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Public Prosecution Service must be made accountable

(Susan McKay [Irish News](#))

At half seven yesterday (Monday) morning, 75-year-old Clara Magee was woken by someone knocking at the door of her home in Belfast. When she opened it, two men in suits were there. They said they were from the PSNI, handed her an envelope and left.

Mrs Magee's 18-year-old son, Peter, was one of five people who were shot dead by UDA gunmen outside a bookies shop on the Ormeau Road in 1992.

The letter was from the Public Prosecution Service. It told her the following – that guns had been given to the RUC in 1989 by William Stobie, who was a special branch agent as well as a UDA quartermaster. That the guns were given back to Stobie.

That one of them was used by the UDA in a fatal gun attack on a pub in 1991 and in the attack which killed her son.

The letter also said that Sir John Stevens had sent a file to the PPS about these and other similar matters but the PPS had decided – four years later – that it was not going to prosecute anybody. No police, no agents, no UDA men.

"There is no offence of collusion," it stated, airily.

There was insufficient evidence of "manslaughter by gross negligence". There was no evidence Stobie was supervised in relation to the guns and no means of identifying the senior officers who gave orders in relation to them. Nobody was on hand to help the elderly woman to deal with this bolt from the blue.

Her son-in-law, Mark Sykes, who was critically injured in the bookies massacre, also got the letter, as did relatives of all of those killed or injured in the incidents which were referred to the PPS by Stevens as a result of his last inquiry into collusion between members of the security forces and loyalist killers.

Twenty-five files were sent, after Stevens had been advised

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by lawyers that he had established sufficient evidence for prosecutions. They included files relating to the murders of solicitor Pat Finucane by a gang, most of whom were security force agents of one kind or another, and of Gerard Slane and other nationalist victims of UDA gangs.

In all cases, the PPS decided otherwise.

"I am livid," said Sykes.

"This is a total disgrace. The then chief constable, Sir Hugh Annesley, stood outside the bookies in 1992 and said that this was 'murder madness' but that it was not out of control. Now we know who was controlling it."

Don't forget that some of the guns the UDA was using were provided by the UDR. That one of the Finucane killers revealed that it was special branch officers who proposed the murder to the UDA. That a former police officer taped a confession to the murder and that special branch destroyed the tape. That agent Brian Nelson was going to reveal that he had told his handlers that some of the murders were planned – but the murder charges against him were dropped so the evidence wasn't given.

When Stevens launched the tiny bit of his report that we were allowed to see in 2001, he said he had found evidence of collusion. He also said that he had been obstructed by the authorities during all three of his inquiries. During one of them his offices were burnt down. The DUP said his work was a "waste of taxpayers money".

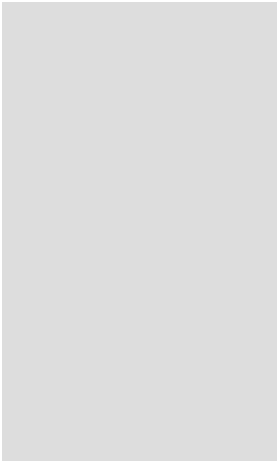
Yesterday's letter gives us a glimpse of the horrors that Stevens uncovered.

We need to know the full sordid story.

Sinn Féin and the SDLP, along with human rights organisations like British and Irish Rights Watch, Relatives for Justice (RFJ) and the Pat Finucane Centre, expressed outrage at the PPS decision and called, again, for a full independent inquiry into collusion.

Mark Thompson, of RFJ, pointed out that it is six years since the European Court of Human Rights found that British investigative mechanisms, including the PPS, did not meet international standards of impartiality, accountability and transparency.

The PPS has made a great many disquieting decisions over the years in relation to cases involving loyalist paramilitaries but protests have been ignored. It must be made accountable.



Clara Magee is trying to come to terms with the fact that the police armed the killers of her innocent teenage son and that the state has decided to do nothing about it.

What have all the venerable men who say the past must be left alone got to say now?

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