibility.’ [Online] [Accessed on: 31/01/2022] [Accessed by: <https://policebenevolentfund.com/>]

...because my father was a policeman, the RUC had a benevolent fund. Whenever we were children, they did take us away on holiday once, with other kids that had been through the same thing, and we went to England for a week.⁴¹

These alternative support processes were not without their own critiques by this subject group, however, as Andrea Brown would go on to comment:

I feel very let down by the RUC Benevolent Fund...because as my mummy has passed away, we are not entitled to it. They have apartments in Portrush, and I am not entitled to bring my daughter or her children to it, but a police officer who has retired-got his pension - is entitled to bring his family and grandchildren, even though I was directly affected. They are refusing to change that... A police officer once told me that "when I joined, I was told I was joining a family, and if anything happened to me that my family would be looked after", but the family are not looked after - yes the wives do get looked after, the children are looked after until they are 18... and that's it.⁴²

From the scenarios presented in the above testimonies, between those who served in the security forces and survived violent actions, and those individuals who lost a family member that served, we see a trend of financial support being offered, both from official and unofficial sources, yet the provision was not of a fully satisfactory level. It must be stated that until rectified in 2001, widows of those Royal Ulster Constabulary members who were killed prior to 1982 (approximately 107 full time, and a further 54 reserve officers⁴³) received a fraction of the pension provision of those officers killed after. This was due to stipulations in the pension regulations made after this date, barring those widowed prior from receiving the new rates.⁴⁴ Whilst many widows pre-1982 received pensions of less than £2,000 (if they did not remarry), there has been several unconfirmed reports of widows, after this date receiving further lump-sum payments of up to £100,000 and often having their mortgages paid off; a disparity that has since been amended.⁴⁵

⁴¹ Johnston, L. (2019). *Interview with J McCann*. 28th March 2019.

⁴² Brown, A. (2018). *Interview with J McCann*. 29th October 2019.

⁴³ Royal Ulster Constabulary (N.d). 'Memorial: Chronological Record of the Deceased.' [Online] [Accessed on: 01/02/2022] [Accessed by: http://royalulsterconstabulary.org/deceased_c.htm]

⁴⁴ The Irish Times. (2000). 'North's higher compensation for police widows still behind payments in South'. Friday 10th November. [Online] [Accessed on: 01/02/2022] [Accessed by: <https://www.irishtimes.com/news/north-s-higher-compensation-for-police-widows-still-behind-payments-in-south-1.1114871>]

⁴⁵BBC News. (2001). 'Compensation increase for RUC widows.' Wednesday 21st March. [Online] [Accessed on: 01/02/2022] [Accessed by: http://news.bbc.co.uk/1/hi/northern_ireland/1234090.stm]

As stated above, the Bamford Review recognised in 2002 that there was a general failing in the provision of psychological aid during the majority of the Troubles.⁴⁶ This issue was equally prevalent in those victims and survivors who suffered the loss of a family member within the security forces and could potentially be considered more mentally demanding on those individuals who survived an attempt on their own life. The vast majority of the testimonies provided by serving security forces members gave a similar story, with 7 of the 9 participants providing distinctly negative opinions of available mental health support. It was commonly stated that they were aware that mental health provisions were not frequently offered internally at an institutional level. Of the remaining 2 participants of the 9 serving members, 1 provided a single case of such provisions being offered, however this was on a case-by-case basis (at the discernment of a superior officer to the participant), and the other being that the participant did not recall positively or negatively. In a discussion with two former-UDR members (who have chosen to use a pseudonym in lieu of their name), INT16 and INT17 spoke of their experience of mental health provision after a violent incident:

INT16: You looked after each other. In the 70's and 80's there was nothing. Nobody even came up to you- well they did- the senior rank would come up to you and say, 'you okay?' and that was it, you didn't have any proper psychological backup or anything."

INT17: You just got together, went for a drink, had a chat about it, and next day you got back on and did the job again. ...I think that's why you are getting this post-traumatic stress a long time after, when things have quietened [sic] down you have more time to think about it. "⁴⁷

Supporting this experience, INT10, a member of the RUC (who also chosen to remain anonymous) who experienced the death of a colleague on duty, experienced a similar scenario post-incident:

On that one we got nothing until about a week later... we would get North or South [Command] to come down and cover Belfast, and everyone went into the Rec Room. We had our round table, and then the bar was opened up and away you went. You would really talk it through with other boys. It was strange in a way, because I felt up until that stage, other people in the unit were looking and saying it was all planned wrong, the plan was executed wrong. You could feel it, we had the round table, that

⁴⁶ Harper, C. Davidson, G. McClelland, R. (2016). 'No Longer 'Anomalous, Confusing and Unjust': The Mental Capacity Act (Northern Ireland 2016'. *International Journal of Mental Health and Capacity Law*. Pp. 57 – 70.

⁴⁷ INT16 & INT 17. (2019). *Interview with J McCann*. 1st November 2019.

*cleared the air a lot, but not 100%. It really cleared the air when we were having the drinks and all, and we talked it all through, walked through it. That was a weight off, I found it very hard to bear for that week or so. You go over yourself: fuck, did I do something wrong?*⁴⁸

These interviews present a trend that prior to further official developments in mental health provision, that which was offered to any one family or still-serving individual was extremely varied, even within the same case study, as RUC officer William Matchett also experienced:

*...My boss, he turned round and said: 'Whatever time you need off, you take it', he was great, but that was all between him and me. ...When you have different bosses, it could have been 'no, you come back and work at this time'. There was no one sitting you down and going 'how do you feel about it?', it was all to do with the physical security of your house. Do you need lights, do you need cameras, do you need armoured glass, but there was nothing to do with the psychological aspect of it.*⁴⁹

When asked if he was aware if any effort was put into providing emotional support for families during this period, his response was: "Certainly not for the family." However, it must be noted that closer to the end of the conflict, when the negative effects that the Troubles had on the mental health of the populace had become more evident, greater effort was placed on providing the families with mental health provision. In a further statement by Louie Johnston, he gave a positive response when asked if he remembered receiving mental health support after the loss of his father:

*I remember as a kid, this welfare officer would come out and a counsellor, to take us through a bit of counselling at the time, but I couldn't tell you how long that lasted for. It was probably about six visits to our house.*⁵⁰

This later development of institutionalised mental health provision was also experienced by many serving officers, with former RUC officer Bill Duff, having experienced less formal group sessions to assess psychological harm after the loss of a close colleague in 1994⁵¹:

⁴⁸ INT10. (2019). *Interview with J McCann*. 14th October 2019.

⁴⁹ Matchett, W. (2019). *Interview with J McCann*. 3rd November 2019.

⁵⁰ Johnston, L. (2019). *Interview with J McCann*. 28th March 2019.

⁵¹ Whilst the loss of a colleague is not specifically under investigation in this study, despite its frequency within the security forces, institutionalised mental health support is presented as an extremely under-developed facet of post-incident response for those participants in this study.

...By this time the RUC had realised that it was necessary to provide this [mental health support], or at least to offer it. What they did was, they got us in groups of about 12, maybe 15, to a room in the headquarters, in a conference room, and there were maybe 3 people there, from human resources, a medical officer, and someone with psychological training. They said 'we are here to help you', they didn't force it on us, which was exactly the right way to go. They said 'these are the emotions you will suffer, from grief and loss like this', I had never suffered them before, but they were exactly right, you go through these phases of grief and guilt and anger... I didn't take them up, and I have no idea how many people actually got in touch with them.⁵²

When discussing further as to whether he, or any of his colleagues, in hindsight regretted not utilising this service as it became newly available, Bill Duff continued:

With hindsight I should have got in touch with them. I suppose I just thought it would be a bit weak. I think people like myself had a history of being able to cope with things, just thought that we could cope with it, and I did cope with it, for about 6-months I did, but for those 6 months I was not the same person. I wake up dreaming about them, first thing in the morning when I woke up, going into work - 'his coat used to hang there', 'that used to be his mug', 'his signature on files', so you couldn't get away from it.⁵³

Along with monetary support provided by NGOs⁵⁴, psychological support was likely the most commonly offered utility for the family of security force victims, whether that be traditional therapeutic routes, or through support groups comprised of other security force families who have experienced loss. For example, INT11, an RUC officer, who had lost their sister (also an RUC officer) during an IRA mortar attack on her station, stated that their mother utilised such NGO services in support of her mental health:

Yeah, and they would have had their own social events, dinners, lunches. Mummy would have went because it was a police family gathering, and probably quite a few of the people there would have suffered loss, whether a husband, their son, but it was a forum for people to speak to her about her loss.⁵⁵

⁵² Duff, B. (2019). *Interview with J McCann*. 18th September 2019.

⁵³ *ibid*.

⁵⁴ Such as the aforementioned Police Benevolent Fund, and the Northern Ireland Police Fund. NIPF (2022). 'Northern Ireland Police Fund' [Online] [Accessed on: 08/11/2022] [Accessed by: <https://www.nipolicefund.gov.uk/#:-:text=The%20role%20of%20the%20Fund,killed%20or%20injured%20through%20terrorism.>]

⁵⁵ INT11. (2019). *Interview with J McCann*. 15th October 2019.

Further, the entire family of Michelle McBride utilised similar services due to their loss, however this support was not all-encompassing during this period, only offered to widows or the young children of those lost, with sparse aid made available for those outside of those groups:

Mum was involved in widows' groups, Sonya and Andrea were involved in the 'orphans' group, but because of my age, I was in this limbo, and I didn't get help from anywhere. Mum could go off and talk to other widows, about how they were getting on and coping, and they could go to different events and stuff. Sonya and Andrea were taken away on trips, whereas I was the one in the middle, left without support.⁵⁶

A differing experience of note comes from a UDR soldier (who has chosen to remain anonymous), who alleges to have been the victim of collusion in relation to the attempt made on their life by members of the IRA, having survived a grievous gunshot wound that left them permanently disabled. In relation to compensation for their wounds, INT5 chose not to accept the standard compensatory sum. This was due to said allegation, in that the Special Branch (an intelligence division of the Royal Ulster Constabulary) had prior knowledge of the attack and did not place an appropriate amount of effort into intercepting the individual(s) responsible. In their case, relating to legal challenges to compensation and appropriate chronic ailment support, INT5 had the following experience:

I got a good solicitor first, who advised me to seek compensation. First, he advised me to seek £100,000 in compensation, not rock the boat. If you think I was going to get the same amount as he did for a defamation case for the loss of my legs, not rock the boat? I will rock the boat - if I need to, I will sink the boat. It took me almost getting to the doors of the high court to get decent compensation.⁵⁷

Due to this decision, relating to their consideration of justice for this event and the alleged circumstances surrounding it (which will be discussed further in the following chapter), INT5 lived solely from a military pension until a settlement was reached. This matter caused him great discomfort: "...the fact that my compensation wasn't paid for a 15-year period. They work out that your compensation should keep you going for 15 years, but I didn't get mine for 15 years."⁵⁸

Through this section, we see that, as standard, financial support was offered to the family of members of the security forces who lost their lives in the line of duty (though often not deemed as an acceptable amount by several respondents). However, this aid was offset

⁵⁶ Brown, A. (2018). *Interview with J McCann*. 29th October 2019.

⁵⁷ INT5 (2019). *Interview with J McCann*. 22nd March 2019.

⁵⁸ *ibid.*

by the improper mental health support offered after the event in question. The alteration to an individuals' life pathway, through increased likelihood of mental health issues, sudden changes in household income, and changes in household roles to fill in the gap left by the loss of a loved one, each have a role in negatively impacting those considered as secondary victims. Given the lack of experience (or a reported which was not properly accounted for by health professionals at the time. Further, in the case of those individuals who were directly targeted yet survived the encounter, the mental health provisions were often entirely omitted, resulting in a common trend of increased alcohol abuse as a form of coping mechanism.

In the absence of acceptable institutionalised financial and mental health post-incident support, this group of participants had a high tendency of accessing NGOs to account for a commonly reported financial gap after the loss of a primary earner, a trend that has been supported through other similar studies.⁵⁹ This was further exacerbated by the reportedly inadequate or simply non-existent post-incident mental health support during the majority of the Northern Ireland conflict. As the following civilian focused participant groups are discussed, this chapter will continue to cross-compare the facets seen in this section, highlighting the differences and commonalities present between each of our stratified sectors.

Protestant Civilian Victims

As previously highlighted, due to limitations brought on by the Covid-19 pandemic, The Protestant civilian group features a lower number of participants than the previous section, totalling 10 individuals' testimonies. Beginning immediately with the topic of monetary compensation; within this group of testimonies, only one participant can recall receiving monetary compensation from official governmental institutions. We must assume that this number is accurate, despite it being surprisingly small (given that almost all this group was eligible for compensation), as each participant was equally queried as to the support they were provided from official sources. Samuel Heenan, who witnessed his father's death by the IRA at their farmhouse in rural south County Down, distinctly remembers official compensation provision after this event in 1985⁶⁰:

Yes, obviously then there was compensation, it came from the NI Office, they offered twenty-odd thousand. Then there was a trust fund set up for me, because of the revulsion that it generated by my father's murder, a local minister in the church who

⁵⁹ Queens University Belfast. (2018). 'The Impact of the Troubles/Conflict in and around Northern Ireland on Seriously Injured Victims'. Human Rights Centre. School of Law. October 2018. Pp. 6-7

⁶⁰ The IRA claimed that William Heenan was an RUC Reservist, which the security forces denied, but did confirm that William Heenan was formerly a member of the B Specials, 20 years prior.

provided tremendous pastoral support to me, set up the trust fund which at that time, I think, generated forty-three thousand pounds. The Orange Order and different people, it wasn't just confined to the Protestant community, a Catholic family in southern Ireland, a Catholic family in Belfast gave a spare bike at Christmas. They brought it to the minister and said, 'give that to the wee boy'.⁶¹

As can be seen, much like within the security forces section, when sparse compensation is being provided, community support and NGOs often fill the financial gap with greater sums than were issued by those official state institutions. This will be discussed in further detail in a following chapter.

As alluded to, the remaining members of this group gave negative responses when discussing monetary support, often implying a lack of knowledge about the support opportunities that were available during this period. As Tracey Coulter-Greenaway, who lost her father in a UVF gun attack in 2000, states:

Compensation, absolutely not, no compensation, no nothing. We are only now-from about 3 years ago, we only then found out about the [monetary] victims support, and that was only through Raymond [McCord], and then I got my family to fill in the forms, to get a bit of help. No compensation, nothing like that. Just a matter of, he [her father] was away and that was that.⁶²

The lack of clear advice from official sources for those individuals who have lost a loved one (or were themselves injured) can be seen as a distinct failure of the state during the Troubles. This failure comes during a time in which an individual is experiencing severe trauma, and post-incident support and direction is of utmost import to begin the recovery process. Paul McIlwaine, who also lost his son in a politically motivated UVF knife attack in 2000, states a similar experience, in that he only became aware of such support opportunities upon the advice of a solicitor:

...My son's solicitor then contacted us days after, maybe a week after the death, and said that he 'hoped we didn't mind, but there was a thing called a bereavement payment, he had applied for the bereavement payment, but he needed us to sign it.' We didn't want anything to do with it really, but he said 'listen, you are going to have some tough times away, we know you're not a wealthy family, and all you have to do is sign, this will be taken care of, it will be straight forward'. We done that, and he sent the papers in, and the Northern Ireland Office sent a letter back within

⁶¹ Heenan, S. (2020). *Interview with J McCann*. 28th January 2020.

⁶² Coulter-Greenaway, T. (2020). *Interview with J McCann*. 08th April 2020.

a couple days, saying that 'because your son was over 18, he was of no monetary value to you', and this was after he was stabbed 57 times and cut his head off. We were quite furious, and the solicitor too, he wasn't happy with that, so he contacted them [again], and they said, 'if there was a financial dependence between me and my son, it would be different'.⁶³

Further complicating access to official compensatory measures, Paul experienced resistance from the official support institutions, much like several respondents throughout this chapter. Specifically, his son did not fit into the appropriate 'band' of victim for his father to be recognised as an acceptable recipient of monetary compensation, due to his son's status as an adult. This raises the discussion of the intended goal of the monetary payments; as to whether they are intended as a form of recognition of suffering on behalf of the state, a payment to acknowledge the state's failure to protect a citizen, or as a form aid to reduce monetary disparity. Under *Criminal Injuries (Compensation) (Northern Ireland) Order 1988*, for example, compensation is provided in both circumstances if a bereaved parent or spouse exists. Under Article 3 (3)⁶⁴:

'Where the victim of a criminal injury dies as a result of the injury, compensation shall only be payable—

(a) to the victim's relatives in respect of—

(i) expenses actually and reasonably incurred as a result of the victim's injury or death and any other expenses resulting directly from the victim's injury or death which it is reasonable and proper to make good to his relatives out of public funds;

(ii) pecuniary loss resulting from the victim's injury or death;

(b) to the spouse or parents of the victim in respect of bereavement;

As such, this case reportedly resulted in an 18-month legal dispute, that settled in favour of Mr McIlwaine, paying twice the standard compensation as recompense, which highlights an overarching reality of potential participant inequality that this study is investigating: the ease of access to compensation. Having your status as a victim contended and having to appeal and demonstrate your need and loss has the potential of belittling the

⁶³ McIlwaine, P. (2020). *Interview with J McCann*. 10th April 2020.

⁶⁴ *Criminal Injuries (Compensation) (Northern Ireland) Order 1988* (1988). Parliament: House of Commons. Bill no. 793. (N.I. 4). London: The Stationery Office.

victim in question, and creating these barriers in front of them runs the risk of retraumatizing the individual.⁶⁵

In a testimony provided by Isaac Andrews, whose uncle was murdered by the IRA in a gun attack in 1969, he states that regarding his uncle's family:

*[They] never got any support at all. The only support, if you want to call it support then, was you would go to your GP, and they would have given you a diazepam. Unfortunately, at that time it was like a pill for every ill. Unfortunately, the adults who were receiving that for depression, they were actually giving it to the young people, because they had the same issues- 'give them a half of one of them', you know what I mean? There was no help then. We never got any support, [his] family never got any support.*⁶⁶

As discussed in this quote, regarding 'mental health' provisions, alternative options were frequently utilised by much of the population to endure mental health issues, of particular note being through the use of prescription drugs during this period,⁶⁷ an issue in the population that prevails to this day.⁶⁸ The provision of prescription drugs to help with the symptoms of stress, anxiety, and depression was often the only official mental health support provided to several of our participants, reported by three of the participants in this group, either prescribed personally or for a family member. Many participants report utilising the support services of charities or victims' groups. When asked if they sought out any available support opportunities, when none had initially been made available to them through official government institutions, INT 20 and INT 21 had the following response during their joint interview:

INT20: I don't think we knew to do that! The thing seemed to be 'carry on'. You just- there was nothing out there, and you didn't know to ask, even if there had of been. You just thought that you had to keep to yourself.

⁶⁵ Maki, J. (2019). 'Trauma, Dignity, and Restoration'. ADVOCATES AND SURVIVORS FOR CRIME VICTIM COMPENSATION REFORM. Pp. 15. [Online] [Accessed on: 03/11/2022] [Accessed by: https://allianceforsafetyandjustice.org/wp-content/uploads/2021/10/Trauma_Dignity_and_Restoration.pdf]

⁶⁶ Andrews, I. (2019). *Interview with J McCann*. 6th November 2019.

⁶⁷ Lazenbatt, A, Lynch, U, O'Neill, E. (2001). 'Revealing the hidden 'troubles' in Northern Ireland: the role of participatory rapid appraisal'. *Health Education Research*, Vol. 16, 5, October 2001, Pp. 567–578; Beattie, J. (2015). 'Prescription drugs use in West Belfast linked to the Troubles'. *BelfastLive*. 2nd July 2015. [Online] [Accessed on: 08/02/2022] [Accessed by: <https://www.belfastlive.co.uk/news/health/prescription-drugs-use-west-belfast-9573425>]

⁶⁸ Smyth, L. (2018). 'Addiction to prescription drugs in Northern Ireland 'at epidemic levels'. *Belfast Telegraph*. 19th March 2018. [Online] [Accessed on: 08/02/2022] [Accessed by: <https://www.belfasttelegraph.co.uk/news/health/addiction-to-prescription-drugs-in-northern-ireland-at-epidemic-levels-36718064.html>]

INT21: *You just had to depend on yourself and get on with your daily business. You just thought 'this is it', no other ways about it.*⁶⁹

Following this statement by querying if either of these two participants decided on their own volition to locate and utilise alternative, NGO-based support opportunities, INT20 responded with the following:

INT20: *No, I didn't. I just kept on going, and going, and going. It wasn't until I was going from Portrush, I bought the Telegraph, and read about SEFF [South East Fermanagh Foundation] and the victim's day at Stormont. I thought I would go up and see it. I went in, sat down, I was sitting beside this man I never met before. I think he was a sergeant in the police. He asked, and I said it was my father, he said 'come with me', and he introduced me to Kenny Funston [A SEFF Victim's Advocate].*⁷⁰

Further, separate to a lump sum payment, a pension, or 'traditional' psychological support, several charitable organisations offered alternative support in the form of aiding in physical recovery, re-training, or improvements to a victim's quality of life. As described by INT1, who lost their brother in an IRA gun attack, both they and their mother received non-traditional support from an NGO:

*The only thing [support] that I really do remember, which was later, was the Northern Ireland Memorial Fund, and I can remember - I think they funded me on a course if I'm honest, which was a beauty therapy course, which I didn't finish in the end, but my mum did get help from the Northern Ireland Memorial Fund, ⁷¹I know because I was the one that applied for it, because I can remember her getting things [furniture] for the house.*⁷²

This vast matrix of NGOs, made up of charitable groups, political and apolitical groups, or religion-centric groups, formed a complex web of potential assistance for the victims in this study. As experienced by Andrea Brown, separate to the death of her father (mentioned in the previous security forces section), also personally suffered a severe bomb blast injury that resulted in her semi-permanent use of a wheelchair. Having required spinal injections of pain relief medication, she had the following experience:

⁶⁹ INT20 & INT21 (2020). *Interview with J McCann. 28th January 2020.*

⁷⁰ *ibid.*

⁷¹ The Northern Ireland Memorial Fund was a state funded charitable organisation formed in 2000, with the purpose of providing victims and survivors with financial assistance for pain management, disability assistance, education, training, and other discretionary hardship awards.

⁷² INT1. (2018). *Interview with J McCann. 24th October 2018.*

Like 2 years ago there, I would go every 3-weeks and get an injection into my spinal cord. The only way I can get that is through private treatment, which cost £180 a time - I can't afford that. The Victims and Survivors Service [a government agency that administers Executive Office funding to victims] were paying that, and then they had decided 'no, you have reached your limit of what you are allowed'. This was in November, and I had to go to the end of the financial year in April, so if I haven't got my treatment since November till April, I would have been completely bedridden, and back to struggling to live a daily life.⁷³

When asked how she managed during this five-month period without pain relief, Andrea stated that it was an alternative source that provided the funding for her chronic illness support:

The only person I could contact was a girl that I met at the National Police Memorial Day, who worked for Police Mutual - who was like an insurance company for the police, and they were willing to pay for 5 of my treatments to keep me going when nobody in Northern Ireland would.⁷⁴

This lack of consistency between organisations, both official and unofficial, during the conflict (and including many cases today), was felt by many sectors of the community. INT13 (who requested to remain anonymous) was a fire fighter who was highly active during the Northern Ireland conflict. Their father was murdered by the IRA, as well as having been targeted themselves on several occasions, whilst also experiencing a high degree of potential re-traumatisation as part of their career in the fire brigade:

I remember in April 1975, as a young man in Belfast, going to a bomb site at a pub... there were 5 people who were killed in that, and the way that was dealt with was black humour. On the way back, having recovered the five bodies and everything... Coming back from an incident like that... the way that it was often dealt with was with drink. People would come off their shift and go to the pub for a few pints.⁷⁵

When asked if they received any emotional support or debriefing after this event, an event that would be grounds for 'secondary victimisation' (in the circumstance of those who did not directly suffer from the violent incident in question. A common event for first responders⁷⁶) as a result of their continued professional action as a fire fighter, their response

⁷³ Brown, A. (2018). *Interview with J McCann*. 29th October 2019.

⁷⁴ *ibid*.

⁷⁵ INT13 (2019). *Interview with J McCann*. 18th October 2019.

⁷⁶ Greinacher, A. Derezza-Greeven, C, Herzog, W. Nikendei, C. (2019). 'Secondary traumatization in first responders: A systematic review'. *European Journal of Psychotraumatology*. Vol. 10 No. 1. Pp. 1-21

was "...you know what they would sometimes do? They would give guys CDs of water flowing over a stream or whatever. All this sort of music. That was it."⁷⁷

As prevalent in many of these testimonies, in lieu of conventional aid for emotional distress, many participants reported increased use of alcohol as a coping method during this period. When asked further regarding potential aid opportunities, INT21 admitted the following regarding their spouse:

*We got no professional help; we didn't know what to do. It was like you were suppressing it. With him, it was drinking. You never actually confronted how you felt, it had to come out somewhere.*⁷⁸

Similarly stated by Isaac Andrews, when confronted with the fear of the threat his life was under during this time, he stated:

*Another thing is, if we were out on the drink, I would have taken to the drink, I don't drink now, but I would drink maybe to forget everything going on around, but you couldn't, because it was happening all the time.*⁷⁹

Much like the previously stated issue of prescription drug taking that is directly linked to the societal trauma of the Northern Ireland conflict, communities are still suffering from a high degree of alcoholism, with Northern Ireland having the highest rate of alcohol-specific deaths in 2019 (18.8 per 100,000).⁸⁰ Whilst Northern Ireland's rate is only 0.2% higher than Scotland, showing a statistically non-significant difference between these two countries, Northern Ireland is on a significant upwards trajectory in its increase in alcohol related morbidity, whilst Scotland has dropped by 1/3rd from its highest rate in 2006. Much like the high degree of prescription drug taking, this statistic is considered by some to be directly linked to societal trauma that stems from the pervasive and protracted violence that was commonplace during the height of the Troubles, aggravated further by the poor quality of mental health provision made available to the public.⁸¹ Studies have shown that there is a direct association between alcohol misuse and a number of specific mental health problems

⁷⁷ INT13 (2019). *Interview with J McCann*. 18th October 2019.

⁷⁸ INT20 & INT21 (2020). *Interview with J McCann*. 28th January 2020.

⁷⁹ Andrews, I. (2019). *Interview with J McCann*. 6th November 2019.

⁸⁰ Office of National Statistics. (2021). 'Alcohol-specific deaths in the UK: registered in 2019'. Section 3. Alcohol-specific deaths by UK constituent country. 2nd February 2021. [Online] [Accessed on: 10/02/2022] [Accessed by: <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/causesofdeath/bulletins/alcoholrelateddeathsintheunitedkingdom/registeredin2019>]

⁸¹ McKinney, E. (2021). 'Alcohol use and related harm in Northern Ireland'. Alcohol Health Alliance. 4th May 2021. [Online] [Accessed on: 10/02/2022] [Accessed by: <https://ahauk.org/alcohol-use-and-related-harm-in-northern-ireland/>]; CVSNI. (2012). 'Troubled consequences: A report on the mental health impact of the civil conflict in Northern Ireland'. Bamford Centre for Mental Health and Wellbeing. University of Ulster. Northern Ireland Centre for Trauma & Transformation and Compass. Pp.47

(further exacerbating the issue surrounding inadequate mental health support), including suicidal ideation, depression and anxiety, personality disorders, and schizophrenia.⁸² This matter of coping mechanisms that potentially result in health concerns will be discussed to a greater degree through the remainder of this chapter.

Catholic Civilian Victims

In the final of our three initial stratified participant groups, we will investigate the testimonies provided by the remaining 10 participants that make up the Catholic civilian group. A continuation of the trend presented in the previous sections exists within these testimonies, in that official monetary support, when provided, was strictly means-tested and often referred to as not being sufficient to meet the needs of the victim. Deborah McGuinness, whose brother was murdered by a member of the UDA in a gun and bomb attack in 1988, states that their family was approached to receive compensation after this loss, with the following caveat:

His wife got compensation, but it wasn't very much because you wouldn't get very much, years ago. [Their Mother and Father] got nothing, because we weren't Thomas's next of kin. It would have been his wife.⁸³

When asked if she felt that the rest of her family deserved further compensation for this loss, as well as her sister-in-law, Deborah stated she did, particularly due to the short period of time that they were married, insisting that their parents should have also received compensation for their loss. Further, Deborah identified long-lasting mental health and physical health issues that stem from this lack of post-incident support, with family members forming drug dependencies in the wake of their loss (a common trend among all three subject groups).

This opinion that compensation should be provided to those who were not directly next-of-kin, or a dependant to the victim, is a commonly held one. When discussing this matter, Ann Travers, whose sister was murdered in a gun attack by the IRA in 1984 that also wounded her father and attempted to murder her mother, stated the following in regard to her family's compensation:

Well, we did get compensation, but to be honest- I always think about the whole compensation thing, and people say, I wouldn't take that, and money wouldn't ever pay for whatever - and that's true, money will never bring my sister Mary back.

⁸² The Mental Health Foundation. (2006). 'Cheers? Understanding the relationship between alcohol and mental health.' The Mental Health Foundation: London. Pp. 22-24.

⁸³ McGuinness, D. (2020). *Interview with J McCann*. 7th April 2020.

However, it's an acknowledgement of the hurt and the struggle. I mean, I ended up not doing as well in school as I should have done - for a period of time I worked in a supermarket stacking shelves and doing the till, until I ended up doing work for Alistair McDonald as a receptionist in his medical practice, as I was trying to get into nursing.

I think it's important, that acknowledgement, and any compensation that was given to anyone during the Troubles was quite small, you know? We probably got a bit more- we got a bit more than other people I know who got like £600 or whatever. It still doesn't cover a whole lifetime, the loss of not having a pension from the age of - I've been working all of my life.⁸⁴

A salient matter mentioned in this quote is Ann's view of the role of monetary compensation; her opinion that these payments have a symbolic element to them, for the state to acknowledge harm done and their failure in protecting a citizen, rather than a purely financial restitution approach⁸⁵. In relation to the opinion that there is a necessity for a proper compensatory amount that better reflects the life-altering trauma that comes with the loss of a family member through violent means, Ann Travers provides the following statement:

...People are getting older. So, no matter what people say about not needing money or whatever, of course they do, because they are getting older and they haven't been able to work and save up, and [get] a pension. I know there is going to be one for the seriously injured, but for the psychologically injured, to prove it you are going to have to go through hoops. ...And I don't think there is anything wrong in compensating direct families, siblings or parents, people who impacted at the time, but of course, people always argue.⁸⁶

Whilst the costs incurred in the process of victimisation, financially, physically, and/or mentally, is often entirely individualistic in nature, the role of a monetary payment is deemed as the most easily achievable statement of support from the government, despite the difficulty in translating harm done into a tangible financial sum. In an example that highlights how a unsuitable payment amount can be deemed as inappropriate or undesirable we look to a testimony by John Kelly, whose brother was shot and killed by the British Army during the events of 'Bloody Sunday' in 1972 (an event in which the actions of the British Army have

⁸⁴ Travers, A. (2019). *Interview with J McCann*. 16th October 2019.

⁸⁵ A recommended article discussing the concept of state duty for compensation vs. retributivism can be found here: Lippke, R, L. (2020). 'Retributivism and Victim Compensation'. *Social Theory and Practice*. Vol. 46, No. 2. April 2020. Pp. 317-338.

⁸⁶ *ibid*.

since been deemed as unlawful after a 12-year investigation⁸⁷), relating to the compensation his parents received directly after this event:

I always remember about my mother, my mother way back in '72, Christmas '72, and the Sun put a cartoon in their paper, and what it was Santa Claus... no, this was 2 years after Bloody Sunday... and Santa Claus was depicted with a large bag on his back, with six £250. Now the significance of the £250 is this is what my mother and father got for Michael's life, that's what he was worth; £250.

...What it was, the British Government decided to pay the families an ex-gratia payment, without admittance of liability. My mother and the [mothers of the] six 17-year-olds got £250 each, as an ex-gratia payment without admittance of liability. That's what their lives were worth.⁸⁸

This payment is a result of the victim being labelled as liable for their own death via the alleged illegal actions they undertook during at that time, specifically the allegation that these victims were involved in paramilitary activities at the time of their shooting by security forces. As such, the monetary compensation provided was to support funeral costs, rather than an admission of guilt on part of the state, nor on the grounds of the 'Criminal Injury to Persons' Orders stated in this chapter's introduction. This matter will be discussed further in the following chapter, under the discussion of justice.

The final testimony that discusses successfully receiving financial support is from Marcus Babington, who lost his father to an IRA gun attack in 1983, and experienced a similar issue to those testimonies in the previous section; in which his family were only made aware of any form of compensation upon receiving legal advice from a third party:

I think there is some claim that someone could make from the NIO, and her solicitor got that for her [his mother]. Then there was a certain payment that was halved because my father wasn't alive anymore to spend his. It was all 'this is what you get, because your husband isn't alive anymore to buy food for' - the fact that he wasn't there - it was very clinical, I'll put it like that. Money was never the issue, she got what was coming to her, she never went to ask for money, even her sister said that you could make a claim from the NIO for bereavement, because the government couldn't protect your husband. She didn't go seeking it, like her widow's pension or whatever it

⁸⁷ Gov.uk. (2010). 'Report of the Bloody Sunday Inquiry'. Independent Report. 15th June 2010. [Online] [Accessed on: 15/02/2022] [Accessed by: <https://www.gov.uk/government/publications/report-of-the-bloody-sunday-inquiry>]

⁸⁸ Kelly, J. (2020). Interview with J McCann. 28th July 2020.

*was, she was just told what she was entitled to, and we never sought any financial recompense, I haven't gone down that road and neither have my sisters.*⁸⁹

To provide an opposing experience of a comparable attempt to gain financial support from the NIO (Northern Ireland Office) we look to a quote by Rosaleen Dalton, who lost her father to an IRA bomb in 1988. She stated that her father was deemed as undeserving of significant compensation for his loss due to a combination of his age and unemployed status when asked if her family received monetary compensation for their loss:

*No. We were advised- I couldn't even tell you who it was that advised us- we went to see a solicitor about compensation, and because we were married and out of the house, and that my Daddy was 55, and therefore- he'd be turning in his grave- in some of the papers he was described as a pensioner. I'm 54 now, he'd be turning in his grave! He was a fit man! I think because he was unemployed, they viewed him as though his life was pretty much worthless. One of the solicitors turned round and said to me 'we applied for compensation through the Northern Ireland Office, and they would just view your Daddy as one less spot in the pot', and that's what we walked away with.*⁹⁰

A trend presents itself, as a similar response was given to John Teggart, whose father was killed by the British Army, alongside 10 others, in an event in 1971 colloquially known as the 'Ballymurphy Massacre' (in which the actions of the British Army, as of 11th May 2021, were deemed 'not justified'⁹¹), in that when seeking monetary aid for the death of his father, he provided the following anecdote:

*Well, my father was always a worker, always a grafter. He would have been working right up to a couple months beforehand. He had a fall, busted his whole face. He was out of work at the time. This was another thing about how our families were treated at the time. My mother went to take the soldiers to court, a civil case. The judge said 'Mrs Teggart, your husband wasn't working at the time? Now you are getting a widow's pension, which is more than you would have been getting then, and you have one less mouth to feed' - that is the way the families were treated in court. There wasn't a penny in compensation or anything.*⁹²

⁸⁹ Babington, M. (2019). *Interview with J McCann*. 18th September 2019.

⁹⁰ Dalton, R. (2020). *Interview with J McCann*. 29th April 2020.

⁹¹ Kelpie, C. (2021). 'Ballymurphy Inquest: Coroner finds 10 victims were innocent'. *BBC News*. 11 May 2021. [Online] [Accessed on: 16/02/2022] [Accessed by: <https://www.bbc.co.uk/news/uk-northern-ireland-56986784>]

⁹² Teggart, J. (2020). *Interview with J McCann*. 20th March 2020

Continuing this theme of compensatory assessment, a number of participants stated that in terms of psychological support, the only interaction they received was in relation to the compensation previously discussed. As Ann Travers states, when asked if she or her parents received any psychological support after their assault and the loss of their daughter:

*No, not at all, not at that time. The only person who we saw at that time was a therapist who was attached to the Northern Ireland Office for compensation, and he had to do an assessment of us, and it was all very clinical. It was all tick box.*⁹³

Much like those in the Protestant civilian participant group, commonly the only form of mental health provision was through prescription pharmaceuticals or more drastic medical assessment, as previously stated in relation to the aforementioned *The Mental Health (Northern Ireland) Order 1986*. As John Teggart relays about his experience, in that he was not approached regarding mental health support:

*So, the support was that there was no support at all. The only support was that certain people were with mental health, they got really, really bad. Their first point of contact was just their doctors, talking to them about how they were feeling, when they were still mourning their loved ones.*⁹⁴

This negative view of visiting healthcare professionals to seek mental health support was a common response from this sector of the community, painting the picture of a certain degree of stigma surrounding mental health provision during this period. As Deborah McGuinness states, when asked if there was any mental health support offered to her family after her brother's death:

*Not years ago, there was nothing years ago. It was 30 odd years ago. If someone said they were going to see somebody about it, they would have thought your head was away, you know what I mean? You just got on with it years ago, that was your way, you just had to get on with it.*⁹⁵

Further, several respondents stated the opinion that as a result of the saturation of violence that occurred during large periods of the conflict, that rather than seeking recovery from their mental health issues, a form of resilience building took its place, instead focusing on internal family support rather than external methods. As John Kelly relays:

It was a difficult time, and the fact that we were in the middle of a war, people were dying every day and bombs going off. Everybody knows that the year '72 was

⁹³ Travers, A. (2019). *Interview with J McCann*. 16th October 2019.

⁹⁴ Teggart, J. (2020). *Interview with J McCann*. 20th March 2020

⁹⁵ McGuinness, D. (2020). *Interview with J McCann*. 7th April 2020.

*the worst year for loss of life. People had to deal with that, but the sisters took it upon themselves to take this on and support my ma, to ensure that- to look after the young ones and to look after my mother. I remember one of my sisters saying they had to wash my mother, and so on. That's okay, that's what family is about, we're there to support you.*⁹⁶

Again, this discourse surrounding saturation of violence was further stated in the testimony of Marcus Babington, in which he spoke of an acceptance of the circumstances in which he had lived, due to the prevalence of violence in his community:

*There was nothing at the time, nothing presented. My wife did say that you will need some sort of counselling, we probably all will. She said that many years afterwards, that you probably would have got through this a lot better, had it been available at the time. At that time it wasn't available, you never thought of it. We all knew somebody who was killed. I had friends who were killed, I had friends who were killed in the Troubles long before this, and there were many people killed after this that we knew. It was just one of the things we got on with in life. You never went looking for money or whatever, you just felt so unlucky for it to happen to us.*⁹⁷

As one of the final statements for this section, Mr Babington continued on to speak of the results that this lack of mental health provision had on his own family, the trends within forming a common theme amongst the respondents in this chapter, regardless of the sector of the community that they prescribed to: "My older sister was two years older than me, and she died two years ago, and I believe it was directly from this – related to what happened to my father..."⁹⁸ Further, Mr Babington continued to highlight several long-lasting mental health effects that existed within his family, particularly relating to negative coping mechanisms, resulting in the following personal assessment of his family, in the years following the loss of his father:

...Their lives were totally destroyed, their lives may as well have come to an end, even though they were still alive...the living stopped for them, and nearly did for me as well, but I made a vow that it wouldn't happen, because my boy was about to be born, and I had to get on with my life. That was the challenge, I could have gone two different roads then. I could've gone down a different road and got involved then [with paramilitary associations], I wanted revenge, but I didn't. I would be embarrassed

⁹⁶ Kelly, J. (2020). *Interview with J McCann*. 28th July 2020.

⁹⁷ Babington, M. (2019). *Interview with J McCann*. 18th September 2019.

⁹⁸ *ibid*.

*to call myself a victim, because my sisters suffered more than me, and my mother, and my Dad obviously – well he probably knew very little about it!*⁹⁹

As we can see, much like the closing statement of the Protestant civilian section, a largely similar series of comments are made; the acknowledgement of detrimental coping mechanisms that have long lasting adverse health implications, that many participants blame for the undue death of a family member due to complications of said adverse health implications. Concluding this section, John Kelly highlights in bleak reality the devastating results that can occur when those who were most in need were not provided appropriate aid after severe loss and mental anguish:

...She was so sedated that she should have slept for a week, but she didn't. Many times afterwards, especially when she went downtown and so on, she would see some guy with long hair, she thought it was Michael [her son], she never got over his death, it nearly killed her. It broke her.

Victims of Collusion and Miscarriages of Justice

This section will briefly discuss the matter of the testimonies provided by the 9 participants (1 security forces, 4 Protestant civilians, and 4 Catholic civilians) within our three subject groups who allege that collusion or miscarriages of justice were involved within their specific case of victimhood. As discussed in the previous chapter, in the context of this study, the definition of collusion is:

*...the involvement of state agents (members of the police, army, prison and intelligence services) or state officials (government ministers, legal officers, civil servants), directly or indirectly, through commission, omission, collaboration or connivance, with armed non-state groups or agents, in wrongful acts usually (although not exclusively) involving or related to non-state political violence and extrajudicial killing.*¹⁰⁰

Whilst this definition speaks specifically of government agents (actively or passively) aiding third-party individuals, in the case of governmental agents actively committing deception through improper record keeping, or the withholding of intelligence and evidence

⁹⁹ *ibid.*

¹⁰⁰ McGovern, M. (2019). 'Counterinsurgency and Collusion in Northern Ireland'. London, UK. Pluto, Pp.4. Cited in: Burke, E. (2020). 'Loyalist Mobilization and Cross-Border Violence in Rural Ulster, 1972-1974'. *Terrorism and Political Violence*. Vol. 1, No. 19. Pp. 3.

(from the victim, media, a particular judicial element, or any combination of the above) the term 'miscarriage of justice' will be used.

As alluded to in these definitions, among the participants in this section there are two distinct allegations. First, those who are deemed a victim of criminal injury but allege that collusion was involved in ensuring that the perpetrator remained unindicted of the offence. Second, those individuals who are or were not deemed a victim of criminal injury by the state due to the involvement of warranted security forces actions, a scenario that the participant alleges to be unfounded as a result of errors of impunity that lead to a miscarriage of justice. In the former of these two categories, in relation to the matter of available monetary compensation and psychological support, there is no discernible difference between those who allege collusion and those who do not. This is primarily due to the fact that all support opportunities that were (or were not) available from official institutions were also made equally available to these individuals. There was legal precedence in their victimhood, and the testimonies provided by these participants did not state any experience that was particularly divergent from the remaining testimonies. This category will be discussed in greater detail in the following chapter, on the topic of justice.

In the case of the latter category, it is of note that the only testimonies that fit within said category are from within the Catholic civilian victim group, with the remaining statements that include allegations of collusion being those that fall into the former of our two categories. As stated in the previous section, these examples in question are known colloquially as the 'Ballymurphy Massacre' in 1971, and 'Bloody Sunday' in 1972. Conversely to those individuals in our first category, the victims within this group were not deemed as 'innocent' at the time of their death/wounding, and as such were not liable to receive compensation under *Criminal Injuries (Compensation) Orders*. In relation to this point, Julieann Campbell commented upon the lack of innocence of those killed in one of these events, insisted upon by the British Government at the time:

That's all my mum wanted, was Jackie's name cleared because they said he was a nail bomber, and on the front page on the New York Times the next morning, it said they were nail bombers and gunmen, and General Jackson's shot list was ran on the front page, it was sent out to all the British embassies all over the world that night.¹⁰¹

¹⁰¹ Campbell, J. (2020). *Interview with J McCann*. 27th July 2020.

A matching narrative was stated by John Teggart regarding the events of the previous year: *“The whole of what happened in Ballymurphy, even to this day, the official narrative is that they were all gunmen and gunwomen. That’s what it is at the minute.”*¹⁰²

Given the relative monopoly of power held by the state, especially in relation to the vast resources available in controlling a narrative, those individuals that allege the involvement of a miscarriage of justice through the concealment of the truth of their specific incident are left without any institutionalised support or compensation, with few alternatives available, being deemed as ‘non-innocent’ victims (in that it is the official narrative that their own illicit actions were responsible for their injury), with many living their entire life without an inquiry being completed. This is compounded upon by loss of earnings of those killed, as well as those suffering from mental and physical illness as a result of this trauma and the consequential improper coping strategies discussed throughout this chapter.

A significant result from this section is that this is the first clear element that speaks to the existence of a hierarchy of victimhood during the Northern Ireland conflict. As a result of the lack of available practical support through structural, administrative barriers, these victims have been placed in a lower position in a ‘moral hierarchy of victimhood’, in that they are deemed less innocent, or potentially perpetrators.¹⁰³ The British Government’s monopoly of power and command over official narratives places these individuals as non-eligible of intervention due to the lack of legal recognition of their innocence and the alleged criminality involved in the events that ended with their wounding/death. This naturally places these individuals as ‘lesser’ in the hierarchy of victims in the eyes of the state and its many victim support apparatus, as well as those that subscribe to this narrative. These individuals will remain in this disadvantaged position until appropriate inquiries/investigations are made. This will be discussed further in the following chapters, on the topics of justice and media coverage.

Conclusion

Throughout this chapter, the experiences and opinions held by a series of participants in relation to the provision of institutionalised intervention methods were presented, focused

¹⁰² Since this interview, all 10 victims of this event have been found innocent in an official Coroner’s Report, and the families have received official apologies from the First Minister and Deputy First Minister of Northern Ireland; Hansard. (2021). *‘Ballymurphy Inquest Findings’*. Vol. 695. 13 May 2021. [Online] [Accessed on: 06/04/2022] [Accessed by: <https://hansard.parliament.uk/commons/2021-05-13/debates/D8E973EF-4E0B-4897-BCF6-B9BF2EF2FEFB/BallymurphyInquestFindings#:~:text=The%20findings%20of%20the%20coroner,and%20trauma%20of%20that%20loss.>]

¹⁰³ Jankowitz, S. E. (2018). *‘The Order of Victimhood: Violence, Hierarchy and Building Peace in Northern Ireland’*. Palgrave Macmillan. Pp. 132.

primarily financial and psychological support after a traumatic incident that relates to the Northern Ireland conflict. It must be immediately noted that the testimonies provided by all categories of respondents supported the assessment presented by the *Bamford Report*. All respondents believed mental health provisions available during the Northern Ireland conflict were severely inadequate. Respondents across each category admitted to heightened misuse of alcohol and drugs as a method of coping with trauma. The long-term effect of this healthcare inadequacy on the population, compounded upon by long-lasting violence, has been greatly studied by the academic community, of particular note, the 2002 study by O'Reilly & Stevenson, which analysed the degree of psychological morbidity in a representative sample of the population.¹⁰⁴ The 2012 study by Marie Breen-Smyth, which focuses on the long-term effects of both physical and psychological injury on wellbeing in Northern Ireland.¹⁰⁵ More contemporarily, a 2021 study by Ian Miller which presents evidence to insist that during the Troubles healthcare researchers attempted to downplay and politicise the role of violence in the upsurge of alcoholism, drug-taking, and smoking.¹⁰⁶

On this topic, this thesis shall conclude that this institutional inadequacy existed for every sector of the community equally, posing a general failure of the state in providing long-term support for its citizens, which has since resulted in numerous health concerns within vast sections of the community. However, through the accounts presented in this study it has been noted that whilst this inadequacy existed for all sectors of the public, the alternative support opportunities that were utilised by or made available to each individual sector varied greatly, thus creating a variance in the degree to which this institutional inadequacy affected each subject group. The most surprising result stems from the lack of adequate support within the internal structure of the security forces, given their consistent proximity to violence (both on duty and targeting at home). With the historical politicisation of all facets of the security forces, we can presume that this previous lack of suitable provision (that is no longer a concern today) can be attributed to the downplaying of mental health harm by medical professionals, as posited above by Ian Miller.¹⁰⁷ This can explain the increased degree of PTSD influenced hyper-vigilance seen in members of the police service that were specifically members of the

¹⁰⁴ O'Reilly, D. Stevenson, M. (2002). 'Mental health in Northern Ireland: have "the Troubles" made it worse?'. *Public Health Policy and Practice*. K Epidemiol Community Health 2003; Vol. 57. Pp. 488-492.

¹⁰⁵ Breen-Smyth, M. (2012). *Injured in the Troubles: the needs of individuals and their families*. Northern Visions. WAVE Trauma Centre. [Online] [Accessed on: 20/11/2021] [Accessed by: <https://wavetraumacentre.org.uk/site/wp-content/uploads/2019/04/Breen-Smyth-M-2012-Injured-in-the-Troubles-the-needs-of-individuals-and-their-families-Executive-Summary.pdf>]

¹⁰⁶ Miller, I. (2021). 'Silence, distance and neutrality: the politics of emotional distress during the Northern Irish troubles'. *Social History*. Vol. 46, No. 4. Pp. 435-458.

¹⁰⁷ *ibid*.

Royal Ulster constabulary, when compared to lower levels seen in the police service of Northern Ireland.¹⁰⁸

Of our subject groups, the security forces section had the highest ratio of individuals that recalled either personal or familial use of intervention offered by NGOs, in an effort to make up for the lack of adequate mental health provision from official sources. This trend continued, to a lesser degree however, among respondents within the Protestant civilian group, with several testimonies including some mention of the use of third-party organisations to meet the support needs of their loved ones after a traumatic incident. Of each of these groups, the Catholic civilian group reported the least use of any NGOs for their mental health needs, instead insisting upon a greater focus on familial and community support. For clarification, it is not known whether this significantly lower NGO engagement is a result of one or a combination of several factors. Potential factors include a lack of available provision to this sector of the community, a lack of knowledge of the support opportunities available, or a reoccurring personal decision amongst these participants to not partake in NGO support opportunities during the Northern Ireland conflict. There appears to be no academic research that addresses the low engagement of Catholic civilian victims with NGO support organisations, thus identifying a gap in the literature on victims and survivors.

In terms of monetary compensation and support, between the beginning of the Northern Ireland conflict and March 1995, The British Government had spent a total of £1,119,585,000 in compensatory payments under the legislation listed at the beginning of this chapter, with £300,516,000 paid for damages to property and £814,219,000 paid for personal injuries and loss.¹⁰⁹ The provisions made during this period of time were, much like mental health support, deemed inadequate with many victims not being judged as qualifying at all. Were victims received compensation, the amount was often inadequate to meet long-term needs, with many having long-since spent their compensatory payments by the 1990's. This is the primary reasoning behind the campaign for victim pensions that had prevailed Northern Irish politics for the last two decades, until finally being approved in 2021¹¹⁰. This pension is intended to provide financial support for those physically or psychologically disabled as a result of an injury related to the Northern Ireland conflict, specifically in circumstances that they were

¹⁰⁸ McCann, J. (2015). *The Fluidity of Fear: A Study of the Anxiety felt within the Police Service of Northern Ireland relating to Paramilitary Violence*. Unpublished. University of St Andrews: Handa Centre for the Study of Terrorism and Political Violence.

¹⁰⁹ Breen-Smyth, M. (2013). 'Injured and disabled casualties of the Northern Ireland conflict: issues in immediate and long-term treatment, care and support.' *Medicine, Conflict and Survival*, vol. 29, no. 3, pp. 255.

¹¹⁰ McCurry, C. Attridge, C. (2021). 'Troubles victims' pension scheme opens after years of campaigning'. BelfastLive. 31st August 2021. [Online] [Accessed on: 24/02/2022] [Accessed by: <https://www.belfastlive.co.uk/news/northern-ireland/troubles-victims-pension-scheme-opens-21439846>]

not responsible for, receiving annual payments of between £2,000 and £10,000, or lump sum payments if over 60 (or terminally ill).¹¹¹

While Catholic and Protestant civilians seemed to receive similar amounts of financial support, police and UDR victims benefitted from increased levels of support, owing to specific measures aimed at security force personnel (specifically the pension regulations listed at the beginning of this chapter). As such, both the Protestant and Catholic civilians in our sample group stated misgivings about the amount of financial aid they received. Multiple Catholic and Protestant civilians cited difficulty in being deemed as eligible for any financial aid at all, a process which is a known trigger for re-traumatisation¹¹², something which was reported several times in these testimonies.

A crucial element that surrounds this equal provision of the financial support offered by government bodies, and the largely unsuitable quantities provided, is the fact that whilst a form of equality did exist, and as such there was no hierarchy of victimhood for official financial support, there was a large degree of inequity experienced, nonetheless. With well recorded discriminatory employment practices experienced by the Catholic community, particularly in the early years of the Northern Ireland conflict, it must be noted that this equally inadequate financial support disproportionately affected the Catholic population of Northern Ireland. Due to their on average lower household income and employment rates, and as such a higher financial burden occurred for those families in the event of losing a loved one and/or financial earner, when compared to their Protestant contemporaries.¹¹³

Similar again to the matter of psychological support, multiple victims in this subject group recounted the use of non-governmental financial support offers (either general payments, improvements of quality of life through living situation or medical expenses, re-education, or holidays for young recipients). With a similar ratio as before, during the Troubles security forces members and their families accessed third-party support to the highest degree, with Protestant civilians stating less common access, and finally Catholic civilians stating little-to-no use of third-party financial support opportunities during this studies period of 1966 to 2005. Again, it is not known whether this significant reduction in NGO engagement within the

¹¹¹ NIDirect. (n.d.). '*Troubles Permanent Disablement Payment Scheme*'. [Online] [Accessed on: 05/01/2023] [Accessed by: <https://www.nidirect.gov.uk/articles/troubles-permanent-disablement-payment-scheme>]

¹¹² Maki, J. (2019). '*Trauma, Dignity, and Restoration*'. ADVOCATES AND SURVIVORS FOR CRIME VICTIM COMPENSATION REFORM. Pp. 15. [Online] [Accessed on: 03/11/2022] [Accessed by: https://allianceforsafetyandjustice.org/wp-content/uploads/2021/10/Trauma_Dignity_and_Restoration.pdf]

¹¹³ Rowland, N. McVicar, D. Shuttleworth, I. (2018). '*The Evolution of Catholic-Protestant Labour Market Inequality in Northern Ireland, 1983-2014*'. IZA Institute of Labor Economics; Borooah, V, K. Et. Al. (1995). 'CATHOLIC-PROTESTANT INCOME DIFFERENCES IN NORTHERN IRELAND'. *Review of Income and Wealth*. Vol. 41, no. 1.

Catholic civilian group is a result of a lack of available provision to their specific sector of the community, a lack of knowledge of the support opportunities available, or a reoccurring personal decision amongst these participants to not partake in NGO support opportunities. Adding a further question to this conclusion, WAVE Trauma Centre's impact report for 2015 - 2020 shows a larger number of Catholic civilian service users than Protestants during this period (though only by a small margin). Given that both the WAVE Trauma Centre and the Northern Ireland Memorial Fund distribute state funding to service users, one potential reasoning behind this difference between the above stated figures and our own sample is an increased confidence in Catholic service users in accessing state funded support institutions when compared to during the period of 1966 – 2005.

As stated, a hierarchy of victimhood exists in relation to those victims of alleged collusion and miscarriages of justice, and this is particularly clear in those cases that involve the latter. With the government's monopoly on the official narrative of these events, those victims who maintain their innocence can only be provided official support upon state admittance of their innocence, often after a lengthy and expensive government investigation. As such, due to their declaration as 'non-innocent' victims (despite their insistence of the opposite), they are deemed ineligible for official aid or compensation. As such, they are unjustly left to subsist economically, physically, and mentally by their own means, unless supported by non-official sources, such as those NGO's that support these individuals' narrative. This matter will be compounded upon further when discussed alongside the topic of justice efforts for these cases of alleged collusion and miscarriages of justice.

Interventions, psychological and monetary, were greatly insufficient across all sectors of the community during the earliest years of the conflict. Whilst this affected certain sections of the community to a greater extent than others due to matters of societal economic inequality, the cross-comparison of the testimonies provided in this study give no reason to conclude that there was an institutionalised hierarchy of victimhood in the matter of official intervention efforts on the grounds of religious bias. Intervention in any form was extremely necessary due to the prevalence of mental health issues, suicidal tendencies, propensity towards alcoholism, drug abuse (prescription or illegal), all of which was experienced amongst all 3 main subject groups and remain a matter of concern in Northern Ireland to this day. As such, many non-governmental organisations, particularly charitable organisations, were formed to fill in the gap in support that resulted from the governmental inadequacy, with a clear variance forming in the degree to which each sector of the community trusted and utilised these bodies.

In the following chapter, our analysis continues, with the focus turning to the topic of participants' experiences of efforts to find justice for their losses, featuring several overlapping elements from this chapter to better clarify and exemplify the matter under discussion.

5. Analysis: Finding Justice

Introduction

This chapter discusses the efforts of our participants in finding justice after they were impacted by conflict related violence. Like the previous chapter, this analysis will be divided into four victim groups: security forces victims, Protestant civilian victims, Catholic civilian victims, and victims of collusion and miscarriages of justice. Key findings in this chapter includes victim perceptions of police service failures, the importance of truth recovery services such as the Historical Enquiry Team (HET) and the Police Ombudsman, the matter of officially declared 'innocence' and 'non-innocence', and the distinct grievances surrounding the Good Friday Agreement (GFA) from the perspective of the varying victim communities.

Before examining our participant's views on justice and their efforts to seek it out, it is first necessary to examine the origins of the term, which in turn will aid in the better understanding of our normative values surrounding the term. The word '*justice*' originates from the Latin '*jus*', meaning '*that which is sanctioned or ordained, law*¹', '*right*', or simply '*that which is just*²'. Philosophically, the term 'justice' deals with the matter of subjective societal morality and virtue, particularly in relation to a desirable quality of political society, and a key tenet in ethical decision-making and rational order.³ 'Criminal justice' is the delivery of justice to those accused of a criminal act, whether that justice results in either the subject's acquittal or sentencing through evidential investigation (which ultimately leads to the continued debate within victimology and penology of criminal punishment, treatment, or restitution).⁴ Based on these definitions, it becomes clear that justice is a non-descript concept, one that is subjective for each participant, and only they can provide a definition that aligns with their personal goals and values. This trend will be further highlighted in practice throughout this chapter.

Procedural justice theory refers to the extent to which the population perceive that they have been treated fairly in the process of finding justice, and that the procedures used in reaching a decision were made fairly.⁵ Under procedural justice, it is assumed that the public will accept decisions if they are made in an open, logical, and fair way, in accordance to commonly agreed ethics and social rules, even if the resultant outcome is not favourable to

¹ Glare, P, G, W. (2012). 'Oxford Latin Dictionary'. 2nd Edition. Pp. 984

² Boatright, J. (2018). 'The History, Meaning, and Use of the Words Justice and Judge'. *St. Mary's Law Journal*. Vol. 49. No. 4. Pp. 729.

³ Pomerleau, W, P. (2013). 'Western Theories of Justice'. *Internet Encyclopedia of Philosophy*. [Online] [Accessed on: 07/03/2022] [Accessed by: <https://iep.utm.edu/justwest/>]

⁴ Karmen, A. (2010). 'Crime Victims: An Introduction to Victimology'. Chapter. 6: In. '*Victims and the Criminal Justice System: Cooperation and Conflict*.' Wadsworth, UK. Pp. 145.

⁵ Tyler, T, R. (1987). 'Procedural Justice Research'. *Social Justice Research*. Vol. 1, No. 1. Pp. 42

the subject in question.⁶ It is this underpinning of fairness and equality that forms the very core tenets of justice from the perspective of this theory, and as such, any bias that exists within the criminal justice system goes against this popularly held theory of procedural justice. Any disposition towards one particular person or group during the criminal justice process conveys to those individuals not receiving these benefits that their justice is of less importance than another's. Conversely, through the perception that the efforts made in finding justice for the victim are being conducted with absolute rigour that the victim is then able to perceive that their victimhood is taken seriously. Further, this enables the perception that their case is of a severity that is worth investigation, and that those organising this investigation equally wish to see justice found. How the authorities treat victims is deeply interlinked with said victims' own perception of their place and standing within society (and potentially associated with how certain sectors of society perceive this groups' status); to quote Urbanska, Pehrson, & Turner '... fair treatment from authorities can affirm one's status in the group while unfair treatment can disaffirm it.'⁷

Frequently linked to procedural justice theory, through its psychological basis, is the group values relational model by Lind and Tyler⁸, which emphasizes the importance of ongoing positive interactions between individuals and authority figures. This importance is a result of the relationship between a victim and the criminal justice system is not just isolated incidents but rather a continuous, long-term process. As such, much like the aforementioned procedural justice theory, fair procedures are interpreted as indicators of respect and value, and when continued lead to cooperation and voluntary compliance with police and with the law; whilst continued interactions that are deemed as unfair, show disrespect, or is an exploitation of authority lead to non-cooperation, distrust, and non-compliance.⁹ The four tenets of this model are as follows:¹⁰

1. That both the accuser and the accused had the opportunity to state their side of the story, whilst being listened to and sincerely understood.
2. The authority figures in control of the criminal proceedings are truly neutral and principled in their decision-making.

⁶ This theory is primarily focused upon 'how' justice is reached, irrespective of the final form in which that justice takes. Sunshine, J. Tyler, T. R. (2003). 'The role of procedural justice and legitimacy in shaping public support for policing.' *Law & Society Review*, No. 37, Pp. 513-548.

⁷ Urbanska, K. Pehrson, S. Turner, R. N. (2019). 'Authority Fairness for All? Intergroup Status and Expectations of Procedural Justice and Resource Distribution'. *Journal of Social and Political Psychology*, Vol. 7, No. 2, Pp. 766–789.

⁸ Lind, E. A. Tyler, T. R. (1988). '*The social psychology of procedural justice*'. New York: Plenum Press

⁹ Tyler, T. R. (1990). '*Why People Obey the Law*'. New Haven: Yale University Press.

¹⁰ Lind, E. A. Tyler, T. R. (1988). '*The Social Psychology of Procedural Justice*'. New York: Plenum. Cited In: Coodman-Delahunty, J. (2010). 'Four Ingredients: New Recipes for Procedural Justice in Australian Policing' *Policing*. Vol. 4, No. 4. Pp. 404.

3. Those involved and their issues are respected, with their rights being considered in all actions.
4. Trustworthy motives of those authority figures involved in the criminal procedures, who hold sincere and authentic motivations during all elements of the process.

This thesis asserts that among the various forms of post-incident victim support examined in this study, the issue of justice for a victim or survivor and how they are treated by authorities through this process is of particular importance, especially in terms of aiding their recovery. Supporting this view, a study conducted by Wemmers found evidence to suggest that the treatment of victims by the authorities during the procedural justice process directly impacts victims' recovery from traumatic incidents.¹¹ As a further natural extension of this theory, particularly in relation to Northern Ireland, we look to collective victimhood theory; in that the term 'victim' can become an applicable characteristic of an entire national, ethnic, or religious group. Whilst the legal status of victimhood can be attributed to the primary victim within a particular identity group, they can be effectively joined by those who did not directly suffer if this group is perceived as being targeted with a degree of frequency, forming an 'embattled' section of society, and a 'siege mentality' amongst its populace.¹² As such, these individuals that subscribe to a form of collective victimhood are also indirectly affected by the treatment their sector of society is dealt by the criminal justice system. This affects their social recovery, having long-lasting implications for post-conflict transitional justice efforts, as well as the overall sentiment held towards both the criminal justice system and governing body as a whole within entire sectors of the community.

Relating to these theories surrounding unfair treatment, the role of both the security forces and the criminal justice system during the first half of the Northern Ireland conflict were particularly controversial. This includes accusations of partisan policing in favour of the Protestant majority population, internment without trial of suspects of paramilitary activity, and heavy-handed involvement of the British military. We also see particular issue taken with the use of Diplock courts (named after the commission led by Lord Diplock), which rely on a single judge and no jury, and the decision to 'criminalise' violence related to the Troubles through police service taking a new 'professionalisation' approach, taking the lead in counter-insurgency actions while the military played a supporting role.¹³ Whilst many of these elements

¹¹ Wemmers, J. (2013). 'Victims' experiences in the criminal justice system and their recovery from crime'. *International Review of Victimology*. Vol. 19, No. 3.

¹² Breen-Smyth, M. (2018). 'Suffering, Victims and Survivors in the Northern Ireland Conflict: Definitions, Policies, and Politics'. Dr Gruyter. Pp. 44.

¹³ Cochrane, M. (2014). 'The Role of the Royal Ulster Constabulary in Northern Ireland'. In: Fair, C, C. Ganguly, S. (Ed.) 'Policing Insurgencies: Cops as Counterinsurgents'. Oxford University Press. Pp. 113-115.

were the results of reactionary decisions stemming from a lack of experience and best practice, this study acknowledges that many of these historical events have the distinct possibility of reducing the likelihood of positive procedural justice. Regarding the accused, the policy of internment¹⁴(which was primarily directed towards the Nationalist and Republican communities¹⁵), and the use of the Diplock Courts, greatly reduces the chance of any of the above model's four tenets being achieved. Whilst for the victims, these earlier accusations of partisan policing of the RUC and the heavy-handed approach of the British military equally reduce the likelihood of positive identification of the previously highlighted procedural justice. From the phasing out of these policies after March 1976, and the introduction of the aforementioned criminalisation and 'professionalisation' approach¹⁶, this distinctly different method credits procedural justice theory, through the increased focus on criminal investigation, community policing models, and attempts to improve public satisfaction and confidence. It must be noted that despite these developments towards a community policing models, moving away from a counterinsurgency approach, accusations of partiality and sectarianism within the security forces did not abate and policing continued to be a highly controversial aspect of the Troubles, potentially resulting in more critical perceptions from victims.

To aid in the identification of the extent of the personal justice experienced by participants in this study, the interview questions that these individuals received followed the natural progression of the criminal justice system. First, the initial response of the security forces once the event occurred, the efforts made by the police to investigate the perpetrators of the incident, whether the perpetrator was convicted in a court of law, and if so, whether the participant was satisfied with the sentencing. Further, if applicable, the participants' opinion on the efforts made by the Historical Enquiry Team.¹⁷ This was a unit with the PSNI whose remit was the investigation of all deaths attributed to the Troubles leading up to the Good Friday Agreement, conducting their investigation between 2005 and 2014, before being replaced by the much smaller Legacy Investigations Branch.¹⁸

¹⁴ *ibid.*

¹⁵ Levine, J. (2010). *'Beauty and Atrocity: People, Politics and Ireland's Fight for Peace'*. London: Collins Publishers. Pp. 119.

¹⁶ Smith, M. L. R. (1995). *'Fighting For Ireland? The Military Strategy of the Irish Republican Movement'*. London: Routledge. Pp. 114.

¹⁷ The HET and its investigations were intended to be operationally independent from the overall structure of the PSNI by sourcing the Director and Deputy Director from police services in England, supported by legal advisors from outside of Northern Ireland. Further, several branches of the HET were nearly entirely staffed by retired police officers from England. BBC News. (2006). *'Murder review team to begin work'* 23rd January 2006.

¹⁸ Parliament.co.uk. (2017). *'Investigating historic allegations in Northern Ireland'*. [Online] [Accessed on: 07/03/2022] [Accessed by: <https://publications.parliament.uk/pa/cm201617/cmselect/cmdfence/1064/106404.htm>]

Further groups that also exist as investigatory bodies, but specifically focused on malpractice in the police service or military, are the Police Ombudsman and the Service Prosecuting Authority. Formed on 6th November 2000, the Office of the Police Ombudsman in Northern Ireland was created to ensure an 'independent, impartial, civilian oversight of policing'.¹⁹ Regarding British Military related inquiries and prosecution, the Service Prosecuting Authority was established in 2009, and is 'independent of both the Ministry of Defence and the military chain of command in respect of its prosecutorial functions'.²⁰ The role of these organisations can be underlined by their search for truth, whether for those victims who wish to know the full information surrounding the loss of their loved ones (specifically the Historical Enquiry Team), or those who wish to their allegations towards the security forces to be investigated (The Police Ombudsman and the Service Prosecuting Authority). Whilst the HET holds benefit to all victims, these latter two hold particular benefit to those individuals in this thesis who allege collusion or miscarriages of justice.

It is within the discussion surrounding these topics and investigatory bodies that we will examine the experiences and opinions held by our research participants, collating the testimonies by each stratified group to gauge the trends that become present, before cross-examining these group experiences to better judge the existence of a hierarchy of victimhood. The remainder of this chapter turns to examine the perspectives of our four categories of victims and their experiences of seeking and finding justice. It concludes by comparing their experiences and assessing whether there is evidence of a hierarchy of victimhood within their pursuit of justice.

Security Forces Victims

Members of the security forces, by virtue of their careers tend to have greater insights into the criminal justice system and investigation procedures than the public. This creates three distinct groups within this victim group: those members of the security forces that were attacked and survived the event(s) to a degree that they remained within the career. Members of the security forces that responded to violent, Troubles-related incidents, may have potentially received secondary trauma as a result of their indirect involvement in the event, and can therefore also be considered victims. Finally, those individuals that were involved in

¹⁹ Police Ombudsman of Northern Ireland. (N.d). '*History of the Office*'. [Online] [Accessed on: 24/05/2022] [Accessed by: <https://www.policeombudsman.org/About-Us/History-of-the-Office#:~:text=When%20the%20Office%20of%20the,investigated%20by%20other%20police%20officers.>]

²⁰ Gov.uk. (2012). '*Guidance: Service Prosecuting Authority*'. Ministry of Defence. [Online] [Accessed on: 24/05/2022] [Accessed by: <https://www.gov.uk/guidance/service-prosecuting-authority>]

an attack which resulted in their death (or injury that led to their retirement from the career), and as such this study includes those family members who lost a loved one to violent actions related to the Northern Ireland conflict. In total, there is 15 individuals within this category of victim. The differences that stem from these variations in victim experience will be discussed in greater detail later in this section.

To begin with the participants' opinions on the criminal justice system on the whole, security force victims interviewed showed a clear dissatisfaction with the post-investigation aspect of the criminal justice process. This was one of the most prevalent responses from participants who personally served in the security forces, with ten out of the fifteen security forces participants making negative references towards this aspect of their personal experiences. They stated dissatisfaction with court proceedings as well as sentencing. In relation to accusations of common practices in criminal court proceedings, INT10, a member of the RUC, stated the following, despite successfully achieving conviction in their own case:

I don't really see in the legal system justice as a member of the public... through the wheeling and dealing that the judiciary do, and the solicitors, barristers, and all. We would have went up, when Crumlin Road was a court house, it was a circus. ...If a barrister was on, they would have stood about arguing all over it until they got to 12 o'clock, and at a quarter past 12 they would have walked into a room and done a deal. 'You are looking twenty, we are looking ten, we'll give him fifteen.' ...It used to really annoy us. It took us yonks, a lot of dangerous work. These people do not have a clue of what those people were capable of doing, if they got that five-hundred-pound bomb down into the town, got to the doorstep of that house where they were going to shoot the man as soon as he opened the door.²¹

Whilst not related to their own attack, INT10 provides us with a specific example of an investigation that they were directly involved in when it went to court, which provides further context to the various aspects the members of this subject group feel dissatisfaction towards:

[One] of these UVF gangs, we got one coming down the Springfield Road. They actually got out of the car, running up with two guns to shoot the man coming out as soon as he opened the door. They saw us just arriving, the boys crashed into the front of them, and they tried to jump onto the car to get away, but we got them. If we hadn't been there- I'd say another 30 seconds- there would have been a man lying dead in a hallway. They're sitting in- I know everyone is entitled to legal representation- but they were sitting with the barristers and solicitors, laughing and joking. Then they meet with

²¹ INT10. (2019). Interview with J McCann. 14th October 2019.

*the prosecution barrister, and they go 'Yep, we'll go for ten years on them', they were snuffing a man's life out. There is no justice here, this is a fucking circus. It annoyed me how they got on in the courts.*²²

This issue with plea deals is a common response amongst security forces interviews, with five participants taking specific issue with the (in their opinion) flippant nature and lenient sentencing given through plea deals. The discourse of those who discussed the matter of indicting criminals, particularly by those officers who served in the security forces, was that they often had to 'battle' the criminal courts system to achieve what they viewed as a fair result to their efforts and losses. The matter of leniency towards individuals convicted of Troubles-related offences is a common trend amongst all sectors of this study and will be highlighted several more times across this chapter. This opinion is only compounded upon by the next element, one frequently discussed by this participant group.

A common opinion, stated in seven security forces testimonies, is a distinct grievance with stipulations of the Good Friday Agreement, particularly prisoner releases (both from the perspective of a victim and a professional). These releases were under section 10 of the Good Friday Agreement, stating that members of paramilitary organisations whose members maintain a complete and unequivocal ceasefire would benefit from an accelerated programme of release from imprisonment.²³ This element of the Agreement was certified through the Northern Ireland (Sentences) Act 1998²⁴. This agreement resulted in a total of 506 individuals being released from prison on licence between 1998 and 2012, irrespective of the intended length of their sentence.²⁵ This stipulation of the Good Friday Agreement was intended as an incentive towards a permanent cessation of violence by paramilitary groups, whilst also acknowledging the political element of this conflict (and as such, the prisoners), rather than it being a matter of criminality²⁶. These participants felt that the inclusion of this stipulation by the British Government lost them their personal justice and retribution, in exchange for the relative peace in Northern Ireland. Further, those individuals released did not have to renounce violence nor their paramilitary affiliations, not only causing concern that their victims may '[meet] the person on the street'²⁷ but also return to violence. As journalist Mary Holland stated

²² *ibid.*

²³ *The Belfast Agreement: An Agreement Reached at the Multi-Party Talks on Northern Ireland.* (1998). The Stationery Office: London.

²⁴ *Northern Ireland (Sentences) Act 1998.* (1998). Parliament: House of Commons. Chapter 35. London: The Stationery Office.

²⁵ Democratic Progress Institute. (2013). *'The Good Friday Agreement – Prisoner Release Processes'*. August 2013. London. Pp. 9.

²⁶ McEvoy, K. (1998). 'Prisoner Release and Conflict Resolution'. *Fordham International Law Journal*. Vol. 22, No. 4. Article 19. Pp. 1540.

²⁷ Magee, A. (1999). 'Mowlam Frees Top Loyalist Terrorist'. *Times*: London. 15th September 1999. Cited in. Mulvihill, D, F. (2001). 'The Legality of the Pardoning of Paramilitaries under the Early Release

'[e]xperience has shown that if we do not deal with the anger and the pain which still exist in both communities, they will return to poison the hopes of progress in the future.'²⁸ Specifically relating to serving members of the security forces, William Matchett (now a published author on the conflict), an outspoken opponent to this stipulation of the Good Friday Agreement, stated the following:

*It's [The Good Friday Agreement] the political deal that came at the end of this conflict called the Troubles, in fact, it still extends into Omagh [bombing of 15th August 1998] and a few years after. It was, at last, when politicians sat down and agreed that this is the way forward. Unfortunately, that's where they started to distort the whole criminal justice system. That was the- I would say, policing by nature is controversial, but policing needs to constantly change, and a lot of folks don't understand that it has to constantly keep changing to the environment of the people. So, the police, from a conflict going on to a post-conflict, they had to be fundamentally changed, but the way that was orchestrated and the way it was politicised, that's where you have this sub-layer of justice, where you get the secret deals. It's like these de facto amnesties, where they go 'well we're not going to pursue you', and that started to sort of subvert the rule of law, to an extent, because there is a rule for one and a rule for others.'*²⁹

This concept of subversion of justice, as well as the opinion that the hard work of, and justice for, security forces members was 'sacrificed' to achieve this form of peace was also a commonly held opinion by several respondents. As INT17, a former-UDR soldier, stated:

*When you look back and you see terrorists that we knew, who committed more than one or two murders, having done maybe a couple of years and then released, and still involved...many of them are still involved. Basically, there are two sides of it; the terrorists seem to be getting the benefit, whilst the military and the police and everybody else are the ones being accused of all the crimes. I find that really disturbing. It's a case of Sinn Féin trying to rewrite history, the more soldiers and police who are convicted of crimes just enforce their case.'*³⁰

This aspect of the targeting of security forces for offences conducted during the Troubles, for purely political motives, is a narrative that is commonly circulated³¹, despite out

Provisions of Northern Ireland's Good Friday Agreement'. Cornell International Law Journal. Vol. 34. No. 1. Pp. 253.

²⁸ Holland, M. (1999). 'Only Fresh Start can Ease Pain and Anger'. *Irish Times*. 23rd September 1999.

²⁹ Matchett, W. (2019). Interview with J McCann. 3rd November 2019.

³⁰ INT16, INT 17. (2019). Interview with J McCann. 1st November 2019.

³¹ Keogh, G. (2021). 'Another 12 Troubles veterans are facing hell of criminal charges: Months after Boris Johnson vowed to end witch-hunt, more former soldiers who served in Northern Ireland are under investigation over conduct'. *Daily Mail*. 31 January 2021.

of the 26 Troubles-related cases brought to the Public Prosecution Service, only 5 were former soldiers, with the remaining 21 related to paramilitary offences.³² It must be noted, however, that this opinion was not universal amongst those members of the security forces that remained in their career after their particular violent event(s), as INT10 stated when asked if they were aware if the individual(s) responsible for their injury was indicted for the offense:

*Yeah, but then they got released on the Good Friday. Fifteen and twenty, they got for me. As long as they are convicted and it's on their record and all. One of them is doing those walking tours of West Belfast.*³³

Comparing the above testimonies from individuals that had a career in the security forces at the time of their assault, with those from participants who suffered the loss of a family member within the security forces, we see several overlapping experiences and opinions, with a number that that diverge significantly. As referenced to in the beginning of this section, due to individuals in this participant group having remained in the security forces after the violent incident that lead to their victimhood, a variation in the knowledge and experience surrounding the criminal justice system exists. Specifically, those individuals within the RUC would have an increased likelihood to have specific knowledge of the investigatory efforts made in their own case. Further, their knowledge of the standard procedure involved in a criminal investigation in general, due to the nature of their profession, gives them greater insight into how their cases were handled. On this very matter, INT11 (who lost their sister in an IRA mortar attack on her police station) was able to keep up to date on all efforts made in the investigation into their sister's murder due to their own position within the RUC. When asked if they are aware of the specifics of the investigation, they stated the following:

*I am aware, yes. I suppose, since I was in the Police and the CID [Criminal Investigations Department], which dealt with all of these incidents. They done their very best, I know they did. Yes, they had people charged, and I think one person that was eventually convicted of manslaughter. It was down to this guy, whether or not he had learning difficulties or something. I remember at the time, for my own satisfaction, I read the judgement from the Judge. Was I annoyed? Yes, I was. But then you put your police head on.*³⁴

This level of internal sympathy for fellow police officers who are investigating their case was relatively common amongst this group, particularly in those individuals who survived their

³² Burke, E. (2021). 'The Troubles with Northern Ireland Legacy Cases.' *Royal United Services Institute (RUSI)*. [Online] [Accessed on: 26/04/2023] [Accessed by: <https://www.rusi.org/explore-our-research/publications/commentary/trouble-northern-ireland-legacy-cases>]

³³ INT10. (2019). Interview with J McCann. 14th October 2019.

³⁴ INT11. (2019). Interview with J McCann. 15th October 2019.

attack and remained in service. For example, as William Matchett of the RUC explained in relation to a hand grenade attack on his vehicle by the IRA:

I probably took it in the greater scheme of things, the attempted murder of three police officers wasn't right up there with what they needed to look at, because there were people- there were murders, there were abductions, there were other things. I never really wondered 'why was no one ever prosecuted?'... probably because I am sympathetic enough to go 'well none of us seen it, we aren't going to get an eyewitness, and if there are no forensics, it's going nowhere'. Cops are cynical, they would just think 'really? What are the chances of actually catching...'? Even if he comes in and confesses, takes a bout of conscience, ten days later a solicitor could go 'oh you were forced into confessing', and in his moment of weakness he could go 'well they beat it out of me!', and it's all overturned. Even if he came into confess, it wasn't guaranteed that he would.³⁵

By contrast, civilian victims were less likely to have details of their investigation granted to them (or even if a full investigation was indeed taking place). Whilst this may indeed be considered standard procedure in the police service, many participants took issue with this after the death of a family member. As stated by Elizabeth Woods:

We didn't hear from the police, all them years, they didn't ask us: "do you think it's such and such?", "do you think it's somebody?" we weren't asked nothing. That went on for 30 years until the historical enquiries, and we didn't learn nothing then, just that he was eating in the car that morning he was murdered, so we might as well have not bothered going through it.³⁶

When asked how this lack of information made her feel, Ms Woods continued on to say: "I'm cross at them not coming back to us, the detectives not contacting the family for all them years. I think every family is the same, plus the historical enquiries people not coming through." This statement holds a particular trend amongst several of these testimonies: the families were told extremely little about the investigation into their family member's death, and they only discovered tangible information upon the efforts made by the Historical Enquiry Team, often decades later, to mixed results. Michelle McBride presented a similar experience overall, stating the following:

Obviously, we weren't aware of the efforts made until we got the HET inquiry, which was years and years later, and even that - you don't feel - I have never done a

³⁵ Matchett, W. (2019). Interview with J McCann. 3rd November 2019.

³⁶ Woods, E. (2019). Interview with J McCann. 20th March 2019.

police investigation, so I am not - I can't judge whether it was a good investigation, a bad investigation...

But, obviously with police investigations, you aren't privy to what's going on, and everything is confidential. They don't come and talk to the family; they don't tell you what is happening. You are very in the dark, and I feel after what your family has sacrificed for the organisation, that you are- that's that, you are in that wee compartment and you're just going to move on from this, and not know anything about it; we aren't going to let you know anything.³⁷

When asked if being kept apprised by official sources of the efforts made to seek justice for their lost family member would have been something she specifically would have desired, Ms McBride continued to say:

I think I would have, yes. I would have preferred to be consulted, or kept up to date, but you never had any official involvement again, unless it was through welfare groups, or colleagues I had worked with coming to see you, not on an official capacity but as friends.³⁸

Regarding her father's murder, Andrea Brown (daughter of murdered RUC Sergeant Eric Brown) expressed that from the outset of the Historical Enquiry Team's investigation, she did not believe that any gains would be made towards finding justice for this event. The primary reasoning given was regarding the stipulation of *the Northern Ireland (Sentences) Act 1998* which states that anyone later convicted of a conflict-related offense made before April 1998 would only serve a maximum of two years in prison³⁹. In her own words:

My dad's HET [investigation] was done a number of years ago, but I haven't been able to read the report. I know the report is useless, even before they done the report that it was going to be useless. If they had of found the guy, and being able to pin it on him, two years is no justice. Two years is not justice, and that's all they would have got. They brought the guy in for questioning, they held him for 48 hours, and he just said 'no comment', and that's it.⁴⁰

This matter of judiciary practices that several respondents claim benefits the accused over the victim or the investigators was a common element amongst the respondents within this section, with many claiming that it hindered their personal justice in a manner that was not

³⁷ McBride, M. (2019). Interview with J McCann. 21st March 2019.

³⁸ *Ibid.*

³⁹ *Northern Ireland (Sentences) Act 1998*. (1998). Parliament: House of Commons. Chapter 35. London: The Stationery Office.

⁴⁰ Brown, A. (2018). Interview with J McCann. 29th October 2019.

deemed 'fair'. Louis Johnston reported similar hindrances in the investigation of his father's murder by the IRA, seemingly not having been provided with a cause for this reported failure to achieve justice. When asked if he was aware of the alleged perpetrator and if they were indicted for the offense, Mr Johnston stated the following:

*I am aware of the ones accused, yes. I think everybody- they are well known, and I suppose my problem is that they were accused of other things, and they had DNA as a part of other investigations, and yet they still walked away.*⁴¹

The matter of judiciary dissatisfaction is further highlighted by Andrea Brown, who stated her opinion that members of the security forces are treated with a greater severity when providing evidence towards their claims than civilian accused during criminal proceedings, as she continued in her testimony:

*...the police and the soldiers have to account for every minute and second of the day, but the guy that shot my dad can just say "no comment", how will there ever be justice? there will never be equal justice, why should one person get it and one person not because of who the murderer was?*⁴²

Framing this discussion within the theoretical approach introduced at the beginning of this chapter, we see that the participants above do not feel that procedural justice was implemented during their judiciary process, in that they were not satisfied with either the investigation's findings, or the sentencing resulting from the court case. Through the lens of this theory, if these participants viewed the investigative or sentencing processes as 'fair' and 'logical', they would show greater satisfaction with the results, even if the outcome was not favourable to their particular position.⁴³ Given the dissatisfaction amongst many of these participants, we must conclude that they view the very process in which the criminal proceedings took place as failing in one or more of the previously mentioned criteria of the group values relational model⁴⁴ An example of such failings in the eyes of a participant comes from INT19, an RUC part-time reservist who was caught in an IRA gun and bomb attack. They share a similar disdain for the judiciary practices reported in Northern Ireland, taking distinct issue with specific criminal acts being deemed 'political' in nature. In their own words, these crimes receive less harsh sentences or result in being released from prison on licence due to political agreements (an element that breaches point 3 of the group values relational model:

⁴¹ Johnston, L. (2019). Interview with J McCann. 28th March 2019.

⁴² Brown, A. (2018). Interview with J McCann. 29th October 2019.

⁴³ Tyler, T. R. (2007). 'Procedural Justice and the Courts'. *Court Review*. Vol. 44, No. 1 2. Pp. 26-31.

⁴⁴ Lind, E. A. Tyler, T. R. (1988). '*The Social Psychology of Procedural Justice*'. New York: Plenum. Cited In: Coodman-Delahunty, J. (2010). 'Four Ingredients: New Recipes for Procedural Justice in Australian Policing' *Policing*. Vol. 4, No. 4. Pp. 404.

the issues of the victim is respected, and their right to justice is being considered in all actions.⁴⁵):

*I have a very strong opinion on justice generally. It doesn't just apply to Northern Ireland. I feel that if you do the crime, you do the time, no matter what the crime is. Be it a crime of murder, bombing, theft...*⁴⁶

When asked if they believe that a political motivation behind a criminal act should change the circumstances surrounding the sentence, they responded: "No, no. I don't think there is such a thing as a political prisoner or a political crime. I think a crime is a crime. I have always felt like that."⁴⁷ Whilst little evidence outside of anecdotes can be found to state that Troubles-related offences were, as a matter of policy, provided with less harsh prosecution, some evidence exists to potentially speak to these participant attitudes. Whilst sentences given to individuals who committed paramilitary acts were often standard, their remission was not. During much of the conflict, a 'carrot and stick' approach was often taken, with prisoner early releases often being a concession made upon commitments of ceasefires or the decommissioning of firearms.⁴⁸ With the Good Friday Agreement's prisoner releases on licence, as well as the reduction of potential sentencing of unindicted offences to a total maximum of 2 years in prison this matter may be further compounded upon by the efforts to prosecute former military members for their alleged involvement in offences. The combination of these elements could potentially explain the attitude that members of paramilitary organisations were receiving less strict treatment in criminal proceedings than members of the security forces.

Most of the security force victims interviewed had negative views of the criminal justice process they experienced. Many feel that the process resulted in them or their loved ones being denied justice. A range of factors contributed to this dissatisfaction within the security forces group. Of the three most common elements stated in this section, the first is the improper communication from the police in relation to the investigation (causing the victims to feel 'abandoned'), a matter that has been featured in very little secondary literature, and as such is worthy of further investigation into matters of policing procedural best practice in intra-national conflict zones. Secondly, the allegation of the accused perpetrator's receiving of shorter sentences in court proceedings that allowed them to, in the eyes of the victims, unfairly circumvent indictment for the crime. Thirdly, and most commonly amongst these testimonies,

⁴⁵ Lind, E. A. Tyler, T. R. (1988). *'The social psychology of procedural justice'*. New York: Plenum Press

⁴⁶ INT 19 (2019). Interview with J McCann. 08th November 2019.

⁴⁷ *ibid.*

⁴⁸ McEvoy, K. (1998). 'Prisoners, the Agreement, and the Political Character of the Northern Ireland Conflict'. *Fordham International Law Journal*. Vol. 22. No. 4. Article 19. Pp. 1539 – 1559.

the opinion that the prisoner releases that were part of the Good Friday Agreement meant the forfeiture of their personal justice. This view was most commonly being held by victims and survivors who remained in service within the security forces. This sense of injustice to a lesser degree being felt on a personal level, but to a greater degree under the 'collective victimhood' that is experienced by this group, seeing that the 'hard work' or sacrifice that the participant and his/her colleagues gave to achieve the perpetrator's indictment was forfeited.

Protestant Civilian Victims

Continuing the topic of justice efforts, we look to the testimonies provided by the Protestant civilian group. As noted in the previous section, civilians are less likely to be directly notified of all the investigatory efforts made in their cases than members of the security forces.

The Protestant civilians interviewed overwhelmingly recounted negative experiences of the criminal justice system. In their testimony, INT1 provides one of the few that was not resoundingly negative about their experience of seeking justice, after successfully gaining conviction of one of the individuals related to their brother's murder:

Well, they did get one guy, the one guy was the one who washed their clothes. I was at the court hearing that day... you see at the time we were all too grief stricken to even- we are not a hard family, I know people who would go to the ends of the Earth to get justice... yes, we would have liked to find the perpetrator, but it wasn't all about that, it was about looking after our family, and keeping our family together. ...Our priority was looking after family. Yes of course we wanted people brought to justice and I would still love to know to this day who killed my brother, but fundamentally keeping the family together was the most important thing.⁴⁹

While the criminal proceedings Samuel Heenan experienced ultimately did not result in a conviction, his views of the proceedings were not entirely negative, as he did not state a distinct acceptance or frustration towards this outcome. After acknowledging that he does not believe he will ever get justice, the participant was asked how they feel about that admittance:

I have accepted that. I have accepted that because, you know, I'm not blaming anybody [in the security forces or judiciary]. We didn't know in 1985 the forensic advancements with DNA, so therefore the car wasn't kept, there was nothing there. There was a gun residue, blowback residue, that was it, so without a confession, it's

⁴⁹ INT1. (2018). Interview with J McCann. 24th October 2018.

*not going to happen for me. As a Christian man, I know there will be divine retribution for those, the Lord will judge those, and ultimately their justice will then prevail.*⁵⁰

Among these examples, only those participants who prioritised their personal values or were guided by their faith gave a positive review of their personal experience with the criminal justice system. This suggests that although not everyone shares this perspective, individuals who have concerns about the procedural justice process may choose to ignore or abandon their pursuit of justice if their personal beliefs permit them to do so.

Continuing the topic of participant satisfaction in efforts surrounding their personal justice, INT20 states another example of successful sentencing of one of the individuals allegedly involved in their father's murder, with the caveat that they were not successfully indicted in his father's specific case. When queried regarding their knowledge of the efforts made by the police to investigate those involved in the murder of their father, they stated the following:

*Yes, they found him. One has died in prison, natural causes. He was a bit older than this boy, but the police were able to tell me and brought him in for holding in the Antrim holding centre. They held him for 24 hours, or 48 hours, or something like that there. He just sat down and said nothing. The policeman told me 'I know he's guilty'. His exact words were 'he's as guilty as hell'. We were talking about hierarchy; that's where hierarchy comes in. We were speaking to the assistant chief constable. We were saying to him that if we were in a group, with a louder voice...you go down the pecking order. They look at it and think 'what are the chances of prosecution?', and they think 'that's less chance', so they won't take it. You do feel as though you aren't getting the same support.*⁵¹

When asked if they feel enough effort was made by the police when investigating and conducting searches for evidence in relation to this murder, INT20 continued to state the following:

...There is an awful lot of things, the forensics and stuff weren't anything like they were now. Even basics like taking reports, their reports are comprehensive. The reports weren't given enough time to get them done, because there was a murder or two murders every night. During that period, it was tit for tat for years. The night my father was shot, I think there were three boys shot in the quarry. The mother sat beside us and said, 'that's one of my sons away'. She was in the Royal [Hospital] with us. She

⁵⁰ Heenan, S. (2020). Interview with J McCann. 28th January 2020.

⁵¹ INT20 & INT21 (2020). Interview with J McCann. 28th January 2020.

lost all three sons in one night. I don't know whether she was protestant or catholic, it didn't matter. We weren't thinking about that.

*As far as I know, they [the alleged perpetrators] were released. They knew they done it, and you have the police go to the PPS. The police build up the evidence and brings it to the Public Prosecution Service, but on the police report they recommend that it was as far as it goes. That's all I gathered from the police.*⁵²

This participant, whilst not satisfied with the efforts made by the police in investigating this murder, does provide a degree of explanation and understanding as to why the police were unable to achieve indictments. When using the example of an arguably more severe event occurring at the same time, they attempt to provide internal justification for improper investigatory practices by the police. Given that this event occurred in 1976, which was the second bloodiest year of the Troubles, it can be seen that the Royal Ulster Constabulary was under a large degree of pressure with the number of incidents occurring throughout this year.⁵³

Being kept informed of developments in the investigation by the police as INT20 reports above seems to have been relatively rare. Several other participants complained about lack of communication from the police. Andrea Brown, regarding her own wounding (as an unintended casualty of an IRA bombing), took severe issue with this matter:

*I don't know anything about the bomb explosion, because by only being a victim who was injured and not killed, I am not entitled to any information whatsoever. ...I think it's disgusting, I think I should be included, because my life ultimately changed that day, as much as the lives of the men who died that day. For a long time, I wish it was me that hadn't arrived, and sometimes I still wish it was me instead of one of those guys. It's very, very difficult.*⁵⁴

Whilst little communication from the police regarding the investigation is standard procedure, much like those respondents in the previous section, many civilian participants took issue with this lack of contact. Often it was insinuated that it allowed for those investigating to disregard the victim, moving onto the next case. Four of the Protestant civilian victims reported that they did not learn the details of their case until a Historical Enquiry Team investigation was conducted, many years (often decades) later. The efforts of the Historical Enquiry Team are often deemed as a failure by many members of the public (both in the

⁵² *ibid.*

⁵³ The specific incidents that occurred through this year can be seen here: CAIN. (2022). 'A Chronology of the Conflict – 1976'. CAIN. University of Ulster. [Online] [Accessed on: 18/11/2022] [Accessed by: <https://cain.ulster.ac.uk/othelem/chron/ch76.htm>]

⁵⁴ Brown, A. (2018). Interview with J McCann. 29th October 2019.

Nationalist and Unionist communities⁵⁵), with several participants within this subject group alleging that the inquiries primarily resulted in 'politically motivated' indictments of Protestant paramilitary and Security Service personnel. As Isaac Andrews presented in his testimony, when discussing his views on the efforts made by the Historical Enquiry Team:

I believe the DUP, at that time, thought that this would go after the Provisional IRA and Republicans, [but] it turned around and it was all about security forces or loyalist paramilitaries. If you look at republicans, very few were charged as a result of HET, but look at loyalists or security forces being charged. We look at politicians, and we see Mr Adams talk about this truth process and all that- there will never be a truth process. I tell people this regularly: that the truth is you won't get the truth.

I just see the hypocrisy of it all, you know? When the HET arrested key members of the IRA, they were back onto the street in an hour: political policing⁵⁶. The first defence of it, which we hear recently again, that these people are pivotal to the peace process, and you're hearing it now, about John Downey [who was charged with the murder of two British Army Soldiers in a bomb attack⁵⁷]. It's the same thing here, 'this man is pivotal to the peace process'. It seems to be me that there is a hell of a lot of hypocrisy about victims and legacy issues, around justice. I don't believe that any victim should be, no matter how hard it is or how many years it takes, that we should take away the hope of them getting justice.⁵⁸

'Political policing' more commonly involves the process in which police activity, while superficially regarding the maintenance of criminal law, instead prioritises the control or surveillance of particular social groups and communities.⁵⁹ The allegations seen in Isaac Andrews' interview is concerned with the differing treatment by the police of specific suspects due to the political utility that they hold, regardless of the crimes they have allegedly committed. In this specific case, the allegations stem from individuals being 'pivotal to the peace process' and is believed to relate to the involvement of key Republicans such as Martin

⁵⁵ BBC News. (2013). 'Historical Enquiries Team criticised: reaction to HMIC report'. 3rd July 2013. [Online] [Accessed on: 25/11/2022] [Accessed by: <https://www.bbc.com/news/uk-northern-ireland-23165015>]

⁵⁶ It is likely that this participant is referring to the 2014 arrest of Gerry Adams over the 1972 murder of Jean McConville, despite Adams being held for questioning for 4 days. Gerry Adams referred to this arrest as an attempt to 'settle old scores'. Reuters. (2014). 'Northern Ireland police arrest Gerry Adams over 1972 murder'. 30th April 2014. And. Hearty, K. (2017). 'The PSNI and 'Political Policing''. In. 'Critical Engagement: Irish Republicanism, Memory Politics and Policing'. Liverpool University Press. Pp. 221.

⁵⁷ BBC News. (2018). 'John Downey: Double murder accused released on bail'. 8th November 2018. [Online] [Accessed on: 18/11/2022] [Accessed by: <https://www.bbc.com/news/uk-northern-ireland-46134978>]

⁵⁸ Andrews, I. (2019). Interview with J McCann. 6th November 2019.

⁵⁹ Hearty, K. (2017). 'Discourses of Political Policing in Post-patten Northern Ireland'. *Critical Criminology*. Vol. 26. Pp. 129-130.

McGuinness and Gerry Adams in the peace process that led to the Good Friday Agreement. Their involvement through Sinn Féin was reviled by many in the Unionist community, particularly those within the DUP who protested their inclusion in the peace talks by not attending.⁶⁰ Despite the allegation of 'political policing' that favours former Republican paramilitaries, Mr Andrews alleges that it was initially expected by members of the Unionist community that the creation of the Historical Enquiry Team was to be a method for former members of paramilitaries forces (mainly Republican) to face justice for past acts of criminal activity that they had not yet been indicted for, favouring those within the Protestant and security forces sectors of society. This expectation was likely due to the majority of Troubles-related deaths being committed by Republic Paramilitary, and as such, the majority of incidents under investigation by the HET would align with this statistic. In reference to these expectation, Journalist Liam Clarke rather analogously stated the following:

The past is often treated like a political football. Politicians take sides and blame the referee if he does not agree with them. The Historical Enquiries Team is a case in point. Up to now it has been mainly loyalists who have cursed this ref, accusing him of picking on them and turning a blind eye to republican foul play.⁶¹

Despite the accusations levelled in Mr Andrews' testimony, an investigation conducted by Her Majesty's Inspectorate of Constabulary (HMIC), published 03 July 2013, came to the conclusion that investigations into illegal actions conducted by state agents were being 'reviewed with less rigour in some areas than non-state cases', creating a form of inherent bias in the initial series of investigations.⁶² It must be noted, that as a result of the HMIC findings, all HET investigations involving military cases between 1968 and the signing of the Good Friday Agreement were to be reviewed 'to ensure the quality of the investigations reached the required standard.'⁶³

The final examples below present two differing opinions of the same result: The first participant having clear misgivings of the justice efforts offered by the Historical Enquiry Team,

⁶⁰ Coakley, J. Todd, J. (2020). 'Negotiating a Settlement in Northern Ireland, 1969-2019'. Oxford University Press. Pp. 343.

⁶¹ Baker, P. (2011). "accept the tragedy of what happened in those wasted years without indulging in double think...". *Sluggie O'Toole*. 06 December 2011. [Online] [Accessed on: 01/04/2022] [Accessed by: <https://sluggerotoole.com/2011/12/06/accept-the-tragedy-of-what-happened-in-those-wasted-years-without-indulging-in-double-think/>]

⁶² HMIC. (2013). 'Inspection of the Police Service of Northern Ireland Historical Enquiries Team'. Published 03 July 2013. [Online] [Accessed on: 01/04/2022] [Accessed by: <https://www.justiceinspectors.gov.uk/hmicfrs/media/inspection-of-the-police-service-of-northern-ireland-historical-enquiries-team-20130703.pdf>]

⁶³ PSNI. (2016). 'PSNI Clarify Position in Relation to Legacy Investigations'. 08 December 2016. [Online] [Accessed on: 01/04/2022] [Accessed by: <https://www.psnipolice.uk/news/Latest-News/08122016-psni-clarify-position-in-relation-to-legacy-investigations/>]

in which case the report provided by the HET came to the same conclusions that were initially brought forward by the police service during the original investigation, offering no new information. As Cathy McIlvenny states in her testimony, in relation to both her nephew Craig's murder in 2005 and her sister Loraine's murder in 1987:

The papers just said it was 'believed to be in an ongoing feud with the LVF'. We all knew that Craig never joined any organisation because of the age of them, most boys did, [unintelligible] like a family. So, through Raymond [Victim's Campaigner], he put us in touch with a lot of people, British Irish Rights Watch, he went to the Ombudsman with us, he brought us to see the Historical Inquiry Team, Serious Crime Team as well. Again, we were filled with the feeling of 'rubbish'. The HET report was just a paper exercise really. We pushed and pushed and fought, and eventually got Loraine's case reopened.⁶⁴

By comparison, Samuel Heenan also received a similar result from the HET as the initial conclusion by the police service's investigation, whilst having a much more accepting and understanding opinion of the HET, despite the outcome of his case not being the one he wished:

I have to say, some people say the HET didn't try anything, I am quite a balanced individual in that – they did try, but they were absolutely inundated with everything that was going on at that time. I'm led to believe that the investigation was a good investigation, but for me now, unless someone walks into that police station and confesses, without DNA... there was nothing secured or protected... I'm not going to get justice.⁶⁵

To summarise the experiences and opinions of victims with the Protestant civilian group, we see a majority negative review of the justice efforts provided to this sector. Whilst 8 out of 10 of these participants held a distinctly negative opinion, it must be kept in mind that 5 of the 10 participants in this subject group allege that state collusion or a miscarriage of justice was involved in their case. This naturally increases the likelihood that this group of testimonies would hold negative opinions of the criminal justice system in Northern Ireland. The experiences and opinions held by this sub-group of participants will be discussed further within their own section, later in this chapter.

Highlighted within this group is the distinct issue with the inadequate communication between those involved in the criminal proceedings and the victim, with many participants

⁶⁴ McIlvenny, C. (2020). Interview with J McCann. 15th April 2020.

⁶⁵ Heenan, S. (2020). Interview with J McCann. 28th January 2020.

stating that the police were never in contact with them post-event. Several participants stated that this trend continued to the extent that they did not learn the specifics of their own criminal justice proceedings until a report was provided by the Historical Enquiry Team, often decades later. Relating to the Historical Enquiry Teams in particular, there is no one trending opinion amongst this group (other than a majority of participants stating dissatisfaction in general), with a variety of discourses that speak to allegations of bias (levelled at various sides of the political spectrum), improper investigations, 'political policing', and ineffectiveness. Much like in relation to the HET, this criticism levelled at the criminal justice system is not directed towards one consistent matter, with various issues presented amongst these participants, with no one key primary concern, but one common issue: that the majority of participants within this group were of the opinion that they did not successfully receive justice.

Catholic Civilian Victims

Among the 10 interviewees in the Catholic civilian group, only a single individual stated that the police successfully investigated their particular event, arresting a number of perpetrators and achieving conviction.⁶⁶ This trend matches the historical accusations that have been widespread, that the Catholic population experienced much less positive treatment from security forces than their Protestant counterparts⁶⁷, and that there is a degree of evidence to suggest that in some cases crimes in which Catholic civilians were the victim were investigated much less rigorously.⁶⁸ Ann Travers stated the following experience, directly after the murder of her sister, shooting of her father, and attempted murder of her mother:

My Dad identified ...the man who shot him, and close by to the scene, the gunmen both handed over their guns and wigs they were wearing to a woman ...and she had stuffed them down the surgical stockings she was wearing. Anyway, she was arrested close to the scene, and she was charged, [the man] was charged, the gunman who shot Mary [her sister] has never been found. [The woman] was sentenced to life, but she was released under the Good Friday Agreement, and the man was acquitted, and it was all down to how the identification process - which had quite a devastating effect on my Dad, as he was telling the truth and he really believed in the law. He sort

⁶⁶ Given that Ann Travers' father was a Magistrate, it could be claimed that more pressure was placed on the Police Service to investigate this attack, given its higher profile.

⁶⁷ McVeigh, R. (1994). *"It's Part of Life Here..." The Security Forces and Harassment in Northern Ireland*. Committee on the Administration of Justice. Pp. 107-108.

⁶⁸ Cadwallader, A. (2013). *'Lethal Allies: British Collusion in Ireland'*. Mercier Press. Cited in. McDonald, H. (2013). 'RUC commanders covered up killings by rogue officers, inquiry files allege'. *The Guardian*; Burke, L. (2020). 'Lessons from Northern Ireland: Policing, Polarization, and Moving Forward'. *German Marshall Fund of the United States*. No. 12. Pp.4.

*of felt very let down, and he was harangued in the court by the defence barrister, and he broke down in the court.*⁶⁹

From this example, in which one individual out of the three involved were successfully indicted and sentenced, we see that this one successful conviction was not enough to provide satisfaction with the criminal justice system and its proceedings, and a sense of successful justice. This speaks against procedural justice theory, the assumption that the public will accept decisions if they are made in an open, logical, and fair way, even if the resultant outcome is not favourable.

The remaining testimonies state either negative or neutral experiences with the criminal justice process from its offset, with the involvement of the police service. The first example of issue being taken with the immediate investigation process, albeit it an extreme case, comes from Eugene Reavey, after the murder of his three brothers in 1976. Mr Reavey reports that not only were certain individuals in the RUC unhelpful but were outright hostile and untrusting of him and his family. In the immediate aftermath of his brother's murder, Mr Reavey has the following experience when entering the crime scene in his family home:

Out of the corner of my eye, I noticed this policeman sifting through the china cabinet. I asked him 'what are you looking for?', and he said 'I am lead to believe that there is ammuniton stored in this house', I said 'If you are looking for ammuniton, unless you are going to plant it, there is no ammuniton in this house'. I caught him by the neck, and a cousin gave me a hand, and we fired him outside. Funny thing is, the other policemen never said a word.

*So, it transpired later that this constable- when the HET came, they were able to tell me that this police officer was there before the alarm was raised. He was too early on the scene. When interviewed, he said he came with two other officers. When the two other officers were interviewed, they said that this other man wasn't in their car, and they came on their own. We wondered about this for a long time.*⁷⁰

This testimony provides the first stated accusation of overt sectarianism towards the victim, a common element discussed in this participants' testimony. Sectarianism in the Royal Ulster Constabulary is a particularly complex topic, particularly due to the variables such as sectarianism from personnel, policy, or more foundational social elements. These has been

⁶⁹ Travers, A. (2019). Interview with J McCann. 16th October 2019.

⁷⁰ Reavey, E. (2020). Interview with J McCann. 09th April 2020.

discussed at length by such academics as Ellison and Smith⁷¹, Brewer⁷², and Murphy⁷³. This chapter will return to the topic of sectarianism in the RUC later.

Continuing, a common element amongst this group is the claim that respondents did not receive a great deal of direct communication from the police after their incidents. Further, in the event that arrests were not made in the immediate aftermath of the violence, communication stopped altogether as the case remained unsolved (even if arrests were made decades later). An example of this specific experience comes from Alan Brecknell, who lost his father in the gun and bomb attack of Donnelly's Bar in 1975 by the Red Hand Commandos (where his Aunt and Uncle were also wounded)⁷⁴, and had the following experience decades later:

I wouldn't have known anything until the early 2000's whenever my son asked me what had happened to his grandfather, and he was only 3 and a half, or 4 at the time. So obviously you weren't going to go into any major detail, you were just going to say that bad men had killed his grandfather... but what it did do was start me asking questions, about 'what do I actually know about what happened, and the police investigation?'...

...Purely by chance, in the newspaper archives in Armagh one day, I come across an article, in the early 2000's, maybe 2001 or 2002, where it mentioned that a number of people had been charged in relation to the attack on Donnelly's Bar, and to be honest with you that was the first that we had heard of it. No one had ever come to Mummy and said 'two people had been charged in relation to this attack'. That was 2002, so 27 years later. It was by chance I was looking for something else, as part of the research I was doing with the Pat Finucane Centre. That was a bit of a shock, and obviously there was a flurry of letters backwards and forwards between ourselves and the police at that stage to find out what had happened, and who were these people, or whatever. Also, why we weren't informed....⁷⁵

⁷¹ Ellison, G. Smyth, J. (2000). *The Crowned Harp – Policing in Northern Ireland*. London: Pluto Press.

⁷² Brewer, J. D. (1994). 'The Ethnographic Critique of Ethnography: Sectarianism in the RUC'. *Sociology*. Vol. 28. No. 1.

⁷³ Murphy, J. (2013). *Policing for Peace in Northern Ireland*. Palgrave macmillan.

⁷⁴ Allegations have since arisen that both this attack and the Reavey murders were instead conducted by the 'Glenanne Gang', a group of Loyalists that are allegedly responsible for upwards of 120 indiscriminate killings of Catholics, who had several members that were active within the security forces at the time of their involvement in these murders. Whilst not institutionalised, many refer to these killings as collusion.

⁷⁵ Brecknell, A. (2020). Interview with J McCann. 27th April 2020.

When asked what caused him to wait until almost three decades after the loss of his father to enquire further about the events of that day, Mr Brecknell went on to say the following:

This was after the ceasefires, and probably even psychologically I felt it was safer to start asking questions, and that's then when I got involved with the Pat Finucane Centre, and ask for their help and support, and find out that sort of information. That's what started the journey to where I am now. Obviously we then contacted the RUC, as it still was at that stage, just to see if they had any records or were prepared to talk to the family, which they weren't at the time, except they give you minimal information.⁷⁶

This testimony makes a salient statement as to a potential reason why more families (particularly from this subject group) did not report making further contact with the RUC until the end of the conflict. In that a combination of distrust of the security forces, the safety issue of being seen to be in contact with the security forces as a Catholic civilian, and the huge workload that the police service was experiencing during the conflict (that would have drawn attention elsewhere). Marcus Babington highlights the large workload of the police diverting attention as his personal explanation for the lack of a successful arrest of the individuals that murdered his father, stating the following:

The first thing I will say is that no one has been made responsible for it. I think at the time the police probably did all they could in a very, very short period of time, because they were moving from one murder to the next, the next, the next. It probably wasn't dealt with the same as a shooting of a man going to the shop and robbed for his wallet, the fact that it was a 'Troubles-related murder' meant it was part of a war. It was like if a soldier or a Taliban was shot in Afghanistan, they would pick the body up, but they won't put the scene up and all. Whether it was just something they had to be seen doing, I don't think they had the time or resources, or probably the inclination politically to solve murders on either side.⁷⁷

This statement made regarding 'Troubles-related' incidents and their reduced importance to the criminal justice system was a frequently stated belief in this participant group, with four participants directly taking issue with it. However, this topic is highly understudied, despite the severe connotations if proven true. As stated at the beginning of this chapter; if procedural justice is not followed through in a fair manner between all cases, the victim can perceive that their victimhood is not being taken seriously, with their case not being deemed being of a severity that is worth investigation, and that those organising this

⁷⁶ *ibid.*

⁷⁷ Babington, M. (2019). Interview with J McCann. 18th September 2019.

investigation do not equally wish to see justice found as the victims themselves. Mr Babington continues his thought process in relation to this matter of his father's death not feeling valued, stating the following:

The motive was already there, as terrorism. The IRA believed they had the right to take life, so they [the police] didn't need to try and solve it. If there was a man going round murdering women, stabbing them in the night or whatever, there would be absolute pressure on the police to get this stopped: "who is this lunatic?", but we already knew the lunatic was the IRA, if not the individuals [who perpetrated the attack]. It wasn't a case of 'we need to stop this now or there will be another one tonight' - there is going to be another one tonight anyway!

So, I don't think the police were dealing with normal procedures with as far as investigating murders went, so we were never going to have the investigation that anyone would have in other parts of the world had this been a normal- even though I say that this is the job of the police to solve, it was a murder, he wasn't killed in a war. Nobody had the right to kill him, and this was never a war - people just call it a war because they don't like to use the term 'murder'.⁷⁸

The above sentiment regarding Mr Babington's victimhood is of utmost importance to the concerns of many participants across all subject groups; as a result of an individual being killed in a Troubles-related incident, the criminal justice system places a lesser degree of importance upon the search for justice. However, Ann Travers states the opinion that even if a suspect is not successfully indicted or imprisoned for the offense, but is successfully brought to court, that a sense of personal satisfaction can be found:

...I never heard of a name even for the third gunman, and I would like to know who that was, and actually who it was who gave the order to go out and attack my family. Those are things I would like to know. Do I feel that I will ever have justice in the sense of someone going to prison? To be honest, going to prison for two years, or even going to prison for twenty years won't bring back my sister. I just want to know who this person is, I want them to be up in court, I want the public to know who this person is, I want the public to know who it was that sent gunmen and a woman out to murder a middle-aged man, and his wife, and his daughter.⁷⁹

Continuing in the same vein of this sentiment, Ms Travers speaks of the specifics of what 'justice' means now to her, given that the long-term imprisonment of the perpetrators for

⁷⁸ *ibid.*

⁷⁹ Travers, A. (2019). Interview with J McCann. 16th October 2019.

her sister's murder and father's injury has been prevented by the Good Friday Agreement, resulting in new personal goals and desires to take its place:

Justice for me...yes, I would want to know who this person is...but now, justice for me is this acknowledgement that nobody had the right to go out and take my dad's life because he was a registered magistrate and that he was catholic, and that was the basis of it all - a traitor or something, I don't know. He was a soft and easy target; he didn't carry a gun- he wouldn't carry a gun because he said he couldn't use it on another person. He refused a police bodyguard because he couldn't be responsible for a family losing a husband. Of course, then we lost Mary- all of this had consequence for us as a family. I have four brothers, and we've all dispersed to different parts of the world, and it's broken. Growing up we used to be a lovely close family, it broke our family.⁸⁰

Mr Babington shares this new goal for personal justice regarding the loss of his father, in that knowing the Good Friday Agreement did not result in an extended imprisonment of the perpetrators, this created a similar new objective of the public declaration of the perpetrator's guilt. Mr Babington's opinion of this matter is as follows:

Well, I believe we were all robbed of justice the day the Good Friday Agreement was signed anyway, because justice [for murder] does mean that you do life imprisonment. The case is still open, I would like people to be caught and brought before court, but for no reason other than to name them and shame them. Let them put their names to the horrible things they done, make them look at the photograph and make them see what they done to a man walking to his work, and then show them to their own children and grandchildren. They may not have told them of their proud history of murdering an innocent man walking to their work.

They probably have a balaclava and a pair of sunglasses up on their sideboard, and they say 'I was in the IRA, I was a volunteer' but did they really tell of their murky past? That would all come out. The practicalities of what they done. Name them and shame them, but they will never go to jail for it, they will never pay for what they did, and the Good Friday Agreement made sure that nobody will- that took our justice off us, so even those who were in jail were released. So imagine the insult for somebody who just found out that this is the person who murdered your father or your son, and they just went to jail, to tell them a week later 'we let them out again'.⁸¹

⁸⁰ *ibid.*

⁸¹ Babington, M. (2019). Interview with J McCann. 18th September 2019.

The participants in the study had a range of reasons for prioritising 'naming and shaming' those involved in paramilitary activities who have not been indicted. For some, the view that procedural justice is now out of reach due to failings in the justice system and the political agreements made to find peace, but also through more humanitarian mentalities: as Alan Brecknell states:

I said to my son on a number of occasions; I don't want to see someone going to jail at this stage, they will be old men and women, they will probably be grandparents. Do I want to deprive a child of their grandparent at this stage? No, I don't, it doesn't do me any good. Now, that's a personal opinion, obviously my family would think differently.⁸²

Further, when discussing his opinion compared to other victims he has met, Mr Brecknell continues to discuss the myriad of opinions that are held by victims in Northern Ireland:

...You get a lot of people who say, 'I just want to know the truth, I don't want to see anyone go to jail', and then there are other people who say, 'hold on a wee minute, I was deprived of whoever, and they should be deprived of their liberty for whatever amount of time'. As you say, you are going to hear a lot of different [opinions], and that's human nature.⁸³

Within the discourse presented by Catholic victims, we see a great deal of discussion regarding the matter of truth recovery, rather than the seeking of justice in its more commonly assumed manner. These opinions are commonly a result of the assumption that justice through sentencing in court is less likely due to the amount of time passed since the event, and that as a result, a new goal is found in the truth being uncovered and presented to the public, as a new form of catharsis and retribution for their loss. This results in the view that the justice that a victim seeks from judiciary institutions can be altered to suit the circumstances that arise, in this case when indictment and imprisonment is likely out of the question, then merely exposing the perpetrator to the public becomes their new definition of justice.

In the final part of this section, we see distinct trends amongst Catholic victims of a more positive discourse regarding the Historical Enquiry Team than those groups that came before. For example, Ann Travers holds a positive view of the HET:

⁸² Brecknell, A. (2020). Interview with J McCann. 27th April 2020.

⁸³ *ibid.*

*Dad dealt with them, and he was pleased with the dealings. He was very disappointed in the report, but no, they did keep contact, yeah. Dad kept us up to date, and he dealt with them, not me.*⁸⁴

Alan Brecknell provides another more positive response to the work of the Historical Enquiry Team regarding his case, however taking a more balanced approach answering if he had a positive interaction with the HET:

Yes, but I will caveat that by saying that we did a lot of the research ourselves, and had a lot of answers, or what we believed to be answers, and therefore the questions that we posed to the HET maybe elicited more information that we may have got otherwise. Whether that was to say, 'you're not right', or 'we can confirm'...

...I would be one of the people who said that from my family's perspective that the HET did a reasonably good job, whereas I know an awful lot of people who would say 'I was completely shafted by the HET'.⁸⁵

However, from his experience with the HET, Mr Brecknell presented a further nuanced opinion towards interacting with them to gain the best results, stating that political or organisational pressure has a direct impact upon the quality of the service provided:

I do think that it was maybe part of the difficulties with the HET process. If someone engaged them with an NGO, such as the Pat Finucane Centre, or a solicitor's firm, or a politician, or church leader, or something, you seem to get a better response than if a family went on their own. That sounds damning of the HET, but that is my experience.⁸⁶

Overall, within the sphere of this subject group the experiences of interaction with the Historical Enquiry Team are either entirely positive or neutral, with no directly negative experiences admitted or recalled. This provides the thought that the Catholic community generally found a greater utility in the work done by the HET when compared to their Protestant counterparts, and that the effective closure of the team had greater consequence to this community than any other. Whilst likely an unintended result to the cessation of HET investigations, this provides an example of the unforeseen effects that actions can have on specific sectors of a services' user base, resulting in greater harm than expected. The finding that the HET holds more positive sentiments by the Catholic victims group raises the possibility that the Catholic community had less favourable outcomes in earlier investigations into the

⁸⁴ Travers, A. (2019). Interview with J McCann. 16th October 2019.

⁸⁵ Brecknell, A. (2020). Interview with J McCann. 27th April 2020.

⁸⁶ *ibid.*

loss of their loved ones' deaths, in contrast to the experiences of the Protestant community. Despite the positive attributing to the HET and its investigations, a report provided by Dr Patricia Lundy of the University of Ulster, after a two-year internal investigation into the HET, showed that a lack of impartiality existed within the organisation. This was primarily deemed a result of 'strategic positioning' of former RUC officers within the organisation, creating a 'censoring role in respect to disclosure [of intelligence]'.⁸⁷ This will also play a role in the following section.

To summarise, the Catholic civilian group presents both a number of differing experiences and several common trends: The experience of interacting with the RUC varies greatly, between positive cases of successful immediate response and investigation, to highly negative experiences with sectarian connotations, and failures to successfully make arrests, leading to a gradual and (eventually) total lack of contact between the RUC and the victim's family. More commonly amongst this group, however, is their tendency to be more positive towards the Historical Enquiry Team. This victims group provided a mixture of opinions and comments regarding the quality of the job the HET conducted, ranging from neutral to highly positive, with no individual harbouring outright negative opinions relating to their experience with the team.

The biggest complaint amongst this subject group, however, is the general feeling of injustice that stemmed from the Good Friday Agreement and its' prisoner releases, which eventually resulted in a desire to see those not yet indicted for the murder of their loved ones to be publicly connected to the offence, in consolation to a prison sentence. Moreover, this group expressed a specific concern regarding the notion of political murders, linking their failure to attain personal justice to the justice system's inadequate efforts in securing charges for this offense. As perceived by these participants, this highlights a deficiency in delivering procedural justice.

Victims of Collusion and Miscarriage of Justice

The group presented in this section differs from the previous three due to the inclusion of participants from all 3 stratified groups: 1 security force, 4 Protestant civilians, and 4 Catholic civilians. It is important that the experiences that specifically relate to these individual allegations of collusion or miscarriage of justice be discussed separately, due to the extreme

⁸⁷ Lundy, P. (2009). 'Can the Past be Policed?: Lessons from the Historical Enquires Team Northern Ireland'. *Journal of Law and Social Challenges*. Vol. 11.

variance that exists in their experience of victimhood when compared to their contemporaries within their originally stratified groups.

Each individual that spoke of the initial investigation provided a negative testimony, understandably due to the circumstances they commonly experienced. For example, when asked what efforts the police service made to find justice for the loss of her father (and two others) in an explosion caused by the IRA, known as the 'Good Samaritan Bombing', Rosaleen Dalton (a Catholic) simply stated "I don't believe there was much of an effort made at all."⁸⁸ When asked if any individuals were eventually arrested for the offense, given the high public profile of the attack, Ms Dalton stated the following:

*No, no never. There was no one ever charged. There were people who had been arrested and questions and released, but I think it was to make it look as if they were doing something. ... It's more famous now because it was established that the police knew about it and didn't do anything to stop it.*⁸⁹

Ms Dalton alleges that the police were made aware of the explosive device in advance from an informant inside the IRA but did not act upon this intelligence in an attempt to protect the identity of said informant, a common allegation amongst this subject group with seven participants alleging this in relation to paramilitary attacks. INT5 (a former UDR soldier) alleges a similar experience in relation to the IRA shooting that left him paralysed from the waist down during his service in the UDR:

*...I know chapter and verse. I can tell you who it was gave the information, from the firm I worked in, who they passed it on to. I know one of the two shooters, I know everything, I dot the I's and crossed the T's. I know from my army service how things work, informers, one thing or another. One thing I found out was Special Branch let the shooting go ahead to help an informer in West Belfast. Part of me understands, another part of me says 'My life is as valuable as anybody's'.*⁹⁰

Much like the above statement by INT5, in a report published by the Police Ombudsman of Northern Ireland in July 2013 regarding the Good Samaritan Bombing, it stated that there was no evidence to conclude that the RUC acted in a manner that placed an informant's position over the life of civilians. This report did however state that the Ombudsman's investigation was hindered by consistent non-cooperation from former senior

⁸⁸ Dalton, R. (2020). Interview with J McCann. 29th April 2020.

⁸⁹ *ibid.*

⁹⁰ INT5 (2019). Interview with J McCann. 22nd March 2019.

officers, and that documents and minutes of meetings were missing.⁹¹ Raymond McCord (of the Protestant civilian group) provided a similar testimony of both police failure to conduct proper investigations into his son's murder by Loyalist Paramilitaries, as well as police hindrance to later inquests surrounding collusion in this murder:

*There was never a proper investigation into my son's murder. You had a senior investigating officer, and then after a while it was changed, and then it was changed again, there was no continuity there. I spoke with one of the senior officers involved, privately. His words- I said, 'we all know who done this', the reply I got from this senior officer in the police was, 'Raymond, I am still a young man within the police, and I want to move up the ladder', you know what I'm saying? So, if he had of pushed this, he would have stayed at his rank, he weren't allowed to push.*⁹²

When asked how this impediment to justice for his son's murder made him feel, Mr McCord continued:

*Disgusted. Put it like this, neither me nor any member of my family have any respect for the police, and I am from the Unionist community- come from a strong Unionist family. No time for Protestant Paramilitaries whatsoever, I never did, but I don't have any confidence in the Northern Irish police investigating Raymond's murder. I have spoken to police officers who handle agents, police who are retired, police in the HET, and they all said they weren't allowed to do their job relating to Raymond's case, and other cases as well. In Raymond's case, they weren't allowed to do it.*⁹³

In this case, we see an example of the censoring and nondisclosure that Dr Lundy referenced in her report due to the heavy inclusion of former RUC officers within the investigation, an issue that was raised early on by victims' groups.⁹⁴ Yet another example of this nondisclosure was provided by Tracey Coulter-Greenaway (a Protestant), who also alleges to have had files withheld by the police relating to her father's murder by Loyalist paramilitaries, until they were eventually handed over to the Police Ombudsman:

Regarding my Daddy right now, I'm still fighting his case twenty years later. He was twenty years murdered there, and I am still fighting... Slow as the process has been, we're at a stage were there has been findings in a lot of things, well as the police

⁹¹ Police Ombudsman for Northern Ireland. (2013). 'Statutory Report'. July 2013. Historical Investigations Directorate: Belfast. Pp. 35-50.

⁹² McCord, R. (2020). Interview with J McCann. 07th April 2020.

⁹³ *ibid.*

⁹⁴ McCaffrey, B. (2013). 'Series of critical reports leave future of Historical Enquiries Team in doubt'. *The Detail*. 03 July 2013. [Online] [Accessed on: 02/04/2023] [Accessed by: <https://www.thedetail.tv/articles/series-of-critical-reports-leave-future-of-historical-enquiries-team-in-doubt>]

*withholding 11 files belonging to my Daddy, which had to be given over to the Police Ombudsman.*⁹⁵⁹⁶

The involvement of the Police Ombudsman is a common trend in these testimonies, which infers that these participants dispute the methods and impartiality of the police service in both/either conducting their investigations into a Troubles-related criminal attack or putting appropriate action into preventing the attack to begin with. In the latter of these two cases, Billy McManus (a Catholic) stated the following police failure occurred in relation to his father's murder (as well as 4 others in Sean Graham's Bookmakers, Belfast) in 1992 by loyalist paramilitaries:

*Well, am I saying that Sean Graham's could have been prevented? Yes, one hundred percent it could have been prevented. Did they know it was going to happen? Yes, they knew before it. So, it has been on the TV and the papers and all. The handgun- the RUC found a handgun, one of the double agents gave it back to them, and then they gave it back to the loyalists, so it's rotten, absolutely rotten. That's out there in public. There are things I would love to tell you, but because it's an ongoing thing... we're in the middle of a court case, hopefully soon... The Police Ombudsman will hopefully be giving a statement in the next couple of months.*⁹⁷⁹⁸

Much like Coulter-Greenaway's case, in which the quality of investigation is criticised by the participant (as reported in several of the previous subject groups), Mr McManus makes allegations of not only a great lack of contact between institutions of the criminal justice system and the victims of this attack, but also alleges that the police service actively misinformed the families about their actions during the investigation. Similarly, Ms Dalton informed this study relating to her own family's experience with contact from the criminal system, stating the following:

Yeah, and the police said they did do a door-to-door, but the neighbours said they didn't, and not a one police officer spoke to any of us as a family. They questioned my brother Martin because he was in the house when the bomb went off, but they

⁹⁵ It should be noted that Ms Coulter-Greenaway's father, Jackie Coulter, was recognised to hold the rank of Lieutenant in the Ulster Defence Association, a paramilitary organisation, thus placing doubt on his 'civilian status'. However, Jackie reportedly had no involvement in the organisation's violent actions, working primarily as a Welfare Advocate for UDA Prisoners. Further, Jackie Coulter was murdered outside of a combat operation, making his family's status as 'innocent victims' up for debate. Wood, I S. (2006) *Crimes of Loyalty: A History of the UDA*. Edinburgh University Press, Pp. 251

⁹⁶ Coulter-Greenaway, T. (2020). Interview with J McCann. 08th April 2020.

⁹⁷ McManus, B. (2020). Interview with J McCann. 27th April 2020.

⁹⁸ The Police Ombudsman report was published 08/02/2022, specifically citing 'A failure to retain records and the deliberate destruction of files relating to the attack at Sean Graham Bookmakers'. Police Ombudsman of Northern Ireland. (2022). *Statutory Report*. Historical Investigations Directorate: Belfast. Pp. 157-183.

*never spoke to any of the rest of us. ...And when it came to the coroner's report, they didn't tell us it was happening, and we didn't know anything was happening in the courts.*⁹⁹

When asked how this lack of contact and inaccurate accounts of their investigation from the police service made Ms Dalton and her family feel about how the criminal justice system were respecting their loss and the importance of the investigation, she continued to state the following:

*This is why I always say that my Daddy's life must have been insignificant, another Catholic, Taig, whatever they want to describe us. When someone told my sister and my brother, and the two of them went up to the court, the actual hearing was going ahead, and someone came out to them and said 'you need to be in there, the hearing has already started'. There was a total disregard, no one bothered to investigate it, and no one bothered to keep us informed as to what was happening.*¹⁰⁰

The aforementioned Ombudsman's Report regarding Ms Dalton's case distinctly references the lack of police contact with the family of the deceased, stating a more practical element to their involvement that was entirely overlooked:

*There was no sustained contact between the police murder investigation and the families of the deceased and injured. Whilst I accept that the concept of family liaison was not established at the time, I would have expected a more concerted effort to include the family in the investigation of a multiple murder and that such contact may have secured more information from the community in and around Kildrum Gardens.*¹⁰¹

This report and the previous testimony provide a direct, and (in the former example) highly personal reflection on the severe emotional effects of improperly conducting 'procedural justice'. This reinforces that through unfair treatment and a lack of contact from those with authority, a victim will be made to believe that those individuals with authority believe that their justice is of less importance than another's. Repeating the quote from Urbanska, Pehrson, & Turner stated at the beginning of this chapter: '...fair treatment from authorities can affirm one's status in the group while unfair treatment can disaffirm it.'¹⁰²

⁹⁹ Dalton, R. (2020). Interview with J McCann. 29th April 2020.

¹⁰⁰ *ibid.*

¹⁰¹ Police Ombudsman for Northern Ireland. (2013). '*Statutory Report*'. July 2013. Pp. 61. [Online] [Accessed on: 18/05/2022] [Accessed by: <https://www.policeombudsman.org/PONI/files/48/488d083a-20e3-454d-8733-2eb8286978e4.pdf>]

¹⁰² Urbanska, K. Pehrson, S. Turner, R. N. (2019). 'Authority Fairness for All? Intergroup Status and Expectations of Procedural Justice and Resource Distribution'. *Journal of Social and Political Psychology*, Vol. 7, No. 2, Pp. 766–789.

Amongst several of these cases, where collusion or a miscarriage of justice is alleged, the family have often looked to the aid of NGOs to help campaign and apply pressure on the Government for inquests into the conduct of the police service or the courts surrounding the event. These campaigns often take decades to come to any form of conclusion, resulting in huge amounts of mental stress (and physical manifestations of said stress), as discussed in the previous chapter. For example, Raymond McCord (who formed his own collusion-centric campaigning group) has spent 20 years campaigning for justice after the murder of his son by an individual he alleges was a state-paid informant within a Loyalist paramilitary group. When asked how the pressure of campaigning for two decades has affected him, he stated the following:

*It affects your mind, it affects the stress, your health, your work. People didn't want to give me a job, I was a welder. But most important to me was, the police, the politicians, and the powers that be let my son down and betrayed him. The justice system betrayed him, and he was treated as if he didn't matter. The murder didn't matter, the nature of the murder didn't matter, and it didn't matter that the people that murdered him were all being paid by the state.*¹⁰³

On the topic of campaigns, we look to the three participants that had extremely long, public, and expensive campaigns for justice surrounding their case. Differing from the other participants within this group, who (despite the alleged collusion involved in their case) are still deemed victims of a criminal act, the following individual's family members were deemed by the state as being responsible for their own death, as a result of the alleged criminal actions they were undertaking at the time of their death. As such, those involved must undergo rigorous campaigns to prove the innocence of their loved ones before having the opportunity to undergo criminal justice procedures to indict those responsible for the unlawful death. These campaigns and the state inquiries often take tens of years to complete and cost millions of pounds, given the extensive investigations that involve examining events that occurred several decades prior.¹⁰⁴

When interviewed in 2020, John Teggart (of the Catholic civilian group) spoke on behalf of the families of the event known as the 'Ballymurphy Massacre', an event in 1971 which saw 11 Catholic civilians killed by British soldiers. Mr Teggart stated that the main goal of those individuals campaigning for justice for this event, over 50 years, was to overturn the official narrative that those killed were involved in criminal acts during this event, and to

¹⁰³ McCord, R. (2020). Interview with J McCann. 07th April 2020.

¹⁰⁴ BBC News. (2010). 'Was the Bloody Sunday report value for money?' 15 June 2010. [Online] [Accessed on: 23/05/2022] [Accessed by: <https://www.bbc.co.uk/news/10292828>].

counter the testimonies provided by those soldiers involved on the day. In his own words, Mr Teggart stated the following:

See with all of this? There were no soldiers injured, there were no soldiers killed, there were no arms found around the bodies. Ballistics and pathology proved that any of the civilians weren't carrying arms or shot arms, so the ballistics and the pathology of how they were killed also - shot in the back, you know. ...None of it matched the soldier's version of it. That's the thing, that's the official version put to the public up until now.

...The work we are doing at the minute, the campaign, is to overturn that. Some politicians are saying that- it really hurts when you have politicians who are using their position to say that some people are trying to rewrite history. We aren't trying to rewrite history, we are trying to correct history.¹⁰⁵

Much like the previous chapter, through his comments we see the effects of the state control of the official narrative of an event, and as such, control over the 'justice' that a victim can receive. As Mr Teggart continued on to say:

Say somebody was shot, and it wasn't by the state. Immediately it's a murder investigation. Say somebody is shot by the state then, right away they are branded a gunman or gunwoman, because they [the state] would have to justify the shooting of someone. ...The whole of what happened in Ballymurphy, even to this day, the official narrative is that they were all gunmen and gunwomen. That's what it is at the minute. There were no police investigation, even to this day.¹⁰⁶

These campaigns often take decades to gather momentum to the extent that an inquiry is put forward by the government, and in the case of the family of those killed in Bloody Sunday, decades until proper group organisation is formed. During this period, these families are often isolated in their loss, living without justice for their lost loved ones. When asking Julieann Campbell (of the Catholic civilian group), who lost her uncle in Bloody Sunday, how long it took until the families of the victims became organised enough to petition for a full, unbiased inquiry¹⁰⁷ into the events of that day:

¹⁰⁵ Teggart, J. (2020). Interview with J McCann. 20th March 2020

¹⁰⁶ *ibid.*

¹⁰⁷ The initial inquiry, conducted in 1972, named 'The Widgery Tribunal', has since been declared 'flawed' by the British Government, and a 'whitewash' of the events of Bloody Sunday by the Nationalist community. BBC News (2010). 'Initial Bloody Sunday inquiry labelled 'whitewash'' 11 June 2010. [Online] [Accessed on: 23/05/2022] [Accessed by: <https://www.bbc.co.uk/news/10146883>]

Decades, it was in the '90s, on the 25th anniversary, and there would just talk about what we could do. A lot of it was inspired by the Birmingham Six who had been very, very publicly exonerated, the Guildford Four, publicly exonerated, and it comes up time and time again when you are talking to relatives that it was a catalyst for them, that 'my god, maybe we could do something for them?'

[It was] a very real and tangible sense that maybe we could change the ruling of Widgery, because Widgery was the ultimate slap in the face to Derry, because it just said 'you were wrong for marching and the soldiers were right'. I think people in Derry lost faith in justice after that, so whenever they saw people actually changing things, that became a real catalyst.¹⁰⁸

It must again be noted that upon the success of an inquiry into cases that involve miscarriages of justice through the alteration of the public narrative of the course of a particular event, and the successful exoneration of the individuals formerly accused of criminal acts that lead to their death, then can the criminal indictment of perpetrators be investigated. In the two cases listed above, the Ballymurphy Massacre and Bloody Sunday, these initial miscarriage of justice inquiries were completed 50 and 38 years after the events respectively. It is only then can a murder investigation begin, a process which takes several further years to conduct, particularly due to the age of the participants and the evidence involved. As John Kelly (of the Catholic civilian group) states in relation to this issue:

We are getting too old now, and the British government are now waiting for people to die off, they will pass on. One of my main objectives was the declaration of innocence, and the last one now is the prosecution of 'Soldier F'. We are at that stage now, as you know. Ten years later, we are still waiting for prosecution.¹⁰⁹

The matter of these campaigns of exoneration and justice has led to these individuals spending their entire lives focusing near entirely on challenging the narrative of the state; a scenario that echoes across each of the cases presented in this section. The majority of these cases occurred between 1969 – 1998, a period of time in which complaints and investigations levelled towards the security forces were conducted internally, with few checks and balances in place to ensure an unbiased approach. This was the case until 2000 and 2009, when the Office of the Police Ombudsman in Northern Ireland and the Service Prosecuting Authority were both respectively established. As such, with a pre-existing lack of trust in the impartiality of the state, we only begin to see positive dispositions towards the conducting inquiries from

¹⁰⁸ Campbell, J. (2020). Interview with J McCann. 27th July 2020.

¹⁰⁹ Kelly, J. (2020). Interview with J McCann. 28th July 2020.

within this group upon the creation of these independent bodies, several decades after the loss of their loved ones, in many cases.

In summary, we see a consistent trend amongst these testimonies, highlighting a severe issue in the length of time it has taken them to have their case respected in an impartial and independent manner, all to exonerate their lost loved ones (in cases of a miscarriage of justice), or to ensure that those responsible were no longer supported by the state (in cases of collusion). To bookend this section, Mr Teggart perfectly summarises the experiences of this victim group in the following statement:

A hierarchy of victims. Where you have people who were murdered by the state, who have to campaign for many, many years to try and get the proof, they have to do their own investigations, because it was the army, the police, whatever, that murdered them. On the other hand, say through the Troubles, in one hand you can count how many soldiers who went to jail, found guilty of murder, and each of them were released early and accepted back into the army to carry on with their career. Whereas, if you look at people in loyalist/nationalist community, I think there is a total – I may be wrong in my statistics – where there are 45,000 people going through the legal system for conflict related crimes. So, you look at that, it shows the hierarchy of victims, and even today there is- there is a separation with politicians. It's a façade, there are victims' groups who look at others, looks at people who were murdered by the state, who were affected by the Troubles, by the state, 'they in some way were responsible for their own deaths', and that is the way we are portrayed.¹¹⁰

Conclusion

The focus of this chapter lay within the personal experiences of the participants within our three stratified denominations of the Northern Irish community regarding their search for justice, as well as those individuals that allege the involvement of either collusion or a miscarriage of justice in their individual cases. By comparing and evaluating the differences in average experiences among our subject groups, we can discuss the existence of institutionalised hierarchies of victimhood of the grounds of sectarian bias, and the effects these practices resulted in. This evaluation will follow the criminal justice procedure in the interaction with the police service, followed by the courts, and then, if applicable, the work of the Historical Enquiry Team during the aftermath of the criminal justice process.

¹¹⁰ Teggart, J. (2020). Interview with J McCann. 20th March 2020

To reiterate, the theory of procedural justice suggests that if an individual is treated in a fair and equal manner from their initial contact with the criminal justice system until the completion of the proceedings, they would view the result and their experience as legitimate and respect the outcome. The individual involved must deem the following four tenets (the group values relational model¹¹¹) as true to their experience for them to feel that they have received proper justice, whilst any of the four tenets being breached reduces their satisfaction in the criminal justice proceedings:

1. That both the accuser and the accused had the opportunity to state their side of the story, whilst being listened to and sincerely understood.
2. The authority figures in control of the criminal proceedings are truly neutral and principled in their decision-making.
3. Those involved and their issues are respected, with their rights being considered in all actions.
4. Trustworthy motives of those authority figures involved in the criminal procedures, who hold sincere and authentic motivations during all elements of the process.

The participants we heard from consistently reported poor communication between the police service and the victim or their families, immediately failing in the first of the above tenets. This was the case across all participant groups. The most commonly stated issue was that the police service did not maintain contact with them after to their violent event, giving them the sense that their loss or harm was not taken seriously, failing in the third tenet of the group values relational model. Given that the post of 'Family Liaison Officer' was later added to all police services in the United Kingdom as a result of the findings of the Stephen Lawrence inquiry in 1999, this was clearly deemed as an oversight in procedure.¹¹² This issue was felt commonly amongst all three of our participant groups, which despite potentially having severe mental health implications for these victims, was not directed at one particular group. As such, this lapse was not based upon institutional biases, but instead likely a lack of resources, an overwhelmed service, and an overall inattention to the repercussions.

The overall opinion of the work conducted by the police service varied greatly between each of these groups, with the security forces group (understandably) being more lenient

¹¹¹ Lind, E. A. Tyler, T. R. (1988). *'The Social Psychology of Procedural Justice'*. New York: Plenum. Cited In: Coodman-Delahunty, J. (2010). 'Four Ingredients: New Recipes for Procedural Justice in Australian Policing' *Policing*. Vol. 4, No. 4. Pp. 404.

¹¹² McGarry, D. Smith, K. (2011). *'Police Family Liaison'*. Oxford University Press: Oxford. Pp. 7. AND. PSNI. (n.d). *'Support to those bereaved'*. Police Service of Northern Ireland. [Online] [Accessed on: 25/05/2022] [Accessed by: https://www.psni.police.uk/advice_information/victim-support/support-to-those-bereaved/]. AND. MacPherson, W. (1999). *'The Stephen Lawrence Inquiry'*. Report for an Inquiry. Chapter 26. United Kingdom: The Stationary Office.

within their opinion, and the Catholic and Protestant civilian groups providing mixed experiences. For example, within the Protestant community, a participant stated that police officers blamed the victims for their own attack, allegedly being of the (wrongful) opinion that the victims were members of an opposing Loyalist paramilitary group and had died as part of the ongoing inter-paramilitary feud.¹¹³ However, more specifically, amongst the Catholic participants, allegations of sectarianism from the police service were levelled. A participant cited sectarianism as the primary reason for the poor communication of the police.¹¹⁴ Whilst another participant alleged that officers in the RUC accused him and his family of requesting the IRA's retaliation for his brothers murder, leading to the Kingsmill massacre the night after, despite having no connection or supportive opinion for any paramilitary group.¹¹⁵ These feelings of dissatisfaction and distrust of the police service largely matches opinion polls taken in the late 1990's researching the confidence in the police service providing fair, Northern Ireland-wide policing. Data collected by the Police Authority of Northern Ireland (PANI) in 1997 stated that 42% of overall respondents had 'little to no confidence' in the RUC's fairness and ability, whilst only 32% had 'total or a lot of confidence'. This became much more of a stark result when separated into religious denominations, with only 10% of Catholics having 'total or a lot of confidence', with 69% saying they had 'little to no confidence', compared to 46% and 23% of Protestants respectively.¹¹⁶

From the point of view of officers' personally held biases within the RUC; Brewer conducted a series of interviews with officers in the late 1980's, tracking what he describes as an 'unofficial discourse' on the topic of Catholics in their patrol area, and as such, drawing conclusions on personally held sectarianism and bias of officers.¹¹⁷ A common trend, whilst not overtly sectarian in its meaning, was the specific typification of 'decent' Catholics (those who denounce violence, respect the rule of law, and recognise the necessity of a police presence). Further, a small, but still existent, minority of interviewed officers during Brewer's series viewed Catholics as entirely a threat, with malevolent and antagonistic intensions. This study concluded that large variations in personal opinion existed within the RUC (beyond the official 'parrot phrases') regarding the Catholic population. These opinions varied from 'constables whose unofficial discourse uses the rhetoric of bigotry and Protestant

¹¹³ McIlwaine, P. (2020). Interview with J McCann. 10th April 2020.

¹¹⁴ Dalton, R. (2020). *Interview with J McCann*. 29th April 2020.

¹¹⁵ Reavey, E. (2020). Interview with J McCann. 09th April 2020.

¹¹⁶ PANI. (1997) *'Listening to the Community - Working with the RUC/ The work of the Police Authority 1 July 1995 to 31 March 1997'*. Belfast: PANI.

¹¹⁷ Brewer, J, D. (1994). 'The Ethnographic Critique of Ethnography: Sectarianism in the RUC'. *Sociology*. Vol. 28. No. 1. Pp. 240.

ascendency', to 'others [who] seem genuinely to believe in the principle of religious impartiality'.¹¹⁸

Given the relatively few direct accusations of sectarian bias within this study we cannot make a definitive statement of the existence of an institutional bias in practice, however allegations poor treatment by the RUC were more commonly provided by Catholic participants, providing moderate evidence to support such a statement when combined with the above statistics and study. This evidence supports previous studies that speaks to the political policing frequently discussed throughout this chapter, which frequently refers to the RUC as a body that commonly practiced this politically/denominationally motivated policing approach, describing many RUC members as having a 'war mentality' regarding the Nationalist and Republican communities.¹¹⁹

In relation to the court system and sentencing of indicted perpetrators, each group has some manner of dire criticism. Those within the security forces group spoke at length regarding the ease of alleged perpetrators avoiding indictment for their crimes. It was commonly stated that many members of paramilitary groups had such a strong knowledge of the legal system that it allowed them to circumvent their full sentencing through plea deals and political policing, likening it to a 'game' for them, an issue that has the potentiality for each of our groups to suffer.

A common factor among each group is the mention of 'political murders'. The participants in the Catholic civilian group, in particular, frequently expressed feeling that they were made to believe that their losses were not as significant as those resulting from non-political killings. It was their opinion that as a result of their loved one being targeted for a political/sectarian (Troubles-related) reason, that the investigation into the perpetrator was less of a priority, and, if brought to a court of law, the sentencing would be less severe than in 'normal' circumstances. Whilst this issue has been expressed by members both the security forces and Protestant civilian groups, it was most frequently expressed by Catholic civilians, and as such we can see that this feeling of being of less importance as a victim was the lived-reality of the Catholic participants in particular. Whilst the Department of Justice in Northern Ireland has recently added terrorist and paramilitary-related offences to a scheme of 'Unduly Lenient Sentences', after a public consultation requested it¹²⁰, other studies have shown that

¹¹⁸ *ibid.* Pp. 238-242.

¹¹⁹ Hearty, K. (2017). 'The PSNI and 'Political Policing'.' In. 'Critical Engagement: *Irish Republicanism, Memory Politics and Policing*'. Liverpool University Press. Pp. 221-222

¹²⁰ Department of Justice. (2019). '*Terrorist and paramilitary-related offences added to the Unduly Lenient Sentence Scheme*'. 01 August 2019. [Online] [Accessed on: 09/03/2023] [Accessed by: <https://www.justice-ni.gov.uk/news/terrorist-and-paramilitary-related-offences-added-unduly-lenient-sentence-scheme>]

this perception is a common one. The sentencing review of Northern Ireland states that a recent survey showed that 30% of respondents thought that a major cause of crime was that sentencing was too lenient,¹²¹ whilst the review also found that an incomplete awareness and understanding sentencing often leads to the belief that sentencing is too lenient.¹²² The subject of unduly lenient sentencing of Troubles-related incidents is an understudied matter, with a comparison between accusations of leniency and the true sentencing circumstance (and the narratives that surround these accusations) holding the potential for a valuable future study.

The last point in relation to the conviction of criminals lies within the Good Friday Agreement. All four stratified groups speak ill of the release of prisoners who were sentenced in relation to Troubles-related offenses. No participants of this study expressing a wholly positive opinion of all aspects of the GFA, commonly providing a caveat to their approval of the Agreement as a whole. Despite several individuals independently conceding that this political agreement was one of the major facets that lead to the end of the Northern Ireland conflict, every individual that spoke of the Good Friday Agreement stated that it robbed them of their sense of justice, as in those cases that a perpetrator was indicted, they were released (often several decades early). Further, in those cases in which the perpetrator was not implicated in an offence, if they were later convicted after the GFA, the maximum sentence they could receive was greatly reduced, down to a maximum of 2 years for any offence committed before April 1998. It was a common response amongst every group of victims that even if the perpetrator of their personal traumatic event was sentenced for the offence, that it would be redundant due to this stipulation of the GFA, ensuring, in the opinion of a number of participants, that their personal justice was made unobtainable.

Opinions on the Historical Enquiry Team varied greatly among the three initial groups interviewed, reflecting the overall views held by the Northern Irish population, despite its primary policies focusing on commanding the confidence of all sectors of the population. The security forces group largely held neutral opinions, likely due to their greater appreciation of the investigative process. However, the Protestant and Catholic civilian groups had entirely opposing opinions of the HET. The majority of Protestant participants expressed an overtly negative opinion of the HET, with some falsely believing that it was biased against their community and that it focused on indicting Loyalist paramilitary and security forces members. This may have been due to inaccurate hearsay within their own communities. On the other hand, Catholic civilians held largely positive opinions, potentially because they felt that their

¹²¹ Perceptions of Crime: Finding from the 2017/18 Northern Ireland Crime Survey. (2019). *Research and Statistics Bulletin*. Department of Justice. Pp. 12.

¹²² Department of Justice. (2019). '*Sentencing Review Northern Ireland: A Public Consultation*'. October 2019. Pp. 9

initial criminal investigations had not been properly conducted, as their cases had been labelled as 'political murders'. The HET provided them with a second chance at a form of justice. This shows that the closure of the HET may be considered to have had unintentional disproportionate effects on Catholic victims more than any other group, due to their largely positive association with the service they offered in their search for justice.

The two following aspects relate solely to those individuals that allege the involvement of collusion or miscarriages of justice in their case. Much like the HET to the Catholic civilian group, these individuals commonly utilised the Police Ombudsman to help them investigate their allegations. Whilst this office is entirely independent of the police service, it is entirely state funded. Thus, this provides an institutionalised method for these service users to gain justice for their losses (even if they allege that the state was involved, to some degree, in those losses).

Those individuals who allege the involvement of collusion or miscarriages of justice have had to spend decades campaigning and gaining recognition for their perceived version of events. An obvious hierarchy of victimhood forms when a small number of individuals must challenge the state and its own version of events. This is especially difficult involving periods of time in which the public is less capable of recording events as part of their providing witness statements (as they are today with portable recording devices and social media), as such this allowed the government to control the public perception of key events nearly entirely. This can lead to the belief from the public that those individuals who allege collusion are either spreading disinformation about their loss or are unable to come to terms with the truth. Whilst those individuals who allege miscarriages of justice are viewed as the family of non-innocent victims, in that those killed/injured were conducting criminal acts at the time of the event in question, and as such are viewed as less deserving of support and sympathy.

In the following chapter, we will focus on the media coverage provided to our participants, exploring if the manner in which a particular sector of society was represented varied between our participant groups, and the benefits and drawbacks of such coverage. This chapter will further overlap the various discussions presented in all three analysis chapters, providing further evidence to discuss the existence of an institutionalised victim bias.

6. Analysis: Media Coverage

Introduction

In this final analysis chapter, we will investigate the perception of the news media coverage of violent, Troubles-related events, from the perspective of the victims of these events. The role of the media in Northern Ireland for victims of the Troubles has been an extension of the 'meta-conflict' discussed Chapters Two and Three, in that both those who get their narrative presented and how that narrative is presented is subject to debate.¹ In this context, complete coverage occurs when a specific event is widely and effectively distributed to the public by news media organisations. Such news media is consumed by the public daily, whether through televised news, newspapers, or radio, and with this press attention comes the potential for innate biases or inaccuracies, a matter that is at the crux of this chapter. At a rather reductive level, news media is a form of business, selling information on current events, wishing to maximise outreach with the public like any other business would, whether for financial gain through sales, or through simple engagement.² These organisations often have their own specific biases on the topic they choose to cover, or the manner in which they present them. Even state-funded news organisations that are supposedly characterised by their political neutrality and objectivity, such as the BBC or RTÉ, have innate biases and beliefs that are often overlooked, marginalising dissenting voices, and reinforcing conformity.³ Whilst multiple news organisations and publications exist that have distinct political biases, including those that deviate greatly from the fundamental values of the state, this study will primarily focus on the form of exposure provided by much larger media organisations/publications. In the UK as a whole, this includes 'broadsheet' periodicals⁴ such as *The Times*, *The Daily Telegraph*, and televised news channels such as BBC News and Channel 4 News. Specifically, within Northern Ireland are newspapers such as *The Belfast Telegraph* and *The Irish News*, and regional televised news channels such as UTV News and BBC Northern Ireland.

¹ McGrattan, C. Lehner, S. (2012). 'Re/Presenting Victimhood: Nationalism, Victims and Silences in Northern Ireland'. *Nordic Irish Studies*. Vol. 11, No. 2. Pp. 39-53.

² Champlin, D. Knoedler, J. (2002). 'Operating in the Public Interest or in Pursuit of Private Profits? News in the Age of Media Consolidation'. *Journal of Economic Issues*. Vol. 36, No. 2. Pp. 459.

³ Greer, C. Reiner, R. (2015). 'Mediated Mayhem: Media, Crime, Criminal Justice'. In: Maguire, M., Morgan, R. and Reiner, R. (Eds.), *Oxford Handbook of Criminology*. Oxford University Press. Pp. 269-270

⁴ Greenberg, G. (1996). *Tabloid Journalism: An Annotated Bibliography of English-Language Sources*. Westport, CT: Greenwood Press.

Not all stories or individuals are deemed equally suitable for media coverage (also known as ‘news-worthy’), and as such a series of requirements have to be met (a matter that will be discussed thoroughly throughout this chapter). Since the first sociological studies on ‘news values’ by Galtung and Ruge in 1965⁵, most academic voices largely agree on the factors that are deemed most attractive/news-worthy to news media bodies⁶. Media outlets seek to publicise events that will garner the largest audience engagement, with the fundamental values of drama, novelty, titillation, simplification, and conservative ideology having the largest impact towards newsworthiness.⁷ Criminal activities, especially violent and interpersonal offenses, are often seen as newsworthy due to their disruption of the expectations of normality, captivating the audience's attention.⁸ In Northern Ireland, the main news outlets have historically focused on the activities of the IRA and Sinn Féin and have devoted significant resources to covering the work of John Hume and the SDLP. Conversely, unionist and loyalist activities have received less coverage, as they are seen as less captivating to the audience,⁹ matching the fundamental news values stated above.

Regarding matters of presenting victims, and how their stories are chosen, gathered, and disseminated in a fair and accurate manner, we look to the concept of ‘objective journalism’. Objective journalism is achieved through specific methods of story selection, information collection, and news dissemination. These methods are designed to be independent of personal biases, so that journalists can present information to the public in an impartial and non-leading manner.¹⁰ However, it is important to note that achieving complete value-free reporting is nearly impossible, as all individuals have underlying values and biases. Dennis suggests that objectivity in journalism and science does not mean that all decisions are value-free, but rather that a systematic attempt is made to achieve an impartial report within the “rules of the game.”¹¹ In other words, while journalists cannot completely eliminate personal

⁵ Galtung, J. Ruge, M. (1965) ‘Structuring and selecting news’. In. S. Cohen and J. Young (eds). ‘*The Manufacture of News: Deviance, Social Problems and the Mass Media*’. London: Constable.

⁶ See: Chibnall, S. (1977). ‘An analysis of crime reporting in the British press’. *Law-And-Order News*. Routledge. 1st Edition. AND. Hall, S. Critcher, C. Jefferson, T. Clarke, J. Roberts, B. (1978) ‘*Policing the Crisis: Mugging, the State and Law and Order*’. London: Macmillan. AND. Jewkes, Y. (2015) ‘*Media and Crime*’ (3rd edn). London: Sage.

⁷ Greer, C. (2017) ‘News Media, Victims and Crime’. In. Davies, P. Francis, P. Greer, C. (eds.) ‘*Victims, Crime and Society*’, Second Edition, Sage.

⁸ Marsh, H, L. (1991) ‘A comparative analysis of crime coverage in newspapers in the United States and other countries from 1960–1989: a review of the literature’. *Journal of Criminal Justice*, Vol. 19, No.1. Pp. 67–80. AND. Reiner, R., Livingstone, S. Allen, J. (2000) ‘Casino culture: media and crime in a winnerloser society’. In. K. Stenson. D. Cowell (eds), ‘*Crime, Risk and Justice*’. Cullumpton: Willan. ⁹ Armoudian, M. (2016). ‘Introducing new datasets on Northern Ireland’s media in the peace process and a test of newsworthiness in times of ‘troubles’. *Media, War & Conflict*. Vol. 9, No. 2. Pp. 152.

¹⁰ Koertge, N. (1996). ‘Feminist epistemology: Stalking an un-dead horse.’ In. Gross, P. R. Levitt, N. Lewis. M. W. (Eds.). ‘The flight from science and reason’. New York: New York Academy of Sciences. Pp. 413–419

¹¹ Dennis, E. E. (1984). ‘Journalistic objectivity is possible’. In. Dennis, E. E. Merrill, J. C. (Eds.) ‘*Basic issues in mass communication: A debate*’. New York: Macmillan. Pp. 111–118.

biases, they can strive to present information in a fair and balanced way that is guided by ethical and professional standards. Overall, objective journalism is an essential aspect of maintaining the credibility and trustworthiness of news media. By presenting information in an impartial and non-leading manner, journalists can help the public make informed decisions and form their own opinions about the events and issues that shape their world.

Although news media supposedly strives to maintain journalistic impartiality, it remains one of the primary vehicles through which dominant social values are communicated to the public. Consequently, topics that fall outside of these values are often not disseminated as widely.¹² This concept is referred to as 'media hegemony'; the manner in which one particular culture or ideal is diffused and saturates public perception through media consumption.¹³ As Schlesinger and Tumber highlight, 'media systems tend to privilege the ideological perspective of the powerful—in particular those of the holders of state power, exponents of establishment politics, and representatives of major capitalist economic interests'.¹⁴ An example of this, specific to Northern Ireland, was a study conducted by Wolfsfeld that focuses on the media's role in peace-making, noting that the British government, through news media corporations, crafted consistent op-eds in support for the Good Friday Agreement, aiding in its ratification.¹⁵ This example has been referred to as a 'propaganda of peace' orchestrated by the British government, providing an excellent example of the practicalities of 'media hegemony' in Northern Ireland.¹⁶

The concept of media influence also extends to the matters of victims and victimhood, especially in environments which see entire sectors of society being deemed as 'others' relative to the national majority identity. The matter of media coverage strongly relates to the themes presented in the previous chapter discussing justice for victims, in that fair and equal treatment from authorities can enable an individual to affirm their status within society, whilst unequal or discriminatory treatment can undermine their standing.¹⁷ This links directly the matter of coverage through news media. The decision to present one victim, community, or event over another, despite potential similarities or heightened necessity, can distinctly disaffirm a victim's perception of their status in a society, forming hierarchies of victimhood.

¹² Pollak, J. Kubrin, C. E. (2007) 'Crime in the News: How Crimes, Offenders and Victims are Portrayed in the Media'. *Journal of Criminal Justice and Popular Culture*. Vol. 14, No. 1. Pp. 60.

¹³ Gramsci, A. (1971) '*Prison Notebooks*.' New York: International Publishers.

¹⁴ Schlesinger, P. Tumber, H. (1994) '*Reporting Crime: The Media Politics of Criminal Justice*.' Oxford: Clarendon Press. Pp. 7.

¹⁵ Wolfsfeld, G. (2004). '*Media and the Path to Peace*'. New York: Cambridge University Press.

¹⁶ McLaughlin, G. Baker, S. (2010), '*The Propaganda of Peace: The Role of Media and Cultural in the Northern Ireland Peace Process*'. Bristol: Intellect Books.

¹⁷ Urbanska, K. Pehrson, S. Turner, R. N. (2019). 'Authority Fairness for All? Intergroup Status and Expectations of Procedural Justice and Resource Distribution'. *Journal of Social and Political Psychology*, Vol. 7, No. 2, Pp. 766–789.

Victim hierarchy is quite commonly reflected in and reinforced by the media and the discourse that the public engage with, consciously or otherwise.¹⁸ Research on the topic of victim coverage has repeatedly shown that news media organisations are highly selective in their choice of representative, tending to focus on particular types of victims' suffering, particular types of victimisation, and particular types of offenders.¹⁹ Interest in victims of criminal activity is deemed to be at its greatest when the victim can be portrayed by news media as 'ideal'. Christie describes the 'ideal victim' as 'a person or category of individuals who – when hit by crime – most readily are given the complete and legitimate status of being a victim.'²⁰ The public views this group of victims as those who are perceived as vulnerable, defenceless, innocent, and worthy of our sympathy. The most common example within these descriptors are elderly women and young children. The antithesis of these are young men, individuals who are homeless, drug users, and those who are perceived as being on the margins of ideal, civil society, finding it more difficult to gain legitimate victim status and to gain coverage. Further, to the ideal victim is the 'ideal co-victim'; those bereaved by homicide, whose behaviour or characteristics enhance the overall newsworthiness of their coverage.²¹ Through the victims' articulation, respectability, and public grief, we see a distinct increase in coverage, whilst non-engagement with the press, and a non-ideal public profile will garner a greatly reduced public display.²²

The result of such varying treatment in coverage can be extreme, with those deemed as 'ideal victims' garnering large amounts of media attention, generating collective mourning, can drive significant change to policy and discourse, can inundate the victim with practical support, and even provide pressure on the criminal justice system to apprehend and charge the perpetrator(s).²³ Further, on a more simplistic level, interaction with representative bodies such as victims groups can aid the police in their investigation, appealing to the public for information and witnesses, whilst it can allow the victim to emotionally decompress, warn the public of potential risks, draw attention to issues or causes, and to thank those who supported

¹⁸ Meloy, M, L. Miller, S, L. (2010). 'Media, Gender, and Crime Victims'. *The Victimization of Women: Law, Policies, Politics*. Chapter 4. Pp. 81.

¹⁹ Greer, C. Reiner, R. (2015). 'Mediated Mayhem: Media, Crime, Criminal Justice'. In: Maguire, M., Morgan, R. and Reiner, R. (Eds.), *Oxford Handbook of Criminology*. Oxford University Press. Pp. 245-278. AND. Gekoski, A. Gray, J, M. Adler, J, R. (2012). 'What Makes a Homicide Newsworthy? UK National Tabloid Newspaper Journalists Tell All.' *British Journal of Criminology*. Vol. 56, No. 6. Pp. 1212-1232.

²⁰ Christie, N. (1986) 'The ideal victim'. In. Fattah, E. (Eds.), *From Crime Policy to Victim Policy*. Basingstoke: Macmillan.

²¹ Greer, C. (2007), 'News Media, Victims and Crime'. In. Davies, P. Francis, P. Greer, C. (eds.) *Victims, Crime and Society*. London: Sage. Pp. 31

²² Bright, M. (2002), 'The Vanishing', *Observer Magazine*, 15 December.

²³ Greer, C. (2007), 'News Media, Victims and Crime'. In. Davies, P. Francis, P. Greer, C. (eds.) *Victims, Crime and Society*. London: Sage. Pp. 51

them through their trauma.²⁴ The other extreme are those individuals who, despite their traumatic experiences, do not acquire a publicly legitimatised victim status, or are deemed as 'non-innocent victims' due to the manner in which they were made victims, and as such receive little-to-no media attention, and none of the aforementioned benefits that come from being seen as 'ideal'.²⁵ From these varying experiences and benefits, we can see the clear value of a victim being publicised by news media platforms: with this coverage leading to large scale community engagement and support, and public pressure on institutions to provide both practical support and justice for the victim, and engagement from those in societal leadership positions. Conversely, a distinct lack of these opportunities occurs when an individual or group is denied that very opportunity for coverage.

Of particular interest to both this study, and criminological analysis of news media in general, is what occurs when violent crimes are no longer deemed shocking and newsworthy by comparison to most western nations. Given the comparative frequency of serious, homicide-centric criminal activity during the Northern Ireland conflict, several of the tenets focused on by media outlets no longer apply to the average murder, as such an act is no longer considered dramatic or novel. It can be potentially considered that an alteration of public perception leads to the necessity for those bodies that represent victims to focus on more publicly distressing events, involving loss of multiple lives or particularly heinous violent events. This could further result in more 'common' violent events (and the personal trauma they bring) being deemed as less important/valuable to potential representative bodies due to the commonality of such an event on a national scale. This matter, and the effect that it has on those who are presented as less valuable to be represented, will be discussed commonly throughout this chapter.

With the above considerations detailed, the argument presented in this chapter is that a victim gaining news media coverage can have significant benefits, including increased public support and monetary assistance, as well as creating pressure on the criminal justice system to provide justice for victims. However, not all victims are considered ideal by the media, based on factors such as drama, novelty, titillation, simplification, and conservative national ideology/identity. This can lead to a lack of opportunities for these victims and make them feel isolated and disaffirmed in society. Despite news media outlets having no distinct requirement to serve anyone or anything other than their own goals and necessities, such as sales, public engagement, or political agenda, they possess significant power and influence over the public.

²⁴ Victim Support. (n.d.) '*Dealing with the media*'. [Online] [Accessed on: 20/06/2022] [Accessed by: <https://www.victimsupport.org.uk/help-and-support/coping-crime/dealing-with-the-media/>]

²⁵ Smolej, M. (2010). 'Constructing ideal victims? Violence narratives in Finnish crime-appeal programming'. *Crime, Media, Culture*. Vol. 6, No. 1. Pp. 69-85.

Therefore, they have a moral imperative to provide a fair and balanced approach to representing others, through the concept of objective journalism. This means avoiding personal biases and beliefs that may influence the news coverage, and instead striving for impartiality and accuracy in reporting. Whilst the benefits of news media coverage for victims are numerous, it must also be highlighted that potential harm can be caused by news media coverage which prioritises drama, novelty, and titillation over accuracy and fairness. This can lead to the perception of an ideal victim who receive more attention and support than others, based on factors that are often irrelevant to their victimisation.

Through the analysis of the experiences of our four subject groups, this chapter will discuss the perception of these participants and the variations in the presented experience within each individual grouping. This study will then find evidence to discuss potential biases that may have existed, as well as the effect that these experiences had on these victims and survivors. Like the analysis chapters before, this analysis will be sectioned into the following order: security forces victims, Protestant civilian victims, Catholic civilian victims, and finally victims that allege the involvement of collusion and miscarriages of justice.

Each section will discuss the perceptions presented by our participants relating to news media outlets, and how they were or were not presented to the public. This will focus on the extent that they wished for their story to be presented to the public, the efforts made in increasing or maintaining coverage, and the opinions held regarding the coverage opportunities provided, including those individuals that did not benefit from the coverage they received, but were instead retraumatised by it. Finally, this chapter will be concluded by highlighting the most prevalent trends that were presented amongst these groups, comparing and contrasting their perceptions, and providing evidence to support or deny the existence of a hierarchy of victimhood in how certain victims were represented during the Northern Ireland conflict.

Security Forces Victims

The 15 security forces victims interviewed for this research presented overall satisfaction regarding both the depiction and the saturation of their story in the written news media. Mr Johnston's testimony begins this section, as he recounts one specific story that the local newspaper reported relating to his father's time in the police service:

...We did see some reports in the newspaper afterwards, we kept them all. There is one story- I don't know how, but some reporter got information - Lurgan is obviously a staunch either unionist or republican area - one day my Dad was working

*and called out to an old lady's house, and it was in a Republican area, and after work he came round to fix a lightbulb for her. That was the man behind the uniform, there was no bitterness in them.*²⁶

Michelle McBride provides a similar testimony regarding the written news media attention surrounding her father's death in 1983, however providing the caveat that she ensured to direct her attention solely towards media outlets that she knew would provide supportive accounts:

*...I think the media were- I didn't see anything in the Republican newspapers or anything like that- the only thing I would have seen was in the Daily Mail, Belfast Telegraph, UTV, BBC, I would have never seen anything from those other newspapers, but I can guess it wouldn't have been very complimentary reports about it. Everything from our local papers? Yes, they were very supportive. People gave us the opportunity to put our story out there. I remember the Dromore Reader coming, giving us a voice and asking how we felt.*²⁷

INT11 highlights this politicised trend, understandably engaging solely with news media that had a higher likelihood of providing an account with a positive predisposition towards their community, when discussing the media coverage of the murder of their sister (also a member of the security forces) in 1985:

*I would periodically still- I have all the newspaper cuttings of the articles and various things from the time. I suppose I focused on the local paper down there, which was pro-unionist. ...I think the articles were written well, favourably.*²⁸

The above 3 quotes highlight the variances and biases that can exist when seeking out reports and coverage from local level or tabloid newspapers, ensuring that individuals would understandably avoid news sources that they fear would not provide positive coverage. These statements reinforce this thesis' decision not to utilise tabloid news media sources, and to instead focus on the coverage provided by 'broadsheet' print media, and televised news sources.

Moving from a positive experience to a more neutral view of the media depiction of events, we look to many of the officers who were attacked and either survived their event(s) unscathed or were wounded to a degree that did not end their career. We see several reports of very minor coverage of events, such as in INT10's statement, in which they stated the

²⁶ Johnston, L. (2019). Interview with J McCann. 28th March 2019.

²⁷ McBride, M. (2019). Interview with J McCann. 21st March 2019.

²⁸ INT11. (2019). Interview with J McCann. 15th October 2019.

following after being questioned if there was a high degree of attention surrounding their wounding in a gun attack:

*No there wasn't. There was the usual 'police assault, police officer down', but there was really nothing out of the ordinary. As I said, during that time with the tempo, there were other bombs and stuff going off [in the early 1980's]. There wasn't really that much media attention to it.*²⁹

During his interview, Bill Duff stated the same explanation for the lack of avid reporting on a gun attack on the convoy he was in, which saw two British soldiers killed, and three more wounded, in 1976. When asked what the degree of media coverage this attack received, he stated the following:

*None whatsoever really - it was hardly reported on by the Press, that was it really. I have no recollection of seeing any newspaper headlines, it was on the radio, and that would have been it. Sadly, it was very common in those days, if it happened today, it would have been a big splash - it certainly would have been on the national news, but back then it was too common. ...It was what happened, and it was the context of the time.*³⁰

INT17, a former UDR soldier, states a further understanding of the method behind the coverage of more common, violent events during the Northern Ireland conflict, both relating this to violence incidents they were involved in, but also retrospectively surrounding the conflict as a whole:

*The thing is, when the Troubles were at their height, whenever the media and the press were reporting, it was factual reporting, there was no bias, they would just say 'a bomb has exploded on the Falls Road, or a bomb has exploded on the Shankill Road', but now in retrospect, looking back the bias starts to come out.*³¹

In the above statements, we see a degree of acceptance of the perceived lower levels of reporting they personally received. No distinct grievance was attributed to this lack of coverage, likely a result of the greater perspective of the overall violence at the time that they members of the security forces had, and as such, the relative commonness of such events. Further, a lack of grievance compared to other participants could be a result of these individuals not personally losing a loved one in these events, but personally experiencing and surviving them.

²⁹ INT10. (2019). Interview with J McCann. 14th October 2019.

³⁰ Duff, B. (2019). Interview with J McCann. 18th September 2019.

³¹ INT16, INT 17. (2019). Interview with J McCann. 1st November 2019.

The news media's portrayal of key events during the Troubles has been well-documented, revealing a clear bias in favour of the state's perspective. A notable example is the 1981 Hunger Strikes, in which 10 IRA prisoners starved themselves to death in a bid for political prisoner status. During this time, British Prime Minister Margaret Thatcher stated 'there is no such thing as political murder, political bombing or political violence. There is only criminal murder, criminal bombing and criminal violence.'³² This quote speaks of the British government's then criminalization policy, which sought to de-politicise the conflict by rebranding paramilitary actions as criminal, thereby delegitimizing their cause.³³ The news media followed suit by adopting this de-politicisation approach, shaping public perception of Troubles-related events in a manner that favoured the government's position.³⁴

A common trend begins to form amongst this group, during times in which the interviewees report that gun or bomb violence against security forces were extremely regular, receiving little to no interest from media sources. As William Matchett relays regarding the bomb attack he was caught in during a patrol:

*I think with that attack with me ...I have no press cuttings from it, and I would have kept them. It was mundane. If it got a few inches in the local paper, that would have been it, but I don't even think- it wouldn't have made the regional papers or Belfast Telegraph.*³⁵

From these testimonies, we find evidence to support the theoretical assessments presented in the opening statements of this chapter; events that would otherwise cause 'headline-grabbing' reports in the average western democratic nation are deemed of less coverage value due to the frequency of this event within an environment that suffers from ethno-political conflict. As such, these events are of less value to a news media corporation due to a potential reduction of public engagement resultant from this lack of 'novelty' and relative 'drama'. As INT19 identifies, noting distinct frustration in their statement when queried about whether they wished for the gun ambush that they were caught in during their time as an RUC-Reservist in 1976 to receive more media attention:

I don't really think about it like that, though, you know...I thought the bombing of the hotel in Brighton was over-hyped- 'oh my god, it happened in England'. You

³² Thatcher, M. (1981). 'Speech in Belfast'. 5th March 1981. *Margaret Thatcher Foundation*. [Online] [Accessed on: 02/03/2023] [Accessed by: <https://www.margaretthatcher.org/document/104589>]

³³ Findlay, M. (1985) "Criminalization' and the detention of 'political prisoners'-An Irish perspective.' *Contemporary Crises*. Vol. 9. Pp. 1-17.

³⁴ Miller, D. (1994) '*Don't Mention the War: Northern Ireland, Propaganda, and the Media*.' London: Pluto Press.

³⁵ Matchett, W. (2019). Interview with J McCann. 3rd November 2019.

*know, like Canary Wharf, suddenly they [bombings] were big news, whereas it was happening every day in Northern Ireland.*³⁶

Although major incidents like the Canary Wharf bombing and the attempted assassination of Prime Minister Margaret Thatcher understandably received significant media attention, the British public generally displayed a degree of apathy towards the everyday violence of the Troubles. This lack of engagement was a key factor in the Provisional IRA's decision to launch a 'mainland campaign,' involving an increased number of terrorist attacks in Britain. As one IRA volunteer explained, the aim was to "give the Brits a taste of the Troubles," in response to the detachment previously felt by the British population.³⁷

As a brief point, several individuals within this subject group specifically reference coverage from television media within their testimony on overall media coverage. INT1 mentions learning that their brother was murdered on the televised news in 1994, having witnessed the live report. This shows a degree of intrusiveness that can result from the rapidity of news reporting, even being publicly reported before the family themselves were informed:

*So, my mum who was nursing my 3-month-old daughter kept saying to me 'put on the television, put on the television', and I said "he's on his way to the hospital". ...So, I really can't recall at that moment in time whether we knew my brother was dead, but I do remember my husband coming to the front door, trying to reach me before the news got out. ...From what I can remember, at that traumatic time, was that my husband didn't get there in time and I remember my mother squealing, with my 3-month-old daughter on her shoulder, squealing "Not my Jackie, not my Jackie". Squealing, squealing, squealing.*³⁸

The above quote shows the sobering reality of media intrusiveness and the result that such insensitivity can have on the victims. A study by the University of Ulster shows a history of this degree of intrusiveness in the news media in Northern Ireland, resulting in distinct exacerbation of the trauma felt by victims after losing a family member. Further highlighted by this study is the perceived benefit for victims that media organisations offer when taking the sensitivities of the matter into account when reporting, allowing readers to gain empathy for them, and increasing public awareness of the trauma that results from such violent events.³⁹

³⁶ INT 19 (2019). Interview with J McCann. 08th November 2019.

³⁷ Alpha History. (2023). 'THE IRA'S MAINLAND CAMPAIGN'. [Online] [Accessed on: 05/03/2023] [Accessed by: https://alphahistory.com/northernireland/ira-mainland-campaign/#The_Provisionals_campaign]

³⁸ INT1. (2018). Interview with J McCann. 24th October 2018.

³⁹ University of Ulster. (n.d.) 'An Exploration of Media Reporting of Victims of Murder and Manslaughter in Northern Ireland'. A Research Report for SAMM NI.

Regarding the involvement of televised media following the initial reporting of the loss, Michelle McBride speaks positively of the continued reporting of both the funeral and the trials relating to her father's murder:

As for TV and stuff like that - at the time, you expected it to be on the TV, and we were watching to see, but then later, when it was the second arrest, I was at work having my lunch, when my dad's face flashed up on the TV. Even though I was aware that it was going on, I didn't realise it would hit the news, I was just sitting there at work, surrounded by colleagues- everybody just looked at me. ...But it was a great shock to see his face on the news. I feel our local media and the TV coverage- it wasn't intrusive, it wasn't in your face, but if you look at photographs, there are a lot of photographs taken, and you didn't know they were being taken. Like only recently I was sent a link of photographs of my dad's funeral.

These photographs were taken when my mother was about to collapse, and she was taken into the Chief Officers car and taken there. But you wouldn't have known that photograph was taken. There is a photograph that actually shows when she collapsed, and there is a circle around her, so they don't get a photo her.⁴⁰

Within this victim group, we see a strongly positive public coverage from news media, particularly in written news media, in those testimonies that specifically involve a fatality of a police officer. However, upon an event that sees a case of attempted murder, even if extremely violent (such as the use of an explosive device), we see a trend of testimonies that state very little media coverage, 9 of the 35 total participants stating their frustration at how these events would garner headline attention in any other country, if not for the frequency of such an event in their environment. Further, from the testimonies presented within, we see three allegations from within the security forces of an under-reporting in Northern Ireland on those events that involve the death of British soldiers, when compared to members of the police service, potentially offering evidence to separate the latter as a more likely candidate for an 'ideal victim' compared to the former. Thus, the security forces interviews perceptions of the media coverage serve to reinforce the idea that 'ideal victims' are prioritised by the news media, which in turn decreases the likelihood that positive or negative coverage is due to sectarian bias by news media corporations.

⁴⁰ McBride, M. (2019). Interview with J McCann. 21st March 2019.

Protestant Civilian Victims

The 10 Protestant civilians interviewed had much more mixed reaction to questions about media coverage. We begin with an utterly positive testimony relating to both the written and televised news media coverage for this group. Beginning with the testimony by Paul McIlwaine, whose son was murdered by members of a Loyalist Paramilitary group. Mr McIlwaine had uncovered evidence that those responsible for this murder had also been in repeated contract with the British government to conduct renovations to several barracks and police stations, a matter that Mr McIlwaine wished to be made public as he believed this was a breach of ethics. He believed that individuals within the British government were aware of the perpetrator's history and affiliations, and yet continued to use them as contractors, having reportedly paid them upwards of £5 million.⁴¹ In his own words, he stated:

*This was all documented, we were always in the media every week. It was in the Sunday papers, it was on the front page, it was quite a story for quite a long time. The media, they were certainly one of the most instrumental avenues for us. They have always been behind us, thick and thin. It was constant bombarding in the newspapers and the television.*⁴²

We see in this example the victim's positive reflection on both the manner in which they were represented, but also the degree to which their story was 'saturated' in the media; both maintaining public attention and representing the victim accurately with a narrative that they wish to be shared. This can be seen as the best-case scenario with media coverage, allowing for the victim to have their narrative spread to the greatest degree, supporting their efforts in finding justice for their loss. In distinct contrast with this, we look to the testimony provided by Andrea Brown (relating to her own injury in 1988), in which we see positive saturation, but a negative coverage of the victim and their story:

In regard to the media, the night of the bomb explosion there was actually photographer - the Lisburn Fun Run bomb⁴³ - and there was a photographer at the fun run, taking photographs of the runners, who heard the explosion, and came down with a camera - he was taking a photograph of me as I was being lifted into the ambulance and my sister grabbed him and give him the story. The next day it was 'confetti of glass', 'wedding cancelled', all the rest of it. They had me 'standing in my wedding

⁴¹ McCaffrey, B. (2008). 'PSNI gave £5m contracts to 'UVF-linked company''. *The Irish News*. 6th November 2016.

⁴² McIlwaine, P. (2020). Interview with J McCann. 10th April 2020.

⁴³ A UV-IED attack which killed 6 British Army soldiers and injured 11 civilians. News Letter. (2018). 'Lisburn fun run bomb: 'It was horrific. It really was just like a bad dream''. 16 June 2018.

*dress' when the bomb went off - my wedding dress was not even in the country- It was the bridesmaids who were going in for a fitting. So yes, that night the media went haywire, but they lost interest very, very quick.*⁴⁴

This group experienced a recurring pattern where a story received extensive coverage in the news media, but the participants expressed dissatisfaction with the specifics of how their story was portrayed by the print and television media. As another example, Cathy McIlvenny discussed the matter of disinformation being propagated by the news media surrounding the death of her younger brother in 2005, stating the following:

*So, in 2005, I think the statement that Craig was a member of a paramilitary organisation, namely the LVF, incensed my daughter and she came out fighting. The papers just had a 'believed to be in an ongoing feud with the LVF'. We all knew that Craig never joined any organisation because of the age of them.*⁴⁵

In this case, the news media relied on initial reports, likely provided by the police, about this specific incident, whilst not enabling the narrative from the victims' family to be represented. This results in the potential for secondary trauma due to the consistent circulation of disinformation about the deceased. Such disinformation can result in a distinct reduction in empathy for those lost and their loved ones, leaving a lasting stigmatising label upon the family. This particular issue was rectified later the same year⁴⁶, and as such, we see that a victim's media coverage is not a singular event, but a continuous process that may see immediate support, or a life-long effort to receive proper representation. In the latter of the two cases, we look back to Andrea Brown, who has stated various issues with support for her post-incident long-term recovery and care (as presented in Chapter 5). In her testimony, she stated the following experience:

I went to an event about 5 years ago in Belfast, and I was invited to meet the dignitaries at that event, ... I met with Mark Simpson from the BBC. ...He was chatting to me there and realised 'oh my goodness. you really are a forgotten victim', and he asked me if I would do a follow-up story. He heard that I was struggling financially to get a powered chair, because I was using a manual chair, which meant I couldn't go long distances because I suffer from a lot of pain and fatigue. So, Mark did an interview with me that went out on television. He told my story very well, very

⁴⁴ Brown, A. (2018). Interview with J McCann. 29th October 2019.

⁴⁵ McIlvenny, C. (2020). Interview with J McCann. 15th April 2020.

⁴⁶ Craig's non-involvement with the LVF or any paramilitary group, was later clarified in the written news media. Chrisafis, A. (2005). "He saw them all as his mother's murderers". *The Guardian*. Northern Ireland. 15th November 2005. [Online] [Accessed on: 05/07/2022] [Accessed by: <https://www.theguardian.com/uk/2005/nov/15/northernireland.northernireland>]

sympathetically, not patronising in any way, which then resulted in a guy from Coalisland- [he was] Roman Catholic- getting in touch with the PSNI. He didn't realise that the person he was speaking to was my sister, Michelle. He had a powered chair that he had bought for his father, that he donated to me. That was a really nice thing that had happened through the media.⁴⁷

The above quote does a great job of highlighting one clear benefit of proper media coverage and saturation, even if it was not immediately after the event in question. This media coverage facilitated community cohesion, solidarity, and engagement with those victims whose story is presented, providing both practical, financial assistance, but also clear emotional support as well.

Continuing, we see that the desired degree of coverage is also a fluctuating matter, with potential variance resulting from the personal context of the victim. For example, INT20 did not seek a great deal of national coverage, despite the seemingly random tragedy that befell their family and the community response that they garnered nonetheless. When discussing the matter of seeking support opportunities and media representation, they provided the following reason for not initially seeking any sort of coverage:

We didn't do anything. ...Mum didn't want anything. ...We didn't want to tell her because she didn't want to hear anything about it. We went on ahead but never told her. She was in her 90s. She wanted to keep it out of the press and keep it out of the TV. We were scared of the nightmares starting again.⁴⁸

We see that the desire for and the utility of media attention varies greatly between individuals, from media coverage being potentially re-traumatising, to news media being seen as a tool to enable change, both for communities but also personally. On this latter point, Andrea Brown recalls a less common usage of media coverage; as a tool to ensure her adequate practical support after receiving injuries that severely hindered her quality of life:

I was living in a one bedroom flat in Moira, and I had to fight for a two bedroom bungalow, and I was phoning the [Housing] Executive every two weeks. The last time I phoned the [Housing] Executive they told me to wait 'til I saw a funeral going past before I rang again - that would be the only way I would get a bungalow. So, I contacted Jeffrey Donaldson, the [DUP] MP, and he came out to see me, and within 2-weeks I was in a bungalow.

⁴⁷ Brown, A. (2018). Interview with J McCann. 29th October 2019.

⁴⁸ INT20 & INT21 (2020). Interview with J McCann. 28th January 2020.

Again, when I was discharged from hospital, with the FND [Functional Neurological Disorder], I was discharged to sleep on a sofa because they had no hospital beds - again, contact the MP, and because he phoned the National Health Service and threatened [to contact the] media, I had a bed delivered that day. These should be things that happened because you need them, not because there is a threat of media.⁴⁹

In conclusion, this section illustrates that news media coverage in this community has resulted in varying degrees of success with varying methods of use. Some individuals have received immediate and extensive coverage, while others have had to wait for several decades to obtain what they consider proper support to share their story and struggles. This demonstrates that both the opportunities provided and the personal desire for coverage in the press are fluid and potentially long-lasting journeys. In some cases, individuals expressed the desire to be represented later in their personal timeline, after immediate support interventions had been exhausted. Additionally, extensive media coverage is not always presented as a wholly positive experience and can sometimes result in negative outcomes. Misrepresentation of victims and their loss can cause further trauma, whether it's due to an innocent mistake or an act of sensationalism.

Catholic Civilian Victims

The following section presents mixed responses regarding media coverage, though taking much greater note of the common accusation of politicising of murders and the circumstances surrounding them. Critiques of the news media's approach to reporting was frequently discussed within this subject group, commonly placing a great deal of blame upon them for the 'tit-for-tat' killings that were common during the length of the conflict.⁵⁰ As Marcus Babington commented, relating to his own misgivings of receiving news media coverage regarding his father's murder by Republican paramilitary:

The media seemed to be more interested in the perceived motive of the [perpetrators]- I blame the media for a lot of the things that happened during the Troubles, and for causing some of it, inflaming some of it, being responsive possibly even for the next victim of it. Whenever I see some catholic taxi driver who died because he was a catholic, the next day it may be a Protestant taxi driver was killed.

⁴⁹ Brown, A. (2018). Interview with J McCann. 29th October 2019.

⁵⁰ Macleod, S. (1982). 'Tit-for-tat killings resume in Northern Ireland'. *UPI Archives*. 30th October 1982. [Online] [Accessed on: 20/07/2022] [Accessed by: <https://www.upi.com/Archives/1982/10/30/Tit-for-tat-killings-resume-in-Northern-Ireland/2965404798400/>]

If a taxi driver was killed, the media seemed to be more interested in his religion straight away. It wasn't a case of 'what age was he?', 'what nationality was he?', 'did he have family left behind'? First off, they would ask 'what is his religion?', as if they already found a motive for this man's murder. He wasn't shot for his wallet or his takings, he was shot because he was a Catholic, so that would be in the headlines, and low-and-behold, a night later a Protestant would have been shot dead. Had that not been in the news, and it was just a taxi driver who was shot dead- why do we need to know his religion?

The media always wanted to state their opinion why this person was a victim before it was ever confirmed why he was a victim. 'What was their religion' first-and-foremost, as if it mattered. ...There was a lot of media about my dad, as the IRA had made an awful blunder, and took very, very bad press about it. So, I made sure they got more about it.⁵¹

This closely ties to the context of media hegemony, in that despite efforts to provide impartiality, the manner in which a story is presented enforces specific dynamics within public perception. In this example, the dynamic enforced was that the victim was indiscriminately murdered specifically due to their assumed religion. This follows the trend of media reporting on 'tit-for-tat' killings. Also known as equivalent retribution, tit-for-tat killing is commonly referenced element across literature and media surrounding the Northern Ireland conflict, often in reference to distinctly senseless murders that were wholly sectarian in nature⁵². This narrative seizes upon the uncertainty in the public and the drama that surrounds it, specifically the fear that the reader could be the next victim, whilst inadvertently continuing the cycle by propagating the tit-for-tat mentality.⁵³ Despite common reference from participants regarding this form of violence, very little academic discussion has been identified surrounding the viability of the accusation that increased media coverage of a particular violent event results in an increased degree of retributory violence. In comparison to the above statement, Alan Brecknell highlights the dismissive reporting of the news media regarding the murder of his father, which also saw two others murdered and several severely wounded. In his own words regarding this event, and events like it, he stated:

⁵¹ Babington, M. (2019). Interview with J McCann. 18th September 2019.

⁵² Bell, J. B. (1976). 'The Chroniclers of Violence in Northern Ireland: A Tragedy in Endless Acts'. *The Review of Politics*. Vol. 38. No. 4. Pp. 510-533. AND. White, R, W. (1997). 'The Irish republican army: An assessment of sectarianism'. *Terrorism and Political Violence*, Vol. 9. No. 1. Pp. 20-55. AND. Bardon, J. 'Tit-for-tat sectarian slaughter plagued North'. *The Irish Times*. 29th December 2006.

⁵³ Maney, G. M. (2006). 'The Past's Promise: Lessons from Peace Processes in Northern Ireland and the Middle East'. *Journal of Peace Research*. Vol. 43. No. 2. Pp. 184.

I think like most incidents in the '70's, there was the immediate reaction the next day, and then a couple of days later there was a small amount of coverage for the funerals, and then that's it, because something else takes over, you know? That was the time.

In relation to the two people who were charged in 1979, the piece I found was in the Armagh Guardian, a small local paper. It was in the bottom right-hand page, a wee article about an inch and a half long. There was a whole series of arrests in the Markethill, Tandragee area, and then it mentions at the very, very end that 'two others were being charged in relation to the attack on Donnelly's Bar'. That was the only thing I found in any of the newspapers. That then prompted us to write to the PSNI to question what had actually happened, then we started getting information back from them. Again, there was the sense that 'you knew something, then you went looking for clarification', as opposed to someone coming to you and saying 'this is what happened', and there had been a series of questions beforehand in relation to the case, and those hadn't been flagged out. But we were then able to go 'this is a newspaper article, is this correct or not?'⁵⁴

In his statement, we see that Mr Brecknell felt that the media attention surrounding the death of his father was minimal, including the arrest of the alleged perpetrators. However, it must be noted that even this small amount of information obtained from the written news media allowed Mr Brecknell to personally investigate the circumstances surrounding his father's death. Mr Brecknell also alluded to an element that has continued to be prominent within this chapter: the lack of media saturation surrounding a particular event due to the frequency of violent Troubles-related incidents during that period, a fact that he, like many in this chapter, seem to be accepting of. Ann Travers, who holds a mixed opinion on the manner in which her sister's murder was represented by the news media, provides a similar series of opinions as those presented above, stating the following:

We wouldn't really watch any TV or listen to anyone talk about it, even hearing other people's voices, you couldn't. I remember seeing some pictures of it, but they portrayed it how it was. The IRA had said that the bullet that killed Mary passed through my Dad, trying to put more blame on my father. The Belfast Telegraph published this, and someone even said to me 'Ahh, I hear the bullet that killed Mary passed through your Dad', and I was really angry, I said 'No! They shot her on purpose, they shot her!'.

⁵⁴ Brecknell, A. (2020). Interview with J McCann. 27th April 2020.

I think the media were quite good. They came up to the house, and I happened to answer the door. One journalist- they were all standing at the bottom of the driveway, we had a long driveway to our house- he came up, and he said 'look, can you just give me names- I'm really sorry- how old was Mary? How old are your parents? How old is everybody'. ...So, they were quite sensitive, I don't remember them being- and at the funeral, the funeral was quite large. I think there were television cameras in the church, but they weren't ever in our face, and they weren't- I kind of feel sorry for people now, like Lyra McKee's murder in April [2019]. The journalists are out and contacting the families and phoning them up. It wasn't like that back then, so in some ways we were saved from it. Also, I suppose, the media- sure there was one murder, but there was another on the next day. So, there wasn't time to concentrate on one, it wasn't shocking, though I think Mary's was. But I didn't realise any of that until back in 2011, whenever Mary McArdle was appointed Special Advisor, and I sort of became more aware then as I was looking back at stuff. At that time, we were just trying to deal with our own grief.⁵⁵

This extensive quote provides a fascinating account of how some victims process their experience of media coverage; wishing to find a balance between the coverage that they desired, whilst also receiving all due consideration, respect, and privacy. The reason for the extensive and positive media coverage of this event is likely due to the perceived ideal status of the victims involved. This is particularly true for Ann's sister, who was a young woman and schoolteacher, and because their mother and father were considered socially respectable, the latter being a magistrate. As a result, the media considered their story worthy of significant attention and coverage. Despite this, negative connotations were also directed towards both the accuracy of the representation, and the longevity of said coverage, resultant of the frequency of violent events during the Northern Ireland conflict. This statement continues to highlight that the considerations of one's media coverage may not be a singular ideal but vary in relation to numerous factors; from the treatment from journalists, to coverage accuracy, and the saturation/longevity of the coverage.

Through this section, we see repeated discredit directed towards the news media, whether it is how a victim's story is represented, or in the manner in which the media reports upon events in general. In these testimonies, a degree of blame is often seen to be placed upon the victim for exacerbating the trend of tit-for-tat killings that occurred during the Troubles. The issue with the coverage presented in this section particularly lies with the under-representation of events, or when provided proper news saturation, poor coverage of the

⁵⁵ Travers, A. (2019). Interview with J McCann. 16th October 2019.

victims or the event(s) in question. Despite this, we see a consistent trend continuing amongst each section of this study equally: acknowledgement that due to the frequency of violent Troubles-related events, larger news media organisations did not place equal coverage upon each case study. It is only if the case study matches the fundamental 'news values' presented in this chapter's introduction to a higher degree that an increased degree of media saturation is created, particularly when there is the inclusion of an 'ideal victim'. As such, this does not provide evidence to speak to the existence of a particular bias towards Catholic victims, but instead a focus on the newsworthiness of each story.

Victims of Collusion and Miscarriages of Justice

Cases of collusion and miscarriages of justice are often deemed more newsworthy than other incidents due to several of the key fundamental values of public engagement: the drama, novelty, and titillation that stems from the subject of institutional collusion and miscarriages of justice. Whilst the public expects paramilitary activities to transgress normative values through their lawbreaking, the matter of the state conducting amoral and law-breaking actions is highly dramatic and leads to implications towards its legitimacy and authority. The state being to blame for a victim's plight can easily draw attention. As Chibnall states, 'blame' constitutes a key element of constructing a compelling crime narrative; this blame can be individual, societal, or in this case, institutional.⁵⁶

From a theoretical basis, Greer posited that when a narrative emerges that suggests state bodies have not fulfilled their obligation to safeguard the public (or conversely, placed them at risk of harm), there is a significant likelihood that the narrative will gain traction and public support. This can lead to the narrative becoming more established and further develop public engagement.⁵⁷ Greer presents real world examples of this form of distinct media interest, listing the coverage surrounding such deaths as Stephen Lawrence, Sarah Payne, Holly Wells and Jessica Chapman. Each of these examples are a famous case of miscarriage of justice or serious institutional failings that were significantly maintained in the UK as a result of systemic shortcomings, whether implicating the police, the courts, or educational systems.⁵⁸ These failings, which pertain to this study, include serving to maintain the conditions that allowed the offence to occur in the first place, or impeding the case's investigation and

⁵⁶ Chibnall, S. (1977). 'An analysis of crime reporting in the British press'. *Law-And-Order News*. Routledge. 1st Edition.

⁵⁷ Greer, C. (2007), 'News Media, Victims and Crime'. In. Davies, P. Francis, P. Greer, C. (eds.) '*Victims, Crime and Society*'. London: Sage. Pp. 48-54

⁵⁸ *ibid.*

prosecution afterwards.⁵⁹ The reach of these cases then begin to extend past those specific victims, but becomes representative of wider systemic issues across all sectors of public life, criminal justice, and civil society itself, all empowered and maintained by news media.

Media outrage and spotlight on the victim's narrative has the chance to offer a particular benefit to the victims within this group, applying public pressure upon the government that allegedly failed the victim in some manner, and in such circumstances the power that the media can wield for a victim is immeasurable. Whilst historically, news media has also been instrumental in distributing the state's narrative, which can be to the great detriment of the victims, particularly in cases like Bloody Sunday.⁶⁰ In several of the following cases, contemporarily we see how the news media became instrumental in publicly defining and highlighting the cases, rooting the victims' image in popular imagination, generating and focusing collective moral outrage and support for change, and, crucially, keeping the stories alive in both political and popular consciousness. In some further cases, this support continues long after the initial investigation had closed or ensured that these cases were reopened for further investigation.

Focusing first on testimonies that involve written or televised news media, there was a particular trend of high media saturation within these testimonies, matching the above theoretical conceptualisation of media outrage. However, variance occurred regarding the degree of satisfaction towards the way each victim's story was portrayed. Beginning with more positive testimonies, we look to Raymond McCord (of the Protestant civilian group), who explains that the news media was one of the primary methods that he utilised to portray the story of his son and the collusion involved in his death:

The media here, over 22 years, has been fantastic, big cover in the media. When I get big information, I give it to the media. ...They were great. The Sunday World, fantastic, Jim McDowell when he was editor, unbelievable support. Sunday Life, Kieran Barns, fantastic. Many other journalists, Chris Hagen, UTV. Journalists like that, fantastic. They were [spreading his story], and I kept it going and going so that it was always there in the media.⁶¹

Matching this experience, we look back to INT29, who details the reaction of the news media upon the allegation that a coverup has occurred relating to the perpetrator(s) behind those who died in the incident involving their brother:

⁵⁹ *ibid.*

⁶⁰ McLaughlin, G. Baker, S. (2015). 'The British Media and Bloody Sunday'. The University of Chicago Press.

⁶¹ McCord, R. (2020). Interview with J McCann. 07th April 2020.

There was a lot of media attention at the time, and when the fella out of the Force Research Unit⁶² came out in 2007, [and] said there was a coverup going on, the papers over here went mad, and they wanted to know what the coverup was. They were printing the story every week, they were nearly naming who was all involved. The worst bit was, people over here, people who knew things didn't want to come out and say anything because they didn't want to be highlighted as 'he said this, and he said that'.⁶³

The testimonies reveal that the victims made a clear effort to engage with the media in order to keep the public informed about the event and similar incidents. This engagement continued for decades after the event in question, as demonstrated by the case of Billy McManus from the Catholic civilian group. Despite the intensity of the media interaction following the violent Sean Graham Bookmakers' shooting, it was short-lived, as McManus describes:

What was ironic was that the media got there very quick. UTV was there. Darragh Macintyre was actually filming up the street, and he came down and caught me being told outside about my father being murdered, he caught me on camera. ...The media always shows it on the news.

The media was very hard, sometimes they didn't care about what they were saying, they were just there for the story and didn't care about us. A couple days after Sean Graham's bookies, it shows me standing outside, but it shows a young James Kennedy being carried out. I am standing right above James Kennedy when he is being carried out, he was brought out on a blanket that was covered in blood, and he was gasping for air. I have already talked to his family about this, and they want me to speak about it, it's part of us fighting for justice.

What happened was, James Kennedy's mother had seen this on the news, and that poor woman died of a broken heart a couple years later. James' father Jacky went on Ulster television the next day and asked them to never show it again. To this day it has never been shown. I know it was hard at the time, the media would rap on your door, but that was a good thing that they done.⁶⁴

⁶² A covert intelligence unit of the British Military which was confirmed to be highly involved in multiple acts of collusion with paramilitary elements. BBC News. (2003). 'Stevens Inquiry: Key people'. 17th April 2003.

⁶³ INT29. (2020). Interview with J McCann. 13th April 2020.

⁶⁴ McManus, B. (2020). Interview with J McCann. 27th April 2020.

From this anecdote, we see another example of the trauma that can occur from media coverage, a statement that has been made multiple times across this chapter. Whilst a degree of tact is often used when visually representing violent events in news media, particularly avoiding the displaying of bodily harm, witnessing the extent of the damage done (as in the case of Graham's Bookmakers) can understandably be extremely traumatising. Despite this, Mr McManus continues on to speak of the fringe benefits that help to ease that same trauma through providing recorded coverage of major events, including funerals, with some caveats:

Another thing the media done, the coverage of Sean Graham's bookies that day is now something we look back on, and I am glad they got into the funerals and all, I am glad they took what they done to look back on, it's a visual record of what happened. We look back at our Daddy's funeral, and there's a lot of people who are gone now. It was hard, it was hard when they were coming from like Channel 4, BBC. But we still wanted to get our story across, so it had to be done. It was a part of life too, cameras coming in, being in the funeral, as soon as you walked out of the chapel, there they were, and they were everywhere. Once the funeral was over, you never seen them again.⁶⁵

Like many of these stories, Mr McManus alludes to the short-lived saturation of the media's attention of this event, due to the element frequently discussed within this section: violent, Troubles-related events occurred frequently, and as such specific media coverage was short lived. It was only upon the allegation of collusion or miscarriages of justice (which was frequently only discovered years/decades post-incident) that media attention is resumed, due to the fundamental elements of newsworthiness that such a story provides. As such, Mr McManus stated that as a result of his public campaign for justice, he found further coverage, and to a much greater extent than previously obtained:

...Because of our campaign for justice with Sean Graham's bookies, ...it's been on the news, and Panorama programs, there has been lots of programs on it. The police ombudsman, at the moment, has found new evidence, the police had hid evidence, it's unbelievable what's going on.⁶⁶

We see clear evidence that show a distinct difference in the degree of media attention that is generated in the case of a story involving allegations of collusion or miscarriages of justice. These show that many victims received the same degree of fleeting coverage upon the death of a loved one, but a much greater degree of representation and saturation upon further allegations of collusion or miscarriages of justice being made, with the titillating story

⁶⁵ *ibid.*

⁶⁶ *ibid.*

such allegations provide. This causes the story to become greater than the initial incident, focusing more on the state wrongdoing than the loss itself due to the increasingly dramatic nature of the story, giving the case new life, matching the conceptualisation. Many victims, and the groups that represent them, use this heightened media attention to their benefit, countering the injustices they reportedly experienced in the previous two chapters by making a public statement about this inequality. Julieann Campbell (of the Catholic civilian group) provides an example of this exact mindset when discussing the campaign for justice for victims of Bloody Sunday:

They took every opportunity to speak. My uncle Jerry always said, any opportunity; they took it. They literally had to clear their own names, and of course, over the course of that, the Blood Sunday Trust...which was like a support network for the families, because they didn't know how to do things, so the trust was set up to support them. The trust commissioned reviews of the reports, looking into Widgery, evidence from the day itself, and what they uncovered in those early days changed everything. ...It legitimised their struggle. They turned negatives into positives, every time they were told 'no' by somebody, they made a news story of it, they got the word out. I think that's why we are considered on the hierarchy because we never let it die. It was a very deliberate act to ensure that Bloody Sunday never faded from the headlines.⁶⁷

An important element of note within this study is that whilst many of these participants actively sought coverage from news media organisations, not all organisations were equally as prepared to represent the victims of these events or carry the narrative that these individuals maintain. Further, certain organisations may in fact present contradictory reports to those victims. The remaining testimonies on this subject provide several reflections on this exact matter, with Rosaleen Dalton (of the Catholic civilian group) stating the following when asked how the news media reported upon the event's surrounding her brother's death, and the release of the convicted perpetrator, Michael Stone:

Depends on the paper, doesn't it? Let's be honest. You'll get one side saying 'well he has done his time', and the other side will say 'he hasn't done his time', you'll get the opinion of each side. But I'm not listening to opinion, I am going for what we deserve, the honest truth for my brother. My brother was murdered at twenty! ...But the thing was, this was years ago, you just got over it, because there was that many getting killed, you had no other options.⁶⁸

⁶⁷ Campbell, J. (2020). Interview with J McCann. 27th July 2020.

⁶⁸ Dalton, R. (2020). Interview with J McCann. 29th April 2020.

Whilst this account shows a neutral assessment of the news media, in that the support or opposition for the case against her brother's perpetrator depended largely on the organisation involved, John Kelly provides a much more damning opinion on the mainstream media at the time of Bloody Sunday:

The fact of the matter is, the British Government put out the first statement on Bloody Sunday, on the night of Bloody Sunday, and they produced what was known as the 'shot list', whereby 16 different missives said that the British Army maintained that they fired on IRA gunmen and bombers. That was the first lie that went around the world, and it was produced by the British Government. Naturally, the likes of the Mail and the Times, and God knows who else- the Sun and others, they didn't pick up on this because they support the British Army, and they carried that support for all those years. As far as they were concerned, my brother was an IRA bomber, because Soldier F said he shot an IRA bomber at the barricade, that's what he said in his evidence. And you have the situation also, when you have the Unionist side, who would disbelieve that their army would do something like that, that killed unarmed civilians. You must remember, the 13 who died and the other 18 who were injured, they were British subjects. They murdered innocent British subjects. That doesn't come into the equation, as far as the media at the time seen it.⁶⁹

Julieann Campbell supports this statement, adding the following element that made their campaign for justice more difficult, highlighting the power that the news media holds over narratives:

...And their families as 'terrorist families', and the community as a 'terrorist community'. The entire community, the entire nationalist community was almost tarred and sullied by it. The headlines didn't reflect that it was people marching for civil rights, the headlines were totally untrue.⁷⁰

Ms Campbell continues to explain the variance she experienced in the manner in which even terminology changes between news media organisations, depending on the narrative being created or enforced by specific media sources, as well as the degree to which news sources can develop their narrative over time:

It's interesting media wise, I worked for the Derry Journal, and part of our house style was 'murder', in terms of Bloody Sunday, and I was told that from the beginning.

⁶⁹ Kelly, J. (2020). Interview with J McCann. 28th July 2020.

⁷⁰ Campbell, J. (2020). Interview with J McCann. 27th July 2020.

Other papers, especially the BBC, you aren't allowed to use the word 'murder' and you're warned before you go on. The journal was very, very steadfast in their stance, all those years. That had a strong effect on me as a reporter - if a local newspaper felt this strongly as well, there is a chance we could change other newspapers' stance, which we have.⁷¹

Throughout this section, it is evident that the decision to represent a victim and their story is heavily influenced by political motives, even if benevolence or compassion is also a factor. However, victims who allege collusion and miscarriages of justice benefit most from their narrative being disseminated through respected news media outlets, which gives their campaign a sense of credibility and helps to gain visibility and momentum towards achieving their goals. In turn, media organizations gain engaging content, which draws in more attention than other topics, regardless of whether or not the public believes the allegations being made. In the concluding chapter, we will examine the differences or similarities between these victim groups and explore whether a hierarchy of victimhood exists in terms of coverage in Northern Ireland.

Conclusion

Across this chapter, we have highlighted both the advantages and risks surrounding extensive media coverage for a victim of Troubles-related violence, displaying through victim testimonies that proper media coverage is an often highly sought-after goal, whether to find closure or provide warning to the public, or to promote awareness of their campaign for justice. With this coverage also comes the risk of re-traumatisation through inaccurate narratives and undesired saturation. As a theoretical framework for this study, we have used the five fundamental tenets of audience engagement; drama, novelty, titillation, simplification, and conservative ideology.⁷² Combined with this was the concept of ideal and non-ideal victims to provide a form of structure surrounding the discussion of the trends that are presented within our subject's testimonies. Any variance that exists outside of these above theoretical concepts has the potential to provide evidence to suggest the existence of inherent, sectarian biases within the way victims are represented within news media. Whilst this study is entirely focused on the perspective of the 'voice' of victims, with the impressions of the media that they have been left with years (and often decades) after the events they

⁷¹ *ibid.*

⁷² Greer, C. (2017) 'News Media, Victims and Crime'. In: Davies, P. Francis, P. Greer, C. (eds.) 'Victims, Crime and Society', Second Edition, Sage.

experienced, future studies on this topic may wish to cross compare these allegations to the true extent of coverage by the media in reality. Identified in this chapter as further benefitting from proper academic investigation; the viability of common accusations that stating the religion of a victim in news reports increased the likelihood of a retributory 'tit-for-tat' attack. Whilst no evidence has been presented to directly link the cause to news organisations reporting, this topic would provide for an interesting discussion into perceptions surrounding sectarian violence causation.

Across all four of our groups, we see clear evidence to support the importance of these theoretical fundamentals of audience engagement, particularly that of 'novelty' over any other. As a result of the consistency of violent events across the entirety of the Northern Ireland conflict, the novelty of a single paramilitary related civilian death, or a bombing or gun attack that did not result in a loss of life, is greatly reduced. As such, these events garnered a great deal less attention from both news media and societal leadership, with multiple participants providing some variance on the discourse that 'there would just be another murder the next day'.⁷³ This lack of novelty does very little to console the family of the primary victim of a Troubles-related murder, leading to secondary trauma as their loss is presented as not worthy of major attention. This leads to frustration from those victims who wished for media coverage, as some will naturally compare the coverage they received with that of similar violent events. When these individuals receive less coverage than a comparable case, and naturally deem their loss to be equal to those provided with full media saturation. Supporting this, within these testimonies we see clear differences between how the murder of a member of the police service is presented when compared to that of a civilian, whether Catholic or Protestant, due to the comparable novelty of such an event. This can perhaps be explained by the dominant conservative ideology within a Unionist-centric society, resulting in a police officer being deemed as an 'ideal' victim within Unionist communities in particular. It must be stressed that between both Protestant and Catholic civilian testimonies, the presented perception of a lack of coverage proved equally consistent. Given that reports of reduced coverage by news media were equally made by both groups there is insufficient evidence to suggest that a hierarchy of victimhood was created on sectarian grounds, but instead on the grounds of audience engagement.

A point worthy of note is the significant signs of a gradual development over time in the state's preparedness to acknowledge its own misconduct (as shown through the creation of such independent agencies as the Police Ombudsman). This aspect seemingly transfers to the degree to which news media corporations were prepared to discuss this topic. Whilst many

⁷³ Babington, M. (2019). Interview with J McCann. 18th September 2019.

individuals that allege the involvement of collusion or miscarriages of justice in their victim status perceived that they had insufficient media coverage during their initial victimhood (particularly those who experienced loss during the earlier decades of the conflict), they gradually found great success in gaining publicity from news media organisations. These individuals often thank the media corporations for any progress they have made in their personal campaigns for justice, but only as a recent development in their search for justice. As a result of this, we see that whilst the previous chapters have provided evidence to suggest that victims of collusion or miscarriages of justice are judged by governmental agencies as being lower in an institutionalised hierarchy of victimhood, news media in the 21st century provides a distinct opportunity to provide equity in opportunities. We distinctly see this through the newfound ability of these victims to spread their narrative to the public through news media organisations, all on the grounds of titillation and drama for an increased degree of public engagement.

The most clear and important element of note from across this entire section of the study, however, lays in the longevity of victim coverage in the media, and the sympathy garnered from it. In most cases presented, victims from all sectors typically spoke of an expected time frame in which they are expected to move on from their trauma, which has become increasingly common as more times passes since the relative conclusion of the conflict. As Mr Babington reflected in his testimony:

Having it be 30 years now, I decided to try and draw a line under it so I can retire. It's going to be the last push. What did we push for, before, other than keeping his name alive? The hope for justice is gone, we can't be given that anymore, so I have to accept that my Dad didn't matter in the eyes of the Government. He is more trouble with me keeping his name alive. They want it to be dead and buried so the place can move on.⁷⁴

Isaac Andrews, within his testimony, reflects in a similar fashion, stating the following:

One thing you can never say is 'move on', I believe it's happening today politically, and I believe this has been going on for three or four years, maybe more, trying to make a line in the sand. I am disgusted by it. Some people may say 'move on' but tell that to a victim.⁷⁵

Throughout the interviews, victims have stated that they are being given the impression that their suffering is tolerated by the public and media only up to a certain point, either through

⁷⁴ Babington, M. (2019). Interview with J McCann. 18th September 2019.

⁷⁵ Andrews, I. (2019). Interview with J McCann. 6th November 2019.

the media's reluctance to share their stories or through public discourse. Fatigue surrounding their victimisation is clearly visible in the public treatment and presentation of victims, government interest in associated issues, and the existence of the support measures offered, particularly as more times passes. This is an element presented by all sectors of the community, with no one group notably being faced with this impression over another. This matter has recently come to a head in the proposed *Northern Ireland Troubles (Legacy and Reconciliation) Bill*, which will be discussed in detail in the following chapter.⁷⁶ As Debbie McGuinness states in response to this increasingly comment sentiment: '*We can't move on, they can. How can victims move on when they don't know the answers to something that happened to their life?*'.⁷⁷

To conclude, we see that media coverage as a victim of paramilitary related violence in Northern Ireland for many can be a continual process of seeking answers, representation, or support, with varying degrees of success found. This study has repeatedly shown that the experiences presented by the victims in this study largely follow the concepts of audience engagement and ideal victims posited by Greer and Christie respectively.⁷⁸ This is often directly associated with what the public would be perceived to engage with to the greatest extent, leading to massive variables created by the circumstances surrounding a victim's loss as to the coverage they will receive. However, there is no evidence to support the theory that variance in coverage by news media corporations occurred on truly sectarian grounds, but instead, on the grounds of what the news media believed would create the largest engagement with their product. Further, in the case of matters of collusion or miscarriages of justice, the contradiction to the official narrative presented by the state leads to further engagement as a result of drama and titillation. This thesis presents the argument that media corporations wield immense influence in shaping public perception and discourse yet can often prioritise commercial interests over ethical responsibilities. To counter this trend, it advocates for heightened public scrutiny and concerted efforts to hold media organisations accountable for the ethical representation of victim narratives, with the ultimate goal of promoting objective journalism and fair coverage.

⁷⁶ *Northern Ireland Troubles (Legacy and Reconciliation) Bill* (2022). Government Bill. House of Commons, Session 2022-23

⁷⁷ McGuinness, D. (2020). Interview with J McCann. 7th April 2020.

⁷⁸ Christie, N. (1986) 'The ideal victim', in Fattah, E. (Eds.), '*From Crime Policy to Victim Policy*'. Basingstoke: Macmillan. AND. Greer, C. (2007), 'News Media, Victims and Crime', in Davies, P. Francis, P. Greer, C. (eds.) '*Victims, Crime and Society*'. London: Sage.

7. Conclusion

Summary

As the name of this thesis, *New Voices; Old Pain*, implies; this study sought to primarily focus on the narratives provided by victims of the Northern Ireland conflict to discuss the allegations of institutional biases that may have existed during the Troubles. This focus on the voice of victims through interviews is utterly necessary, foremost due to the matter of researcher positionality when conducting an analysis and presenting the perceptions of a sector of society that they are not a member of. Further, this focus also allows the reader of this study to better understand the lived reality and personal perspectives of a highly violent period of British and Irish history. As stated in this studies' introduction, studies like this enable victims to take on a role of representatives and ambassadors of the memory of a societal trauma that will continue to contextualise the public consciousness for decades to come, in that the collection of narratives present amongst this sector of society has the potential to form a composite account of the conflict. This section will now aggregate the various findings within each analysis chapter, presenting the main trends between the victim groups to aid in the answering of the research question and hypotheses.

This study has been particularly focused on the elements surrounding the claim of the existence of 'hierarchies of victimhood' in Northern Ireland. As discussed throughout this thesis and in literature surrounding the topic of hierarchies of victimhood, the use of this term is often highly nebulous. It is frequently wielded by political leaders and organisations in an effort to either create or deconstruct a framework of worth that favours particular victims of violence over others, solely on the basis of their politics, culture, or creed.¹ Often accompanied (and modified in its' meaning) by an adjective, many victims are defined (both by themselves and others) within a hierarchy of victimhood through the use of terms such as 'good victims', 'invisible victims', 'forgotten victims', 'privileged victims' or '(un)desirable victims'.² Given the highly individualistic nature of victimhood, whether personally defining oneself, or defining others, it is clear that there is no one official and singular accusation of a hierarchy of

¹ The Irish Times. (2017). '*Michelle O'Neill defends IRA commemoration attendance*'. 19th February 2017. AND. O'Doherty, M. (2021). 'Why Ballymurphy ruling will lead to a hierarchy of victims'. *Belfast Telegraph*. 17th May 2021. AND. ITV. (2016). '*Campaigners urge support for special pension for Troubles victims*'. 22nd November 2016.

² Krystalli, R. (2023). 'The Politics and Hierarchies of Victimhood'. *Centre for Peace and Conflict Studies*. [Online] [Accessed on: 06/01/2023] [Accessed by: <https://cpcs.wp.st-andrews.ac.uk/research/the-politics-and-hierarchies-of-victimhood/>]

victimhood, but multiple, interconnected 'hierarchies' of victimhood, which are further bound by changing public opinion and shifts in politics. The manner in which the state and formal institutions dispense support and media attention to the victims and the biases that may underline that support is just one of the many hierarchies that were alleged to exist, and as such, has been the focus of this study. This matter holds important material realities, as how certain groups of victims are defined compared to others results in certain priorities regarding the search for truth, reparations, and justice. As Lawther aptly summarises in her article:

*All is not equal in terms of how victimhood is defined, who defines victimhood and which victimized communities feature in transitional justice and efforts to deal with the legacy of a violent past. Deciding how, who and which involves a complex interplay between political, legal and social choices regarding which categories of suffering and which types of cruelty are recognized as worthy of 'victim' classification.*³

This study uses the testimony of 35 individuals who fit within the definition of a 'victim' or 'survivor', 15 of which identify as members of the 'security forces' victims' group, 10 which are identified as 'Protestant civilians', and 10 that are identified as 'Catholic civilians'. Further, within these 35 testimonies, 9 are further defined as victims of 'collusion or a miscarriage of justice'. These participants have either directly experienced violence within the Northern Ireland conflict (and as such are considered by this study to be 'primary victims'), or individuals who have not directly experienced violence, but instead lost a close family member to said violence (and as such are considered 'secondary/co- victims'). To further enable the discussion of contrasting participant experience, this study sought contributors that self-identified as 'Protestant civilian', 'Catholic civilian', and individuals who identify as members of the Northern Irish 'security forces' family (whether RUC/PSNI or UDR), whether former serving members or those family members that survive them. This study will now detail its findings from the previous substantive data chapters, presenting answers to the hypotheses and research question posed in the introduction of this thesis.

In the aftermath of a violent, traumatic experience or loss, the support that is offered and utilised by the victim(s) can dictate the rate and success of their recovery.⁴ As such, these support opportunities were the first element discussed with our participants. When discussing

³ Lawther, C. (2021). 'Heroes and hierarchies: the celebration and censure of victimhood in transitional justice'. *The International Journal of Human Rights*. Vol. 26. No. 3. Pp. 518-519.

⁴ Frank, E. Anderson, B. Stewart, B. D., Dancu, C. Hughes, C. West, D. (1988). 'Immediate and delayed treatment of rape victims'. IN. Prentky, R. A. Quinsey, V. L. (Eds.) 'Human sexual aggression: Current perspectives.' *Annals of the New York Academy of Sciences*. New York. Vol. 528. pp. 296-309.

examples of support, we refer to them as 'immediate intervention'⁵ in the form of medical, psychological, financial, and occupational support opportunities. The provision of these forms of aid lays within the government legislation surrounding criminal injury to both persons and property. There has been a myriad of changes to these provisions, as well as changes to what constitutes 'injury', throughout the length of the conflict. This latter point highlights a distinct issue that was presented in Chapter Four; in that matters of mental health remained largely inadequately researched, discussed, and responded to at an official institutional level throughout the majority of the Northern Irish conflict, highlighted with the quote 'PTSD is not a concept familiar to Northern Irish doctors' being made as late as 1987.⁶ However, it must be noted that the Northern Ireland conflict occurred during a period in which the degree of importance in mental health welfare has not yet come to the forefront of best practice in a conflict environment, not yet becoming quite as institutionalised as it is in contemporary environments. Despite this, as evidence suggests and as this study has demonstrated, legislative provision for mental health support during the length of the Troubles was seriously lacking. All sections of the Northern Irish population experienced this failure of provision to a largely equal degree, as discussed in the 2007 Bamford Review.⁷ Further, the long-term effects of the trauma of approximately 30 years of conflict were vast yet did not entirely manifest until the early 21st century. Although we were aware of the potential long-term effects of many key aspects of the Northern Irish conflict, such as sectarian violence and mass relocation of large sections of the population, there was little warning about the serious social issues that would emerge towards the end of the conflict and beyond. In particular (as highlighted across this thesis) drug addiction, alcoholism, high suicide rates, and unemployment. Therefore, it is understandable that our criticism of the lack of preparation for these issues is based on the benefit of hindsight.

We can conclude that the failures in mental health provision experienced throughout the Northern Ireland conflict were a result of state inexperience in recognising such necessities, born out of a lack of foresight into the long-lasting effects of this form of societal trauma, and exacerbated by the delay in adopting policies to counter them (as discussed in the Bamford Review⁸). As such, this matter was not a result of outright malicious negligence

⁵ Lynch, O. Argomaniz, J. (2017). 'Victims of terrorism and political violence: identity, needs, and service delivery in Northern Ireland and Great Britain' *Terrorism and Political Violence*, Vol. 29. No. 3. Pp. 464-482.

⁶ Loughrey, G. C. and Curran, P. S. (1987) '*The psychopathology of civil disorder*', in Dawson, A. M. Besser, G. M. (eds) '*Recent Advances in Medicine*'. Churchill Livingstone, Edinburgh. Pp. 14.

⁷ Department of Health. (2007) 'Bamford Review of Mental Health and Learning Disability'. [Online] [Accessed on: 26/01/2022] [Accessed by: <https://www.health-ni.gov.uk/articles/bamford-review-mental-health-and-learning-disability>]

⁸ Department of Health. (2007) '*Bamford Review of Mental Health and Learning Disability*'. [Online] [Accessed on: 26/01/2022] [Accessed by: <https://www.health-ni.gov.uk/articles/bamford-review-mental-health-and-learning-disability>]

or any form of socio-political bias. This is reinforced through the development of policy over time that recognises 'mental injury' as a form of 'criminal injury'⁹. Given that this inclusion in legislation only occurred as late as 2002, this was often too late for many of those worst affected by the Troubles, governmental policy eventually developed in a manner that sought to support those who were harmed in less physically overt manners. Northern Ireland is yet another unfortunate case study in the long-term effects of improper mental health welfare during ethno-nationalistic conflict, with high levels of suicide, alcoholism, and psychological morbidity,¹⁰ a trend that has also been recorded in several other conflict zones, included the Basque Region and Sri Lanka.¹¹ However, a great deal of best practice can be taken from the developments made and provide a sobering reflection on the long-term harm that can be caused to a society that does not adequately find its mental health being supported during time of conflict-born trauma.

On the topic of monetary compensation for harm done and reimbursement for losses incurred in violent, criminal action related to the Northern Ireland conflict, we are provided with a case study on the huge costs incurred by long-term conflict to adequately support the needs of victims who have lost a measure of their household income through the loss of a primary earner or their own ability to contribute income to support their family. The British Government reportedly spent more than £1.1bn in compensatory payments between 1969 and 1995, and through both primary and secondary¹² sources presented in this thesis, we can conclude that this amount was still not adequate to support the long-term needs of those who suffered during the conflict. With the financial support provided having long-since been exhausted without substantial changes to the quality of life and earning potential of a large amount of participants in this study. This issue has been publicly recognised by the public and eventually the British government, with campaigns for a victim's pension having existed since the end of the

⁹ *The Criminal Injuries Compensation (Northern Ireland) Order 2002* (2002). Parliament: House of Commons. Bill no. 796. (N.I. 1). London: The Stationery Office.

¹⁰ O'Reilly, D. Stevenson, M. (2002). 'Mental health in Northern Ireland: have "the Troubles" made it worse?'. *Public Health Policy and Practice*. Mental Health in Northern Ireland. Pp. 488-492; CVSNI. (2012). 'Troubled consequences: A report on the mental health impact of the civil conflict in Northern Ireland'. *Bamford Centre for Mental Health and Wellbeing*. University of Ulster. Northern Ireland Centre for Trauma & Transformation and Compass. Pp.13

¹¹ Fausor, R. Sanz, J. Navarro-McCarthy, A. Gesteria, C. Morán, N. Cobos-Redondo, B. Altungy, P. Marqueses, J, M, S. Sanz-Garcia, A. Garcia-Vera, M, P. (2022). 'Long-Term Posttraumatic Growth in Victims of Terrorism in Spain.' *Frontiers in Psychology*. Vol. 13. Pp. 10.

¹² Breen-Smyth, M. (2013). 'Injured and disabled casualties of the Northern Ireland conflict: issues in immediate and long-term treatment, care and support.' *Medicine, Conflict and Survival*. Vol. 29. No. 3. Pp. 255.

Troubles, until finally being confirmed in 2021¹³ after ferocious debates on eligibility.¹⁴ This thesis was initially inspired by the debate that arose in relation to the Victims and Survivors 2006 Order, particularly due to the lack of hierarchy of victims surrounding it. According to this Order, combatants could potentially be considered eligible for equal compensation, as had almost occurred as a result of the 2009 'Eames-Bradley Report'.¹⁵ This thesis extensively discusses the various debates and reasoning surrounding this issue, particularly focusing on the concept of a moral hierarchy of victims based on innocence, which has led to the term 'innocent victim' being commonly used. In contrast, the concept of victim precipitation challenges this view by suggesting that the responsibility of the offender may be reduced due to provocation or acts of defence, thereby considering the perpetrator as another victim of the conflict. It must be noted that this theory is particularly criticized in criminology as it stems from ideas of 'victim blame' and ineffective criminal prevention strategies, whilst reducing the personal responsibility of those who commit such acts of violence.¹⁶

The matter of financial recompense and the necessity of these victim's pensions further highlight the inexperience of the British government in the long-term management of victims, in that the amounts offered in the wake of a violent criminal event was deemed inadequate. This was also not as a result of any form of malicious intent, but due to a lack of best practice to draw upon. As such, no one group received a greater or lesser amount of financial support as a result of any form of institutional mandate made on the basis of sectarian or political bias. However, as previously highlighted, whilst no clear institutional bias existed, inequality still existed between the stratified groups of this thesis. As a result of the well-documented discriminatory employment practices¹⁷ towards the Catholic population of Northern Ireland the

¹³ McCurry, C. Attridge, C. (2021). 'Troubles victims' pension scheme opens after years of campaigning'. BelfastLive. 31st August 2021. [Online] [Accessed on: 24/02/2022] [Accessed by: <https://www.belfastlive.co.uk/news/northern-ireland/troubles-victims-pension-scheme-opens-21439846>]

¹⁴ Moffett, L. (2016). 'Deciding which victims should be eligible for a pension following the Troubles.' QPOL. 8th February 2016. [Online] [Accessed on: 08/08/2022] [Accessed by: <http://qppl.qub.ac.uk/which-victims-should-be-eligible-for-a-pension-of-the-troubles/>] AND Fowler, J. McCormack, J. (2019). 'Victims' pension: Troubles fund 'rejected if paramilitaries eligible'. BBC News. 17th July 2019. [Online] [Accessed on: 08/08/2022] [Accessed by: <https://www.bbc.co.uk/news/uk-northern-ireland-49009064>]

¹⁵ The Report of the Consultative Group on the Past included the proposal for a £12,000 payment to every relative of a person killed during the conflict, regardless of their involvement in the act, or their affiliation to paramilitary organisations. This aspect was deemed one of the primary reasons for the rejection of this proposal. Northern Ireland Affairs Committee. (2009). 'Report of the Consultative Group on the Past'. 9th December 2009. London: House of Commons. Pp. 92.

¹⁶ Timmer, D. Norman, W. (1984). 'The Ideology of Victim Precipitation'. Criminal Justice Review. Vol. 9. No. 2. Pp. 63-68.

¹⁷ Whilst there are many variables that can be attributed to this lower employment level within the Catholic population, a report by the Financial Times in 1994 relating to employment practices stated 'discrimination [in NI] nevertheless remains well in evidence, with a spate of tribunal findings suggesting that district councils and health and education among the worst and most persistent offender'. Financial Times. (1994). 'Searching for equity in Ulster's workplaces.' Archives. 17th May 1994. Pp. 10. For further

lack of appropriate financial support offered to victims disproportionately affected this community. This can be reasoned as creating a comparatively larger financial burden upon the loss of a primary earner when compared to their Protestant counterparts, until attempted to be counteracted by the Fair Employment Act 1989¹⁸. With this in mind, a means-tested method of long-term financial support is necessitated when ensuring the efficacy of the financial aid in conflict environments, to ensure that the correct monetary sum (and for the correct length of time) is provided to best ease financial burdens that result from a victims' loss.

This study presents the conclusion that those individuals who allege collusion or miscarriages of justice, through merit of their allegation that the true circumstances surrounding the loss of their loved ones being obstructed, are victims of the creation of a hierarchy of victimhood in their own right. In the latter of these cases in particular, in which the allegation of a miscarriage of justice exists, the British government holds a monopoly on the official narrative of the event (e.g. Bloody Sunday), and those victims that maintain the innocence of those killed/wounded in said event are denied official monetary and psychological support. This is caused by that official narrative deeming those involved as 'non-innocent victims', in that their harm was a result of their involvement in alleged illegal activities. As such, those individuals that claim to have their innocence denied must campaign for an inquiry to be conducted (often with very few options for monetary support for such an endeavour), which historically can take decades to begin, let alone reach an outcome, during which those victims are ineligible for official government intervention, being unjustly left to subsist economically, physically, and mentally by their own means. As a result of this lack of funding, these victims must then seek out alternative support from third parties, most typically NGO's that support this victim's political narrative. As discussed in the introduction of this thesis, this is often when victims and their narrative can risk being utilised as political tools, with the victim's loss and the state's transgressions being used to further political ends outside of the restorative justice that the victim may seek.¹⁹ Through the evidence presented in this thesis, in the form of a comparison between the lived-experience of those victims in the security forces, Protestant civilian, and Catholic civilian sections of this study and those individuals who allege the involvement of collusion or miscarriages of justice, we see a distinct difference in long term quality of life for the latter most group. These individuals have to subsist without even the meagre monetary support offered to our other participants, further burdened

information, see: Borooah, V, K. McKee, P. M. Heaton, N. Collins, G. (1995). 'Catholic-Protestant Income Differences in Northern Ireland.' *Review of Income and Wealth*. Vol 41, No. 1.

¹⁸ Gov.uk. (1989). '*Fair Employment (Northern Ireland) Act 1989*.' 1989 Chapter 32.

¹⁹ Brewer, J, D. Hayes, B, C. (2013). 'Victimhood status and public attitudes towards post-conflict agreements: Northern Ireland as a case study'. *Political Studies*. Vol. 61. Pp. 442–461.

with the secondary trauma of their loved ones being deemed as responsible for their own deaths. This issue continues into contemporary concerns, with those who have yet to successfully alter the narrative and are deemed as non-innocent victims continue to be ineligible for new forms of monetary recompense, particularly the Victims Pension, reinforcing a hierarchy of victimhood.

Continuing to this study's findings on the topic of justice, the interpretation of which, as detailed extensively in Chapter 6, varies greatly between each participant. What justice meant in personal terms differed between each interview participant. There was no consensus on whether justice had been achieved or what constituted justice for them as victims or survivors; it was entirely subjective. Considering this complex search for potential signs of bias in the dispensing of justice, this study followed the natural progression of the criminal justice system, from initial police response to perpetrator sentences. From the discourse presented by our participants, we see a series of similar experiences between our subject groups, each having particularly negative impact on the participants, their testimonies providing multiple hindrances and secondary traumas in their search for justice for the loss of their loved ones.

First, all groups reported a lack of continued contact between the police service and the family of the primary victim, a practice that is now considered common today through family liaison officers.²⁰ A lack of contact from those individuals that are investigating their case can provide the victim(s) with the impression that their loss/harm is not worthy of thorough investigation, particularly during a period of time in which the victims' emotional state is understandably compromised. This can lead to secondary trauma in the face of the prospect that their receiving of justice is unlikely. All sectors of our subject groups feature significant reporting of this controversy. As such, this lack of a singular group reporting this issue provides evidence to insist that this occurrence is not a result of inherent bias within the police service, but instead was likely resultant of a significantly overwhelmed system that did not have the staff or resources to adequately provide family liaison services during the height of the conflict, due to the frequency of violent events that necessitated their attention. This was a common narrative stated by participants within this section, as well as literature surrounding the RUC during the conflict.²¹

Second, while it has been accepted by the public at large and is deemed by commentators to be key to the success of the Good Friday Agreement (GFA), the majority within all four victim groups within this thesis reported anger and frustration around the issue of early prisoner releases. While negotiating the Good Friday Agreement, certain parties,

²⁰ McGarry, D. Smith, K. (2011). *'Police Family Liaison'*. Oxford University Press: Oxford. Pp. 7

²¹ Mulcahy, A. (2000). 'Policing History: The Official Discourse and Organizational Memory of the Royal Ulster Constabulary'. *The British Journal of Criminology*. Vol. 40. No. 1. Pp. 68-87.

particularly Unionist politicians, considered the release of prisoners to be one of the most disagreeable components of the Agreement. Despite this one-sided political stance, at the time of the Agreement the opinions of victims were observed to be greatly diverse. Victims against the early releases of prisoners demanded that they should have the right to veto any specific early release, whilst others went to the extreme of handcuffing themselves to the turnstiles of the Maze prison in protest. Conversely, some high-profile victims, such as Joan Wilson, the wife of the deceased international peace campaigner Gordon Wilson,²² stated their support for the early releases as a first step in the process of conciliation and forgiveness.²³ Contemporarily however, the most commonly held opinion between all three sectors of this study was that these prisoner releases deprived those who lost loved ones in violent, Troubles-related incidents of their sense of justice. This opinion manifested mainly as a result of those indicted of the offense not serving their initial sentence (in some cases only serving drastically short sentences for crimes that would typically result in a life sentence²⁴). Further, of distinct note, members of the security forces, their families, and those who hold steadfast support for them, particularly held very few positive opinions of the Good Friday Agreement. They either begrudged the 'waste' of the years of effort and the sacrifice made by their lost colleagues in convicting these individuals on their charges, or the lack of equally lesser sentencing afforded to members of the security forces (when indicted for specific actions conducted during the course of their duty) as those indicted on Paramilitary offenses. Further, in those cases in which the perpetrator had not yet been indicted for their offenses until after the GFA, the maximum sentence they could possibly receive for crimes conducted before the Agreement was greatly reduced to a maximum of 2 years in prison. This may also potentially be reduced to an immediate release, if the *Northern Ireland Troubles (Legacy and Reconciliation) Bill*²⁵ comes into effect, as discussed later in this chapter.

A common response amongst each sector of our subject groups is that the redundancy of any sentencing would, in their view, render justice unobtainable, as their opinion of an appropriate sentence would never be feasible under this legislation. This element of the

²² Belfast Telegraph. (2008). 'Interviewing Gordon Wilson was the nearest I'd ever get to being in presence of a saint'. Sun 5 October.

²³ McEvoy, K. (1998). 'Prisoners, the Agreement, and the Political Character of the Northern Ireland Conflict'. *Fordham International Law Journal*. Vol. 22. No. 4. Article 19. Pp. 1567-1571.

²⁴ Likely the most extreme example of this was in the case of Bernard McGinn, convicted of the murder of 3 security forces members, with a total of 34 paramilitary related crimes, with a sentence totalling 490 years. As a result of the Good Friday Agreement parole scheme, he was given parole after only 16 months. BBC News. (1999). 'IRA killer laughs at sentence'. 19th March 1999. [Online] [Accessed on: 31/08/2022] [Accessed by: <http://news.bbc.co.uk/1/hi/uk/299635.stm>] Mullin, J. (1999). 'Life' means 16 months in prison for IRA killer'. *The Guardian*. 19th March 1999. [Online] [Accessed on: 31/08/2022] [Accessed by: <https://www.theguardian.com/uk/1999/mar/20/northernireland.johnmullin>]

²⁵ *Northern Ireland Troubles (Legacy and Reconciliation) Bill* (2022). Government Bill. House of Commons, Session 2022-23

Agreement results in the potential for secondary trauma for those most clearly affected by the conflict, regardless of their position in society, creating the question: is it better to forfeit potential justice for victims to ensure that no further victims are created? This study posits that victims themselves should be at the forefront of the formulation of any legislation that will potentially affect the victim community as a whole, with their experiences and opinions taken keenly into account regarding any potential solution that may be tabled. Those who personally experienced the reality of violence first hand are best suited to take on the role of ambassadors for the public consciousness of the conflict, providing useful insight that must be taken into account during transitional justice periods. Nowhere is this clearer than in the case of those who this study has shown as being left behind during the post-conflict period in Northern Ireland: those victims who experienced collusion or a miscarriage of justice.

These individuals have provided testimonies that present a distinct experience when compared to those in the security forces, Protestant civilian, and Catholic civilian subject groups, placing them on a lower order of the hierarchies of victims in Northern Ireland by comparison. The trend presented by the participants from this group shows that through the government's ability to control the official narrative of a particular event the public perception remains that those individuals who allege government wrongdoing, or the wrongdoing of government agents, are either spreading disinformation about their loss, or simply cannot come to terms with the truth, wishing to find greater meaning in their loss. Further, those who particularly allege miscarriages of justice in their specific case are often viewed as having deserved their loss as the victims must have been conducting illegal, violent actions if the police or military intervened with force. This is likely a result of many within the Loyalist community viewing the security forces as almost infallible in their counter-paramilitary actions, as seen by the protests against the potential for prosecution of soldiers who served in Northern Ireland²⁶. By this merit placed upon the security forces, those killed in these incidents are viewed as 'non-innocent victims' and are thus viewed as less deserving of support and sympathy from the wider population, and ineligible for government intervention in the form of psychological and monetary support and compensation. These individuals, whilst not being of one specific political or cultural group within the Northern Ireland population (and as such not being one of the groups initially identified in this topic's hypotheses), are a subset of the victim

²⁶ BBC News. (2019). 'Rallies held for British soldiers facing NI charges'. 18th May 2019. [Online] [Accessed on: 14/01/2023] [Accessed by: <https://www.bbc.com/news/uk-48321738>] AND. De La Mare, T. (2019). 'Thousands protest against prosecution of 'Soldier F' over Bloody Sunday deaths'. *Belfast Telegraph*. 28th September 2019. [Online] [Accessed on: 14/01/2023] [Accessed by: <https://www.belfasttelegraph.co.uk/news/northern-ireland/thousands-protest-against-prosecution-of-soldier-f-over-bloody-sunday-deaths-38543079.html>] AND. Cochrane, M. (2014). 'The Role of the Royal Ulster Constabulary in Northern Ireland'. In. Fair, C. C. Ganguly, S. (Eds.) 'Policing Insurgencies: Cops as Counterinsurgents'. Oxford University Press. Pp. 128.

community that, by merit of the circumstance placed upon them, and can be viewed as being at the bottom of the hierarchy of victimhood that this study sought to investigate.

Within this subsection, it was noted that the Catholic civilian group raised an issue that was not discussed by any other: the concept of 'political murders'. The term 'political murders' was commonly used by participants in reference to losses that were specifically associated to paramilitary attacks, and as such can also be referred to as 'terrorism'. Members of the Catholic civilian group commonly stated that their losses were made to feel less important than non-politically motivated cases due to the reduced media coverage and community reaction, and that if targeted on political or sectarian grounds the following investigation was less of a priority to the criminal justice system. Further, if an individual was indeed indicted, the sentencing (or how they serve their sentences) would be less severe than for non-political crimes, an element which has a degree of factuality surrounding it, given the differences in prisoner experience and rights between political and 'ordinary prisoners'.²⁷ Whilst the veracity of these claims are debatable, the belief that the criminal justice system would provide them with justice for their loss was greatly diminished compared to any other group within this study. This aspect of trust in the criminal justice system based on differing cultural/religious denominations is an element that has seen further study in the specific case of Northern Ireland and abroad.²⁸ This study has shown that whilst improving faith in the criminal justice system has been a matter of importance in the years following the Good Friday Agreement through attempts to make substantial judiciary and policing reform, evidence of an element of resentment still remains within the Catholic victims community.

The final element of victim support under investigation in this thesis focuses entirely on a third party: news media organisations, specifically printed broadsheet newspapers such as The Times, The Daily Telegraph, and televised news channels such as BBC News and Channel 4 News, with further Northern Irish specific newspapers such as The Belfast Telegraph and The Irish News, and regional televised news channels such as UTV News and BBC Northern Ireland. Whilst these corporations vary greatly in their political slant, their source of funding, and their perceived quality of reporting, this study has highlighted the great value and utility that victims gain from positive media coverage, and the trauma that can stem from improper, and damning press attention. However, also highlighted was the fact that media companies are also exactly that; companies, who must maximise audience engagement, and

²⁷ For more information on the differences, see: Gormally, B. McEvoy, K. Wall, D. (1993). 'Criminal Justice in a Divided Society: Northern Ireland Prisons' *Crime and Justice*. Vo. 17. Pp.51-135.

²⁸ Burke, L. (2020). 'Lessons from Northern Ireland: Policing, Polarization, and Moving Forward'. *German Marshall Fund of the United States*. No. 12. Pp. 4. AND. White, S. (2018). 'Policing Reforms in the Aftermath of Conflict: Justice and Security Sector Reform Lessons From Northern Ireland for Peacebuilding and Countering Violent Extremism - A Practitioner's Perspective'. *Global Center on Cooperative Security*.

are often (but not always) to some degree focused on profits through sales and advertising space. As such, this study identified evidence to support Greer's theory of audience engagement, which saw the concepts of 'drama, novelty, titillation, simplification, and conservative ideology'²⁹ were of key importance to the degree in which news media organisations represented victims publicly, maximising engagement, but also potentially overlooking cases for not matching these key tenets. Further, in numerous cases, the concept of 'ideal victims' found further credence, in that women, the elderly, and children benefit from a greater outpouring of support as victims than young men, homeless individuals, drug users, and those marginalised by society.³⁰ Following this, the responses of this study also showed that police officers killed in the line of duty also received 'ideal victim' status, and the benefits associated with it. This ideal victim structure can potentially create and reinforce a subconscious hierarchy in public opinion and can see specific victims under-represented despite a potential greater need for support.

The severity of incident and the profile of the victim were both of great importance to the media, made clear through the trends presented in these victim testimonies, in that the less dramatic or novel the incident was, the less media saturation and coverage it would benefit from. Further, and of particularly common note, incidents that would normally draw wide ranging attention in the media of other nations would be deemed less worthy of extensive coverage as a result of their frequency. For example, from the testimonies presented by our participants, we see a much greater degree of media coverage with the murder of a member of the police service when compared to that of a civilian, regardless of said civilian's religious denomination. This difference can be attested to the comparative rarity of the death of a police officer, combined with the conservative ideology in the formerly Unionist majority community who, as previously mentioned, almost seem to venerate security forces members. This pre-eminence placed upon members of the security forces, and as such the media coverage they receive, does not appear to have its causality within sectarian bias, but instead is primarily focused within Greer's five fundamentals of audience engagement, in that both the novelty and national conservative ideology both enable these events to attract wide-spread public attention.

Continuing this consideration, between both Protestant and Catholic civilian groups it was equally testified that in their opinion there was a lack of media coverage of their incidents, unless their case involved an element of the aforementioned five media fundamentals. For

²⁹ Greer, C. (2017) 'News Media, Victims and Crime', in Davies, P. Francis, P. Greer, C. (eds.) '*Victims, Crime and Society*', Second Edition, Sage.

³⁰ Christie, N. (1986) 'The ideal victim', in Fattah, E. (Eds.), '*From Crime Policy to Victim Policy*'. Basingstoke: Macmillan.

example, cases that involve a particularly violent incident or multiple fatalities (drama), a region/community which violence has occurred infrequently (novelty), or a circumstance that is uncommon (titillation), or in a separate theoretical perspective, involved a particularly tragic death (an ideal victim). Inversely to this, as commonly reported amongst both Protestant and Catholic civilians, if the incident occurred in a region in which violence was common, or during a particularly violent period of time, or the victim was a young man, then media coverage was comparably reduced. As such, whilst this resulted in less media coverage for many victims of the Northern Ireland conflict, the media strategy for these incidents was not a result of sectarian bias but seemingly a logical result of a pointed increase in relatively similar violent incidents, and if not distinctly featuring one or more of the five fundamentals of audience engagement, said common incidents would be deemed less worthy of overt coverage over other similar events. From the evidence presented by our testimonies, through comparing the lived reality experienced by the victims within this piece, we see that whilst every individual may see their own loss as particularly devastating and worthy of national interest, news media organisations had the onus to prioritise the reporting of that which would receive the most public attention.

Despite this disadvantage for the average victim who wishes to gain media attention and the benefits surrounding it, we find evidence to support a particular advantage for those individuals who reported the involvement of collusion or a miscarriage of justice in the events surrounding their loss. This new shift towards providing victims with the platform to voice their grievances towards the government and their agents both help to provide pressure on the government to conduct investigations into misconduct, but also provide these individuals with a degree of legitimacy that they had previously struggled to gain in a society that could be seen to previously downplay alleged illicit actions conducted by the state. Relating this element to Greer's fundamental news values, we see a reduction of importance placed in the element of conservative societal ideals in the majority of (but not all) news media companies, likely mirroring a growth of liberal society during the turn of the century. With this in mind, this distinct section of victims has reportedly enjoyed greater access to media coverage for their stories than ever before, with many of those involved in this thesis offering thanks to media organisations and the pressure they have created for their recent progress they have seen in their campaigns for justice.

This thesis has shown evidence across each section to suggest that victims of collusion or miscarriages of justice are viewed as 'non-ideal' victims, and as such are deemed lower in the hierarchies of victimhood in Northern Ireland in regard to two out of the three elements discussed across this thesis. Specifically, through their increased difficulties in obtaining justice for their losses, as well as certain victims having a lack of support

opportunities resulting from their lost loved ones being deemed as culpable in their own deaths. The legislation that was established, and the decisions made by the government and the security forces during the Northern Ireland conflict placed these individuals in a position in which they held little power in changing their circumstances for the better through their own capabilities. However, post-GFA we see a clear influx in the reporting on events in which victims allege collusion or miscarriages of justice being a key element of their loss, as reported on average amongst this victim group. This increase in coverage placed this topic within the public consciousness, with social pressure mounting on government institutions to invest time, personnel, and funding into investigating these allegations, increasing the likelihood of this small sub-section of victims gaining justice and support for their losses.

The study found that the victims perceive the media's coverage of them was not based on socio-political bias, as the decision to cover a story or not depended mainly on the circumstances of their death and potential audience engagement. However, the study also reveals that those individuals who claim collusion or miscarriages of justice have a significant advantage and opportunity in terms of media coverage. Through chapter four's discussion surrounding the matter of financial and psychological support, and chapter five's discussion of the efforts in finding justice, we see the highlighted foundational issues surrounding cases which allege the involvement of collusion or miscarriages of justice. Conversely, the opposite circumstance was presented in chapter 6, primarily by the benefits gained through news media coverage. Examining the testimonies presented in this thesis, these news media organisations are viewed by these victims as offering the potential to counteract their foundational, institutional barriers through increased public awareness of the circumstances surrounding their loss. Whilst the testimonies in this thesis have proven the benefits of media coverage, these individuals have had to strive for years (in some cases decades) to receive the same degree of victim support offered to the other categories of victims present in this sample. In a more favourable circumstance, these individuals would not require the pressure created from news media coverage to receive the same support opportunities as all other sectors of Northern Irish society, however, under these circumstances the benefits cannot be ignored.

Conclusion

To reiterate a final time, this study sought to answer the following research question: **Does the aid, justice efforts, and media coverage provided to victims of political violence vary based on their religious affiliation?** Whilst there were numerous failures in the state's provision of victim intervention and justice, as well as the priorities placed in victim

coverage by news media, no distinct evidence of inherent institutional bias existed on sectarian grounds. The inadequacy of victim intervention was a clear result of a lack of pre-existing best practices to call upon, given the uncommon nature of this form of conflict in a Western liberal democratic nation, further exacerbated by an over-burdened police service.

We first see that governmental policies involving victims were not implemented with the intention of creating a positive bias towards one specific sector of society, as the failures discussed in this thesis were reportedly experienced cross-community. These failures resulted in long-lasting physical and mental health concerns within the overall population, particularly visible within victims and survivors. This thesis has shown that medical and financial support legislation developed and improved over the length of the conflict, primarily in the recognition of psychological harm as a legitimate form of trauma. This enabled victims to qualify for both financial aid and mental health intervention through a combination of proper pharmaceutical and therapeutic methods, rather than the previous over-prioritisation of the former method. In the context of the criminal justice system, it has been observed that various segments of the community have frequently expressed dissatisfaction with the lack of ongoing communication from the police following incidents of violence related to the Troubles. This has resulted in victims presenting feelings of abandonment by authorities. However, it should be noted that although individual police officers may have held biases, there is no evidence presented in this study of the police implementing procedures that favour one sector of society over another in the aftermath of violent incidents. This statement is supported by the common and equally held grievances presented in each of the three initial groups of participants in this thesis. Following this trend, within news media, we see a clear tendency of priority placed in choosing which victim to represent. Amongst our testimonies, it was clear that provision of media coverage followed the basic concept of focusing on the cases that would elicit the greatest audience engagement, rather than focusing their resources on one sector of society in favour of another.

One of the most prominent findings of this thesis focuses on the testimonies provided by participants, exploring contrasts between state policy and the actual participant experience. Specifically, it examines whether instances of hierarchies of victims were formed, even in the absence of explicit policies designed to create such distinctions. This study has found that through the experiences presented in participant testimonies, victims of collusion or miscarriages of justice (regardless of their religious denomination) are placed within a lower tier of the hierarchy of victimhood in Northern Ireland. Despite the above statement that the national policies in place did not create a hierarchy on the grounds of sectarian bias, we see clear results that under these same policies, in cases that an individual lost a loved one through collusion with the state, or through a miscarriage of justice, they were denied equal

opportunities when compared to those victims who do not allege these circumstances. In the former case, regarding collusion, victims are often denied the justice they seek, as that personal justice often involves the state's admittance of the true series of events, including a government agent's alleged involvement in the murder.

Ombudsman reports and investigations (as well as the Service Prosecuting Authority regarding complaints made against the British Military) have done a great deal to equalise the matter of complaints towards the security forces. They allowed for a direct method for victims to report their allegations to a third party with the power to investigate their allegations. However, it was only in 6th November 2000 that this office was created under the Police (Northern Ireland) Act 1998³¹ (and 2009 regarding the SPA). These investigatory bodies were formed with the intention of independently investigating complaints made about security force conduct, as previously they were internally investigated within their own respective bodies, potentially enabling improper investigations and bias. This meant that those individuals within this victim group had to submit official complaints directly to the security forces, organisations that they already distrusted. In the latter circumstance, those individuals that allege a miscarriage of justice are at a significant disadvantage in terms of the support they are entitled to as innocent victims of the Northern Ireland conflict, as the official state narrative discredits their victim status. Primarily, these individuals are refused access to financial intervention, as their loss is not deemed as 'criminal injury', thus making them ineligible for any of the support opportunities discussed in Chapter 5. This forces these individuals to recover by their own means, whether financially (as a result of the loss of a primary earner) or mentally (as a result of the trauma from losing a loved one), creating a distinct lower class of victim due to decisions made by state agents or agencies.

With the above conclusions taken from each analytic chapter reiterated, this thesis is now in a position to formulate an answer to the hypotheses presented at the beginning of this thesis:

1. The British government in Northern Ireland, the judiciary system, the security forces, and media corporations did not have deliberate policies aimed at establishing a hierarchy of victimhood on the grounds of religious bias.

This thesis has provided evidence to show that through both the legislation and policies that existed during the 30 years of the Northern Ireland conflict, there was no direct bias on sectarian grounds in the formulation or intended distribution of victims related legislative practices. However, several failures in victim intervention existed, primarily in

³¹ *Police (Northern Ireland) Act 1998*. (1998). Parliament: House of Commons. Bill no. 32. Part VII. 50-60. London: The Stationery Office.

acknowledgment of psychological harm, as well as appropriate financial recompense for losses from criminal injury. This issue was most distinct in the earliest years of the conflict, resulting in long-lasting physical and psychological disruptions in communities that suffered during this period, as well as the cross-generational harm that followed.

2. However, the available support opportunities were distributed unequally among victims.

This thesis has shown that whilst a legislative and policy bias did not exist on the grounds of sectarianism, those individuals that allege the involvement of collusion or a miscarriage of justice had unequal distribution of support opportunities, particularly regarding matters of financial recompense and acquiring justice for their losses. Due to the alleged true series of events being obscured through the official narrative of the state, those individuals who allege a miscarriage of justice do not have equal ability to obtain financial support as their loved ones were often deemed responsible for their own deaths, whilst justice has a greater barrier as a result of their inability to change the official narrative of the events and thus indict those responsible. Through inaccessibility to these forms of support and opportunity, an unequal distribution specifically exists within this group of victims and no other, which had the potentiality of effecting both protestant and catholic victims.

3. Protestant victims received disproportionately higher media attention, whereas coverage of Catholic victims was significantly reduced.

There is no clear evidence through the perceptions of the victims within this study to suggest that media attention was disproportionately directed towards Republican violence over that of Loyalist or state violence. Both Protestant and Catholic victims within our subject groups presented the opinion that a lack of thorough media coverage occurred if their loss involved an individual that was deemed as a non-ideal victim (e.g. males of working age, unemployed etc.) or occurred during a period of time or within a region that saw significant, prolonged violence. This occurred regardless of the perpetrator of the act in question. One group that reported to see thorough coverage from news media was the security forces group, specifically upon the death of a police officer, as they were deemed as an 'ideal victim', and the loss of a police officer was often deemed as dramatic and novel, making it fit for greater audience engagement. From this, a potential future topic of quantitative research exists involving sectarianism in the media. This potential investigation is recommended to compare the extent of news coverage relative to the number of incidents in each community, and if a bias existed as to which socio-political group received the most media coverage.

4. Over time, the disparity in proportional victim support and media attention decreased, with the most equitable support opportunities observed after the Good Friday Agreement, and the least equitable occurring at the beginning of the study period.

We can see through the testimonies of our participants that the massive variation in experience that existed within case studies from the earliest years of the conflict reduced as the standardisation of victim intervention developed. The greatest variation existed in the support of psychological trauma, with few testimonies recalling the comparatively rare case of being able to access psychological support through referral from a general practitioner or employer. However, recognition of psychological trauma as a form of criminal harm only occurred towards the latter half of the Northern Ireland conflict due to the improved understanding of necessary provisions for victims of criminal violence. We see clear evidence through legislation and participant experience that a standardisation of both practical and monetary victim support formed as best practices were developed, supporting this hypothesis.

Finally, to reiterate this study's research question: **Does the aid, justice efforts, and media coverage provided to victims of political violence vary based on their religious affiliation?** Through the extensive review and cross-comparison, involving 35 victims of differing gender, age, socio-political and professional backgrounds, and involving extensive case studies that include differing decades of the Troubles, geographical locations, and intensity of violence this study presents the following position: Whilst there are numerous reports of sectarian biases from institutional sources by individuals throughout the 30 years of the Northern Ireland conflict, there is no evidence presented in these testimonies to suggest that an individuals' religious affiliations reflected the aid, justice efforts, or the media coverage they received. However, those failures and inconsistencies in intervention were thoroughly experienced by all sectors of society, all of which saw improvement as the conflict concluded.

Through the stories of the victims who shared their experiences, this thesis has shown time and time again the long-lasting effects of traumatic loss to an individual, family, or community, with much being done to remedy the suffering experienced, improving the quality of assistance as time goes on and best practices are created, many are nonetheless left by the wayside, bereft of hope in finding their own justice. It is recognised that it is impossible for justice to be gained by all injured parties in Northern Ireland, but as was often discussed by interviewees in this study, recognition of harm done is often deemed a lesser victory.

As an attempt to create an opportunity to investigate conflict related harm done and finally acknowledge and compile the various under- or un-investigated cases that occurred during the Troubles, irrespective of any form of hierarchy of victims, the British Government

has created the *Northern Ireland Troubles (Legacy and Reconciliation) Bill*.³² Initially, this centralised investigatory body that seeks to finalise matters of Northern Ireland's legacy of the Troubles can be seen as a valid and laudable approach to supporting the victims community by meeting many of the needs presented in this thesis. It also aids in ensuring that those cases under investigation for numerous decades can be satisfactorily closed, many of which were highlighted through the experiences of the participants within this very study. However, as highlighted by multiple sources³³, the specificities of this Bill in fact greatly infringe upon the rights and desires of the very victim communities that this Bill seeks to aid. As sources within the United Nation's Office of the High Commissioner of Human Rights state:

*[The] Bill bans and, in some cases, unduly restricts Troubles-related criminal investigations and enforcement actions, civil actions, coronial inquests, and police complaints into deaths and other harmful conduct related to the Troubles, such as acts of torture. The Bill effectively replaces them with reviews to be undertaken by a foreseen Independent Commission for Reconciliation and Information Recovery (ICRIR), whose truth-seeking powers are severely limited by restrictions in its timeframe, scope of work and caseload under its purview.*³⁴

Specifically, this Bill gives immunity from prosecution to those who have committed Troubles-related crimes on the grounds that they provide all information on the case and their involvement, to the best of their knowledge. Further, all currently active investigations into conflict related violence must end upon the beginning of the Bill, with no further civil cases to be brought to the courts from that same date. Instead, all investigations will be conducted by the newly formed body, the Independent Commission for Reconciliation and Information Recovery, upon fresh application by the victims and approval by review of this body. These two elements of the Bill have met the most criticism, particularly in violating the rights of victims through overtly opposing their right to justice and the legal accountability of those indicted, enforcing a conclusion upon victims without their consent. One reasoning for this Bill's existence is the claim by the British Government that the current facilities in place do not work for victims' families when seeking justice for matters of collusion. McGovern rejects these claims, stating that through the pre-existing investigatory practices, victims of collusion and

³² *Northern Ireland Troubles (Legacy and Reconciliation) Bill* (2022). Government Bill. House of Commons, Session 2022-23

³³ Cormacain, R. (2022). 'Northern Ireland Troubles (Legacy and Reconciliation) Bill: A Rule of Law Analysis'. *Bingham Centre for The Rule of Law*. AND. Amnesty International UK (2022). '*Northern Ireland Troubles Bill*'. [Online] [Accessed on: 19/01/2023] [Accessed by: <https://www.amnesty.org.uk/ni-troubles>]. AND. United Nations. (2022). 'Rights experts urge UK to redraft controversial Northern Ireland bill'. *UN News*. Human Rights. 15 December 2022.

³⁴ United Nations. (2022). 'UK: Flawed Northern Ireland 'Troubles' Bill flagrantly contravenes rights obligations, say UN experts'. *Press Releases*. 15 December 2022.

miscarriages of justice have been enabled in their search for information regarding the loss of their loved ones.³⁵

This Bill has managed something incredibly rare, however; uniting the main political parties in Northern Ireland in their opposition, with Nationalists, Republicans, Unionists, and Loyalists each declaring their rejection of this Bill, with every party highlighting that it removes a victim's right to justice.³⁶ This highlights that this Bill does not account for the wishes of the people of Northern Ireland, a key element of the Good Friday Agreement's tenet of ensuring that the people of Northern Ireland are the only ones who are to decide upon their own future. Whilst a truth and reconciliation process enforced by the British Government is doomed to ignominy by the Northern Irish public, particularly one that attempts to silence the voices of victims on all sides of the political divide, can a Northern Irish-led truth and reconciliation process take its place? An officially sanctioned truth and reconciliation process led by the devolved governmental bodies of Northern Ireland would no doubt be utterly marred by the political in-fighting that has been a staple of government affairs for much of the last two decades. Particularly, this would be exacerbated by the 'truth' aspect of the process, with demands for truth from one politically opposing side often being met with an unwillingness to offer truth in return, or to even acknowledge those actors they support have done wrong. This is largely due to a fear that it would weaken their political position, particularly during a period of time in which political measures are often used as weapons to weaken their opponents' position.³⁷

Whilst a 'truth and reconciliation' process may not be obtainable in singular terms, a willingness to support such a process piecemeal may be much more viable. As this study has detailed, individual aspects of victim support have been vastly improved in the years following the Good Friday Agreement, as best practices have developed. Through the Bamford Review's report on mental health care practices in Northern Ireland, care opportunities have markedly improved compared to that which was previously available, whilst the Troubles Permanent Disablement Payment Scheme, or 'Victims Pension', is remunerating victims for their loss and harm. Further, the formation of sanctioned third-party inquiry organisations such as the Police Ombudsman is facilitating victims who allege collusion or miscarriage of justice by the state by having their claims investigated, significantly altering their future opportunities for support and justice as a victim. These individual facets are enabling and empowering the

³⁵ McGovern, M. (2022). 'Legacy, truth and collusion in the North of Ireland'. *Race & Class*. Vol. 64, No. 3. 2023. Pp. 59-89.

³⁶ Black, Rebecca. (2023). 'UK government's Legacy Bill 'not the way to address Northern Ireland's past'. *The Irish Examiner*. 05th February 2023.

³⁷ Coniam, W. (2022). 'Northern Ireland Still in Limbo as Bid to Form Government Fails'. *Bloomberg News*. 7th December 2022.

victims community of Northern Ireland, as shown in testimonies across every sector of this study, continually empowering victims. It is through this empowerment that victims can choose the 'how' and 'when' such processes come about, rather than enforcing it upon them, or deny their input at the very beginning. As Hamber highlights, a 'patchwork of truth' can begin to form when grass-root groups and individuals give voice to their stories, referencing the Recuperation of Historical Memory Project (REMHI) in Guatemala as a prime case study of the efficacy of this approach in post-conflict regions.³⁸

Conflict is primarily defined by those lost and remembered by those who were left behind to mourn them. Whether they lost a loved one or were attacked themselves, whether it happened twenty years ago or fifty years ago, the vast majority of individuals involved in this study still hold onto their trauma today, and often find themselves defined by it. Across multiple testimonies in this thesis, a common complaint from victims was that there is now an increase pressure from public sentiment desiring victims to 'move on' or to abandon their campaigns for justice, for the greater good of society, particularly to end the stalemates that have plagued political discourse in Northern Ireland for decades relating to the matter of hierarchies of victimhood. This issue has culminated in the *Northern Ireland Troubles (Legacy and Reconciliation) Bill*, which attempts to draw a line in the sand and bring a forced conclusion to this period of Northern Irish history, whether or not desired by those this Bill claims to support. This thesis rejects this approach, instead positing that only through making every effort to remedy the past, no matter how painful it may be, and doing all to support those who believe they are being left behind by their own community can a nation move onwards from the societal trauma of vicious, internal conflict.

*'Our society must make it right and possible for old people not to fear the young or be deserted by them, for the test of a civilization is the way that it cares for its helpless members.'*³⁹

³⁸ Hamber, B. (N.d.). 'Conclusion: A Truth Commission for Northern Ireland?'. *International Conflict Research Institute*. Ulster University. [Online] [Accessed on: 29/01/2023] [Accessed by: <http://www.brandonhamber.com/publications/Chap%207%20%20SA%20&%20NI%20Brandon%20Hamber.pdf>] AND. Wilson, R. (1997). 'Violent Truths: The Politics of Memory in Guatemala'. *Accord*. Vol. 2. Pp. 21.

³⁹ Buck, P, S. (1931). 'The Good Earth'. John Day, New York.

Bibliography

Alpha History. (2023). 'THE IRA'S MAINLAND CAMPAIGN'. [Online] [Accessed on: 05/03/2023] [Accessed by: https://alphahistory.com/northernireland/ira-mainland-campaign/#The_Provisionals_campaign]

Althoff, M. Dollinger, B. Schmidt, H. (2020). 'Fighting for the "Right" Narrative: Introduction to Conflicting Narratives of Crime and Punishment.' In. Althoff, M. Dollinger, B. Schmidt, H. (Eds.) 'Conflicting Narratives of Crime and Punishment' Palgrave MacMillan.

Ambrose, T. O'Carroll, L. (2022). 'Evidence police in Belfast colluded with loyalists in the Troubles, report finds'. *The Guardian*. 8 February 2022.

Amnesty International UK (2022). 'Northern Ireland Troubles Bill'. [Online] [Accessed on: 19/01/2023] [Accessed by: <https://www.amnesty.org.uk/ni-troubles>].

Armoudian, M. (2016). 'Introducing new datasets on Northern Ireland's media in the peace process and a test of newsworthiness in times of 'troubles''. *Media, War & Conflict*. Vol. 9, No. 2.

Austin, Z. Sutton, J. (2014). 'Qualitative Research: Getting Started'. *Can J Hosp Pharm*. Vol. 67. No. 6.

Baker, P. (2011). "'accept the tragedy of what happened in those wasted years without indulging in double think...". *Sluggor O'Toole*. 06 December 2011. [Online] [Accessed on: 01/04/2022] [Accessed by: <https://sluggerotoole.com/2011/12/06/accept-the-tragedy-of-what-happened-in-those-wasted-years-without-indulging-in-double-think/>]

Bardon, J. 'Tit-for-tat sectarian slaughter plagued North'. *The Irish Times*. 29th December 2006.

Bar-Tal, D. Chernyak-Hai, L. Schori, N. Gundar, A. (2009). 'A sense of self-perceived collective victimhood in intractable conflicts'. *International Review of the Red Cross*. Vol. 91, No. 874.

Bauman, M. (2010). 'Contested Victimhood in the Northern Irish Peace Process'. *Peace Review*, Vol. 22. No. 2.

BBC News (2010). 'Initial Bloody Sunday inquiry labelled 'whitewash'' 11 June 2010. [Online] [Accessed on: 23/05/2022] [Accessed by: <https://www.bbc.co.uk/news/10146883>]

BBC News. (1999). '*IRA killer laughs at sentence*'. 19th March 1999. [Online] [Accessed on: 31/08/2022] [Accessed by: <http://news.bbc.co.uk/1/hi/uk/299635.stm>]

BBC News. (2001). '*Compensation increase for RUC widows*.' Wednesday 21st March. [Online] [Accessed on: 01/02/2022] [Accessed by: http://news.bbc.co.uk/1/hi/northern_ireland/1234090.stm]

BBC News. (2003). '*Stevens Inquiry: Key people*'. 17th April 2003.

BBC News. (2006). '*Murder review team to begin work*' 23rd January 2006.

BBC News. (2008). 'Victims' posts details revealed'. *BBC News*. Monday 28th January 2008. [Online] [Accessed on: 27/01/2019] [Accessed by: http://news.bbc.co.uk/1/hi/northern_ireland/7212044.stm]

BBC News. (2009). '*Reaction to Eames/Bradley report*'. [Online] [Accessed on: 27/01/2019] [Accessed by: http://news.bbc.co.uk/1/hi/northern_ireland/7856590.stm]

BBC News. (2010). '*Was the Bloody Sunday report value for money?*' 15 June 2010. [Online] [Accessed on: 23/05/2022] [Accessed by: <https://www.bbc.co.uk/news/10292828>].

BBC News. (2013). 'Historical Enquiries Team criticised: reaction to HMIC report'. 3rd July 2013. [Online] [Accessed on: 25/11/2022] [Accessed by: <https://www.bbc.com/news/uk-northern-ireland-23165015>]

BBC News. (2015). 'Claims of NI 'collusion' between UK agents and paramilitaries'. 28 May 2015.

BBC News. (2018). 'John Downey: Double murder accused released on bail'. 8th November 2018. [Online] [Accessed on: 18/11/2022] [Accessed by: <https://www.bbc.com/news/uk-northern-ireland-46134978>]

BBC News. (2019). '*Rallies held for British soldiers facing NI charges*'. 18th May 2019. [Online] [Accessed on: 14/01/2023] [Accessed by: <https://www.bbc.com/news/uk-48321738>]

BBC News. (2020). 'Michael Stone: Victim's sister bids to keep loyalist killer in jail'. 16 October 2020.

- BBC News. (2021). '*Ballymurphy Inquest: 'A cry of horror I'll never forget''*'. 11 May 2021.
- Beattie, J. (2015). 'Prescription drugs use in West Belfast linked to the Troubles'. *BelfastLive*. 2nd July 2015. [Online] [Accessed on: 08/02/2022] [Accessed by: <https://www.belfastlive.co.uk/news/health/prescription-drugs-use-west-belfast-9573425>]
- Belfast Telegraph. (2008). '*Interviewing Gordon Wilson was the nearest I'd ever get to being in presence of a saint*'. Sun 5 October.
- Belfast Telegraph. (2016). Villiers warns of 'pernicious' bid to blame State for Troubles atrocities'. *Belfast Telegraph Digital*. February 11 2016. [Online] [Accessed on: 03/09/2019] [Accessed by: <https://www.belfasttelegraph.co.uk/news/northern-ireland/villiers-warns-of-pernicious-bid-to-blame-state-for-troubles-atrocities-34443161.html>]
- Bell, J. (2017). 'Martin McGuinness death: I'll never know why my husband was used as human bomb, says Patsy Gillespie widow'. *Belfast Telegraph*. 22 March 2017.
- Bell, J. B. (1976). 'The Chroniclers of Violence in Northern Ireland: A Tragedy in Endless Acts'. *The Review of Politics*. Vol. 38. No. 4.
- Berastegi, A, A. Heary, K. (2018). 'A context-based model for framing political victimhood: Experiences from Northern Ireland and the Basque Country'. *International Review of Victimology*. Vol. 25, No. 1.
- Betts, J. Thompson, J. (2017). '*Mental Health in Northern Ireland: Overview, Strategies, Policies, Care Pathways, CAMHS and Barriers to Accessing Services*'. Research and Information Service Research Paper.
- Bharmal, Z, Batthini, D. (2015). 'Victims Still in Obscurity: Concept of Victimology'. *VIDHIGYA: The Journal of Legal Awareness*. Vol. 10. No. 1.
- Black, Rebecca. (2023). 'UK government's Legacy Bill 'not the way to address Northern Ireland's past''. *The Irish Examiner*. 05th February 2023.
- Bliss, L, A. (2016). 'Phenomenological Research: Inquiry to Understand the Meanings of People's Experiences'. *International Journal of Adult Vocational Education and Technology*. Vol. 7, No. 3. [Online] [Accessed on: 16/10/2022] [Accessed by: <https://sageprofessor.files.wordpress.com/2017/10/phenomenological-research-inquiry-to-understand-the-meanings-of-peoples-experiences.pdf>].

- Bloomfield, K. (1998). *'We Will Remember Them: Report of the Northern Ireland Victims Commissioner'*. Belfast. HMSO. The Stationery Office Northern Ireland.
- Boatright, J. (2018). 'The History, Meaning, and Use of the Words Justice and Judge'. *St. Mary's Law Journal*. Vol. 49. No. 4.
- Borooah, V, K. McKee, P. M. Heaton, N. Collins, G. (1995). 'Catholic-Protestant Income Differences in Northern Ireland.' *Review of Income and Wealth*. Vol 41, No. 1.
- Bottoms, A. Tankebe, J. (2021). *'Procedural justice, legitimacy, and social contexts'*. Chapter 2, No. 4.
- Bouris, E. (2007). *'Complex Political Victims'*. Bloomfield: Kumarian Press.
- Boyle, K. (2014). *"Victims" and "Survivors" of crime: The effects of labelling unwanted sexual experiences on mental health'*. Abstract for Presentation on the XVIII ISA World Congress. [Online][Accessed on: 30/09/2019] [Accessed by: <https://isaconf.confex.com/isaconf/wc2014/webprogram/Paper35946.html>]
- Bradfield, P. (2017). 'RUC widow: Martin McGuinness died with his family, my husband died in a ditch'. *News Letter*. March 31, 2017.
- Bradfield, P. (2017). 'Standing ovation at Stormont for maimed ex-UDR man'. *News Letter*. March 13, 2017.
- Braun, V. Clarke, V. (2012) *'Thematic analysis'*. In Cooper, H. (Ed.), *'The Handbook of Research Methods in Psychology'*. Washington, DC: American Psychological Association.
- Braun, V. Clarke, V. (2006) 'Using thematic analysis in psychology'. *Qualitative Research in Psychology*. Vol. 3.
- Breakwell, G M. (1990) *'Interviewing: Problems in Practice'*. British Psychological Society. Routledge.
- Breen-Smyth, M. (2012). *'Injured in the Troubles: the needs of individuals and their families'*. Northern Visions. WAVE Trauma Centre. [Online] [Accessed on: 20/11/2021] [Accessed by: <https://wavetraumacentre.org.uk/site/wp-content/uploads/2019/04/Breen-Smyth-M-2012-Injured-in-the-Troubles-the-needs-of-individuals-and-their-families-Executive-Summary.pdf>]

Breen-Smyth, M. (2013). *'Injured and disabled casualties of the Northern Ireland conflict: issues in immediate and long-term treatment, care and support.'* *Medicine, Conflict and Survival*, vol. 29, no. 3.

Breen-Smyth, M. (2018). 'Suffering, Victims and Survivors in the Northern Ireland Conflict: Definitions, Policies, and Politics'. De Gruyter.

Brewer, J, D. (1994). 'The Ethnographic Critique of Ethnography: Sectarianism in the RUC'. *Sociology*. Vol. 28, No. 1.

Brewer, J, D. Hayes, B, C. (2013). 'Victimhood status and public attitudes towards post-conflict agreements: Northern Ireland as a case study'. *Political Studies*. Vol. 61.

Brewer, J. Hayes, B. (2011). 'Victims as moral beacons: victims and perpetrators in Northern Ireland'. *Contemporary Social Science*, Vol. 6. No. 1.

Brewer, J. Hayes, B. (2015). 'Victimhood and Attitudes towards Dealing with the Legacy of a Violent Past: Northern Ireland as a Case Study'. *The British Journal of Political and International Relations*. Vol. 17.

Bright, M. (2002), 'The Vanishing'. *Observer Magazine*, 15 December.

Bryce, J. Brooks, M. Lowe, M. (2016). 'A qualitative examination of engagement with support services by victims of violent crime'. *International Review of Victimology*, Vol. 22. No. 3. SAGE journals.

Buck, P, S. (1931). *'The Good Earth'*. John Day, New York.

Burke, E. (2021). 'The Troubles with Northern Ireland Legacy Cases.' *Royal United Services Institute (RUSI)*. [Online] [Accessed on: 26/04/2023] [Accessed by: <https://www.rusi.org/explore-our-research/publications/commentary/trouble-northern-ireland-legacy-cases>]

Burke, L. (2020). *'Lessons from Northern Ireland: Policing, Polarization, and Moving Forward'*. *German Marshall Fund of the United States*. No. 12.

Burrows, A. (2019). *'Remedies for Torts, Breach of Contract, and Equitable Wrongs'*. Oxford University Press.

Cadwallader, A. (2013). *'Lethal Allies: British Collusion in Ireland'*. Mercier Press. Cited in. McDonald, H. (2013). 'RUC commanders covered up killings by rogue officers, inquiry files allege'. *The Guardian*.

CAIN. (2022). 'A Chronology of the Conflict – 1976'. CAIN. University of Ulster. [Online] [Accessed on: 18/11/2022] [Accessed by: <https://cain.ulster.ac.uk/othelem/chron/ch76.htm>]

Cairns, E. Mallett, J. (2010). 'Who are the Victims? Self-assessed victimhood and the Northern Irish conflict'. *Northern Ireland Office Research & Statistical Series: Report No. 7*. Northern Ireland Statistics & Research Agency.

Carroll, K. (2017). 'PSNI widow Kate Carroll: You politicians have been given a second chance - time to grab it by the scruff of the neck'. *Belfast Telegraph*. 9 March 2017.

Castleberry, A. Nolen, A. (2018) 'Thematic Analysis of qualitative research data: Is it as easy as it sounds?'. *Currents in Pharmacy Teaching and Learning*. Vol. 10.

Catalogue of Bias Collaboration, Brassey, J. Mahtani, K. R. Spencer E. A. Heneghan, C. (2017). 'Volunteer bias'. Centre for Evidence-Based Medicine. University of Oxford. [Online] [Accessed on: 17/08/2021] [Accessed by: <http://www.catalogofbias.org/biases/volunteer-bias>]

Cavendish, D. (2022). 'Bloody Sunday 50th anniversary: 'Jackie was a typical teenager, up for pranks and the craic''. *The Telegraph*. 30 January 2022.

Center for Victim Research. (2019). 'What We Know about Homicide Co-Victims from Research and Practice Evidence' Research Report. July 2019.

Champlin, D. Knoedler, J. (2002). 'Operating in the Public Interest or in Pursuit of Private Profits? News in the Age of Media Consolidation'. *Journal of Economic Issues*. Vol. 36, No. 2.

Chibnall, S. (1977). 'An analysis of crime reporting in the British press'. *Law-And-Order News*. Routledge. 1st Edition.

Chrisafis, A. (2005). "He saw them all as his mother's murderers". *The Guardian*. Northern Ireland. 15th November 2005. [Online] [Accessed on: 05/07/2022] [Accessed by: <https://www.theguardian.com/uk/2005/nov/15/northernireland.northernireland>]

- Christie, N. (1986) 'The ideal victim', in Fattah, E. (Eds.), *'From Crime Policy to Victim Policy'*. Basingstoke: Macmillan.
- Clancy, P. (2017). 'IRA victims families anger at Sinn Fein's Gerry Adams'. *Irish Central*. 24 November 2017.
- Clarke, V. Braun, V. (2013) 'Teaching thematic analysis: Overcoming challenges and developing strategies for effective learning.' *The Psychologist*, Vol. 26. No. 2.
- Coakley, J. Todd, J. (2020). *'Negotiating a Settlement in Northern Ireland, 1969-2019'*. Oxford University Press.
- Cochrane, M. (2014). 'The Role of the Royal Ulster Constabulary in Northern Ireland'. In. Fair, C, C. Ganguly, S. (Ed.) *'Policing Insurgencies: Cops as Counterinsurgents'*. Oxford University Press.
- Coniam, W. (2022). 'Northern Ireland Still in Limbo as Bid to Form Government Fails'. *Bloomberg News*. 7th December 2022.
- Coodman-Delahunty, J. (2010). 'Four Ingredients: New Recipes for Procedural Justice in Australian Policing' *Policing*. Vol. 4, No. 4.
- Coogan, T P. (1996). *'The Troubles: Ireland's Ordeal 1966-1995 and the Search for Peace: Ireland's Ordeal, 1969-96, and the Search for Peace'*. Arrow Books, London.
- Cormacain, R. (2022). 'Northern Ireland Troubles (Legacy and Reconciliation) Bill: A Rule of Law Analysis'. *Bingham Centre for The Rule of Law*.
- Creswell, J. (2013) *'Qualitative Inquiry & Research Inquiry: Choosing Among Five Approaches'*. Third Edition. Sage Publications: California, United States of America.
- Criminal Injuries (Compensation) (Northern Ireland) Order 1977(1977)*. Parliament: House of Commons. Bill no. 1248. (N.I. 15). London: The Stationery Office.
- Criminal Injuries (Compensation) (Northern Ireland) Order 1988 (1988)*. Parliament: House of Commons. Bill no. 793. (N.I. 4). London: The Stationery Office.
- CVSNI. (2012). *'Troubled consequences: A report on the mental health impact of the civil conflict in Northern Ireland'*. Bamford Centre for Mental Health and Wellbeing. University of Ulster. Northern Ireland Centre for Trauma & Transformation and Compass.

Davenport, M. (2005). 'What defines a victim in NI?'. *BBC News*. [Online] [Accessed on: 19/02/2023] [Accessed by: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/4375816.stm]

De La Mare, T. (2019). 'Thousands protest against prosecution of 'Soldier F' over Bloody Sunday deaths'. *Belfast Telegraph*. 28th September 2019. [Online] [Accessed on: 14/01/2023] [Accessed by: <https://www.belfasttelegraph.co.uk/news/northern-ireland/thousands-protest-against-prosecution-of-soldier-f-over-bloody-sunday-deaths-38543079.html>]

De Lint, W. Marmo, M. (2018). '*Narrating Injustice Survival: Self-medication by Victims of Crime*'. Palgrave Studies in Victims and Victimology. Palgrave Macmillan.

De Waardt, M. (2018). 'The Politics of Victimhood at the Grassroots Level: Inclusion and Exclusion Among Peruvian Victim Organisations'.

Democratic Progress Institute. (2013). '*The Good Friday Agreement – Prisoner Release Processes*'. August 2013. London.

Democratic Unionist Party. (2014). '*Our Key Commitments to Innocent Victims of Terrorism*'. [Online] [Accessed on: 30/09/2019] [Accessed by: http://www.mydup.com/images/uploads/publications/DUP_Victims_White_A5_v3_no_crops.pdf]

Dennis, E. E. (1984). 'Journalistic objectivity is possible'. In: Dennis, E. E. Merrill, J. C. (Eds.) '*Basic issues in mass communication: A debate*'. New York: Macmillan.

Department of Health. (2007) '*Bamford Review of Mental Health and Learning Disability*'. [Online] [Accessed on: 26/01/2022] [Accessed by: <https://www.health-ni.gov.uk/articles/bamford-review-mental-health-and-learning-disability>]

Department of Justice. (2002). '*NI Criminal Injuries Compensation Scheme 2002*'. 29th April 2002.

Department of Justice. (2019). '*Sentencing Review Northern Ireland: A Public Consultation*'. October 2019.

Department of Justice. (2019). 'Terrorist and paramilitary-related offences added to the Unduly Lenient Sentence Scheme'. 01 August 2019. [Online] [Accessed on: 09/03/2023] [Accessed by: <https://www.justice-ni.gov.uk/news/terrorist-and-paramilitary-related-offences-added-unduly-lenient-sentence-scheme>]

Dillenburger, K. (2001). 'Discovery' and treatment of trauma'. Response. In Hamber, B. Kulle, D. Wilson, R. (Eds.). 'Future Policies for the Past, (Report No. 13).' Belfast: Democratic Dialogue. CAIN.

Dillenburger, K. Fargas, M. Akhonzada, R. (2006). 'Victims or Survivors? Debate about victimhood in Northern Ireland'. *The International Journal of the Humanities*, Vol. 3. Belfast: Queen's University.

Doerner, W. Lab, S. (2002). 'Victimology'. 4th ed. Cincinnati, Ohio: Andersen Publishing.

Doherty, T. (2017) 'The Dead Beside Us: A Memoir of Growing Up in Derry'. Mercier Press, Cork.

Doorn, J V, Zeelenberg, M, Breugelmans, S. (2017) 'The impact of anger on donations to victims'. *International Review of Victimology*, Vol. 23. No. 3. SAGE journals.

Draucker, C B. Martsolf, D S, Poole C. (2009). 'Developing Distress Protocols for research on Sensitive Topics'. *Archives of Psychiatric Nursing*. Vol. 23. No. 5.

Druliolle, V. Brett, R. (Eds.) 'The Politics of Victimhood in Post-conflict Societies: Comparative and Analytical Perspectives'. Palgrave Macmillan.

Dunn, J. L. (2010). 'Judging Victims: Why we Stigmatize Survivors, and How they Reclaim Respect.' USA: Lynne Rienner. Pp. 1-55.

Edwards, M. (2018). "To equate bomb maker with innocent victim morally wrong and indefensible": DUP rejects definition of victims in legacy proposals'. *Belfast Telegraph*. October 5th 2018. [Online] [Accessed on: 26/01/2018] [Accessed by: <https://www.belfasttelegraph.co.uk/news/northern-ireland/to-equate-bomb-maker-with-innocent-victim-morally-wrong-and-indefensible-dup-rejects-definition-of-victims-in-legacy-proposals-37387942.html>]

Ellison, G. Smyth, J. (2000). 'The Crowned Harp – Policing in Northern Ireland'. London: Pluto Press.

Encyclopaedia Britannica. (N.d). 'due process'. Law. [Online] [Accessed on: 10/10/2022] [Accessed by: <https://www.britannica.com/topic/due-process>]

English, R. (2012). 'Armed Struggle: The History of the IRA'. Oxford University Press, New York.

Fausor, R. Sanz, J. Navarro-McCarthy, A. Gesteria, C. Morán, N. Cobos-Redondo, B. Altungy, P. Marqueses, J, M, S. Sanz-Garcia, A. Garcia-Vera, M, P. (2022). 'Long-Term Posttraumatic Growth in Victims of Terrorism in Spain.' *Frontiers in Psychology*. Vol. 13.

Fay, M.T., Morrissey, M., Smyth, M., Wong, T., (1999) 'The Cost of the Troubles Study. Report on the Northern Ireland survey: the experience and impact of the troubles'. *Derry/Londonderry INCORE Coleraine*: University of Ulster

Ferguson, C. Turvey, B E. (2009). '*Victimology: A Brief History with an Introduction to Forensic Victimology*'.

Ferguson, N. (2016). '*I'm the Victim Here': Intrastate Conflict and the Legacy of Political Violence*' Liverpool Hope University. Liverpool, UK. IN. McGarry, R. Walklate, S. (Eds.). '*The Palgrave Handbook of Criminology and War*'. Palgrave Macmillan.

Ferguson, N. Burgess, M. Hollywood, I. (2010). 'Who are the Victims? Victimhood Experiences in Postagreement Northern Ireland'. *International Society of Political Psychology*. Vol. 31. No. 6.

Financial Times. (1994). '*Searching for equity in Ulster's workplaces.*' Archives. 17th May 1994.

Findlay, M. (1985) 'Criminalization' and the detention of 'political prisoners'-An Irish perspective.' *Contemporary Crises*. Vol. 9.

Finucane, G. (2015). 'GERALDINE FINUCANE, WIDOW OF MURDERED HUMAN RIGHTS LAWYER PATRICK FINUCANE'. In. Joint House and Senate Hearing. (2015). 'NORTHERN IRELAND: STORMONT, COLLUSION, AND THE FINUCANE INQUIRY'. Commission on Security and Cooperation in Europe. One Hundred Fourteenth Congress. 18th March 2015. U.S. Government Publishing Office.

Fitzduff, M. O'Hagan, L. (2009). 'The Northern Ireland Troubles: INCORE background paper'. *International Conflict Research Institute*.

Fletcher, G, P. (2007). *The Grammar of Criminal Law: American, Comparative, and International*'. Oxford: Oxford University Press.

Forst, B. (2004). '*Errors of justice: Nature, sources, and remedies*'. New York: Cambridge University Press.

Fowler Graham, L. (2014). *'The "innocent" victims of the Troubles and the enduring impediment to peace in Northern Ireland'*. Trinity College Dublin.

Fowler, J. McCormack, J. (2019). 'Victims' pension: Troubles fund 'rejected if paramilitaries eligible'. *BBC News*. 17th July 2019. [Online] [Accessed on: 08/08/2022] [Accessed by: <https://www.bbc.co.uk/news/uk-northern-ireland-49009064>]

Frank, E. Anderson, B. Stewart, B. D., Dancu, C. Hughes, C. West, D. (1988). 'Immediate and delayed treatment of rape victims'. IN. Prentky, R. A. Quinsey, V. L. (Eds.) *'Human sexual aggression: Current perspectives.'* Annals of the New York Academy of Sciences. New York. Vol. 528.

Franko, K. Roriguez Goyes, D. (2022). 'Drug Violence, War-Crime Distinction, and Hierarchies of Victimhood'. *Social & Legal Studies*. Vol. 32, No. 1. SAGE Journals.

Funder, M. (2005). 'Bias, Intimacy and Power in Qualitative Fieldwork Strategies'. *The Journal of Transdisciplinary Environmental Studies*, Vol. 4. No. 1.

Fusch, P. I. Ness, L. R. (2015). 'Are We There Yet? Data Saturation in Qualitative Research'. *The Qualitative Report*. 2015. Vol. 20. No. 9. How to Article 1.

Gallagher, A. M. (1987) 'Psychological approaches to the Northern Ireland conflict'. *The Canadian Journal of Irish Studies*, Vol. 13, No. 2.

Galtung, J. Ruge, M. (1965) 'Structuring and selecting news'. In. S. Cohen. J. Young (eds), *'The Manufacture of News: Deviance, Social Problems and the Mass Media.'* London: Constable.

Ganiel, G. (2016). 'Transforming post-conflict societies: Women's stories of dealing with the past in Northern Ireland'. *Journal of Peace Research*. Vol. 53, No. 3.

Gekoski, A. Gray, J. M. Adler, J. R. (2012). 'What Makes A Homicide Newsworthy? UK National Tabloid Newspaper Journalists Tell All.' *British Journal of Criminology*. Vol. 56, No. 6.

Glare, P, G, W. (2012). 'Oxford Latin Dictionary'. 2nd Edition.

Gormally, B. McEvoy, K. Wall, D. (1993). 'Criminal Justice in a Divided Society: Northern Ireland Prisons' *Crime and Justice*. Vo. 17.

Gov.uk. (1989). *'Fair Employment (Northern Ireland) Act 1989.'* 1989 Chapter 32.

- Gov.uk. (1998). 'The Belfast Agreement'. 10th April 1998. [Online] [Accessed on: 26/01/2019] [Accessed by: <https://www.gov.uk/government/publications/the-belfast-agreement>]
- Gov.uk. (2004). 'Domestic Violence, Crime and Victims Act 2004'. Part 3. Chp. 1. 32.
- Gov.uk. (2006). 'The Victims and Survivors (Northern Ireland) Order 2006'. 2006 No. 2953 (N.I.17).
- Gov.uk. (2010). 'Report of the Bloody Sunday Inquiry'. Independent Report. 15th June 2010. [Online] [Accessed on: 15/02/2022] [Accessed by: <https://www.gov.uk/government/publications/report-of-the-bloody-sunday-inquiry>]
- Gov.uk. (2012). 'Guidance: Service Prosecuting Authority'. Ministry of Defence. [Online] [Accessed on: 24/05/2022] [Accessed by: <https://www.gov.uk/guidance/service-prosecuting-authority>]
- Graham, L. F. (2014). 'The 'innocent' victims of the Troubles and the enduring impediment to peace in Northern Ireland'. *Shared Space*.
- Gramsci, A. (1971) 'Prison Notebooks.' New York: International Publishers.
- Grbich, C. (2007). 'Qualitative Data Analysis: An Introduction'. SAGE Publication: London.
- Greenberg, G. (1996). 'Tabloid Journalism: An Annotated Bibliography of English-Language Sources'. Westport, CT: Greenwood Press.
- Greenslade, R. (1999). 'Out of the spotlight'. *The Guardian*. Thursday 1st July 1999. [Online] [Accessed on: 01/02/2019] [Accessed by: <https://www.theguardian.com/uk/1999/jul/01/northernireland.comment>]
- Greer, C. (2007), 'News Media, Victims and Crime', in Davies, P. Francis, P. Greer, C. (eds.) 'Victims, Crime and Society'. London: Sage.
- Greer, C. Reiner, R. (2015). 'Mediated Mayhem: Media, Crime, Criminal Justice'. In. Maguire, M. Morgan, R. Reiner, R. (Eds.), 'Oxford Handbook of Criminology'. Oxford University Press.
- Greer, D, S. (1988). 'The Criminal Injuries (Compensation)(Northern Ireland) Order 1988 Comments and Notes'. Northern Ireland Legal Quarterly. Vol. 39, No. 4.

Greinacher, A. Derezza-Greeven, C, Herzog, W. Nikendei, C. (2019). 'Secondary traumatization in first responders: A systematic review'. *European Journal of Psychotraumatology*. Vol. 10 No. 1.

Groenewald, T. (2004). 'A Phenomenological Research Design Illustrated'. *International Journal of Qualitative Methods*. [Online] [Accessed on: 16/10/2022] [Accessed by: <https://journals.sagepub.com/doi/pdf/10.1177/160940690400300104>].

Hall, S. Critcher, C. Jefferson, T. Clarke, J. Roberts, B. (1978) '*Policing the Crisis: Mugging, the State and Law and Order*'. London: Macmillan.

Hamber, B. (N.d.). '*Conclusion: A Truth Commission for Northern Ireland?*'. *International Conflict Research Institute*. Ulster University. [Online] [Accessed on: 29/01/2023] [Accessed by: <http://www.brandonhamber.com/publications/Chap%207%20%20SA%20&%20NI%20Brandon%20Hamber.pdf>]

Hamber, B. Kelly, G. (2016). 'Practice, Power and Inertia: Personal narratives, archives and dealing with the past in Northern Ireland'. *Journal of Human Rights Practice*. Vol. 8, No. 1.

Hamill, H. (2002). '*Victims of Paramilitary Punishment Attacks in Belfast*'. In Hoyle, C. Younger, R. (Eds.). '*New Visions of Crime Victims*.' Oxford: Hart Publishing.

Hancock, L. E. (2014). 'Narratives of Identity in the Northern Irish Troubles'. *Peace & Change*. Vol. 39. No. 4.

Hansard. (2021). '*Ballymurphy Inquest Findings*'. Vol. 695. 13 May 2021. [Online] [Accessed on: 06/04/2022] [Accessed by: <https://hansard.parliament.uk/commons/2021-05-13/debates/D8E973EF-4E0B-4897-BCF6-B9BF2EF2FEFB/BallymurphyInquestFindings#:~:text=The%20findings%20of%20the%20coroner,and%20trauma%20of%20that%20loss.>]

Harper, C. Davidson, G. McClelland, R. (2016). 'No Longer 'Anomalous, Confusing and Unjust': The Mental Capacity Act (Northern Ireland 2016'. *International Journal of Mental Health and Capacity Law*.

Hawn, S, E. Cusack, S, E. Amstadter, A, B. (2020). 'A Systematic Review of the Self-Medication Hypothesis in the Context of Posttraumatic Stress Disorder and Comorbid Problematic Alcohol Use'. *J Trauma Stress*. Vol. 33, No. 5.

- Hearty, K. (2016). 'Legislating Hierarchies of Victimhood and Perpetrators: The Civil Service (Special Advisers) Act (Northern Ireland) 2013 and the Meta-Conflict'. *Social and Legal Studies*. Vol. 25. No. 3.
- Hearty, K. (2017). 'Discourses of Political Policing in Post-patten Northern Ireland'. *Critical Criminology*. Vol. 26. Pp. 129-130.
- Hearty, K. (2017). 'The PSNI and 'Political Policing'.' In. '*Critical Engagement: 'Irish Republicanism, Memory Politics and Policing'*'. Liverpool University Press.
- Historical Enquiries Team. (2005) 'Standard Operating Procedure, Section 2.2'. Cited in: Lundy, P. (2009). 'Can the Past be Policed?: Lessons from the Historical Enquires Team Northern Ireland'. *Journal of Law and Social Challenges*. Vol. 11.
- HMIC. (2013). 'Inspection of the Police Service of Northern Ireland Historical Enquiries Team'. Published 03 July 2013. [Online] [Accessed on: 01/04/2022] [Accessed by: <https://www.justiceinspectrates.gov.uk/hmicfrs/media/inspection-of-the-police-service-of-northern-ireland-historical-enquiries-team-20130703.pdf>]
- Holland, M. (1999). 'Only Fresh Start can Ease Pain and Anger'. *Irish Times*. 23rd September 1999.
- House Rights. (2022). '*Intimidated from your home*'. Housing Advice for Northern Ireland. [Online] [Accessed on: 20/12/2022] [Accessed by: <https://www.housingadviceni.org/intimidated-your-home>]
- ITV. (2016). '*Campaigners urge support for special pension for Troubles victims*'. 22nd November 2016.
- Jackson, R. H. Sørensen, G. (2016). '*Introduction to International Relations: theories and approaches*.' Sixth Edition. Oxford University Press.
- Jamieson, R. (2016). '*Framing Blame and Victimhood in Postconflict Northern Ireland*'.
- Jankowitz, S. (2016). '*Sociopolitical implications of exclusive, intergroup perceptions of victims in societies emerging from conflict*'. *Peacebuilding*. The University of Sheffield.
- Jankowitz, S. (2018). 'The 'Hierarchy of Victims' in Northern Ireland: A Framework for Critical Analysis'. *International Journal of Transitional Justice*, 2018.

Jankowitz, S. (2018). 'The Order of Victimhood: Violence, Hierarchy, and Building Peace in Northern Ireland'. *Palgrave Studies in Compromise After Conflict*. Palgrave Macmillan.

Jennings, W. G. Piquero, A. R. Reingle, J. M. (2012). 'On the overlap between victimization and offending: A review of the literature'. *Aggression and Violent Behavior*. Vol. 17.

Jewkes, Y. (2015) '*Media and Crime*' (3rd edn). London: Sage.

Johnston, K. (2017). 'The IRA killed dad, and then mum died of a broken heart'. *News Letter*. Saturday 15 April 2017.

Karmen, A. (2010). '*Crime Victims: An introduction to Victimology*'. Seventh Edition. Wadsworth, CENGAGE.

Kelleher, L. (2012). '*Maps - Deaths (1969-2001), by area (Northern Ireland, Belfast, Derry), and by status, at ward level*'. The Centre for Social Justice. CAIN: University of Ulster. [Online] [Accessed on: 15/07/2021] [Accessed by: <https://cain.ulster.ac.uk/victims/gis/maps/gismaps-04.html>]

Kelpie, C. (2021). 'Ballymurphy Inquest: Coroner finds 10 victims were innocent'. *BBC News*. 11 May 2021. [Online] [Accessed on: 16/02/2022] [Accessed by: <https://www.bbc.co.uk/news/uk-northern-ireland-56986784>]

Keogh, G. (2021). 'Another 12 Troubles veterans are facing hell of criminal charges: Months after Boris Johnson vowed to end witch-hunt, more former soldiers who served in Northern Ireland are under investigation over conduct'. *Daily Mail*. 31 January 2021.

King, N. Horocks, C. (2010). '*Interviews in Qualitative Research*'. SAGE Publications, London.

Koertge, N. (1996). 'Feminist epistemology: Stalking an un-dead horse.' In. Gross, P. R. Levitt, N. Lewis. M. W. (Eds.). '*The flight from science and reason*'. New York: New York Academy of Sciences.

Krystalli, R. (2023). 'The Politics and Hierarchies of Victimhood'. *Centre for Peace and Conflict Studies*. [Online] [Accessed on: 06/01/2023] [Accessed by: <https://cpcs.wp.st-andrews.ac.uk/research/the-politics-and-hierarchies-of-victimhood/>]

Kulle, D. (2001). '*Victims and Survivors: A Study of the Dynamics of the Victims Debate in Northern Ireland*'. In Magowan, J. Patterson, N. (Eds), '*Hear and Now... and Then...*

Developments in Victims and Survivors Work. Belfast: The Northern Ireland Voluntary Trust.

Kulle, D. Hamber, B. (2001). 'Introduction'. In Hamber, B. Kulle, D. Wilson, R. (Eds.). *Future Policies for the Past, (Report No. 13)*. Belfast: Democratic Dialogue. CAIN.

Kumar, R. (2011). *Research Methodology*. Third Edition. SAGE Publications: London.

Lavrakas, P. J. (2008). *Encyclopedia of Survey Research Methods*. SAGE Publications, California.

Lawther, C. (2021). 'Heroes and hierarchies: the celebration and censure of victimhood in transitional justice'. *The International Journal of Human Rights*. Vol. 26. No. 3.

Lazenbatt, A, Lynch, U, O'Neill, E. (2001). 'Revealing the hidden 'troubles' in Northern Ireland: the role of participatory rapid appraisal'. *Health Education Research*, Vol. 16, 5, October 2001,

Lee, R. (1993). *Doing Research on Sensitive Topics* SAGE Publications: London.

Letchert, R. Staiger, I. Pemberton, A. (2010). *Assisting Victims of Terrorism: Towards a European Standard of Justice*. Springer.

Levine, J. (2010). *Beauty and Atrocity: People, Politics and Ireland's Fight for Peace*. London: Collins Publishers.

Lind, E. A. Tyler, T. R. (1988). *The Social Psychology of Procedural Justice*. New York: Plenum.

Lippke, R. L. (2020). 'Retributivism and Victim Compensation'. *Social Theory and Practice*. Vol. 46, No. 2. April 2020.

Loughrey, G. C. and Curran, P. S. (1987) 'The psychopathology of civil disorder', in Dawson, A. M. and Besser, G. M. (eds) *Recent Advances in Medicine*. Churchill Livingstone, Edinburgh.

Lundy, P. (2009). 'Can the Past be Policed?: Lessons from the Historical Enquires Team Northern Ireland'. *Journal of Law and Social Challenges*. Vol. 11.

Lynch, O. Argomaniz, J. (2014). 'Meeting the needs of victims of terrorism: Lessons for the international context'. Chapter. 9. IN. Lynch, O. Argomaniz, J. (Eds.) 'Victims of Terrorism: A Comparative and Interdisciplinary Study'. Routledge.

Lynch, O. Argomaniz, J. (2017). 'Victims of terrorism and political violence: identity, needs, and service delivery in Northern Ireland and Great Britain' *Terrorism and Political Violence*. Vol. 29. No. 3.

Lynch, O. Joyce, C. (2018). 'Functions of collective victimhood: Political violence and the case of the Troubles in Northern Ireland'. *International Review of Victimology*. Vol. 24. No. 8.

Macleod, S. (1982). 'Tit-for-tat killings resume in Northern Ireland'. *UPI Archives*. 30th October 1982. [Online] [Accessed on: 20/07/2022] [Accessed by: <https://www.upi.com/Archives/1982/10/30/Tit-for-tat-killings-resume-in-Northern-Ireland/2965404798400/>]

MacPherson, W. (1999). '*The Stephen Lawrence Inquiry*'. Report for an Inquiry. Chapter 26. United Kingdom: The Stationary Office.

Madlingozi, T. (2007). 'Good Victims, Bad Victims: Apartheid's Beneficiaries, Victims and the Struggle for Social Justice', IN. Le Roux, W. Van Marle, K. (eds.) '*Law, Memory and the Legacy of Apartheid*' Pretoria: Pretoria University Press.

Magee, A. (1999). 'Mowlam Frees Top Loyalist Terrorist'. *Times*: London. 15th September 1999. Cited in. Mulvihill, D, F. (2001). 'The Legality of the Pardoning of Paramilitaries under the Early Release Provisions of Northern Ireland's Good Friday Agreement'. *Cornell International Law Journal*. Vol. 34. No. 1.

Maki, J. (2019). '*Trauma, Dignity, and Restoration*'. ADVOCATES AND SURVIVORS FOR CRIME VICTIM COMPENSATION REFORM. [Online] [Accessed on: 03/11/2022] [Accessed by: https://allianceforsafetyandjustice.org/wp-content/uploads/2021/10/Trauma_Dignity_and_Restoration.pdf]

Maney, G. M. (2006). 'The Past's Promise: Lessons from Peace Processes in Northern Ireland and the Middle East'. *Journal of Peace Research*. Vol. 43. No. 2.

Marsh, H, L. (1991) 'A comparative analysis of crime coverage in newspapers in the United States and other countries from 1960–1989: a review of the literature'. *Journal of Criminal Justice*, Vol. 19, No.1.

Marshall, C. Rossman, G B. (1999). '*Designing Qualitative Research*'. Third Edition. Sage Publication, California.

Mason, J. (1996). '*Qualitative Researching*'. First Edition. London, Sage Publications Ltd.

Matthew, B. Ross, L. (2010). '*Research Methods: A practical guide for the social sciences*.' Pearson Education Ltd.: Essex.

May, T. Ed. (2003). '*Qualitative Research in Action*' SAGE Publications: London.

McAleese, D. (2017). 'Gerry Adams says he understands how the families of the victims of IRA violence feel'. *Daily Record*. 19 November 2017.

McCaffrey, B. (2008). 'PSNI gave £5m contracts to 'UVF-linked company''. *The Irish News*. 6th November 2016.

McCaffrey, B. (2013). 'Series of critical reports leave future of Historical Enquiries Team in doubt'. *The Detail*. 03 July 2013. [Online] [Accessed on: 02/04/2023] [Accessed by: <https://www.thedetail.tv/articles/series-of-critical-reports-leave-future-of-historical-enquiries-team-in-doubt>]

McCann, J. (2015). '*The Fluidity of Fear: A Study of the Anxiety felt within the Police Service of Northern Ireland relating to Paramilitary Violence*'. Unpublished. University of St Andrews: Handa Centre for the Study of Terrorism and Political Violence.

McClements, F. (2017). '*My journey towards the IRA started on Bloody Sunday*'. The Irish Times. Saturday 7th October 2017. [Online] [Accessed on: 22/01/2019] [Accessed by: <https://www.irishtimes.com/news/ireland/irish-news/my-journey-towards-the-ira-started-on-bloody-sunday-1.3247159>].

McCurry, C. Attridge, C. (2021). '*Troubles victims' pension scheme opens after years of campaigning*'. BelfastLive. 31st August 2021. [Online] [Accessed on: 24/02/2022] [Accessed by: <https://www.belfastlive.co.uk/news/northern-ireland/troubles-victims-pension-scheme-opens-21439846>]

McDonald, H. (2020). 'Northern Ireland assembly reopens three years after collapse'. *The Guardian*. 11 January 2020.

McDowell, S. (2007). '*Who are the victims? Debates, concepts and contestation in 'post-conflict' Northern Ireland*'. CAIN Institute, University College Dublin.

- McEvoy, K. (1998). 'Prisoner Release and Conflict Resolution'. *Fordham International Law Journal*. Vol. 22, No. 4. Article 19.
- McEvoy, K. (1998). 'Prisoners, the Agreement, and the Political Character of the Northern Ireland Conflict'. *Fordham International Law Journal*. Vol. 22. No. 4. Article 19.
- McEvoy, K. Bryson, A. (2016). 'Justice, Truth and Oral History: Legislating the Past 'From Below' in Northern Ireland'. *Northern Ireland Legal Quarterly*. Vol. 25. No. 3.
- McEvoy, K. McConnachie, K. (2012). 'Victimology in transitional justice: Victimhood, innocence and hierarchy'. *European Journal of Criminology*. Vol. 9. No. 5.
- McEvoy, K. Smith, A. D. (2008). 'Catholic grievances and Catholic emotions in Northern Ireland'. *Nations and Nationalism*. Vol. 14. No. 2.
- McGarry, D. Smith, K. (2011). *'Police Family Liaison'*. Oxford University Press: Oxford.
- McGarry, J. O'Leary, B. (1995). *'Explaining Northern Ireland: Broken Images'*. Blackwell.
- McGarry, R. Walklate, S. (Eds.). *'The Palgrave Handbook of Criminology and War'*. Palgrave Macmillan.
- McGovern, E. (2021). 'Troubles victims 'pawns' in political row over payment scheme'. *Belfast Telegraph*. 19 January 2021.
- McGovern, M, (2022). 'Legacy, truth and collusion in the North of Ireland'. *Race & Class*. Vol. 64, No. 3. 2023.
- McGovern, M. (2019). *'Counterinsurgency and Collusion in Northern Ireland'*. London: Pluto Press.
- McGrattan, C. (2010). *'Northern Ireland 1968-2008: The Politics of Entrenchment'*. Palgrave Macmillian.
- McGrattan, C. (2014) 'Peace building and the politics of responsibility: Governing Northern Ireland.' *Peace & Change*. Vol. 39, No. 4.
- McGrattan, C. (2017). 'Responsibility, justice, and reconciliation in Northern Ireland'. Chapter 12. In. White, J. T. (Eds.) *'Theories of International Relations and Northern Ireland'*. Manchester University Press.

McGrattan, C. Lehner, S. (2012). 'Re/Presenting Victimhood: Nationalism, Victims and Silences in Northern Ireland'. *Nordic Irish Studies*. Vol, 11. No. 2.

McKay, S. (2008). *'Bear in Mind These Dead'*. London: Faber and Faber.

McKinney, E. (2021). *'Alcohol use and related harm in Northern Ireland'*. Alcohol Health Alliance. 4th May 2021. [Online] [Accessed on: 10/02/2022] [Accessed by: <https://ahauk.org/alcohol-use-and-related-harm-in-northern-ireland/>].

McKittrick, D. Kelters, S. Feeney, B. Thornton, C. McVea, D. (2012). *'Lost Lives: The stories of the men, women and children who died as a result of the Northern Ireland troubles'*. 3rd Edition. Mainstream Publishing. Edinburgh.

McKittrick, D. McVea, D. (2012). *'Making Sense of the Troubles: A History of the Northern Ireland Conflict'*. Penguin Books, London.

McLaughlin, G. Baker, S. (2010), *'The Propaganda of Peace: The Role of Media and Cultural in the Northern Ireland Peace Process'*. Bristol: Intellect Books.

McLaughlin, G. Baker, S. (2015). *'The British Media and Bloody Sunday'*. The University of Chicago Press.

McVeigh, R. (1994). *"It's Part of Life Here..." The Security Forces and Harassment in Northern Ireland'*. Committee on the Administration of Justice. Pp. 107-108.

Meadows, R. J. (2018). *'Understanding Violence and Victimization'*. Seventh Edition. Pearson, New York.

Meloy, M, L. Miller, S, L. (2010). 'Media, Gender, and Crime Victims'. *The Victimization of Women: Law, Policies, Politics*. Chapter 4.

Mendelsohn, B. (1956). 'Une Nouvelle Branche de la Science Bio-psycho-sociale: Victimologie'. *Revue Internationale de Criminologie et de Police Technique*. France.

Meyerson, D. Mackenzie, C. MacDermott, T. (ed). *'Procedural Justice and Relational Theory: Empirical, Philosophical, and Legal Perspectives'*. Routledge.

Miller, D. (1994) *'Don't Mention the War: Northern Ireland, Propaganda, and the Media.'* London: Pluto Press.

Miller, I. (2021). 'Silence, distance and neutrality: the politics of emotional distress during the Northern Irish troubles'. *Social History*. Vol. 46, No. 4.

Mills, T. (1985). 'The assault on the self: Stages in coping with battering husbands'. *Qual Sociol*. Vol. 8.

Ministry of Defence. (2015). '*Armed Forces Pension Scheme 1975*'. Veterans UK. February 2015.

Ministry of Justice. (2015). '*Code of Practice for Victims of Crime*'. London: Williams Lea Group. Her Majesty's Stationary Office.

Moffett, L. (2016). 'Deciding which victims should be eligible for a pension following the Troubles.' *QPOL*. 8th February 2016. [Online] [Accessed on: 08/08/2022] [Accessed by: <http://qpol.qub.ac.uk/which-victims-should-be-eligible-for-a-pension-of-the-troubles/>]

Morrissey, S. Smyth, M. (2002). '*Northern Ireland After the Good Friday Agreement. Victims, Grievance and Blame*'. London: Pluto Press.

Mulcahy, A. (2000). 'POLICING HISTORY: The Official Discourse and Organizational Memory of the Royal Ulster Constabulary'. *The British Journal of Criminology*. Vol. 40, No. 1.

Mulder, J D W E. (2009). 'How do we compensate a victim's losses? An economic perspective'. *International Review of Victimology*, Vol. 16. No. 1. SAGE journals.

Muldoon, O. Trew, K. (2000). 'Contact and conflict in Northern Ireland: Reactions to integrated education.' *Peace and Conflict: Journal of Peace Psychology*. Vol. 6, No. 3.

Mullin, J. (1999). '*Life' means 16 months in prison for IRA killer*'. The Guardian. 19th March 1999. [Online] [Accessed on: 31/08/2022] [Accessed by: <https://www.theguardian.com/uk/1999/mar/20/northernireland.johnmullin>]

Murphy, J. (2013). '*Policing for Peace in Northern Ireland*'. Palgrave macmillan.

National Association of Retired Police Officers NARPO (N.D) '*Survivor Pension information*'. [Online] [Accessed on: 31/01/2022] [Accessed by: <https://www.narpo.org/survivor-pensions-information/>]

News Letter. (2015). '*NI parties Q&A: What is your definition of Troubles victim?*' Friday 1st May 2015. [Online] [Accessed on: 26/01/2019] [Accessed by:

<https://www.newsletter.co.uk/news/ni-parties-q-a-what-is-your-definition-of-troubles-victim-1-6720327>]

News Letter. (2018). '*Lisburn fun run bomb: 'It was horrific. It really was just like a bad dream'*'. 16 June 2018.

Ní Aoláin, F. (2000). '*The Politics of Force: Conflict Management and State Violence in Northern Ireland*'. Belfast: The Blackstaff Press.

NIDirect. (2002). '*Compensation for criminal injuries*'. Crime, justice, and the Law. [Online] [Accessed on: 28/01/2022] [Accessed by: <https://www.nidirect.gov.uk/articles/compensation-criminal-injuries>]

NIDirect. (n.d.). '*Troubles Permanent Disablement Payment Scheme*'. [Online] [Accessed on: 05/01/2023] [Accessed by: <https://www.nidirect.gov.uk/articles/troubles-permanent-disablement-payment-scheme>]

NIPF (2022). '*Northern Ireland Police Fund*' [Online] [Accessed on: 08/11/2022] [Accessed by: <https://www.nipolicefund.gov.uk/#:~:text=The%20role%20of%20the%20Fund,killed%20or%20injured%20through%20terrorism.>]

Northern Ireland (Sentences) Act 1998. (1998). Parliament: House of Commons. Chapter 35. London: The Stationery Office.

Northern Ireland Affairs Committee. (2009). '*Report of the Consultative Group on the Past*'. 9th December 2009. London: House of Commons.

Northern Ireland Troubles (Legacy and Reconciliation) Bill (2022). Government Bill. House of Commons, Session 2022-23.

Northern Ireland. (2006). '*The Victims and Survivors (Northern Ireland) Order*'. 2006 No. 2953 (N.I.17). November 14, 2006. Section 3

Nowell, L. S. Norris, J. M. White, D. E. Moules, N. J. (2017). 'Thematic Analysis: Striving to Meet the Trustworthiness Criteria'. *International Journal of Qualitative Methods*. Vol. 16.

O'Connell, M. (2008). 'Victimology: A social science in waiting?'. *International Review of Victimology*. Vol. 15. No. 2. SAGE journals.

O'Doherty, M. (2021). 'Why Ballymurphy ruling will lead to a hierarchy of victims'. *Belfast Telegraph*. 17th May 2021.

O'Neill, S. Heenan, D. Betts, J. (2019). '*Review of Mental Health Policies in Northern Ireland: Making Parity a Reality*'. Ulster University. June 2019.

O'Reilly, D. Stevenson, M. (2002). 'Mental health in Northern Ireland: have "the Troubles" made it worse?'. *Public Health Policy and Practice*. K Epidemiol Community Health 2003. Vol. 57.

Office of National Statistics. (2021). '*Alcohol-specific deaths in the UK: registered in 2019*'. Section 3. Alcohol-specific deaths by UK constituent country. 2nd February 2021. [Online] [Accessed on: 10/02/2022] [Accessed by: <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/causesofdeath/bulletins/alcoholrelateddeathsintheunitedkingdom/registeredin2019>].

Oxford English Dictionary. (2019). '*Definition: Victim*'. [Online] [Accessed on: 16/01/2019] [Accessed by: <https://en.oxforddictionaries.com/definition/victim>]

PANI. (1997) '*Listening to the Community - Working with the RUC/ The work of the Police Authority 1 July 1995 to 31 March 1997*'. Belfast: PANI.

Papendick, M. Bohner, G. (2017). "'Passive victim – strong survivor"? Perceived meaning of labels applied to women who were raped.' *PLOS ONE*. Vol. 12. No. 5.

Parliament.co.uk. (2017). 'Investigating historic allegations in Northern Ireland'. [Online] [Accessed on: 07/03/2022] [Accessed by: <https://publications.parliament.uk/pa/cm201617/cmselect/cmdfence/1064/106404.htm>]

Parliament.uk. (2000). '*Memorandum submitted by the Northern Ireland Office*'.

Parsonage, W H. (1979). '*Perspectives on victimology*'. London: Sage.

Patton, M. Q. (2002). '*Qualitative Research & Evaluation Methods*'. Third Edition. SAGE Publication: London.

Perceptions of Crime: Finding from the 2017/18 Northern Ireland Crime Survey. (2019). *Research and Statistics Bulletin*. Department of Justice.

Police (Northern Ireland) Act 1998. (1998). Parliament: House of Commons. Bill no. 32. Part VII. 50-60. London: The Stationery Office.

Police Act (Northern Ireland) 1970 (1970). Parliament: House of Commons. Chapter 9. London: The Stationery Office.

Police Ombudsman for Northern Ireland. (2013). 'Statutory Report'. July 2013. [Online] [Accessed on: 18/05/2022] [Accessed by: <https://www.policeombudsman.org/PONI/files/48/488d083a-20e3-454d-8733-2eb8286978e4.pdf>]

Police Ombudsman of Northern Ireland. (2022). 'Statutory Report'. Historical Investigations Directorate: Belfast.

Police Ombudsman of Northern Ireland. (N.d). 'History of the Office'. [Online] [Accessed on: 24/05/2022] [Accessed by: <https://www.policeombudsman.org/About-Us/History-of-the-Office#:~:text=When%20the%20Office%20of%20the,investigated%20by%20other%20police%20officers.>]

Polkinghorne, D. E. (1989). '*Phenomenological research methods.*' In R. S. Valle & S. Halling (Eds.), '*Existential-phenomenological perspectives in psychology: Exploring the breadth of human experience*'. Plenum Press: New York.

Pollak, J. Kubrin, C, E. (2007) 'Crime in the News: How Crimes, Offenders and Victims are Portrayed in the Media'. *Journal of Criminal Justice and Popular Culture*. Vol. 14, No. 1.

Pomerleau, W, P. (2013). 'Western Theories of Justice'. *Internet Encyclopedia of Philosophy*. [Online] [Accessed on: 07/03/2022] [Accessed by: <https://iep.utm.edu/justwest/>]

Poole, G. Callan, S. Wales, B. Parsley, I. (2010). '*Breakthrough Northern Ireland*'. The Centre for Social Justice. CAIN: University of Ulster.

Protection of the Person and Property Act (Northern Ireland) 1969. (1969). Chapter 29. Parliament: House of Commons. London: The Stationery Office.

PSNI. (2016). 'PSNI Clarify Position in Relation to Legacy Investigations'. 08 December 2016. [Online] [Accessed on: 01/04/2022] [Accessed by: <https://www.psni.police.uk/news/Latest-News/08122016-psni-clarify-position-in-relation-to-legacy-investigations/>]

PSNI. (n.d). 'Support to those bereaved'. Police Service of Northern Ireland. [Online] [Accessed on: 25/05/2022] [Accessed by: https://www.psni.police.uk/advice_information/victim-support/support-to-those-bereaved/]

Queens University Belfast. (2018). '*The Impact of the Troubles/Conflict in and around Northern Ireland on Seriously Injured Victims*'. Human Rights Centre. School of Law. October 2018.

Radford, K. Templer, S. (2008). '*Hearing the Voices: Sharing Perspectives in the Victim/Survivor Sector*'. Community Relations Council. Belfast.

Rainer, F. (2020). 'Sex-Denoting Patterns of Word Formation in the Romance Languages'. *Linguistics*. [Online] [Accessed on: 28/03/2023] [Accessed by: <https://oxfordre.com/linguistics/display/10.1093/acrefore/9780199384655.001.0001/acrefore-9780199384655-e-734>]

Rawls, J. (1971). '*A Theory of Justice*'. Belknap Press.

Reiner, R., Livingstone, S. Allen, J. (2000) 'Casino culture: media and crime in a winner loser society'. In. K. Stenson. D. Cowell (eds), '*Crime, Risk and Justice*'. Cullumpton: Willan.

Reuters. (2014). 'Northern Ireland police arrest Gerry Adams over 1972 murder'. 30th April 2014.

Rheingold, A.A., Zinzow, H., Hawkins, A., Saunders, B.E., & Kilpatrick, D.G. (2012). 'Prevalence and mental health outcomes of homicide survivors in a representative US sample of adolescents: Data from the 2005 National Survey of Adolescents'. *Journal of Child Psychology and Psychiatry*, Vol. 53 No. 6.

Rolston, B. (2007) 'Facing reality: The media, the past and conflict transformation in Northern Ireland.' *Crime, Media, Culture*. Vol. 3. No. 3.

Roulston, K. (2001). 'Data analysis and 'theorizing as ideology''. *Qualitative Research*. Vol. 1. No. 3

Rowe, D. (2011), 'Obituary for the newspaper? Tracking the tabloid'. *Journalism*. Vol. 12, No. 4.

Rowland, N. McVicar, D. Shuttleworth, I. (2018). '*The Evolution of Catholic-Protestant Labour Market Inequality in Northern Ireland, 1983-2014*'. IZA Institute of Labor Economics

Royal Ulster Constabulary (N.d). 'Memorial: Chronological Record of the Deceased.' [Online] [Accessed on: 01/02/2022] [Accessed by: http://royalulsterconstabulary.org/deceased_c.htm]

RUCGC PSNI Benevolent Fund. (2020) 'Eligibility.' [Online] [Accessed on: 31/01/2022] [Accessed by: <https://policebenevolentfund.com/>]

Salkind, N. J. (2012). 'Encyclopedia of Research Design'. Volunteer Bias. SAGE Research Methods. [Online] [Accessed on: 17/08/2021] [Accessed by: <https://methods.sagepub.com/reference/encyc-of-research-design/n492.xml>]

Sawer, P. (2016). 'Victims' anger at £1.6m payouts for IRA kidnap gang'. *The Telegraph*. 30 January 2016.

Schlesinger, P. Tumber, H. (1994) 'Reporting Crime: The Media Politics of Criminal Justice.' Oxford: Clarendon Press.

Schweppe, J. (2012). 'Defining Characteristics and Politicising Victims: A Legal Perspective'. *Journal of Hate Studies. Hate and Political Discourse*, Vol. 10.

Sellin, J, T. Wolfgang, M. (1964) 'The Measurement of Delinquency'. New York, NY. John Wiley and Sons.

Seoighe, R. (2016). 'Discourses of Victimization in Sri Lanka's Civil War: Collective Memory, Legitimacy and Agency' *Social & Legal Studies*. Vol. 25, No. 3. SAGE Journals.

Shivayogi, P. (2013). 'Vulnerable population and methods for their safeguard'. *Perspectives in Clinical Research*. Vol. 4, No. 1.

Skjaelbaek, I. (2006). 'Victim and survivor: Narrated social identities of women who experience rape during the war in Bosnia-Herzegovina.' *Feminism & Psychology*. Vol. 16.

Smith, M. L. R. (1995). 'Fighting For Ireland? The Military Strategy of the Irish Republican Movement'. London: Routledge.

Smolej, M. (2010). 'Constructing ideal victims? Violence narratives in Finnish crime-appeal programming'. *Crime, Media, Culture*. Vol. 6, No. 1.

Smyth, L. (2018). 'Addiction to prescription drugs in Northern Ireland 'at epidemic levels'. *Belfast Telegraph*. 19th March 2018. [Online] [Accessed on: 08/02/2022] [Accessed by:

<https://www.belfasttelegraph.co.uk/news/health/addiction-to-prescription-drugs-in-northern-ireland-at-epidemic-levels-36718064.html>]

Smyth, M. (2000). *'Remembering in Northern Ireland: Victims, Perpetrators and Hierarchies of Pain and Responsibility'*. CAIN. University of Ulster.

Starks, H. Trinidad, S. B. (2007). 'Choose your method: A comparison of phenomenology, discourse analysis, and grounded theory.' *Qualitative Health Research*. Vol. 17.

Sunshine, J. Tyler, T. R. (2003). 'The role of procedural justice and legitimacy in shaping public support for policing.' *Law & Society Review*, No. 37.

Thatcher, M. (1981). 'Speech in Belfast'. 5th March 1981. *Margaret Thatcher Foundation*. [Online] [Accessed on: 02/03/2023] [Accessed by: <https://www.margaretthatcher.org/document/104589>]

The Belfast Agreement: An Agreement Reached at the Multi-Party Talks on Northern Ireland. (1998). The Stationery Office: London.

The Criminal Damage (Compensation) (Northern Ireland) Order (Northern Ireland) 1990 (1990). Parliament: House of Commons. Bill no. 25. London: The Stationery Office.

The Criminal Injuries Compensation (Northern Ireland) Order 2002 (2002). Parliament: House of Commons. Bill no. 796. (N.I. 1). London: The Stationery Office.

The Criminal Injuries to Persons (Compensation) Regulations (Northern Ireland) 1969 (1969). Parliament: House of Commons. Bill no. 17. London: The Stationery Office.

The Criminal Injuries to Property (Compensation) Regulations (Northern Ireland) 1973 (1973). Parliament: House of Commons. Bill no. 185. London: The Stationery Office.

The Fund for Peace. (2017). 'Fragile State Index'. [Online] [Accessed on: 02/10/2018] [Accessed by: <http://fundforpeace.org/fsi/>]

The Irish Times. (2000). 'North's higher compensation for police widows still behind payments in South'. Friday 10th November. [Online] [Accessed on: 01/02/2022] [Accessed by: <https://www.irishtimes.com/news/north-s-higher-compensation-for-police-widows-still-behind-payments-in-south-1.1114871>]

The Irish Times. (2017). 'Michelle O'Neill defends IRA commemoration attendance'. 19th February 2017.

The Mental Health (Northern Ireland) Order 1986 (1986). Parliament: House of Commons. Bill no. 595. (N.I. 4). London: The Stationery Office.

The Mental Health Foundation. (2006). '*Cheers? Understanding the relationship between alcohol and mental health.*' The Mental Health Foundation: London.

The Police service of Northern Ireland and Police service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2017 (2017) Parliament: House of Commons. Bill No. 36. London: The Stationery Office.

The Royal Ulster Constabulary Pensions Order (Northern Ireland) 1949 (1949). Parliament: House of Commons. Bill no. 211. London: The Stationery Office.

The Royal Ulster Constabulary Pensions Regulations (Northern Ireland) 1988 (1988). Parliament: House of Commons. Bill No. 374. London: The Stationery Office.

The Victims' Payments Regulations 2020 (2020). Parliament: House of Commons. Bill no. 103. London: The Stationery Office.

Timmer, D. Norman, W. (1984). 'The Ideology of Victim Precipitation'. *Criminal Justice Review*. Vol. 9. No. 2.

Tyler, T, R. (1987). 'Procedural Justice Research'. *Social Justice Research*. Vol. 1, No. 1.

Tyler, T, R. (1990). '*Why People Obey the Law*'. New Haven: Yale University Press.

Tyler, T. R. (2007). 'Procedural Justice and the Courts'. *Court Review*. Vol. 44, No. 1, 2.

United Nations. (2022). 'Rights experts urge UK to redraft controversial Northern Ireland bill'. *UN News*. Human Rights. 15 December 2022.

United Nations. (2022). 'UK: Flawed Northern Ireland 'Troubles' Bill flagrantly contravenes rights obligations, say UN experts'. *Press Releases*. 15 December 2022.

University of Ulster. (n.d.) 'An Exploration of Media Reporting of Victims of Murder and Manslaughter in Northern Ireland'. *A Research Report for SAMM NI*.

Urbanska, K. Pehrson, S. Turner, R. N. (2019). 'Authority Fairness for All? Intergroup Status and Expectations of Procedural Justice and Resource Distribution'. *Journal of Social and Political Psychology*, Vol. 7, No. 2.

Van Dijk, J. (2009). 'Free the Victim: A Critique of the Western Conception of Victimhood'. *International Review of Victimology*, Vol. 16.

Vandermaas-Peeler, A. Subotic, J. Barnett, M. (2022). 'Constructing victims: Suffering and status in modern world order'. *Review of International Studies*. Cambridge University Press.

Victim Support. (n.d.) '*Dealing with the media*'. [Online] [Accessed on: 20/06/2022] [Accessed by: <https://www.victimsupport.org.uk/help-and-support/coping-crime/dealing-with-the-media/>]

Von Hentig, H. (1948). '*The Criminal and His Victim: Studies in the Sociobiology of Crime*'. New Haven: Yale University Press.

Wemmers, J. (2013). 'Victims' experiences in the criminal justice system and their recovery from crime'. *International Review of Victimology*. Vol. 19, No. 3.

White, S. (2018). 'Policing Reforms in the Aftermath of Conflict: Justice and Security Sector Reform Lessons From Northern Ireland for Peacebuilding and Countering Violent Extremism - A Practitioner's Perspective'. *Global Center on Cooperative Security*.

White. R, W. (1997). 'The Irish republican army: An assessment of sectarianism'. *Terrorism and Political Violence*. Vol. 9. No. 1.

Whitehead, T. L. (1980). 'Identity, Subjectivity and Cultural Bias in Fieldwork'. *Journal of Black Studies and Research*. Vol. 7. No. 1

Wijk, A V, Leiden, I V, Ferwerda, H. (2016). 'Murder and the long-term impact on co-victims: A qualitative, longitudinal study'. *International Review of Victimology*, Vol. 23. No. 2. SAGE journals.

Williams, B. (2005) '*In the beginning was the deed: realism and moralism in political argument*', Princeton University Press, Princeton.

Wilson, G. Et. Al. (2015). '*An evaluation of mental health service provision in Northern Ireland.*' Action Mental Health. Queen's University Belfast. 5th October 2015.

Wilson, R. (1997). 'Violent Truths: The Politics of Memory in Guatemala'. *Accord*. Vol. 2.

Wolfsfeld, G. (2004). '*Media and the Path to Peace*'. New York: Cambridge University Press.

Wood, I. S. (2006) '*Crimes of Loyalty: A History of the UDA*'. Edinburgh University Press.

Yin, R. K. (2009). '*Case Study Research: Design and Methods*'. Fourth Edition. SAGE Publications: London.

Yong, B (2014) '*Who are special advisers?*' In: Yong, B. Hazell, R (eds) '*Special Advisers: Who They are, What They Do and Why They Matter*'. London: Bloomsbury.

Interview List

1. Andrews, I. (2019). Interview with J McCann. 6th November 2019.
2. Babington, M. (2019). Interview with J McCann. 18th September 2019.
3. Brecknell, A. (2020). Interview with J McCann. 27th April 2020.
4. Brown, A. (2018). Interview with J McCann. 29th October 2019.
5. Campbell, J. (2020). Interview with J McCann. 27th July 2020.
6. Coulter-Greenaway, T. (2020). Interview with J McCann. 08th April 2020.
7. Dalton, R. (2020). Interview with J McCann. 29th April 2020.
8. Duff, B. (2019). Interview with J McCann. 18th September 2019.
9. Heenan, S. (2020). Interview with J McCann. 28th January 2020.
10. INT 19 (2019). Interview with J McCann. 08th November 2019.
11. INT1. (2018). Interview with J McCann. 24th October 2018.
12. INT7 (2019). Interview with J McCann. 20th June 2019.
13. INT10. (2019). Interview with J McCann. 14th October 2019.
14. INT11. (2019). Interview with J McCann. 15th October 2019.
15. INT12 (2019). Interview with J McCann. 15th October. 2019.
16. INT13 (2019). Interview with J McCann. 18th October 2019.
17. INT16 & INT 17. (2019). Interview with J McCann. 1st November 2019.
18. INT18. (2019). Interview with J McCann. 07th November 2019.
19. INT 19 (2019). Interview with J McCann. 08th November 2019.
20. INT20 & INT21. (2020). Interview with J McCann. 28th January 2020.
21. INT29. (2020). Interview with J McCann. 13th April 2020.
22. INT5 (2019). Interview with J McCann. 22nd March 2019.
23. Johnston, L. (2019). Interview with J McCann. 28th March 2019.
24. Kelly, J. (2020). Interview with J McCann. 28th July 2020.
25. Matchett, W. (2019). Interview with J McCann. 3rd November 2019.
26. McBride, M. (2019). Interview with J McCann. 21st March 2019.
27. McCord, R. (2020). Interview with J McCann. 07th April 2020.
28. McGuinness, D. (2020). Interview with J McCann. 7th April 2020.
29. McIlvenny, C. (2020). Interview with J McCann. 15th April 2020.
30. McIlwaine, P. (2020). Interview with J McCann. 10th April 2020.
31. McManus, B. (2020). Interview with J McCann. 27th April 2020.
32. Reavey, E. (2020). Interview with J McCann. 09th April 2020.
33. Teggart, J. (2020). Interview with J McCann. 20th March 2020
34. Travers, A. (2019). Interview with J McCann. 16th October 2019.
35. Woods, E. (2019). Interview with J McCann. 20th March 2019.

Appendix 1 – Ethical Approval from the University of St Andrews



University Teaching and Research Ethics Committee

30 May 2018

Dear Jamie McCann

Thank you for submitting your ethical application which was considered at the IR School Ethics Committee. The following documents were reviewed:

1. Ethical Application Form
2. Sensitive Research Form
3. Participant Information Sheet
4. Debriefing Form

The IR School Ethics Committee has been delegated to act on behalf of the University Teaching and Research Ethics Committee (UTREC) and has granted this application ethical approval. The particulars relating to the approved project are as follows -

Approval Code:	IR13561	Approved on:	30.05.18	Approval Expiry:	30.05.23
Project Title:	'New Voices, Old Pain: A Qualitative Investigation into Victim Support Biases in the Northern Ireland Conflict'				
Researcher(s):	Jamie McCann				
Supervisor(s):	Dr Diego Muro				

Approval is awarded for five years. Projects which have not commenced within two years of approval must be re-submitted for review by your School Ethics Committee. If you are unable to complete your research within the five-year approval period, you are required to write to your School Ethics Committee Convener to request a discretionary extension of no greater than 6 months or to re-apply if directed to do so, and you should inform your School Ethics Committee when your project reaches completion.

If you make any changes to the project outlined in your approved ethical application form, you should inform your supervisor and seek advice on the ethical implications of those changes from the School Ethics Convener who may advise you to complete and submit an ethical amendment form for review.

Any adverse incident which occurs during the course of conducting your research must be reported immediately to the School Ethics Committee who will advise you on the appropriate action to be taken.

Approval is given on the understanding that you conduct your research as outlined in your application and in compliance with UTREC Guidelines and Policies (<http://www.st-andrews.ac.uk/utrec/guidelinespolicies/>). You are also advised to ensure that you procure and handle your research data within the provisions of the Data Provision Act 1998 and in accordance with any conditions of funding incumbent upon you.

Yours sincerely

Dr Kristen Harkness, Convener of the School Ethics Committee

cc Dr Diego Muro

School of IR Ethics Committee
irethics@st-andrews.ac.uk

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Appendix 2 – Ethical Approval Amendment

School of International Relations Ethics Committee

21 April 2020

Dear Jamie McCann

Thank you for submitting your ethical amendment application.

The School of International Relations Ethics Committee has approved this ethical amendment application:

Original Approval Code:	IR13561	Original Approval Date:	30.05.2018
Amendment Approval Date:	21.4.2020	Approval Expiry Date:	30.05.2023
Project Title:	New Voices, Old Pain: A Qualitative Investigation into Victim Support Biases during the Northern Ireland Troubles		
Researcher(s):	Jamie McCann	Supervisor/PI:	Dr Kieran McConaghy
School/Unit:	International Relations		

This approval does not extend the originally granted approval period. If you require an extension to the approval period, you can write to your School Ethics Committee who may grant a discretionary extension of no greater than 6 months. For longer extensions, or for any further changes, you must submit an additional ethical amendment application. For all extensions, you should inform the School Ethics Committee when your study is complete.

You must report any serious adverse events, or significant changes not covered by this approval, related to this study immediately to the School Ethics Committee.

Approval is given on the following conditions:

- that you conduct your research in line with:
 - the details provided in your ethical amendment application (and the original ethical application where still relevant)
 - the University's [Principles of Good Research Conduct](#)
 - the conditions of any funding associated with your work
- that you obtain all applicable additional documents (see the ['additional documents' webpage](#) for guidance) before research commences.

You should retain this approval letter with your study paperwork.

Yours sincerely,

Gillian Brunton

SEC Administrator

cc. Dr Kieran McConaghy

School of International Relations Ethics Committee
Dr Diego Muro, School of IR, Room 238, Arts Faculty Building
Telephone: 01334 462988 : Email: diego.muro@st-andrews.ac.uk
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