# New revelations in murder of Irish civil rights lawyer

**Mike Ingram**
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A court action brought against *Sunday Tribune* reporter Ed Moloney demanding that he hand over notes of interviews conducted with murder suspect William Stobie nine years ago has resulted in a devastating admission by a senior police officer.

William Stobie, a self-confessed police agent, told the Royal Ulster Constabulary (RUC) in 32 interviews in 1990 that he had supplied and disposed of one of the two weapons used, and helped plan the murder of prominent Belfast lawyer Pat Finucane. Stobie was a quartermaster in the Ulster Defence Association, and claims to have been a special branch informant at the time Finucane was shot down in his north Belfast home. A report was sent to the Director of Public Prosecutions (DPP) at the time, but no action was taken. Separate firearms charges against Stobie were also dropped on orders from the DPP in 1991.

The admission came from a member of the Scotland Yard team heading a new investigation into the Finucane murder, which many believe was set up to quash demands for a public inquiry into police collusion in the killing. Detective Chief Inspector Richard Turner admitted under cross examination that the notes being demanded from Moloney would add nothing new to what the RUC knew nine years ago. "The bones are the same", Turner admitted.

Moloney found himself in court following an article he wrote June 27, which revealed that Stobie was arrested nine years ago in connection with the Finucane murder, but released without charge. He added that Northern Ireland legal authorities dropped the charges after Stobie threatened to make public the fact that he had warned the RUC in advance of the Finucane assassination.

Stobie's re-arrest in June this year was based on evidence from a British official at the Northern Ireland Office (NIO). Neil Mulholland, a press officer in the NIO Information Department, has handed the investigating team a 28-page statement that names Stobie as the man who supplied the weapons used to kill Finucane. The statement is based on interviews with Stobie, carried out while Mulholland was working as a reporter for a Belfast newspaper in 1990. Unlike Moloney, rather than keeping the confidentiality of his source, Mulholland relayed the story to the RUC press office, to a senior Special Branch officer and to colleagues.

It was following this that Stobie approached Moloney and gave him the interviews as a form of "insurance" for his own safety. Moloney agreed to never publish the story without Stobie's permission. This was given in writing for the June 27 article, just four days after his arrest.

Shortly after the Stobie story appeared, Moloney received a visit from a detective from the Stevens Inquiry—the police investigation into Finucane's killing, headed by London Metropolitan Police Deputy Commissioner John Stevens. The detective asked Moloney for his 1990 notes. When he refused, a court order requiring him to hand them over was obtained. Moloney wrote last weekend: "There are no circumstances in which I can surrender this material." He argued that to do so would mean that he would never again be trusted as a journalist, and that his life might be placed in danger. He has further argued that "the job of a journalist is to report events, not gather evidence on behalf of the state".

Counsel for the Crown Solicitor's Office, David McAllister, told the hearing that the police team wanted the interview notes in order to corroborate the evidence of Mulholland and to advance the murder inquiry. Michael Lavery QC, for Moloney, argued that nothing

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new would be gained from his client's notes and that the police were engaged in creating a collision course with Moloney's journalistic ethics. He accused the police of being on a "fishing expedition, or perhaps worse" and engaging in activity that might have "serious consequences" for Moloney. Lavery said the case would not advance "one iota" by his client adding his notes to the already published material.

Judgement was reserved at the hearing and a verdict is expected at the end of this week.

The RUC action against Moloney has taken what was already a high profile case to new heights. Allegations of security force involvement in the killing of Finucane have persisted throughout the past decade. Earlier this year, more than a thousand legal figures from all over the world signed a petition calling for an independent inquiry into the murder, and the case was taken up by the United Nations human rights raporteur.

It was under these conditions that RUC chief Ronnie Flanagan reopened the case, under the leadership of London Metropolitan Police Deputy Commissioner John Stevens. It was felt that Steven's involvement in a 1989 investigation, the findings of which were suppressed, would give him credibility. The opposite has proved to be the case. Finucane's widow Geraldine has refused to deal with the Steven's inquiry. She believes it is designed to stave off calls for a public inquiry and will not get to the heart of allegations of security force collusion.

In taking action against Moloney, who faces an unlimited fine or a prison sentence of up to five years, the legal establishment is throwing grist to the mill of allegations of collusion. If not proving direct involvement with the Finucane murder, the latest twists in this case have raised a number of questions. Why was Stobie released nine years ago? Why was no action taken to either prevent the murder of Finucane, or at the very least, find those responsible? In what constitutes a dangerous precedent with implications for press freedom throughout Britain and Ireland, perhaps the most important questions is—why are the courts pursuing Moloney with such vigour?

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