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PPS is undermining public confidence in justice

(Jim Gibney, [Irish News](#))

If ever there was a case for a speedy transfer of policing and justice powers to the north's executive then it is shining out of the statement on Monday from the Public Prosecution Service (PPS).

The PPS announced that no member of the British crown forces currently serving in those forces or retired will be prosecuted for their involvement in the murder of seven people, one Protestant and six Catholics, including human rights lawyer Pat Finucane.

This statement starkly highlights that this very powerful agency, which has a responsibility to act in the public's interests, has – and not for the first time – acted against the public interest.

This decision will reassure and protect those in high office inside the British political and military establishment who were involved with loyalists in a campaign of murder which claimed the lives of hundreds of nationalists and Catholics and many Protestants.

Monday's statement was the response to a file sent to the PPS four years ago by Lord Stevens in which he stated that 25 members of the crown forces were involved in collusion with loyalist paramilitaries leading to the deaths of seven people. Stevens – an experienced police officer – was satisfied there was enough evidence to prosecute.

Although the refusal by the PPS to prosecute members of the crown forces has caused deep anger among the relatives of those killed, and those relatives' organisations campaigning on their behalf, it did not come as a surprise.

Had the PPS decided to prosecute that would have surprised the relatives.

Such an outcome would have been a major departure by this agency given their track record over decades.

Hundreds of people have been killed by the crown forces in

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random killings, a shoot-to-kill policy, through collusion with loyalists and the use of plastic bullets.

A mere handful of British army and RUC personnel were charged and put on trial.

The last decade has seen a number of investigations into collusion by highly respected individuals motivated to uncover the truth surrounding the state-approved and directed murder campaign.

Lord Stevens conducted three investigations; Canadian Judge Peter Cory also investigated collusion and Nuala O'Loan, the Police Ombudsman, produced a damning report which exposed the intimate, friendly and deadly relationship between RUC Special Branch and loyalists.

It is now firmly established in the public domain that the British government armed loyalists and British intelligence agencies directed them to kill people.

Collusion was part the British government's military offensive against nationalists. It was integrated into their day-to-day operations against republicans.

The use of loyalists by the British government gave cover to their armed forces to secretly operate in an arena which was illegal and where the crown forces could not be publicly seen or risk being caught.

It is obvious to most reasonable people what the British government were at.

It was obvious to the Relatives for Justice when they brought a case to the European Court of Human Rights (ECHR) where they put the north's criminal justice system on trial.

It was obvious to the ECHR in their May 2001 verdict when they found the investigative system here – the prosecution service, the police and the inquest system – to be in breach of the British government's human rights obligations.

Why is it not obvious to the PPS?

The volume of evidence confirming collusion should be sufficient, in and of itself, for the PPS to act to prosecute those involved when the opportunity presents itself to them.

Invariably they refuse to prosecute.

There has been an habitual failure by this public office to hold to account those members of the crown forces involved

in actions which led to the death or injury of civilians.

This is a systemic failure and illustrates that this agency, paid for by the taxpayers, is a law unto itself.

PPS decisions are beyond public scrutiny – answerable to no-one.

The arrogant and dismissive tone of last Monday's statement and the uncaring way in which relatives of those killed were informed are the actions of an agency determined to prevent the truth emerging about Britain's dirty war in Ireland.

The PPS is self-serving and undermining public confidence that justice can be achieved in this new era of change.

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