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Collusion battle may need an OJ Simpson-style case

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McCord makes his first move in taking PSNI to court over son's murder Friday, April 06, 2007

By Chris Thornton

The battle over collusion by police and a killer agent in the UVF could be resolved by an OJ Simpson-style civil action, it emerged today.

Lawyers for campaigning dad Raymond McCord have issued a writ against Chief Constable Sir Hugh Orde - the first step in taking the PSNI to court over agent Mark Haddock and the 1997 murder of Mr McCord's son.

Mr McCord says the legal action is the "next step" in his long campaign to expose his son's killers, following January's report by Police Ombudsman Nuala O'Loan.

And he believes it will answer critics who claim there is a lack of evidence to support the report's findings of collusion in at least 10 murders.

"My legal team says the Chief Constable has a major case to answer in court," Mr McCord. "I hope a lot of other families caught up in this do the same."

Mr McCord is claiming damages for negligence and malfeasance in public office by police officers. The writ is issued to Sir Hugh as the representative of the force.

The case will centre on the work of the UVF agent known as Informant One, identified in the Dail as north Belfast loyalist Mark Haddock.

Mrs O'Loan's report found that police had intelligence linking Haddock to 10 murders, but protected him from prosecution - and continued to pay him for information.

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Members of the Retired Police Officers Association issued a rebuttal report, noting that the evidence has not led to any criminal cases.

In supporting the retired officers, DUP MP Jeffrey Donaldson said the Ombudsman's "so-called findings have no basis in evidence, logic or sound argument".

"Much of the text reproduces hearsay and what it calls 'locker room talk' or gossip," he novelists who died said.

But Mr McCord noted that his civil case will be based on a different standard of proof from any criminal actions - with the High Court ruling if the collusion allegations are true on the balance of probabilities.

In criminal cases, allegations must be proven beyond a shadow of doubt.

A civil case was used by the families of two people killed by American football star and actor OJ Simpson after the criminal case against him failed.

The civil case held Simpson responsible for the murders of his ex-wife, Nicole Brown Simpson, and Ron Goldman.

Mr McCord says: "My barrister says this case is not locker room talk.

"Policemen refused to co-operate. That's not locker room talk, that's a fact.

"Plain and simple - if the court upholds my case, Jeffrey Donaldson should be prepared to admit he was wrong.

"The O'Loan report has been accepted by the Prime Minister and the Chief Constable. What we're saying is that as a result of that, there's no argument about collusion. "I want to make it clear to the critics that I'm not going to go away until I get justice for my son."

The PSNI declined to comment on the case.

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