

*DECADES OF DECEIT:
The Stalker Affair and its Legacy*

Paddy Hillyard

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This is a very detailed, complicated account of the attempts made by a UK policeman (John Stalker) to investigate suspected 'shoot to kill' murders, carried out in Northern Ireland by the UK security services and/or persons connected with them in the early 80s. The main narrative runs to 417 pages with a further 73 pages of footnotes and an index. Its author is a Professor of Sociology at Queen's University, Belfast, who researches social order and control in modern welfare states, with particular attention to violence, criminality, poverty, and inequality. He has written extensively on Northern Ireland, South Africa and Lebanon.

"The story begins in the late 1970s when Irish terrorist groups managed to strike at the very heart of the British establishment. First, on 30 March 1979, the Irish National Liberation Army (INLA) managed to place a car bomb within the precincts of the Houses of Parliament. Conservative MP Airey Neave, a key figure in the rise of Thatcher within the Conservative Party, died as a result of the blast.¹ Less than six months later, on 27 August 1979, co-ordinated attacks by the IRA killed Lord Mountbatten (a relative of both the Queen and the Duke of Edinburgh) in a fishing boat off the coast of the Irish Republic and 18 British army soldiers at Warrenpoint. Subsequently, the former head of MI6, Sir Maurice Oldfield, had been brought out of retirement and appointed by Prime Minister Margaret Thatcher 'to co-ordinate security and intelligence' in Northern Ireland. As a part of this, and in consultation with the serving Chief Constable of the Royal Ulster Constabulary, John Hermon, it was decided that there should be a review of how intelligence was gathered and used in Northern Ireland. They placed this task with senior MI5 officer Patrick Walker.

As far as the public and media were concerned, the most obvious feature of the recommendations made by Walker and Oldfield was the expansion of the RUC by a further 1,000 officers. It would eventually reach an establishment of

¹ At the time of his death Neave was Shadow Secretary of State for Northern Ireland and was expected to serve in the same capacity in an incoming Conservative government.

12,500, equivalent to 1 for every 123 of the population, a remarkably high ratio.² As for the review of how intelligence was gathered, this was hidden from scrutiny, and implemented via a February 1981 memo.

Walker and Oldfield gave the RUC Special Branch control of all areas of intelligence gathering. Any contacts made were to be handled exclusively by Special Branch (SB hereafter), and no arrests were to be made without their permission. No intelligence actions were to be discussed, even by senior figures in the RUC CID, without SB permission. Numerous SB informants were protected, to the extent that evidence might be fabricated or covered-up to hide their identity, as deemed necessary. In tandem with this, the Force Research Unit, a secret British Army detachment established in 1980 – presumably in response to the same killings – centralised the collection of intelligence data.

These arrangements were never debated in or approved by Parliament, nor were they subject to any wider scrutiny. It is also important to note that files on individual cases were kept – if they were kept at all, as opposed to being destroyed or lost – at an extremely anodyne level, with as little as possible being written down. Subsequent investigators viewed this as deliberate, a device that allowed killers to operate with impunity by providing them with a plausible deniability.

The marginalisation of the uniformed police, in favour of secret arrangements organised by the SB, the Army and MI5, with various informers, resulted in 'loyalists' (Protestants) carrying out murders of 'terrorists' (Catholics) on behalf of the British state. It is useful to remember at this point that the overwhelming majority of those serving in the RUC (uniformed and SB) and the Ulster Defence Regiment (UDR), a large locally raised and deployed British Army force, were Protestants. Many members of the loyalist paramilitary groups the Ulster Defence Association and Ulster Volunteer Force had served or were serving in the RUC and UDR, despite this being officially discouraged.³

Finally, in an even-handed approach, the arrangements also extended to running informers within the 'nationalist' community (Catholics) who were given liberty to pursue and eliminate anyone deemed a threat to their cause (usually other Catholics). Several shocking murders and disappearances resulted from this, most of which the RUC SB knew about in advance. Almost no action was taken to alert or protect the victims. The reasoning appears to have been that

² The mainland UK has a Police establishment of 1 officer per 425 people.

³ The Ulster Defence Regiment had a strength of 9,500 at its peak. As a proportion of the population of Northern Ireland, this was gigantic. The equivalent figure within the rest of the UK (for a single regiment) would have been 332,000, almost three times the size of the entire British Army.

to allow such events to take place would discredit the perpetrators (usually the IRA or INLA) in the eyes of the Catholic community, thus strengthening more 'centrist', pro-Union elements.⁴ It is very hard not to see this as a continuation of the divide and rule policies, long carried out across the British Empire whenever Imperial rule was challenged.⁵

Deputy Chief Constable Stalker, of the Greater Manchester Police, arrived on the scene in May 1984. He did so because RUC Chief Constable John Hermon requested an independent inquiry into three incidents, involving the same RUC unit, comprising seven shootings in Armagh in November and December 1982: the killing of three unarmed IRA members at an RUC checkpoint; the killing, by an RUC undercover unit, of a teenager (who was not an IRA member) and the wounding of his friend (who was) at an IRA arms cache on a farm; and finally the killing at an RUC checkpoint of two INLA members. These had initially been investigated by other members of the RUC. The Director of Public Prosecutions for Northern Ireland decided to bring prosecutions. At the trial relating to the shootings of the two INLA men, an RUC constable admitted he had been instructed to lie in his statements, and that other witnesses had altered their stories to provide justification for opening fire. The ensuing public outcry, when the constable was found not guilty, triggered Hermon's request for an investigation.

Some of the background information about Stalker in this book reminds us of how different standards in public life were in the 70s and 80s. It was a time when the Manchester Chamber of Commerce held its annual Reception at the Manchester Playboy Club and a marked overlap existed between membership of local Masonic lodges, the upper echelons of the Police and the Conservative Party in the North West of England.

Notwithstanding any of these entertaining details, Stalker was honest and rigorous. He was also a Catholic. It did not take him long to conclude that there was, indeed, a shoot-to-kill policy in Northern Ireland. On p. 347 the author sets out the case that by the end of 1984 the Army, RUC SB and MI5 had determined that Stalker should be removed from his inquiry. They therefore started a substantial, and expensive, investigation into his friend Kevin Taylor, a

⁴ RUC SB were regularly in receipt of intelligence reports derived from the British state's most prominent informer in the IRA – Freddie Scappaticci, aka Stakeknife. Between approximately 1978 and 1990 Stakeknife passed on many names of those likely to be killed, but little was done to protect them. Although Stakeknife was run by the Army's Force Research Unit, it would have naturally been the responsibility of the RUC to police any actionable intelligence. Scappaticci died in 2023. A report on his activities is due to be published this year.

⁵ In which context note that Patrick Walker served in the Ugandan Colonial Service 1956-1963 and Sir Kenneth Newman, Hermon's predecessor as Chief Constable of the RUC, had formerly been in the Palestine Police Force Special Branch.

local property developer. In June 1986, just before Stalker was to publish his final report, he was removed from the inquiry and suspended from duty on the grounds that he had associated with criminals. He was cleared of these allegations two months later but, despite returning to duty, not reinstated as head of the inquiry. Instead, Colin Sampson, Chief Constable of the West Yorkshire Police, was tasked with taking over the inquiry, which he then completed in March 1987. The following month Attorney-General Sir Michael Havers MP told Seamus Mallon MP that there would be 'shocks felt throughout the force' (i.e. the RUC) given Sampson's conclusions. Its findings, however, have never been made public.

In January 1988 the new Attorney-General, Sir Patrick Mayhew MP, decided not to prosecute anyone in respect of the killings, recommending instead disciplinary proceedings against 23 police of various ranks. This was opposed by Ian Paisley MP, who objected to rank-and-file officers (which his party, the Democratic Unionists, sought to represent) being treated differently to those of a higher status. Paisley went as far as to say that if there had been a shoot-to-kill policy, then the Prime Minister, Margaret Thatcher, should be prosecuted, reasoning that she must have known about it.⁶

Nothing was done to further this suggestion of pushing the responsibility anywhere near the top. Indeed, pursuing legal proceedings into the shootings that Stalker and Sampson investigated was dangerous work. In February 1989 a Belfast lawyer Patrick Finucane, who had worked on some of the cases, was shot dead in his house by two masked men. After a decade of further enquiries, it was established that the Army used the UDA to carry out the murder.⁷ More followed. The existence of Walker's 1981 implementing memorandum (see p. 1 above) finally became known in 2001. Later, an investigation by Peter Cory, a retired Justice of the Supreme Court of Canada, (appointed with the agreement of the Irish and British governments) concluded his investigation of six cases in which there was suspected collusion between security forces and paramilitaries.

Cory's office computers were wiped on the grounds of 'national security' in an MI5 raid (but he had already backed-up the data). His report found that through the 80s and 90s the British army had obtained arms for loyalist

⁶ Hillyard records Paisley's remark at p. 286. It was made *after* Thatcher's 1986 comments to Raymond White (see p. 5 below).

⁷ The further enquiries were carried out by Sir John Stevens, who found evidence that, between 1990 and 2003, the RUC SB, MI5 and loyalist paramilitaries had colluded in numerous killings. During his work, there was a fire at his offices, the perpetrators of which remain unidentified to this day. Stevens himself strongly suspects it was Army intelligence/the FRU. See <<https://www.telegraph.co.uk/news/2025/02/02/british-army-unit-dirty-war-ira/>> Additionally, details of proposed arrests were leaked to the media, allowing suspects to escape.

paramilitaries via South Africa. The RUC had destroyed all its documentation relating to these shipments, but the availability of this weaponry allowed loyalist killings to exceed republican killings by 1992. Cory ordered that independent public enquiries should be held into the killings. The Blair government responded by passing the Inquiries Act (2005), something strongly opposed by Cory, who noted 'For example, the Minister, the actions of whose ministry was to be reviewed by the public inquiry, would have the authority to thwart the efforts of the inquiry at every step.'⁸

Not that this is a surprise: 'the Crown' and its unwritten powers, has always operated like this, and a 2021 Court ruling established that MI5 were protected by 'the Royal Prerogative'. Both notions are devices to avoid scrutiny by Parliament.⁹ At the time of writing, the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, passed by the departed Sunak government, creates an amnesty for anyone at still at risk of prosecution resulting from their involvement in activities in Northern Ireland from 1969. Opposed by both loyalists and nationalists, its primary intended appears to be to shield government and armed forces personnel from legal action, citing the difficulties (and costs) in pursuing such cases decades after the events concerned. Critics consider that the amnesty granted by this legislation is wider than that granted by Pinochet in Chile.

Returning to the central theme of Hillyard's book, the methods deployed by the RUC SB as they followed the approach recommended by Walker and Oldfield clearly caused some unease within the force. In September 2019 the BBC Northern Ireland current affairs TV series *Spotlight* broadcast an episode about the suspected shoot-to-kill policy. It featured Raymond White, who stated that in 1986, when head of the RUC SB, (and around the time Stalker gave way to Sampson) he personally asked Mrs Thatcher for 'legal clarity' about running double agents in paramilitary organisations. Her reply, as paraphrased by him, was 'carry on doing what you're doing – but don't get yourself caught'. Which brings us to the wider political context of why any of this was happening.¹⁰

⁸ See, for example <<https://shorturl.at/uH4IS>> or <<https://www.patfinucanecentre.org/collusion-pat-finucane/canadian-judge-peter-cory-slams-finucane-inquiry-legislation>>.

⁹ In the words of a dissenting minority opinion by Professor Graham Zellick 'to attribute an intention to Parliament in these circumstances is fanciful'. See <<https://shorturl.at/qkNFw>> or <<https://investigatorypowertribunal.org.uk/judgement/privacy-international-others-v-secretary-of-state-for-foreign-and-commonwealth-affairs-others-3/>>.

¹⁰ See <<https://shorturl.at/jkdUg>> or <<https://www.belfasttelegraph.co.uk/news/northern-ireland/special-branch-officer-told-not-to-get-caught-running-agents-in-ira/38553772.html>>. After he had retired White gave evidence to Parliament which can be read at <<https://committees.parliament.uk/oralevidence/710/default/>>.

Thatcher, and many others, took the view that murder, kidnapping and bombing were criminal offences, and that those perpetrating them should be treated as criminals, rather than combatants under the protection of the Geneva Convention. Both points of view were logical and, regarding the first, under the Geneva Convention, the deliberate targeting and killing of any civilian, non-combatant, members of a population is absolutely forbidden.¹¹ So, even if the conflict in Northern Ireland had been declared a war by the British government, both Republican and Loyalist terrorist groups, by their campaigns against random Protestants and Catholics respectively, would have still been guilty of crimes. War crimes, in fact. In the case of the second view – whether they sought to overthrow the British state by force – the objectives of the IRA and INLA were surely to obtain a British withdrawal from Northern Ireland, rather than a complete overthrow of the British state per se..

The comments made by Thatcher in 1986 indicate that she knew the basis on which the RUC SB were operating, though, naturally, there is nothing in writing to confirm as much. Nor is there anything in the UK archives about the comments made by former Attorney-General Sir Michael Havers in 1988 that the decision not to prosecute those involved in the shoot-to-kill policy was arranged by 'MI5 and people within cabinet'. Fortunately, a memorandum confirming he made this statement exists in the Irish archives.¹²

What Stalker established in the cases he examined was that those targeted by the RUC SB, and paramilitaries operating on their behalf, were often under surveillance for lengthy periods prior to being killed. It was known that they were unarmed. It was also the case that not all of them were IRA or INLA members. In none of the cases Stalker investigated was there a sudden confrontation and exchange of fire. It seemed clear that arrests could have been made, charges brought and convictions obtained, rather than lethal force deployed. Which raises the question: would the police anywhere else in the UK hunt down and execute suspected (or even proven) criminals in cold blood, falsify or destroy evidence, and in the last resort shrug-off and justify their actions on the grounds that the deceased were known law breakers? There would be outrage at the state short-circuiting the criminal justice system in such a manner.

Hillyard is almost certainly accurate when he states that the decision to remove Stalker can be dated back to late 1984. There was a lot at stake then

¹¹ See 'Geneva Convention relative to the Protection of Civilian Persons in Time of War' at <<https://shorturl.at/wkyEO>> or <<https://www.ohchr.org/en/instruments-mechanisms/instruments/geneva-convention-relative-protection-civilian-persons-time-war>>.

¹² See <<https://shorturl.at/bbrgh>> or <<https://www.dailymail.co.uk/news/article-6533699/Thatchers-legal-chief-wanted-send-police-Downing-Street-shoot-kill-policy.html>>.

for the Thatcher project. The miner's strike was six months old, and in September, when NACODS members voted to join the dispute, it seemed likely that the government position would crumble. A month later the Brighton bombing came close to killing Thatcher and a high proportion of her cabinet. In such a fraught situation, the appearance of a report saying that the government had sanctioned a shoot-to-kill policy in Northern Ireland, resulting in innocent people being murdered, and suspects denied a trial, would not have been helpful to the Conservative cause. Hence the decision to find something in Stalker's relationship with Kevin Taylor that could be used to get Stalker removed from the enquiry. (Ironically, Taylor was a significant figure in the Conservative Party in the north-west of England.)

For the media, the Stalker-Taylor allegations provided a rich source of material. On 16 June 1986, just three weeks after Stalker was suspended, the BBC TV *Panorama* programme broadcast a report 'Conspiracy or Coincidence?' This provided a somewhat confusing narrative, at a time when many of the allegations against Stalker were clearly *sub judice* and subject to on-going disciplinary action. The reporter who fronted this programme, Peter Taylor, later published his own account of the matter, *Stalker: The Search for Truth* (1987). A lot of attention was also focussed on the Greater Manchester Police. Hillyard considers that their re-opening of the Moors Murderers enquiry in late 1986 was done as a diversion to get media away from Stalker case. The veracity of this is not clear, but it is certainly true that the officer in charge, Chief Superintendent Topping, included a chapter about Stalker in his 1989 autobiography, *Topping: The Autobiography of the Police Chief in the Moors Murder Case*.¹³ What is true is that through the late 80s the UK press, notably *The Daily Mail*, ran a lot of pieces designed to show Chief Constable Anderton and his colleagues in a favourable light.

Everything about this saga – the illegal killings, the illegal arms importation from apartheid-era South Africa, the sheltering behind the Royal Prerogative, the absence of any Parliamentary scrutiny, the lack of clear written instructions, the narrow partisan grounds within which everything operated and the nudge-nudge-wink-wink nature of the comments made to White in 1986 – has the authentic flavour of the Thatcher era. It was a time when the Conservative Party got even with its adversaries, destroyed whole sections of the economy, decimated local and regional government and being 'one of us' trumped reasoned debate.

On 11 September 2024 the UK government ordered an independent public

¹³ Jean Ritchie and Peter Topping, *Topping: The Autobiography of the Police Chief in the Moors Murder Case* (London: Angus & Robertson, 1989)

inquiry into the 1989 murder of Patrick Finucane.¹⁴ Given the 2005 Inquiries Act has yet to be repealed it will, most likely, be held under its auspices. Despite the possibility that the Minister overseeing this might at any point decline to assist it, it is to be hoped that it provides clarity about a despicable period in British history and allows both communities in Northern Ireland to come to terms with the traumatic events of the recent past.

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He is currently writing a study of Winston Churchill's period as First Lord of the Admiralty 1939-1940, for publication in 2026.

¹⁴ See <<https://shorturl.at/kupD1>> or <<https://www.irishtimes.com/ireland/2024/09/11/how-the-public-inquiry-into-the-murder-of-pat-finucane-got-over-the-line/>>