



guardian.co.uk

Dirty fighting

Former Sinn Fein spokesman Danny Morrison was found guilty in 1991 of kidnapping an IRA informer. Last year his conviction was declared unsafe and overturned - but the reason remains a state secret. So what was the murky role of the intelligence services?

Danny Morrison
The Guardian, Tuesday 13 January 2009



Danny Morrison (right) with Gerry Adams in 1982 Photograph: PA/PA Archive

It was a bitterly cold January night in 1990 in Belfast and I was on my way to meet a man who had just confessed to being a police informer. Things were relatively quiet. There had been some raiding in the north of the city but there were no army surveillance helicopters in the air and I had encountered no checkpoints on the way to the rendezvous.

At the time, I had a high profile as national director of publicity for Sinn Fein, as the former editor of the party's weekly newspaper, a spokesperson for Bobby Sands during the hunger strike, and a former member of the Northern Ireland Assembly. In 1981, I had made the so-called "Armalite and ballot box" speech, which summed up what subsequently came to be the dual strategy of the republican movement and Sinn Fein's involvement in electoral politics. I was a familiar figure to most British journalists.

The man I was on my way to meet was an IRA volunteer called Sandy Lynch who had been unearthed as an informer. But the information he had given to the police weeks earlier had led to the death not of any IRA volunteer but of an RUC officer, Ian Johnson. Two undercover police units, one of which was acting on Lynch's information that the IRA were preparing an ambush from a house, and neither aware of the other's covert presence, had opened fire on each other and killed a colleague.

Lynch told the IRA that his special branch handlers were furious, had blamed him, and were pressing him to set up for assassination two north Belfast republicans, Sean Maguire and Kevin Mulgrew, in reprisal. Here was proof that the police were operating a shoot-to-kill policy. Furthermore, Lynch told the IRA that he was prepared to appear at

a press conference and name his handlers. I had the responsibility for clearing all press conferences and wanted to make sure that Lynch was not a Walter Mitty.

With a friend, Anto Murray, who knew the address, I arranged to go to the house where Lynch was. On our way there, I noticed a car, parked across the entrance to a school, containing what looked, in the dark, like a courting couple. It was suspicious - they could have been undercover soldiers - and unnerved us.

We approached the house. The front door was open and the inner hall door unlocked. As Anto and I walked in, we could hear the roar of military jeeps racing into the cul de sac. I became very apprehensive. Anto ran to a window on the landing and shouted, "It's the fucking Brits! They're coming here!"

Instinctively, I bolted through the house to the back garden. A soldier lying in wait called upon me to halt or he'd shoot. I climbed into the next garden, tried the door and it opened. I walked into the house and told the startled family that there would be a raid but to say that I had been visiting. The family were speechless and frightened. I felt guilty and decided to leave, but before I could, the cavalry came through the door and arrested me.

Lynch had been interrogated by the IRA in an upstairs bedroom. Lynch said they left after his confession. They were replaced by local men, awaiting my arrival. When the army and RUC were heard outside, these men had ushered Lynch down the stairs and reminded him that he had done a deal, that everything would be OK, and to say they were all there just watching a football match on the TV. During the raid, Lynch simply sat watching television. When he was asked and gave his name, the police pounced on him and trailed him out of the house. I, the four men with Lynch, Anto, the married couple who owned the house and their son, a merchant seaman on leave, were all arrested.

After being interrogated by the RUC for several days, I appeared in court, charged with conspiracy to murder, kidnapping and IRA membership. I had never met Lynch, was never upstairs with him and at our trial he gave no evidence against me. He told the trial judge that he agreed to do a Sinn Fein press conference but really believed that he was to be killed. I took the witness stand before the Lord Chief Justice, Sir Brian Hutton (who later carried out the inquiry into the death of weapons expert Dr David Kelly, in relation to the war on Iraq). His hostility was palpable.

My arrest had been a big news story and was very embarrassing for Sinn Fein. Some of the charges were later dropped or amended but my comrades and I were eventually convicted and I was sentenced to eight years' imprisonment, serving five and a half.

While on remand in Belfast prison in 1990, we were approached by prisoners from the Irish National Liberation Army (INLA), the organisation to which Lynch had once belonged. They said they had suspected he was an informer - though they didn't bother telling the IRA when Lynch subsequently joined it. They claimed we were certain to walk free if we used a particular piece of information.

This information concerned one Peter Duggan, a young man from Downpatrick, about 20 miles from Belfast. He had been a restless youth who had joined the French Foreign Legion and, after his return to Downpatrick, had become friends with some INLA people. In January 1988, the INLA abducted him and accused him of being an informer. He later said: "I was interrogated on and off by various people, including the 'fat man'." Duggan's blindfold was not very effective and through a gap he could make out the man who eventually took him into a derelict house to finish him off.

"I heard a clicking noise," said Duggan later. "Very shortly afterwards, I heard three shots and fell to the ground. I looked up again and saw the 'fat man', who stood for a short while before moving away. I lay bleeding for a while before crawling out of the house."

Duggan survived the attempted murder. He says the police threatened that if he didn't give evidence against two women whose house he had been interrogated in he would be charged with associating with the INLA and "collecting information for terrorists". He drew a photofit picture for the police of the "fat man" but they showed no interest. Duggan gave evidence against the women, who were convicted. He was forced to flee Ireland. The police gave him a passport in a new name, an undisclosed amount of money and put him on a plane for France, although he complained that his resettlement money was inadequate.

In jail, the INLA told us that it was Lynch who shot Duggan. Given that Lynch must have already been a police informer for seven years, this implicated the special branch in kidnapping and covering up an attempted murder. At our trial, Lynch denied having shot Duggan.

Lawyers for my co-accused - the men who had been upstairs in the house with Lynch - argued that Lynch had entered into a deal with the IRA to do a press conference and the proof of that was the fact that when the police raided he did not suddenly declare himself to be a kidnapped victim. When a lawyer asked Lynch why he didn't embrace the raiding party as his saviours he said, "Ehhh, I don't know." But in his summing-up, Lord Hutton proffered an explanation that neither Lynch nor the DPP had even suggested. He said that perhaps Lynch thought he could not approach the RUC because he had just informed on his handlers to the IRA.

When we were sentenced, the Sunday Times claimed that Lynch got £100,000 for putting me away. His photograph was shown alongside mine on the television news. Duggan, now back in England, immediately recognised Lynch as the "fat man" and contacted the RUC. Senior police officers flew to England and Duggan accused the RUC of protecting Lynch because he was working for special branch. He offered to attend an ID parade and said he could pick out Lynch.

Duggan signed an affidavit in the presence of my lawyer in London, pledging to show up at our appeal, his accusations constituting new evidence. But he completely disappeared and has never been seen or heard of since. We heard that the police had promised to sort out his complaints about inadequate funding and that he had been given £4,000. We lost our appeal and served out our sentences.

There were other troubling aspects to our arrest and for years we had suspicions about one or two other IRA people who had interrogated Lynch. They had fled south of the border after our arrest. There was forensic evidence linking some of them to the bedroom in which Lynch had been interrogated. One man had been named by Lynch as the chief IRA interrogator, Freddie Scappaticci. Yet, Scappaticci - or Scap, as he is better known - returned north after a few years, was briefly arrested and released, and Lynch was never brought back to be used as a prosecution witness against him.

There had also been media rumours about a senior IRA informer within the IRA's internal security unit. It was alleged that in November 1987 loyalists were about to assassinate this man - not knowing that he was working for the British - but that when British intelligence officers learned of this plot they, through their own senior agent within the UDA, Brian Nelson, redirected the assassins to another target, an innocent 66-year-old west Belfast Catholic, Francesco Notarantonio, who was shot dead.

In 2003, I discovered by accident that the police ombudsman's office was inquiring into "the actions of RUC officers involved with the conduct of the original investigation" into the circumstances surrounding my trial.

Then, in 2004, a book called *Stakeknife - Britain's Secret Agents in Ireland*, jointly written by Irish journalist Greg Harkin and a former British intelligence officer, under the pseudonym Martin Ingram, was published. It alleged that Stakeknife was really Scappaticci and that he was allowed by his British military intelligence handlers to capture and kill suspected informers (usually those whose usefulness to the state had expired) in order to maintain his cover within the IRA. Scap denied the charge but eventually fled Ireland when a secret recording from 1993 for ITV's *The Cook Report* was aired, in which all who knew him recognised his voice and could hear him betraying former comrades.

The book claimed that the sole purpose of the Lynch abduction was to entrap a senior republican such as myself. Scap had offered Lynch the opportunity of appearing at a Sinn Fein press conference and then sent for me.

My lawyer wrote to the DPP for a response to these allegations and whether, unknown to us at the trial, there had been any application made for a public interest immunity certificate. PIICs are legal mechanisms for placing restrictions on evidence but in Ireland are notoriously used by the state in the interests of "national security" to block evidence from trials and inquests in order to cover up state terrorism. The DPP replied: "The Director is not in a position to comment on the accuracy of the information other than to state that it was not available to the Director of Counsel instructed on his behalf."

Four years ago, we asked the Criminal Cases Review Commission (CCRC) to investigate the matter and after much correspondence - in which they talked about the "sensitivity of the material" - they eventually referred the case back to the court of criminal appeal.

Normally, the CCRC gives a "statement of reasons" as grounds for an appeal but in our case this was withheld "for reasons associated with the principle of public interest". Instead, the Public Prosecution Service (PPS) and the appeal court were supplied with a "confidential annexe" to which we were not privy.

Last November, it was clear that the PPS and the court of appeal (without even reading the confidential annexe) had no objection to our convictions being overturned. My lawyer argued that we needed to know why the conviction was unsafe. I was convicted in an open court in a fanfare of anti-republican publicity, so equally the reasons for my conviction being overturned should be spelled out.

Last week the appeal court agreed to suppress the information we sought while stating that, had it been available to the prosecution at the time, we would probably not even have been charged. As they pointed out in their judgment, "we consider that, if this material had been made available and if the trial had not been discontinued, it would have been open to the appellants to make such an application. We further consider that it is highly likely that it would have succeeded."

Sir John Stevens spent 15 years inquiring into collusion between the state and paramilitaries and was only allowed to publish 17 pages out of a 3,000-page report. The rules for the inquiry into the assassination of human rights lawyer Pat Finucane, and others, have been changed to protect the interests of the state. The peace process is supposed to represent a fresh dispensation in which we can have faith in the new institutions and a judiciary free from political interference. In 2007, Peter Hain established the Eames-Bradley consultation group on how to deal with the legacy of

decades of conflict. It is anticipated that it will be proposing a truth and reconciliation process.

I now know exactly what that means: truth expected from everyone but the special branch and intelligence agents - agents who, in the name of the British people, were involved in a dirty war and in directing state terrorism.

Related information follows Ads by Google

Ads by Google

1,500 jobs in development

Find international development jobs with USAID, World Bank, UN, & NGOs

www.devex.com

International Development

Look beyond the aid industry with the Guardian Weekly.

www.Guardian-Weekly.com/Int_Dev

International Trade

We help global companies trade with or establish operations in Wales UK

www.ibwales.com

guardian.co.uk © Guardian News and Media Limited 2009