

ESSAY

DISPATCHES FROM THE COLLUSION INQUIRY: A TRIBUTE TO THE HONOURABLE PETER CORY

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I. INTRODUCTION

Between 2002 and 2003, the Honourable Peter deCarteret Cory led an inquiry in the United Kingdom that examined allegations of state collusion in paramilitary murder. The Cory Collusion Inquiry arose out of the Weston Park Peace Negotiations. For years, allegations of state collusion in murder cases had obstructed the pursuit of a lasting peace in Northern Ireland. The Good Friday Accord of 1998 was not working, and the political parties regrouped at Weston Park in 2001. It was at that time that Prime Minister Tony Blair and Taoiseach Bertie Ahern jointly proposed the appointment of a judge from outside the UK to review the controversial cases and determine whether public inquiries

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were warranted. The judge selected was Peter Cory, then retired from the Supreme Court of Canada.

I had the great privilege of serving as counsel to Peter Cory on that inquiry. I witnessed, firsthand, his moral courage, his determination to expose the truth, and his compassion for those who had suffered personal loss. I would like, in the pages that follow, to share some of those observations with you.

The announcement of the Cory Collusion Inquiry in the United Kingdom was initially met with some skepticism. The level of distrust outweighed any sense of optimism. However, all of that changed when Peter Cory met with the families of the deceased, and other interested parties. He put people at ease, and he very quickly earned the respect and confidence of the public.

The cases to be reviewed spanned from 1987 to 1999 and involved a broad range of circumstances. Four cases were chosen by the British Government and two by the Irish. In each case, it was alleged that state actors facilitated the killings either through direct action, or by turning a blind eye to credible and serious threats. Various state agencies were implicated, including the Security Service (“MI5”), army intelligence, the Royal Ulster Constabulary (“RUC”), the prison service of Northern Ireland, the Northern Ireland Office, and An Garda Síochána (“the Garda”), the Irish police service.

To set the context, I will offer a brief description of the murders under review. The following refers to evidence before the Collusion Inquiry, and the findings made by Peter Cory. The descriptions are based on the contents of the Cory Collusion Inquiry Reports. They do not seek to incorporate disclosures or findings made by subsequent tribunals.

II. SIX CASES; EIGHT MURDERS

A. Breen and Buchanan

The year 1987 saw the murder of two police officers, Chief Superintendent Breen and Superintendent Buchanan. These officers worked in the north. They were instructed to travel to the south to meet with the Irish police force, An Garda Síochána, about smuggling activities taking place in South Armagh. This area was generally known as bandit country due to its lawless character. CS

Breen spoke to his second-in-command the day before the meeting. He told him that he felt uneasy about making the trip because he believed that there was a mole, or a spy, in the Garda supplying information to the IRA.

While he had these misgivings, CS Breen set them aside, determined to do his duty. He and Buchanan drove to the south and had their meeting. When it was done, they began their trip back to the north. The officers had a choice of four roads to take back to their detachment. They usually varied the route they took for security reasons. That day, they chose a route along back roads. As it turned out, this was a perfect location for an ambush.

The choice didn't much matter. The IRA had manned all four roads and were ready to attack whichever route was taken. Dressed in military garb and posing as a military checkpoint, the IRA members stopped civilian vehicles and had the drivers lay on the road with their heads down. The effect of the stopped vehicles and the civilians was to block the roadway so that the officers' vehicle could not pass through quickly when it arrived.

According to the civilian eyewitnesses, Officer Buchanan initially stopped the vehicle but seemed to realize that something was amiss. He tried to back up the vehicle. As he did so, a white van pulled up. Several masked gunmen jumped out and opened fire.

Buchanan was killed in short order, shot in the head at close range. Breen, in the front passenger seat, was shot six times, but was not mortally wounded. Notwithstanding his condition, he managed to open the car door and step out of the vehicle. He reached into his pocket and pulled out a white handkerchief. He held it aloft in an apparent symbol of surrender. In response, one of the masked men placed the muzzle of a gun to the back of his head and pulled the trigger.

Breen and Buchanan were but two of many police officers who lost their lives to sectarian violence. Peter Cory found there to be state collusion based on evidence that an officer in the Garda had facilitated the ambush by telling the paramilitaries when the officers were on their way.

B. Finucane

Patrick Finucane was a respected solicitor. He was known to represent republican clients, among others, charged with

paramilitary violence. Patrick Finucane was a law-abiding citizen who took his role as a solicitor very seriously. He believed that everyone was entitled to representation. There was no evidence linking Patrick Finucane to any paramilitary or other criminal organization.

Nonetheless, as a result of his courageous defence of accused persons, Patrick Finucane was erroneously seen to be personally affiliated with the causes of his clients. This was the perception of the RUC, it was the perception of the army and police and the Security Service, and of some politicians. Regrettably, it was also the perception of the UDA—the loyalist paramilitary group responsible for Patrick Finucane's murder.

On February 12, 1989, a Sunday evening, as Patrick Finucane was sitting down to have dinner with his wife and young children, masked gunmen broke into his home and shot him several times, killing him. There was evidence to indicate that state intelligence agencies knew that Patrick Finucane was going to be murdered and that they did nothing to stop it.

In 1981, senior officials from army intelligence, the police, and the Security Service met to discuss a threat to Patrick Finucane. It had come to the attention of the Security Service that a known loyalist assassin was intending to kill Patrick Finucane and that he would carry out the threat once he obtained certain information. According to the recorded minutes of the meeting, those present saw this as a very real and imminent threat. The assassin had killed others. There was debate about what should be done. A variety of options were discussed, including issuing a warning to Patrick Finucane. Those present rejected this option because as they put it, Patrick Finucane might not keep his counsel. He might say something to others. This would compromise the security of ongoing intelligence operations. All of the options were rejected on this basis. In the face of a very real and imminent threat of murder, senior security officials agreed that they would do nothing at all.

Patrick Finucane was not murdered until some years later. There was evidence that the government knew about that threat as well.

Documents reviewed in connection with the Finucane murder suggested that intelligence gathering had become an end in itself. In one instance, Brian Nelson, an agent run by the Army Intelligence Unit, reported that he was going to offer targeting

information to another loyalist paramilitary group, the Ulster Volunteer Force (“UVF”), to help them carry out an assassination. The handlers saw this as a positive development, commenting in their report that, if the UVF carried out the attack, it would elevate Nelson’s standing in the UDA. In other instances, handlers provided information to Nelson that would facilitate UDA targeting of individuals. Nelson was ultimately convicted of twenty terrorist-related offences, including five counts of conspiracy to commit murder. It was the view of the army, as expressed by the commanding officer of intelligence—that the government had to commit crimes in order to infiltrate paramilitary groups.

The Finucane case illustrates what can happen when any group in society, including the state, considers itself to be above the law.

C. Nelson

At the time of her murder, Rosemary Nelson was forty years old, a hard-working solicitor, a wife, and a mother to three young children. As she was driving to work Monday morning, March 15, 1999, a car bomb exploded as she put her foot on the brake to slow while rounding a curve in the road.

Like Patrick Finucane, Rosemary Nelson fearlessly undertook her duties as a solicitor. Like Patrick Finucane, she often represented republican and other clients charged with paramilitary violence. Like Patrick Finucane, her representation of these clients caused others, including the police and loyalist paramilitaries, to view her as a paramilitary herself.

The years after Patrick Finucane’s murder were difficult. Many lawyers were afraid to take on the defence of controversial clients. The UN Special Rapporteur on the Independence of Judges and Lawyers, Dato’ Param Cumaraswamy, reported on the legal system in Northern Ireland. He discovered that, after the Finucane murder, many lawyers had either shut down their criminal practices entirely, or had begun to turn away potentially controversial clients.

Rosemary Nelson refused to succumb to intimidation. During a media interview, she told a reporter that, while the murder of Patrick Finucane had given her pause—after all, she had a husband

and young children—she would not shirk her responsibilities as a lawyer. In the end, she was murdered too.

Rosemary Nelson asked for protection from state agencies, and others pleaded for protection on her behalf. Those requests were denied. Peter Cory found collusion on the basis that the government turned a blind eye to clear and credible threats against Rosemary Nelson's life. The Nelson case, along with the Finucane murder, illustrate what can happen when the role of a lawyer in a democratic society is misunderstood or, worse yet, deliberately ignored.

D. Gibson

Lord Justice Gibson was murdered because of a statement he made in court. He presided over a controversial trial in which RUC officers were charged with killing three young men. It was alleged that the officers had implemented the notorious shoot to kill policy—said to authorize the shooting of suspected IRA members on sight. Justice Gibson not only acquitted the officers, but commended them for bringing the men to the final court of justice. In the view of the IRA, these words sealed Justice Gibson's fate.

The murder took place while the judge and his wife were returning to Northern Ireland after a holiday in the Republic of Ireland. They drove their car off the ferry in Dublin with a Garda escort and proceeded to the border between the Republic of Ireland and Northern Ireland. When they got to the customs post, Justice Gibson got out of his car, walked back to the car of the Garda escorts, and thanked them for their assistance. The Gibsons then drove the short distance across the border to meet the RUC escort which was to take them to Belfast.

In that short distance, a bomb consisting of 500 pounds of homemade explosives was detonated. The explosives were hidden in a stolen car parked in the vicinity just fifteen or twenty minutes before the explosion. The South Armagh Brigade of the IRA claimed responsibility for the attack. The IRA also issued other public statements indicating that the murders had been planned in advance.

The very method by which the Gibsons were murdered raised suspicion about collusion. Some suggested that someone in the Garda must have provided the IRA with information about the

judge's itinerary. However, there was no evidence to support that allegation. There was very little intelligence material that discussed this murder. That which did exist was out of date and of uncertain reliability.¹

Justice Gibson was very open in discussing his travel plans with others—it would not have been difficult for the IRA to learn of those plans without intelligence being passed along. On that basis, Peter Cory found no evidence of collusion in that case. Nonetheless he offered the following observations about the impact of the murder:

The killing of Lord Justice Gibson was not simply the murder of an individual; it was a blow against the preservation of justice in the community. It was a blow against much that decent people cherish: the rule of law, and a forum for the resolution of disputes which operates on the basis of law, fairness and impartiality.

E. Hamill

The murder of Robert Hamill, a young member of the Catholic community in Portadown, occurred one Saturday night as he walked home from a local dance hall. The killing took place at an intersection where Catholic and Protestant youths would invariably cross paths after a night of drinking. This location was known to be a flashpoint for sectarian violence. As he was walking home with his friends, Robert Hamill was set upon by a group of protestant men who beat him to death.

At the time of the attack four officers were sitting in a RUC Land Rover—a vehicle much like a tank—parked at the intersection. None of the officers rendered any assistance to Mr. Hamill. One of the officers later instructed one of the attackers to destroy the clothing that he wore the night he committed the crime. Other actions by the officers in the vehicle could also be seen as acts or omissions designed to assist the Protestant rioters who killed Robert Hamill. On this basis, Peter Cory found that there was evidence of state collusion.

1. Despite the findings of a subsequent inquiry, the document that we reviewed was dated 10 years after the murders had occurred.

F. Wright

Finally, the inquiry looked into the murder of Billy Wright. Billy Wright was a dangerous man in his own right. He founded the Loyalist Volunteer Force (“LVF”), a splinter group of the Ulster Volunteer Force (“UVF”) that carried out violent acts even while other Loyalist groups were obeying a ceasefire.

In 1997, a number of Republican and Loyalist groups had agreed to a ceasefire; however two groups remained adamantly opposed to it: on the republican side the Irish National Liberation Army (“INLA”); and, on the loyalist side, the LVF. The organizations were seen as bitter enemies of one another.

Billy Wright was serving an eight-year prison term. While initially housed at Maghaberry Prison, Billy Wright was transferred to HMP Maze in April 1997. Two INLA members, Christopher McWilliams and John Kennaway were also transferred to the Maze a few days later. Just prior to their transfer, McWilliams and Kennaway had orchestrated a hostage-taking incident at Maghaberry which was aimed at murdering Billy Wright. Their plan was frustrated by Wright’s transfer to HMP Maze.

Remarkably, despite the incident at Maghaberry, LVF and INLA prisoners were housed in the same H Block at the Maze. Warring factions were but a stone’s throw apart in a prison where the prisoners exercised a great deal of control, security was unsatisfactory, and where there was no meaningful searches of cells or other areas in the prison. This set the scene for Billy Wright’s murder

Billy Wright was murdered on Boxing Day 1997 while he was in a van waiting to be transported to a visitor’s area. INLA members climbed up onto the roof of the H Block, apprehended the van, and shot Billy Wright. Once they were detected on the roof, the gates to the prison automatically locked, trapping the van and Billy Wright in the path of his attackers.

Many irregularities took place at the time of the murder and just before. There was evidence that prison officials had been warned that Billy Wright would be murdered by INLA. Nothing was done to prevent the killing. On this basis, Peter Cory found evidence of collusion on the part of the Prison Service of Northern Ireland. The murder of Billy Wright illustrates what can happen

when the state abdicates its responsibility to protect all citizens from harm, including those who stand convicted of crime.

III. INTERCONNECTIONS

While independently selected, there was a web of interconnections linking the victims in these cases. Patrick Finucane acted as counsel for one of the families at the shoot to kill trial before Lord Justice Gibson. As border Superintendent, Bob Buchanan was one of the first officers to attend at the scene to investigate the murder of Lord Justice Gibson and his wife. Rosemary Nelson was counsel for the family of Robert Hamill after his murder and prior to her own. When Billy Wright's diary was recovered and was made public some years after his murder, it contained a very clear and direct threat to kill Rosemary Nelson and one of her clients.

IV. THE WORK OF THE INQUIRY

When Peter Cory met with senior representatives of both governments, he was warned about the atmosphere of suspicion and distrust that pervaded all things relating to his inquiry. It was suggested that he ought to bring his own counsel from Canada. We began as a team of three—Peter Cory, James O'Reilly (now Justice O'Reilly) and me. A few months into the process, James O'Reilly was appointed a judge of the Federal Court, and we forged ahead as a team of two.

Peter Cory completed comprehensive inquiries into each of these cases and filed six reports, each averaging 100 pages or more, within a period of fifteen months. No one knew how long this process would take. The Bloody Sunday inquiry had been underway for approximately six years. Some estimated that we would require around two to three years to complete our task. One official, using a complicated mathematical formula, estimated that our review would take close to thirty years. We liked that estimate best, because we could brag that we came in twenty-eight and a half years ahead of schedule.

The inquiry did not have powers of compulsion. It consisted of a paper review, and interviews of witnesses who were willing to speak voluntarily. We read many thousands of documents. Given security classifications, we often had to review material on site.

Many days were spent in small rooms filled with large stacks of paper. The task was at times tedious, but it was never beneath Peter Cory to roll up his sleeves and share the load. If I suggested doing a review myself, he would respond: "If there are two of us, it will be done in half the time." And so it was that we logged countless hours in a variety of different locations.

We were not always welcomed. One agency extended a chilly reception, quite literally, when it sat us in a room so cold I had to wear gloves to type. Another agency sat us with "watchers," who stared intently as we read through documents or walked to the restroom. We responded to all of this with equanimity and, on occasion, warmer clothing.

We came to learn that, as many documents as we saw, other documents were not disclosed in a timely fashion. For example, an addendum had to be written to the Finucane Report, because of late receipt of documents proving that a commanding officer of the British Army had perjured himself at Brian Nelson's sentencing hearing. Peter Cory made his displeasure known when cooperation was withheld. He was determined that nothing stand in the way of the inquiry. Always a gentleman—even when others were not—he would not abide obstructions. If someone mistook his genteel manner for a lack of determination, they were soon set straight. Peter Cory wore a velvet glove but was not afraid to wield an iron fist.

On one occasion—the first time that we were both absent from the London office—representatives from the Security Service attended at the office and demanded that staff turn over our computer hard drives. Staff was told that it was essential in the interests of national security. At the time, the Finucane Report was in draft form, and asserted findings about various state agencies. The Security Service wiped the hard drives clean and then returned them to us. Fortunately, Peter Cory had the foresight to store copies of our work product off-site, and the inquiry was able to continue on course. After consulting with a trusted official in the Metropolitan London Police, Peter Cory decided that he would refrain from requesting an investigation into the incident. There was a risk that it might set off collateral events and derail the inquiry. This incident was recently the subject of a BBC series

reporting on “untold stories of the troubles.”² This story was untold, but only so that the work of the inquiry could continue.

There were also personal challenges. Strange and sometimes disturbing events occurred. Those in a position to know had warned us that we would be followed, listened to, and subject to harassment. We were cautioned that people would try to befriend us to infiltrate the inquiry. While this might seem the stuff of cold war fiction, I believe that those things did occur. Within that atmosphere, reasonable paranoia was not an oxymoron.

Peter Cory was determined, from the outset, that there be no appearance of bias or partiality attaching to the inquiry. When we first arrived, a staff of young men was poised to start working on the inquiry, assigned by the Northern Ireland Office of the British Government. They were quietly sent back to their home offices. Peter Cory explained that he could not work with staff from an agency that was itself under investigation. We took to curating our dining options. In Belfast on St. Patrick’s Day, it seemed a good night to sample the local Chinese food restaurant. Invitations and offers of friendship were also declined on this basis. Early on, a newspaper article falsely reported that Peter Cory had told three friends in a pub about the work of the inquiry. I remember thinking that this was preposterous on many levels, among them the notion that we had three friends.

On a personal level, it was an enormous privilege to work with and learn from Peter Cory. He was an extremely generous teacher and mentor, always quick to offer guidance and inspiration. He also became a cherished friend. We often grabbed dinner at the end of the working day, as neither of us were competent to prepare our own food. We spoke of many things over dinner. Peter Cory spoke of his family, his beloved wife Edith, his children and grandchildren. He spoke about the Thomas Sophonow inquiry and the tragedy of wrongful convictions. He told wonderful stories about his days as a trial judge on circuit in Ontario. He reminisced about flying a Lancaster bomber in the Second World War as a young man, and the grief he still felt over the death of his gunner. He spoke of his love for crème brûlée. He spoke with great humour

2. *The Troubles: A Secret History - Episode 5 (BBC Spotlight)*, YOUTUBE.COM (Oct. 18, 2019), <https://www.youtube.com/watch?v=kCMrZHHGFXc&list=PLvh43USPWK1nUa72P-3Jj6Vi9I5svdoWg&index=41> [<https://perma.cc/C4R2-G4AQ>].

and indefatigable optimism. He understood the human condition better than most and felt a deep empathy for the suffering of others.

V. THE WORK AFTER THE INQUIRY

After all six reports were completed and submitted to the respective governments, we began waiting for galley proofs. The governments had the final say on whether content would be redacted in the interests of national security. There was much negotiation over what that phrase encompassed. Just as we were trying to respond to letters from the Government, other government officials were dismantling our offices. I recall someone whisking away my keyboard almost as I was typing. The correspondence continued after we returned to Canada. In one letter, Peter Cory challenged a redaction by observing that “not since Moses came down from the mount was something so much in the public domain.” The redactions were not lifted, but Peter Cory did persuade the government to include the edited pages in the published report, with content blacked out, so that the public would know just how much had been removed.

As negotiations continued, the families of victims were suffering. They did not know the result of the inquiry, and their anguish was compounded by false media reports claiming to have the inside track. Peter Cory contacted the British Government and implored them to end the suffering by telling the victims’ families the reports’ conclusions. He reasoned that, while the contents could not be disclosed, it would be an immense relief for the families to know whether or not he had recommended an inquiry. The Government did not respond to this request. Peter Cory raised the issue again, this time adding that he would speak to the families if the Government did not. Again, there was no response. On the third occasion, receiving no response, Peter Cory took matters into his own hands and contacted each of the families. He told them that he could not discuss the content of the reports but shared with them his ultimate finding.

This step greatly relieved the agony of uncertainty. It was hailed by many in the UK as a courageous and heroic gesture. Some media reports suggested that Peter Cory had embarrassed the government of the day. Peter Cory was troubled by that characterization, saying that it was never his intention to

embarrass. He acted in the interests of humanity, moved by compassion for the families and a desire to ease their suffering. As it turned out, the disclosures shook loose the inertia surrounding publication of the reports. Armed with the knowledge that an inquiry had been ordered, the family of Patrick Finucane obtained a ruling from a Belfast court that effectively compelled the government to make the reports public. They remain available on the internet today.³

Another conflict arose over the form that the inquiries would take. Peter Cory felt very strongly that only public inquiries would suffice to restore confidence in the police, the army, and other government institutions. He made this point in his reports, stressing that “without public scrutiny, doubts based solely on myth and suspicion will linger long, fester and spread their malignant infection throughout Northern Ireland.” These words were intended as a pre-emptive strike. There were increasing signs that the Government might be reluctant to hold a public inquiry into the murder of Patrick Finucane. The Finucane Report was highly critical of state intelligence gathering methods. Among other things, it documented army handling of an agent, Brian Nelson, who was later found to have committed twenty terrorist-related offences, five of which were conspiracies to commit murders.

The concern about the Finucane inquiry was prophetic. In 2005, just one year after the Reports were submitted, the British government passed new legislation that changed the inquiry process. Under the Inquiries Act 2005, the government could exercise control over the conduct of an inquiry. It could limit public access, withhold material, and even step in to bring an inquiry to an end. When he learned of the proposed legislation, Peter Cory wrote a letter expressing disappointment in blunt terms:

It seems to me that the proposed new Act would make a meaningful inquiry impossible. The Commissions would be working in an impossible situation. For example, the Minister,

3. CORY COLLUSION INQUIRY REPORT, PATRICK FINUCANE, 2004, HC 470, (UK); CORY COLLUSION INQUIRY REPORT, ROSEMARY NELSON, 2004, HC 473, (UK); CORY COLLUSION INQUIRY REPORT, CHIEF SUPERINTENDENT BREEN AND SUPERINTENDENT BUCHANAN, 2003, HC, (UK); CORY COLLUSION INQUIRY REPORT, LORD JUSTICE GIBSON AND LADY GIBSON, 2003, HC, (UK); CORY COLLUSION INQUIRY REPORT, ROBERT HAMILL, 2004, HC 471, (UK); CORY COLLUSION INQUIRY REPORT, BILLY WRIGHT, 2004, HC 472, (UK).

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. It really creates an intolerable Alice in Wonderland situation. There have been references in the press to an international judicial membership in the inquiry. If the new Act were to become law, I would advise all Canadian Judges to decline an appointment in light of the impossible situation they would be facing. In fact, I cannot contemplate any self-respecting Canadian Judge accepting an appointment to an inquiry constituted under the new proposed Act.⁴

Despite the powerful objections raised by Peter Cory and others, the Act passed. The review of the Finucane murder that ultimately took place was not a public proceeding. It was a non-statutory, document-based review with no oral hearings. Peter Cory's objections, raised in 2005, resonated many years later when the matter came before the United Kingdom Supreme Court. In February 2019, the Supreme Court declared that the Finucane review had failed to comply with Article 2 of the European Convention of Human Rights.⁵ There had not been a full and proper investigation into a death in which the state was implicated. The

4. Letter from the Honourable Peter Cory to Chairman Chris Smith, Washington Cong. Comm. (Mar. 15, 2005).

5. See *In the matter of an application by Geraldine Finucane for Judicial Review (Northern Ireland)* [2019] UKSC 7. The court stated in para. 83:

83. It is well settled that article 2 gives rise to two species of obligation on the part of the state, one substantive, the other procedural. Lord Phillips of Worth Matravers PSC in *In re McCaughey's application for judicial review* [2012] 1 AC 725, in a pithy description of the nature of the obligations, referred, at para. 2, to ECtHR's decision in *McCann v United Kingdom* (1995) 21 EHRR 97 and said, "article 2 by implication [gives] rise not merely to a substantive obligation on the state not to kill people but, where there was an issue as to whether the state had broken this obligation, a procedural obligation on the state to carry out an effective official investigation into the circumstances of the deaths ('the procedural obligation')." (Evolving human rights jurisprudence, both from Strasbourg and domestically, has, of course, established that the procedural obligation to investigate deaths can extend beyond those deaths in which state authorities are alleged to be implicated - see, for instance (Application No 32967/96) *Calvelii and Ciglio v Italy*, January 17, [2002] ECHR 3, 2001 at para. 53; (Application No 53749/00), *Lazzarini and Ghiacci v Italy*, November 7, 2002; *Angelova and Iliev v Bulgaria* 47 EHRR 7; and *Byrzykowski v Poland* (2008) 46 EHRR 32, para. 117.)

“shortcomings of the procedures” had “hampered, if not indeed prevented, the uncovering of the truth about this murder.”⁶

It has been eighteen years since the Collusion Inquiry commenced. It is for others to evaluate the impact of the Cory reports on the peace process. What I can say is that the man who wrote the reports earned a place, not only in history, but in the hearts and minds of many in Northern Ireland. People still speak of him with reverence. His work is still cited by those seeking public accountability. It is hence no surprise that, when Peter Cory died on April 7, 2020, his passing was mourned in Ireland just as it was in Canada, with moving public tributes offered in both countries. He will not soon be forgotten in either place. Peter Cory was very proud to be a Canadian. We in Canada should take pride in knowing that such a great man walked among us.

6. *Id.* at para. 119. Note that the Court did not go so far as to order a public inquiry. As it said in para. 153:

153. I would therefore make a declaration that there has not been an article 2 compliant inquiry into the death of Patrick Finucane. It does not follow that a public inquiry of the type which the appellant seeks must be ordered. It is for the state to decide, in light of the incapacity of Sir Desmond de Silva’s review and the inquiries which preceded it to meet the procedural requirement of article 2, what form of investigation, if indeed any is now feasible, is required in order to meet that requirement.

