

New evidence of RUC collusion in murder of Irish lawyers

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A BBC *Panorama* documentary, broadcast June 21, reinforced allegations that the Royal Ulster Constabulary (RUC) has colluded in the murders of Irish defence lawyers Pat Finucane and Rosemary Nelson.

Panorama examined the longstanding claims of RUC complicity in the 1989 murder of Finucane and evidence surrounding the car bomb killing of Nelson earlier this year. Entitled *Careless Talk*, the programme opened with the question: "Did careless talk by RUC officers cost the life of one lawyer and then another, Rosemary Nelson?"

The programme focused on earlier comments by RUC Chief Inspector Ronnie Flanagan that some Northern Ireland lawyers were working for a "paramilitary agenda". In a pre-recorded interview, Flanagan denied having made the comments, allegedly to UN Special Rapporteur Dato Param Cumaraswamy, in October 1997. Cumaraswamy's assistant, who was present at the meeting, made notes on the comment. Cumaraswamy alleges that Flanagan attempted to have the remarks removed from a draft document drawn up following the meeting.

The documentary comes at an extremely sensitive time. The RUC's future is currently under review by the Patten Commission as part of the Northern Ireland Agreement, and calls for its disbanding have become intertwined with attempts to rescue the "peace process".

Continuing on the theme of "careless talk", the programme drew attention to remarks made 10 years ago by Tory Minister Douglas Hogg: "There are in Northern Ireland a number of solicitors who are unduly sympathetic to the cause of the IRA.... I state this on the basis of advice that I have received, guidance that I have been given by people who are dealing with these

matters."

In a moving interview with Pat Finucane's widow, Geraldine, she said Hogg's remark, made to the British Parliament, "was frightening and when this was reported it stopped Pat in his tracks. To be perfectly honest, it frightened me to death. I was really scared because this was no longer a rogue policeman in Castlereagh making an idle threat. Douglas Hogg had been briefed by the top echelons of the RUC."

Four weeks after Hogg's comments, Finucane was gunned down. "We had just sat down to have our evening dinner. There was a bang, and the rest was just horror and blood," said Mrs Finucane.

Ten years on, there has still been no official investigation into possible RUC collusion in Finucane's murder. The *Panorama* programme exposed Flanagan's claim that John Stevens, the Deputy Commissioner of the London Metropolitan Police who investigated the role of the army in Finucane's murder, had cleared the RUC of any involvement.

In his pre-recorded statement, Flanagan said: "John Stevens very firmly came to the conclusion there was no hint of collusion between the RUC and any paramilitary organisation." The programme pointed out, however, that Stevens wrote to Finucane's lawyers explaining that his investigations were only into the activities of the army intelligence agent Brian Nelson. "At no time was I given the authority, either by the Chief Constable of the RUC or the Director of Public Prosecutions, to investigate the murder of Patrick Finucane," Stevens wrote.

Finucane was shot by Ulster Defence Association (UDA) members who had been passed information in prison by Brian Nelson. Security forces were informed of this but either took no action to prevent the assassination, or, more likely, actively supported it.

Only a few weeks prior to her murder, Rosemary Nelson had demanded an inquiry into RUC collusion in Finucane's murder and had submitted a report containing new evidence to the British and Irish governments. *Panorama* featured numerous interviews with former clients of Nelson, claiming that police had told them to find new legal representation as Nelson would be “taken out soon”. Nelson spoke publicly about these threats prior to her murder.

It was claimed that the loyalist Tommy “Tucker” Lyttle—who has since died—said that a Ulster Freedom Fighter (UFF) team was being interrogated by the RUC a few weeks prior to Finucane's murder. The RUC allegedly suggested that the UFF should concentrate on Finucane who was “the financial brains behind the IRA”. The job of organising the lawyer's assassination is reported to have been given over to Brian Nelson.

Damning eyewitness accounts were also presented in the documentary, linking security forces with loyalists who murdered Republican Sam Marshal nine years ago. Marshal was shot dead by a UVF gang in March 1990, shortly after he left an RUC station in Lurgan along with two friends, Colin Duffy and Tony McCaughey. The three had to present themselves at the station as part of their bail conditions. Apart from the RUC, the times of these appearances were supposed to be known only to the men themselves and their legal representatives.

On this occasion, the men were stalked by a red Maestro car, which *Panorama* claimed belonged to a unit of military intelligence that conducted surveillance for the RUC. Duffy said that he noticed the car because he had not seen it before in the area where he lived and it contained only the driver, who was also not known in the area. When the three emerged from the police station the car was seen again, followed “about 30 seconds behind” by a Rover containing the killers.

Panorama's inquiries—based on eyewitness accounts—were able to place the army vehicle close to the shooting. This contradicted a statement from Detective Chief Inspector Alan Clegg, who had investigated allegations of collusion in Marshal's killing. Clegg stated, “The vehicle was not in the vicinity of the shooting ... there's no way the vehicle could have done anything in relation to the shooting.”

Commenting on the programme, Brid Rodgers, a Portadown-based member of the Northern Ireland

Assembly for the Social Democratic Labour Party, said “There have always been serious question marks over the circumstances of both of these murders. However, during the interview for last night's *Panorama* programme, the contradictory elements of some of the Chief Constable's replies to a number of questions must lead to grave concern. There is surely now, more than ever, an overwhelming case for an inquiry into the murder of Pat Finucane and a completely independent investigation into the killing of Rosemary Nelson.”

Sinn Féin has called for Flanagan's resignation, saying the programme had called the entire future of the RUC into question. A party spokesman said the documentary “was a devastating indictment of the RUC as a police force and particularly of Ronnie Flanagan as Chief Constable. In any democratic society the only course of action that would be taken would be in the short term for Ronnie Flanagan's immediate resignation. The Patten Commission can only bring forward one recommendation, and that is the complete disbandment of the RUC and the establishment of a new civilianised policing service.”

The human rights group Relatives for Justice urged Secretary of State for Northern Ireland Mo Mowlam to dismiss the RUC chief. Spokesman Mark Thompson said the programme revealed “hostile attitudes towards Mrs. Nelson, other human rights lawyers and human rights activists at a most senior level within the RUC”.

Mowlam has consistently rejected any possibility of the RUC being disbanded.



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