

## How collusion was built into the system

Sunday, January 28, 2007 - By Colm Heatley

When British Army brigadier Frank Kitson proposed establishing "counter-gangs" to defeat Northern nationalists in 1971, his influential recommendations were supposed to be a short-term measure to defeat the rapidly developing "insurgency" in the North.

Relying on his experience in British colonial wars in Africa and the Middle East, his philosophy was simple and brutal - terrorise the nationalist community through the use of security force-controlled loyalist gangs, whose activities could not be traced back to Whitehall.

For years, his plans were hidden from the public by successive British governments.

The Police Ombudsman's report, published last Monday, which exposed Royal Ulster Constabulary (RUC) collusion with loyalist gangs "at the highest level" in at least 12 murders in north Belfast between 1990 and 2003, suggests that Kitson's proposals became a key plank of British security policy in the North.

In the most damning report ever published on the North's security establishment, the Ombudsman's investigation found that senior RUC men not only colluded with loyalist serial killers in murder, but actively ensured they remained free.

The report, concentrating on just one UVF unit in north Belfast controlled by RUC Special Branch agent Mark Haddock, was probably just "the tip of the iceberg", according to Northern secretary Peter Hain.

Unionists sought to play down the report, with Ken Maginnis, a former UDR member and UUP MP, describing it as a mere "concession to Sinn Fein". Ian Paisley Jr said there was "lots of smoke, but no smoking gun".

Sinn Fein said it confirmed what nationalists had known all along, that collusion was a fact of life and it took place with the connivance of the highest echelons of the British establishment in London.

Last week in Belfast the families of those killed by Haddock's UVF gang were demanding answers, as to why the RUC helped organise and protect the activities of a ruthless killer gang.

One mother told how an RUC detective told her that her son's murderers would be under such close observation they wouldn't be able to make another move. Haddock's gang had killed her son.

Last week, senior UVF members told The Sunday Business Post that they accepted their organisation was severely penetrated by Special Branch and that a number of figures within it were acting under police instruction.

With no officers to face prosecution, the report's main consequence has been to damage severely the legitimacy of the RUC and the conduct of the British government in the North throughout the Troubles.

Ironically, the report became public in the same week that Sinn Fein is to ask its members to support the Police Service of Northern Ireland (PSNI).

However, to understand the report's full implications it must be put in the context of what is already known about British tactics in the North since 1969.

During the height of the troubles in the early 1970s, loyalist gangs, principally the UVF and UDA, which was actually a legal organisation for most of the troubles, were extremely active. Their targets were almost exclusively innocent Catholics, killed in sectarian attacks.

When the security situation became less volatile in the mid-1970s and the British government introduced its policy of "Ulsterisation, Criminalisation and Normalisation", both the UVF and UDA became far less active.

From the mid-1970s until the late 1980s, both the UVF and UDA killed relatively few Catholics; their victims instead tended to be rival loyalists killed because of criminal enterprises and turf wars.

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However, by the late 1980s, the situation had changed.

The British government had failed to defeat the IRA, its policy of criminalisation had largely been defeated through the 1981 Hunger Strike, and the British Army was still heavily involved in maintaining the state. What is publicly known is that by 1985, when the then British prime minister, Margaret Thatcher, was at the zenith of her political power, the British Army had recruited former soldier and UDA member Brian Nelson to coordinate the intelligence gathering of both the UVF and UDA, by then largely dormant.

Nelson's activities, under direct orders from his British Army handlers in the Force Research Unit, resulted in the murders, and attempted murders, of dozens of Catholics.

Judge Peter Cory, who was commissioned to carry out a report into Nelson's activities, found that Nelson and his handlers had colluded in at least 14 murders and attempted murders in the North within a five-year period.

Pat Finucane, a human rights lawyer, was shot dead in his Belfast home in 1989 as a result of Nelson's activities.

Furthermore, Cory's report found that the British Army had funded an arms-buying trip by Nelson to South Africa in the mid-1980s.

The vast majority of today's loyalist arms stockpiles were imported by Nelson with the knowledge of the British Army. When Cory's report was published in 2002, it recommended a public inquiry into Finucane's murder.

Shortly afterwards, the British government introduced the Inquiries Act, which effectively means public inquiries in Britain will be held in private, a law condemned by the US Senate and Amnesty International.

Another of those involved in Finucane's murder was Ken Barrett, the chief gunman for Johnny Adair's Shankill Road UFF gang in the early 1990s.

It has since emerged that Adair's UFF gang - and Haddock's UVF gang - were responsible for nearly all sectarian murders of Catholics in north Belfast in the 1990s.

Both gangs were run by RUC Special Branch.

Aside from Barrett, a self-confessed informer, Adair's gang was staffed by informers, including its chief intelligence officer, quartermaster and former commander.

Adair's UFF unit would become the most prolific loyalist killing machine in the history of the North, responsible for more than 30 murders. Retired CID detective Johnston Brown, whose evidence secured the conviction of Johnny Adair in 1995, believes the loyalist killer could have been put behind bars "years earlier".

"Virtually all of the evidence used to convict Adair was available years before he was actually brought to book," Brown told The Sunday Business Post.

"I have to wonder why the authorities sat on that information for so long."

Many Northern nationalists have long been aware of such collusion, prompting some to ask last week if there were any sectarian murders in which the RUC did not have some involvement.

When last week's report was announced, it was of little real surprise to many nationalists.

However, O'Loan's report did succeed in irrevocably discrediting the RUC in the eyes of many.

For some, the real question is whether it can ever be publicly proven that such collusion was a direct result of official government policy taken at cabinet level in Downing Street and by the spooks who wield power in Whitehall.

While Tony Blair and Hain described the activities of Special Branch, as uncovered by O'Loan's report, as "entirely wrong", neither attempted to explain why Special Branch involvement with loyalist gangs resulted in an increased killing rate.

Former FRU operative Martin Ingram, who helped organise loyalist terror gangs in the 1990s, said they were the "worst rabble of men I've ever worked with". "They couldn't run a bath by themselves, let alone an armed campaign; they were useless if left to their own devices," said Ingram.

Over the past decade, successive whistleblowers, such as Ingram and Brown, have shed some light on British collusion with loyalist killer gangs.

The legacy of O'Loan's report, coming as it does at a historic juncture in the peace process, may be to change the context in which the Troubles are viewed in the future.

Well-worn clichés that the conflict involved two warring "tribes" held apart by a neutral British government, may no longer ring so true.

### **Past inquiries pointed to collusion**

Other inquiries have concluded that the British security forces and the police in the North have colluded with loyalist paramilitaries.

### **Stalker Inquiry**

John Stalker, former Deputy Chief Constable of Greater Manchester Police, was appointed to investigate allegations of an RUC shoot-to-kill policy in the early to mid-1980s.

He produced a critical interim report of RUC involvement in a number of shootings, which angered the then RUC Chief Constable, John Hermon.

Stalker said the RUC, at the highest levels, obstructed his inquiry and refused to hand over vital information.

Stalker was removed from the inquiry after allegations he was involved with a criminal gang in Manchester. The allegations were later shown to be completely false and Stalker later blamed high-ranking members of the RUC for spreading the bogus claims.

### **Stevens Inquiry**

One of the longest running inquiries in British legal history, it was established to investigate claims of RUC collusion with loyalist paramilitaries, especially the role of British agent, Brian Nelson. Stevens' interim report was made public in 2003.

Hugh Orde, the Police Service of Northern Ireland Chief Constable, was part of the Stevens investigation team.

The report found substantial evidence of collusion with loyalists in a number of sectarian murders in the North, including the high profile murder of solicitor Pat Finucane.

From the outset the Stevens team had serious concerns over RUC cooperation with their inquiry, which was launched in 1989.

The team began to uncover evidence of collusion, particularly in respect to Brian Nelson, who Stevens believes was responsible for up to 30 murders.

In 1990 a mysterious fire broke out at the Stevens Inquiry headquarters in Belfast, destroying many valuable documents.

RUC Special Branch was widely suspected of causing the blaze. Forty files on 23 British soldiers and RUC members were sent to the DPP.

Because of the possibility of future prosecutions, only a fraction of the report was made public. Almost four years later the DPP is still "considering" whether to prosecute.

### **Cory Report**

Following the Weston Park political negotiations retired Canadian Judge Peter Cory was appointed to investigate allegations of British collusion in six murder cases.

In October 2003, Cory delivered his report to the British and Irish governments.

His report found evidence of collusion in the murders of solicitors Pat Finucane and Rosemary Nelson.

He recommended the "immediate establishment" of public inquiries into those two murders as well as four others, including Robert Hamill, a Catholic man kicked to death by a loyalist mob in front of the RUC in Portadown in May 1997.

The British government introduced the Inquiries Act, which allowed a government minister to decide what can be heard in public and what must be heard in private.

The act attracted international condemnation, and the Finucane family claimed that it was an attempt to suppress the truth.

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