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PONI statement on the investigation into the killing of Eoin Morley

We act on behalf of Eilish Morley family in relation to their PONI complaint over police failure to investigate the murder of their son Eoin in 1990.

It is the first set of findings made by PONI on a conflict related case since a High Court ruling that PONI were unable to make findings of collusion against the police.

The PONI statement says that an informant confessed to the killing of Mr Morley to members of the security forces. It goes on to state that it is impossible to conclude whether or not two police officers gave a less accurate account of a meeting with the self-confessed killer than that of a member of the Security Service.

A file was sent to the PPS who directed no prosecution against either the informant or any member of the security forces.

Speaking after the release of the statement KRW LAW Conflict Litigation Dept said,

“At first blush this is a disappointing outcome for the Morley family given that no one was ever prosecuted for the killing despite an admission made to the security forces. It’s nothing short of incredible that this case never ended up in a criminal court. But then again when it comes to the dysfunctional oversight of agents during the Troubles nothing should ever really surprise us.

Having said that the content is absolutely enlightening in a number of important respects.

The debrief by an MI5 officer and officers of the RUC Special Branch concerned an admission by an agent who was jointly run by the two agencies.

Man A admitted to his involvement in Eoin's killing but he wasn't recruited as an agent until March 1992 just a short time before the killing of Police Woman, Coleen McMurray in Newry. Man A, the joint MI5 and RUC Special Branch agent was not made subject to the criminal process despite his admissions.

This in turn endorses our previous repeated calls for a thematic approach by PONI into the investigation of police failings on all South Down PIRA killings and attempted murders during the Conflict. We repeatedly asked for a linked investigation by PONI to look at the killing of Mrs. McMurray and other cases together with the Morley case. For reasons that remain unclear that never happened.

Of further concern is the PPS decision not to direct a prosecution for murder. That failure was compounded by the loss of opportunity to seek a review of the decision. We will now revisit that communication deficit and reactivate engagement with that agency in light of what we now know.

Ultimately today's notification, despite the at times neutral tone of the conclusions by PONI, almost inadvertently provides the basis for a request to Hilary Benn for a public inquiry into the role of the State when infiltrating South Down PIRA during this period of the Troubles. The revelations point to a need for a fresh collective engagement with all affected agencies including PONI, PPS, PSNI and the Secretary of State.

The letter today will inform the outworkings of Mrs. Morley's ongoing judicial review challenge against PONI later this month. Far from concluding matters today's news opens up a Pandoras Box on the State and its collusive practices with the Republican Movement. “

Kevin winters
KRW LAW