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pls pa Finucane

AN RÚNAÍOCHT ANGLA-ÉIREANNACH
BÉAL FEIRSTE

ANGLO-IRISH SECRETARIAT
BELFAST

SECURE FAX TRANSMISSION NO. 8896

DATE : 23 June 1999 **NO. OF PAGES (including this one):** 1

TO: Colm O'Floinn
Anglo-Irish Division

1. Mr McKee
2. Mr M. Choighligh

FROM: Val O'Donnell
Secretariat, Belfast

Copied directly to B.Callaghan , Department of Justice, Equality and Law Reform

Subj. Arrest in Pat Finucane murder case

As indicated to us by the Chief Constable at the lunch in the Secretariat on 21 June (Joint Secretary's report Sfax 2269 refers) there are reports in the media this evening that a West Belfast man has been arrested in connection with the murder of Pat Finucane in 1989. It is reported on Ceefax that the man was arrested in West Belfast yesterday morning and has been taken to Armagh for questioning under the PTA. It is reported to be the first arrest by the John Stevens investigating team since they began their enquiries in April.

We will make inquiries from the other side as soon as possible to confirm this report , and seek any further information that they may have.

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PSM; PSMS; PSSG; Messrs. Teahon, Mansergh & Dalton; Ambassadors London & Washington; Joint Secretary; Counsellors A-I

Secure Fax: 2282

24 June 1999

No of pages including this one: 2

To: HQ
For: Secretary Gallagher

From: Belfast
From: Joint Secretary

Subj: Conversation with the Chief Constable

1. A number of points of interest arose in a conversation which I had with the Chief Constable this afternoon.

Arrest in relation to Finucane murder

2. Flanagan confirmed privately that the individual arrested last night in connection with the Finucane murder, William Stobie, was indeed a paid informant of the RUC, as he alleged in court this morning.

3. Stobie, the person mentioned by Flanagan to us earlier this week, had some involvement with the weapon used for the murder. The RUC arrested him both because of this and in the hope that he would provide information on others who were involved in the killing. They tried to get corroborative evidence in relation to his own role. There is apparently another suspect/witness who could supply corroboration. Flanagan indicated, however, that the RUC sent the file to the DPP without this witness having been nailed down and left it to the DPP's judgement to decide whether charges could be brought. The DPP decided on balance - very narrowly, it seems - in favour of doing so.

3. Flanagan indicated that other arrests are likely in the near future. He was bracing himself for the furore which he expects to erupt over the news that Stobie was a RUC informer.

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Panorama programme

4. Flanagan admitted that the Panorama programme was dreadful from his point of view. He blamed his weak performance on a flu and said that he should have stayed in bed.

5. On the specific allegations, he repeated with some vehemence that he never made the comment attributed to him by Cumaraswamy. Had he done so, this would no doubt have become the immediate focus of the interview - but Cumaraswamy made no reference to it at the time.

6. As for the alleged phone call to Geneva, he has had his own phone records checked and no such call was ever made. There is, however, a reference in other billing records to a call having been made to Cumaraswamy office by an individual whom Flanagan believes to be the UK Ambassador to Geneva, Rod Lyne .

7. As regards the letter to Jane Winter which the programme showed, Flanagan admits that he acknowledged in this his receipt of a report from the BIRW. This was, however, a preliminary document (entitled Mistaken Identity) which, as he recalls, made only a very brief reference to the collusion allegations - unlike the detailed treatment which they received in the subsequent Deadly Intelligence report. He admits, however, that he has presented himself in a bad light in this respect.

8. He was generally aggrieved about the programme, which he believes was edited to reflect badly on him. He also feels that a trap was sprung on him - John Ware gave him no hint beforehand that there would be any surprises in the interview. At the same time, he recognises that this is an occupational hazard if senior police officers give media interviews and that he ultimately has "nobody to blame but myself" for the interview.

Meeting with Port

9. Flanagan is to see Port tomorrow and will suggest a meeting between ourselves and him, as discussed last Monday, at which he (Flanagan) would briefly introduce Port and then depart. He has suggested next Wednesday evening. A neutral venue will be agreed.

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25 June 1999 No of pages including this one: 2

To: HQ
For: Secretary Gallagher

From: Belfast
From: Joint Secretary

Subj: William Stobie

1. A journalist who was a guest at my farewell reception here last night mentioned a conversation which he had had earlier in the day with the Chief Constable about the Stobie case. This tallied with my own conversation about this case yesterday afternoon with the Chief Constable but fleshed out some important points of detail.

2. Stobie, a former UDR member, was a paid informer for the RUC at the time of the killing. It was revealed in court yesterday morning that, on being charged this week, he told the RUC that he had informed Special Branch on the night of the killing that someone was going to be shot that night (but that he did not know the person's identity). He himself is believed to have supplied the weapons for the killing (two were reportedly used).

3. Stobie has been interviewed by the RUC on a number of occasions in the past about his own role but allegedly the evidence against him was never sufficient to sustain a prosecution. Flanagan told my contact yesterday that, arising from Stevens' interest in Stobie as part of the current investigation, the RUC set out to obtain a crucial piece of collaborative evidence regarding Stobie's role. According to my contact, this evidence consists of a lengthy interview conducted with Stobie ten years ago by a person currently serving as an NIO official who was at that time a journalist. (My contact believes he knows the identity of this individual).

4. Flanagan indicated that, despite their best efforts, the RUC were unable to obtain this material. It seems, however, that, when this difficulty was pointed out in the RUC's report to the DPP, the latter and his staff were able to secure it, or at least a firm undertaking that it will be made available. This is the basis on which the

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DPP felt able to charge Stobie.

4. Clearly a number of very disturbing questions arise from yesterday's court revelations. There are immediate echoes of the Nelson case in the revelation that the RUC's Special Branch had a paid informer in UFF ranks who claims to have alerted his police handlers to an imminent killing and who himself played a part in the Finucane murder. It adds to the already substantial evidence that the security forces were complicit to one degree or another in that murder. It suggests that the failure by the RUC over the past decade to bring charges against Stobie - including their supposed difficulties in obtaining the corroborative evidence [note: this aspect is not in the public domain - we have learned of it in strict confidence] - may have been based on a reluctance to expose an informer. It will also reinforce significantly the arguments for a public inquiry as the only means of getting to the bottom of the collusion aspects of this case.

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