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Before the Subcommittee on Africa, Global Health, Global Human Rights, and
International Organizations

Concerning

The Murder of Human Rights Attorney, Patrick Finucane

Good morning and thank you for this opportunity to testify before this Subcommittee.

My name is Jim Cullen. I am a lawyer admitted to practice in New York, and I am a retired brigadier general in the U.S. Army Judge Advocate General's Corps. My last assignment was Chief Judge (IMA) of the U.S. Army Court of Criminal Appeals. I was also the first president of the Brehon Law Society of New York, and I met Pat Finucane when he came to the United States to serve as an expert witness in a political asylum case.

I would like to describe today my interaction with one of those who participated in Pat Finucane's murder.

An interested group in New York placed an ad in the Belfast Telegraph, a Unionist newspaper, offering a \$100,000 reward for information concerning the murder of Pat Finucane. The ad gave my name and number as the contact person for the reward.

To our surprise, I received a call very shortly after the ad appeared. The caller said he represented an individual who was involved in Pat's murder. We arranged to meet the following Saturday in a hotel outside of Dundalk, near the border.

When we met, the representative introduced me to William Stobie, who was accompanied by his lawyer and his girlfriend. There was a preliminary discussion about the confidentiality of the meeting and the terms of the reward. I advised Mr. Stobie and the others present the reward was conditioned on obtaining some specific information. We were fairly sure of the identity of the gunmen who killed Pat, but it was not they in whom we were interested. We had heard indirectly from sources in the UK that the murder had been commissioned by two upper mid-level police Special Branch officers. It was information about the solicitation of the murder by the Special Branch officials that we sought.

Mr. Stobie went on to speak to me for over two hours. He very credibly said at the outset that he would not have been trusted with the information about Special Branch's role in commissioning the murder, even though he knew by then the reward depended on this information.

He explained he had been recruited by the UDA to be their armorer and quarter master for North Belfast. Stobie told me he had served in the British Army for six years and had been trained in communications and as an armorer. He had run up a debt in a Loyalist drinking club and when he could not pay the debt, he was given the option of working off the debt instead of the usual severe beating. Not long after his recruitment by the UDA and his participation in the murder in 1987 of an innocent young Protestant student, Brian Lambert, who was mistaken for a Catholic, Stobie was approached by the Special Branch and recruited as their agent. He was never prosecuted for the Lambert murder as a result of his agreement to serve as an agent, even though he was arrested and his co-actor in the murder was prosecuted.

Stobie was told by the UDA on or about February 6, 1989 to have two pistols ready for delivery for an operation the following Sunday. He said the UDA told him the target was a "top Provo" living in North Belfast but he was not told the identity of the target. He said he called his Special Branch handlers that day and passed along the information, including the location of where he was instructed to deliver the weapons on the following Sunday. He said he contacted his Special Branch handlers later in the week to confirm what he was to do the following Sunday. He was told by Special Branch to proceed as directed by the UDA, and that the regular police would have a roadblock set up. On the following Sunday morning he delivered two pistols to a Loyalist drinking club. As he arrived, he noticed one of his Special Branch handlers with another man in an unmarked vehicle parked across the street from the entry to the club. He assumed they were ready to follow the gunmen to whom he was to turn over the weapons. He turned over the weapons near the exit of the club and then left, followed by the death squad members. Stobie got into his car and let the others drive away first. He noticed that the Special Branch members turned and went in the opposite direction to the hit team. He was listening to the radio that evening when he heard about the murder of Pat Finucane. He realized then who was the target of the death squad, and that the murder had been allowed to proceed by the Special Branch.

Stobie was contacted by the UDA on Tuesday after the murder, and told he was to dispose of the murder weapons as directed. Stobie picked up the weapons where they were left. He called Special Branch and told his handlers that he had the "hot" Browning (misidentified as a Heckler) 9 MM pistol used in the murder. Special Branch told him to follow the UDA's directions, and sent an unmarked Land Rover to meet him. He and the Special Branch man drove to the Ardoyne area and were followed by a

helicopter watching from above. When they arrived, Stobie gave the “hot” weapon to a man he called David Anderson.

Stobie told me he was suspected by the UDA of acting as an informer, and they later tried to murder him in 1992. After he was shot several times but inconveniently failed to die, a UDA leader visited him in the hospital and told him he was shot by mistake. Stobie had sufficient street smarts to realize this was a lie and decided he needed an unconventional life insurance policy. He turned first to one reporter and told his story, only to learn that this reporter had earlier agreed to accept a senior governmental press officer position. Stobie then approached a second reporter and told this individual his story on condition that the reporter could not reveal the story unless Stobie gave him permission or something happened to Stobie. He thereafter hinted to UDA acquaintances that he had made “arrangements” in case there was any repetition of the 1992 attempt on his life.

The second reporter with whom Stobie made his arrangement spotted our reward notice and contacted me.

Stobie feared that if the authorities were unsuccessful in sending him to jail, after they had planted two unrelated weapons in his mother’s house, he would again become a target. He realized he was considered a weak link by the security services when Lord Stevens began his third investigation in May 1999 into collusion among the Loyalist death squads, the Special Branch and the infamous military intelligence unit called the Force Research Unit (“FRU”) for whom Brian Nelson, the key FRU operative who targeted Pat Finucane, had worked. Lord Stevens confirmed in his 2003 report that he did identify Stobie as a person of interest early in his investigation.

Stobie wanted our reward to start a new life in Canada for himself, his girlfriend and his mother.

When I told him we would only pay the full reward upon obtaining information about the names of the upper mid-level Special Branch officers who commissioned Pat’s murder, I suggested that he should consider if there were others who might possess that information and would want to share in the reward in any manner they arranged among themselves. I did give his attorney Two Thousand Dollars in Stobie’s presence as a good faith deposit.

Stobie was later arrested as a result of evidence gathered by the Stevens Inquiry but the case against him collapsed in November 2001 when a key witness, the reporter to whom he first turned, refused to testify on account of his mental state.

And then, on December 12, 2001, Stobie was murdered by the UDA outside his home after he made it known that he would be willing to testify into an inquiry into Pat Finucane's murder, stating that he would not name Loyalists but would name their police handlers. In a statement made by a masked paramilitary after his killing, it was claimed "Billy Stobie could have stayed on the Shankill and been left alone had he not spoken out on Ulster Television and backed the public inquiry [into the Finucane killing]."

Clearly it was the police Special Branch and the FRU who were really worried about the impact of Stobie's disclosures. The prior knowledge of the Special Branch and the FRU about the murder, together with coordination of Special Branch and FRU activities at the very top of their command chains, make clear the extent of the governmental collusion in Pat Finucane's murder. The refusal by the British government to convene a credible independent inquiry into Pat Finucane's murder ensures there will be no accountability for those who orchestrated and sanctioned the murder of Pat Finucane. Faceless securocrats and their political protectors have successfully neutered the rule of law in Northern Ireland and have sadly intimidated the current political leadership of the UK.