



# OPERATION KENOVA

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Rt Hon Hilary Benn  
Secretary of State for Northern Ireland

Sir Iain Livingstone QPM  
Head of Operation Kenova  
PO Box 8000  
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*Dear Secretary of State,*

## Operation Kenova Interim Report Recommendations

Operation Kenova is currently concluding its work. I am grateful for the support to date from your office and from you personally.

You will recall that the Kenova Interim Report<sup>1</sup> made 10 recommendations to improve how legacy cases emanating from the Northern Ireland Troubles are dealt with and ensure victims and families are better supported. We are now preparing the Operation Kenova final report in which we intend to update on progress in implementing these recommendations. In relation to the recommendations that concern His Majesty's Government (HMG) I have consulted regularly with colleagues from the Cabinet Office. I thought it would be helpful to set out Operation Kenova's understanding of the current situation regarding the recommendations.

Recommendations 1 and 2 concern the setting up of an independent framework for investigating legacy cases, and a legal obligation on public authorities to cooperate with and disclose information and records to those operating under this framework. These appear to have been dealt with by the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 and the setting up of the Independent Commission for Reconciliation and Information Recovery.

Recommendations 3, 4 and 8 concern procedural time limits for the handling of legacy cases and the resourcing and operating practices of the Public Prosecution Service Northern Ireland. I have been in contact with the Ministry of Justice NI and the Director of Public Prosecutions NI regarding these recommendations.

Recommendation 5: *'The longest day, 21<sup>st</sup> June, should be designated as a day when we remember those lost, injured or harmed as a result of the Troubles'*. I know such a proposal has been discussed for many years and has previously attracted a range of views. I would be grateful to understand the current position of HMG on this recommendation.

Recommendation 6: *'Review, codify and define the proper limits of the NCND policy as it relates to the identification of agents and its application in the context of Northern Ireland legacy cases predating the GFA'*. I have written to you separately regarding permission to confirm the true identity of the agent known as Stakeknife. In that letter, I have set out my reasons why I believe the blanket application of NCND in legacy cases has the potential to undermine public confidence

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<sup>1</sup> [Operation Kenova Interim Report 2024 \(psni.police.uk\)](https://psni.police.uk)

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and add to the grief of families of victims in certain cases. I understand from Cabinet Office colleagues that a review of NCND is under consideration. An update on progress of this work and HMG's current view would be very helpful.

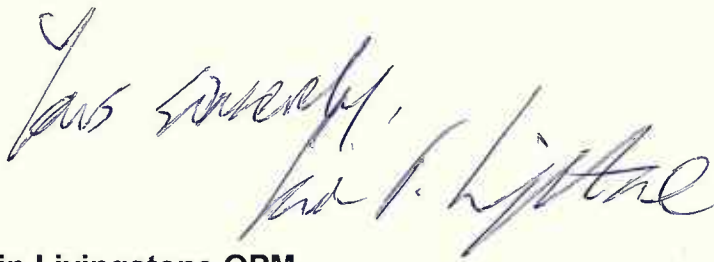
Recommendation 7: *'Review the security classification of previous Northern Ireland legacy reports in order that their contents and (at the very least) their principal conclusions and recommendations can be declassified and made public'*. The Cabinet Office has previously explained that this recommendation would potentially be lengthy and resource intensive with many stakeholders engaged. Consideration has been given to understanding if there is a mechanism in place already that would allow greater declassification where appropriate. An update on HMG's position and role would be helpful in preparation for the Kenova final report.

Recommendation 9: *'The United Kingdom government should acknowledge and apologise to bereaved families and surviving victims affected by cases where an individual was harmed or murdered because they were accused or suspected of being an agent and where this was preventable or where the perpetrators could and should have been subjected to criminal justice and were not'*. I understand from Cabinet Office colleagues that, given there are number of civil cases that are outstanding, it is not considered appropriate to make an apology at this time. I would, however, be grateful to receive confirmation of HMG's position regarding this recommendation.

Recommendation 10: *'The republican leadership should issue a full apology for PIRA's abduction, torture and murder of those it accused or suspected of being agents during the Troubles and acknowledge the loss and unacceptable intimidation bereaved families and surviving victims have suffered'*. Michelle O'Neill said she was sorry for all lives lost during the Troubles on being appointed First Minister. This was generally welcomed, but whether it met the apology required by this recommendation is primarily something for victims and families to consider.

The Operation Kenova final report will provide an update on the recommendations made in the Interim Report, including the position of HMG on the relevant issues. I am planning to complete the final report in the early part of 2025. It will be subject to the security checking process and then submitted to the PSNI for subsequent publication.

I look forward to hearing from you in regard to the above and would be available to meet should you wish to discuss any matter further.

A handwritten signature in blue ink, appearing to read 'Iain Livingstone', written over a printed name.

**Sir Iain Livingstone QPM**  
**Head of Operation Kenova**