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Questions for the DUP on devolution of policing & justice - Jim Allister MEP



Press release by Jim Allister MEP

POLICING & JUSTICE

Particularly since the Dromore by-election, the DUP has been anxious to say they will not agree to the devolution of policing & justice by May. Among the reasons cited are the continuing existence of the IRA's Army Council, the Quinn murder etc.

This stance gives rise to obvious questions to which the DUP has no answers:

1. If it is wrong to be in government with IRA/Sinn Fein over policing & justice - and it is - how can it be right to have them as partners in the present Chuckle Coalition? How can Martin McGuinness, with his Army Council affiliation, be suitable as joint First Minister but unsuitable to exercise policing and justice powers? The clear answer is that he and his party are unfit to hold either or any government office.
2. Again, how is it alright to have a military wing now, but not after policing & justice is devolved?
3. How do these problems still exist if, as the DUP tell us, Sinn Fein has genuinely signed up to support the police and the rule of law. By acknowledging Sinn Fein as unfit to exercise policing & justice powers the DUP is admitting that their supposed pledge of office is a sham and a deceit.
4. Since in the March 2007 election the DUP pledged that the IRA's military structures all had to go before they would even consider government with Sinn Fein, why should anyone believe them now when they re-invent the continuing existence of the primary military structure, the Army Council, as something they will stand firm on this time? Only the electoral pressures of Dromore is stopping them accepting devolution of policing & justice.

The DUP continues to be completely silent on the main strategic reason why policing & justice should not be devolved, namely that it would give McGuinness direct input into the appointment of the Lord Chief Justice, the Lord Justices of Appeal, the Attorney General and the removal of Judges. Considering the judges murdered by the IRA, including Lord Justice Gibson and his wife, what an insult that this IRA criminal should have any say in the appointment of Judges. Yet, the DUP has made no effort to remove these powers from OFMDFM, in the event of policing & justice being devolved.



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In consequence of its dysfunctional nature and inability to agree, OFMDFM has appointed not a single powerful Victims Commissioner, but a panel of four, including the sister of an IRA terrorist.

Insulting as the inclusion of Ms McBride is, the even more systemic failure is the definition of “victim” which will govern the Commission's every move. Under the Victims & Survivors (NI) Order 2006, passed under Direct Rule but amendable by the Assembly, a “victim” is defined as anyone affected by “a conflict-related incident”. Thus the innocent family of the murdered policeman is bracketed with the family of the wicked terrorist who met his just deserts when out on a mission to murder, such as at Loughgall. Or, the IRA bomber who died planting the bomb in the chip shop on the Shankill Road is treated equally with those whom he killed and made victims. This is nauseating and wrong and a gross insult to innocent victims.

Yet, this definition will not change. Why, because the form of devolution to which the DUP agreed delivers a veto to Sinn Fein on such change. The DUP boast they control Stormont. Well, then let's seem them amend this perverse definition of victim. Oh yes, DUP MLAs will make statements of protest and declare themselves on the side of the innocent victims, but they will lamentably fail to make the change to the law which is essential to giving victims proper esteem and recognition. That will be the litmus test of who really controls Stormont.

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