

# Chinook Justice Campaign

## **Campaign Group Statement – The Chinook Justice Campaign**

**Submitted by:** *The Chinook Justice Campaign*

**Bill:** *Public Office (Accountability) Bill*

**Stage:** House of Commons – **Committee Stage Written Evidence**

### **1. Introduction**

We, the families of 25 of the 29 people killed in the RAF Chinook ZD576 helicopter crash on the Mull of Kintyre on 2 June 1994, submit this evidence to the House of Commons Committee to illustrate why the Public Office (Accountability) Bill is urgently needed. Our loved ones included pilots, crew, senior intelligence officers, military personnel, RUC officers, and civilian experts. Their deaths constituted the deadliest peacetime loss of life in the RAF's history.

For over 30 years we have not only endured profound grief, but also a sustained pattern of institutional obstruction, secrecy, and the withholding of vital information by the Ministry of Defence (MoD). Our experience demonstrates the devastating human cost of a system that lacks statutory duties of candour, transparency, and accountability.

This Bill, if strengthened and properly enforced, has the potential to prevent other bereaved families from facing the suffering we have endured. The Chinook Justice Campaign has read the Hillsborough Law Now briefing and fully support all amendments stated.

### **2. Purpose of Our Submission**

Our evidence is provided to assist the Committee in scrutinising the provisions of the Public Office (Accountability) Bill, with particular attention to:

- **the need for a statutory duty of candour across all public authorities including intelligence services with real consequences;**
- **the need for statutory independent oversight;**
- **personal responsibility for senior leaders;**
- **strong whistle blowing protections;**
- **parity of legal funding for families; and**

- **quick commencement of the Act**

Our experience with the MoD illustrates precisely why this legislation is required—and why it must contain enforceable obligations, not voluntary or discretionary measures and why all public bodies including the Intelligence Services and MoD must be subject to it.

### **3. Relevance of the Chinook Mull of Kintyre Case to This Bill**

The Chinook crash is a striking example of what happens when a public body is able to avoid transparency; they don't release critical documents to investigations, they blame the dead, they mark their own homework, they gaslight the families. Critical documents relating to the crash have been sealed by the MoD for **100 years**—far beyond ordinary practice, far beyond any justification grounded in national security and far beyond the lifetime of even the children of those whose lives were lost.

Furthermore:

- Known technical concerns relating to the aircraft's FADEC system were not disclosed to families.
- Test pilots had refused to fly the aircraft, and it had been grounded at Boscombe Down—but this information was neither shared nor transparently investigated.
- Initial inquiries failed to consider the airworthiness of the aircraft, and the MoD blamed two dead pilots with gross negligence, their families having to endure a 16-year fight to clear their names, the MoD now maintains a narrative that it was a "tragic accident" despite evidence to the contrary.
- Families were excluded from subsequent investigations and kept uninformed for decades.
- After 18 months of asking for a meeting with the MoD, we have only just been granted one. Families should not have to beg the department which is responsible for the cover up for an inquiry.

These failings could only occur because **no duty of candour exists**, and because no statutory mechanism compelled the MoD to disclose information to families or to Parliament. Crucial witnesses were ordered not to get involved in the investigations. Families are only able to pursue the truth because of *pro bono* support, without this, justice would be completely out of reach.

The Chinook crash bears remarkable similarities to the Hillsborough disaster:

**Premature or Unjustified Blame on the Deceased-** In both cases, authorities **quickly and incorrectly blamed victims**, which delayed recognition of institutional failings.

- RAF pilots were **posthumously blamed with gross negligence** despite insufficient evidence. Their families fought for 16 years to clear their names.
- Later reviews—including the House of Lords Select Committee—concluded that **the standard of proof for pilot negligence had not been met**.

**Institutional Self-Protection-** Both cases involved institutions prioritising **reputational protection** over transparent scrutiny.

- The RAF and Ministry of Defence initially defended the decision to blame the pilots.

- Concerns raised about airworthiness of the Chinook were ignored.

**Suppression of Evidence-** In both events, important evidence was **minimised, altered, or not disclosed**, contributing to flawed conclusions.

- Evidence of possible **technical issues** (engine control system anomalies, incomplete airworthiness certification) was withheld from inquiries by the MoD.
- Key factual uncertainties were not properly acknowledged or investigated.

**Long-Term Campaigns for Justice-** In both cases, **relentless efforts by families and advocates** were required to overturn initial official positions.

Families and aviation experts campaigned for years before official findings were revisited and the pilots were formally exonerated (2011).

Families continue to fight for an independent judge led public inquiry to look at why their loved ones were allowed to fly on an aircraft which even the most experienced test pilots were prohibited from flying.

**Failures in Accountability Mechanisms-** The oversight and investigation systems **failed to provide fair, reliable judgments**.

- The Board of Inquiry process was criticised for:
  - lack of independence
  - insufficient evidential standards
  - undue certainty despite ambiguous data

#### **4. The Need for Statutory Independent Oversight**

The Committee should be aware that:

- The MoD's decision to seal documents for a century has deprived multiple generations of families of truth and closure.
- This practice appears intended to protect the institution from scrutiny rather than protect national interests.
- Senior political leaders—including those directly responsible at the time- former Defence Secretaries—have stated publicly that even they were misled or not given the full facts.

Without safeguards and independent statutory oversight the culture of institutional self-protection will continue.

#### **5. Independent Oversight and Families' Rights**

Our experience demonstrates the need for statutory oversight mechanisms that do not rely on the honesty of the institution under scrutiny. We urge the Committee to strengthen the Bill so that families:

- have **a statutory right to information** relating to the deaths of loved ones;
- receive **timely and proactive updates**;

- have access to **independent legal representation** funded through legal aid to parity with public authorities;
- are not forced to rely on **media investigations and *pro bono* legal support** to uncover the truth.

The Chinook case shows that families must not be placed in the position of **investigators**, should not have to beg the very institution responsible for a cover up to investigate it properly, nor should they need to be dragged through the courts to undertake judicial review simply to access basic evidence.

## 6. Institutional Culture and the Duty of Candour

The Committee should recognise that voluntary commitments to openness do not work. We have witnessed:

- decades of silence,
- blaming of dead pilots with exemplary service records,
- deliberate withholding of crucial technical evidence,
- misrepresentation of facts to families, Parliament, and the public,
- a refusal to acknowledge known defects, and
- a systemic disregard for the rights and dignity of bereaved families.

A **legal duty of candour**—with clear sanctions for breaches and direct responsibility for senior leaders—is essential. Without enforceability, institutions can and will revert to secrecy.

## 7. Testimonies and Human Impact

Accountability is not abstract. The absence of candour has caused real, lasting, preventable harm. It is impossible for families to move on from the loss because of the lack of information or answers from the MoD. Our loved ones are gone, and yet we cannot move on with our grief because of the lack of information and accountability. For three decades, the families have faced secrecy, denial, deceit, and dishonesty from the MoD along with shifting explanations and an absence of evidence. Psychologist Dr Pauline Boss has described this as ‘ambiguous loss’- it isn’t just emotional, it’s psychological and intellectual. Families are left frozen in their grief — and it’s the consequence of institutional opacity. Only full transparency and a judge-led inquiry can end that cruelty.

We highlight that:

- Children grew up without fathers; some never met them.
- Wives were forced to rebuild their lives immediately, often while moving home out of army accommodation, losing military communities, and enduring ongoing media exposure.
- Mental health impacts, including PTSD, anxiety, and depression, have been widespread.

- Several relatives have died without ever knowing the truth. Others are elderly and may die still waiting.
- Families are having to fight for truth over 30 years on and are still being met by institutional silence.

## **8. Our Recommendations to the Committee**

We respectfully urge the Committee to strengthen the Public Accountability Bill by ensuring that it:

### **- Mandates independent statutory oversight**

Through an Independent Public Advocate or equivalent statutory body with powers of access to documents, witnesses and authority to compel cooperation.

### **- Guarantees families' rights**

Including timely access to information, funded legal assistance, and trauma-informed engagement by public authorities.

### **- Requires accountability for past institutional failings**

Ensuring that concealment, negligence, and misrepresentation—such as those witnessed in the Chinook case—cannot recur.

In addition, we have read the Hillsborough Law Now briefing and fully support all amendments stated which are repeated below:

- Senior executives should be personally responsible for ensuring candour.
- Remove the requirement to prove “harm” for misleading the public.
- Ensure fair legal funding for families.
- Strengthen whistleblowing protections.
- Bring the Act into force on Royal Assent to avoid delays.
- Ensure that the Intelligence Services and their officers are fully subject to the duty of candour and the duty to assist, including compliance notices, with appropriate national security safeguards.
- Add “intelligence services” explicitly to the definition of public authorities in Schedule 2 to ensure consistent and transparent application.

## **9. Conclusion**

The Chinook Mull of Kintyre case exemplifies why this legislation is necessary. For more than 30 years we have faced institutional silence, misrepresentation, and the sealing of evidence crucial to understanding why our loved ones died.

We seek truth, transparency, and justice. The Committee now has the opportunity to shape a Bill that protects future families from suffering what we have endured.

**Let the memory of those lost be honoured by a legal system that mandates honesty and accountability.**

**Justice has no expiry date.**