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Northern
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Ulster police chief: don't make me name informers

- Public inquiries 'could hinder fight against terror'
- Revealing identities puts lives at risk, Orde warns

Owen Bowcott and Sandra Laville**Tuesday September 4, 2007****[The Guardian](#)**

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Recruiting informers to anti-terrorist operations will become impossible if public inquiries are allowed to expose people who provided information in the past, a senior police officer has warned.

Northern Ireland's chief constable, Sir Hugh Orde, believes the long-term fight against al-Qaida would be damaged by judges' demands to release the identities of informants.

Sir Hugh, who is required to supply police documents naming scores of informants to four judicial inquiries into controversial killings during the Troubles, told the Guardian he had problems reconciling his duty to cooperate with investigations and his responsibility to prevent the names of agents being revealed. His comments signal a possible public clash with the judges involved in running the long-awaited public inquiries.

In an interview with the Guardian, Sir Hugh said he believed the release of the identities of informants during imminent public inquiries could lead to people being killed and have a direct impact on the fight against international terrorism. "If someone is thinking of informing and then

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they see that in 10 or 15 years' time their names will be published they are not likely to want to do it." Last year the Sinn Féin official Denis Donaldson, who worked for special branch, was shot dead at a remote cottage in County Donegal.

There are three UK inquiries for which the Police Service of Northern Ireland (PSNI) is providing documents. They are judicial investigations into the killing of the loyalist paramilitary leader Billy Wright in the Maze prison, the car bomb murder of the civil rights lawyer Rosemary Nelson and the beating to death of Robert Hamill, allegedly in view of RUC officers.

A fourth inquiry, being held in the Irish Republic, is into the murders south of the border of two senior RUC officers by the IRA in 1989. A scheduled inquiry into the killing of the Belfast solicitor Pat Finucane has not begun. All the deaths involved allegations of collusion between paramilitaries and the authorities.

"The legislation gives [these inquiries] huge powers to demand anything and everything and then to decide on relevance," Sir Hugh said. "There are professional issues around the conflict between the powers of the inquiries and, for example, my obligations under article 2, section 29, of the Regulation of Investigatory Powers Act about protecting the identity of informants.

"Who is going to be an informer on anything - look at the international terrorism connection in the UK now - if it's clear that five years down the line, 10 years down the line, 15 years down the line an inquiry can demand all that information from me and I can't protect him?" Sir Hugh said he could not withhold documents under the inquiries act but he was discussing with lawyers the use of public interest immunity certificates preventing the disclosure of evidence leading to identities being revealed.

"The law says I give it. All my legal advice is that I have no alternative ... That has national and international implications."

The chief constable said he had received anecdotal

accounts from some officers that it was already becoming harder to recruit informers and others had questioned why they would subject themselves to the hard and dangerous life of being a handler. The cost and time spent servicing the inquiries was also a drag on the PSNI's resources, he said. "All this will have an impact on day to day policing."

Sir Hugh, who became chief constable in 2002, has been tipped as a strong candidate to become the next head of the Metropolitan police. Asked whether the time had come for the province to consider setting up a truth and reconciliation process which could grant amnesties, Sir Hugh said: "My personal view is everything should be considered."

Policing in Northern Ireland is slowly returning to normality: Operation Banner, the army's routine support of the police, has come to an end after 38 years.

Asked about the anti-terrorist lessons other forces could learn from the Troubles in their fight against al-Qaida, Sir Hugh said suicide bombing had never been used in Northern Ireland. But he added: "The bit no one is getting right, and we didn't get right here, was that if you don't have the confidence of the communities you are not going to get the intelligence to stop the next attack."

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