



The aftermath of the fatal bomb attack on the Mulberry Bush pub in Birmingham

Still waiting for justice after 50 years

It is now 50 years since the IRA exploded two bombs in pubs in Birmingham.

These bombs killed 21 people in Birmingham. Hundreds were injured.

These bombs were the culmination of a sustained IRA terrorist campaign in England.

No one has been convicted for these acts of murder in Birmingham.

This failure to secure convictions is an indictment of the British criminal justice system.

It is a failure of respect owed to the memory of the dead and their grieving relatives.

The systems that should be in place in a democracy based on the Rule of Law and governance based on transparency and accountability have failed in this instance of mass murder.

Those systems exist to facilitate justice, truth and accountability to the relatives of those who were murdered. They catastrophically failed them in 1974 and continue to do so.

The relatives of the dead have been treated with contempt by those charged with the governance and operation of those systems.

Any apology offered would be hollow and without understanding and justly rejected by the those bereaved by violence and betrayed by failure.

The great lie was that for the relatives of the victims of the pub bombings, ignored at the time of the murders save for the terrifying task of identifying the shattered remains of their loved ones, the miscarriage



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of justice that lead to the wrongful conviction and imprisonment of the Birmingham Six had meant an apparent recognition that justice had been done.

That certainty was shattered when those convictions were ruled unsafe and unsatisfactory. The wronged prisoners were justly released. The corrupted system had corrected itself, the wrong had been set right and reform was enacted to ensure the errors that resulted in the unjust deprivation of liberty and coerced confession could not be repeated.

There remained those other prisoners of the injustice: the relatives of the victims of mass murder. The failed systems did not seek to rectify their loss of freedom in terms of the absent lives of their loved ones by pursuing truth, justice and accountability.

Betrayed once by corruption, they were betrayed again by neglect and collusion.

It was not until over 35 years later that the relatives of victims of the

bombings in Birmingham, of their own volition, confronted the systems that failed and fails them.

These efforts have been thwarted and contested since inter alia.

A resumed inquest into the Birmingham Pub Bombings 1974 was restricted in scope and excluded the question of perpetrators; legal aid was only granted to the relatives following political intervention to amend the regulations.

Freedom of Information requests for government held material have been contested by the Northern Ireland Office and the Information Commissioner Office.

The West Midlands Police (WMP) purported to have been conducting 'live' investigations with minimal results and minimal engagement with the relatives. A file in 2023 sent by WMP to the CPS contained insufficient evidence to bring prosecutions.

An application for a Production Order for material in possession of Chris Mullin relevant to the truth-recovery was dismissed in 2022.

The senior management at WMP commands no confidence of the relatives of the victims of the bombings.

The WMP, and other agencies of the criminal system and public institutions, including the Home Office, have not been held to account for their respective continued failures of investigation and governance.

"It was 50 years ago. It is time they moved on. What do they want? What can be achieved by all this? Soon they will be dead and they -

and their loved ones - will be forgotten. It is just bad history. Forget it. It did not happen on our watch."

These are predictable questions and responses from those who inherit the responsibility for public failure and disgrace and neglect.

The same may have been heard by the relatives of the victims of the Hillsborough Disaster.

Now the call being made to politicians by the relatives of the victims of the Birmingham Pub Bombings 1974 is for a statutory public inquiry to be established pursuant to the Inquiries Act 2005.

Inquiries are not a panacea for the ills of civil society and the systemic administrative failures of the relevant authorities within that society. For example, the failures of institutions and mechanisms of criminal justice and policing and the adherent political processes of accountability can be rectified by the utterances of an independent judge.

Section 1 of the 2005 Act is simple enough: that "there is public concern that particular events may have occurred". A politician can establish a public inquiry if that criterion is met.

There was mass murder, there was a systemic failure of public institutions to investigate and prosecute - to discharge statutory duties - and there are continued demands by relatives for truth, justice and accountability across the generations to answer those concerns on behalf of those who cannot speak for themselves, the victims.

There is a request pending within the Home Office for the new Home Secretary to establish a public statutory inquiry into all the surrounding circumstances of the Birmingham Pub Bombings 1974.

That decision must be made before the toil of time continues to erode memory and evidence. There is no statute of limitations on murder - or the exposure of systematic institutional failure.

An inquiry must be independent, it must be judge-led, it must be open and transparent and engage the effective participation of the relatives of the victims in accordance with human rights standards of investigation.

An inquiry need not be expensive or of length if properly conducted and administered.

Its effectiveness is measured in the truth-recovery process undertaken and the confidence secured by the participants and the public in that a common good is being served to calibrate the system to restore faith in the Rule of Law and to deliver truth, justice and accountability to the relatives of the victims of the Birmingham Pub Bombings 1974.

■ Chris Mullin, a journalist and former MP, played a vital role in freeing the wrongly-convicted Birmingham Six after obtaining information from IRA sources.

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