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## **UK (Northern Ireland): Journalist potential prisoner of conscience**

Any prosecution of journalist Ed Moloney for refusing to hand over to police confidential interview notes could lead to him becoming an Amnesty International prisoner of conscience, the human rights organization said today.

The statement came as the Northern Ireland High Court confirmed a court order obtained by police to force Ed Moloney, the Northern Ireland editor of the Sunday Tribune, to hand over his notes from a 1990 interview with a police informer about claims that security forces had colluded in the murder of Belfast lawyer Patrick Finucane in 1989.

“Any attempt to force Ed Moloney to hand over confidential interview notes could have an intimidatory effect on investigative journalism,” Amnesty International said.

“It could result in deterring journalists from gathering information about human rights abuses by government forces, and silence people willing to provide information about human rights violations arising from official covert operations because of fear of exposure.”

“Amnesty International is therefore urging the authorities not to enforce the court order against Ed Moloney, thereby ensuring that journalists can carry out their investigative work without fear of imprisonment.”

The organization stressed that this case also highlights the authorities' failure during the last 10 years to carry out an independent and impartial investigation into Patrick Finucane's murder.

Amnesty International is urging the United Kingdom (UK) government to immediately establish an independent judicial inquiry into all the circumstances of the killings of Patrick Finucane, which would examine in detail why the security forces failed to act on information provided to them by army and police informers, why the authorities failed to carry out a detailed murder inquiry and failed to bring prosecutions against those involved in the murder, both from the paramilitary side and from the official intelligence sides.

### **Background information**

The police informer interviewed by Ed Moloney in 1990, William Stobie -- a member of the Loyalist Ulster Defence Association (UDA) -- was arrested in June 1999 and charged in connection with the murder of Patrick Finucane. His arrest was a result of the third investigation by English Deputy Commissioner John Stevens into allegations of collusion in Northern Ireland.

When charged, William Stobie claimed that he had informed police intelligence services in advance of Patrick Finucane's killing that a murder was going to be carried out. He also claimed that he had afterwards informed intelligence agents of the whereabouts of the weapons used in the murder. He was surprised that no one had acted on his information

William Stobie had given Ed Moloney confidential information in 1990 but had asked him not to reveal it unless something happened to him. After William Stobie's arrest, Ed Moloney published an article detailing some of the allegations Stobie had made in 1990.

In an August court hearing, police witnesses confirmed that William Stobie had been interviewed by the Royal Ulster Constabulary (RUC) on 32 occasions in 1990, during which he had admitted to being the UDA quartermaster who had supplied weaponry for Patrick Finucane's murder and later disposed of one of the murder weapons.

The previous month the police inquiry team, headed by John Stevens, had obtained a court order under the Prevention of Terrorism Act for Ed Moloney to hand over his interview notes with William Stobie. Moloney refused to comply and challenged it in the High Court. In refusing to comply with the order, Ed Moloney may face prosecution, either under the Prevention of Terrorism Act or for being in contempt of court.

Commenting on the case, Ed Moloney stated: *"The issues are very simple. If I give up these notes I may as well quit as a journalist. The betrayal of trust involved would mean that nobody could trust me from thereon not to pass on information to the police given to me in confidence. This move against me is an effective attempt to deprive me of my livelihood but it also has serious negative implications for journalists everywhere in Ireland. If this attempt to force me to cross the divide between reporting and evidence gathering for the police is successful then no journalist is safe."*

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