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Daily Features

Collusion led to my father's death. I owe it to him to find out the truth

Monday, February 12, 2007

By Chris Thornton

John Finucane grew up alongside mounting evidence that the murder of his father Pat was an act of collusion. He tells why, 18 years on, his family is still pushing for a public inquiry

He was a skinny eight-year-old kid when UDA gunmen turned an ordinary Sunday dinner into the scene of his father's murder.

It was 18 years ago today that Pat Finucane was shot dead in front of his wife and three children in their north Belfast home in an incident that was then recognised as tragic, but somehow typical of the nasty killings that marked the Troubles.

John Finucane was the youngest at that dinner table, and a couple of days later he was walked unwillingly into the public gaze behind his father's coffin. The funeral of a prominent young solicitor, murdered by the kind of people he often defended, was remarkable enough to draw a lot of media notice.

But gradually it has become the circumstances behind Pat Finucane's murder that have commanded attention.

Pat Finucane is, in many ways, the touchstone for the issue of collusion. He was targeted by an Army agent. A police agent supplied the guns, and another informer pulled the trigger.

The most benign interpretation is that security forces should have prevented the murder and messed up. The worst is that someone sought to have him killed.

As all this emerged, John Finucane grew up. He got his A-levels at St Malachy's school in north Belfast, went to university in Scotland and got a law degree.

He became a pretty accomplished goalkeeper, good enough to play for his county, Antrim, in gaelic football. And, like his oldest brother, Michael, he qualified as a solicitor, working in the same sort of courts where his father made his name.

He is also stepping forward to talk about the unfinished business behind his father's murder, although he is reluctant to dwell on the murder itself.






"I remember what happened very well and it is something I will never forget," he said, after a morning spent in court.

"I don't see the need to talk about that in public or talk about exactly what we saw or what happened. I think that people can use their own imaginations for that.

"No matter what age you are, losing a father is a hard thing to get over. So I don't think I'm any different to anyone else losing a father or a parent in similar circumstances - or in any circumstances to be honest.

"The issue in this case is not that somebody was killed or not that somebody was killed quite brutally, but the fact that the killing was known about or the threat was known about beforehand.

"Growing up with that knowledge...it certainly isn't nice to know that the agencies of the state, which every person should have confidence in, are being undermined and there are very serious questions to be

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answered at their door."

What he does find encouraging is that collusion "is something that society here is fast facing up to".

"People see that the issue of collusion was not just about Pat Finucane, " he said. "I think people do realise now that this is an issue that affected everybody.

"I have no doubt that there were republicans who were allowed to kill and were protected because their intelligence and their information was deemed more important than the lives of the people that they were allowed to kill.

"I think unionism is realising that. Raymond McCord is on record saying that for years he thought collusion was just republican propoganda and that it took him to lose his son and to go on his journey for him to realise it is a very live and real issue.

"There are so many different families that only now are starting to realise that they have been affected by this policy.

"I think people in the unionist community are starting to wake up to the fact that this was not republican propoganda.

"Collusion was indiscriminate. It didn't matter whether it was a man or a woman, whether it was professional, children, Catholic, Protestant. It didn't matter about political affiliation.

"If an agent's information and intelligence was deemed more important than the life that was under threat, then a very simple decision was made. And I have absolutely no doubt that policemen, that UDR men, that Army personnel, as well as civilians on both sides were allowed to die to protect intelligence.

"I think that warrants an investigation, a full public inquiry so that people can realise exactly what went on, under whose name it went on, and we can truly learn from it and make sure that it never happens again."

He says he doesn't think much about Ken Barrett, a police informer and the only man convicted of his father's murder, who was released from prison last year.

"We've said this for a very long time, we're not interested in the dime-a-dozen trigger men that were and continue to run about our society," he said. "We're not interested in prosecutions or people going to jail, we're simply interested in people being made to tell their stories and being made to account for their role in this general policy."

It is the terms for that public inquiry that have occupied the Finucane family over the last few years. The Government agreed in 2004 to hold a public inquiry into the murder - but only after changing the laws governing inquiries to give ministers greater control.

This left the Finucanes in a tricky position - explaining why they are currently saying no to an inquiry when they spent years asking for one. It is a task they have pursued with energy and clarity - John and his mother, Geraldine, will travel to Washington DC next month to continue the explanation before the US Congress.

"At every opportunity we stress that we are desperate to be part of an inquiry, desperate to endorse and sign up and take part in one, and would welcome that day when can sign up to an inquiry," he said.

"It is with great reluctance that we are not able to endorse an inquiry as it currently stands. We feel that the issue of independence is not one that should be up for negotiation. And we feel that the Inquiries Act has robbed any inquiry of its independence."

The Inquiries Act is legislation that was rushed through Parliament just before the 2005 general election, specifically for the Finucane case. In 2004, the Government felt comfortable enough to set up inquiries into three other significant cases - the murders of Rosemary Nelson, Robert Hamill and Billy Wright - under existing legislation. They weren't as comfortable about Finucane. His case was held back until the new law could be passed.

It has been criticised by judges around the world, mainly because it gives ministers power over information when the Government is being investigated - it's a bit like allowing them to be a footballer and a referee in the same game.

Recently the High Court in Belfast noted that one power - allowing a minister to stop a probe before it finishes - raised a "very substantial question mark" over the independence of any inquiry. That's one reason why, nearly two years after passing the law, the NIO hasn't found a judge who is willing to take on the Finucane probe.

"We don't expect an inquiry to be done on our terms," said John Finucane. "But we do not feel we could take part in an inquiry where a Government Minister would decide what we do and don't see and a Government Minister would dictate to the panel of judges what can and can't be done. That is the unfortunate situation we find ourselves in at the minute."

Which probably means John Finucane will continue to feel compelled to speak about the matters of public concern that crowd in on very private grief.

"I would rather not have your life, and how you deal with, and the issues surrounding the death of a loved one as public as it is," he said. "Unfortunately that's not my choosing, it's not something I can be in control of. My father was murdered as a result of a policy of collusion. We feel that policy went to the highest level of the British Government.

"I think that to do anything less than campaign for the truth, to do anything less I think would be a disservice to my father's memory and what he worked for in his life."

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