

PATRICK FINUCANE INQUIRY TERMS OF REFERENCE

Scope

On 12 December 2012 the then Prime Minister stated, in relation to the murder of Patrick Finucane on 12 February 1989, that “both Lord Stevens and Judge Cory made it clear that there was State collusion in the murder. This itself was a shocking conclusion, and I apologised to the family on behalf of the British Government when I met them last year”. In pursuit of the truth, this Inquiry is established under the Inquiries Act 2005 to complete an Article 2 ECHR compliant investigation into the murder of Patrick Finucane.

This Inquiry will have full power to conduct an investigation to remedy the issues in Article 2 compliance highlighted by the Supreme Court in its judgment of 27 February 2019. In this context, the investigation will seek to: determine the circumstances of Patrick Finucane’s murder; establish the identity of all those involved in his murder and the nature of their involvement; establish whether the evidence indicates that the murder could have been prevented; and investigate acts or omissions that are relevant to the murder.

In carrying out its investigation the Inquiry will ensure that there is no unnecessary duplication of the investigative work which has already been undertaken.¹

The Inquiry will examine and review all such documents and other evidence as the Inquiry Chair judges necessary to discharge these Terms of Reference. For the avoidance of doubt, the Inquiry may investigate issues examined by previous reviews or investigations where the examination of those issues did not meet the State’s Article 2 obligation.

The Chair and the Secretary of State for Northern Ireland will agree a plan, timeline and budget for the delivery of these terms of reference within 4 months of their publication.

Report

The Inquiry will report to the Secretary of State for Northern Ireland as soon as is practicable. The Inquiry Chair will make such recommendations as may seem to him appropriate.

¹ Previous investigative work into the murder of Patrick Finucane is as follows:

- Stevens I Investigation, 1989
- Inquest, 1990
- Stevens II Investigation, 1992

- Stevens III Investigation, 1999-2003
- Langdon Review, 1999
- Cory Investigation, 2004
- De Silva Review, 2011-12