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Patrick Finucane Case: UK Government Outlines Way Forward

Northern Ireland Office

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The UK Government has today outlined its way forward regarding the case of Patrick Finucane.

Following extensive consideration of all options available, the Government has decided not to establish a public inquiry into the murder of the Belfast solicitor at this time. A review process is being taken forward by the Legacy Investigation Branch of the Police Service of Northern Ireland (PSNI), and investigations being conducted by the Police Ombudsman for Northern Ireland are ongoing - both independently of Government.

The Government has acknowledged the Supreme Court finding that there is yet to be an Article 2-compliant investigation into the death of Mr Finucane, and has been working since the judgment was published to assess how best to address the specific findings of the Court.

The Government has committed to re-assess whether a public inquiry is necessary to resolve any outstanding obligations under Article 2 of the European Convention on Human Rights in light of the police review process and Police Ombudsman investigations.

The Government, has also today published further details - not previously in the public domain - relating to the conduct of previous investigations into the Finucane case. A report of a review conducted by the PSNI in 2015 in light of the findings of the de Silva review has been shared with the family and will be published by the PSNI in the coming days.

Earlier today, Secretary of State for Northern Ireland, Brandon Lewis, spoke to the Finucane family to inform them of the Government's decision.

Mr Lewis said:

The murder of Patrick Finucane was an appalling crime that has caused tremendous suffering. The UK Government is clear that the shocking levels of collusion in this case are totally unacceptable, and has publicly apologised that this took place.

This case is sadly but one example of the violence and tragedy experienced by so many individuals and families during the Troubles, not just in Northern Ireland but across the United Kingdom and Ireland. It demonstrates the importance of ensuring that all families affected by the Troubles have an opportunity to find out the circumstances of their loved one's death.

We remain committed to working collaboratively with the Irish Government, the Northern Ireland parties, and civic society, including victims groups, in finding and delivering a progressive way forward on legacy to support NI in working towards a more positive future.

Note to Editors:

- Patrick Finucane, a practising lawyer, was murdered in his home in North Belfast on the evening of Sunday 12 February 1989. He was shot 14 times. The attack was carried out by gunmen from a loyalist paramilitary group.
- A number of investigations and reviews have taken place into Mr Finucane's murder. Between September 1989 and April 2003, Lord Stevens, the former Chief Constable of the Metropolitan Police, carried out three investigations into allegations of collusion between the security forces and loyalist paramilitaries, the third of which ("Stevens III") was specifically into Mr Finucane's murder. There have been 2 further independent reviews led by legal professionals (Judge Peter Cory in 2004 and Sir Desmond de Silva in 2012) and a further internal review by the PSNI in 2015.
- On 27 February 2019, the Supreme Court handed down its judgment in *Re Finucane* [2019] UKSC 7. The Finucane family had challenged successive Governments' decisions not to conduct a public inquiry in this case. The Supreme Court made a declaration in February 2019 that there had not been an Article 2 compliant inquiry into Mr Finucane's death. At §153 Lord Kerr (for the Court)

stated:

I would therefore make a declaration that there has not been an Art.2 compliant inquiry into the death of Patrick Finucane. It does not follow that a public inquiry of the type which the Appellant seeks must be ordered. It is for the state to decide, in light of the incapacity of Sir Desmond de Silva's review and the inquiries which preceded it to meet the procedural requirement of Art.2, what form of investigation, if indeed any is now feasible, is required in order to meet that requirement

- Article 2 ECHR protects the right to life and includes a procedural obligation on the part of the state to instigate an independent effective official investigation when individuals have been killed as a result of the use of force or in otherwise suspicious circumstances.
- Investigations by the Police Ombudsman are ongoing and on 02 November 2020 the PSNI informed the UK Government that the death of Mr Finucane is shortly due to undergo a process of review, in accordance with their Case Sequencing Model policy. The Chief Constable confirmed that this is expected to begin early in the New Year.
- The Public Statement can be found [here](#)
- The Government Response can be found [here](#)