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## Local & National

### Top level talks on collusion cases

SDLP brands Attorney General's involvement in probe as 'unacceptable'

Monday, February 26, 2007

By Chris Thornton

Imminent decisions about bringing soldiers to court for collusion murders are being watched at the top levels of government, a senior law officer has admitted.

The Attorney General, Lord Goldsmith - who has the power to block prosecutions on national security grounds - has held private talks with Northern Ireland's chief prosecutor about the Stevens Inquiry cases and has reviewed detailed legal briefs.

The Government has said his involvement in the sensitive cases - including up to 10 murders - is routine.

But the SDLP has branded it an "unacceptable" conflict of interest.

The Belfast Telegraph revealed on Saturday that prosecutors are close to deciding whether to bring charges against 24 members of the security forces and a civilian who were investigated by the Stevens Inquiry.

Files on those individuals were passed to the Director of Public Prosecutions, Sir Alasdair Fraser, almost four years ago by Lord Stevens, the senior British police officer whose collusion investigation spanned almost 15 years.

The cases are believed to concern the activities of the Army unit known as the Force Research Unit (FRU), whose soldiers ran notorious agents, such as UDA man Brian Nelson and the IRA mole known as Stakeknife.

The head of FRU, Brigadier Gordon Kerr, was among a number of soldiers questioned by the Stevens Inquiry. Brigadier Kerr is now believed to be leading the Special Reconnaissance Regiment in Iraq.

Sir Alasdair has had discussions with Lord Goldsmith about the cases and sent him eight binders full of "detailed analyses of the evidence and underlying legal principles", Solicitor General Mike O'Brien told SDLP leader Mark Durkan.

The last of those binders was received more than 18 months ago, and since then three QCs have been brought in to give further advice.

Mr Durkan is preparing to ask more parliamentary questions about the depth of Lord Goldsmith's involvement, but Mr O'Brien insisted the discussions about the cases are "normal".

"The Attorney-General has not seen the Stevens reports or the evidence submitted," he said.

"It is the nature of superintendence that the director will discuss with the Attorney-General cases of particular complexity or seriousness.

"The decisions remain those of the director."

He said decisions on the cases "are close to being finalised".

SDLP Policing Board member Dolores Kelly said it is "unacceptable that the Attorney General has engaged with the director over the prosecutions".



"There is a clear and obvious conflict of interest in having the Attorney General, a key figure in the British Government, consulted on prosecutions when the British Government has for years worked so hard to cover up the truth about the involvement of their personnel in collusion," she said.


In 1988, the Attorney General - then Sir Patrick Mayhew - blocked Stalker Inquiry prosecutions against members of the security forces on the grounds of national interest.


Mrs Kelly said her party is also concerned that the passage of time is diminishing the chances of successful prosecutions.

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