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Pat Finucane's widow marks anniversary of his murder

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CAROL COULTER, Legal Affairs Editor

THE 20TH anniversary of the murder of Pat Finucane reminds us that the residue of our unresolved past continues to cast a shadow over our society, his widow, Geraldine, told a conference on his life and legacy in Trinity College at the weekend.

Referring to the family's campaign for an inquiry into his murder, she said: "I believe that the inquiry we seek, which is the only mechanism capable of getting to the truth in this case, will help society understand its past, learn from it and eventually move beyond it with confidence and free from fear." She recalled meeting Pat Finucane when both were students in Trinity 40 years ago, she as a middle-class Presbyterian girl from east Belfast and he a working-class Catholic boy from west Belfast. They married in 1972.

"Our perspectives had been shaped by very different experiences, even at that early stage of our lives," she said. "When I finished my first year in Trinity, I went travelling in Europe with friends. Pat went home to Belfast, to help family, friends and neighbours pack whatever they could carry into whatever they could push, pull or wheel away from the hordes of people burning houses and attacking the occupants, as violence exploded all over Belfast, and especially so on the Falls Road." She described his setting up a legal practice with his friend Peter Madden, and finding innovative ways to fight for his clients through the courts.

"He used the making of wills to allow him to see persons in custody. He brought civil claims for compensation on behalf of people subject to arbitrary arrest and detention. He challenged norms of practice in areas such as policing and inquests by way of judicial review and developed the application of the mechanism beyond anything that had been tried before," she said.

"In his short life, Pat was not prepared to sit by and do nothing. He wanted to participate in the world he lived, to be in it, and not merely on it. He was curious and he was imaginative and he was brave. It is for these reasons that we come here today, 20 years on, to remember him and to celebrate his most remarkable life," she said.

She pointed out that the Lord Stevens inquiry into collusion had said Pat Finucane's murder "could have been prevented" and that "there was collusion" in the murder and the circumstances surrounding it. He also found that "the RUC investigation of Patrick Finucane's murder should have resulted in the early arrest and detection of his killers", she said.

Following the Weston Park accord between the British and Irish governments, Mr Justice Peter Cory of the Canadian Supreme Court was appointed by the British government to examine the matter further. As a result of his report, the British government in September 2004 "concluded that steps should now be taken to enable the establishment of an inquiry into the death of Patrick Finucane", she said. Yet this had not yet taken place.

Peter Madden told the conference that on the eve of the conference the campaign had received a letter from the Northern Ireland Office stating that it was working on a "draft restriction notice" for use in an inquiry under the 2005 Inquiries Act, set up for this purpose. This would enable restrictions to be placed on the inquiry, so that some of it would not be in public.

It also referred to the consultative group on the past and its recommendations about dealing with the legacy of the past in Northern Ireland. It concluded: "All these matters, like the outcome of discussions with the Finucane family or their legal representatives about the form of any inquiry will, of course, be relevant factors for Ministers in deciding whether it remains in the public interest to proceed with an inquiry."

"Now the whole question of a public inquiry is up in the air," Mr Madden said. He pointed out that the kind of legacy commission proposed would have no provision for the cross-examination of people by legal representatives of those affected, and would avoid circulating documents. "We will find out who killed Pat Finucane, and, especially, who ordered it, who is accountable," he said.

This article appears in the print edition of the Irish Times

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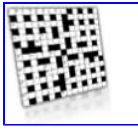
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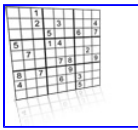
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