

Oral statement to Parliament
**Statement by the Secretary
of State for Northern
Ireland on the murder of
Patrick Finucane**

The Secretary of State has told Parliament this afternoon (11 September) of his decision to establish an independent inquiry under the Inquiries Act 2005 into the murder of Patrick Finucane

From: **Northern Ireland Office** (</government/organisations/northern-ireland-office>) and **The Rt Hon Hilary Benn MP** (</government/people/hilary-benn>)

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With permission, Mr Speaker, I would like to make a statement about the death of Patrick Finucane.

Patrick Finucane was a human rights lawyer. On 12 February 1989 he was brutally murdered in his home in North Belfast by the loyalist paramilitary group, the Ulster Defence Association in front of his wife, Geraldine, who was wounded, and his three children, one of whom is now the Honourable Member for Belfast North.

From that day onwards, Mrs Finucane and her family have campaigned tirelessly in search of answers about the killing of their loved one.

In 1990 an inquest was opened and closed on the same day with an open verdict.

Subsequently, a number of investigations and reviews were conducted.

In 2001, following the collapse of power sharing, the UK and Irish governments agreed at Weston Park to establish public inquiries into a number of Troubles-related cases, if recommended by an international judge.

Judge Peter Cory was appointed to conduct a review of each case and in 2004 he recommended that the UK Government hold public inquiries into four deaths: those of Rosemary Nelson, Robert Hamill, Billy Wright, and Patrick Finucane.

Judge Cory also recommended that the Irish Government establish a tribunal of inquiry into the deaths of former RUC officers Bob Buchanan and Harry Breen.

Inquiries were promptly established in all of these cases, with one exception - the death of Mr Finucane.

Meanwhile, in 2003 the third investigation by Sir John Stevens into alleged collusion between the security forces and Loyalist paramilitaries had concluded that there had been state collusion in Mr Finucane's killing.

That investigation was followed by the conviction, in 2004, of one of those responsible, Ken Barrett.

With criminal proceedings concluded, the then Northern Ireland Secretary, Paul Murphy, made a statement to Parliament setting out the Government's commitment to establish an inquiry. But despite a number of attempts, the Government was unable to reach agreement with the Finucane family on arrangements for one.

In 2011, the coalition government decided against an inquiry. Instead, a review of what had happened – led by Sir Desmond de Silva QC – was established. Sir Desmond concluded that he was left “in no doubt that agents of the State were involved in carrying out serious violations of human rights up to and including murder.”

The publication of his findings in 2012 led the then-Prime Minister, David Cameron, to make an unprecedented apology from this despatch box to the Finucane family on behalf of the British Government, citing the “shocking levels of State collusion” in this case.

In 2019, the Supreme Court found that all the previous investigations had been insufficient to enable the State to discharge its obligations under Article 2 of the European Convention on Human Rights.

The Court identified a number of deficiencies in the State's compliance with Article 2. In particular, Sir Desmond's review did not have the power to compel the attendance of witnesses; those who met Sir Desmond were not subject to testing as to the accuracy of their evidence; and a potentially critical witness was excused from attendance.

In November 2020 the then Secretary of State for Northern Ireland announced that he would not be establishing a public inquiry at that time, pending the outcome of continuing investigations, but that decision was quashed by the Northern Ireland High Court in December 2022.

Mr Speaker, this Government takes its human

rights obligations - and its responsibilities to victims and survivors of the Troubles - extremely seriously.

And the plain fact is that two decades on, the commitment made by the Government – first in the agreement with the Irish Government, and then to this House - to establish an inquiry into the death of Mr Finucane remains unfulfilled.

It is for this exceptional reason that I have decided to establish an independent inquiry into the death of Patrick Finucane under the 2005 Inquiries Act.

I have, of course, met Mrs Finucane and her family. First on 25 July to hear their views, and again yesterday, to inform them of my decision. Mrs Finucane asked the Government to set up a public inquiry under the 2005 Act and - as I have just told the House - the Government has now agreed to do that, in line with both the 2019 Supreme Court ruling and the Court of Appeal judgement in July this year.

In making this decision, I have, as is required, considered the likely costs and impact on the public finances. It is the Government's expectation that the inquiry will - while doing everything that is required to discharge the State's human rights obligations - avoid unnecessary costs given all the previous reviews and investigations, and the large amount of information and material that is already in the public domain.

Indeed, in the most recent High Court proceedings, the Judge suggested that an inquiry could "build on the significant investigative foundations which are already in place".

Mr Speaker, as part of my decision-making process, I did also consider whether to refer this case to the Independent Commission for Reconciliation and Information Recovery. The Commission has powers comparable to those provided by the Inquiries Act to compel witnesses and to secure the disclosure of relevant documents by state bodies - powers identified by the Supreme Court as being crucial for the

Government to discharge its human rights obligations.

The Commission was found in separate proceedings in February this year by the High Court to be sufficiently independent and capable of conducting Article 2 compliant investigations, and while I am committed to considering measures to further strengthen the Commission, I have every confidence in its ability, under the leadership of Sir Declan Morgan, to find answers for survivors and families.

However, given the unique circumstances of this case, and the solemn commitment made by the Government in 2001 and again in 2004, the only appropriate way forward is to establish a public inquiry.

Mr Speaker, many of us in this House remember the savage brutality of the Troubles - a truly terrible time in our history - and we must never forget that most of the deaths and injuries were the responsibility of paramilitaries, including the Ulster Defence Association, the Provisional IRA, and others, and we should also - always - pay tribute to the work during that time of the Armed Forces, police and security services, the vast majority of whom served with distinction and honour, and so many of whom sacrificed their lives in protecting others.

It is very hard for any of us to understand fully the trauma of those who lost loved ones - sons and daughters, spouses and partners, fathers and mothers - and what they have been through, and there is of course nothing that any of us can do to bring them back or to erase the deep pain that was caused.

But what we can do is to seek transparency to help provide answers to families, and to work together for a better future for Northern Ireland which has made so much progress since these terrible events. I hope that this inquiry will – finally - provide the information that the Finucane family has sought for so long.

The Government will seek to appoint a Chair of the Inquiry and establish its Terms of Reference as soon as possible, and I will update the House further.

Mr Speaker, I commend this Statement to the House.

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