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Response

We are still waiting for justice over the Finucane murder

Just because no police or soldiers are being charged doesn't mean this case is resolved

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Lucy Claridge
Tuesday July 3, 2007
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Your article on the prosecution service's decision not to charge police or soldiers in relation to the murder of Patrick Finucane does not reflect the decision's real significance ([Report](#), June 26).

Our organisation has closely monitored this case. In 1999 we delivered a confidential report to the then Northern Ireland secretary, Mo Mowlam, giving significant details of collusion between the British security forces, the RUC and loyalist paramilitaries. The file focused on Patrick's murder but also dealt with many other victims. We told Mowlam that only a fully independent judicial public inquiry could deal with the collusion involved. Yet this request has faced repeated obstructions.

Although our report may have "triggered the Stevens III inquiry", as your article states, we had in fact never sought a third investigation by Stevens. Instead, our call for a full public inquiry was firmly denied by the government.

In 2001, the UK and Irish governments agreed that if Judge

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Peter Cory, after further investigations, recommended a public inquiry, they would establish one. In 2004, he did so. Though you report that the government "is committed to holding a public inquiry into the Finucane murder", no such inquiry has yet been instigated. In fact, the government has since introduced laws which effectively abolish the notion of full public inquiries (the Inquiries Act 2005). Any inquiry will now be subject to government control, including limiting the range of evidence to which it will have access, editing the final report, and the appointment of panel members. If an inquiry is eventually established, the government's influence will not be acceptable to Patrick's family or any objective observer.

Finucane was murdered in 1989. Yet the full extent of collusion between paramilitaries, the British army, the RUC and the security services remains hidden. Even the European court of human rights has found that British investigative mechanisms, including the prosecution service, did not meet international standards of impartiality, accountability and transparency.

It is now four years since the Stevens III inquiry found that "there had been collusion between loyalist paramilitaries and elements of the security forces". The authorities have had years to consider the evidence, and are fully aware that any delays will play into their hands. It is no surprise that the prosecution service found "problems with missing records, witnesses who have died", and difficulties in "ascertaining the role and responsibilities that individuals played in specific events". Key witnesses such as William Stobie, a UDA quartermaster and special branch agent, Brian Nelson, another UDA member and army intelligence agent, and Mowlam have all now died.

When we first met Tony Blair, with the Finucane family, we informed him that his government had not been part of the problem and could be part of the solution. He failed to take up this challenge, and the Finucane family are now seeking a meeting with Gordon Brown. The government should seize this opportunity to deliver on its commitment and put right this outstanding injustice.

- Lucy Claridge is deputy director of British Irish Rights

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