

Dear Doctor Haass

As someone who has lost a loved one as a result of conflict in the north of Ireland I would like you to give consideration to this submission on behalf of my family to the Haass Panel on dealing with the past.

My brother, Kevin Barry O'Donnell was killed along with Peter Clancy, Sean O'Farrell and Patrick Vincent in a pre-planned military operation by the Special Air Service (SAS) of the British army. The incident took place on the 16th February 1992 at St Patrick's Church, Clonoe in Co Tyrone.

Our family have still not had a proper investigation into the death of our brother and his friends killed in this incident by the state. The inquest into my brother's death has still not been heard. There was never any proper investigation carried out by the RUC as to the circumstances that lead to the SAS killing my brother. Indeed the military operation by the SAS also involved the RUC. Therefore any investigation by the RUC could not have been effective or independent.

In October 2011, a civil action was brought against the British Ministry of Defence (MoD) by Aidan McKeever who was one of those shot and injured in the attack. Mr Justice Treacy sitting in the High Court in Belfast found that the actions by an uncover British army unit in 1992 were "unjustified".

In February 2012 the families of those killed at Clonoe commissioned **Relatives for Justice** to compile a report into the killings of their loved ones. This report **Ambush Assassination and Impunity** was published on the 20th anniversary of the killings in the hope that it would assist the families' struggle for justice. The report outlines the current legal position of the families and the legal failings that have led to that position. It also gives recommendations as to how that can be remedied. I have attached a copy of the report for your attention.

Dealing with the past to date has been a failed and traumatic process for our family. We have never been afforded a proper effective investigation by the RUC into the death of our brother. The Historical Enquiries Team (HET), which comes under the responsibility of the PSNI, has also failed to carry out an independent investigation into our brother's killing. After twenty one years my family still has no closure, we feel in limbo, that we cannot fully deal with the death of Kevin Barry and begin to look forward to a future. We hope that through the Haass Panel talks that you will come to the conclusion that we need a new mechanism to deal with the past that is totally independent from both the PSNI and the British state.

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Roisin Ui Mhuiri

