

The logo for the New York City Bar, featuring the text "NEW YORK CITY BAR" in a bold, serif font, centered between two horizontal blue bars.

**NEW YORK  
CITY BAR**

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April 23, 2013

The Rt. Hon David Cameron  
10 Downing Street  
London SW1A 2AA  
United Kingdom

Dear Prime Minister:

I am writing on behalf of the Association of the Bar of the City of New York (New York City Bar) regarding the inquiry into the murder of Patrick Finucane, a prominent Northern Ireland civil rights lawyer, gunned down in his home in 1989. For the reasons explained below, the Association urges your government to reconsider its decision to end its investigation into the murder following Sir Desmond de Silva's "Report of the Patrick Finucane Review," issued on December 12, 2012 following a disappointing method of investigation. We wish to reiterate our long-standing recommendation that you institute an independent and public investigation under the 2005 Inquiries Act, on the model of the successful inquiry into the killing of Baha Mousa in Iraq.

The City Bar is an independent nongovernmental organization of more than 23,000 lawyers, judges, law professors, and government officials, principally from New York City but also from throughout the United States and 50 other countries. Founded in 1870, the City Bar has a long history of dedication to human rights, notably through its Committee on International Human Rights, which investigates and reports on human rights conditions around the world, including within the United States.

As you may be aware, the City Bar has been monitoring human rights conditions in Northern Ireland for over 20 years. During this time, the Committee on International Human Rights has conducted three missions to Northern Ireland to consider, among other issues, the status of investigations into past crimes and, in particular, the murder of solicitor Patrick Finucane in 1989. We have issued several reports on these and related matters, and have met annually with government and police officials from Northern Ireland, most recently in 2012.

In this context, we commend you for meeting with the Finucane family on October 1, 2011, for your historic apology on behalf of the UK government for Patrick Finucane's murder, and for your acknowledgement of the collusion between the security forces and paramilitaries in that killing. We are also grateful to the Right Honorable Theresa Villiers, Secretary of State for

Northern Ireland, for meeting with us on October 25, 2012 in New York, and for taking the time to have a thoughtful discussion about this case and other matters.

We are nonetheless dismayed at the means your Government has adopted to bring the Finucane matter to a close. As we expressed in a May 21, 2012 letter to your office, it is our view that any inquiry into a prominent instance of official misconduct must, at a minimum, meet two threshold requirements: first, that an investigation should adopt the means most likely to uncover the truth, wherever it leads; and, second, that an inquiry must be independent, fair, and transparent to address the concerns of the public, the community particularly affected by the misconduct and the victims or their families. We regret that the de Silva review and its report failed on both of these counts.


In these views we echo numerous respected human rights organizations and the Finucane family. Whereas the report confirmed “a series of positive actions by employees of the [United Kingdom] State actively furthered and facilitated the murder and that, in the aftermath there was a relentless attempt to defeat the ends of justice,” the review was far from comprehensive.

The process by which the report was researched and produced fails as an effective public investigation by an independent official body. Among other problems, the review lacked the power to compel testimony. It relied on evidence presented by only 11 people, without opportunity for cross-examination. Further, there was no means for the family or members of the public to see the documents examined, or challenge their contents. Without these safeguards, there is no way to reach the conclusion of the report that there was “no over-arching state conspiracy.” In short, the report is no substitute for the public inquiry which the family has been seeking for 23 years and continues to seek today.

The City Bar believes that a review of the matter by a single lawyer, however prominent and well meaning, is insufficient and falls far short of the standards expected of an open and fair democracy. We urge you to again to reconsider the case and open a public inquiry. The City Bar has long urged that public judicial inquiry under the 1921 Inquiries Act. Following its repeal, we urge that at a minimum an investigation under the 2005 Inquiries Act be taken as was done in the inquiry into the killing of Baha Mousa, which is a better model for a transparent and comprehensive review.

We again reiterate our call, building on the voices of the many individuals and organizations who have urged your government to do so, for a full public inquiry into the murder of Patrick Finucane and the circumstances surrounding his death.

Very truly yours,



Carey R. Dunne