

# Report of the Bloody Sunday Inquiry

The Rt Hon The Lord Saville of Newdigate (Chairman)  
The Hon William Hoyt OC  
The Hon John Toohey AC

## Volume VI

Sector 4: Events in Glenfada  
Park North and Abbey Park



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Report of the Bloody Sunday Inquiry – Volume VI



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Ordered by the House of Commons to be printed on 15 June 2010

## **Volume VI**

### Sector 4: Events in Glenfada Park North and Abbey Park

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## **VOLUME VI**

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Sector 4: Events in Glenfada Park North and Abbey Park

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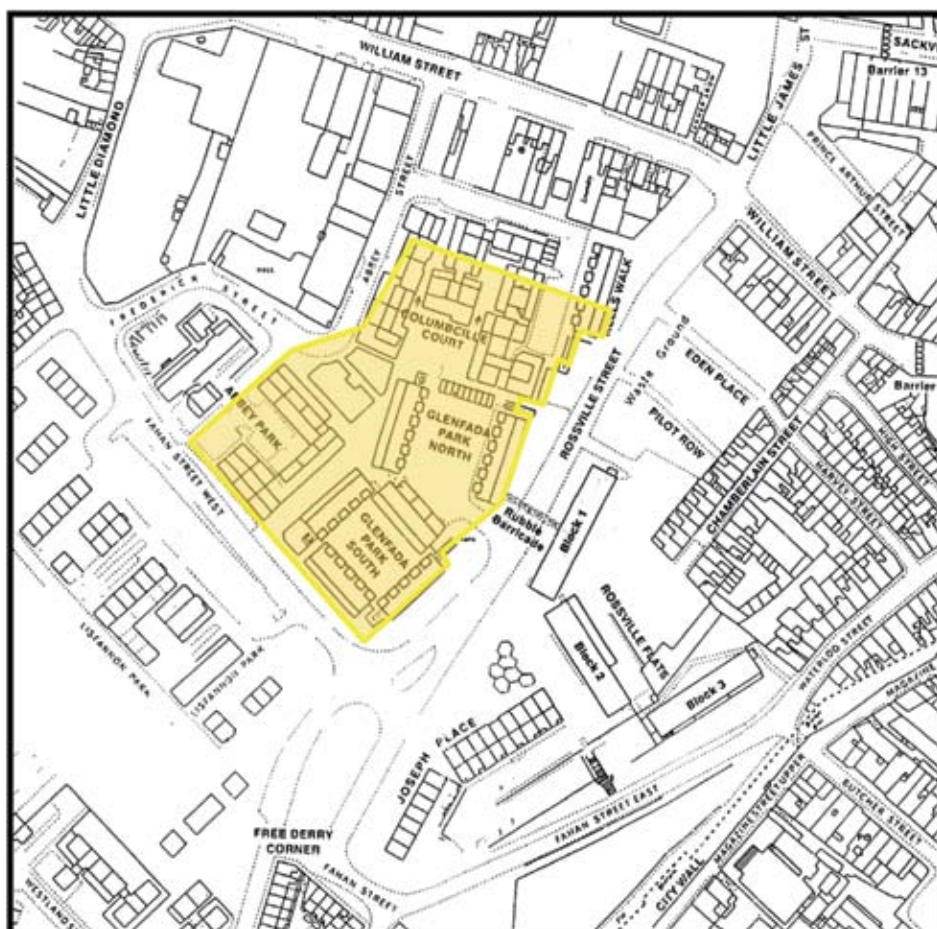
Paragraph

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North



**90.3** For reasons that we give in the course of considering the events of Sector 4, we have no doubt that Joe Friel, Michael Quinn, Jim Wray, William McKinney, Joe Mahon and Patrick O'Donnell were hit by Army gunfire in Glenfada Park North. Jim Wray and William McKinney were fatally wounded. Daniel Gillespie might have sustained a minor wound in Glenfada Park North as the result of Army gunfire, though it remains unclear whether, if this was so, he was hit directly by a bullet, or by a bullet that had ricocheted off a wall,



or by a splinter from a brick that was struck as a bullet hit a wall. A further two civilians (Gerard McKinney and Gerald Donaghey<sup>1</sup>) were fatally wounded by Army gunfire in Abbey Park.

<sup>1</sup> In some documents Gerald Donaghey's name appears as Gerald Donaghy or Gerard Donaghy.

**90.4** In the case of Jim Wray there is no doubt that he was shot twice, but whether he fell because he was shot and whether he was shot after he had fallen and was lying on the ground were matters of great controversy, which we consider in detail later in this part of the report.<sup>1</sup>

<sup>1</sup> [Paragraphs 104.239–455](#)

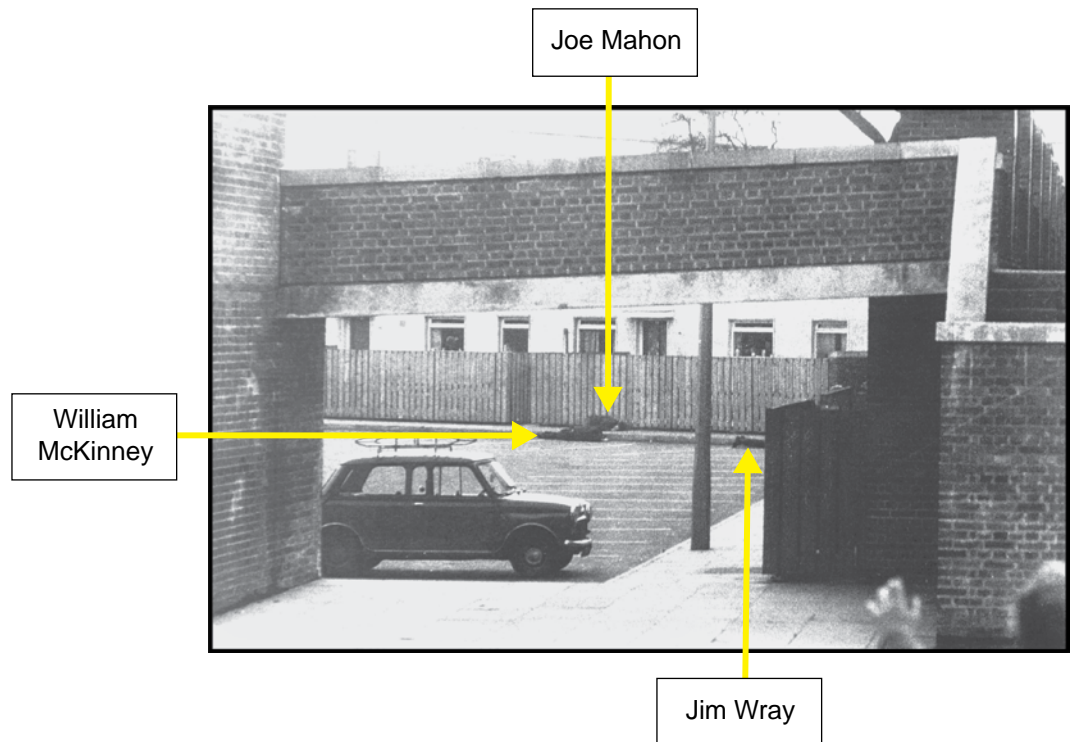
**90.5** Joe Friel, Michael Quinn and Daniel Gillespie were injured near the south-west alleyway leading from Glenfada Park North into Abbey Park. Patrick O'Donnell was injured as he sheltered behind a fence at the southern end of the eastern block of Glenfada Park North.

**90.6** Trevor McBride, a freelance photographer commissioned by the *Daily Mirror* to cover the march, took two photographs from a position in Columbcille Court of the scene in Glenfada Park North, shortly after the initial firing there.<sup>1</sup> There is very little difference between these photographs, other than that the one shown below is in sharper focus and shows a figure on the right-hand side in the foreground, seemingly looking at the same scene.

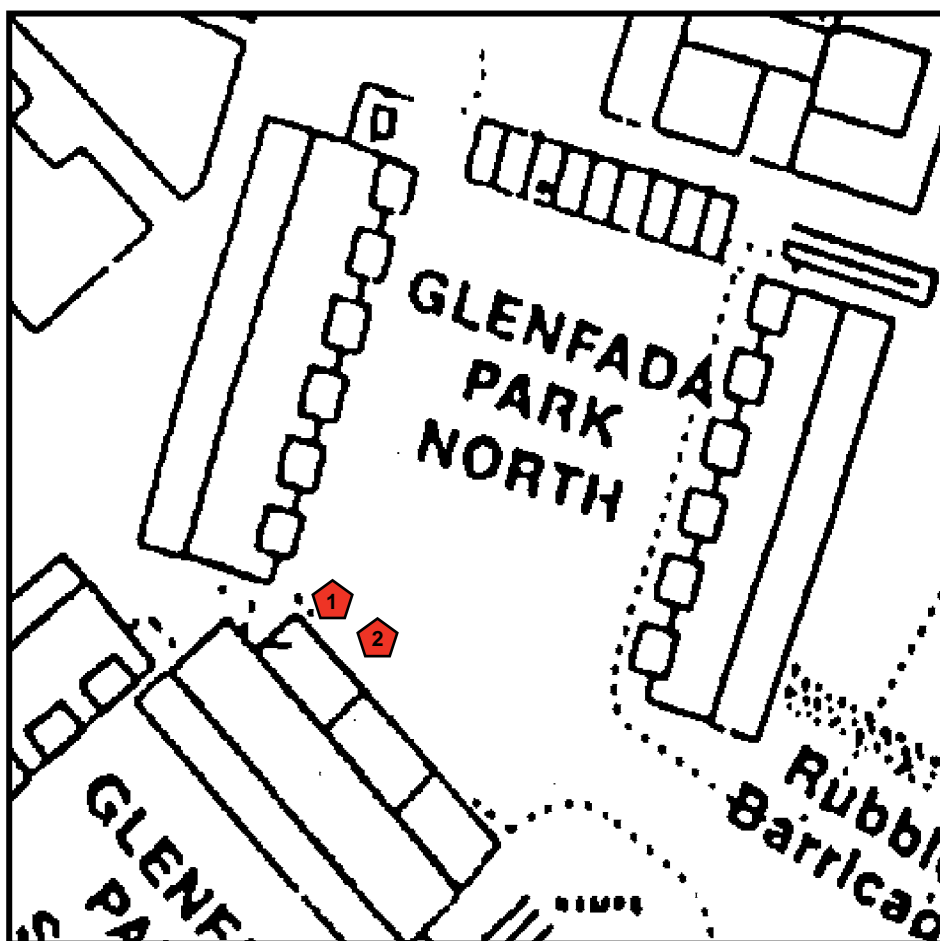
<sup>1</sup> [M53.2](#)

**90.7** This photograph shows three bodies lying at the southern end of Glenfada Park North. There was some doubt at the Widgery Inquiry as to where William McKinney fell, and as is discussed later in this report,<sup>1</sup> several witnesses told this Inquiry that he was shot in Abbey Park. However, we are satisfied from the evidence that we have examined that the photograph shows William McKinney and Joe Mahon lying close together and the legs of Jim Wray, who was lying nearer to the south-west alleyway leading into Abbey Park, in or very close to the positions where they fell.

<sup>1</sup> [Paragraphs 104.459–464](#)

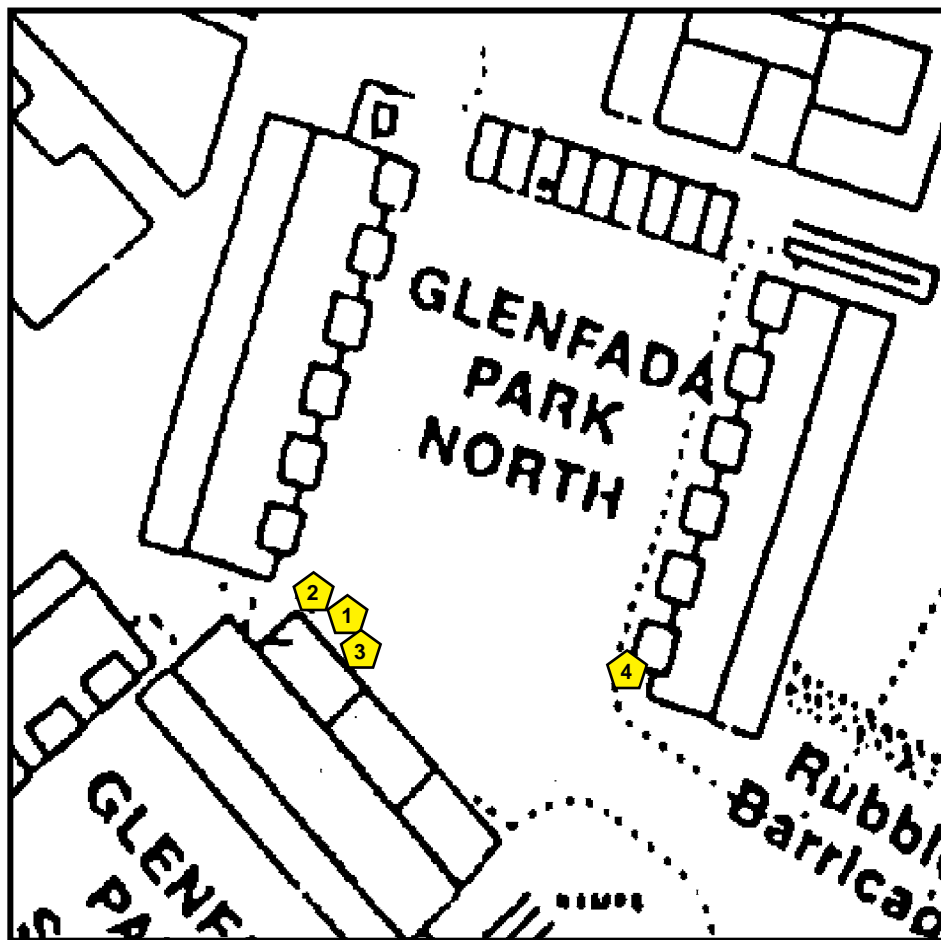
**90.8**

The following maps show the positions of those who were shot in Glenfada Park North.



Casualties who were killed or mortally wounded in  
Glenfada Park North

- 1 Jim Wray
- 2 William McKinney



**Casualties who were wounded in Glenfada Park North**

- 1 Michael Quinn
- 2 Joe Friel
- 3 Joe Mahon
- 4 Patrick O'Donnell

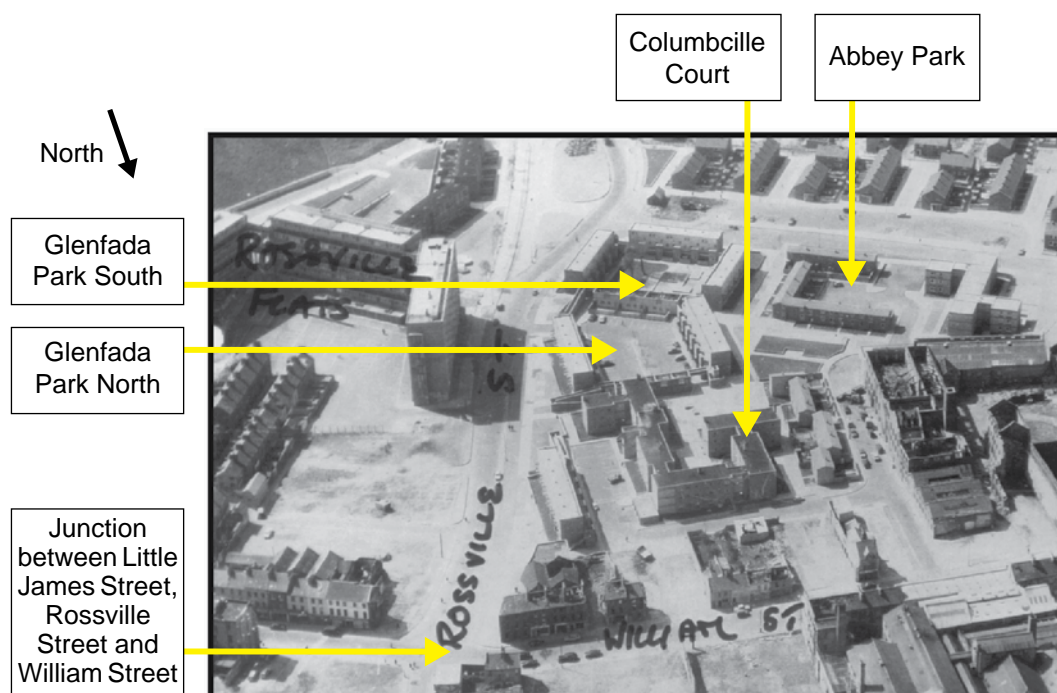
## 90.9

Gerard McKinney and Gerald Donaghey were fatally wounded in Abbey Park, after the casualties in Glenfada Park North. As we explain later,<sup>1</sup> they were crossing a set of low steps in front of the alleyway that led from Glenfada Park North when they were shot.

<sup>1</sup> [Chapter 107](#)

# Chapter 91: The layout of this part of the city

**91.1** Glenfada Park lay to the west of Rossville Street and the Rossville Flats. It was divided into two courtyards, known as Glenfada Park North and Glenfada Park South. To the west of Glenfada Park was Abbey Park, and to the north Columbcille Court.



**91.2** Glenfada Park North consisted of a courtyard surrounded by buildings on four sides. To the north a row of garages separated Glenfada Park North from Columbcille Court. On the eastern side was a three-storey block of maisonettes. The block was approximately 45 yards long. To the south of the eastern block was an access road into Rossville Street. On the south side of Glenfada Park North were the yards of the northern block of Glenfada Park South. Again, this was a three-storey block of maisonettes. On the western side of the courtyard was another block similar to that on the eastern side. The western side of the west block faced onto Abbey Park.

**91.3** Running down the centre of the courtyard (in a roughly north–south direction) was an island on which a row of four trees had been planted. The trees were still present on Bloody Sunday although they are absent from many photographs taken at a later date. Along the east, west and south sides of the courtyard car park spaces were marked with white painted lines.

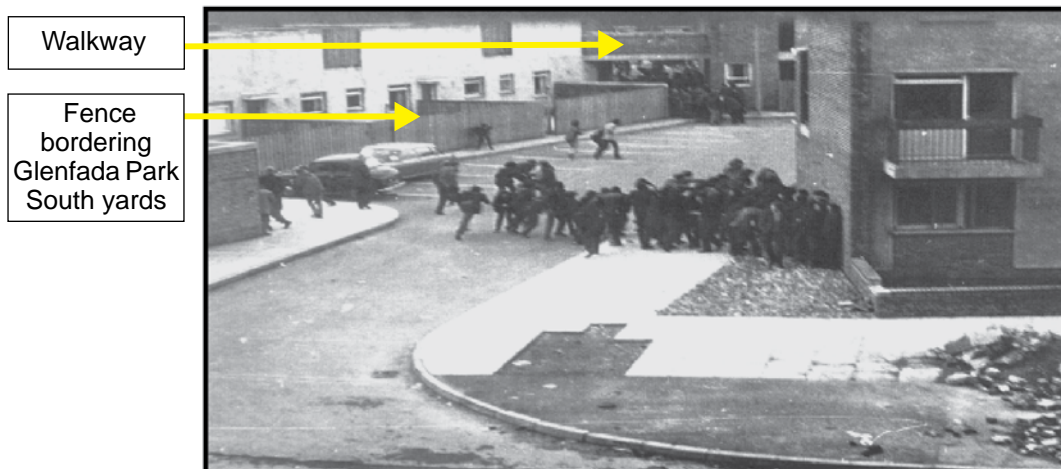
- 91.4** The eastern block of Glenfada Park North faced outwards onto Rossville Street. On the side facing into Glenfada Park North, a balcony ran the length of the block. In front of the balcony was a series of two-storey brick structures, attached to the main block at ground level. Between each of these structures was a wooden fence and gate, giving access to the residents' yards. The eastern block, viewed from Glenfada Park North, is shown in the photograph below. This photograph was not taken on Bloody Sunday and does not show all the fencing.



- 91.5** On the south side of Glenfada Park North was a wooden fence, about 30 yards long, which bordered the yards of the maisonettes of the northern block of Glenfada Park South. Gates in the fence gave access to the yards. A pavement ran along the north side of the fence. The northern block of Glenfada Park South was joined to the western block of Glenfada Park North by a walkway at first floor level. The fence and the walkway can be seen in the photograph below.<sup>1</sup>

<sup>1</sup> The provenance of this photograph is uncertain, as we discuss elsewhere in this report ([Chapter 176](#)).

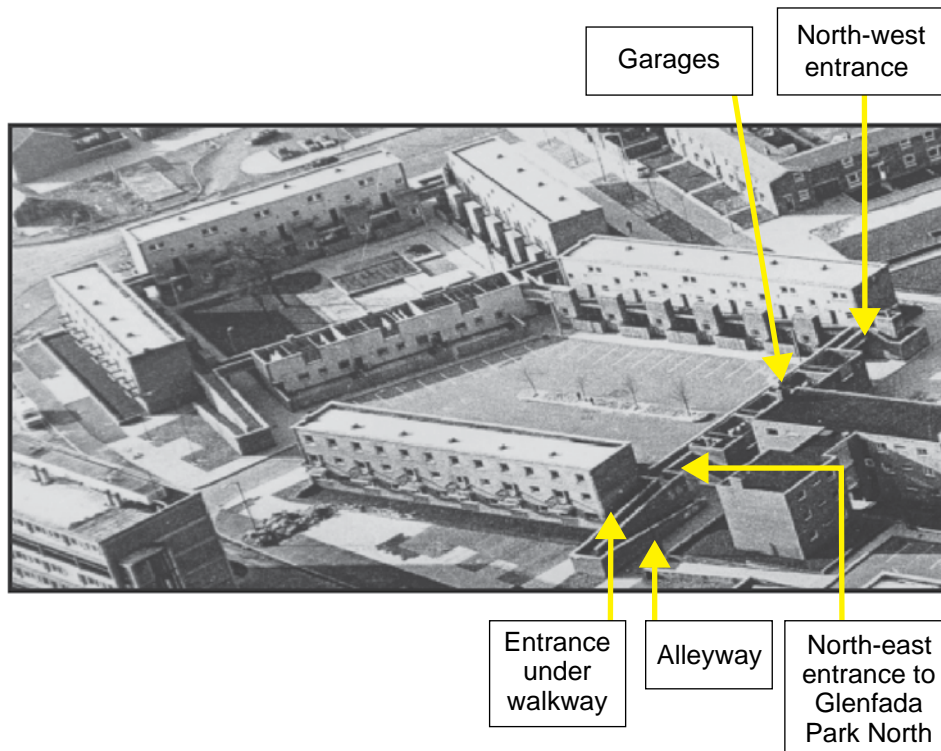




- 91.6 The western block of Glenfada Park North was of similar construction to the eastern block. It is seen in the background in the photograph below, which was taken from the Rossville Street entrance on the south-east side.



- 91.7 There were entrances to Glenfada Park North from all four corners. There were two pedestrian entrances leading from the south of Columbcille Court; one in the north-east corner of Glenfada Park North and one in the north-west. A walkway ran at first floor level along the top of the garages that separated Columbcille Court from Glenfada Park North. The entrances ran underneath the walkway. They are shown in the photograph below.



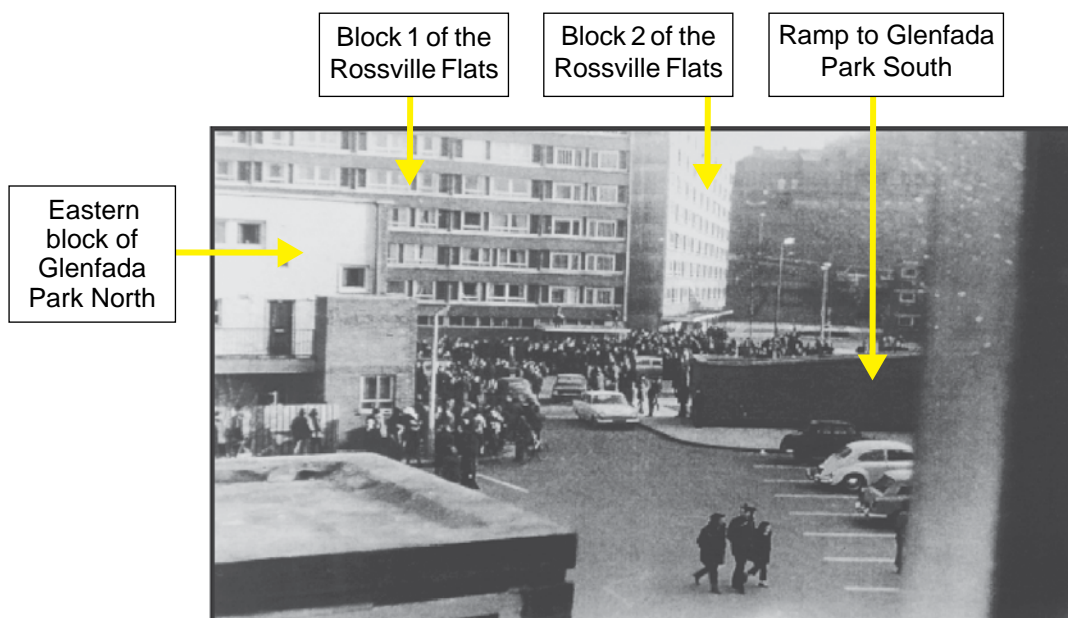
**91.8** The north-east entrance could be reached directly from Columbcille Court or from Rossville Street. The photograph above shows a ramp leading from the ground to the first floor of the eastern block of Glenfada Park North. An alleyway running parallel with the ramp led from Rossville Street to Columbcille Court, giving access to the north-east entrance into Glenfada Park North. It was also possible for a pedestrian to walk between the ramp and the north gable end of the eastern block of Glenfada Park North, going underneath the walkway at the top of the ramp and turning left into Glenfada Park North.

**91.9** The north-west entrance can be seen in the photograph below. As we have noted earlier, this photograph was taken from Columbcille Court; the photographer was looking southwards into Glenfada Park North. This photograph also shows the wooden fence that bordered the yards on the south side of Glenfada Park North.

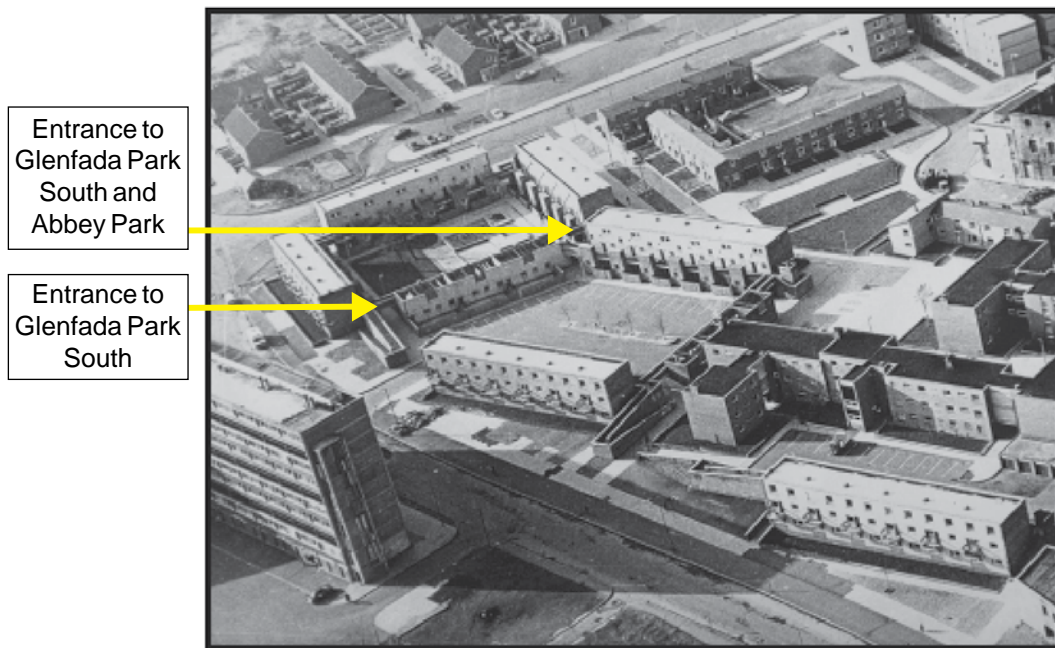




- 91.10** The access road from Rossville Street is seen in the photograph below, which was not taken on Bloody Sunday. The access road was in the south-east corner of Glenfada Park North. The photograph was taken from the west side of Glenfada Park North. Blocks 1 and 2 of the Rossville Flats can be seen immediately behind the access road.



- 91.11** Pedestrian access from Glenfada Park North to Glenfada Park South was also possible at the south-east corner of Glenfada Park North. The photograph above shows part of the ramp that led to the first floor of Glenfada Park South. The photograph below shows the pedestrian entrance on the west side of that ramp.



**91.12** At the south-west corner of Glenfada Park North it was possible to walk underneath the walkway that joined the northern block of Glenfada Park South to the western block of Glenfada Park North. It was then possible to turn left into Glenfada Park South or to go straight on to Abbey Park.

**91.13** We describe Abbey Park later in this report.<sup>1</sup>

<sup>1</sup> [Chapter 106](#)

**91.14** Many of the witnesses referred simply to Glenfada Park in their evidence. Unless noted otherwise, these references were to Glenfada Park North.

## Chapter 92: Civilian evidence of the situation immediately before and as soldiers entered Glenfada Park North

**92.1** As we have described when considering the events of Sector 3, Michael Kelly was shot at the rubble barricade on Rossville Street. He was carried to the southern end of the eastern block of Glenfada Park North, where people (including Fr Denis Bradley) tended to him as he lay on the ground. There is a chronological sequence of photographs taken by Liam Mailey, showing the scene.







**92.2** The third of these photographs shows Fr Bradley, then a Catholic priest and curate at Long Tower Parish,<sup>1</sup> walking away from Michael Kelly towards Rossville Street.

<sup>1</sup> [H1.2](#)

**92.3** Fr Bradley gave evidence to this Inquiry and to the Widgery Inquiry; he was also interviewed by *Sunday Times* journalists in 1972. He stated that he knelt down beside Michael Kelly, saw that he had been shot but was still alive, and administered the last rites to him. He then asked those standing around to carry Michael Kelly to a place where he could get medical treatment. Fr Bradley said that he was about to accompany those who had then lifted Michael Kelly when his attention was drawn to other people lying at the rubble barricade and he made his way in that direction. He recalled that during this period he could hear shooting, and he had the strong impression that this was coming from the northern end of Rossville Street.<sup>1</sup>

<sup>1</sup> [H1.30](#); [WT7.36](#); [H1.8-10](#); [Day 140/115-122](#)

**92.4** Ciaran Donnelly, a photographer for the *Irish Times*, took three photographs which show a group of people carrying Michael Kelly, firstly in a northerly and then in a westerly direction in Glenfada Park North.



**92.5** In his evidence to the Widgery Inquiry and his interview with the *Sunday Times*, Liam Mailey suggested that the youth gesticulating in the first of his photographs reproduced above was warning bystanders of the presence of soldiers in Glenfada Park North.<sup>1</sup> In our view this was not the case. Ciaran Donnelly's photographs of Michael Kelly being carried across the car park were taken after this first photograph, and they do not show any indication that soldiers were present in the courtyard. Ciaran Donnelly's evidence to this Inquiry, which is consistent with that which he gave to the Widgery Inquiry, was that he left Glenfada Park North by the north-west exit after taking the three photographs of the group carrying Michael Kelly, and that as he did so he heard people shouting that soldiers were approaching and firing at civilians.<sup>2</sup> This indicates to us that members of Anti-Tank Platoon entered Glenfada Park North very shortly after Ciaran Donnelly took the last of the photographs shown above, and this sequence is supported by the evidence of those civilians shown in this photograph and the two that preceded it.

<sup>1</sup> WT7.37; M50.52

<sup>2</sup> M22.2; M22.21; Day 71/40-41

**92.6** The following civilians have either identified themselves, or have been identified, as part of or accompanying the group shown carrying Michael Kelly in Ciaran Donnelly's photographs: George Downey;<sup>1</sup> Joseph Donnelly;<sup>2</sup> Paddy Doherty;<sup>3</sup> Pearse McCaul;<sup>4</sup> Charlie McLaughlin;<sup>5</sup> and Patrick Moyne.<sup>6</sup> Pearse McCaul and Daniel Gillespie recalled that Seamus Friel, who died without giving evidence to this Inquiry, was also among those who accompanied this group.<sup>7</sup>

<sup>1</sup> Day 123/44-45

<sup>5</sup> Day 177/82-86

<sup>2</sup> AD124.4; AD124.10; Day 128/97-98

<sup>6</sup> Day 162/31-32

<sup>3</sup> Day 128/131; Day 157/156

<sup>7</sup> AM93.3; AG34.8; Day 158/84-88; Day 158/29-30

<sup>4</sup> Day 164/88-89

**92.7** The man at the front of the group on the right was Joseph Donnelly. He told this Inquiry that he removed his tie in order to use it to staunch the bleeding from Michael Kelly's stomach, as can be seen in the photographs above.<sup>1</sup> The clothing and possessions found on and with Michael Kelly's body were subsequently sent to the Department of Industrial and Forensic Science for testing. Their records show that "*a brown tie accompanied the body*".<sup>2</sup> It seems likely that this belonged to Joseph Donnelly.

<sup>1</sup> AD124.4

<sup>2</sup> D37

92.8

Jim Wray, who was shot and killed in Glenfada Park North very soon after Ciaran Donnelly took the photographs, is also shown in them. He is the person wearing a dark hat and jacket to the right of the group in the second and third of these photographs.<sup>1</sup> Gregory Wild, then 14 years old, identified himself as the boy carrying something (possibly a lump of wood) to the right of Jim Wray in the third photograph.<sup>2</sup>

<sup>1</sup> FS4.135<sup>2</sup> AW15.9

Jim Wray



Jim Wray

Gregory Wild



**92.9** John O’Kane stated in 1972<sup>1</sup> and to this Inquiry<sup>2</sup> that he and his brother-in-law, Gerard McKinney, were among those carrying Michael Kelly. Neither man is identifiable in the second and third of Ciaran Donnelly’s photographs and it is likely that John O’Kane and Gerard McKinney had by this time separated from the group. Gerard McKinney, who was also seen lifting Michael Kelly by Desmond McNabb,<sup>3</sup> was subsequently shot and mortally injured in Abbey Park. The circumstances of his death are considered below.<sup>4</sup>

<sup>1</sup> [AO48.13](#); [AO48.24](#)

<sup>3</sup> [AM373.1-2](#); [AM373.5](#); [AM373.7](#)

<sup>2</sup> [AO48.3](#); [Day 163/13-16](#); [Day 163/70-73](#)

<sup>4</sup> [Chapter 107](#)

**92.10** While the men carrying Michael Kelly moved across Glenfada Park North, a larger group remained at or around the southern end of the eastern block of the complex, often referred to as the gable end. Many of these people had taken shelter from the shooting in Rossville Street, and some of them can be seen in the photographs of Liam Mailey and Ciaran Donnelly reproduced above. The situation was fluid, and several witnesses recalled that they moved from this area into Glenfada Park South or Abbey Park at some point in this period.<sup>1</sup> However, this Inquiry has evidence from more than 30 people who were still at or near the gable end as the soldiers entered Glenfada Park North,<sup>2</sup> and the most significant evidence from those within this group is discussed below.

<sup>1</sup> [CS6.20-23](#)

<sup>2</sup> [CS6.23-24](#)

**92.11** At least three people, George Roberts,<sup>1</sup> Hugh O’Boyle<sup>2</sup> and Anthony Coll,<sup>3</sup> moved from the gable end to take cover behind a nearby car or cars shortly after Michael Kelly was carried from the rubble barricade. They each identified their position as being behind the vehicles shown in the first photograph reproduced below.<sup>4</sup> The doubts about the provenance of this photograph are considered elsewhere in this report,<sup>5</sup> but in any event, footage taken from the Army helicopter which flew above the Bogside on that day shows that at least one car was parked in a similar position, as shown in a still from that footage, also reproduced below.<sup>6</sup>

<sup>1</sup> [AR13.8](#); [Day 151/81-83](#)

<sup>4</sup> [Day 151/81-83](#); [Day 13/14](#); [AC84.6](#)

<sup>2</sup> [AO1.4-6](#); [AO1.11](#); [Day 132/6-27](#)

<sup>5</sup> [Chapter 176](#)

<sup>3</sup> [AC84.1-2](#); [AC84.6](#); [AC84.14](#)

<sup>6</sup> [E24.10-14](#); [CS6.33-34](#)





Car

**92.12** There were some people who, it appears, broke into an unused flat in the eastern block of Glenfada Park North in order to take shelter there. Alphonsus Cunningham stated to this Inquiry that he moved to the back yard of a flat in the middle of the eastern block of the complex after he had seen Michael Kelly carried into Glenfada Park from the rubble barricade. He told us he recalled that between 10 and 20 others broke into the flat, which previously had no-one inside, in order to take cover.<sup>1</sup> In his Northern Ireland Civil Rights Association statement Alphonsus Cunningham recorded that after seeing an injured youth (presumably Michael Kelly) being carried “*in the Abbey Street direction*” he then “*had to take cover in a flat*”.<sup>2</sup>

<sup>1</sup> AC125.3; Day 150/18-20; Day 150/33-35

<sup>2</sup> AC125.5

**92.13** Brendan Gallagher and Noel Kelly both gave accounts in 1972 of taking refuge in a flat on the eastern side of Glenfada Park North, and Brendan Gallagher gave evidence to this Inquiry to the same effect.<sup>1</sup> Both men indicated that the flat in question was located slightly to the south of the one identified by Alphonsus Cunningham,<sup>2</sup> but it is likely that all three were involved in the same incident. None of these witnesses refer to seeing soldiers in Glenfada Park before they took shelter and hence we are satisfied that they did so before the first members of Anti-Tank Platoon arrived there.

<sup>1</sup> AG4.6; AG4.3; Day 147/204; AK18.1; AK18.3

<sup>2</sup> AG4.3; AG4.7; AK18.2

**92.14** It is possible that those or some of those involved in getting into a flat can be seen behind the fence in the background of the third of the photographs taken by Ciaran Donnelly of the group carrying Michael Kelly across Glenfada Park North.



**92.15** Other witnesses have given evidence of taking cover in other buildings around Glenfada Park North shortly before soldiers entered the area. John Shiels told this Inquiry that he was in the middle of a line of people who were let into flats on the first floor of the eastern block of the complex.<sup>1</sup> A number of people, including the journalists Nell McCafferty, Nuala Ni Dhomhnaill and Patsy Murphy, took shelter in a house on the south side of Glenfada Park North. This was most probably 59 Glenfada Park, the most westerly of the maisonettes. Bernard Doyle, who lived there with his elderly mother, told this Inquiry that after hearing gunfire, he let about 30–40 people run through his house, though the journalists said that they remained in the house throughout the subsequent gunfire. William Kelly recorded in 1972 accounts that he was visiting his mother-in-law at this address and let “*three girls*” in just before or as the soldiers entered the square.<sup>2</sup>

<sup>1</sup> [AS19.10](#)

<sup>2</sup> [M54.4-7](#); [M54.13](#); [Day 168/130-131](#); [Day 169/13-20](#); [M60.2-3](#); [Day 173/8-9](#); [AM486.2](#); [Day 165/53-59](#); [AD185.2](#); [Day 180/133-134](#); [AK29.1-3](#); [CS6.25-26](#)

**92.16** Oliver Green, who was eight years old at the time of Bloody Sunday, told us that after hearing gunfire in the Rossville Street area he took cover with his friend Gary English in one of the yards on the south side of Glenfada Park North, while others went into the house behind him. It may well be that this was also 59 Glenfada Park.<sup>1</sup>

<sup>1</sup> [AG52.2-3](#); [Day 152/109-111](#)

**92.17** As can be seen from the three photographs taken by Ciaran Donnelly of the group carrying Michael Kelly, several people were standing close to the walls and fences of the eastern block of Glenfada Park North. Gerry McLaughlin identified himself and his friend, Danny McCloskey, as is shown in the photograph below. He told us that he remained at or near this spot until he saw a soldier coming into Glenfada Park North, whereupon he and Danny McCloskey ran through the north-eastern entrance to Glenfada Park South.<sup>1</sup> Don Boyle also identified himself as another person shown on the eastern side of Glenfada Park in Ciaran Donnelly's photographs. He stated to this Inquiry that when the soldiers arrived he with others fled towards the south-west corner and the alleyway to Abbey Park.<sup>2</sup>

<sup>1</sup> [AM332.2-3](#); [AM332.13](#); [Day 162/116-124](#)

<sup>2</sup> [AB47.2-6](#)

**92.18** One of the civilians who was wounded on Bloody Sunday, Michael Quinn, is also pictured on the eastern side of the car park. Michael Quinn was shot as he ran from this position to the south-west corner of Glenfada Park North, and the circumstances in which he sustained his injuries are discussed later in this report.<sup>1, 2</sup>

<sup>1</sup> [AQ11.25-26](#); [AQ 11.39](#)

<sup>2</sup> [Paragraphs 104.145-163](#)



Michael Quinn

**92.19** A number of witnesses appear to have run into Glenfada Park North through one of the northern entrances, just before the soldiers arrived in the area.<sup>1</sup> These include: John McCourt;<sup>2</sup> Manus Morrison;<sup>3</sup> Eugene Bradley;<sup>4</sup> Gerard Coyle;<sup>5</sup> Charles Coyle;<sup>6</sup> Dennis Patrick Irwin;<sup>7</sup> George Hillen;<sup>8</sup> John McLaughlin;<sup>9</sup> and OIRA 7.<sup>10</sup> Donncha MacFicheallaigh told this Inquiry that in the moments before the soldiers arrived in Glenfada Park North he saw a group of civilians running from the north-east to the north-west corner of the complex, and from there through towards Columbcille Court. He said that he believed that Gerald Donaghey, who was shot and mortally injured in Abbey Park in circumstances that are considered later in this report,<sup>11</sup> might have been in this group.<sup>12</sup>

<sup>1</sup> CS6.36-43; CS6.56-57

<sup>7</sup> AI3.8; AI3.2; Day 170/70-77; CS6.36-37

<sup>2</sup> AM144.1-2; AM144.7; Day 152/134-137; Day 152/165-167

<sup>8</sup> AH74.3; Day 164/26-29

<sup>3</sup> AM437.1; AM437.4; Day 154/105-108; CS6.38

<sup>9</sup> AM500.1

<sup>4</sup> AB113.1-4; AB113.8; Day 169/150-174; CS6.37-38

<sup>10</sup> AOIRA7.11; Day 398/67; Day 398/162-169

<sup>5</sup> AC90.1-4; Day 155/4-21; Day 155/31-32

<sup>11</sup> Chapter 107

<sup>6</sup> AC88.5-6; AC88.12; Day 146/167-171; Day 146/176-180

<sup>12</sup> Day 409/102-103

**92.20** John McCourt was one of those who gave evidence to this Inquiry of running into Glenfada Park North through the north-eastern entrance shortly before the soldiers arrived. He stated that he ran through the car park with the intention of reaching his wife's grandmother's house at the southern end of the western block. As he made his way in that direction he told us that he grabbed hold of a youth and dragged him behind the fence surrounding the house's yard.<sup>1</sup> It is possible that the youth was Malachy Coyle, who told us that he had been milling about at the northern end of Glenfada Park North, and recalled a similar incident in which he had been pulled into a yard,<sup>2</sup> although there are some differences in the detail between his account and that of John McCourt.<sup>3</sup> We consider the evidence of both men in greater detail below.

<sup>1</sup> AM144.1-2; AM144.7; Day 152/134-137; Day 152/165-167

<sup>3</sup> CS6.40-41

<sup>2</sup> AC97.20; AC97.12

**92.21** It appears that Michael Wilson also took cover in a yard in the same area, possibly next door to the one into which Malachy Coyle and John McCourt went. Michael Wilson told this Inquiry that he ran from Rossville Street into the yard of the southernmost flat in the western block of Glenfada Park North when he first heard shooting.<sup>1</sup> In his Keville interview, Michael Wilson referred to hiding in a back yard in Columbcille Court,<sup>2</sup> but he told us that he must have meant Glenfada Park North.<sup>3</sup> He also told this Inquiry that he recalled that other people were in the yard with him;<sup>4</sup> in 1972 he referred to taking cover with "*another boy*".<sup>5</sup> Again, we consider Michael Wilson's evidence in more detail below.

<sup>1</sup> AW18.1; AW18.11

<sup>4</sup> AW18.2

<sup>2</sup> AW18.12

<sup>5</sup> AW18.12

<sup>3</sup> AW18.4



## Summary of the civilian evidence

**92.22** A summary of the situation in Glenfada Park North as described by civilian witnesses was provided by Counsel to the Inquiry in their submissions.<sup>1</sup> We are satisfied that it is an accurate summary and set it out, with minor revisions, in the following paragraphs.

<sup>1</sup> [CS6.54-57](#)

## Movement in Glenfada Park North before the soldiers arrive

**92.23** There was considerable civilian movement and activity in Glenfada Park North in the period immediately preceding the arrival of Anti-Tank Platoon in the area. The civilian witnesses who have given evidence to this Inquiry have indicated for the most part that their actions at this point were motivated by a desire to seek cover at a time when they could hear gunfire on Rossville Street. In many cases the witnesses said that they had seen casualties at the rubble barricade, or bullet strikes on the masonry of the south end of the eastern block of the complex.

## People carrying Michael Kelly's body

**92.24** A group of at least seven men were carrying or assisting the carriage of Michael Kelly from the southern end of the eastern block of Glenfada Park North across the courtyard, as shown in Ciaran Donnelly's photographs.<sup>1</sup> When the soldiers arrived, shortly after the last of these photographs was taken, several of these men fled through the south-west corner, leaving Joseph Donnelly to carry Michael Kelly while George Downey and Paddy Doherty helped to clear the way. Others appeared to move into or through the Abbey Park alleyway independently of those carrying Michael Kelly (eg Matthew Connolly and Gerry Doran).

<sup>1</sup> [Paragraph 92.4](#)

**92.25** A number of other civilians, including Gregory Wild, Jim Wray and Daniel Gillespie, were close to this group as it moved across the courtyard. The precise positions of John O'Kane and Gerard McKinney are not clear, but it is probable that they were carrying Michael Kelly at some stage shortly before the last two of Ciaran Donnelly's photographs were taken, and that as the soldiers entered Glenfada Park, they fled through the south-west exit.

**92.26** A relatively large number of civilians (at least 13) passed through Glenfada Park North and into Glenfada Park South at various points shortly before the arrival of the soldiers.

- 92.27** Several people, including Hugh Duffy and Ciaran Donnelly, moved out of Glenfada Park through the north-western entrance at this time.

### **People staying at the gable end**

- 92.28** A group probably numbering at least 30 remained at or near the southern end of the eastern block of Glenfada Park North at this stage.
- 92.29** At least three people (George Roberts, Hugh O'Boyle and Anthony Coll) had taken cover behind a car or cars in the south-east corner of the Glenfada Park North car park.

### **People breaking into flats on the eastern side**

- 92.30** The Inquiry has evidence from three witnesses, Alphonsus Cunningham, Brendan Gallagher and Noel Kelly, who broke into a flat in the eastern block of the complex in order to take cover. Alphonsus Cunningham and Brendan Gallagher both indicated that several other civilians were involved in this incident. John Shiels took cover with others in a flat on the floor above.

### **People sheltering in 59 Glenfada Park**

- 92.31** At 59 Glenfada Park, Bernard Doyle and his elderly mother appear to have let Nuala Ni Dhomhnaill, Patsy Murphy and Nell McCafferty into their house, possibly with other civilians. Two boys, Oliver Green and Gary English, hid in the yard after being ushered to the area by Mrs Doyle.

### **People close to fences and walls**

- 92.32** Several other civilians were standing close to the fences and walls of the complex. These included Gerry McLaughlin, Danny McCloskey, Don Boyle and Michael Quinn on the eastern side of the courtyard, and Malachy Coyle to the north and west. Malachy Coyle subsequently took cover in the yard of a flat in the western block of the complex, possibly with John McCourt. Michael Wilson believed that he hid in the same garden or the one next door.

## Vehicles

**92.33** In the photograph of uncertain provenance that we have reproduced above,<sup>1</sup> two cars can be seen in the south-east corner of Glenfada Park North. We discuss the vehicles in this area and the movement of some of them later in this report. Footage taken from the Army helicopter which flew above the Bogside on that day shows that at least one car was parked in a similar position. There is also some evidence that there was a vehicle in the north-west corner, and another in the north-east corner, of Glenfada Park North, as well as a car parked about halfway down the western side.

<sup>1</sup> [Paragraph 92.11](#)

## People entering Glenfada Park North before the soldiers arrive

**92.34** John McLaughlin, John McCourt, Manus Morrison, Eugene Bradley, OIRA 7, Dennis Patrick Irwin, Charles Coyle and Gerard Coyle all entered Glenfada Park North through the north-east entrance at some stage between the arrival of the soldiers in Rossville Street and their appearance in the courtyard. The timing of the movement of these civilians – who are most unlikely to have been the only people to have moved in this direction – is generally difficult to reconstruct. While it is probable that several of them entered Glenfada Park North well before Anti-Tank Platoon, John McCourt and Charles and Gerard Coyle appear to have arrived only moments before the soldiers. Once in Glenfada Park North, John McCourt and Manus Morrison ran towards the south-west of the courtyard; John McLaughlin, Eugene Bradley, Dennis Patrick Irwin, and Charles and Gerard Coyle ran along the eastern block.

**92.35** We deal later in this report<sup>1</sup> with the question of paramilitary activity in Glenfada Park North.

<sup>1</sup> [Chapter 111](#)



# Chapter 93: The movement of soldiers into Glenfada Park North

## Contents

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The ceasefire order	93.4
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The reason for going into Glenfada Park North	93.35
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- 
- 93.1** We are satisfied that the soldiers who first entered Glenfada Park North were members of Anti-Tank Platoon. The 17 members of that platoon present in Londonderry on Bloody Sunday had deployed into the Bogside in the last two Armoured Personnel Carriers (APCs) that went through Barrier 12, and most of them had subsequently moved to a position behind the low wall at the southern end of Kells Walk. As is described earlier in the course of considering the events of Sector 3, in the following minutes a number of Army shots were fired in Rossville Street.
- 93.2** Soldiers of Anti-Tank Platoon moved forward of the low walls of the Kells Walk ramp and into Glenfada Park North after Michael Kelly had been shot at the rubble barricade, and probably after John Young, Michael McDaid, William Nash and Hugh Gilmour had also been shot in Sector 3, though before Kevin McElhinney was fatally wounded in Rossville Street and Alexander Nash was wounded at the rubble barricade.
- 93.3** We first turn to consider whether the movement into Glenfada Park North took place after the soldiers had been ordered to cease fire; and then consider who was responsible for that movement, before turning to consider the reason for the move.

## The ceasefire order

- 93.4** It was submitted by the legal representatives of the Wray family that the movement of soldiers into Glenfada Park North took place after Major Edward Loden, the Commander of Support Company, had given a ceasefire order.<sup>1</sup> The suggestion is based in the main on the evidence given by Private 027, who was the radio operator for Lieutenant 119,

the Platoon Commander of Anti-Tank Platoon. In his 1972 statements to the Royal Military Police (RMP) and the Widgery Inquiry, Private 027 recorded hearing “a shout from the rear” to cease fire, which was repeated by those around him at the low walls of the Kells Walk ramp, before the platoon proceeded further to the south and ultimately into Glenfada Park North.<sup>2</sup> He stated that he could not say who gave the original order.<sup>3</sup> In an account that he wrote in 1975, the provenance of which is discussed elsewhere in this report,<sup>4</sup> Private 027 described hearing Major Loden give an order over the radio to cease fire, and claimed that he passed this on by shouting out the order and running along the line of soldiers at the low walls of the Kells Walk ramp, tapping them on the shoulder.<sup>5</sup> In his evidence to this Inquiry, Private 027 maintained that he had received Major Loden’s ceasefire order on the radio before soldiers went into Glenfada Park, but could not explain why he had said in 1972 that the order had been shouted.<sup>6</sup>

<sup>1</sup> FS4.155-156

<sup>4</sup> Chapter 179

<sup>2</sup> B1547; B1552

<sup>5</sup> B1565.006

<sup>3</sup> B1547

<sup>6</sup> B1565.42; Day 246/77-78; Day 246/81-83; Day 247/20; Day 248/88-93

### 93.5

The legal representatives of the Wray family submitted that the evidence of Private INQ 635, a member of Anti-Tank Platoon who also appears to have been present at the low walls of the Kells Walk ramp, supported Private 027’s account.<sup>1</sup> Private INQ 635 stated in his written evidence to this Inquiry that at some point after shots were fired towards the rubble barricade by soldiers at the walls, he heard “an order to ‘cease fire’ or ‘stop firing’”. He had “no recollection of who gave that command or where it came from”.<sup>2</sup> In his oral evidence to this Inquiry, Private INQ 635 said that he had become uncertain of this aspect of his evidence, as he might have been confused by seeing television footage of Bloody Sunday, or by his recollections of other occasions.<sup>3</sup>

<sup>1</sup> FS4.156

<sup>3</sup> Day 352/1-2

<sup>2</sup> C635.4

### 93.6

There is no other evidence that there was a ceasefire order given to Anti-Tank Platoon before they left the low walls of the Kells Walk ramp, and the Platoon Commander, Lieutenant 119, told this Inquiry that he did not receive one.<sup>1</sup>

<sup>1</sup> Day 363/144

### 93.7

We are satisfied that Major Loden did order a ceasefire considerably later, and that he can be heard doing so on film footage taken by an ITN news team accompanying the reporter Gerald Seymour.<sup>1</sup> The soundtrack of the film contains two orders; one in which Major Loden is heard shouting “cease firing” after what appear to be two shots; in the other he shouts “... do not fire back for the moment unless you identify a positive target”.

Major Loden told the Widgery Inquiry that he gave the second of these orders,<sup>2</sup> but he was not asked about the first. In his evidence to this Inquiry he again accepted that he had given the second order, and said that the first was “*probably*” him as well.<sup>3</sup> Gerald Seymour and his producer David Phillips told the Widgery Inquiry that both orders were given by the same officer.<sup>4</sup> We are satisfied that they were and that this officer was Major Loden.

<sup>1</sup> Vid 3 05.55

<sup>3</sup> B2283.008; Day 346/56-59

<sup>2</sup> WT12.14

<sup>4</sup> M72.3; WT2.26; M66.3; M66.4.1; WT2.16; WT2.17

**93.8** There are a number of reasons for concluding that these orders were given after Anti-Tank Platoon had moved forward of the low walls of the Kells Walk ramp.

**93.9** First, the footage was filmed in the lee of the Rossville Flats, and the evidence of Gerald Seymour, supported by the cameraman Peter Wilkinson and David Phillips, was that before they arrived there they had filmed “*a group of prisoners being led from the Abbey Street – Kells Walk area, including one woman*”.<sup>1</sup> As is discussed below, these were the people arrested by members of Anti-Tank Platoon after these soldiers had moved off Rossville Street and into Glenfada Park.

<sup>1</sup> M72.2; M82.2; M66.2-3

**93.10** Second, Gerald Seymour told the Widgery Inquiry that the orders were given at about 4.30pm,<sup>1</sup> and Major Loden gave a similar estimate of 1635 hours.<sup>2</sup> This would have been about 20 minutes after Support Company deployed through Barrier 12, and we are satisfied that it did not take members of Anti-Tank Platoon anything like this length of time to disembark, move to the low walls of the Kells Walk ramp, fire towards the rubble barricade and then move into Glenfada Park North.

<sup>1</sup> M72.3

<sup>2</sup> B2222; WT12.15-16

**93.11** Third, Gerald Seymour stated in 1972 that he did not hear any further shooting after the second ceasefire order,<sup>1</sup> and Major Loden told the Widgery Inquiry that he gave this order “*after the main flush of fire had ceased*”.<sup>2</sup> These statements are not consistent with the idea that this occurred shortly before Anti-Tank Platoon advanced from the low walls of the Kells Walk ramp, as within a very short time of that movement more than a dozen shots were fired in Glenfada Park North and Rossville Street.

<sup>1</sup> M72.3

<sup>2</sup> WT12.15

**93.12** Finally, Major Loden told this Inquiry that he did not give his order “*not to fire back for the moment*” until after he had moved his command vehicle to the north end of Block 1 of the Rossville Flats,<sup>1</sup> and this is consistent with his evidence to the Widgery Inquiry.<sup>2</sup> In the background of the ITN film footage on which the orders can be heard, military vehicles can be seen parked just to the north of Block 1. As is discussed below, we are satisfied that the majority of Anti-Tank Platoon were filmed advancing from the low walls of the Kells Walk ramp by a different camera crew. In that footage, Major Loden’s command vehicle is shown still parked on Rossville Street, and there are no APCs or other vehicles drawn up in the lee of the Rossville Flats.<sup>3</sup>

<sup>1</sup> B2283.006-008

<sup>3</sup> Vid 48 11.35

<sup>2</sup> B2222; WT12.15-16

**93.13** We are accordingly satisfied that Major Loden gave the ceasefire orders that were recorded on the ITN footage after Anti-Tank Platoon soldiers had moved forward of the low walls of the Kells Walk ramp, and indeed after they had withdrawn with the people they had arrested from Glenfada Park North. The context in which these orders were given is considered later in this report,<sup>1</sup> in our discussion of late firing in Sector 3.

<sup>1</sup> Paragraphs 124.92–95

**93.14** Major Loden told this Inquiry that he did not recall giving any ceasefire orders other than the ones captured on the ITN footage,<sup>1</sup> and specifically that he had not given such an order over the radio earlier in the day.<sup>2</sup> Other than the evidence of Private 027 and Private INQ 635 discussed above, there is nothing to contradict Major Loden’s recollection.

<sup>1</sup> Day 343/65

<sup>2</sup> B2283.008

**93.15** It may be that Private 027 and Private INQ 635 heard Major Loden’s later ceasefire orders, but confused the chronology of events when they came to give their statements and other accounts. In any event, we are sure that Major Loden did not give any ceasefire order while Anti-Tank Platoon was present at the low walls of the Kells Walk ramp. Further, in view of the varying accounts given by Private 027, the uncertain, vague and non-contemporary evidence given by Private INQ 635 on this point, and the lack of support for their recollections from other witnesses, we are of the opinion that no such order was given to this platoon by anyone else at this time.

## The order to move forward

**93.16** Lieutenant 119, the Platoon Commander, gave an initial statement to the RMP on 31st January 1972. In this he recorded that “*Under the command of ‘E’ and ‘F’ a number of my platoon entered a square, Columbcille Court*”.<sup>1</sup> From the rest of the statement it is clear that Columbcille Court was a mistake for Glenfada Park North. Lieutenant 119 recorded nothing at this stage about who, if anyone, had ordered this move.

<sup>1</sup> [B1752.041](#)

**93.17** Lieutenant 119 gave a second statement to the RMP on 4th February 1972. In this he recorded that he heard what sounded like a pistol and saw muzzle flashes at the corner of Glenfada Park. After giving details of this and other firing, Lieutenant 119 continued: “*I noticed that it was possible to get into Glenfada Park from an entrance directly to my right. I sent ‘E’ and ‘F’ together with a party of men around the right of Glenfada Park, and sending for my vehicles at the same time for cover.*”<sup>1</sup>

<sup>1</sup> [B1752.039-040](#)

**93.18** In his written statement for the Widgery Inquiry, Lieutenant 119 again recorded that his platoon came under fire from “*the opening into Glenfada Park, just behind the rubble barricade*”, from where he saw muzzle flashes. He made arrangements to bring his vehicles forward to provide cover and recorded that “*I then ordered some men forward into the courtyard of Glenfada Park, hoping to cut off the gunman by the barricade*”.<sup>1</sup>

<sup>1</sup> [B1752.044](#)

**93.19** Lieutenant 119 gave a consistent account in his oral evidence to the Widgery Inquiry, in which he added that he ordered Corporal E and Lance Corporal F to take a party of men into Glenfada Park. Lieutenant 119 said that he subsequently followed them.<sup>1</sup>

<sup>1</sup> [WT14.12](#); [WT14.13-14](#); [WT14.19-20](#)

**93.20** In his written evidence to this Inquiry, Lieutenant 119 told us that he could not recall the circumstances of the deployment into Glenfada Park North: “*I do not now remember whether I ordered it or whether [the soldiers who moved forward] did it because it was appropriate in order to secure our flanks.*”<sup>1</sup>

<sup>1</sup> [B1752.016](#)

**93.21** The only soldier who gave an account in 1972 of being ordered into Glenfada Park by Lieutenant 119 is Lance Corporal J, who told the Widgery Inquiry: “*I think there was a Platoon Commander standing behind us who shouted, ‘Move into Glenfada Park as there*

*are a lot of people there and arrest them’.*<sup>1</sup> As Lieutenant 119 was Lance Corporal J’s Platoon Commander, this evidence could be considered to support Lieutenant 119’s account. However, it was Lieutenant 119’s evidence that he ordered his men into Glenfada Park to cut off a gunman; he said nothing of shouting that they should move there in order to arrest “*a lot of people*”. Further, the surrounding detail of Lance Corporal J’s evidence, which is discussed in our consideration of the events of Sector 3, leads us to conclude that at the time that he heard this order he had already moved forward of the low walls of the Kells Walk ramp to the “*alleyway leading to Glenfada Park*”.<sup>2</sup> and that by the time he entered the courtyard Lance Corporal F and Private G were already there.<sup>3</sup> In his evidence to this Inquiry, Lance Corporal J told us that he had no current recollection of these matters.<sup>4</sup>

<sup>1</sup> WT15.31

<sup>3</sup> WT15.32

<sup>2</sup> WT15.31

<sup>4</sup> B289.4; Day 370/53-54

### 93.22

In contrast to the evidence given by Lieutenant 119, Corporal E claimed that he was responsible for giving the order for members of Anti-Tank Platoon to move to Glenfada Park North. In his written statement for the Widgery Inquiry, Corporal E recorded that after he had witnessed events at the rubble barricade (from what was almost certainly the low walls of the Kells Walk ramp), he saw part of the crowd trying to infiltrate to their left (his right) through Glenfada Park, “*so I got four or five men and we moved forward from the opposite side through an archway*”.<sup>1</sup> In his oral evidence to the Widgery Inquiry, Corporal E said that he had not received any instructions or orders from anyone and had moved into Glenfada Park on his own initiative to cut off this crowd.<sup>2</sup> He accepted “*full responsibility*” for this decision.<sup>3</sup> In his first RMP statement Corporal E gave a similar description of the move, but did not say anything about who had initiated it.<sup>4</sup> As is noted above, Lieutenant 119 told the Widgery Inquiry that Corporal E was one of the men whom *he* ordered to lead a party into Glenfada Park.<sup>5</sup> Corporal E is dead and gave no evidence to this Inquiry.

<sup>1</sup> B94-95

<sup>4</sup> B87

<sup>2</sup> WT14.31

<sup>5</sup> WT14.13; WT14.19

<sup>3</sup> WT14.38-40

### 93.23

Lance Corporal F gave evidence to the Widgery Inquiry that supported Corporal E’s account. He told that Inquiry that he had moved to Glenfada Park as a result of an order from Corporal E, rather than one from his “*platoon officer*” (Lieutenant 119).<sup>1</sup> In his RMP statements and his written statement for the Widgery Inquiry, Lance Corporal F had described moving into Glenfada Park in general terms, but he did not comment on who had ordered him to do so. He told this Inquiry that he had no recollection of the details surrounding this issue.<sup>2</sup>

<sup>1</sup> WT14.63-64

<sup>2</sup> B167.4-7

**93.24** We have heard considerable evidence that within 1 PARA's platoons, one soldier would generally be "*paired*" with another during operations, in order to provide mutual support and cover, although on some occasions they would work in groups of three. It appears from the evidence of those involved that on Bloody Sunday Lance Corporal F was paired with Private G,<sup>1</sup> and Corporal E was paired with Private H.<sup>2</sup> It follows that if Corporal E and Lance Corporal F were to move, Private G and Private H, both of lower rank, would be likely to go with them.

<sup>1</sup> [B121; B137; B168; B186; WT14.75](#)

<sup>2</sup> [B263; B264; Day 377/52-53](#)

**93.25** Private G told the Widgery Inquiry that he followed Lance Corporal F when he moved forward of the low walls of the Kells Walk ramp.<sup>1</sup> He stated that he did not hear whether Lance Corporal F received an order to advance into the alleyway leading into Glenfada Park,<sup>2</sup> but as Private G was of a lower rank, his own movements were dictated by those of his non-commissioned officer (NCO). Private G did not explain in his RMP statements why or on whose orders he and others went into Glenfada Park.<sup>3</sup> He is dead and gave no evidence to this Inquiry.

<sup>1</sup> [B186; WT14.77](#)

<sup>3</sup> [B168-180](#)

<sup>2</sup> [WT14.85](#)

**93.26** Private H told the Widgery Inquiry that while he was at the low walls of the Kells Walk ramp, he did not receive any orders at all.<sup>1</sup> In his RMP statements he made no reference to hearing an order to move into Glenfada Park,<sup>2</sup> but like Private G, Private H would have been likely to follow the NCO with whom he was operating.<sup>3</sup> During his oral evidence to this Inquiry, Private H was asked whether he recalled any order from the NCOs or an officer to go to Glenfada Park, or whether he just went there. He replied: "*We just went I think, sir, I think.*"<sup>4</sup>

<sup>1</sup> [WT15.8](#)

<sup>3</sup> [Day 378/80](#)

<sup>2</sup> [B218-232](#)

<sup>4</sup> [Day 378/80-81](#)

**93.27** Private 027, the only other member of Anti-Tank Platoon to have given evidence in 1972 of the events in Glenfada Park North, did not refer in his statements to the RMP or the Widgery Inquiry to hearing any orders to advance.<sup>1</sup> His written account from 1975 and his evidence to this Inquiry do not assist further on this issue.<sup>2</sup> Several other soldiers from the same platoon were present at the low walls of the Kells Walk ramp, and as is discussed below, it is likely that all moved forward of this position. None of these soldiers gave evidence in 1972, and we have not been assisted by the evidence that they gave to this Inquiry on who, if anyone, ordered the platoon into or towards Glenfada Park North.

<sup>1</sup> [B1546-B1552](#)

<sup>2</sup> [B1565.006; Day 246/83](#)

**93.28** There is a clear dispute in the evidence given to the Widgery Inquiry by members of Anti-Tank Platoon, as to who gave the order to move forward of the low walls of the Kells Walk ramp and into Glenfada Park. Lieutenant 119 and Corporal E each claimed responsibility and it is not possible to reconcile their evidence. Corporal E's account is supported by the evidence of Lance Corporal F. Private G and Private H stated that they followed the NCOs with whom they were operating, and were not aware of the origin of the order to advance. Lance Corporal J's evidence was that he was told to move into Glenfada Park by Lieutenant 119, but his recollection of the words used and the time at which he heard them is inconsistent with the Platoon Commander's own evidence to the Widgery Inquiry.

**93.29** The evidence given by these soldiers on the separate but related issue of what was occurring to the south of the low walls of the Kells Walk ramp immediately before the platoon moved forward is also markedly dissimilar. As is noted above, Lieutenant 119 told the Widgery Inquiry that he ordered his men into Glenfada Park North to cut off a gunman. In contrast, Corporal E informed the same Inquiry that he took four or five men forward in response to seeing a crowd infiltrate the area to the west of the rubble barricade. Lance Corporal J's evidence was that Lieutenant 119 had instructed the platoon to arrest "*a lot of people*",<sup>1</sup> or "*a lot of the demonstrators or rioters or terrorists*"<sup>2</sup> who had gone into Glenfada Park, although the chronology of his account indicates that this order occurred after the initial movement from the low walls of the Kells Walk ramp.

<sup>1</sup> WT15.31

<sup>2</sup> WT15.39

**93.30** Lance Corporal F recorded in his first RMP statement, timed at 0240 hours on 31st January 1972,<sup>1</sup> that immediately before he moved to Glenfada Park he saw "30–40 rioters" leave the rubble barricade and "*go to the right behind a block of flats*" (a description that fits with their movement into Glenfada Park North).<sup>2</sup> In his second RMP statement, dated 4th February 1972, he did not mention this group of rioters, but said that he saw three men, one of whom was carrying "*what looked like a rifle*", move from the rubble barricade north-west into the area of the Glenfada Park flats.<sup>3</sup> The representatives of the majority of represented soldiers sought to resolve this apparent discrepancy by submitting that in his second account Lance Corporal F was in effect stating that "*there were amongst that crowd [of 30–40 rioters] three men, one of whom appeared to be carrying a rifle*".<sup>4</sup>

<sup>1</sup> B125.004

<sup>3</sup> B129

<sup>2</sup> B122

<sup>4</sup> FS7.2014



**93.31** We do not accept this point for two reasons. First, there is no mention of any such crowd in Lance Corporal F's second RMP statement. Second, such an interpretation is inconsistent with Lance Corporal F's evidence to the Widgery Inquiry. This was similar to the account that he gave in his second RMP statement,<sup>1</sup> and he stated in his oral evidence to the Widgery Inquiry that when he entered Glenfada Park North he saw no civilians in the area other than the three men that he had seen flee from the rubble barricade.<sup>2</sup> Thus after his RMP statement of 31st January 1972, Lance Corporal F did not mention the group of 30–40 rioters again. In our view, had he seen what appeared to be a gunman as he later asserted, we are sure that he would have mentioned this in his first RMP statement. A number of people did move from the rubble barricade into Glenfada Park North and Lance Corporal F may well have seen this, but we do not accept his later and inconsistent account of seeing a gunman and only two other people. We return to Lance Corporal F's evidence below.

<sup>1</sup> B137; WT14.46-47; WT14.68

<sup>2</sup> WT14.73

**93.32** Private G told the Widgery Inquiry<sup>1</sup> that while he was at the low walls of the Kells Walk ramp, he took up a position facing and covering the left, and hence he did not look down towards the rubble barricade.

<sup>1</sup> B185-186; WT14.77; WT14.85

**93.33** In his first RMP statement, timed at 0210 hours on 31st January 1972,<sup>1</sup> Private H recorded that he and other members of his platoon moved in pursuit of a group of youths who had thrown stones and nail bombs "*at our advancing patrol*".<sup>2</sup> It is not entirely clear from the statement whether he was stating that this pursuit began before or after the platoon moved forward of the low walls of the Kells Walk ramp. In a later RMP statement, Private H again mentioned a group of youths, and stated that one of them threw a brown object that looked like a nail bomb, but which did not explode.<sup>3</sup> According to this account, this incident occurred after Private H's section had advanced about ten yards beyond what appears to have been the low walls of the Kells Walk ramp.<sup>4</sup> Private H's evidence to the Widgery Inquiry was consistent with his later RMP statement, and he also stated that he was behind Lance Corporal F and Private G at the time of the incident and that "*we pursued the youths*" into Glenfada Park.<sup>5</sup> In the latter two accounts, Private H's description suggested that the group of youths were at the mouth of the alleyway leading into the northern end of Glenfada Park North, and that they fled down this alleyway after one of the youths had thrown the "*nail bomb*". However, in his evidence to this Inquiry,

Private H stated that he did not have a nail bomb thrown towards his position until he reached Glenfada Park itself,<sup>6</sup> and that he believed that his unit moved forward in order to make arrests.<sup>7</sup>

<sup>1</sup> B221

<sup>5</sup> B233-234; WT14.96-97

<sup>2</sup> B219

<sup>6</sup> B264.5

<sup>3</sup> B229-230

<sup>7</sup> Day 377/41-42

<sup>4</sup> B230

### 93.34

In our view, Corporal E, Lance Corporal F, Private G and Private H received no order from Lieutenant 119 to move into Glenfada Park North. Had such an order been given, then it would in our view have been recorded in the Platoon Commander's first RMP statement.<sup>1</sup> Such an order would have been uppermost in his mind when he made this statement, as (had he given such an order) it would have led to soldiers going into Glenfada Park North, where they fired at civilians and caused a number of casualties. Lieutenant 119 was aware that there had been casualties when he gave his first RMP statement, as he had entered Glenfada Park North and seen bodies there.<sup>2</sup> Furthermore, although we have not had the opportunity of questioning Corporal E, he was adamant in 1972 that he moved on his own initiative. Though for reasons we give later in this report<sup>3</sup> we treat his evidence with caution, it seems to us that this part of his testimony is likely to be correct, since there seems to be no reason for him to deny that he was ordered to move. It may well be that after Corporal E, Lance Corporal F, Private G and Private H moved forward, Lieutenant 119 did give an order to others in his platoon to follow them. However, we have concluded that Lieutenant 119 invented his account of ordering Corporal E and Lance Corporal F into Glenfada Park North, to our minds in an attempt to demonstrate that he had been in control of his men, and perhaps also out of loyalty to his men, in a misguided attempt to take responsibility for their move.

<sup>1</sup> B1752.041-042

<sup>3</sup> Chapter 112

<sup>2</sup> B1752.041

## The reason for going into Glenfada Park North

### 93.35

The reason Corporal E (and initially Lance Corporal F) gave for going into Glenfada Park North was to cut off a crowd of people moving into that area from the area of the rubble barricade. According to Private H's first RMP statement, the soldiers moved in pursuit of a group of youths who had been throwing stones and nail bombs.

### 93.36

There is no doubt that people had moved from the rubble barricade into Glenfada Park North, particularly after Michael Kelly had been shot.

93.37 By the time the soldiers started forward from the low walls of the Kells Walk ramp Michael Kelly had been shot dead at the rubble barricade, and (as we have pointed out above) John Young, Michael McDaid, William Nash and Hugh Gilmour had probably also been shot in Sector 3. Rioting had ceased and all or virtually all the people who had been in the area of the rubble barricade had already moved into Glenfada Park North or taken shelter behind the south end of the eastern block, as we have described above.

93.38 In these circumstances we consider that what probably happened is that Corporal E decided to go into Glenfada Park North in pursuit of the people who had been in the area of the rubble barricade, taking Lance Corporal F, Private G and Private H with him.

93.39 Those acting on behalf of the majority of the represented soldiers, including Lance Corporal F, Lance Corporal J and Lieutenant 119, submitted that it was not surprising that members of Anti-Tank Platoon gave “*differing accounts*” of their reasons for entering Glenfada Park North, given the conditions under which they were operating.<sup>1</sup>

<sup>1</sup> FS7.2008

93.40 As is discussed above, the initial RMP statements of Corporal E, Lance Corporal F and Private G do not give “*differing accounts*” of why they entered Glenfada Park North. Corporal E and Lance Corporal F stated that they deployed there after seeing rioters move from the rubble barricade, while Private G recorded that he followed Lance Corporal F. Where the accounts of these soldiers do differ in a material respect is in Lance Corporal F’s change in evidence between his first RMP statement, where he referred to seeing “*about 30–40 rioters*” leaving the barricade, and the rest of the accounts that he gave, in which he mentioned seeing only three men doing so. We do not accept that this change, and the subsequent discrepancy between Lance Corporal F’s evidence and that of Corporal E, can be explained by reference to the conditions under which the soldiers were operating on the day. The accounts given by Lieutenant 119 and Private H as to why they moved into Glenfada Park North and what they saw immediately before and as they did so are discussed below.

93.41 The same representatives also submitted that the soldiers entered Glenfada Park North for “*legitimate and proper reasons*”, and appear to support this by the assertion that Glenfada Park was a “*habitual haven for paramilitary activity*”.<sup>1</sup> Even assuming this claim to be correct (a matter we consider elsewhere in this report<sup>2</sup>) it is not submitted (nor is there any evidence to suggest) that any of the four soldiers who initially went into Glenfada Park North was aware that this was the case, and none suggested that that was the reason they moved there. What seems to be submitted is that their accounts

of seeing armed activity before going into Glenfada Park North are supported by the fact that there is other evidence to show that Glenfada Park North was indeed a habitual haven for paramilitary activity.

<sup>1</sup> FS7.2008

<sup>2</sup> Chapter 111

**93.42** These representatives further submitted that there was armed activity in Glenfada Park North on Bloody Sunday itself, including gunmen who had previously carried and fired handguns at soldiers in Rossville Street; young men armed with nail bombs; and a car or cars belonging to the Official IRA from which weapons were removed at about the time the soldiers entered the Bogside.<sup>1</sup> Again we consider these assertions elsewhere in this report,<sup>2</sup> but so far as the last of them is concerned, again it is not submitted (nor is there any evidence to suggest) that any of the soldiers was aware of the presence of Official IRA vehicles in Glenfada Park North when they moved from the low walls of the Kells Walk ramp, and hence this could in our view have played no part in forming a “*legitimate and proper reason*” to enter this area.

<sup>1</sup> FS7.2017

<sup>2</sup> Chapter 111

**93.43** As we have stated above, it is our view that Lieutenant 119 did not give an order for some of his platoon to move into Glenfada Park North to cut off a man with a handgun whom he had seen firing in Rossville Street. Neither Corporal E nor any of the other soldiers considered here gave evidence of seeing a civilian with a handgun in Rossville Street immediately before the deployment into Glenfada Park. For these reasons we do not accept that the move was prompted by people with handguns in Rossville Street moving into Glenfada Park North.

**93.44** As well as rejecting the claim that Lieutenant 119 ordered the move, we do not accept that he witnessed pistol firing in Rossville Street, since we consider that had he done so, this would have been mentioned in his first RMP statement. It was only in his second RMP statement that Lieutenant 119 recorded that he had heard what sounded like a pistol and saw muzzle flashes at the corner of Glenfada Park North.<sup>1</sup> In his first RMP statement he had recorded that the vehicles of Support Company had come under fire from “*the Rossville Flats and Glenfadda [sic] Flats*” as they travelled down Rossville Street, and that after debussing his platoon came under fire from “*snipers concealed in the Glenfadda Flats*”.<sup>2</sup> For the reasons given in our consideration of the events of Sector 3 we have rejected Lieutenant 119’s account of coming under fire as he travelled into the Bogside. In our view the reference to coming under fire from “*snipers concealed in the*

*Glenfadda Flats*” cannot be a reference to the man with a handgun he described in his second RMP statement, because on his own account that gunman was not concealed in the Glenfada Flats.

<sup>1</sup> [B1752.039-040](#)

<sup>2</sup> [B1752.041](#)

- 93.45** As for Private H’s implicit suggestion in his 1972 evidence that the presence of youths with nail bombs represented a legitimate and proper reason for the soldiers entering Glenfada Park, this was not the reason Corporal E or Lance Corporal F (or Private G) gave for the move. Only Private H of the four soldiers who initially moved into Glenfada Park North mentioned seeing a nail bomb or something that looked like a nail bomb before doing so. Had a nail bomb been thrown at this stage the other soldiers could hardly have failed to have noticed it. Furthermore, as noted above, Private H stated to this Inquiry that no nail bomb was thrown at him until he had entered Glenfada Park North, which in our view also casts doubt on his original account. We therefore reject the suggestion that the reason, or one of the reasons, for the movement into Glenfada Park North was to chase a suspected nail bomber.
- 93.46** As we have already pointed out, in our view it was Corporal E who initiated the move into Glenfada Park North. At no stage did he suggest that he did so as the result of seeing armed activity in Rossville Street. For this reason, and because we do not accept the evidence of Lieutenant 119 or Lance Corporal F of seeing respectively handgun fire or a man with a rifle, we reject as untenable the submission that paramilitary activity provided legitimate and proper reasons for soldiers to enter Glenfada Park North.

## The question of effective command

- 93.47** It was submitted by the legal representatives of the majority of the families that if, as we consider was the case, Corporal E, Lance Corporal F, Private G and Private H moved forward from the low walls of the Kells Walk ramp and into Glenfada Park North without an order from their Platoon Commander, this evidenced that this platoon was without effective command on the day; that the members of the platoon were therefore not subject to any restraint in terms of where they went and what they did; and that there was no co-ordination of the movement of the platoon as part of the overall operation by Support Company as they moved south along Rossville Street.<sup>1</sup>

<sup>1</sup> [FS1.2329-2330](#)

- 93.48** For the following reasons and in relation to the movement of Corporal E, Lance Corporal F, Private G and Private H into Glenfada Park North, there is in our view some substance in these submissions.
- 93.49** Lieutenant 119 was in charge of Anti-Tank Platoon and was with his soldiers. The movement of the soldiers into Glenfada Park North meant going even deeper into the Bogside and out of sight of their Commander. This seems to us to amount to soldiers getting “*sucked in*”, contrary to what Colonel Derek Wilford told us he expected and required his soldiers to do. In our view Corporal E initiated the move, in order to pursue the people who had been at the rubble barricade. It was not an attempt specifically to engage gunmen.
- 93.50** In his written evidence to this Inquiry, Lieutenant 119 told us that he could not remember whether he ordered the move into Glenfada Park North, or whether the soldiers concerned did so because it was appropriate in order to secure the flanks: “*Securing our flanks was a standard practice.*”<sup>1</sup> He said much the same in his oral evidence.<sup>2</sup>
- <sup>1</sup> [B1752.016](#) <sup>2</sup> [Day 364/106-107](#)
- 93.51** The difficulty with the implicit suggestion that the move could have been in order to secure the soldiers’ flanks is that this is not the reason Corporal E, or any of the other soldiers, gave for going into Glenfada Park North. Furthermore, it is not a reason that Lieutenant 119 put forward in 1972. Had Lieutenant 119 thought that Corporal E was correctly using his own initiative in moving forward to protect the flanks, there would have been no reason for him later to claim (in our view falsely) that he had himself given the order to move.
- 93.52** INQ 1253 was a Lieutenant in 1st Battalion, The King’s Own Royal Border Regiment and was in Londonderry on 30th January 1972. In his written statement to this Inquiry he told us that he recalled a conversation some time after Bloody Sunday with Lieutenant 119, who was a friend of his. Lieutenant INQ 1253 stated that during this conversation he had the impression from Lieutenant 119 that on Bloody Sunday his men had run ahead of him and been frightened. “*They were reacting to their fear and he did not have the tight control over them that he would usually have had.*”<sup>1</sup> When he gave oral evidence to this Inquiry, it became apparent that Lieutenant INQ 1253 had mistakenly thought that Lieutenant 119 had been in charge of inexperienced soldiers from Headquarters Company of 1 PARA, rather than Anti-Tank Platoon.<sup>2</sup> Nevertheless, Lieutenant INQ 1253



maintained that the impression he had was that Lieutenant 119's soldiers had overreacted to the circumstances by running ahead of him and that Lieutenant 119 was not able to assert any control over them.

<sup>1</sup> C1253.2

<sup>2</sup> Day 304/5-7; Day 304/11-15

**93.53** Lieutenant 119 denied that he had lost control of his men; and further denied that he had said anything to Lieutenant INQ 1253 about his men running ahead of him or of him losing the tight control over them that he would usually have had.<sup>1</sup>

<sup>1</sup> Day 364/110-112

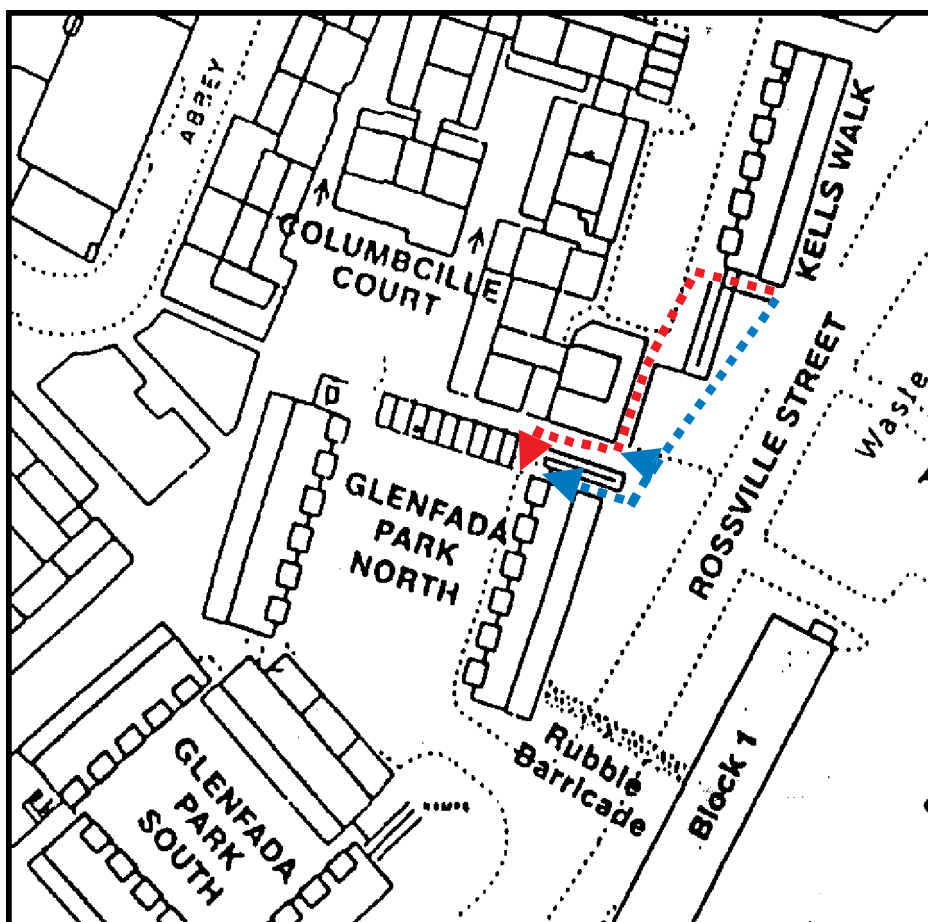
**93.54** In our view Corporal E should not have left Rossville Street in pursuit of the people who had moved from the rubble barricade, as this involved him and the soldiers with him getting "*sucked in*" to the Bogside. Despite his denial, we are of the view that Lieutenant 119 did admit to Lieutenant INQ 1253 that he did lose control over his soldiers. As a result, Corporal E, Lance Corporal F, Private G and Private H went into Glenfada Park North, without their Commander having any idea of their purpose for so doing or having any means of controlling what they did when they got there. What all four of these soldiers did almost immediately after arriving in Glenfada Park North was to open fire, as we discuss in greater detail below.

**93.55** In summary we are of the view that there was no legitimate or proper reason for Corporal E to initiate the move into Glenfada Park North.

## Chapter 94: The route of the soldiers into Glenfada Park North

**94.1** There are two routes that Corporal E, Lance Corporal F, Private G, Private H and Lieutenant 119 might have taken to go from their position at the low walls of the Kells Walk ramp into Glenfada Park North.<sup>1</sup> The first would have required the soldiers to move between the two low walls of the Kells Walk ramp and underneath the pram-ramp at the south-west corner of the Kells Walk maisonettes, before turning left and heading south (parallel to the eastern block of Columbcille Court) until they reached the alleyway that led to the northern entrances to Glenfada Park North. The second would have involved the soldiers advancing south down Rossville Street and then turning right into either of the alleyways that led into the northern end of Glenfada Park North. These routes are indicated by the red and blue dotted lines respectively on the map below.

<sup>1</sup> There was, of course, the road entrance into Glenfada Park North from Rossville Street, but there is abundant evidence that none of the soldiers used that route.



- 94.2** The evidence that these soldiers have given as to their movements is fragmentary and imperfect, and it is not possible to ascertain which of the two routes any of them took.<sup>1</sup> The same is true for the other members of Anti-Tank Platoon who, as is discussed below, followed them into Glenfada Park North.<sup>2</sup>

<sup>1</sup> B87; B95; WT14.31; B122; B129; B137; WT14.46; B167.4; Day 375/92-95; B169; B171; B186; WT14.77-78; B219-220; B230; B234; WT14.97; WT15.8; B264; B264.51; Day 377/45; B1752.41; B1752.40; B1752.44; WT14.13; B1752.17

<sup>2</sup> B266-267; B269; B273; WT15.30-32; B289.4; B289.27; B289.4; Day 370/45-46; B1486-1487; B1491.1-3; B1565.83; B1552; B1565.6; B1565.42; Day 246/79-81

## Firing along an alleyway

- 94.3** There is evidence, from Private G and several civilians, that as Corporal E, Lance Corporal F, Private G and Private H advanced towards Glenfada Park, a soldier or soldiers fired along one or more of the alleyways that separated the complex from Columbcille Court. However, the details of the various accounts are not easily reconciled.

- 94.4** In his first statement to the RMP, Private G recorded:<sup>1</sup>

“we moved further up the street [from the low wall at the end of Kells Walk] and I saw a gunman positioned behind a wall at the end of an alleyway about fifteen yards away. I fired two quick rounds of 7.62mm at the gunman to give cover to one of the other men who was running across open ground. The gunman went to ground at this time. I ran up the alleyway with ‘F’ into Glenfada Park area. We were followed by two others.”

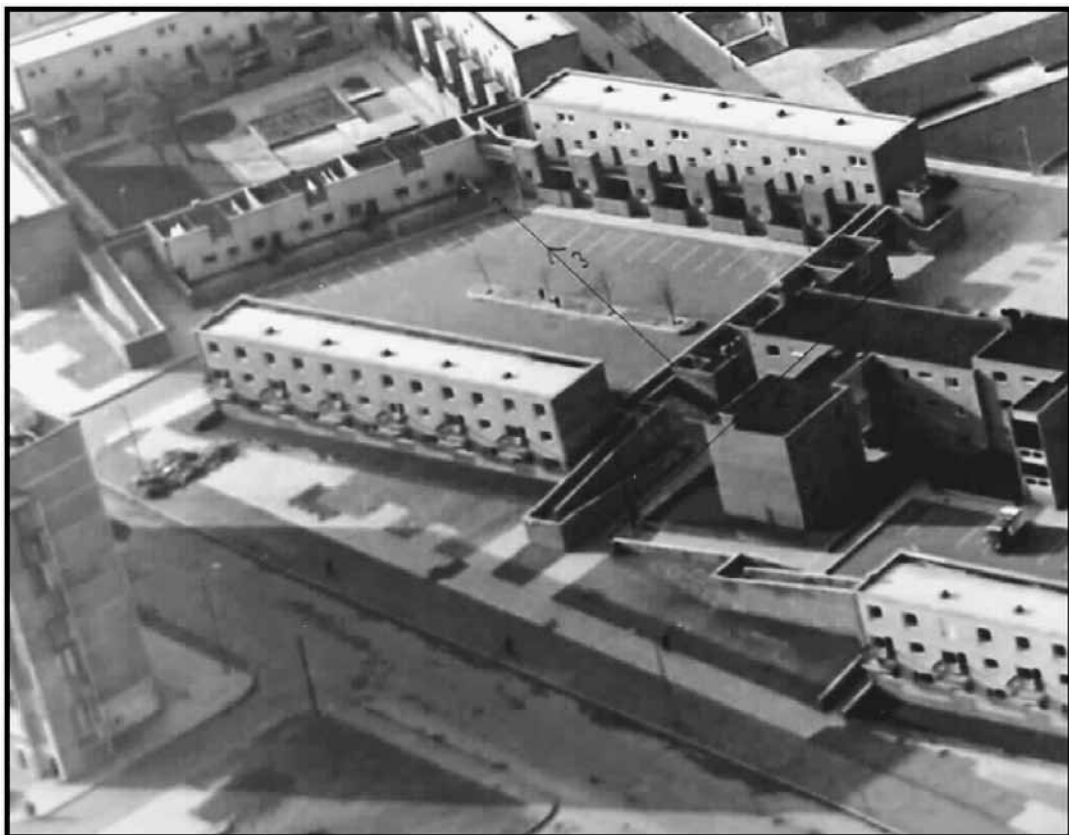
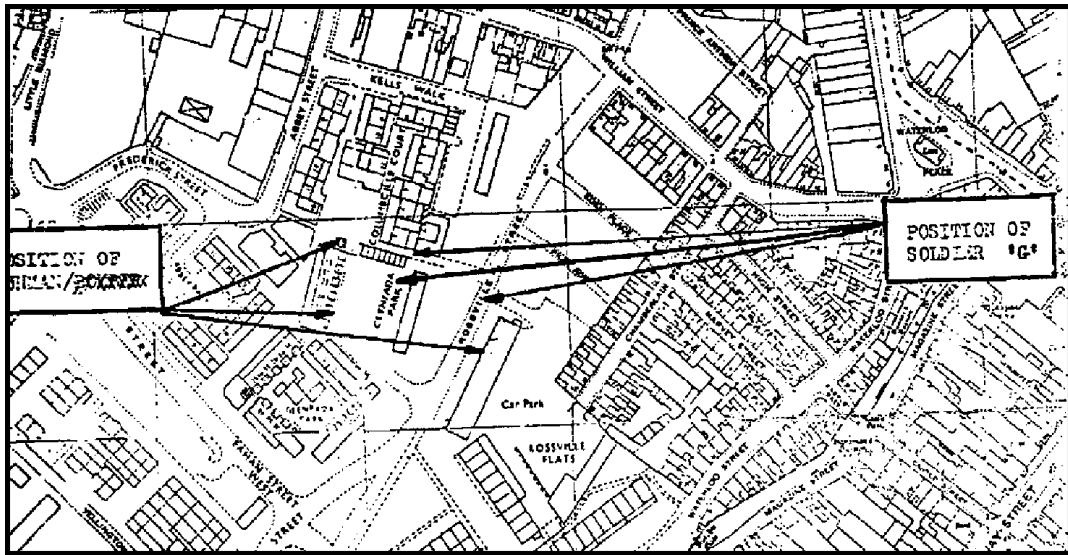
<sup>1</sup> B168-9

- 94.5** He gave a similar account in his written statement for the Widgery Inquiry.<sup>1</sup> Both his RMP map<sup>2</sup> and his trajectory photograph,<sup>3</sup> which are shown below, put the gunman he described in the *more northerly* of the two alleyways leading westwards out of Rossville Street.

<sup>1</sup> B186

<sup>3</sup> B212

<sup>2</sup> B171



94.6

In his oral evidence to the Widgery Inquiry, Private G said that when he reached the alleyway someone shouted, he thought from the other side of the street, “*There’s a gunman up there*”, or words to that effect. He said that he looked up the alleyway and saw a man “*dodging about*” between Columbcille Court and the north-west corner of Glenfada Park North. Private G told the Widgery Inquiry: “*I could see he had something in*

*his hand, which after being warned, which I got a glimpse of, was a weapon of some description.*” He then said: *“I was satisfied that he was a gunman, so we had to move from there and I took aim and fired two aimed shots up this alleyway.”* Private G, who said he fired from a kneeling position, saw *“both shots strike the wall”* and the man *“took back round the corner”*. He commented that he did not expect to hit the man *“because there was not much of a target to aim at as he was dodging”*. He denied that he had fired from the hip.<sup>1</sup>

<sup>1</sup> [WT14.78-79](#)

**94.7** As is discussed in detail elsewhere in this report,<sup>1</sup> Major Loden interviewed a number of the firing soldiers shortly after Support Company had withdrawn from the Bogside, and from the information they gave him, he compiled a list of 15 engagements in what he described as the *“gunbattle”*.<sup>2</sup> In this report we have described this list as the Loden List of Engagements. The list was not comprehensive, as Major Loden did not speak to all the relevant soldiers.

<sup>1</sup> [Chapter 165](#)

<sup>2</sup> [ED49.12](#)

**94.8** There is no reference to any shots being fired along the alleyways between Glenfada Park North and Columbcille Court on either the typed or the handwritten copy of Major Loden’s List of Engagements.<sup>1</sup> We do not know why this is so.

<sup>1</sup> [ED49.12](#); [B2214.005](#)

**94.9** Private G’s evidence that he fired along the more northerly of the two alleyways between Glenfada Park North and Columbcille Court is potentially at odds with his account of seeing both of his shots *“strike the wall”*.<sup>1</sup> There is no wall at the end of this alleyway, and while the bullets might have struck a building in Frederick Street further to the west, such is the distance involved that it is unlikely that Private G would have been able to see this happen. It might be the case that Private G’s evidence to the Widgery Inquiry was intended to convey that his shots struck the wall to the side of the alleyway, presumably the one at the back of the garages that faced onto Glenfada Park North. However, it is also possible that Private G’s RMP map and trajectory photograph are misleading,<sup>2</sup> and that he actually fired along the shorter, more southerly alleyway leading into Glenfada Park North. This did have a wall at the western end, and two civilian witnesses have given evidence of seeing a soldier fire into it from a kneeling position.

<sup>1</sup> [WT14.79](#)

<sup>2</sup> [B171](#); [B212](#)

**94.10** Charles Coyle told us, in his written statement to this Inquiry, that he ran from Rossville Street when he saw Pigs (APCs) entering the Bogside, and soldiers debussing from them.<sup>1</sup> His route was along the north and then west sides of Kells Walk and then across the western end of the more southerly alleyway between Columbcille Court and Glenfada Park.<sup>2</sup> Charles Coyle recalled that several other civilians ran “*behind and ahead of me, and you had to watch your feet to avoid tripping over*”.<sup>3</sup>

<sup>1</sup> AC88.5

<sup>3</sup> AC88.5

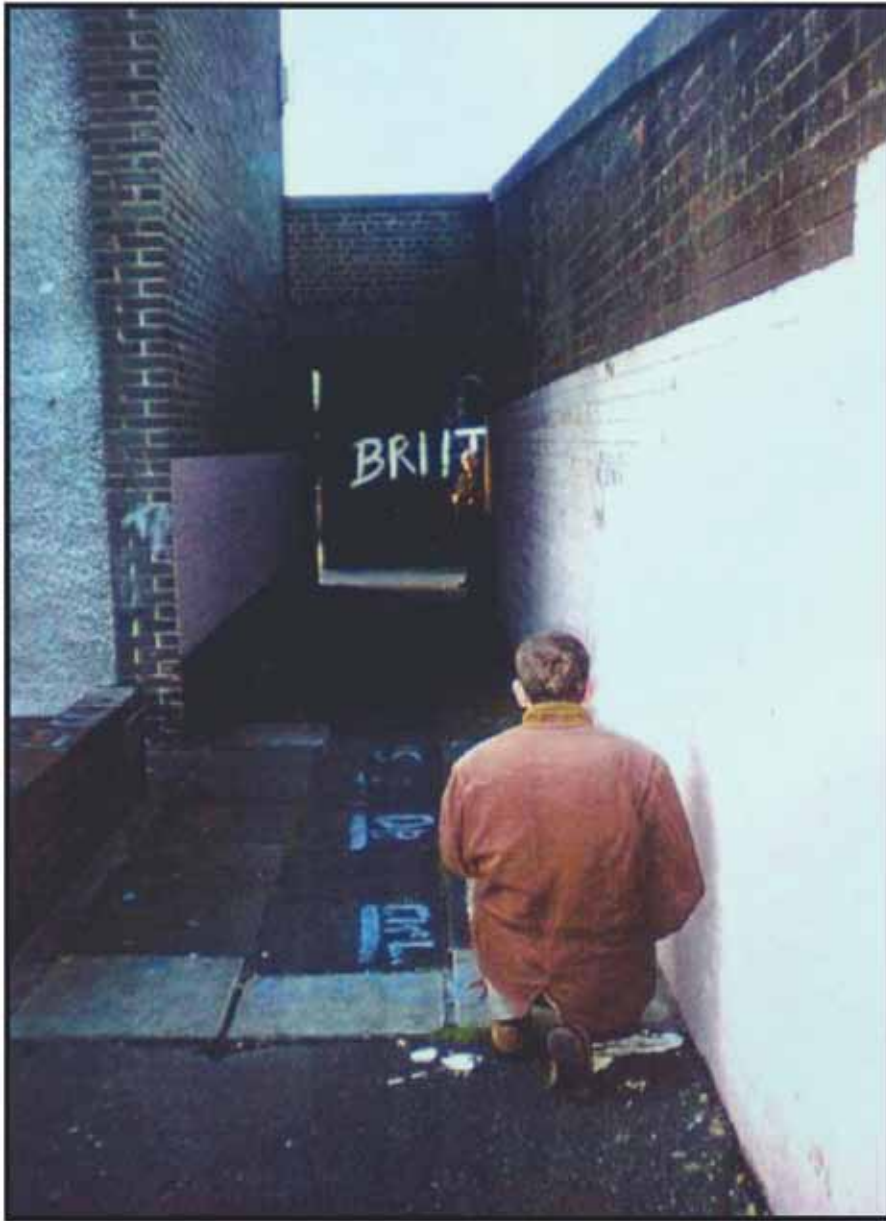
<sup>2</sup> AC88.13

**94.11** Charles Coyle stated that he paused at the western end of this alleyway, close to the north-eastern entrance to Glenfada Park North, and from this position he saw a soldier about 30 yards away at the opposite end of the alleyway. This soldier moved to a kneeling position facing towards the west, as shown in the photograph below.<sup>1</sup> Charles Coyle thought that pressure from people behind him forced him further into the alleyway, and as he moved across towards Glenfada Park, the soldier fired one round towards him with the rifle at his hip. Charles Coyle told us that the bullet struck well above his head, approximately where the letter “T” appears in the photograph below.<sup>2</sup>

<sup>1</sup> AC88.12

<sup>2</sup> AC88.12





**94.12** Charles Coyle told us that he thought that the shot startled both men, and he speculated that the soldier might have fired by accident. As he looked for the rebound of a rubber bullet Charles Coyle recalled hearing his brother, Gerard, shout that “*these bullets don’t bounce*”. He told us he realised then that it had been a live round, and “*ran like the blazes*” with his brother into Glenfada Park. He told us he could hear firing as he did so.<sup>1</sup>

<sup>1</sup> [AC88.5-6](#); [Day 146/167-171](#); [Day 146/176-180](#)

- 94.13** Charles Coyle said that he did not see a civilian gunman in the alleyway at any stage during this incident. However, he noted that he was running as part of a crowd, concerned about tripping over others, and hence he was only partially aware of what was around him.<sup>1</sup>
- <sup>1</sup> [Day 146/177-179](#)
- 94.14** Gerard Coyle also gave an account of this incident to this Inquiry, which was broadly consistent with that of his brother. He believed that the soldier was further to the west, and hence closer to them when, *“in one graceful movement”*, he went down on one knee and fired with his rifle to his shoulder. Gerard Coyle did not recall making any comment to his brother after the shot. In general, it seemed to us that Gerard Coyle did not have such a firm recollection of this incident as Charles Coyle.<sup>1</sup>
- <sup>1</sup> [AC90.1-4](#); [Day 155/4-21](#); [Day 155/31-32](#)
- 94.15** There is reason to doubt the complete accuracy of the evidence given by Charles and Gerard Coyle, neither of whom gave accounts in 1972. Their evidence to this Inquiry was to the effect that this incident happened very shortly after the soldiers debussed on Rossville Street, ie within a matter of seconds rather than minutes. This is unlikely, in the light of the sequence of events we described in Sector 3. Nonetheless we were impressed by their evidence to us, particularly the evidence of Charles Coyle, and we are of the view that the chronological compression in their evidence is not of great significance. We consider that some reliance can be placed on their accounts, especially on that of Charles Coyle.
- 94.16** There are clear similarities between the Coyle brothers’ evidence of a soldier firing along an alleyway towards them as they ran into the north-east corner of Glenfada Park North, and the account Private G gave of firing in this area. However, while the Coyle brothers thought that one round was fired along the more southerly alleyway, Private G stated that he shot twice and seemingly down the more northerly alleyway.
- 94.17** Three other civilian witnesses gave evidence that may relate to the shots that Private G said that he fired. They were Jim O'Donnell, Gerald McCauley and Julian Daly.
- 94.18** Jim O'Donnell recalled that he was interviewed by the *Sunday Times* shortly after Bloody Sunday.<sup>1</sup> We have no notes of this interview, but the final Insight article<sup>2</sup> quotes him saying that he was *“moving away from the area of the firing in Rossville Street when I saw the soldier come in through the alley between Columbcille Court and Glenfada Park. I ran. Suddenly three bullets hit the wall above my head”*. The article continued by

recording that Jim O'Donnell later showed the journalist the bullet marks. *"There are three at about head height spaced along a distance of about 10ft. All are in the wall towards which G said he fired his two shots."*

<sup>1</sup> [AO33.5](#)

<sup>2</sup> [AO33.10](#)

**94.19** As was noted earlier, the position of the wall into which Private G fired is not entirely clear from his evidence; nor is it identified in the Insight article.

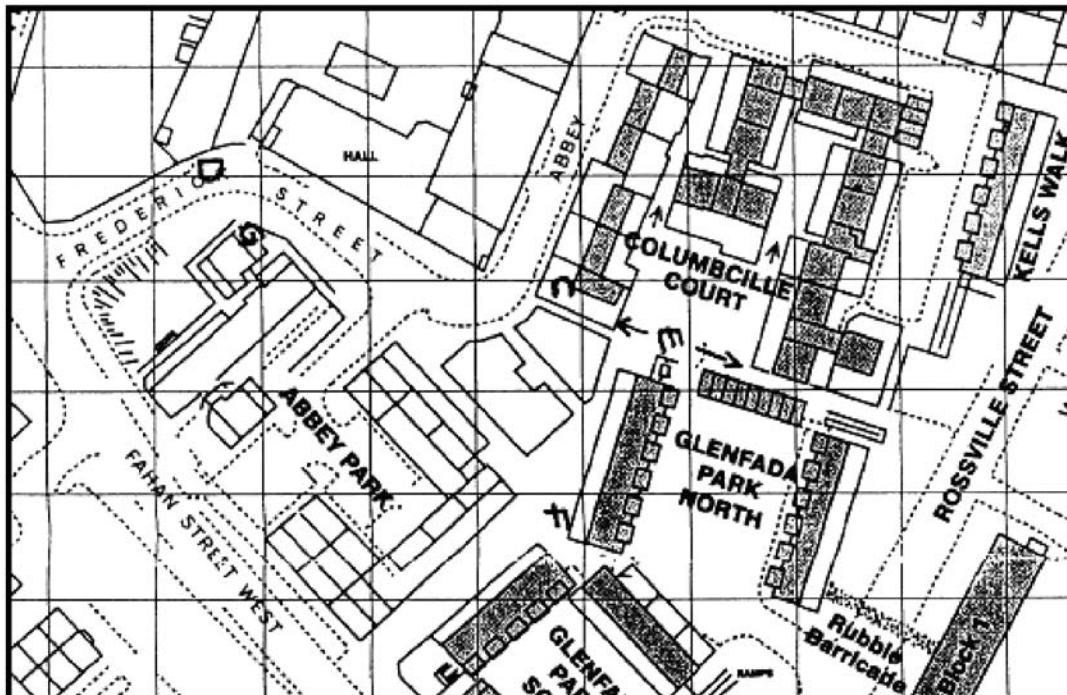
**94.20** Jim O'Donnell stated in his written evidence to this Inquiry that when he was at the point marked C on the following map he saw two soldiers running across from Columbcille Court into Glenfada Park North. Jim O'Donnell told us that he wanted to get away so he ran into Frederick Street. As he did so he heard three shots strike the wall next to him (point D on the map). He stated that he did not have anything in his hands as he ran, and he did not see who had fired the shots.<sup>1</sup> Jim O'Donnell told us that, a few days after Bloody Sunday, he returned to the scene of the incident and took photographs of the bullet holes.<sup>2</sup> He provided these photographs to this Inquiry, and they are shown below.<sup>3,4</sup>

<sup>1</sup> [AO33.2-3](#); [Day 222/5-16](#)

<sup>2</sup> [AO33.3-4](#)

<sup>3</sup> [AO33.7-8](#)

<sup>4</sup> The blue arrow in another photograph ([AO33.13](#)) was confusingly said during his oral evidence to show where he said he saw two soldiers running ([Day 222/6-7](#)) and also where he said he was sheltering when he saw them cross ([Day 22/15](#)). However, it seems to us reasonably clear that what Jim O'Donnell was saying was along the lines of his written statement ([AO33.2-3](#)).







**94.21** The position Jim O'Donnell marked could be reached by bullets fired from or near the Rossville Street entrance to the more northerly alleyway, but not from the entrance to the more southerly alleyway. Hence it is not possible to reconcile the evidence of Jim O'Donnell and that of the Coyle brothers into a single event unless one or more of these witnesses were mistaken as to their geographical position at the time of the shots.

**94.22** Gerald McCauley, in his written statement for the Widgery Inquiry, recorded that he looked down from what appears to be somewhere in the Columbcille Court area towards “*the entry*” and saw two soldiers on their knees in a firing position. He then heard shots “*coming up the entry*”.<sup>1</sup> From his oral evidence to that Inquiry it is clear that Gerald McCauley was describing being at the southern end of Columbcille Court and seeing two soldiers at the entrance to the more northerly alleyway. He said he subsequently heard two shots that he associated with these soldiers.<sup>2</sup>

<sup>1</sup> [AM95.8](#)

<sup>2</sup> [WT6.22](#)

**94.23** Gerald McCauley gave oral evidence to this Inquiry,<sup>1</sup> but on this aspect of his evidence we found his recollections to be somewhat confused, though we have no reason to doubt that he was doing his best to help us. Gerald McCauley told us that he did not see who fired the shots that he heard. He said he thought there were at least three, that they struck a low garden or dividing wall close to his position, and that one grazed the sleeve of his jacket, though there was nothing in his evidence to the Widgery Inquiry about any of these specific matters.<sup>2</sup> He said that he had in effect been stopped by the Widgery Inquiry from saying anything about the graze to his jacket,<sup>3</sup> but there is nothing in the transcript of the Widgery Inquiry to suggest that this had in fact happened. It is also unclear from Gerald McCauley's evidence either to the Widgery Inquiry or to us when exactly the incident that he related occurred.

<sup>1</sup> [Day 173/87-131](#)

<sup>3</sup> [Day 173/99](#)

<sup>2</sup> [AM95.2](#); [AM95.4](#); [AM95.18](#); [Day 173/89-103](#)

**94.24** Julian Daly recorded in his Northern Ireland Civil Rights Association (NICRA) statement that he was in Rossville Street, near Pilot Row when he saw “*saracens*” entering the Bogside. He stated that “*someone caught me by the shoulder and said they were shooting. The bullets were hitting the road. I ran up the entry between Kell's Walk and Glenfada Park. The bullets hit the wall above us and we hit the ground. After a few seconds we ran in the direction of Frederick Street.*”<sup>1</sup> Unfortunately, this statement does not allow us to identify the wall to which Julian Daly was referring, and as he told this Inquiry that he had no recollection of this incident,<sup>2</sup> we are not assisted by his evidence on this point.

<sup>1</sup> [AD2.12-13](#)

<sup>2</sup> [Day 183/10](#)

**94.25** We are satisfied that none of these civilian witnesses was armed or carrying anything that could be mistaken for a weapon. Jim O'Donnell and Gerald McCauley told this Inquiry that they had nothing in their hands,<sup>1</sup> while Charles Coyle's evidence can be interpreted in the same way.<sup>2</sup> Gerard Coyle stated to us that he did not see anyone with a weapon or anything that could be mistaken for a weapon in the relevant area.<sup>3</sup> Julian Daly did not give any evidence on this point in his NICRA statement,<sup>4</sup> and as is noted above, told us that he could no longer recall the incident.<sup>5</sup> However, there is nothing that suggests to us that he was or might have been carrying a weapon or anything that looked like one.

<sup>1</sup> AO33.3; Day 173/103

<sup>4</sup> AD2.12-13

<sup>2</sup> Day 146/177-179

<sup>5</sup> Day 183/10

<sup>3</sup> Day 155/18

**94.26** The Coyle brothers, Jim O'Donnell, Gerald McCauley and Julian Daly might all have witnessed the same incident, but thereafter remembered the chronological and geographical details differently. Alternatively, there might have been two incidents of shooting, one towards the Coyle brothers in the more southerly alleyway and another in the direction of Jim O'Donnell and Gerald McCauley, though in the latter case it is possible that the firer, aiming along the more northerly alleyway, was shooting not at them but at or towards someone else closer to the entrance to Rossville Street.

**94.27** Private G, who stated that he fired two shots along the more northerly alleyway, is the only witness from Support Company<sup>1</sup> to have given evidence of firing in this area at the relevant time. However, we have doubts about the veracity of his general testimony, and his claims to have fired these particular shots. As is discussed elsewhere in this report,<sup>2</sup> we are satisfied that Private G later fired two shots into the Abbey Park area, something that he afterwards denied doing. Thus from his first statement to the RMP and then throughout his evidence to the Widgery Inquiry, Private G lied about where and when he fired. Private G claimed to have fired six shots in total, and this is consistent with the ammunition counts, which we discuss elsewhere in this report.<sup>3</sup> If Private G fired only six shots on Bloody Sunday, which in our view is probably the case, then his decision to conceal his firing in Abbey Park meant that he had to invent an incident or incidents in which he fired two shots elsewhere. It is thus possible that he fabricated his account of firing at a gunman along the more northerly alleyway in order to do just this, or claimed to have fired two shots when he fired only one, though it is equally possible that he claimed to have fired three shots in Glenfada Park when he had in fact fired only one. As to the first of these possibilities, it is relevant to note first that none of the soldiers who would



have been close to him (Corporal E, Lance Corporal F and Private H) gave evidence of seeing Private G fire from this position, and second that while some of Private G's firing is recorded in the Loden List of Engagements, his claimed shots along the alleyway are not.

<sup>1</sup> We consider below the evidence of Lance Corporal 003 of C Company ([paragraph 94.37](#)).

<sup>2</sup> [Chapter 107](#)

<sup>3</sup> [Chapter 166](#)

**94.28** Nonetheless, there is evidence to suggest that Private G did fire at least once along one of the alleyways. The accounts of the Coyle brothers, which we by and large accept, were that after they had seen a soldier shoot along the more southerly alleyway, they ran into Glenfada Park North. They gave no evidence of running past soldiers as they did so, and they did not refer to seeing any soldiers ahead of the one who fired. Hence, if their accounts are accurate, it would appear that the soldier who fired was at the head of those who moved into Glenfada Park North. For reasons given below, we consider that Lance Corporal F and Private G were the first two soldiers to advance into Glenfada Park North, and in his evidence to the Widgery Inquiry, Private G stated that by the time he reached the alleyway along which he fired Lance Corporal F was behind him.<sup>1</sup> Accordingly, we are of the opinion that the Coyle brothers' evidence probably does relate to Private G, and that it shows that he fired at least one shot along the more southerly alleyway; though we remain uncertain whether Private G fired from the hip or from his shoulder.

<sup>1</sup> [WT14.77](#)

**94.29** We are also of the view that the failure of the other soldiers to mention Private G's firing along the alleyway is possibly explicable either by the fact that they were not asked about this by the RMP or in their evidence to the Widgery Inquiry, or because Private G was ahead of them and might have been out of their sight-line at the time of the incident. This lack of corroborating evidence from his colleagues does not alter our view that Private G probably fired at least one of the shots that he claimed to have fired before his arrival in Glenfada Park North.

**94.30** In contrast to the Coyle brothers, Jim O'Donnell referred to seeing one or more soldiers crossing the alleyway between Columbcille Court and Glenfada Park before he ran towards Frederick Street, and hence a short time before he became aware of bullets striking a wall there. Gerald McCauley told the Widgery Inquiry that he saw two soldiers along the alleyway before he heard shots. Private G's evidence was of being ahead of all the other members of his platoon when he fired. In our view there are chronological as well as geographical reasons for concluding that the incident, if accurately described by Jim O'Donnell and Gerald McCauley, was different from that witnessed by the Coyle brothers.

**94.31** Of the four soldiers who initially went into Glenfada Park North, there remain Corporal E and Private H. Corporal E told the RMP and the Widgery Inquiry that he fired three shots in total on Bloody Sunday; the first was at a target in the Rossville Flats, the latter two at an alleged bomber in Glenfada Park North.<sup>1</sup> While, for the reasons given below, we believe that Corporal E did fire in Glenfada Park North, it is notable that there is no evidence beyond his own accounts to support his claimed shot into the Rossville Flats. It is, therefore, possible that he fired along the more northerly alleyway between Glenfada Park and Columbcille Court and subsequently invented an account of firing at a target in the flats, as he knew that there was no justification for the former shot. When considering the events of Sector 3, we have also noted the possibility the Corporal E was responsible for one of the casualties at the rubble barricade.

<sup>1</sup> [B86-89; B94-95; B116](#)

**94.32** As to Private H, he too might have been responsible for the shots witnessed by Jim O'Donnell and Gerald McCauley. For reasons we give later in this report,<sup>1</sup> we reject his account of firing 19 shots into a window in Glenfada Park North and have concluded that he must have fired all but one of these shots elsewhere. That some of these were the shots under discussion is in our view also a possibility.

<sup>1</sup> [Paragraphs 105.9–24](#)

**94.33** It is significant that both Jim O'Donnell and Gerald McCauley recalled more than one round being fired in their direction. On the analysis above, we are unsure about the location of only one of Corporal E's claimed shots, while we consider that Private H fired up to 19 rounds for which he has not accounted. It is, therefore, in our view possible that Private H, rather than Corporal E, fired along the alleyway between Glenfada Park North and Columbcille Court in the incident witnessed by Jim O'Donnell and Gerald McCauley.

**94.34** We do not accept Private G's assertion that he fired along the alleyway at a man carrying a gun. As we have already noted, it appears that he did not report these shots to Major Loden. Had he shot at a gunman, it seems to us on the face of it that he would have reported this to Major Loden. Had he simply fired at random, or to frighten people off, he would have had a motive not to do so. Furthermore, as we have observed and as will be seen later in this report,<sup>1</sup> we are sure that he was responsible for firing into Abbey Park (and killing two people there), yet he denied doing so. This denial and other unsatisfactory features of his evidence to which we refer elsewhere have led us to place no reliance on the reasons he gave for firing on Bloody Sunday.

<sup>1</sup> [Chapter 112](#)

**94.35** The only other evidence that there might have been a man with a rifle in the area of Columbcille Court at the time in question comes from information given by OIRA 1 to John Barry of the *Sunday Times* Insight Team and to Gerard Kemp of the *Sunday Telegraph*, which we consider in detail later in this report.<sup>1</sup> This suggests that there was an Official IRA gunman with a .22 automatic, who went there from Glenfada Park North after the soldiers had come into the Bogside and who fired two shots from a balcony in Columbcille Court. We have no other information about this gunman, nor does it seem that any soldier saw or heard him fire. In our view it is unlikely that Private G saw and fired at this gunman.

<sup>1</sup> Paragraphs 111.157–162

**94.36** We have not found it possible to decide with any certainty whether or not there were two shooting incidents along the alleyways between Glenfada Park and Columbcille Court. On balance, though not without doubts, we consider that there was only one, in which Private G fired one or two shots, and that those whose evidence indicated otherwise were confused in their recollections.

**94.37** We should note at this point that we have considered the evidence of one further military witness, Lance Corporal 003, a member of 7 Platoon, C Company, 1 PARA. He told the RMP that when he was at the corner of 36 Chamberlain Street, he saw a soldier firing towards Columbcille Court from a kneeling position in Rossville Street. He believed that this soldier was returning fire on a gunman who was armed with what could possibly have been a Thompson sub-machine gun.<sup>1</sup> However, Lance Corporal 003 told this Inquiry that he could no longer recall this incident, and instead he believed that the soldier he saw firing in Rossville Street was aiming to the south.<sup>2</sup> Lance Corporal 003's evidence to this Inquiry appeared to be chronologically confused,<sup>3</sup> and his 1972 evidence of the soldier returning fire against a person with a sub-machine gun is not consistent with Private G's account of engaging a man he saw holding, but not firing, a rifle. For reasons we give elsewhere in this report,<sup>4</sup> we consider that members of 7 Platoon (including Lance Corporal 003) did not get to this end of Chamberlain Street until a late stage, after the soldiers of Anti-Tank Platoon had moved forward from the low walls of the Kells Walk ramp. In these circumstances we consider that Lance Corporal 003's evidence does not assist in an analysis of this matter.

<sup>1</sup> B1364

<sup>2</sup> B1366.4; B1366; Day 309/85-86; Day 309/102-104

<sup>3</sup> B1366.1-7; Day 309/71-76

<sup>4</sup> Paragraphs 65.9–52

## Chapter 95: The arrival of Corporal E, Lance Corporal F, Private G and Private H in Glenfada Park North

**95.1** Private G told the Widgery Inquiry that he followed Lance Corporal F when the latter moved forward of the low walls of the Kells Walk ramp. He said that by the time they reached the alleyway to the north of Glenfada Park, he was ahead of Lance Corporal F, who had stopped a few yards beyond the wall in order to cover him.<sup>1</sup> Private G claimed to have fired along the alleyway at a gunman in the manner described above. In his written statement for the Widgery Inquiry, Private G recorded:<sup>2</sup>

“We waited a couple of seconds to make sure he [the gunman] did not re-appear ... We moved quickly into the alleyway and I remember looking around for [Lance Corporal] F who was just behind me. There is an archway into the courtyard of Glenfada Park. There was a car parked close to the mouth of the archway and I went round to the right-hand side of the car with F close beside me.”

<sup>1</sup> WT14.77

<sup>2</sup> B186

**95.2** In his oral evidence to the Widgery Inquiry, Private G said that Corporal E had also gone into the alleyway with them;<sup>1</sup> in his first RMP statement he had recorded that he and Lance Corporal F were followed into Glenfada Park North by “*two others*”.<sup>2</sup>

<sup>1</sup> WT14.79

<sup>2</sup> B169

**95.3** Lance Corporal F stated throughout his 1972 evidence that he moved with Private G.<sup>1</sup> He said to the Widgery Inquiry that he did not recall any other soldiers being with them as he and Private G entered Glenfada Park North.<sup>2</sup>

<sup>1</sup> B129; B135; B137; WT14.46

<sup>2</sup> WT14.47

**95.4** The evidence given by Corporal E in 1972 does not assist in establishing the order in which soldiers arrived in Glenfada Park, although he did tell the Widgery Inquiry that “*about five*” originally moved there.<sup>1</sup>

<sup>1</sup> WT14.31

**95.5** Private H’s 1972 evidence to the RMP and the Widgery Inquiry was to the effect that he was behind Lance Corporal F and Private G, who preceded him by about two seconds. He said that when he reached Glenfada Park he took up a firing position at the bonnet of a car, which was parked (according to his second RMP statement) “*near to the first*

*garage facing East*". He said that Lance Corporal F and Private G had already run to the other end of the car, which was parked with the boot further from the north-east corner through which they had all entered.<sup>1</sup> In his evidence to this Inquiry, Private H said that he had moved with his "*pair*" Corporal E, as part of a four-man "*brick*" with Lance Corporal F and Private G.<sup>2</sup>

<sup>1</sup> B234; WT14.97; B230; B224

<sup>2</sup> B264; Day 377/65

**95.6**

While we bear in mind the caution with which we should approach the evidence of Corporal E, Lance Corporal F, Private G and Private H, we are satisfied that these were the first soldiers to go into Glenfada Park North, moving through the north-eastern entrance, with Lance Corporal F and Private G leading and Corporal E and Private H following close behind. Apart from the evidence of these soldiers, that of Private 027 and Lieutenant 119, which is discussed elsewhere, supports the conclusion that these were the first four soldiers to go in. It appears, from the evidence of Private G and Private H, (which we consider in detail below) that at the time the two pairs entered Glenfada Park North, Private G was slightly ahead of Lance Corporal F and Private H was just in front of Corporal E.

**95.7**

We also consider that it is likely that Lance Corporal F and Private G took up a position at the rear of a car parked facing east at the north-eastern corner of Glenfada Park North; and that Private H arrived after them and moved to the other end of the car. It is not clear precisely where Corporal E went when he arrived in Glenfada Park North, but we consider that initially at least he must have been close to the other three soldiers.

# Chapter 96: The movement and actions of other members of Anti-Tank Platoon

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- 96.1** Other soldiers from Anti-Tank Platoon followed Corporal E, Lance Corporal F, Private G and Private H into Glenfada Park North. We are satisfied, for the reasons given below, that their movement away from the low walls of the Kells Walk ramp is shown in film footage.<sup>1</sup>
- 96.2** This footage shows a group of more than a dozen soldiers moving over or around the low walls of the Kells Walk ramp. There is no evidence of such a large number of soldiers moving in this way before the arrival of Anti-Tank Platoon in this position. Members of Composite Platoon (Guinness Force) took up positions at the southern end of Kells Walk at some point after Anti-Tank Platoon had done so, and by the time that they did so it seems that all of Anti-Tank Platoon had moved away from the walls.<sup>1</sup> There is no suggestion that more than a dozen members of Composite Platoon moved forward of the Kells Walk walls at any point in the way shown on the footage, nor is there any evidence of another platoon or group of men congregating in this area during the day. Accordingly, the only explanation for the footage is that it shows the majority of Anti-Tank Platoon moving from the low walls of the Kells Walk ramp towards Glenfada Park North.

<sup>1</sup> B290; B298; B302; B311.6; B311.11; Day 364/147-151; B372.4; B1650; B1615.5; FS7.1738-1739

- 96.3** As is discussed above, we consider that Corporal E, Lance Corporal F, Private G and Private H were the first soldiers to move from the low walls of the Kells Walk ramp, and that they did so on the instigation of Corporal E. In our view, the footage shows the rest of Anti-Tank Platoon at some stage moving forward after them, possibly on the orders of Lieutenant 119.

## Lieutenant 119

- 96.4** Lieutenant 119 has consistently stated that he entered Glenfada Park North after the initial group of soldiers who moved there, although the precise time at which he did so is a matter of some dispute. He accepted at the Widgery Inquiry that Corporal E and Lance Corporal F had momentarily gone out of his sight as they advanced from the low walls of the Kells Walk ramp.<sup>1</sup> In his second Royal Military Police (RMP) statement and in his evidence to the Widgery Inquiry he referred to arriving in Glenfada Park in time to see Lance Corporal F fire from the north-eastern corner along the eastern block of flats.<sup>2</sup> He told the Widgery Inquiry that he did not see Corporal E or Private G fire;<sup>3</sup> that Private G was about halfway down the western side of the complex;<sup>4</sup> that Lance Corporal J was also present;<sup>5</sup> and that he could not recall any other soldiers who were there as well.<sup>6</sup> In his RMP and Widgery Inquiry accounts, Lieutenant 119 stated that he went into the courtyard at a time when three bodies were lying in the south-west corner with a crowd of civilians and members of the Order of Malta Ambulance Corps gathered around them.<sup>7</sup> He also told the Widgery Inquiry that he saw a group of about 20 people when they emerged from the gable end of the east building.<sup>8</sup>

<sup>1</sup> WT14.13

<sup>2</sup> B1752.33-34; B1752.44; WT14.14; WT14.20-21

<sup>3</sup> WT14.14

<sup>4</sup> WT14.14; WT14.20

<sup>5</sup> WT14.20

<sup>6</sup> WT14.20

<sup>7</sup> B1752.034; B1752.041-042; B1752.044; WT14.15; WT14.20

<sup>8</sup> B1752.044; WT14.15

- 96.5** As is discussed below, Lieutenant 119's description of Lance Corporal F's firing is difficult to reconcile with the latter's own evidence, and in Lieutenant 119's first RMP statement he did not mention witnessing any of his soldiers firing in Glenfada Park North.<sup>1</sup> Other details of his 1972 accounts, when compared to the analysis of the events in Glenfada Park North (and Abbey Park) that follows, lead us to believe that he arrived in the courtyard after the firing by Lance Corporal F, Private G and Private H that had resulted



in the casualties in Sector 4. What we consider he witnessed in Glenfada Park North is discussed later in this report,<sup>2</sup> where we conclude that it is likely that he witnessed the firing by Corporal E, but confused this soldier with Lance Corporal F.

<sup>1</sup> B1752.041

<sup>2</sup> Paragraphs 98.4–8 and 100.19

## The movement of Anti-Tank Platoon vehicles

**96.6** There is another aspect of Lieutenant 119's 1972 evidence that merits consideration at this stage. In his accounts to the RMP and to the Widgery Inquiry, Lieutenant 119 stated that as he ordered the group under Corporal E and Lance Corporal F to move into Glenfada Park, he arranged for his platoon's vehicles to be brought up to provide cover for his men from firing coming from Block 1 of the Rossville Flats. He added that he did not follow the first soldiers until after the vehicles had arrived and he was satisfied that his men were in cover.<sup>1</sup> This answer implied that he left a number of his men at the low walls of the Kells Walk ramp, and that he did not move away from there himself until some time after Corporal E, Lance Corporal F, Private G and Private H had advanced. In his evidence to this Inquiry, Lieutenant 119 agreed with this interpretation of his evidence, and while he accepted that it was possible that he had been mistaken, he said that he continued to believe that his 1972 accounts were accurate.<sup>2</sup> However, as is discussed elsewhere in this report,<sup>3</sup> we are of the view that before the arrival of soldiers from Composite Platoon at the low walls of the Kells Walk ramp, all members of Anti-Tank Platoon had vacated this position; they are shown so doing in film footage.<sup>4</sup> Further, the photograph reproduced below shows Colonel Wilford and members of Composite Platoon at the wall at a time when the soldiers of Anti-Tank Platoon were no longer there.

<sup>1</sup> B1752.37; B1752.44; WT14.13

<sup>3</sup> Paragraphs 96.1–2

<sup>2</sup> Day 363/147-150; Day 364/122-123

<sup>4</sup> Vid 48 11.35



- 96.7 We have already concluded that Lieutenant 119, contrary to some of his accounts in 1972, did not give an order for Corporal E and the three who accompanied him to go into Glenfada Park North. In our view he was probably also wrong in saying that he did not follow these soldiers until after his vehicles had arrived.

## Lance Corporal J

- 96.8 Lieutenant 119 told the Widgery Inquiry that other than Corporal E, Lance Corporal F and Private G, the only soldier whom he recalled seeing in Glenfada Park North when he went in was Lance Corporal J.<sup>1</sup> As is discussed above, Lance Corporal J stated in his 1972 evidence that he was ordered into Glenfada Park North by Lieutenant 119 in order to assist with arrests. Throughout his 1972 accounts he claimed that he saw Lance Corporal F and Private G firing in Glenfada Park North. His evidence as to their precise positions and that of their targets is discussed later in this report, but it seems to us that it is possible, despite doubts we have as to his evidence generally, that he may have seen these soldiers firing towards the opposite side of the courtyard, ie from north-east to south-west.<sup>2</sup> If Lance Corporal J did see Lance Corporal F and Private G firing in this direction, it would follow that he did indeed arrive in Glenfada Park North before Lieutenant 119, who in our view arrived after this firing. However, it is noteworthy that Lance Corporal J either failed to see or failed to record the shots fired at approximately the same time by Corporal E and Private H. In light of the unreliability of Lance Corporal J's evidence, we do not know for sure whether he reached Glenfada Park North in time to see Lance Corporal F and Private G fire; but we do consider that he arrived there before Lieutenant 119 because the evidence of the latter was to that effect.

<sup>1</sup> WT14.20

<sup>2</sup> B270.1-2; B273; WT15.32-33

## Private 027

- 96.9 During his oral evidence to the Widgery Inquiry, Lieutenant 119 was asked about the presence of his wireless operator in Glenfada Park North. Lieutenant 119 confirmed that the signaller was present when he and his men withdrew from the area and stated that *"He [the wireless operator] came in shortly after me"*.<sup>1</sup> We are satisfied that Private 027 was the only wireless operator with Lieutenant 119 on Bloody Sunday, and that he was the soldier to whom Lieutenant 119 was referring in this evidence. Lieutenant 119 told this Inquiry that Private 027 should have been with him throughout the day.<sup>2</sup> We accept Lieutenant 119's evidence to both inquiries on these points.

<sup>1</sup> WT14.59

<sup>2</sup> Day 363/144

- 96.10** Private 027 has given a number of accounts as to what he saw when he arrived in Glenfada Park North. We discuss these below. The time at which he arrived is a factor in our assessment of his reliability as a witness of the events that took place in Glenfada Park North.
- 96.11** In his evidence to the RMP and his written statement for the Widgery Inquiry, Private 027 stated that he was “*some short distance behind*” Corporal E, Lance Corporal F, Private G and Private H as they advanced into Glenfada Park North, and that he heard several self-loading rifle (SLR) shots prior to his arrival there. He stated that when he entered he saw a crowd of 40 civilians and a petrol bomber at whom Corporal E fired.<sup>1</sup> In his written evidence to this Inquiry, Private 027 told us that his statement in 1972 that he saw a man with a petrol bomb was a “*total fabrication*”.<sup>2</sup> He said that he was about 10m behind Corporal E, Lance Corporal F, Private G and Private H by the time they reached Glenfada Park, and that he recalled seeing a crowd and hearing shooting as he entered. Private 027 stated that he was psychologically unable to remember the precise events that he saw in the complex, but he thought that four soldiers, whom he could not identify, fired while he was present.<sup>3</sup>
- 96.12** We discuss elsewhere in this report<sup>1</sup> the various accounts that Private 027 has given over the years. In view of the fact that we are satisfied that Private 027 did not enter Glenfada Park North until after Lieutenant 119, it follows in our view that he too was not an eyewitness to the situation when the soldiers first arrived or to any of the shooting (save perhaps that witnessed by Lieutenant 119) that resulted in the casualties in that courtyard. Thus it seems to us that his accounts in these respects must be based on what he was later told or believed had happened. His evidence in this regard is, therefore, at best second-hand. Whether and to what extent it accurately reflects what happened is a matter that we consider later in this report.<sup>2</sup>

<sup>1</sup> B1547-1548; B1551-1552

<sup>3</sup> B1565.42-43; Day 246/83-86; Day 246/92-93

<sup>2</sup> B1565.51

<sup>1</sup> Chapter 179

<sup>2</sup> Paragraphs 112.41 and 112.46

## Other soldiers

**96.13** Many other members of Anti-Tank Platoon moved from the low walls of the Kells Walk ramp into Glenfada Park North, or close to it, at some stage after Corporal E, Lance Corporal F, Private G and Private H had gone into the courtyard. However, the evidence that we have from these other soldiers does not, in our view, assist further in determining what the situation was at the stage under consideration, though we return to consider their accounts later in this report,<sup>1</sup> when we deal with the arrests that were made in this area.

<sup>1</sup> [Chapter 113](#)

# Chapter 97: The situation in Glenfada Park North on the arrival of the soldiers

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- 
- 97.1** We begin by considering the evidence given by Corporal E, Lance Corporal F, Private G and Private H of what they saw and did when they first arrived in Glenfada Park North and took up positions at or near the car in the north-east corner. We deal later with what these soldiers said that they saw and did subsequently.
- 97.2** All four of these soldiers gave statements to the Royal Military Police (RMP). They also gave written and oral evidence to the Widgery Inquiry. As already noted, Corporal E and Private G are dead and gave no evidence to the present Inquiry, but Lance Corporal F and Private H gave us both written and oral evidence.
- 97.3** The following paragraphs are ordered so as to present the evidence of each soldier in the likely sequence in which they arrived in Glenfada Park North. Thus we consider, in turn, the evidence of Private G, Lance Corporal F, Private H and Corporal E.

## The evidence of Private G

97.4 Private G made three statements to the RMP. In the first, timed at 0215 hours on 31st January 1972,<sup>1</sup> he stated that:<sup>2,3</sup>

“On entering the square I saw two men standing about twenty five metres away, both of them were holding what appeared to be small rifles in their hands. There was a small group of people standing near to them. I fired three aimed shots at one of the men and I saw him fall to the ground. [Lance Corporal] ‘F’ fired at the same time and I saw the other gunman fall. The group of people standing near to the gunmen picked up the two weapons and ran off down an alleyway in a North Easterly direction.”

<sup>1</sup> B168-170

<sup>2</sup> B169

<sup>3</sup> “North Easterly” in this statement must be an inconsequential mistake for “south-westerly”, since otherwise the group of people would have been running towards the soldiers.

97.5 Private G’s second RMP statement was timed at 1420 hours on the same day.<sup>1</sup> In this statement Private G recorded that he had been shown a collection of photographs and from these he was “*reasonably sure*” that the man whom he shot was identified as “*Young*”. The only person named Young shot on Bloody Sunday was John Young, and we are satisfied that this was the person whom Private G identified. However, we are also satisfied that John Young was shot while at the rubble barricade on Rossville Street, and not in Glenfada Park North. In his written statement for the Widgery Inquiry, Private G recorded that when he said he was “*reasonably sure*” he did not mean that he was certain; he merely thought that the man could have been “*Young*”.<sup>2</sup>

<sup>1</sup> B176

<sup>2</sup> B188

97.6 When Private G gave his identification of John Young to the RMP on 31st January 1972, he stated that his target had been “*throwing nail bombs*”.<sup>1</sup> A later statement contained a handwritten correction, with “*throwing nail bombs*” crossed out and replaced with “*armed with a small rifle*”.<sup>2</sup> Private G told the Widgery Inquiry that the reference to nail bombs was an error that he attributed to Corporal Brobson, the statement taker.<sup>3</sup> It is noteworthy that Corporal Brobson had interviewed both Corporal E and Lance Corporal F a few minutes before interviewing Private G on the afternoon of 31st January, and those soldiers had referred to their targets as throwing or being in possession of bombs.<sup>4</sup> In his evidence to this Inquiry, Corporal Brobson could give no assistance on this matter.<sup>5</sup>

However, given Corporal Brobson's schedule of interviews and the early correction made to the statement, it seems to us that Private G was probably correct in attributing an error to Corporal Brobson.

<sup>1</sup> B176

<sup>4</sup> B91-92; B126-127

<sup>2</sup> B177.001

<sup>5</sup> C1868.3; Day 275/110-111; Day 275/121-122

<sup>3</sup> B188; WT14.93; WT14.95

**97.7** In a third RMP statement, timed at 1315 hours on 14th February 1972,<sup>1</sup> Private G stated that he wished to add that:<sup>2</sup>

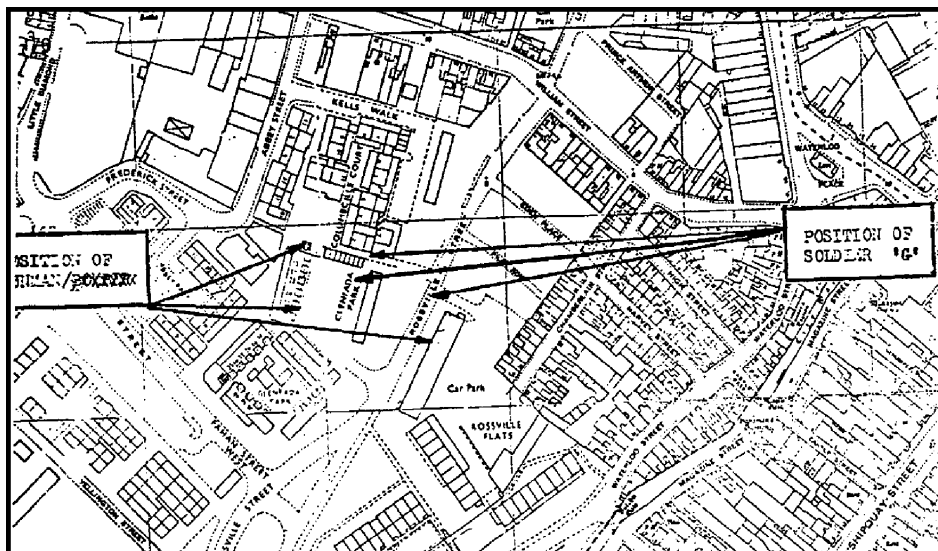
"the gunmen I saw in Glenfada Park were accompanied by a third man. Because this man did not have a rifle like the others I did not pay any more attention to him. I shot at one of the gunmen and I heard 'F' fire at the same time and because the two gunmen fell to the ground I automatically thought that the second gunman had been engaged by 'F'. However, in view of the fact that I fired 3 shots it is possible that I hit both men and the third man who was with them, I later saw was lying on the ground but not moving. Therefore it is likely he was shot by 'F'."

<sup>1</sup> B179-180

<sup>2</sup> B179

**97.8** On Private G's RMP map the position of his target or targets was marked as being slightly to the north of the south-western corner of Glenfada Park North.<sup>1</sup>

<sup>1</sup> B171





97.9 In his written statement for the Widgery Inquiry, Private G sought to clarify his third RMP statement:<sup>1</sup>

"I assumed at the time I had made my earlier statement [ie the first that he made to the RMP] that I had shot one and F had shot the other of the two [men] I was observing. As they were right together it is quite possible that I shot them both, while F shot a third man whom I was not observing. This is the reason why I was asked to make a supplementary statement on 14 February [his third to the RMP] explaining this point. This statement has been read to me and I do not now think it is an accurate record of what happened. I did not have a third man under close observation near the two identified targets that I mentioned earlier. I know I may have shot these two, but I certainly could not have shot the third man. If F was firing at the same time it is possible he may have shot the third man, but I do not know ... I am quite certain that I could not have meant that I hit both the men and the third man who was with them."

<sup>1</sup> B188

97.10 In his written and oral evidence to the Widgery Inquiry, Private G stated that the two gunmen he saw were armed with "*short rifles like an M.1 Carbine*",<sup>1</sup> and were in a position "*on the footpath*"<sup>2</sup> at the opposite (south-west) side of the courtyard.<sup>3</sup> This location is consistent with his trajectory photograph, which is reproduced below.<sup>4</sup> Private G believed that these men were facing towards the rubble barricade, and he did not recall them turning towards the soldiers in the north-east corner of the courtyard at any stage.<sup>5</sup> He said he fired, without warning, at the man on the right-hand side of the two.<sup>6</sup> According to Private G both men fell, and while he said that he "*definitely*" hit one, he also thought it possible that he shot both.<sup>7</sup> Private G stated that he was not aware of any third man either as he fired or after the two gunmen had fallen.<sup>8</sup> He said that, when he fired at his targets, there was no one else immediately in front of them or behind them in the line of fire.<sup>9</sup> After the two gunmen and their weapons fell to the ground, Private G said that he saw a crowd surround the bodies; and that while he did not see anyone pick up the two rifles, by the time the crowd had cleared, the rifles had disappeared.<sup>10</sup>

<sup>1</sup> B186; WT14.79; WT14.91

<sup>2</sup> WT14.79

<sup>3</sup> WT14.79

<sup>4</sup> B212

<sup>5</sup> WT14.91-92

<sup>6</sup> WT14.92

<sup>7</sup> WT14.80

<sup>8</sup> WT14.80

<sup>9</sup> WT14.87

<sup>10</sup> B187-188; WT14.88



**97.11** He said, for the first time, that he had heard Lance Corporal F shout that there was a gunman; he said that Lance Corporal F had been in a kneeling position at the south-east corner of the park and had fired one or two shots. Private G said that he had not been able to see Lance Corporal F's target.<sup>1</sup>

<sup>1</sup> [WT14.81](#)

**97.12** In his oral evidence to the Widgery Inquiry, Private G mentioned, again for the first time, that he saw some bricks land in front of him when he was "*kneeling down*" in Glenfada Park. The precise timing and detail of this incident are unclear. Private G stated that he took no notice of these bricks. He also stated that he did not see anyone with a nail bomb in the area.<sup>1</sup>

<sup>1</sup> [WT14.85](#)

## The evidence of Lance Corporal F

**97.13** Lance Corporal F made four statements to the RMP.<sup>1</sup> The last deals with what Lance Corporal F said about identifying rioters at Fort George, and is considered elsewhere in this report.<sup>2</sup>

<sup>1</sup> [B132-133.004](#). Private G's cipher has mistakenly been included in place of Lance Corporal F's on the latter's last RMP statement. This was a clerical mistake presumably made in 1972 during the redaction process. We have seen an unredacted copy of the document and are satisfied that Lance Corporal F did indeed make this statement, and that there is no significance in the erroneous inclusion of Private G's cipher.

<sup>2</sup> [Chapter 162](#)

- 97.14 In the first of these statements, timed at 0240 hours on 31st January 1972,<sup>1</sup> Lance Corporal F stated that he moved to Glenfada Park after seeing a group of “30–40 rioters” leaving the rubble barricade. When he reached the complex:<sup>2</sup>

“I saw one of the men light something. I saw it fizzle and spark, and I realised it was some form of bomb. He raised his arm as if to throw the bomb. I fired two aimed shots at the man. The first I saw strike him in the shoulder and the second strike him in the stomach. The bomb did not explode.”

<sup>1</sup> B123

<sup>2</sup> B122

- 97.15 Lance Corporal F recorded that by the time he fired, other members of his unit had arrived. Together they “*advanced towards the rioters*”, who dispersed.<sup>1</sup>

<sup>1</sup> B122

- 97.16 In his second RMP statement, timed as 1410 hours on 31st January 1972, Lance Corporal F recorded that he had been shown a collection of photographs and was reasonably sure that the man he shot “*in a full scale riot in the Glenfada flats on 30 Jan 72 for being in possession of nail bombs*” was shown in two of them marked “Donaghy”. As the photographs are likely to have been those taken of the dead in the morgue, it is probable that Lance Corporal F was identifying Gerald Donaghey as the man whom he shot. As is discussed later in this report,<sup>1</sup> we are satisfied that Gerald Donaghey was shot by Private G on the steps leading to Abbey Park and not in Glenfada Park North.<sup>2</sup>

<sup>1</sup> Chapter 107

<sup>2</sup> B126

- 97.17 Lance Corporal F’s third RMP statement, which was expressed as being further to his first statement, was timed at 2030 hours on 4th February 1972.<sup>1</sup> In it Lance Corporal F described entering a square that appears to have been Glenfada Park North. He stated that:<sup>2</sup>

“I saw the three men on the other side of the square about thirty metres away near to 24 Glenfada Park, south west of our position.

I shot and hit one man as he attempted to throw an object which looked like a nailbomb. I saw [Private] ‘G’ fire and hit another of the men who was carrying what appeared to be a rifle.

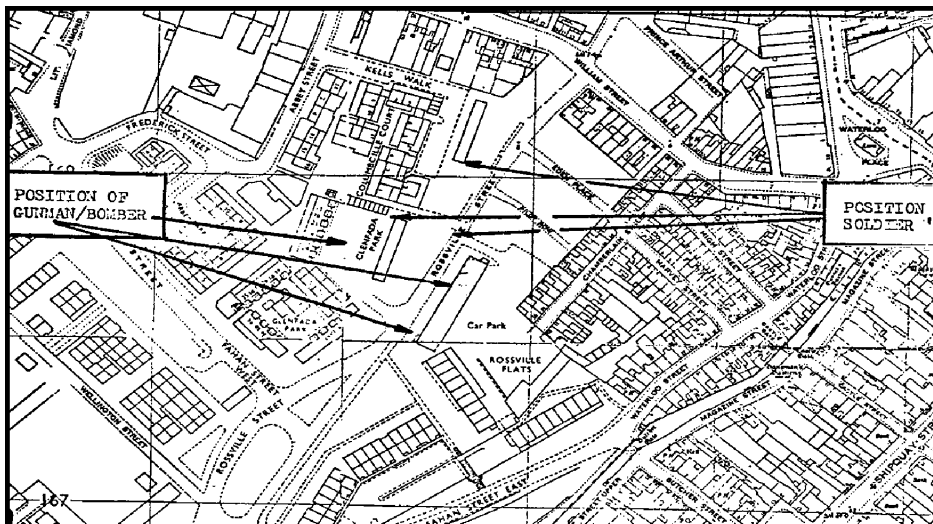
The third man ran off but I believe he was engaged by another soldier. I did not see this.”

<sup>1</sup> B129-130. On the redacted copy of this document, the date has been removed and Private G's cipher has been included in place of the signature. We have seen an unredacted copy of this document, which shows both the date and the fact that it was signed by Lance Corporal F. We are of the view that the errors and omissions on the redacted version are of no significance.

<sup>2</sup> B129

**97.18** Lance Corporal F's RMP map shows the position of his target at about the centre of Glenfada Park North.<sup>1</sup> The apparent discrepancy between this map and his trajectory photograph is discussed below.

<sup>1</sup> B124



**97.19** On 19th February 1972, Lance Corporal F gave a statement to Colonel Colin Overbury, the legal officer for the Army team at the Widgery Inquiry.<sup>1</sup> Lance Corporal F and Colonel Overbury told us that they had no independent recollection of this statement,<sup>2</sup> but the latter told this Inquiry that he assumed that it was intended to “*untangle [Lance Corporal F's] memory as to the sequence of events*”, in light of the different accounts of his actions that he had given to the RMP.<sup>3</sup> The statement is largely concerned with Lance Corporal F's acceptance, for the first time, that he had fired towards the rubble barricade while in Rossville Street, and also towards the southern end of the Rossville Flats when he was at the south-east corner of Glenfada Park North. His evidence on these points is discussed in this report when we consider the events of Sectors 3 and 5. In relation to

Sector 4, Lance Corporal F recorded in this statement that “*When I moved with G into Glenfada Park I fired 2 rounds as I said earlier at another man who was about to throw a bomb. The object in his hand was definitely a bomb because it was fizzing.*”<sup>4</sup>

<sup>1</sup> B135

<sup>3</sup> CO1.51-52

<sup>2</sup> B167.008; CO1.51

<sup>4</sup> B135

**97.20** In his written statement for the Widgery Inquiry,<sup>1</sup> Lance Corporal F recorded that he moved into Glenfada Park North with Private G in order to cut off three men, one of whom was armed with a rifle, who had fled from the rubble barricade. He recorded:<sup>2</sup>

“As we entered Glenfada Park the three men were directly in front of us on the far side. One of them turned and was about to throw what appeared to be a bomb (because it was fizzing) in our direction. Myself and ‘G’ dropped down on one knee. I took an aimed shot. The first shot seemed to hit the man with the bomb in the shoulder, the second in the chest. The man fell to the ground.”

<sup>1</sup> B137; B138; B138.001

<sup>2</sup> B137

**97.21** The statement appears to have been amended by hand, with two significant additions. First, the words “*SE corner*” were added over the geographical description of the three men being “*on the far side*”. Later, at the end of the passage quoted above, an extra handwritten sentence, “*I saw G hit one of the others, I don’t know about the 3rd*”, was included at the bottom of the page.<sup>1</sup>

<sup>1</sup> B137

**97.22** Later in the same statement, Lance Corporal F referred to his RMP interview in which he had recorded that he was reasonably sure that he had shot a man identified as “*Donaghy*”. In his statement for the Widgery Inquiry, Lance Corporal F recorded that he had seen further photographs of “*Donaghy*” and was “*still reasonably satisfied*” that this was the person whom he shot.<sup>1</sup>

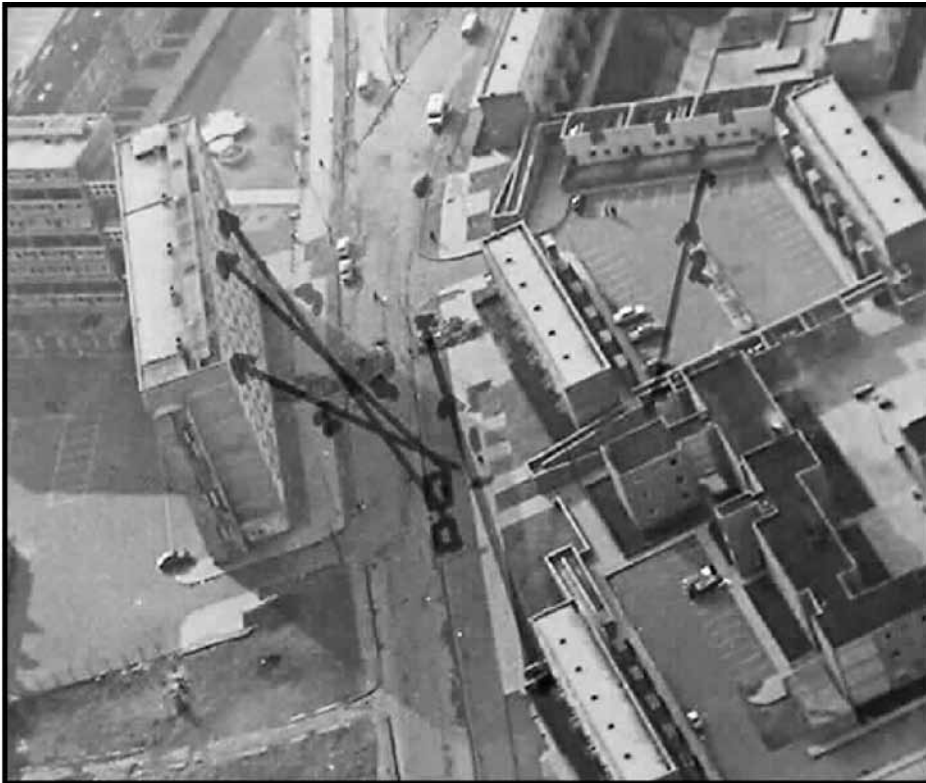
<sup>1</sup> B138.001

**97.23** In Lance Corporal F’s trajectory photograph, shown below, his target in Glenfada Park North is shown as being on the pavement at the southern end of the complex, a little west of centre.<sup>1</sup> This is further to the south than the position indicated on Lance Corporal F’s RMP map, which is reproduced above. We are not persuaded that there is any significance in this matter. In our view Lance Corporal F did not mark the arrows on his RMP map, and in other cases, such as those of Corporal A and Private B, we are of the view that the markings on these maps lack precision and accuracy. Elsewhere in this

report<sup>2</sup> we consider how the RMP maps and trajectory photographs came to be prepared. Considering these points and Lance Corporal F's evidence as a whole, we are of the opinion that Lance Corporal F's trajectory photograph should be preferred as his evidence of where he saw his target in Glenfada Park North.

<sup>1</sup> B166

<sup>2</sup> Chapters 173 and 174



#### 97.24

In his oral evidence to the Widgery Inquiry, Lance Corporal F gave a similar account of the shooting in Glenfada Park to that he had given in his written statement. He added that the man at whom he fired, who he said had a fizzing object that he took to be a nail bomb, had been on the “*extreme left*” of the group of three that he had seen move from the rubble barricade.<sup>1</sup> His oral evidence was that his first shot hit this man in the right arm.<sup>2</sup> Although he had stated in his written evidence that it struck the man's shoulder we do not consider this to be a material difference in his evidence. Lance Corporal F later told the Widgery Inquiry that he fired both of his shots at the man within a split second,<sup>3</sup> and that after he had shot him, the fizzing object that the man had been holding dropped to the ground; but it did not explode.<sup>4</sup>

<sup>1</sup> WT14.46

<sup>3</sup> WT14.73

<sup>2</sup> WT14.47; WT14.73

<sup>4</sup> WT14.68-69



**97.25** Lance Corporal F's oral evidence to the Widgery Inquiry as to the actions of the two men who were with his target was somewhat uncertain. He stated at first that he did not know whether one or both men were armed, although he said he did recall seeing a rifle.<sup>1</sup> Later in his evidence, in response to questioning from counsel for the families, Lance Corporal F referred to only one of the men, the one who had been in the middle of the group of three, as having a rifle. Lance Corporal F said he thought that Private G shot this man, and that the rifle dropped to the ground.<sup>2</sup> Lance Corporal F added that he made no effort to recover the unexploded nail bomb or the rifle, as he then heard pistol shots from the direction of the Rossville Flats and, after asking Private G to cover him, he went forward to investigate.<sup>3</sup> We deal with Lance Corporal F's evidence of hearing pistol shots at this stage and of what he said he then did in the course of considering the events of Sector 5. Lance Corporal F also stated that he did not remember what happened to the third man,<sup>4</sup> and that at the time when he entered Glenfada Park he did not see any other civilians there.<sup>5</sup>

<sup>1</sup> WT14.46-47

<sup>4</sup> WT14.47

<sup>2</sup> WT14.69

<sup>5</sup> WT14.73

<sup>3</sup> WT14.69-70

**97.26** Lance Corporal F gave written and oral evidence to this Inquiry. He told us that he recalled a lot of people and noise in Glenfada Park, but nothing more. He did not, he claimed, recall firing his weapon there.<sup>1</sup> As we observe elsewhere, we do not accept that Lance Corporal F had completely forgotten what he did in Glenfada Park North, especially since, as he told us himself, Bloody Sunday was the first time he had killed someone, and the only time that he did so in Northern Ireland.<sup>2</sup>

<sup>1</sup> B167.004; Day 375/90-91

<sup>2</sup> Day 375/59

## The evidence of Private H

**97.27** Private H made three statements to the RMP. The first of these was taken by Corporal Brobson and was timed at 0210 hours on 31st January 1972.<sup>1</sup> In this statement, Private H recorded that as his platoon advanced, seemingly down Rossville Street, they became the target of stones and nail bombs thrown by a group of youths. These youths then ran off in a north-westerly direction "*in the direction of waste land between 2 blocks of flats about 50–60 metres apart*".<sup>2</sup> Private H continued:<sup>3</sup>

“We then pursued these youths through the gap between the two flats about 15 metres wide. At the gap we saw the group of youths hiding behind a broken down car. Around them in all directions were groups of other youths. On seeing us they began to throw bricks and any other material on the waste land.

I saw 3 youths at a distance of about 70 metres, hiding behind the wall. They were dressed in light clothing. I cannot remember their exact dress. With me were ‘F’ and ‘G’. I saw the three youths in possession of nail bombs. I cocked my rifle, took aim at the youth in the middle of the group and fired 2 x 7.62 rounds at the centre of the stomach. The other two soldiers fired 7.62 rounds at the other persons. I could recognise nail bombs in their hands. All three youths fell to the ground.

A youth then appeared from the north west block of flats. He ran from a crowd of people. He was dressed in a jean suit; that was all I noticed. He picked up an object from one of the youths that had been shot and ran in the direction of the north block of flats across the waste land. I aimed my SLR and fired 1 aimed 7.62 round at him which struck him on the shoulder. He then disappeared into a crowd of people converging on the 3 youths who were lying at the side of the broken car.

The youth, when I fired, was about 20 metres from me. I aimed my shot at his central back. On firing I observed him clutch his right hand shoulder but still continue running into the crowd. ‘G1’ examined the bodies of the youths. He later informed us they were dead.

I did not inspect the bodies.”

<sup>1</sup> B218-221; C1868.4

<sup>3</sup> B219-221

<sup>2</sup> B219

**97.28** Private H’s reference to “G1” was to the Commander of Anti-Tank Platoon, Lieutenant 119, who had been given that cipher.<sup>1</sup>

<sup>1</sup> Day 377/125

**97.29** There is considerable doubt as to the date of one of the other two statements given by Private H. The typed and redacted copy of this statement records that it was taken at 0230 hours on 31st January 1972.<sup>1</sup> The unredacted, manuscript version, the document that Private H actually signed,<sup>2</sup> also bears the date 31st January 1972 in two places, the first immediately above the signature of Private H and the second where the statement taker, Corporal Smith, has signed.<sup>3</sup> At the latter point, Corporal Smith has completed the pro forma to show that he had recorded the statement and witnessed the signature at 0230 hours on 31st January 1972 in Londonderry. Both the time and the date have

clearly been altered. It is difficult to make out what the original date was. It was clearly some point in February; prefaced by what appears to be a single figure accompanied by a “th”, which would encompass a date between the 4th and the 9th. We have not found it possible to establish the original time, though the first number “0” seems to us to have been added, to create a time in the early hours of the morning. Corporal Smith is dead and gave no evidence to this Inquiry. Private H told us that he has no memory of making any statements to the RMP.<sup>4</sup>

<sup>1</sup> B228-232

<sup>2</sup> C1868.12-18

<sup>3</sup> C1868.18

<sup>4</sup> Day 377/80; Day 377/84-85; Day 377/126-127; Day 378/39

**97.30** There is no reason to doubt that the time and date recorded by Corporal Brobson on Private H’s first RMP statement, 0210 hours on 31st January 1972, are accurate.<sup>1</sup> If this is so, and if the disputed statement taken by Corporal Smith really had been taken by 0230 hours on 31st January, then the entire process of Corporal Brobson interviewing Private H, recording what he said by hand over six-and-a-half pages and arranging for the document to be signed would have to have taken only 20 minutes. We consider this to be highly unlikely. In his evidence to this Inquiry Private H seemed to agree, stating that *“There has to be an error there somewhere, sir, because you could not have made a statement that big in 20 minutes”*.<sup>2</sup>

<sup>1</sup> C1868.4; Day 275/128-129

<sup>2</sup> Day 377/126

**97.31** The other RMP statement made by Private H is timed, on the manuscript copy, at 2015 hours on “5 Jan 1972”.<sup>1</sup> The location of the interview is recorded as Hollywood Barracks,<sup>2</sup> the base in County Antrim where 1 PARA was stationed during its deployment as the reserve battalion for 39th Infantry Brigade, and to which it returned shortly after Bloody Sunday. “Jan” seems to be a straightforward and insignificant mistake for “February”. The statement was taken by Warrant Officer Class II INQ 1835, who gave a statement to this Inquiry but did not comment on this particular RMP statement.<sup>3</sup> He did not give oral evidence and is now dead. We are satisfied that this statement was taken at Hollywood Barracks on 5th February 1972 at the time recorded.

<sup>1</sup> B226.002; B224-226; B226.001-003

<sup>2</sup> B226.002

<sup>3</sup> C1835.1-8

**97.32** This statement, which is concerned with the events of Glenfada Park North and is considered in full below, starts with the words: *“Further to my statement of 30 Jan 72 in which I described in detail my actions during the Bn [Battalion] Operation in Londonderry on that day.”*<sup>1</sup> It seems to us that this introduction refers to Private H’s first RMP statement; although technically this was dated 31st January, it is understandable that

Private H did not distinguish between the day in question and the early hours of the following morning, when he came to give his first RMP interview. It is notable that on 5th February 1972, Private H referred to only this one previous statement.

<sup>1</sup> B224

**97.33** This reference in his statement of 5th February, the clearly changed date on the manuscript copy of the disputed RMP account, and the inherent improbability that Private H could have given two lengthy and inconsistent statements within twenty minutes of one another, lead us to conclude that the “second” statement was not given at 0230 on 31st January. Considering all three of the RMP statements, it seems to us that Private H’s first account, given to Corporal Brobson on the morning of 31st January, was so confused that further statements were obtained in order to clarify his evidence. On 5th February a second interview was conducted by Warrant Officer Class II INQ 1835, dealing with the events that occurred in Glenfada Park North. At some later point, a third statement was drawn up by Corporal Smith. As is discussed below, this was a coherent account that covers all of Private H’s evidence of the day and in some respects (for example, identifying where his targets were in Glenfada Park North) goes into greater detail than the statement of 5th February 1972. As such it seems to us to have been an attempt to provide a definitive and complete version of Private H’s evidence.

**97.34** As Corporal Smith died without giving evidence on this point, and as Private H claimed at this Inquiry that he could not recall any RMP interviews that he gave, we are unable to determine why the date and time were changed, though the possibility exists that this was done by someone in an attempt to make Private H’s statements to the RMP more coherent and consistent. The handwriting of the changed date and time appear dissimilar to that of the body of the statement, which to our minds indicates that the changes were not made by Corporal Smith. We are satisfied from an examination of a report dated 23rd March 1972,<sup>1</sup> made by Colonel Overbury, and the brief delivered to counsel for the Ministry of Defence (MoD) on 18th February 1972,<sup>2</sup> that the statement timed at 0210 hours on 31st January<sup>3</sup> and the statement taken on 5th February<sup>4</sup> were submitted to the Widgery Inquiry, but we have been unable to determine whether what we consider to be the third statement (which was disclosed to us by the MoD) was ever submitted to that Inquiry.

<sup>1</sup> CO1.5

<sup>2</sup> G121B.805.19-41

<sup>3</sup> B218-221

<sup>4</sup> B224-226; B226.001-003

97.35 In these circumstances we now turn to the statement given by Private H to Warrant Officer Class II INQ 1835 on 5th February 1972, in what we consider to be his second RMP interview.<sup>1</sup> In this, Private H stated that he was positioned behind a parked civilian car in the north-east corner of the Glenfada car park with other members of his platoon, including Lance Corporal F. According to this statement, to the south-west of his position he saw a group of between five and seven youths on a footpath an estimated 70m away.<sup>2</sup> In the typed version of the statement several words are omitted (in our view through clerical error), but the manuscript document continues:<sup>3,4</sup>

"I am positive that two of these youths were carrying nail bombs, I cannot say if the others carried weapons or offensive weapons. In my earlier statement [in our view, the one that he gave to Corporal Brobson at 0210 hours on 31st January] I have described my action, however shortly before I fired at one of the youths carrying a nail bomb, Lcpl [F] fired at the other youth carrying a nail bomb and I saw him fall to the ground. This was followed by more shots from the members of my platoon and I can say that four of the youths were shot dead. I did not actually see who shot the other two youths. This was because I was watching a youth who appeared from the west side of the Glenfada Car Park he ran to where the bodies lay picked up a nail bomb and as he turned I fired one shot from my SLR and hit him in the upper right arm or shoulder but he continued and left the area the way he had come. The only thing I remember about him was that he was wearing a blue denim jacket and trousers.

I cannot say what happened to the youths who were not shot who could have numbered between one and three.

The members of the platoon besides myself and [F] were Cpl [E] and Pte [G]. I know that [E] and [G] fired but I did not actually [see] what they were aiming at.

Shortly after the shooting Lieut [119] arrived and went to look at the bodies of the youths. He may have been present for some time but I would not have seen him because he would have been behind me.

I did not search or examine the bodies myself. When firing I was guided by the instructions laid down in the Yellow Card."

<sup>1</sup> B224-226; B226.001-003

<sup>2</sup> B224

<sup>3</sup> B224-225; B226.001-002

<sup>4</sup> The manuscript document only gives the ranks of the soldiers concerned, so the ciphers from the typed version have been added in square brackets.

**97.36** Private H also recorded in this statement that at the time of firing he was wearing a gas mask and thus was unable to say exactly where Lance Corporal F, Corporal E and Private G stood in relation to him, though Lance Corporal F was positioned near the boot of the car.<sup>1</sup>

<sup>1</sup> [B225](#); [B226.002-003](#)

**97.37** There remains the statement taken by Corporal Smith, which in our view was the last of the three that Private H gave to the RMP.<sup>1</sup> In this, Private H stated that he followed two other members of his platoon in pursuing a group of youths, one of whom had thrown a nail bomb, along an alleyway and into a “*large square formed by ... garages and three blocks of flats*”.<sup>2</sup> We are sure that this is a description of his entering Glenfada Park North through the alleyway that led into the north-east corner. He continued:<sup>3</sup>

“On entering the Square I saw the two other members of my unit positioned behind the rear of a parked civilian car in the aim position. These two men I later identified as being ‘F’ and ‘G’, both members of my section.

I saw ‘F’ fire at a man near an opening in the South West corner of the square. I positioned myself behind the front of the car which was parked near to the first garage facing East.

I saw a youth aged between eighteen and twenty two years standing about five feet North East of the North East wall of number 59 Glenfada Park. He had his right arm drawn back in a throwing position and was about fifty yards South West of my position. I saw that he had in his hand a round object about the size of a coca-cola tin which looked like a nailbomb. I fired two aimed shots 7.62mm at the youth and he fell to the ground. The youth was dressed in dark coloured trousers and a bright coloured sweater or shirt. The nailbomb did not explode.

I saw another youth of about the same age, dressed in blue denim jacket and trousers run from the gap in the South West corner of the square. He picked up the nailbomb which was lying on the floor near to the fallen youth. The youth turned and faced towards the gap he had ran from. I fired one aimed shot 7.62 mm at the youth. I saw him stagger and then run North East and into the gap where I noticed other people had assembled.”

<sup>1</sup> [B228-232](#)

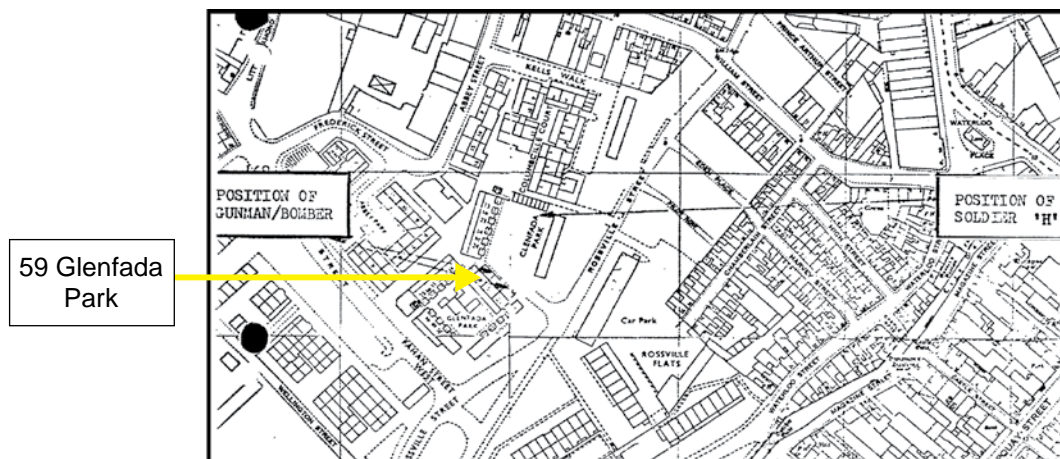
<sup>3</sup> [B230-231](#)

<sup>2</sup> [B229-230](#)



97.38 Although a map was produced to accompany Private H's RMP evidence,<sup>1</sup> it is not clear when it was made. We are satisfied that it could not have been produced on the basis of his first RMP statement, since this was so confused in its geography. It is not possible to determine whether it was instead drawn up in association with the statement that Private H gave to Warrant Officer Class II INQ 1835 on 5th February 1972, or at what we believe to be his later interview with Corporal Smith.

<sup>1</sup> B222



97.39 On this map we have identified 59 Glenfada Park.

97.40 The reference to the injured youth running “*North East*” must in context be a mistake, for otherwise the youth would have been running directly towards Private H.<sup>1</sup>

<sup>1</sup> As already noted, a similar mistake is found in Private G's first RMP statement. These mistakes might well have occurred as a result of the soldiers looking at a map with the south side at the top. If this was the case, then “north east” would have been a mistake for “south west”, which would be consistent with the evidence that Private H gave in what we consider to be his second RMP statement and to the Widgery Inquiry.

97.41 In his written statement for the Widgery Inquiry, signed in early March 1972, Private H again described chasing a group of youths, one of whom had thrown a nail bomb, down an alleyway and into Glenfada Park.<sup>1</sup> He continued:<sup>2</sup>

“Through the alley-way in Glenfada Park there was a car parked. I stayed at one end, F and G at the other. I leaned on the bonnet in a firing position. F and G were there about two seconds in advance of me. I saw F fire. I saw a lad at the end of the line marked 2 on the photograph (marked Soldier H). [This a reference to his trajectory photograph which is reproduced below.] He had an object like a Coca-Cola tin in his hand. He was drawn back in a throwing position. I fired two shots at him and he fell to the ground ... The bomb just thudded to the ground without rolling or bouncing. I am

still sure it was a bomb. It did not explode. There was an alley-way at the opposite corner of the square from which a youth ran. He picked up the bomb, I think with his right hand, and I thought he was about to throw it. I fired one round at him and think it hit him in the right shoulder or upper arm. He was able to stagger away. He did not drop the bomb.”

<sup>1</sup> B233-235

<sup>2</sup> B234

**97.42** On his trajectory photograph,<sup>1</sup> Private H indicated that his second target was slightly to the west of his first target and that both were at the southern end of Glenfada Park North, slightly to the west of centre. The photograph is also marked with the location at which Private H claimed to have fired 19 further shots at a gunman, a matter that we consider later in this report.<sup>2</sup>

<sup>1</sup> B261

<sup>2</sup> Paragraphs 105.9–24



**97.43** In his oral evidence to the Widgery Inquiry Private H said that when he reached Glenfada Park North he took up a firing position at the bonnet of the parked car, which was closer to the corner through which he had entered than the boot.<sup>1</sup> The two soldiers who had been in front of him were at the other end of the vehicle.<sup>2</sup> Private H said he saw one of these soldiers fire,<sup>3</sup> and that he thought it quite possible that the other soldier did so too.<sup>4</sup>

Private H told the Widgery Inquiry that he did not see what they were firing at, as his attention was drawn to a youth about 70m away, who was in a throwing position, holding a brown object shaped like a Coca-Cola tin.<sup>5</sup> Private H said he took this to be a nail bomb, even though he “*did not notice any fizzing, or smoke, or anything like that*”.<sup>6</sup> He said that he fired twice in quick succession;<sup>7</sup> that his first shot missed his target and struck a building; that the second shot hit the youth; and that he saw the object in the youth’s hand fall to the ground without exploding.<sup>8</sup> Private H told the Widgery Inquiry that shortly afterwards he saw a youth dressed in blue denim run out and pick up the object with his right hand.<sup>9</sup> Private H said that as he believed that the youth was about to throw the object at him, he fired another aimed shot, which hit his target in the arm or shoulder.<sup>10</sup> According to Private H the youth, who did not drop the object, then staggered back from where he had come.<sup>11</sup>

<sup>1</sup> WT14.97-98

<sup>2</sup> WT14.97

<sup>3</sup> WT14.97

<sup>4</sup> WT15.10

<sup>5</sup> WT14.98; WT15.10

<sup>6</sup> WT15.10

<sup>7</sup> WT14.98

<sup>8</sup> WT14.98; WT15.11

<sup>9</sup> WT14.98

<sup>10</sup> WT14.98; WT15.12-13

<sup>11</sup> WT14.99

**97.44** Private H also told the Widgery Inquiry that he had not seen or heard any nail bombs exploding in Glenfada Park, though when he was behind the car he had heard an explosion like a nail bomb or gelignite bomb, which sounded as if it had come from a position outside that area.<sup>1</sup>

<sup>1</sup> WT15.11

**97.45** Private H gave written and oral evidence to this Inquiry. In his written statement,<sup>1</sup> he told us that he did not remember how he reached Glenfada Park North, although he stated that he did recall being terrified.<sup>2</sup> In contrast to his 1972 evidence, Private H told us that he did not recall anyone throwing a nail bomb towards him as he advanced towards Glenfada Park. However, he told us that on arrival in the courtyard he saw a civilian, who was among a larger group on the south side, throw a nail bomb. Private H stated that he was aware that it landed quite close to him, but the bomb did not explode.<sup>3</sup> He also told us that he looked around for anyone else who might be throwing nail bombs, and saw a youth “*among the group of civilians at the far side of the courtyard*”, holding a brown, smoking object that was about the size of a Coca-Cola tin in one of his hands. According to Private H, the youth was in a throwing position, and he was “*absolutely sure*” that the

object was a bomb.<sup>4</sup> He told us that he fired two quick shots at this youth with his rifle at his shoulder, and thought that *“I hit him with one of my shots – possibly both although I am not sure where on his body he was hit”*.<sup>5</sup>

<sup>1</sup> B262-264; B264.001-008

<sup>4</sup> B264.001

<sup>2</sup> B264

<sup>5</sup> B264.001

<sup>3</sup> B264

**97.46** Private H stated that this was the first time that he had ever fired at a live target and the first time he had shot anybody. He commented that as he was concentrating on his target he had a memory only of this incident, and he did not recall the actions of the other soldiers or civilians in the car park.<sup>1</sup> Later in his statement he added that as he was still wearing his respirator, he could *“only really see clearly straight ahead of me”*.<sup>2</sup>

<sup>1</sup> B264.001

<sup>2</sup> B263-264; B264.001-002

**97.47** Private H stated that shortly after his first target had fallen, he saw another youth run out from one of the southern entrances to Glenfada Park North. Private H told us that he recalled that this youth picked up the bomb and ran with it; and that he fired one shot and hit the youth in the shoulder or upper arm. *“He did not fall to the ground and continued running. There was no explosion and I assumed that he must have removed the fuse as he went.”*<sup>1</sup>

<sup>1</sup> B264.001

**97.48** In his oral evidence to this Inquiry, Private H said that he had no recollection on many matters, despite being taken in detail through the statements that he had made and the evidence that he had given in 1972.<sup>1</sup> However, he said he remembered taking cover behind either a car or a low wall when he arrived in Glenfada Park North,<sup>2</sup> and he agreed that his evidence to the Widgery Inquiry, to the effect that he did not see any fizzing or smoking from the object in the hands of his first target, was more likely to be correct than his original recollection to this Inquiry that the object was smoking.<sup>3</sup> He also accepted that it appeared from the transcript of his oral evidence to the Widgery Inquiry that he had told that Inquiry that his first shot had missed.<sup>4</sup> Private H insisted that his first target had been in possession of a nail bomb,<sup>5</sup> and he did not think that he had missed this youth and hit someone else.<sup>6</sup> He also said that he had not fired from the hip, or in a fanning motion, nor had he seen any other soldiers doing so.<sup>7</sup>

<sup>1</sup> Day 377/1-194; Day 378/1-139

<sup>5</sup> Day 377/61-62

<sup>2</sup> Day 377/56

<sup>6</sup> Day 378/138-139

<sup>3</sup> Day 377/58-59

<sup>7</sup> Day 377/90-91; Day 378/13; Day 378/113

<sup>4</sup> Day 377/60-61

**97.49** Contrary to his first RMP statement,<sup>1</sup> Private H told this Inquiry that he did not see his Platoon Commander, Lieutenant 119, go forward to examine the bodies in the southern end of the courtyard in the aftermath of the shootings.<sup>2</sup> He later agreed that his RMP evidence might have arisen from his being told later by Lieutenant 119 that people had died in Glenfada Park North, and subsequently assuming that Lieutenant 119 had learned this by examining the bodies.<sup>3</sup>

<sup>1</sup> B220

<sup>3</sup> Day 377/136-137

<sup>2</sup> Day 377/125

## The evidence of Corporal E

**97.50** Corporal E made two RMP statements. In the first, timed at 0140 hours on 31st January 1972,<sup>1</sup> he recorded that he moved from the low walls of the Kells Walk ramp into Glenfada Park in order to head off “rioters” who had moved into that area from the rubble barricade. This statement continued:<sup>2</sup>

“There were about six men coming towards us and then a petrol bomb exploded in the square in front of us. This was followed by the explosion of a nail bomb nearby and other missiles were thrown at us.

We deployed and took up firing positions. The rioters stopped and continued to bombard us with missiles including petrol and nail bombs. I heard shots from around me and saw two of the rioters fall to the ground.

I then saw one of the men, who was about 30 metres from my position, had what appeared to be a petrol bomb and a nail bomb in his hands. I saw him light one of these objects and throw it in our direction and then a petrol bomb exploded near us. I saw him light the other. I shouted at him to drop it. I don’t know if he heard me or not but he throw it in my direction. I fired two aimed shots at this man. The first shot missed the target but I saw the second strike him in the chest and he was knocked backwards, and he fell to the ground. Immediately after I fired a nail bomb exploded near my position.

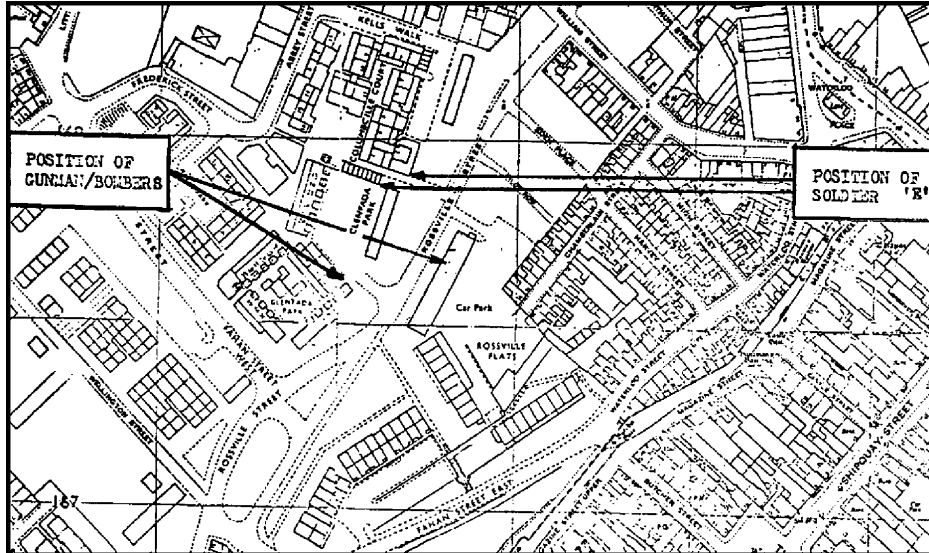
Numerous people came out of the flats and went over to the bodies. There was a lot of commotion going on and we withdrew to our original positions on Rossville Street.”

<sup>1</sup> B86-88

<sup>2</sup> B87-88

**97.51** On his RMP map, Corporal E's target in Glenfada Park North was shown as being south and slightly west of the southern end of the eastern block of Glenfada Park North.<sup>1</sup>

<sup>1</sup> B89



**97.52** In a second RMP statement, timed at 1400 hours on 31st January 1972, Corporal E recorded that he had been shown a collection of photographs and that from these he had selected two marked “Kelly” as showing the man that he was “*reasonably sure*” that he shot “*in an incident at the Glenfada flats*”.<sup>1</sup> It is clear from the description given of the photographs, and from the fact that only one person named Kelly was shot on Bloody Sunday, that Corporal E was referring to Michael Kelly. As we have described earlier in this report,<sup>2</sup> Michael Kelly was shot at the rubble barricade on Rossville Street, and not in Glenfada Park North. Corporal E claimed to have hit only one target on Bloody Sunday, namely a nail and petrol bomber in Glenfada Park North.

<sup>1</sup> B91-92

<sup>2</sup> Paragraphs 92.43–44



**97.53** In his written statement for the Widgery Inquiry, Corporal E recorded that when he arrived in Glenfada Park North:<sup>1</sup>

“there were about forty or fifty people there, some of whom started to throw missiles in my direction. On the extreme left of the crowd, from my direction, I saw a man throwing a petrol bomb in my direction which landed about ten yards from me. I then saw that he also had a nail bomb in his hand which he lit. As he was lighting it I shouted to him to drop it but by this time he had already lit it and so I fired two aimed shots at him. The reason that I fired two shots at him was that I missed with the first. I am not sure where the first round went but I could see that no-one else was in my line of fire. The second one hit him and he fell down. The nail bomb exploded but I could not see anyone hurt. During this time there was quite a lot of shooting in the whole area and I saw two more bodies fall but I did not notice if they had anything in their hands. The crowd were still aggressive and some of them surrounded the body of the man I had shot.”

<sup>1</sup> B95

**97.54** Later in this statement Corporal E recorded that, “*having thought about the matter and having seen further photographs*”, he was “*not sure*” that he had been correct in telling the RMP that he had shot the man identified as “*Kelly*”.<sup>1</sup>

<sup>1</sup> B95

**97.55** Corporal E’s trajectory photograph shows the same position of the man he said he shot in Glenfada Park North as his RMP map, namely on the eastern side of Glenfada Park North close to the northern block of Glenfada Park South.<sup>1,2</sup>

<sup>1</sup> B116

<sup>2</sup> We consider the other shot shown on Corporal E’s RMP map and trajectory photograph elsewhere in this report (paragraphs 87.58–65).

**97.56**

In his oral evidence to the Widgery Inquiry, Corporal E gave a broadly consistent account of what he saw and did in Glenfada Park. He claimed that the crowd of about 40 that he saw in the courtyard threw “*rocks and stones and nail bombs*”.<sup>1</sup> However, he later made clear that he saw only one petrol bomb and one nail bomb thrown, and that these were the bombs he said were thrown by the man at whom he fired.<sup>2</sup> In his account of the shooting, and in contrast to his earlier statements, Corporal E stated that he did not see his target light the nail bomb that he threw, as “*the petrol bomb had gone off at that time*”.<sup>3</sup> Corporal E also gave the additional evidence that the man at whom he fired was about 30m away, that he (Corporal E) shouted “*Drop it*” before firing, and that his two shots were fired within a split second of one another.<sup>4</sup> He said that after he had fired,

some in the crowd remained aggressive while others ran away, and that while he could not recall how many people approached his fallen target, he thought that it was “*quite a few*”.<sup>5</sup>

<sup>1</sup> WT14.32

<sup>4</sup> WT14.32

<sup>2</sup> WT14.40

<sup>5</sup> WT14.33

<sup>3</sup> WT14.32

**97.57** In relation to the two other people whom he saw fall, Corporal E indicated that they fell in the centre of the southern end of Glenfada Park North. He said that he did not know who had shot them,<sup>1</sup> and that he did not recall which way the casualties were facing, stating that it was “*too easy not to notice it when you are concentrating on something else*”.<sup>2</sup> However, he said that he remained “*positive*” that he had indeed seen these people fall.<sup>3</sup>

<sup>1</sup> WT14.33

<sup>3</sup> WT14.41

<sup>2</sup> WT14.41

## Major Loden’s List of Engagements

**97.58** As is discussed in detail elsewhere in this report,<sup>1</sup> Major Loden compiled a list of engagements after interviewing a number of the firing soldiers in the immediate aftermath of Support Company’s withdrawal from the Bogside. This consisted of 15 entries, each containing a brief description of the target or targets at whom a soldier or soldiers fired, and grid references giving their respective positions. This list is incomplete and there are further problems with some of the information it contains. Nonetheless, it is possible in many cases to ascertain to which of the soldiers particular entries refer.

<sup>1</sup> Chapter 165

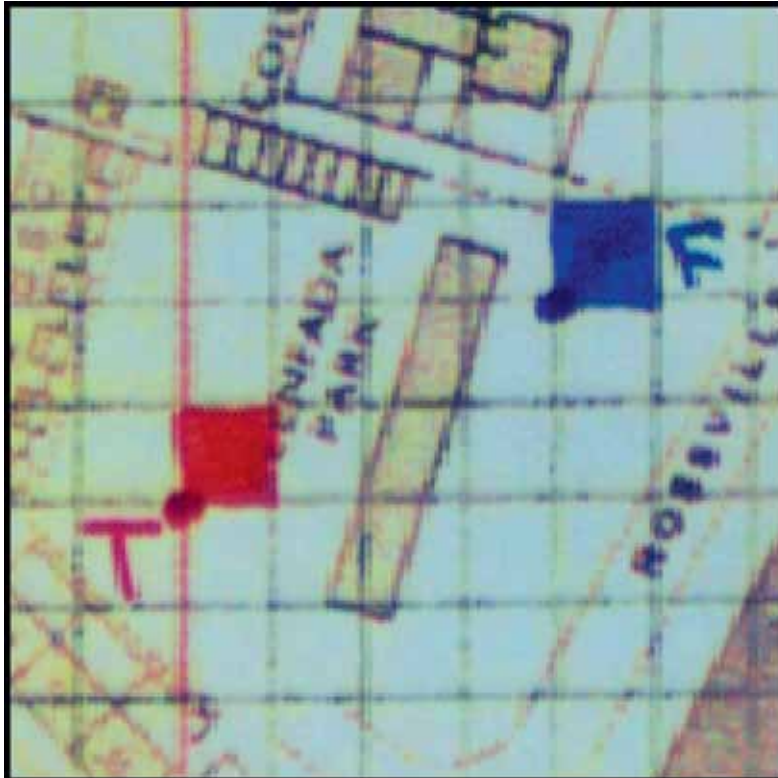
**97.59** In the case of the initial military firing in Glenfada Park North, there are two relevant entries. These are:<sup>1</sup>

“9. 3 nail bombers at GR 43201685 (Glenfada Park) shot from GR 43241687. All hit.  
10. 2 gunmen with pistols at GR 43181686 (Glenfada Park) shot at from GR 43231687. One hit, one unhurt.”

<sup>1</sup> ED49.12

**97.60** When plotted, the grid references at entry 9 reveal that while the targets were close to the southern edge of the centre of the car park, the firing soldier or soldiers were outside Glenfada Park North, seemingly between Rossville Street and the eastern wall of the eastern block of the complex. As is shown below, this would mean that there was no line of fire between the soldier or soldiers and the nail bombers:<sup>1</sup>

<sup>1</sup> OS2.64



**97.61** We are satisfied that due to the difficult circumstances in which Major Loden compiled his list, no significance should be placed on what we consider to be an understandable error in recording the precise position of the firing soldiers. In our view, the soldiers to whom Major Loden spoke intended to indicate that they were inside Glenfada Park North, in the north-eastern corner.

**97.62** Allowing for this adjustment, we are of the view that entry 9 probably resulted from the evidence given to Major Loden by Lance Corporal F, who claimed to have shot one nail bomber at the southern side of Glenfada Park North, and Private H, who stated that he had hit two, one in the arm or shoulder. It is notable that in his initial RMP statement, Private H claimed to have seen four youths with nail bombs at various points; he hit two

and he believed that the other two fell after being shot by his colleagues.<sup>1</sup> However, it may be that when Major Loden compiled his list he recorded only the target or targets at whom a soldier claimed to have himself fired.

<sup>1</sup> [B219-220](#)

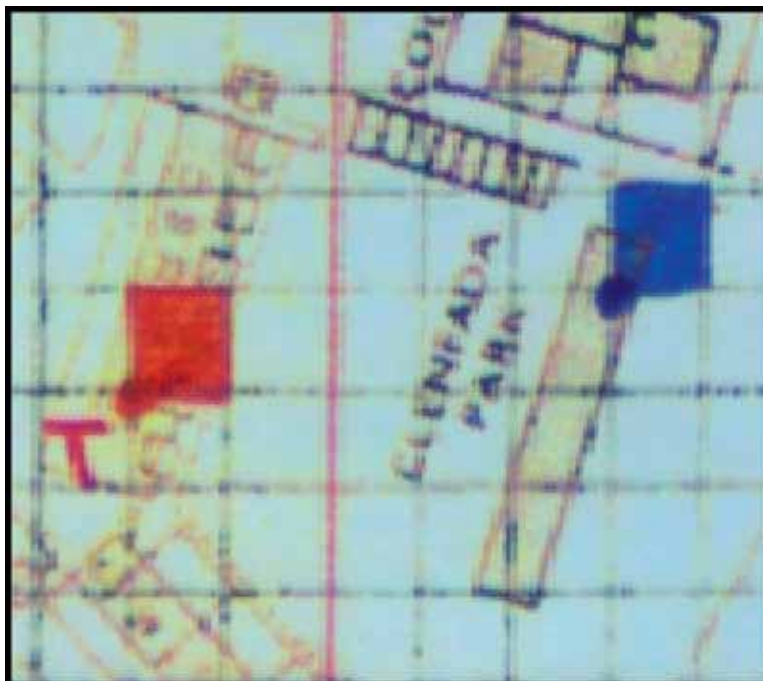
**97.63** Private H told this Inquiry that he had a “*vague*” memory of being interviewed by Major Loden in the immediate aftermath of the shooting incidents.<sup>1</sup> Lance Corporal F said that he had no such recollection.<sup>2</sup> Nonetheless, it is in our view probable that both soldiers did speak to Major Loden, and that they gave the information that was recorded in entry 9.

<sup>1</sup> [Day 378/57-59](#)

<sup>2</sup> [Day 376/141-142](#)

**97.64** Taken literally, as is shown below, the grid references at entry 10 would suggest that the two gunmen were in the western block of Glenfada Park North, while the firing soldier or soldiers were in the eastern block, or just outside the complex.<sup>1</sup> Again, we consider that this is not what was intended; instead it is likely that the firing soldier or soldiers claimed to have been in the north-east corner of Glenfada Park North, with their targets in the south-west corner.

<sup>1</sup> [OS2.66](#)



**97.65** In our view, it is possible that entry 10 refers to Private G. However, there are two notable differences between the information recorded in Major Loden’s list and Private G’s evidence to the RMP and to the Widgery Inquiry. First, Private G stated in these accounts

that the men at whom he fired were armed with “*short rifles*” instead of pistols.<sup>1</sup> Second, Major Loden appears to have been told that one of the gunmen was hit, while the other was “*unhurt*”. However, Private G told the RMP that he saw both men fall; he shot one and he assumed that Lance Corporal F hit the other.<sup>2</sup> In a supplementary RMP statement, and in his evidence to the Widgery Inquiry, Private G again said that the gunmen fell, although he had by then changed his account to allow for the possibility that he had shot them both.<sup>3</sup> In these circumstances, though it is possible, we are not sure that the information came from Private G. We have nothing to suggest that the information came from another of the soldiers who fired in Glenfada Park, none of whom gave an account of firing at, or of seeing firing at, men with pistols. In short, we do not know who gave Major Loden the information recorded in entry 10.

<sup>1</sup> B169; B186; WT14.79; WT14.91

<sup>3</sup> B179; WT14.80

<sup>2</sup> B169

**97.66**

Corporal E's claimed shots in Glenfada Park North were not recorded on Major Loden's List of Engagements. As noted earlier in this report,<sup>1</sup> his claimed shot against a target in a window of Block 1 of the Rossville Flats is also absent from this list. We do not know why this is.

<sup>1</sup> Paragraph 87.70

# Chapter 98: Other military evidence of firing in Glenfada Park North

## Contents

	Paragraph
Private 027	98.2
Lieutenant 119	98.4
Lance Corporal J	98.11

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**98.1** Three other soldiers have said that they saw members of Anti-Tank Platoon fire in Glenfada Park North. They are Private 027, Lieutenant 119 and Lance Corporal J.

## Private 027

**98.2** In relation to Private 027, we have already expressed the view that he did not arrive in Glenfada Park North until after Lieutenant 119, and that he was not present when the casualties (with the possible exception of Patrick O'Donnell) were shot there. Therefore, his account of the shooting of civilians in Sector 4 is at best second-hand.

**98.3** In his statements to the Royal Military Police (RMP) and to the Widgery Inquiry, Private 027 recorded that he saw Corporal E shoot at and hit a petrol bomber.<sup>1</sup> In an account given in 1975 he wrote that he saw Private H and Corporal E fire at apparently defenceless civilians, and that a fourth man was killed by either Lance Corporal F or Private G.<sup>2</sup> In an interview with the journalist Lena Ferguson in March 1997 he said that Corporal E, Private G and Private H all fired and hit civilians in Glenfada Park North.<sup>3</sup> In his evidence to this Inquiry Private 027 stated that his earlier account of seeing Corporal E shoot a petrol bomber was a “*total fabrication*”, though he said that he thought that “*four soldiers had fired*” while he was in Glenfada Park North.<sup>4</sup>

<sup>1</sup> [B1547-1548](#); [B1551-1552](#)

<sup>2</sup> [B1565.6-7](#)

<sup>3</sup> [B1565.273](#); [Day 249/173-175](#)

<sup>4</sup> [B1565.41-51](#); [Day 246/84](#); [Day 264/90-92](#)



## Lieutenant 119

**98.4** Lieutenant 119, in his first RMP statement,<sup>1</sup> timed at 1320 hours on 31st January 1972, recorded: *“Under the command of ‘E’ and ‘F’ a number of my platoon entered a square, Columbcille Court. On rounding the corner they informed me that they had fired a number of aimed shots at male persons in the process of preparing nail bombs.”*<sup>2</sup> Lieutenant 119 indicated that three youths had been killed, and that their bodies were in the south-west corner of Glenfada Park North.<sup>3</sup> Later in this statement he described the casualties as *“males dressed in dark blue jean jacket”*, adding that to the best of his recollection they were lying on their stomachs and he could see only the side elevation of their faces.<sup>4</sup> After being shown a selection of photographs he identified the dead as (Gerald) *“Donaghy”*, (Michael) *“Kelly”* and (John) *“Young”*.<sup>5</sup> As is discussed above, these were the three men identified with varying degrees of confidence by Lance Corporal F, Corporal E and Private G respectively. We are sure that none of these men was shot in Glenfada Park North.

<sup>1</sup> B1752.041-042. The typed and redacted copy of this statement is dated “11 January”. We have seen the original unredacted, handwritten and signed copy of the statement, and it is clear from this that the document was signed on 31st January 1972. We consider that this was probably a typist’s error and of no significance.

<sup>2</sup> B1752.041

<sup>3</sup> B1752.041-042

<sup>4</sup> B1752.042

<sup>5</sup> B1752.042

**98.5** In his second RMP statement, timed at 1930 hours on 4th February 1972,<sup>1</sup> Lieutenant 119 recorded that as he followed Corporal E and Lance Corporal F into Glenfada Park North he saw Lance Corporal F fire two rounds at a target he could not see, from a grid reference that put Lance Corporal F in the north-east corner of Glenfada Park North. He continued: *“I then moved into Glenfada Park where I saw three bodies, all apparently dead, lying on the ground. I have previously been shown photographs of these bodies, but I am unable to identify them as the bodies recovered from this location.”*<sup>2</sup> We have been unable to ascertain to which photographs Lieutenant 119 was here referring.

<sup>1</sup> B1752.031-037

<sup>2</sup> B1752.034; B1752.037

- 98.6 In his written statement for the Widgery Inquiry,<sup>1</sup> Lieutenant 119 recorded that as he came through the archway on the northern side of Glenfada Park North:<sup>2</sup>

"I saw F, who was standing on the eastern side of the courtyard, fire two shots. I looked quickly but could not identify his target. The courtyard then contained only my own men and on the far corner three bodies about which one or two civilians had started to assemble."

<sup>1</sup> B1752.043-045

<sup>2</sup> B1752.044

- 98.7 In relation to the identifications that he gave in his first RMP statement, Lieutenant 119 stated that he did not get closer than 15m to the bodies, as he received an order to withdraw shortly after he began to move towards them.<sup>1</sup> In the typed version of Lieutenant 119's statement it is recorded that he was asked to attempt the identifications by the SIB (the Special Investigation Branch of the RMP); that he gave a "*possible recognition*", but that he "*certainly would not be able to give positive evidence of identity from the view that I had*".<sup>2</sup> However, this section has been crossed out and seemingly replaced with a manuscript sentence reading: "*But when I was shown the photographs the following day I felt that the photographs of Kelly, Donaghy and Wray bore most resemblance to the bodies I had seen*".<sup>3</sup> As is noted above, in his first RMP statement Lieutenant 119 gave the names of Kelly, "Donaghy" and Young, but not that of (Jim) Wray.

<sup>1</sup> B1752.044-045

<sup>3</sup> B1752.045; the underlining was on the original.

<sup>2</sup> B1752.045

- 98.8 In his oral evidence to the Widgery Inquiry,<sup>1</sup> Lieutenant 119 said that when he entered Glenfada Park North he saw Corporal E, Lance Corporal F and Private G, the last of whom was halfway down the west side of the complex.<sup>2</sup> Later in his oral evidence Lieutenant 119 added that he also saw Lance Corporal J in the courtyard; that his signaller, Private 027, followed behind him when he entered; and that although he subsequently learnt that Private H was also present, he did not recognise him at the time.<sup>3</sup> Lieutenant 119 stated that as he entered he saw Lance Corporal F fire two rounds more or less straight down the eastern side, but that he did not see Corporal E or Private G shoot.<sup>4</sup> At one point in his oral evidence to the Widgery Inquiry, Lieutenant 119 was asked "So F was firing up towards Glenfada Park – you see the words 'Glenfada Park?'" He answered "Yes".<sup>5</sup> The context makes it clear that the questioner was referring to the model of the Bogside used at the Widgery Inquiry. A photograph of this model is shown below, and from this it can be seen that the above exchange is consistent with Lieutenant 119's earlier evidence of seeing Lance Corporal F fire in a southerly direction

approximately along the eastern block of Glenfada Park North. He repeated his evidence of seeing three bodies, lying face down in the south-west corner.<sup>6</sup> In relation to his identification of these men as Kelly, “Donaghy” and Wray (not Young) he stated that he was only “able to say that those three bore most resemblance” to the casualties in Glenfada Park.<sup>7</sup>

<sup>1</sup> WT14.9-27

<sup>2</sup> WT14.14

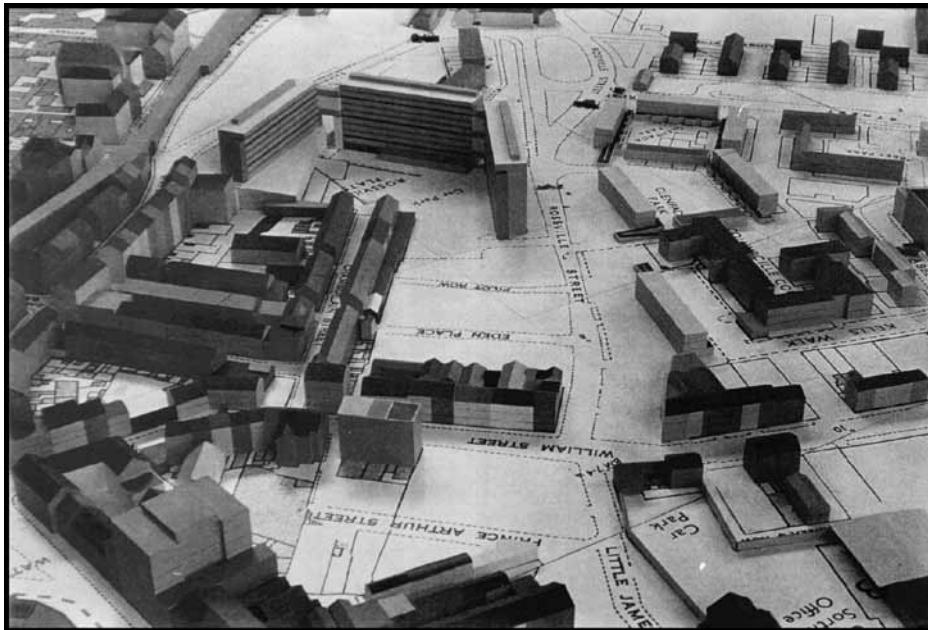
<sup>3</sup> WT14.20; WT14.22; WT14.26

<sup>4</sup> WT14.14; WT14.20-21

<sup>5</sup> WT14.20

<sup>6</sup> WT14.14; WT14.16; WT14.20

<sup>7</sup> WT14.16



## 98.9

Lieutenant 119 told the Widgery Inquiry that he received a “quick report” from his soldiers before leaving Glenfada Park, and then a “full report” afterwards.<sup>1</sup> He stated that “They explained how people had been in the act of throwing nail bombs and they explained also that they saw someone with a weapon in his hand in the position where these three bodies were”.<sup>2</sup> Under questioning from counsel for the families, Lieutenant 119 accepted that he had not mentioned these reports in his written statement for the Widgery Inquiry.<sup>3</sup> Later in his evidence, Lieutenant 119 was reminded that he had told the RMP in his first statement that members of his platoon had informed him that they had fired at “male persons in the process of preparing nail bombs”.<sup>4</sup> Lieutenant 119 said that he recalled that one soldier, whom he believed to have been Lance Corporal F, had told him that a nail bomb had been thrown.<sup>5</sup>

<sup>1</sup> B1752.058

<sup>2</sup> B1752.059

<sup>3</sup> B1752.059

<sup>4</sup> B1752.041

<sup>5</sup> WT14.26

- 98.10 Lieutenant 119 told this Inquiry that he could no longer recall what he saw in Glenfada Park North,<sup>1</sup> though he did say that the words in his first RMP statement “*preparing nail bombs*” should have read “*preparing to throw nail bombs*”.<sup>2</sup>

<sup>1</sup> B1752.16-20; Day 363/146-178; Day 364/10-25;  
Day 364/41-56; Day 364/89-92; Day 364/107-109;  
Day 364/122-123

<sup>2</sup> Day 363/170

## Lance Corporal J

- 98.11 Lance Corporal J, in his second RMP statement, timed at 1510 hours on 4th February 1972,<sup>1</sup> recorded that after he moved from Rossville Street he took up position on the left-hand corner of Glenfada Park observing in the direction of the compound.<sup>2</sup> By “*compound*” we consider that Lance Corporal J meant “*courtyard*”. As he did so, he saw:<sup>3</sup>

“two male persons aged about 26 yrs positioned at the far left corner of the block of flats just beyond the compound. These persons were wearing suits one with an all dark suit the other a Brownish coloured suit. The two persons were in posession [sic] of nail bombs which failed to go off. The nail bombs were in their right hands.

Two members of my Coy namely LCpl [F] & Pte [G] fired at these two Nail bombers and I saw them fall to the ground. At this same time rioters were running away from the main crowds up into the alleyway along side the flats.”

<sup>1</sup> B270.001-003

<sup>3</sup> B270.002

<sup>2</sup> B270.001-002

- 98.12 In the typed version of this statement it is recorded that the nail bombs were in the “*left hands*” of the two people in the far left corner.<sup>1</sup> We consider that the reference to the “*left hands*” in the typed version was a transcription error of no significance.

<sup>1</sup> B269

- 98.13 In his written statement for the Widgery Inquiry, Lance Corporal J recorded that while he was going through the alleyway to the entrance to Glenfada Park North he heard an explosion, which sounded like a nail bomb.<sup>1</sup> He continued:<sup>2</sup>

“When I reached the entrance to Glenfada Park I saw soldiers F and G firing at two men on the opposite side of Glenfada Park and they fell. They had objects in their hands which looked to me like nail bombs but I could not be sure. These objects did not explode. At that time there were a crowd of people in the area of Glenfada Park where the men had been shot and they surrounded the bodies.”

<sup>1</sup> B273

<sup>2</sup> B273

**98.14** Lance Corporal J’s oral evidence to the Widgery Inquiry was broadly consistent with his written statement.<sup>1</sup> He added that he thought that the crowd who surrounded the men “*must have picked up the objects that fell from these two people’s hands*”.<sup>2</sup>

<sup>1</sup> WT15.31-32; WT15.36

<sup>2</sup> WT15.32

**98.15** Lance Corporal J told this Inquiry that he could not remember any of the events leading up to or during his time in Glenfada Park North.<sup>1</sup> We do not accept that he had in fact no memory of these events.

<sup>1</sup> B289.4; B289.7; Day 370/52-81

## Chapter 99: Summary of the military evidence

- 99.1** According to the evidence given by Corporal E, Lance Corporal F, Private G and Private H, therefore, their targets and shots were as follows.
- 99.2** Corporal E said he fired twice at a petrol and nail bomber on the eastern side of the southern block of Glenfada Park North, hitting him in the chest with his second shot. The man fell.
- 99.3** Lance Corporal F stated that he fired twice at a nail bomber who was on the pavement at the southern end of Glenfada Park North and approximately halfway across the complex. Lance Corporal F believed that he hit him in the arm or shoulder with the first shot and in the stomach or chest with the second. The man fell. We find no significance in the slightly differing descriptions given by Lance Corporal F of where his shots hit his target.
- 99.4** Private G stated that he fired three shots at a rifleman a little to the north of the south-western corner of Glenfada Park North. The man fell. Private G also claimed that he might have hit another rifleman who was close to his target and who also fell, but at the time he thought that Lance Corporal F had shot this man.
- 99.5** Private H stated that he fired three shots at two targets. His first Royal Military Police (RMP) statement contained a confused account of where these targets were, but in his subsequent evidence he claimed that his first two shots were fired at a nail bomber who was at the southern end of Glenfada Park North, to the west of centre. He might have hit or missed with his first shot, but he saw the man fall after the second and drop the nail bomb. His third shot was fired at a man who had come out of the gap at the south-western corner of Glenfada Park North and recovered the nail bomb. He hit this man on the arm or shoulder but the man staggered back from where he had come.
- 99.6** Corporal E, Lance Corporal F, Private G and Private H therefore claimed to have fired a total of ten shots. Their evidence as a whole was that three bombers and two gunmen fell after being shot, and another youth was wounded as he fled Glenfada Park North after picking up a nail bomb dropped by one of these casualties. Up to four of their rounds might have missed their targets. Corporal E, Lance Corporal F and Private G gave no evidence of firing further shots into Glenfada Park North, but, as is discussed below,<sup>1</sup> Private H stated that he went on to shoot 19 times into the window of a flat in the southern block of the complex.

<sup>1</sup> [Paragraphs 105.9–24](#)

## Did Corporal E, Lance Corporal F, Private G and Private H each fire in Glenfada Park North?

**99.7** In view of what we regard as the unreliable nature of much of the evidence given by Corporal E, Lance Corporal F, Private G and Private H, it is valid to question whether some or all of these soldiers actually fired at all in Glenfada Park North. In our view, Lance Corporal F, Private G and Private H had reason to lie as, at various points, they all sought to conceal shots that they had fired on the day. In his initial RMP statement Lance Corporal F made no reference to shooting a man at the rubble barricade;<sup>1</sup> yet he later admitted doing so and a bullet from his rifle was recovered from Michael Kelly's body. He also initially failed to admit that he had fired shots in Sector 5. We discuss these aspects of Lance Corporal F's evidence in our consideration of the events of Sectors 3 and 5. As we consider in more detail below,<sup>2</sup> we are satisfied that Private G fired two shots into Abbey Park but denied that he had done so. In respect of Private H, as is also considered later in this report,<sup>3</sup> we reject his account of firing 19 times into a bathroom window and take the view that he invented this story in order to conceal an incident or incidents in which he actually did fire. This being the case, it is possible that he lied about his earlier claimed shots in Glenfada Park North as well. If the ammunition count was correct in recording the number of rounds discharged by each of these soldiers, which in our view it probably was, then in order to conceal any incidents of shooting that they did not wish to disclose they would have needed to invent other occasions on which they fired in order to avoid any discrepancy between the amount of ammunition that they retained and the amount of firing that they claimed.

<sup>1</sup> B121-124

<sup>3</sup> Paragraphs 105.9–24

<sup>2</sup> Chapter 107

**99.8** Notwithstanding this, we are sure that Corporal E, Lance Corporal F, Private G and Private H did all fire in Glenfada Park North. We discuss in detail later in this report<sup>1</sup> what shots we consider they fired in that area.

<sup>1</sup> Chapter 112

**99.9** It would have been apparent to Corporal E, Lance Corporal F, Private G and Private H in the immediate aftermath of the incident in Glenfada Park North that people had been killed and seriously wounded by military fire in this area. In these circumstances, it seems to us highly improbable that a soldier who did not fire there would claim to have done so, even if he was seeking to conceal other shots. By fabricating an incident in which he fired in Glenfada Park North, a soldier would automatically have been inviting suspicion that he



might have hit and even killed one of the casualties; it would have been much safer to invent a separate incident in which he fired and missed. Finally, the pattern of firing as described by the soldiers is to a significant degree supported by the other evidence of the events in Glenfada Park North. As is described below, the material we have examined suggests a small amount of firing along the eastern side of the complex, where Corporal E claimed to have fired two shots, and considerably more into the south-west quadrant, into which Lance Corporal F, Private G and Private H stated that they fired shots, eight in all.

- 99.10** Although we are sure that the four soldiers who stated that they fired in Glenfada Park North did indeed do so, it does not follow that these soldiers fired the precise number of rounds that they subsequently claimed, or that their targets were as they described. In particular, though Private H probably fired one shot into a window of a house on the south side of Glenfada Park North, we also consider that he probably fired a number of shots in Sector 5 and more at a later stage in Sector 3. We are sure that Private G fired two shots in Abbey Park, though he denied to the Widgery Inquiry that he had done so. We consider that on Bloody Sunday Private G probably fired only the six shots that he claimed. On this basis, and in order to conceal his firing in Abbey Park, he would have had to invent an account of firing two shots somewhere else.

## **Did any other soldiers fire into Glenfada Park North?**

- 99.11** We have seen no evidence from any military source that suggests to us that any soldier or soldiers other than Corporal E, Lance Corporal F, Private G and Private H fired into Glenfada Park North. Although civilian witnesses gave differing accounts of the number of soldiers who fired in Glenfada Park North, that evidence was not sufficient to persuade us that other soldiers fired or might have fired into that area.

## Chapter 100: Consideration of the soldiers' evidence

**100.1** We test the accounts that these soldiers have given of their firing and its justification in two ways: by an internal and comparative analysis of the accounts given by the soldiers themselves and by considering the civilian evidence of the same events. We deal with the civilian evidence later in this report,<sup>1</sup> and adopt the former approach here.

<sup>1</sup> Chapters 101, 102 and 103

**100.2** It should be borne in mind that some differences are to be expected in the detail of the soldiers' evidence. They were in unfamiliar surroundings, participating in fast-moving events and, on the accounts that they gave, facing hostile crowds and potentially lethal threats. Each soldier would have been focused on his own target or targets and hence an individual might not have seen those at which his colleagues fired. However, it is also important to note that the buildings of Glenfada Park North formed a relatively small courtyard of the order of some 30 yards by 40 yards. The four soldiers were at the north-eastern corner, grouped closely together, within not more than about 40–50 yards of what they said were their targets.

**100.3** The contrast in the accounts given by Corporal E, Lance Corporal F, Private G and Private H of the scene that greeted them on their arrival in Glenfada Park North is striking, especially given how close they were to one another and to the events that they described. Corporal E's evidence to the Widgery Inquiry was of a riotous crowd of 40 to 50 people.<sup>1</sup> As is discussed above, Lance Corporal F's initial Royal Military Police (RMP) statement provided some support for Corporal E's account of a large number of rioters fleeing into Glenfada Park from the rubble barricade, but he did not mention this group again after 31st January 1972, and he told the Widgery Inquiry that when he entered the courtyard he saw only three civilians there.<sup>2</sup> Private G stated to the Widgery Inquiry that there was a crowd of about fifteen people on a footpath and that they ran past the two gunmen whom, he said, he had shot.<sup>3</sup> He also referred to seeing "*some bricks*" coming down in front of him, but said that he "*didn't take any notice*".<sup>4</sup> Private H also gave evidence of seeing rioters in the courtyard before he fired, but he did not refer to more than five to seven people in any of his 1972 accounts,<sup>5</sup> and he told this Inquiry that he could not remember how many civilians he saw in the group from which he said his target emerged.<sup>6</sup> The estimates of the number of civilians who were visible in Glenfada Park North when the soldiers arrived therefore vary from three (Lance Corporal F), through five to seven (Private H) and 17 (Private G), to an estimate of 40 to 50 (Corporal E). We have

been given no satisfactory explanation, and nor can we think of one, to reconcile this markedly differing evidence. We do not accept that the inconsistencies can simply be attributed to the circumstances in which the soldiers found themselves.

<sup>1</sup> B94; WT14.32

<sup>4</sup> WT14.85

<sup>2</sup> WT14.73

<sup>5</sup> B224

<sup>3</sup> WT14.80

<sup>6</sup> B264.001

**100.4** In relation to the evidence of Corporal E, he claimed that his target threw a petrol bomb and a nail bomb, both of which exploded. Lance Corporal F, Private G and Private H did not mention at any stage hearing or seeing any type of bomb detonating in Glenfada Park North, something which in the small and confined space they could not in our view have failed to notice. Private H told the Widgery Inquiry that he had neither heard nor seen any nail bombs exploding there.<sup>1</sup> There is no reason why these soldiers should have concealed or denied the explosion of petrol or nail bombs had there been such events; indeed it would have been contrary to their interests to do so. Two soldiers, Lance Corporal J and Private 027, did give evidence of hearing or seeing an explosion, but we do not find their evidence on this point convincing. On his own account Lance Corporal J was not in Glenfada Park North when he heard what he took to be the detonation of a nail bomb, and as is discussed elsewhere in this report,<sup>2</sup> we consider him not to be a reliable witness. Private 027 subsequently retracted his account of seeing Corporal E shoot a petrol bomber.<sup>3</sup> In these circumstances, and quite apart from the civilian evidence, we are satisfied that no nail bomb or petrol bomb exploded in Glenfada Park North while members of Anti-Tank Platoon were present.

<sup>1</sup> WT15.11

<sup>3</sup> B1547-1548; B1552; B1565.51

<sup>2</sup> Paragraphs 81.50–57 and 98.15

**100.5** More generally, Corporal E's evidence would require us to accept that a man, in full view of four armed soldiers, one of whom was only some 30 yards away, threw a petrol bomb towards them which exploded and then, apparently without seeking cover, lit and threw a nail bomb. It strikes us as being beyond belief that anyone would be so foolish as to act in this way.

**100.6** There is a final issue arising from Corporal E's evidence, concerning what happened to his target after he had fired. Corporal E claimed that the man fell in the south-east corner of Glenfada Park North and was quickly surrounded by a crowd.<sup>1</sup> As is discussed below, Lance Corporal F and other soldiers from Anti-Tank Platoon subsequently moved to this corner where they apprehended a number of civilians; Corporal E himself stated that he advanced halfway down the eastern block in order to help escort those who had been arrested.<sup>2</sup> No other soldier claims to have seen a casualty lying or being treated or tended

by civilians in this area. As to the possibility that the man Corporal E said he shot might have been moved or carried away by the crowd that surrounded him, Corporal E told the Widgery Inquiry that he did not know whether anyone had moved the man after he fell.<sup>3</sup> In our view Corporal E could not have failed to see the body being carried away, or that it had been carried away, if indeed there had been a body where he said there was.

<sup>1</sup> B88; B95; WT14.33-34

<sup>3</sup> WT14.41

<sup>2</sup> B95; WT14.33-34; WT14.42

**100.7** In light of these problems with Corporal E's evidence, we reject his account of shooting a man who had thrown petrol and nail bombs that subsequently exploded. We do not believe that there was any such target. Nor do we accept that Corporal E shot anyone in the chest who fell in the position that he claimed. However, as is discussed later, he probably shot an unarmed civilian, Patrick O'Donnell, in the shoulder, as or after Patrick O'Donnell took cover behind a wooden fence on the eastern side of Glenfada Park North.

**100.8** Turning to Lance Corporal F and Private G, in their initial RMP statements the two soldiers gave quite different accounts: Lance Corporal F referred to shooting a man holding "*some form of bomb*", who was seemingly among a group of rioters;<sup>1</sup> Private G stated that he saw two men holding small rifles, and he believed that he and Lance Corporal F each shot one of them.<sup>2</sup>

<sup>1</sup> B122

<sup>2</sup> B169

**100.9** In later statements to the RMP, the accounts given by the two soldiers began to converge. Lance Corporal F referred in his third interview to seeing three men: a nail bomber, whom he hit; a man with a rifle who was shot by Private G; and a third man who ran off and was possibly engaged by another soldier.<sup>1</sup> In his third statement, Private G added that the two gunmen that he had seen were accompanied by a third man. He suggested that he might have shot both gunmen while Lance Corporal F might have engaged the third man, whom Private G later saw lying on the ground not moving.<sup>2</sup> However, in our view these two accounts are not entirely consistent. Private G's evidence relied on the two gunmen being so close together that he might have shot both men without initially realising, but Lance Corporal F's evidence was that one of the two men that he did not shoot ran away and was possibly engaged by a different soldier. The chronological and geographical implication, as well as Lance Corporal F's opinion, was that this man was not shot by Private G.

<sup>1</sup> B129

<sup>2</sup> B179

**100.10** Lance Corporal F told the Widgery Inquiry that he did not know or could not recall what happened to the man who accompanied the nail bomber and gunman who were shot by him and Private G.<sup>1</sup> This brought the accounts of the two soldiers closer still. Private G's evidence to the Widgery Inquiry again rested on the idea that the two gunmen were so close together that he could have shot both without initially realising, and he stated that at the time he fired he was not aware of any third person present with these gunmen.<sup>2</sup> Lance Corporal F's testimony was that in the aftermath of his shots he could see his target, a nail bomber, but he was only aware of what happened to one of the other two men, a gunman. For his account to be consistent with that of Private G it is necessary to accept the proposition that immediately before or after the soldiers fired, Private G was able to observe both gunmen but not the nail bomber, while Lance Corporal F was conscious of the nail bomber but only one gunman.

<sup>1</sup> B137; WT14.47

<sup>2</sup> WT14.80

**100.11** We do not accept that proposition. We have the strong impression that Lance Corporal F and Private G sought to tailor their evidence in an attempt to reconcile their originally markedly conflicting accounts. It is possible that aspects of each soldier's evidence are accurate, but the internal and comparative inconsistencies revealed above are such as to cast doubt on the veracity of both witnesses.

**100.12** Private H also claimed to have fired into the south-west quadrant of Glenfada Park North. In his initial RMP statement, Private H referred to seeing three nail bombers fall after he, Lance Corporal F and Private G fired:<sup>1</sup> this contrasts with Private G's initial statement of seeing two gunmen fall.<sup>2</sup> In what we are satisfied was his second RMP statement, Private H thought that two youths within a group of five or seven were carrying nail bombs, and that he and Lance Corporal F shot them.<sup>3</sup> In his third RMP statement he referred only to the weapon carried by his own nail bomber,<sup>4</sup> and in his evidence to the Widgery Inquiry he stated that he did not see the targets at which his two colleagues fired.<sup>5</sup> Even on the basis of this last account, Private H's evidence can be reconciled with the Widgery Inquiry evidence of both Lance Corporal F and Private G only if it is accepted either that Private H and Lance Corporal F both shot the same nail bomber, or that more than three men fell in the south-west quadrant. As with Lance Corporal F and Private G, we consider that the changes that Private H made to his evidence in the various accounts that he gave raise doubts as to his veracity.

<sup>1</sup> B219-221

<sup>4</sup> B230-231

<sup>2</sup> B169

<sup>5</sup> WT14.98; WT15.10

<sup>3</sup> B226.001-002

**100.13** Private H claimed to have shot and wounded a second man, who ran past and picked up the unexploded nail bomb dropped by Private H's first target. None of the other members of his platoon has given any evidence of seeing this incident or even of hearing Private H's shot, despite the fact that Lance Corporal F and Private G were close by and had, on their accounts, just fired in the same direction, and that the latter had begun or was about to begin his advance towards that corner of the courtyard. The fact that these soldiers have never given evidence of witnessing this incident casts doubt as to whether it took place in the way described by Private H. If indeed a man had run out, picked up a nail bomb, been shot and then run away, we do not see how all but Private H would have failed to be aware of this. If any other soldier had seen something along these lines, then it would have been in his interests, and those of his colleagues, to have said as much.

**100.14** In his evidence to this Inquiry, Private H stated that before he identified the first target at which he fired, he saw someone in Glenfada Park North throw a nail bomb that did not explode. He gave no such evidence to the Widgery Inquiry or the RMP, and we are of the view that had he witnessed such an incident he would have stated as much in those 1972 accounts.

**100.15** Lieutenant 119 recorded in his first RMP statement that the group of soldiers who had preceded him into Glenfada Park informed him that they had fired a number of aimed shots at male persons in the process of preparing nail bombs.<sup>1</sup> He told the Widgery Inquiry that as far as he could remember one soldier, who he believed was Lance Corporal F, had said that one had been thrown.<sup>2</sup> Lance Corporal F did not say in his evidence that a nail bomb had been thrown, although Corporal E did. It is possible that Lieutenant 119 confused the identity of the soldier who had told him a nail bomb had been thrown, and we do not regard this point as significant. As already noted, Lieutenant 119 told us that his first statement should have read, "*preparing to throw nail bombs*" instead of "*preparing nail bombs*".<sup>3</sup> Lieutenant 119 may well have been right in correcting his first RMP statement. However, there is nothing in Lieutenant 119's first RMP statement to suggest that any of his soldiers told him that they had seen or shot at men with rifles. Had Lance Corporal F and Private G seen or shot at men with rifles as they later claimed, they would in our view have informed Lieutenant 119, who would have recorded it in his first RMP statement.

<sup>1</sup> B1752.041

<sup>3</sup> Day 363/170

<sup>2</sup> WT14.26

**100.16** In his evidence to the Widgery Inquiry, Lieutenant 119 stated that he received “a quick report before leaving Glenfada Park and a full report afterwards”.<sup>1</sup> When asked what he was told “at that time”, he replied that his men “explained how people had been in the act of throwing nail bombs and they explained also that they saw someone with a weapon in his hand in the position where these three bodies were”.<sup>2</sup> Lieutenant 119 subsequently confirmed that he had been given this explanation “initially”.<sup>3</sup> In contradistinction to his first RMP statement, Lieutenant 119 was thus claiming that from the first report that he received from the soldiers who fired in Glenfada Park North he was told about the presence of gunmen in that area.

<sup>1</sup> WT14.21

<sup>3</sup> WT14.22

<sup>2</sup> WT14.22

**100.17** In our view, had the soldiers in Glenfada Park North reported not only nail bombers but also men with firearms, Lieutenant 119 would not have failed to record this fact in his first RMP statement. We do not accept that Lieutenant 119 might have forgotten to mention this vital detail in the interview, nor, for the same reason, do we accept that the reference to a gunman was lost as the result of careless note-taking or drafting. It follows from this that in our view there is significant evidence that none of the soldiers initially told their commander that they had seen a gunman, let alone that they had fired at one. This fact alone casts doubt on the accounts given by Lance Corporal F and Private G.

**100.18** In his evidence in 1972 Lance Corporal J referred to both Lance Corporal F and Private G firing at nail bombers.<sup>1</sup> Again, he made no reference to seeing anyone with a rifle.

<sup>1</sup> B270.002; B273; WT15.31-32

**100.19** As to Lieutenant 119, we have already pointed out<sup>1</sup> that his description of seeing Lance Corporal F shoot down the eastern side of Glenfada Park North is inconsistent with the accounts that this soldier gave of his shooting in Sector 4. However, it is consistent with the accounts given by Corporal E. According to Lieutenant 119, he witnessed this shooting immediately after he had arrived in Glenfada Park North and before he moved further forward and saw three bodies; the grid reference he gave put him in the north-east corner.<sup>2</sup> As we describe when considering the events of Sector 5, we are of the view that Lance Corporal F fired into this sector after all the casualties had been sustained in Sector 4 and people sheltering behind the south gable wall of the eastern block of Glenfada Park North had been arrested and moved away. We have already observed that in our view it is likely that Lieutenant 119 confused Lance Corporal F with Corporal E.

<sup>1</sup> Paragraphs 96.5, 98.4–8 and 100.19

<sup>2</sup> B1752.040



- 100.20** In the course of their statements to the RMP, Corporal E, Lance Corporal F, Private G and Lieutenant 119 were all shown photographs and made identifications of their targets or the bodies that they saw in Glenfada Park North. They subsequently gave further, sometimes different, evidence regarding these identifications to the Widgery Inquiry. In every case, with the exception of one of the three names given by Lieutenant 119 to the Widgery Inquiry (but not to the RMP), we are sure that the persons identified by these soldiers were not shot in Glenfada Park North. We consider that such misidentifications are not of any significance in considering the credibility of the accounts given by these soldiers.
- 100.21** As to Lance Corporal J, we have already concluded<sup>1</sup> that we can place little or no reliance on his evidence, and though it is possible he may have seen Lance Corporal F and Private G firing, we do not accept from his evidence that their targets were as he described.
- <sup>1</sup> [Paragraphs 81.50–57](#) and [98.15](#)
- 100.22** In the case of Corporal E, we consider that the inconsistencies between his evidence and that of his colleagues, and the inherent implausibility of the alleged actions of his target are such that his account of how he came to fire should be rejected. In relation to Lance Corporal F, Private G and Private H, we have identified a number of issues that raise doubts as to the credibility of their evidence and their veracity as witnesses in respect of their actions in Glenfada Park North. No clear and convincing explanation of what happened in Glenfada Park North emerges from a consideration of the totality of this military evidence.
- 100.23** It does not follow from this that any of Corporal E, Lance Corporal F, Private G and Private H must have knowingly fired without justification. They might have acted in the honest belief that they had identified a target posing a threat of causing death or serious injury, and then embroidered their accounts with false details to bolster their evidence, in the hope of persuading others that they had acted properly. Alternatively, they could have changed or supplemented their evidence in order to provide support for one or more of their colleagues. Indeed, the possibility remains that, apart from Corporal E, one or other of the soldiers did give a substantially accurate account.
- 100.24** With these points in mind, we now turn to examine other evidence of what happened in Glenfada Park North (and Abbey Park) before returning to the question whether any of the soldiers was, or believed himself to be, justified in firing.

# Chapter 101: Civilian evidence of the situation in Glenfada Park North as the soldiers arrived and opened fire

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## Introduction

**101.1** Earlier in this report<sup>1</sup> we examined civilian accounts of the situation in Glenfada Park North shortly before soldiers entered Glenfada Park North.

<sup>1</sup> [Chapter 92](#)

**101.2** Counsel to the Inquiry prepared a summary of that evidence that we are satisfied is fair and accurate and which with slight changes we set out below:<sup>1</sup>

The following groups of civilians were in Glenfada Park immediately before the entry of the Anti-Tank Platoon:

- a. A group of at least six men were carrying Michael Kelly towards the south west corner of the courtyard. Several other civilians were close to this group or were moving independently in the same direction.
- b. A relatively large number of civilians had moved, or were moving, through the courtyard and into Glenfada Park South.
- c. A smaller number of civilians had moved or were moving through the north western entrance to the park.
- d. A number of civilians were milling around inside the courtyard, especially on the eastern side.
- e. Several civilians had run into the flat or the garden of the flat at the Doyle's house at 59 Glenfada Park.
- f. Some civilians had broken into a flat on the eastern side of the complex.
- g. A group of probably more than 30 civilians were gathered at or near the southern gable of the eastern block.
- h. A number of civilians had run into the complex through the north eastern corner, including Charles and Gerard Coyle, who might previously have seen, and been fired at, by Private G.

<sup>1</sup> [CS6.95](#)

**101.3** We now turn to consider the wider civilian evidence about the moments when the soldiers arrived in Glenfada Park and started firing. Inevitably there will be points at which material is duplicated; this is the unavoidable consequence of an attempt to reconstruct in detail fast-moving and complex events that were seen by dozens of people in different locations.

**101.4** The evidence of the civilians about the events that occurred as the soldiers entered Glenfada Park North and began firing can be divided into five broad groups:

1. Accounts given by civilians who were moving towards the south-western corner of Glenfada Park North as the soldiers arrived and as they fired. These include those who were carrying the fatally wounded Michael Kelly in this direction, and a number

of people who were heading towards Abbey Park after having decided to move away from the Rossville Street area.

2. Accounts given by civilians who were in Abbey Park, looking towards the alleyway that led to Glenfada Park North.
3. Accounts given by civilians who were at the southern end (often called the “gable end”) of the eastern block of Glenfada Park North. As is discussed above, somewhere in the region of 30 people had gathered there prior to the soldiers’ arrival.
4. Accounts given by other civilians who were observing events from houses, yards or other positions inside Glenfada Park North. These include residents of the surrounding flats and houses and witnesses who had taken shelter in their properties.
5. Accounts given by witnesses in the Rossville Flats who could see into Glenfada Park North and Abbey Park.

**101.5** In this section of the report we set out the relevant evidence from these five groups of witnesses, before examining whether it allows us to establish a reliable narrative account of the events in Glenfada Park North. In particular, we address two specific issues that emerge from this material:

1. There is a significant difference between the evidence of witnesses who were at the southern end of the eastern block of Glenfada Park North, and those who were running towards the south-west corner of Glenfada Park North. The evidence of the former tends to suggest that a small, isolated group of civilians ran across the southern edge of Glenfada Park North as the soldiers arrived, and that three members of this group, seemingly William McKinney, Joe Mahon and Jim Wray, subsequently fell, having been shot. However, those who were running towards the corner gave accounts suggesting a more fluid and chaotic situation, with a larger number of people moving across the car park in order to enter the alleyway that led to Abbey Park. We assess whether it is possible to reconcile these different perspectives.
2. As well as seeking to provide an outline of who was shot and where, we also examine whether it is possible to establish the order in which the known casualties were hit.

**101.6** Elsewhere in this report<sup>1</sup> we consider the evidence as to whether there was paramilitary activity in Sector 4.

<sup>1</sup> [Chapter 111](#)

**101.7** Having examined the available evidence we have again concluded that the summaries of it prepared by Counsel to the Inquiry and contained in their closing submissions<sup>1</sup> provide a fair and accurate account, and so in many cases we have, with some changes, used those as the basis of the summaries of the evidence that follow.

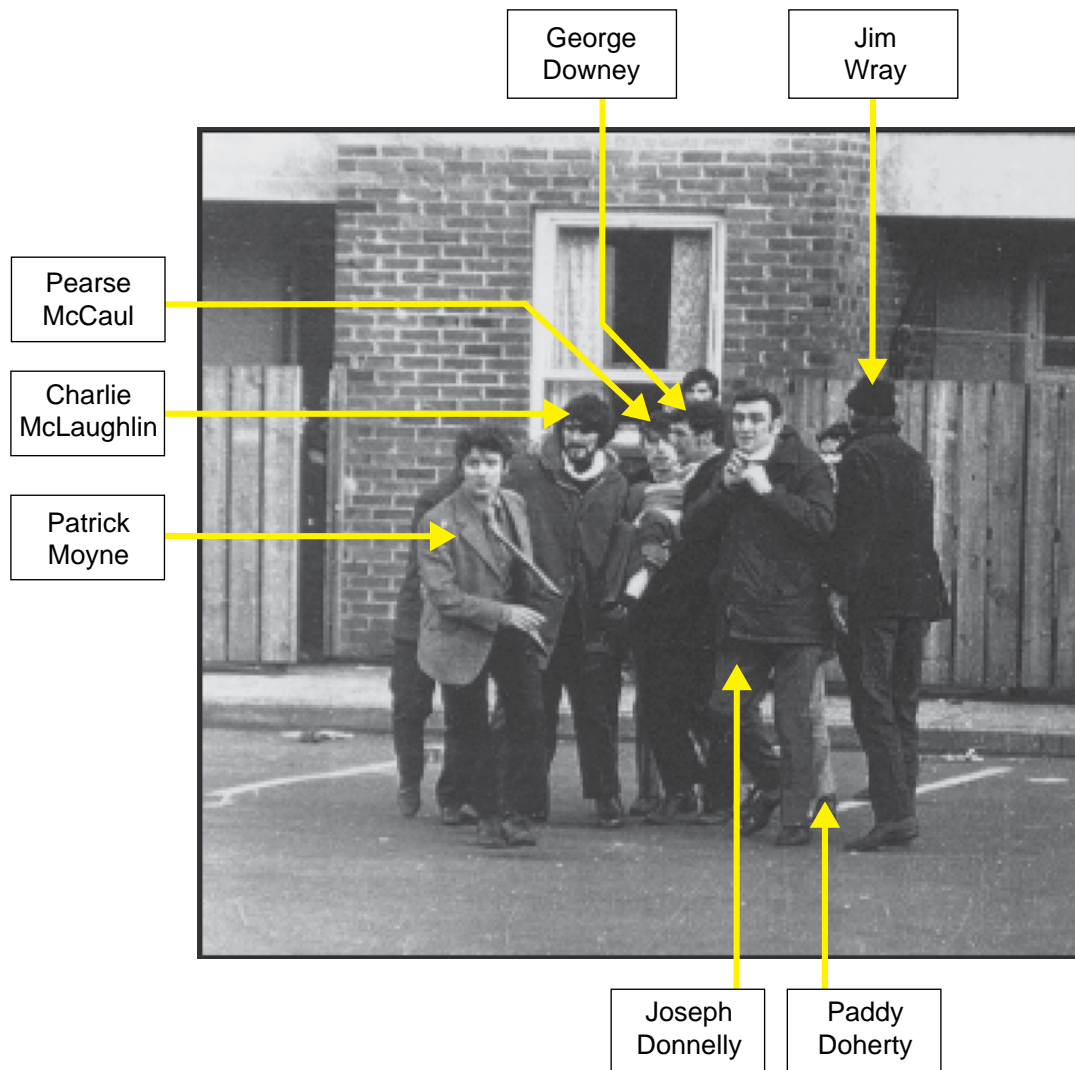
<sup>1</sup> [CS6.95-112](#); [CS6.161-189](#)

## **Witnesses moving towards and into the alleyway into Abbey Park**

### **The group carrying Michael Kelly and those accompanying them**

**101.8** As we have already discussed,<sup>1</sup> Michael Kelly was carried across the car park in Glenfada Park North by a group of men, many of whom are identified in the following photograph.

<sup>1</sup> [Paragraphs 92.1–9](#)



**101.9** George Downey told this Inquiry that he and others carried Michael Kelly, his brother-in-law, across Glenfada Park North. As he did so, he heard shouts of “*they are coming*” and glanced over his shoulder to see a soldier emerge from the alleyway leading into the north-eastern corner of Glenfada Park North. George Downey said that he was left holding Michael Kelly because everyone else ran away. He started running, still carrying Michael Kelly, but then fell into the alleyway leading into Abbey Park at about the same time as three shots passed close to him and struck a wall. George Downey described how a “*big English fella*” then lifted Michael Kelly and, amidst further firing, they ran to a house (8 Abbey Park) which he later learned was the home of Mr and Mrs Carr.<sup>1</sup>

<sup>1</sup> [AD134.4-5](#); [Day 123/43-51](#); [Day 123/88-89](#)

**101.10** The “*big English fella*”, as George Downey later learned,<sup>1</sup> was Joseph Donnelly, who walked with the group carrying Michael Kelly across Glenfada Park North. Joseph Donnelly recalled that as the group approached the alleyway leading to Abbey Park, he saw three soldiers entering Glenfada Park North through the north-eastern entrance. He stated that those carrying Michael Kelly “*almost dropped him in panic*”, leaving Paddy Doherty (Joseph Donnelly’s brother-in-law) and George Downey supporting him in a V-shape. Joseph Donnelly “*took him [Michael Kelly] in my arms and carried him on my own*” to the Carrs’ house at 8 Abbey Park accompanied by Paddy Doherty and George Downey. As they left Glenfada Park, Joseph Donnelly heard shots and saw a wooden fence to his left splinter.<sup>2</sup>

<sup>1</sup> [Day 123/47](#)

<sup>2</sup> [AD124.4-5](#); [Day 128/94-102](#); [Day 128/107-110](#)

**101.11** Paddy Doherty made a Northern Ireland Civil Rights Association (NICRA) statement in which he referred to carrying Michael Kelly, but gave few further details.<sup>1</sup> His evidence to this Inquiry was broadly consistent with the account given by Joseph Donnelly, though he said he did not see any soldiers as “*I was running for my life*”.<sup>2</sup>

<sup>1</sup> [AD97.1](#)

<sup>2</sup> [AD97.3](#); [Day 157/160-162](#)

**101.12** Charlie McLaughlin told this Inquiry that he was one of those who helped to carry Michael Kelly from the rubble barricade to the gable end, where Fr Denis Bradley attended to him.<sup>1</sup> When it was decided to move Michael Kelly again, Charlie McLaughlin assisted once more.<sup>2</sup> He said that “*when the shooting started and I am sorry to say, I think I probably let go of the boy, because I looked around and seen two paratroopers coming through the back of Kells Walk and that is when I started to run out of Glenfada Park*”.<sup>3</sup> Charlie McLaughlin moved through the south-west corner into Abbey Park.<sup>4</sup>

<sup>1</sup> [AM321.3-4](#)

<sup>3</sup> [Day 177/83](#)

<sup>2</sup> [Day 177/82-89](#)

<sup>4</sup> [AM321.4](#)

**101.13** Pearse McCaul identified himself as one of those shown carrying Michael Kelly in Ciaran Donnelly’s photographs.<sup>1</sup> He told this Inquiry that as the group crossed Glenfada Park North he saw soldiers entering the area through the north-eastern corner. He stated that as soon as he saw the soldiers he “*must have either dropped Michael Kelly on the ground or put him down somewhere in the car park*”, before making his way out through the alleyway to Abbey Park.<sup>2,3</sup>

<sup>1</sup> [Day 164/88-89](#)

<sup>2</sup> [AM93.4](#); [Day 164/88-100](#)

<sup>3</sup> In his written evidence Pearse McCaul stated that he ran towards the north-west corner of the complex ([AM93.4](#)). However, his oral evidence, which we accept, was that this was incorrect, and he ran towards the alleyway leading to Abbey Park ([Day 164/93-95](#)).



**101.14** As Pearse McCaul ran for the alleyway he told us that he heard what he recognised was the “*distinct crack of army rifle fire*”. Moments after he reached the cover of the gable end he looked back and saw a youth fall two feet from him. This youth had been running behind him at the back of the crowd making their way out of the courtyard, but Pearse McCaul did not see where he had come from. He said that he had “*recently found out*” that this was Jim Wray, but stated that he did not know him at the time.<sup>1</sup>

<sup>1</sup> AM93.4; Day 164/89; Day 164/93-100

**101.15** There are *Sunday Times* notes of an interview Pearse McCaul gave to the *Sunday Times* Insight Team in 1972. The notes are brief and do not record any mention of his seeing a youth falling.<sup>1</sup> This casts some doubt on the reliability of his recollection of seeing a youth falling, as had he done so this is something we consider he would be likely to have mentioned to the *Sunday Times* Insight journalists, who we are sure would have recorded it.

<sup>1</sup> AM93.14; AM93.15

**101.16** Patrick Moyne told this Inquiry that although he agreed that he was shown in Ciaran Donnelly’s photographs he could no longer recall helping to carry Michael Kelly across Glenfada Park North.<sup>1</sup> He stated that he had been interviewed shortly after Bloody Sunday by Peter Pringle of the *Sunday Times*.<sup>2</sup> This Inquiry has a note summarising this interview.<sup>3</sup> There, Patrick Moyne is recorded as saying that he believed that the body of Michael Kelly was put down at the entrance to the alleyway leading into Abbey Park “*when firing started in glenfada*”.

<sup>1</sup> Day 162/31-36

<sup>3</sup> AM444.8

<sup>2</sup> Day 162/35

**101.17** In his evidence to this Inquiry, Patrick Moyne told us that he knew Jim Wray, and that he might have spoken to him in Glenfada Park North. He said he was standing next to Jim Wray when he became aware of people running. They followed them, but Jim Wray suddenly “*froze*”. Patrick Moyne said that he heard more than two shots<sup>1</sup> and became aware that Jim Wray was no longer with him and had fallen nearby. He bent over him on one knee and in that position saw soldiers<sup>2</sup> entering Glenfada Park through both of the northern entrances. His recollection was that there were 20–30 other people in Glenfada Park North at the time, the majority of whom were at the south end of the eastern block.<sup>3</sup> His evidence, considered as a whole, was to the effect that most of those in Glenfada Park North did not run. He said that he thought that those around Jim Wray had run, although he was himself not the first or the last to run and did not stand around to watch.<sup>4</sup>

<sup>1</sup> Day 162/19

<sup>3</sup> Day 162/57

<sup>2</sup> Day 162/22-25; AM444.5

<sup>4</sup> AM444.5; Day 162/18-27; Day 162/32-35; Day 162/56-59

**101.18** The note summarising Patrick Moyne's *Sunday Times* interview recorded that he identified Jim Wray in a photograph that was shown to him, but there is no mention within it of Patrick Moyne seeing Jim Wray fall and then bending over him.<sup>1</sup>

<sup>1</sup> [AM444.8](#)

**101.19** Patrick Moyne's evidence is inconsistent with that of the other witnesses in the area. He made no reference in 1972 to the shooting of Jim Wray, and his current lack of recollection in relation to the transportation of Michael Kelly casts doubt on the reliability of his recollection generally.

**101.20** Despite our doubts about the reliability of some of the evidence given to this Inquiry by Pearse McCaul and Patrick Moyne, a clear picture emerges from the accounts of the witnesses to this Inquiry who carried Michael Kelly across Glenfada Park, all of whom recorded seeing soldiers or hearing firing as they approached the Abbey Park alleyway. This led many in the group to drop Michael Kelly and run, leaving Joseph Donnelly to carry him, accompanied by George Downey and Paddy Doherty, to the Carrs' house at 8 Abbey Park.

**101.21** Gregory Wild, who was 14 at the time of Bloody Sunday, has identified himself on the photograph we show again below as the young man carrying an object to the right of the group around Michael Kelly.



Gregory Wild

**101.22** Gregory Wild told this Inquiry that he could not recall what he was carrying, although he thought it looked like a lump of wood, and he could not recall any further details about the events shown in this scene. However, Gregory Wild gave an interview to the *Sunday Times* and a further statement in 1972 in which he stated that he was walking with the group carrying Michael Kelly when he saw soldiers arrive in Glenfada Park North. According to these accounts Gregory Wild shouted a warning and then ran through the alleyway to Abbey Park, hearing shots as he went; and also heard Joe Friel, one of the known injured in Sector 4, shout out that he had been shot. Gregory Wild reached 8 Abbey Park just before Joseph Donnelly and the other civilians who remained with Michael Kelly.<sup>1</sup>

<sup>1</sup> [AW15.1](#); [AW15.3](#); [AW15.4](#); [AW15.6-7](#); [AW15.9](#)

**101.23** John O’Kane stated in 1972 and to this Inquiry that he and his brother-in-law Gerard McKinney (one of those shot and killed in Sector 4) had been part of the group carrying Michael Kelly.<sup>1</sup> As they do not appear in the photograph above it seems likely that they became separated by the time those with Michael Kelly crossed the car park. Nonetheless, John O’Kane recorded that he was in Glenfada Park North as the soldiers arrived,<sup>2</sup> and that he and Gerard McKinney ran to the alleyway leading to Abbey Park.<sup>3</sup> He said that as they did so, they heard the sound of gunfire.<sup>4</sup>

<sup>1</sup> [AO48.13](#); [AO48.24](#); [AO48.3](#); [Day 163/13-16](#);  
[Day 163/70-73](#)

<sup>3</sup> [AO48.3-4](#); [Day 163/16-20](#)

<sup>2</sup> [AO48.3](#)

<sup>4</sup> [AO48.3-4](#); [Day 163/16-20](#); [AO48.13](#); [AO48.40](#)

**101.24** John O’Kane told this Inquiry that as he and Gerard McKinney ran he saw a youth, who he later learned was Jim Wray, fall behind them and to their right.<sup>1</sup> He gave a similar account in a handwritten statement dated 23rd February 1972.<sup>2</sup> He did not mention this casualty in his NICRA statement,<sup>3</sup> but in view of his other 1972 account we consider that we can place some reliance on his evidence on this point.

<sup>1</sup> [AO48.3-4](#); [Day 163/19-20](#)

<sup>3</sup> [AO48.24](#)

<sup>2</sup> [AO48.24](#); [AO48.40](#)

**101.25** We refer, when considering in detail the fatal shooting of Jim Wray, to John O’Kane’s evidence to this Inquiry that he saw the fallen youth shot for a second time.<sup>1</sup> In his handwritten statement from 1972, John O’Kane gave no indication of this incident, but he did record that an attempt was made to go to the casualty’s aid.<sup>2</sup> Thus both of these accounts indicate that John O’Kane continued to observe the person who had fallen.

<sup>1</sup> [Paragraph 104.414](#)

<sup>2</sup> [AO48.36](#); [AO48.40](#)

## The evidence relating to Joe Friel and Michael Quinn

**101.26** Patrick Bradley told this Inquiry that he ran across Glenfada Park North after having run into there from Rossville Street at the south-east entrance. His recollection of the scene in Glenfada Park was limited, but he believed that there were about 15 or 20 people in front of him as he ran. He saw Joe Friel fall in front of him, and with another man whose name he did not know, he helped to pick up Joe Friel and carry him through to Abbey Park. His evidence is covered in greater detail below,<sup>1</sup> when considering the circumstances in which Joe Friel was injured. We should note here that although we are satisfied that Patrick Bradley did assist Joe Friel, we are not persuaded that he carried him from Glenfada Park North. Instead, we believe that Joe Friel either ran or stumbled into the alleyway leading to Abbey Park, though possibly while being helped by Patrick Bradley.<sup>2</sup>

<sup>1</sup> Paragraphs 104.63–66

<sup>2</sup> AB68.3; Day 153/130-135; AB68.13

**101.27** It appears that Eugene McGillan also assisted Joe Friel immediately after the latter had been shot. Eugene McGillan is dead and his relevant evidence consists of a brief NICRA statement in which he recorded that a boy who had been standing beside him was shot, and that he helped to carry this casualty to the Murrays' house.<sup>1</sup> Joe Friel, who was taken to the house of the Murray family in Lisfannon Park,<sup>2</sup> told this Inquiry that he understood that Eugene McGillan was one of the people who assisted him.<sup>3</sup> Again, while we consider that Eugene McGillan might, with Patrick Bradley, have assisted Joe Friel into the Abbey Park alleyway, we are not sure that Joe Friel was being carried at this point.

<sup>1</sup> AM233.1

<sup>3</sup> AF34.3; Day 155/63

<sup>2</sup> AF34.3; AY1.27; AC56.1-2

**101.28** Michael Quinn, whose evidence is discussed in greater detail elsewhere in this report,<sup>1</sup> was shot in the face and wounded as he ran through Glenfada Park North. Moments before, and as the group carrying Michael Kelly began to make its way across the car park, Michael Quinn had been standing next to a fence on the eastern side of the complex; he is shown in the background of one of the photographs of the group.<sup>2</sup>

<sup>1</sup> Paragraphs 104.145–164

<sup>2</sup> AQ11.25-26

Michael Quinn



**101.29** Michael Quinn gave a series of consistent accounts from 1972 onwards to the effect that after watching the group carrying Michael Kelly he decided to get out of Glenfada Park North;<sup>1</sup> he told this Inquiry that he did so after hearing someone shout that the Army were coming in.<sup>2</sup> He ran towards the south-west corner of the courtyard, but just before he reached the entrance to the Abbey Park alleyway he was shot in the face,<sup>3</sup> the bullet having previously passed through the shoulder of his windcheater jacket.<sup>4</sup> He was shot from behind and to the side, and hence he did not see who was responsible.<sup>5</sup> As he stumbled, having been shot, he saw a man's head hitting the ground just in front of him. He later identified this person, we believe correctly, as Jim Wray.<sup>6</sup>

<sup>1</sup> AQ11.48; AQ11.18; AQ11.60-61; AQ11.11; AQ11.80-87; AQ11.23

<sup>4</sup> AQ11.48; AQ11.61; AQ11.23; Day 169/88

<sup>2</sup> AQ11.23

<sup>5</sup> AQ11.48; AQ11.61; WT7.73; AQ11.23

<sup>3</sup> AQ11.48; AQ11.18; AQ11.60-61; AQ11.11; AQ11.80-87; AQ11.23

<sup>6</sup> AQ11.24; AQ11.13

**101.30** Throughout his evidence Michael Quinn stated that after he was shot he stumbled, but managed to run through the alleyway into Abbey Park.<sup>1</sup> He told this Inquiry that once there he was helped first by one or two men whom he did not know or could not recall,

and subsequently by two school friends, Bernard McAnaney and Gerry Roddy.<sup>2</sup> His 1972 evidence was to similar effect.<sup>3</sup> In our view the men who first helped Michael Quinn were probably Patrick McGowan and Ciarán Mac Lochlainn.

<sup>1</sup> WT7.73; AQ11.8; AQ11.11-12; AQ11.13; AQ11.18; AQ11.24

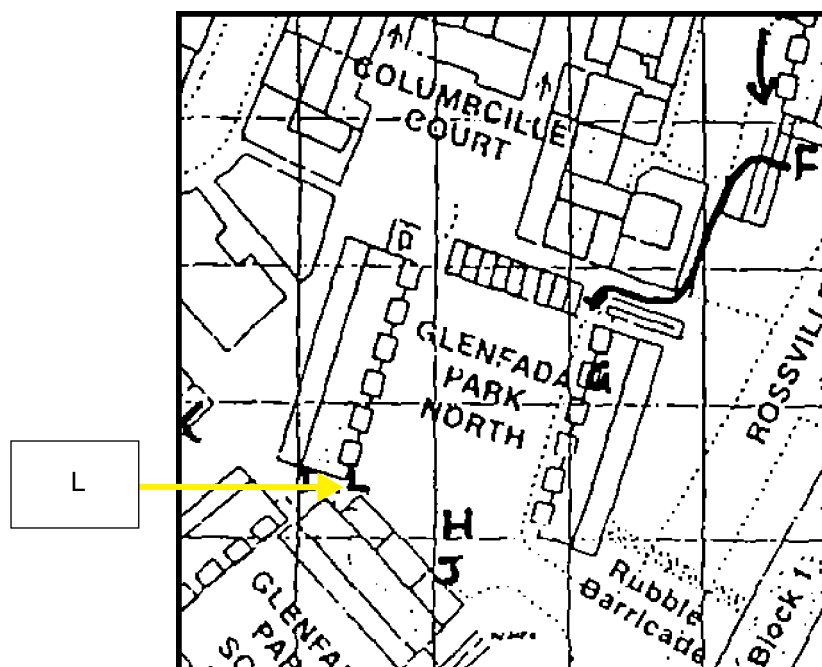
<sup>2</sup> AQ11.24; Day 169/91-97

<sup>3</sup> AQ11.8; WT7.73; AQ11.11-12; AQ11.18

**101.31** Ciarán Mac Lochlainn stated to this Inquiry that he ran across Glenfada Park North at a time when there was firing in the area, but he did not see any casualties fall. When he reached the southern gable of the western block of the complex, he saw, through the corner of his left eye, a man spinning after having apparently been shot in the face. Ciarán Mac Lochlainn told us that he believed that this man was just at the entrance to the Abbey Park alleyway, and he gave a physical description of the man that fitted Michael Quinn's appearance on Bloody Sunday. Ciarán Mac Lochlainn stated that he could not recollect taking this man anywhere, although it was possible that he supported him in the alleyway. He said that shortly after this incident, he ran towards a house in Abbey Park, and as he did so he thought that he might have seen people carrying the man with the facial wound.<sup>1</sup> He stated that the injured man was shot at point "L" marked on the following map.<sup>2</sup>

<sup>1</sup> AM12.5-6

<sup>2</sup> AM12.10; Day 415/115-117





- 101.32** Patrick McGowan gave evidence to this Inquiry that suggests that he ran across Glenfada Park as the soldiers entered the area. He recalled assisting a man with a facial injury, but he believed that he first saw him at the southern end of the eastern block of Glenfada Park North. Our opinion is that this is incorrect, that the person that he saw was Michael Quinn, and that he first saw him on the western side of the courtyard.<sup>1</sup>

<sup>1</sup> [AM261.3-4](#); [Day 138/11-19](#)

- 101.33** One witness, Donal Dunn, appears to have seen Michael Quinn and Jim Wray immediately after they had been shot. He gave a NICRA statement in which he recorded that he was in the entrance to the Abbey Park alleyway when he saw:<sup>1</sup>

“One fellow, his right cheek torn by a bullet, a second shot in the region of his left shoulder. This youth was shouting ‘I’m shot, I’m shot.’ The crowd took him away. When the crowd had cleared I could see a dark haired youth lying partly on the pavement, partly on the tarmac.”

<sup>1</sup> [AD172.8](#)

- 101.34** In our view, from the descriptions given by Donal Dunn, the first casualty he saw was Michael Quinn, and the second, the youth lying on the ground, was Jim Wray.<sup>1</sup>

<sup>1</sup> [AD172.8](#); [Day 161/14](#)

- 101.35** Donal Dunn’s evidence to this Inquiry was that he saw a man with a major wound to the right-hand side of his face as he sheltered in the alleyway. However, he recollected (in our view mistakenly) that this occurred after arrests were being made at the southern end of the eastern block of Glenfada Park North. He did not refer to any casualty who fitted Joe Friel’s description.<sup>1</sup>

<sup>1</sup> [AD172.2-AD172.3](#); [Day 161/9-17](#)

- 101.36** In both accounts Donal Dunn stated that he was in this position with Derek McFeely. The latter signed Donal Dunn’s NICRA statement,<sup>1</sup> but his evidence to this Inquiry was not consistent. He believed that he saw a man lying on the ground near the alleyway, possibly due to a heart attack, shortly before the troops entered Glenfada Park North, and later a man with a facial injury walking down the Abbey Park steps.<sup>2</sup> In the light of the other evidence we take the view that these recollections are not reliable.

<sup>1</sup> [AD172.10](#); [Day 61/102](#)

<sup>2</sup> [AM217.2-4](#); [Day 61/80-84](#); [Day 61/106-114](#)



## Other civilians who were running towards the south-west corner when the soldiers arrived

**101.37** In addition to those with Michael Kelly, and those who were either shot in Glenfada Park North or who assisted them, a number of other witnesses have given evidence of running towards the entrance to the Abbey Park alleyway either as or just after the soldiers entered the courtyard.

**101.38** Patrick McLaughlin told this Inquiry that he was near a fence on the eastern side of Glenfada Park North when he decided to “*make a break*” towards the south-west alleyway. He said that “*there were twenty or so people in front of me running in the same direction. I think there were others behind me as I can remember hearing footsteps.*” He recalled that just before he reached the exit from Glenfada Park North, he glanced over his shoulder and saw four or five soldiers at the entrance to the north-east alleyway. They appeared to have stopped and he thought they were all standing up pointing their rifles in the direction of the group of people fleeing across the car park. Patrick McLaughlin told us he had a memory of a tall, thin soldier standing close to the wall on the right-hand side entrance of the alleyway, looking down his rifle with the butt positioned at his shoulder giving the impression that he was taking aim. “*I did not stop running and managed to get through the alley way. A few seconds later I heard three or four gunshots. I cannot say where they came from, but my impression was that the shots were fired by the soldiers whom I have just described.*”<sup>1</sup>

<sup>1</sup> [AM349.4-5](#); [Day 153/105-108](#)

**101.39** Patrick McLaughlin gave a NICRA statement in which he described in brief terms how he had run to the exit and seen soldiers coming in through the courtyard “*at the far end, firing as they came*”.<sup>1</sup>

<sup>1</sup> [AM349.6](#)

**101.40** Benn Keaveney told this Inquiry that he was in Glenfada Park North when soldiers entered. Although his precise movements are uncertain, his account was that he was in a group of about 10–15 people in the south-west corner, and was aware of a further 5–8 people in the courtyard area at this time. He told us that he saw two soldiers enter Glenfada Park North, who immediately fired; and that he saw a person standing to his right hit “*in the face, head or neck*”. He ran into the alleyway leading to Abbey Park, and on reaching the alleyway, he looked back and saw people continuing to run towards his position from the east and north-east.<sup>1</sup>

<sup>1</sup> [AK2.8-9](#); [Day 160/13-20](#)

**101.41** Paul Coyle told this Inquiry that he followed a number of other people (at least four) in running from the gable end towards the south-west corner. As he ran he looked to his right and saw two soldiers entering from the north-east. At this stage there were two or three people in front of him and others might have been behind. However, he told us that there was nobody between his group and the soldiers. He said that he was not aware of anyone looking as though they were preparing to engage the soldiers or to throw anything at the soldiers, and that he was not aware of anyone carrying anything that looked like a weapon.<sup>1</sup> He also said that there was no large crowd or full-scale riot facing the soldiers.<sup>2</sup> He told us that he saw the soldiers open fire, and this made him run harder. He had a vague recollection of jumping over someone as he ran.<sup>3</sup> Paul Coyle gave a broadly consistent account to Praxis Films Ltd.<sup>4</sup>

<sup>1</sup> Day 152/76-77

<sup>3</sup> AC105.3-4; AC105.12; Day 152/73-78; Day 152/84-88

<sup>2</sup> Day 152/86-87

<sup>4</sup> O5.9-10; O5.17-22

**101.42** In his evidence to this Inquiry, George Hillen recalled running across Glenfada Park North after hearing people shouting that the Army were coming in. George Hillen told us that he estimated that there were about 40–60 people in the Abbey Park alleyway by the time he arrived there, with Jim Wray (whom he knew by sight) on his right. According to George Hillen there were shots, and looking over his shoulder he saw a soldier in the opposite corner raising his rifle to a firing position. He told us that he recalled that Jim Wray called out that he had been hit and then fell, and that he (George Hillen) pushed his way through the alleyway.<sup>1</sup>

<sup>1</sup> AH74.3-4; Day 164/26-40

**101.43** Don Boyle told this Inquiry that he was next to the fences on the east of Glenfada Park North when he saw soldiers, “*numbering about four to six*”, enter the courtyard. He stated that he was sure that they were shooting and that he fled in panic towards the south-west corner of Glenfada Park. There was another person running in front of him. As Don Boyle ran, the person in front of him (who might have been wearing a hood or hat) stumbled and fell. Don Boyle jumped over him and ran into and through the Abbey Park alleyway. He stated that he later realised from photographs that he had seen that the person who fell was Jim Wray.<sup>1</sup> Because of ill health Don Boyle did not give oral evidence to this Inquiry.

<sup>1</sup> AB47.2

**101.44** OIRA 1 told this Inquiry that he was at the southern end of the eastern block of Glenfada Park North when he saw a soldier enter from the north-east corner. He said that he then ran to the alleyway leading into Abbey Park and that he heard, as he ran, the sound of

high velocity shots. He did not recall seeing anyone fall.<sup>1</sup> The notes of John Barry's interview with OIRA 1 for the *Sunday Times* are broadly consistent with this account, although they record that OIRA 1 heard the "*burst of firing as he got into the Abbey Park alleyway*", and that he saw two soldiers as he ran, one each at the north-east and north-west entrances.<sup>2</sup>

<sup>1</sup> AOIRA1.29; Day 395/99-101; Day 395/120-121

<sup>2</sup> AOIRA1.2

**101.45** One witness, Joseph Gallagher, stated to this Inquiry that he saw Jim Wray fall on the southern side of Glenfada Park North. He stated that he ran across from the gable end at a time when at least one soldier was firing. This soldier, who had fair hair, had entered the courtyard through the north-west entrance and was advancing south, firing from the hip as he went. Joseph Gallagher said he saw Jim Wray fall in front of him, and after running past he turned back to try to help him. He said that at this stage a bullet passed through his hair, and so he decided to run again for the south-west corner. As he did so he saw that Joe Friel (whom he knew "*very well*") had been shot and was lying at the entrance to the Abbey Park alleyway.<sup>1</sup>

<sup>1</sup> AG18.2-3; Day 165/10-24; Day 165/36-37

**101.46** Joseph Gallagher's evidence amounted to seeing Jim Wray shot at a point somewhat to the east of that in which he is shown lying in the photograph taken by Trevor McBride of the three bodies lying in Glenfada Park North, which we have reproduced earlier in this report;<sup>1</sup> and then seeing Joe Friel further to the west.

<sup>1</sup> Paragraph 90.7

**101.47** It is notable that while several of the witnesses who ran to the south-west corner appear to have seen Joe Friel, Michael Quinn or Jim Wray at that time, very few gave evidence that suggests that they saw Joe Mahon or William McKinney fall. The two possible exceptions to this observation are Donncha MacFicheallaigh and OIRA 7.

**101.48** Donncha MacFicheallaigh told this Inquiry that as he walked towards the south-west exit of Glenfada Park North he heard someone shout that "*the Brits*" were entering the area. According to his account, he turned and saw two soldiers advancing from the north-eastern corner "*at pace*" to within 12 yards of the running crowd, both firing from the hip. He saw two men fall close to the southern fence, one as if he had been shot in the leg. Donncha MacFicheallaigh turned to run through the packed entrance to the Abbey Park alleyway, and, as he did so, he heard more shots and saw someone, who he came to believe was Jim Wray, fall behind him. Once he was in the alleyway he looked round and saw two more

soldiers entering the north-eastern corner of Glenfada Park. He said he took cover at the side wall of the gardens of the southern block of Glenfada Park South, and while he was there he saw a man who he later learned was Michael Quinn shot in the face.<sup>1</sup>

<sup>1</sup> [AM7.9-10](#); [Day 409/104-116](#); [Day 409/165](#); [Day 409/175-184](#)

**101.49** If this account is correct then it could indicate that Joe Mahon and William McKinney were shot shortly before Jim Wray, and that Michael Quinn was injured after all three of these casualties. However, we take the view that we should place no reliance on this account of Donncha MacFicheallaigh. Donal Dunn has consistently stated that he was in a similar position to Donncha MacFicheallaigh by the time that Michael Quinn came through. Donal Dunn's evidence is that he saw Jim Wray lying on the ground only after Michael Quinn had passed his position. The two men might have been able to see different things from their respective positions, but we prefer Donal Dunn's account, which clearly suggests a different sequence of events. As we observe below, Donncha MacFicheallaigh's account of soldiers advancing across Glenfada Park North and then firing is at odds with most of the civilian evidence and that of the soldiers.

**101.50** OIRA 7 told this Inquiry that he entered Glenfada Park North from the north-east corner at a time when about 100–150 people were crossing Glenfada Park North. He told us that he was present when Michael Kelly was carried through the area, and that he recalled having been somewhere in the centre of the car park when he heard gunfire from the north-east corner of Glenfada Park North. He told us that he subsequently saw soldiers in the north-eastern and north-western entrances of the courtyard; and that he ran for the south-west corner, where there was “*a big scramble*” to get out. He was unsure of the precise sequence of events, but he believed that he might have seen Joe Mahon “*stoop*” as if shot close to the position in which he fell. He also assumed that Jim Wray fell behind him, as he saw him on the ground once he had taken cover at the Abbey Park alleyway.<sup>1</sup>

<sup>1</sup> [AOIRA7.11-13](#); [Day 398/67-81](#); [Day 398/169-173](#)

**101.51** In effect, OIRA 7's evidence amounts to seeing Jim Wray on the ground after he looked back from the Abbey Park alleyway, and possibly seeing a civilian “*stoop*” in the approximate position in which Joe Mahon's body is later shown in Trevor McBride's photograph of three bodies in Glenfada Park North.

## Summary of the evidence of those who were moving towards the south-west corner of Glenfada Park North as the soldiers arrived

- 101.52** As the soldiers arrived in Glenfada Park North a number of civilians seem to have seen them and shouted a warning to this effect. The group carrying Michael Kelly across the car park appear at this time to have been close to the entrance to the alleyway leading to Abbey Park. The arrival of the soldiers caused several of those in the group to drop Michael Kelly, leaving George Downey, Paddy Doherty and Joseph Donnelly to lift him into the alleyway and ultimately to take him to a house in Abbey Park.
- 101.53** The people moving towards the south-western corner came from various points in Glenfada Park North. Some, such as Gregory Wild, John O’Kane and Gerard McKinney, had been walking close to the group carrying Michael Kelly before the arrival of the soldiers. Others, such as Patrick McLaughlin, Paul Coyle, George Hillen, Don Boyle, OIRA 1 and OIRA 7, had run from positions further to the north and east, and some of these appear to have reached the alleyway before any shots were fired. Estimates varied as to how many people were running into the south-western corner of Glenfada Park North at this time, but it seems to us that it was a considerable number.
- 101.54** Among those who ran to the alleyway were Michael Quinn and Joe Friel, both of whom were then shot and wounded. Later in this report<sup>1</sup> we consider their cases in greater detail. Michael Quinn had been standing next to a fence on the eastern side of Glenfada Park North. He was shot in the face just before he reached the entrance to the alleyway, but he managed to stumble into Abbey Park, possibly with the help of Ciarán Mac Lochlainn and Patrick McGowan. Joe Friel was shot across the chest, as we describe in more detail elsewhere in this report.<sup>2</sup> He had been alerted to the presence of the soldiers by Gregory Wild, and after he was hit he was assisted (but not it seems carried) out of Glenfada Park North by Eugene McGillan and Patrick Bradley.
- <sup>1</sup> [Chapter 104](#) <sup>2</sup> [Paragraphs 104.1–52](#)
- 101.55** The circumstances in which the other known casualties in Glenfada Park North were shot are discussed below. However, it is relevant to note that Jim Wray fell close to the entrance to the Abbey Park alleyway and he appears to have been seen either falling or on the ground by several of the witnesses in this area.

## Witnesses in Abbey Park

- 101.56** A number of civilians on the east side of Abbey Park witnessed the actions and movements of those people who were in or running towards the alleyway that led from Glenfada Park North to Abbey Park.
- 101.57** John Porter stated in 1972 that as he stood outside 8 Abbey Park, he saw a man running through the Abbey Park alleyway with *“lacerations to the side of his head”*;<sup>1</sup> John Porter is dead and gave no evidence to this Inquiry. We return to consider his 1972 accounts in detail later in this report,<sup>2</sup> but of particular relevance in the present context is that he recorded that the man with the head lacerations was at the front of the crowd that ran through this area in the aftermath of shooting in Glenfada Park North. John Porter believed that the casualty was wearing a blue suit. This Inquiry has no evidence of what Daniel Gillespie (someone possibly wounded in Glenfada Park North) was wearing, but the description is not compatible with the description Michael Quinn gave to the Widgery Inquiry of his windcheater (*“rust coloured”*).<sup>3</sup> However, other aspects of John Porter’s evidence, most notably his account of the wound, indicate that it might well have been Michael Quinn that he saw. In one statement John Porter referred to the man as having *“his right eye shot off”*, and he confirmed to the Widgery Inquiry that the person in question had apparently substantial injuries on the right side of his face.<sup>4</sup> If this identification is correct, and we believe that it probably is, then it reinforces our interpretation of Donal Dunn’s evidence that Michael Quinn was the first casualty to go through the Abbey Park alleyway.

<sup>1</sup> [AP11.2](#)

<sup>3</sup> [Paragraph 104.141](#)

<sup>2</sup> [Paragraphs 104.291–302](#)

<sup>4</sup> [AP11.19; AP11.5](#)

- 101.58** William O’Reilly stated to the Widgery Inquiry and to the Coroner, Major O’Neill, that as he watched events from the doorway of his house at 7 Abbey Park, he saw a man, who he later learned was Jim Wray, fall at the entrance to the Abbey Park alleyway. He referred to Jim Wray as being the last of a group of about 13 or 14 civilians running into the alleyway.<sup>1</sup> He did not refer to seeing any other casualties running through the alleyway at this time.

<sup>1</sup> [AO69.8; AO69.24; AO69.34](#)

**101.59** In his written evidence to this Inquiry, William O'Reilly referred to seeing Jim Wray when he was already on the ground in the position given above.<sup>1</sup> William O'Reilly was unable to give oral evidence to this Inquiry through ill health. His written evidence to us does not make clear whether he recalled seeing Jim Wray fall, but in view of his 1972 accounts we consider that he probably did see this happen.

<sup>1</sup> [AO69.2](#)

**101.60** John Carr stated to Paul Mahon (but not in his other accounts) that after he saw Michael Kelly carried through the alleyway, he noticed another man being supported by civilians in a “*chair*” lift. This man was in the middle of the crowd of people moving into Abbey Park, and it was only after this group cleared that he saw Jim Wray lying on the ground.<sup>1</sup> There is insufficient evidence to establish which of the casualties this was, but it could have been Joe Friel, Michael Quinn or even Daniel Gillespie. Joe Friel is perhaps the most likely candidate given that the other two seem to have made their way through the alleyway without being carried.

<sup>1</sup> [X4.6.5-6](#); [X4.6.62](#)

**101.61** We should note that other aspects of John Carr's evidence to Paul Mahon and to this Inquiry indicate that he was slightly confused as to the chronology of events. For example, he believed (in our view mistakenly) that a “*Saracen*” had reversed into Glenfada Park North before the shooting incidents in Abbey Park, which we consider later in this report.<sup>1</sup> He also indicated (again in our view mistakenly) that there was a significant lapse of time between Michael Kelly being brought into Abbey Park and the rest of the crowd surging into the area.<sup>2</sup>

<sup>1</sup> [X4.6.21-X4.6.22](#); [AC42.4](#); [Day 159/122-123](#); [Chapter 107](#)      <sup>2</sup> [X4.6.16-X4.6.20](#); [AC42.2](#)

**101.62** The evidence of John Porter and William O'Reilly, who were in Abbey Park, and Donal Dunn, who was in the alleyway, suggests to us that Michael Quinn was the first casualty to move into Abbey Park, followed by Joe Friel. According to William O'Reilly, Jim Wray fell at the back of the group running from Glenfada Park North.



## Witnesses at the southern end of the eastern block of Glenfada Park North

- 101.63** In general, witnesses at the southern end of the eastern block of Glenfada Park North (often called the “gable end”) have given accounts of seeing two or three people being shot as they ran from this area towards the south-west corner of Glenfada Park North.
- 101.64** Fr Terence O’Keeffe was a lecturer in Philosophy and Dean of the School of Humanities at the New University of Ulster in Coleraine. He told the Widgery Inquiry that while he was at the gable end of the eastern block of the courtyard he saw three “*young fellows*” make a run for the Abbey Park alleyway. A fourth youth was prevented from doing so by other members of the crowd, who in general had decided that it was safer to remain where they were. Fr O’Keeffe heard shots and all three men fell, two in the courtyard itself, and one with his body “*halfway onto the pavement which runs at the edge of the maisonettes*”. According to a consistent account that Fr O’Keeffe gave to the *Sunday Times*, this occurred about two to three minutes before the soldiers arrived at the southern end of the eastern block.<sup>1</sup>

<sup>1</sup> [H21.22](#); [H21.8-9](#); [H21.39](#)

- 101.65** Fr O’Keeffe’s evidence to this Inquiry was broadly consistent with his earlier accounts. He recognised the scene shown in the following photograph as being similar to the one he recalled from the time that the youths ran, save that he no longer had a memory of people being in the alleyway to which the men were running, and he believed that there were about 25–30 people at the gable end at that time.<sup>1,2</sup>

<sup>1</sup> [H21.48](#); [Day 127/118-123](#); [Day 127/153-156](#); [CS6.162](#)

<sup>2</sup> The provenance of this photograph is discussed in [Chapter 176](#).



**101.66** In his opinion, the photograph taken by Trevor McBride from Columbcille Court of the three bodies lying in Glenfada Park North, which we have shown above,<sup>1</sup> accurately reflected the positions in which the three men fell.<sup>2</sup> We are sure that he is right about this.

<sup>1</sup> Paragraph 90.7

<sup>2</sup> Day 127/121-122

**101.67** Fr O'Keeffe told us that he did not see any justification for these men to be targeted.<sup>1</sup>

<sup>1</sup> H21.48; Day 127/118-123; Day 127/153-156

**101.68** Patrick McGinley was in our view probably the person whom Fr O'Keeffe saw being restrained from running. Patrick McGinley told this Inquiry that he was at the south end of the eastern block when he became aware of soldiers entering the complex. A group of four young men, including himself, decided to make a dash for Glenfada Park South. As he began to run he was grabbed and prevented from doing so by Barry Liddy. Patrick McGinley then saw one of the three boys who had run fall in front of him, apparently shot. He subsequently learned that this was Jim Wray. In a 1972 account<sup>1</sup> he recorded that all three fell, and he accepted in his evidence to this Inquiry that this was more likely to be accurate. He also accepted that it was possible that the youths had run towards the alleyway to Abbey Park rather than towards Glenfada Park South.<sup>2</sup> Patrick McGinley's account of being restrained by Barry Liddy is supported by the evidence of Myles O'Hagan<sup>3</sup> and by Barry Liddy himself.<sup>4</sup>

<sup>1</sup> AM241.10

<sup>3</sup> AO43.13

<sup>2</sup> AM241.4-5; AM241.8; Day 425/141-149; Day 425/168-172

<sup>4</sup> AL13.8; AL13.4

**101.69** Denis Patrick McLaughlin also recalled Patrick McGinley returning to the southern end of the eastern block of Glenfada Park North while others ran for the Abbey Park alleyway.<sup>1</sup> However, his evidence was to the effect that the running away and Patrick McGinley's return occurred at the same time as soldiers arrived at the southern end of the eastern block. He was on his own account hysterical after seeing casualties fall at the rubble barricade, and in our view this affected his recollection, since we are satisfied that it was after the events described by Patrick McGinley and the others, and after all the casualties had been sustained in Sector 4, that any soldier reached the southern end of the eastern block.<sup>2</sup> Nevertheless, we consider it probable that he actually witnessed the same events as those recorded by Barry Liddy, Patrick McGinley and Fr O'Keeffe.

<sup>1</sup> [AM326.6](#); [AM326.21](#)

<sup>2</sup> [AM326.6](#)

**101.70** Eamon McAteer was one of the civilians at the southern end of the eastern block of Glenfada Park North. He stated to this Inquiry that while he was there he saw three people run towards the south-west corner of the complex. He recognised the scene in the photograph of people at the southern end of the eastern block shown above<sup>1</sup> as being similar to that which he remembered at the time, although he thought that there might have been fewer people at the southern end of the block. According to his account, he heard three shots, and saw two of the runners fall; he did not know what happened to the third. Eamon McAteer believed that the man who fell closest to the entrance of the Abbey Park alleyway lay half on and half off the pavement. The other man was slightly behind the first, also lying half on and half off the pavement. Eamon McAteer stated that he could see no reason why these men had been shot.<sup>2</sup>

<sup>1</sup> [Paragraph 101.65](#)

<sup>2</sup> [AM41.13-14](#); [Day 135/16-21](#)

**101.71** Eamon McAteer also gave a NICRA statement that was less detailed than, but consistent with, his account to this Inquiry:<sup>1</sup>

"We took cover at the gable wall of No. 1 Glenfada Park. With me was a group of about twenty people. We were shocked at the firing by the army. In our group I noticed my brother Fergus and Fr. Denis Bradley. A young man was dragged from the centre of Rossville Street behind the first barricade into the gap leading into Glenfada Park. He was laid down near me and was soon tended by Fr. Bradley. The man had a small hole in his stomach which I saw quite clearly as I bent over him. The man was carried away into the adjoining Park through a passage way. Then three of our group dashed from the corner of the gable wall inside Glenfada. I saw two of these men fall as shots were fired apparently from inside Glenfada Park. They lay motionless half on and half off the path. The army were now inside the Park."

<sup>1</sup> [AM41.33](#)

- 101.72** Fergus McAteer, Eamon's brother, who was with him at the gable end, drafted his own statement in 1972, in which he recorded seeing three men run from the southern end of the eastern block "*along the footpath in Glenfada Park*". Fergus McAteer believed that "*they had only got a few yards*" when there was a burst of firing from "*the other end of Glenfada Park*" and the men fell. Fergus McAteer could "*see two of them clearly lying on the footpath*". He did not at first realise that they had been shot.<sup>1</sup>
- <sup>1</sup> [AM42.1-2](#)
- 101.73** Fergus McAteer gave a consistent account of this incident in his evidence to this Inquiry. He was unable to assist with much further detail, though he said that he first noticed the men as they were making a dash along the south side of Glenfada Park North and had not actually seen them set off. He was not aware, he said, of any others running in the same direction. He agreed that Trevor McBride's photograph of the three bodies in Glenfada Park North<sup>1</sup> reflected the positions in which they fell. He emphasised that he could see no justifiable reason why these men were shot.<sup>1,2</sup>
- <sup>1</sup> [AM42.9](#); [AM42.13](#); [Day 168/57-67](#)
- <sup>2</sup> Fergus McAteer also gave an interview to Praxis in which he mentioned this incident, but in our view this account does not provide any additional assistance ([AM42.4](#)).
- 101.74** John McLaughlin gave two accounts of the events of Bloody Sunday in 1972, one to NICRA and the other to the *Sunday Times* Insight Team. In both he stated that while he was at the gable end he saw three people shot as they ran across Glenfada Park. John McLaughlin's NICRA statement recorded that these three were part of a larger group, "*a few*" of whom made it to safety. In his more detailed *Sunday Times* account he mentioned only the three people who were shot running out at that time.<sup>1</sup>
- <sup>1</sup> [AM334.1](#); [AM334.6-7](#)
- 101.75** John McLaughlin's *Sunday Times* account indicated that he saw Gerard McKinney, who was an employee of his, at the gable end, and that he learned later that he was one of the men who had been shot in Glenfada Park North. Although Gerard McKinney was present at the gable end he was (as we discuss later in this report<sup>1</sup>) shot in Abbey Park and not in Glenfada Park North, and hence John McLaughlin was wrongly informed about this.<sup>2</sup>
- <sup>1</sup> [Chapter 107](#)
- <sup>2</sup> [AM334.4](#); [AM334.6](#)
- 101.76** James Kelly stated to this Inquiry that he saw Jim Wray and two other men run from the southern end of the eastern block to the south-west corner of Glenfada Park North, a route that five or six civilians had taken before them. According to his account, he thought that they ran after rumours spread that firing was coming from the City Walls. The three

men all fell at the same time, close to one another. James Kelly was unsure whether he could identify the specific shots that hit them as there was so much firing going on at this time, but stated that he could see no justification for their being targeted. A short time later (James Kelly was unsure exactly how long) he saw soldiers rounding the gable end.<sup>1</sup>

<sup>1</sup> [AK12.4-5](#); [Day 145/30-32](#); [Day 145/47-48](#)

**101.77** James Kelly's NICRA statement records that he saw three youths shot as they made "a dash for safer refuge in a square in the Glenfada Park area". The account indicates that soldiers arrived at the gable end "*At that moment*", though, as we have said earlier, some time in fact passed before this happened.<sup>1</sup>

<sup>1</sup> [AK12.1](#)

**101.78** As Counsel to the Inquiry pointed out in their summation,<sup>1</sup> James Kelly's NICRA statement does not mention Jim Wray by name, and no other civilian witness has specifically identified him as one of the men who ran from the gable end. James Kelly stated that he did not know Jim Wray well in 1972, but he was sufficiently familiar with him to be confident in identifying him.<sup>2</sup> However, James Kelly's evidence suggests that he compressed the chronology of events slightly and it is possible that this, combined with a memory of seeing Jim Wray close to the gable end and his later knowledge that he had been shot, led him to associate Jim Wray with the group of people who ran from the gable end. As we observe later in this report,<sup>3</sup> despite this and other evidence that we consider below, we are of the view that Jim Wray was not on his way from the gable end when he was shot.

<sup>1</sup> [CS6.165](#)

<sup>3</sup> [Paragraphs 104.205-207](#)

<sup>2</sup> [Day 145/23](#); [AK12.18](#)

**101.79** In his written evidence to this Inquiry, James Kelly recorded that he saw the Order of Malta Ambulance Corps volunteer Charles Glenn attending to Michael Kelly's body at the gable end.<sup>1</sup> This in our view must be a false memory, as Charles Glenn was, as we discuss in Sector 2, concerned with helping to carry Jackie Duddy, who had been killed in the Rossville Flats car park. James Kelly accepted in his oral evidence that he could have been mistaken.<sup>2</sup>

<sup>1</sup> [AK12.4](#)

<sup>2</sup> [Day 145/26](#)

## Summary of the evidence of the witnesses at the southern end of the eastern block of Glenfada Park North

- 101.80** The evidence of the witnesses above gives in our view a broadly consistent picture.
- 101.81** Fr O’Keeffe, Patrick McGinley, Eamon McAteer, Fergus McAteer and James Kelly stated that they saw a small number of youths running from the southern end of the eastern block of Glenfada Park North towards the south-west corner. Denis Patrick McLaughlin probably saw the same incident, although to our minds he confused the detail and timing of it in his evidence to this Inquiry. James Kelly also gave evidence of this small group, though as we have noted, we believe he was mistaken in his recollection that Jim Wray had run from the gable end.
- 101.82** Seven witnesses, Fr O’Keeffe, Patrick McGinley, Barry Liddy, Denis Patrick McLaughlin, Fergus McAteer, John McLaughlin and James Kelly, gave evidence in 1972 to the effect that three people fell as if shot after they ran from the gable end. A further witness, Eamon McAteer, stated that he saw only two people fall and he did not know what happened to the third.
- 101.83** Fr O’Keeffe, Barry Liddy and Patrick McGinley all gave consistent accounts of how Patrick McGinley was restrained from running by Barry Liddy. Denis Patrick McLaughlin’s evidence probably amounts to a slightly confused version of the same event.
- 101.84** Several of the witnesses have said that the events that they recalled were similar to the scene shown in the photograph displayed above<sup>1</sup> of people at the gable end and in the southern part of Glenfada Park North and that the bodies they saw fall were in the positions shown in Trevor McBride’s photograph.<sup>2</sup> The evidence of Celine Dunleavy and Mary Lewis, which is considered below,<sup>3</sup> is broadly consistent with these accounts.
- <sup>1</sup> Paragraph 101.65
- <sup>2</sup> Paragraph 90.7
- <sup>3</sup> Paragraphs 101.98 and 101.102–103
- 101.85** John McLaughlin’s NICRA statement suggested that there were more people running from the gable end at this time than the three men who were subsequently shot. This is supported by the evidence of several other witnesses whose evidence is considered in the following paragraphs.

## Witnesses who ran from the southern end of the eastern block of Glenfada Park North

**101.86** In addition to Patrick McGinley, other people appear to have begun to run from the gable end as or shortly after the soldiers arrived in Glenfada Park North. While Patrick McGinley was restrained by those around him, a handful of civilians did run out from the cover of the eastern block. One, Brian Conaghan, appears to have reached the Abbey Park alleyway at approximately the same time as those whose evidence is considered above.<sup>1</sup> Robert Wallace, who had been with Brian Conaghan, veered to his left and joined others in taking cover behind a parked car at the southern end of the car park.<sup>2</sup> Two other witnesses, James McNulty and Patrick O'Donnell, turned and ran back towards the east side of the courtyard after seeing people fall in front of them.<sup>3</sup> As is discussed below, it seems that Joe Mahon and William McKinney, who were both shot on the day on the southern side of Glenfada Park North, the latter fatally, also ran from the gable at around this time.

<sup>1</sup> [AC155.2](#)

<sup>3</sup> [AM377.2-3](#); [AO35.2](#)

<sup>2</sup> [AW3.02](#); [Day 154/141-2](#), 146-7

**101.87** James McNulty told this Inquiry that he began to run towards the south-west corner of the complex, but, after seeing civilians fall in front of him, he returned to the southern end of the eastern block. He said that as he did so he saw a soldier on one knee in the north-east corner of Glenfada Park North, with his rifle pointing towards the civilians at the southern end of the park, and two or three other soldiers in a similar location. James McNulty stated that he ran back to the southern end of the eastern block, from where he saw bullets ricocheting off the northern end or pram-ramp of the eastern block of Glenfada Park South.<sup>1</sup> In his NICRA statement James McNulty did not indicate that he had actually started to move from the southern end of the eastern block, but we are persuaded from his oral evidence to this Inquiry that he probably did.<sup>2</sup>

<sup>1</sup> [AM377.2-3](#); [Day 152/8-13](#)

<sup>2</sup> [AM377.10](#); [Day 125/25](#)

**101.88** Patrick O'Donnell has also stated that he began to run towards the south-west corner before turning and running back to cover close to the fences on the eastern side of the courtyard after seeing someone fall in front of him. He was one of those shot and wounded in Glenfada Park North and we consider his evidence in detail later in this report.<sup>1</sup> At this stage we note that his evidence was that as he crossed Glenfada Park North he saw one or two soldiers to his right.<sup>2</sup>

<sup>1</sup> [Paragraphs 104.499–511](#)

<sup>2</sup> [AO35.2](#); [AO35.7](#); [AO35.18](#); [WT6.41](#); [Day 156/113-118](#); [Day 156/122-123](#)



**101.89** Patrick Joseph Norris stated to this Inquiry that he began to run to Glenfada Park South but was dragged back by another civilian. However, although we accept that Patrick Joseph Norris was doing his best to help us, we have doubts as to his account and place no reliance on it. Patrick Joseph Norris stated that he had become hysterical while at the gable end, and he believed that John Young and Michael McDaid ran ahead of him and were shot in the mouth of the entrance into Glenfada Park North, which we are satisfied is incorrect.<sup>1</sup> Further, Robert Wallace, whose evidence is considered in the next paragraph and which we accept, stated to this Inquiry that Patrick Joseph Norris had taken cover behind a car in the south-east corner of Glenfada Park North by the time shooting commenced in the courtyard.<sup>2</sup>

<sup>1</sup> AN24.3-5; Day 167/112-139; AN24.15

<sup>2</sup> AW3.2; Day 154/170

**101.90** Robert Wallace told this Inquiry that he was at the southern end of the eastern block with his friend Brian Conaghan. He recalled that he and Brian Conaghan panicked when they heard shooting in Glenfada Park North, and they decided to make a break for Abbey Park. Robert Wallace thought that “*a few of us*” ran out at the same time,<sup>1</sup> and that “*a sorta handful of people [were] trying to make it across*”.<sup>2</sup> He stated that as he ran he saw bullets striking the southern block of the courtyard. While Brian Conaghan, who ran out first, reached the alleyway to Abbey Park safely, Robert Wallace changed his plan and ran for cover behind one of the cars shown in the photograph below.<sup>3</sup> Robert Wallace recalled that he joined other civilians, including George Roberts and Patrick Joseph Norris, whose evidence is discussed above, who were already sheltering behind the car.<sup>4</sup>

<sup>1</sup> Day 154/149

<sup>2</sup> Day 154/170

<sup>3</sup> As is mentioned above, the provenance of this photograph is discussed in Chapter 176.

<sup>4</sup> AW3.01-3; Day 154/148-159; Day 154/170-172



- 101.91** In his Keville interview Robert Wallace gave a similar account, and added the detail that he was behind one car while three other people were behind another.<sup>1</sup>

<sup>1</sup> [AW3.14-15](#)

- 101.92** Brian Conaghan's evidence to this Inquiry<sup>1</sup> was that he went on the march with Robert Wallace. The two were together at the southern end of the eastern block of Glenfada Park North. However, Brian Conaghan said that he saw bullets strike the masonry there; he ran from the gable end and became separated from Robert Wallace. He believed that he was among many civilians who ran to the alleyway at the south-west corner of the courtyard, and then through into Abbey Park where he took cover in a house. Brian Conaghan commented that he believed that Jim Wray was at the back of the group.

<sup>1</sup> [AC155.1-2](#)

- 101.93** John Devine stated to this Inquiry that as he took cover behind one of the cars he saw one of the other youths who had been doing the same make a break for the south-west corner of Glenfada Park North. This youth, who had red hair, was shot as he reached the corner, but he managed to continue running until he was out of sight.<sup>1</sup> John Devine did not explicitly mention this incident in his NICRA account, where he stated that he saw soldiers shoot three people in circumstances that he did not record.<sup>2</sup> However, in our view this does not necessarily make his 1972 statement inconsistent with his evidence to us. He did not give oral evidence to this Inquiry because of ill health.

<sup>1</sup> [AD41.2](#)

<sup>2</sup> [AD41.6](#)

**101.94** Joe Friel stated for the first time during his appearance at this Inquiry that before he was shot he had “cowered” behind what he thought was the black (eastern) car seen in the photograph of people at the gable end and southern part of Glenfada Park North shown above, though he later said that he did not know which of the two cars he was behind. There were a number of other people behind the car, and he said that he had the impression that when he started to run from that position some of them might have run with him.<sup>1</sup> Joe Friel was one of those shot and wounded in Glenfada Park North and we consider his evidence in detail later in this report.<sup>2</sup>

<sup>1</sup> [Day 155/53-56](#)

<sup>2</sup> [Paragraphs 104.6–36](#)

## Summary of the evidence of those who ran from the southern end of the eastern block of Glenfada Park North

**101.95** We are of the view, from the evidence considered above, that a number of people ran from the gable end in the moments before the first shots were fired in Glenfada Park North. Brian Conaghan managed to make it to the Abbey Park alleyway, but Robert Wallace, who was with him, changed his plan and ducked behind a vehicle in the south-east corner of the car park, where other civilians were taking cover. Patrick McGinley began to run, but was restrained by nearby civilians. Two others, James McNulty and Patrick O'Donnell, moved away from the gable end but turned back when they saw people fall in front of them.

**101.96** The evidence of these witnesses indicates that the situation at the gable end was more complicated and fluid than is suggested by the accounts of those who believed that they saw three people run and three people fall as the soldiers entered the area.

## Other witnesses in Glenfada Park North

**101.97** This Inquiry has also obtained relevant evidence from a number of other civilians who were in Glenfada Park North when the soldiers arrived there.

**101.98** Mary Lewis gave a NICRA statement<sup>1</sup> in which she recorded that she witnessed events from the terrace of her house on the western side of Glenfada Park North. The *Sunday Times* Insight Team's notes record that Mary Lewis's neighbours recalled her having been “*out on the balcony overlooking the park*”.<sup>2</sup> She stated that she saw two boys run out from a crowd huddled at “*Glenfada Corner*” (presumably the southern gable end of the eastern block) and that soldiers who were “*in the middle of the courtyard*” fired at and hit the two boys, who fell “*on the road*”. Their bodies were later taken away.

<sup>1</sup> [AL10.1](#)

<sup>2</sup> [AM18.21](#)

**101.99** John Shiels stated to this Inquiry that from a position in a first floor flat in the eastern block of Glenfada Park North he saw a soldier shoot a man who was running across the courtyard to the south-western corner. There were already two bodies in the car park at this time. John Shiels stated that the soldier was standing in the centre of the northern end of the complex, and that the soldier fired one shot from the shoulder (with John Shiels seeing the recoil of the rifle). In his Keville interview, John Shiels recorded that from an upstairs flat he saw a man running across the courtyard of the flats and a paratrooper emerge shooting from behind a wall. The man fell.<sup>1</sup>

<sup>1</sup> [AS19.10-11](#); [AS19.19](#); [Day 149/108-111](#); [Day 149/133-137](#)

**101.100** In his 1972 account John Shiels made no mention of seeing two bodies before he witnessed the soldier firing and the man falling. In the light of other civilian evidence, which is to the effect that William McKinney, Joe Mahon and Jim Wray all fell within seconds of each other, we take the view that John Shiels' evidence to us cannot be relied upon as indicating that the shooting he said he witnessed took place a significant time after others had been shot. In his evidence to us, John Shiels accepted that his memory was comprised of "*snapshots*" created by brief glances into the courtyard.<sup>1</sup>

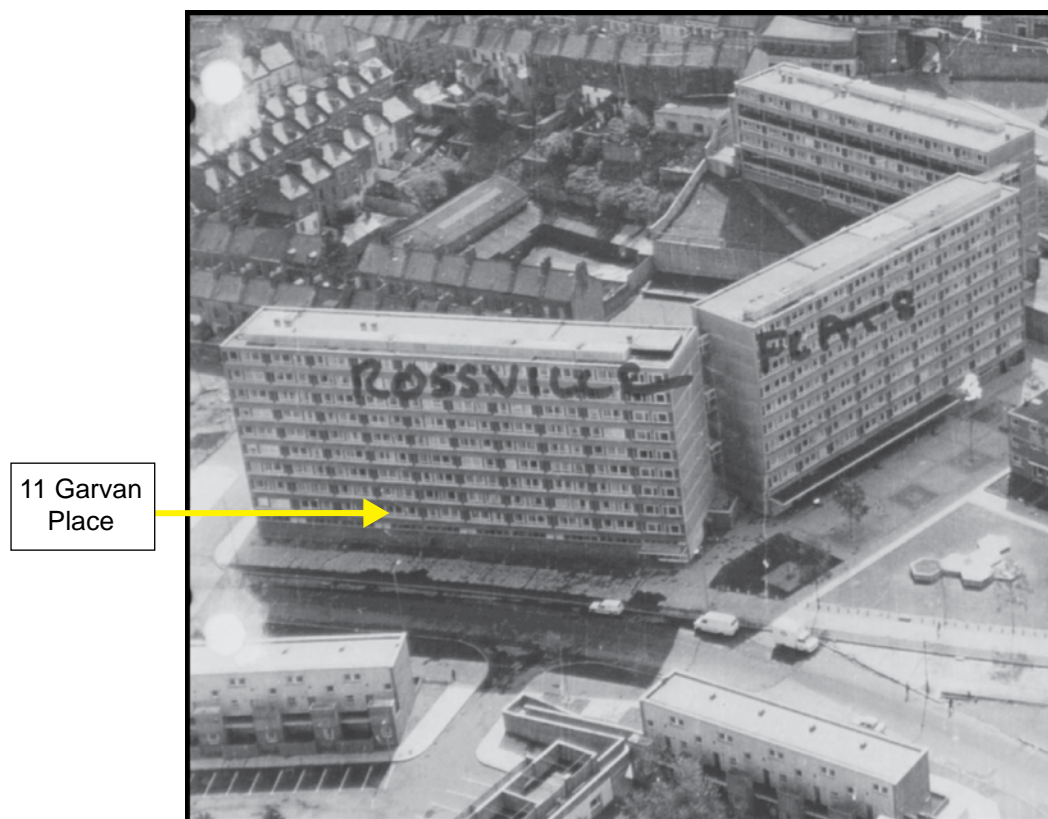
<sup>1</sup> [Day 149/132](#)

## Witnesses looking from the Rossville Flats

**101.101** Several witnesses who were in the Rossville Flats, looking into Glenfada Park North, have given evidence of events as the soldiers arrived in the courtyard.

**101.102** Celine Dunleavy told this Inquiry that she was in her flat (11 Garvan Place, whose position is indicated in the photograph below) on the first floor of Block 1 of the Rossville Flats, when she saw three men fall at the southern end of Glenfada Park North. These men had been walking towards the south-west corner in an unhurried manner, but Celine Dunleavy did not see where they had come from. She did not realise at first that they had been shot. Celine Dunleavy was shown Trevor McBride's photograph of the three casualties in Glenfada Park North, and she thought that this showed the position of the men that she had seen fall.<sup>1</sup>

<sup>1</sup> [AD168.2-3](#); [Day 132/164-168](#)



**101.103** Celine Dunleavy accepted that she signed a statement in 1972 that recorded: “*The crowd started to run from Glenfada Pk and I heard gunshots. Three fell. Later the soldiers arrested some people at Glenfada.*”<sup>1</sup> In her evidence to this Inquiry she stated that she no longer recalled making this statement, but she accepted that it might be more accurate than her current recollection.<sup>2</sup> In our view what Celine Dunleavy stated in 1972 is likely to be the more accurate account.

<sup>1</sup> AD168.5

<sup>2</sup> AD168.4; Day 132/175-177

**101.104** Jenny McFadden gave a NICRA statement<sup>1</sup> in which she recorded that she took cover in a flat at the southern end of Block 1 of the Rossville Flats, possibly at 17 Garvan Place, and that she saw three or four youths run towards an alleyway in Glenfada Park at a time when soldiers were present in the vicinity. Three of the youths stopped, and one raised his hands. At this point the “*soldier nearest the Glenfada Park alleyway*” shot all three of them. Jenny McFadden gave no evidence to this Inquiry and since it is not clear from her 1972 account where the youths and the soldier she said that she saw were, or when the shooting incident she described occurred, it is difficult to place any reliance on her account.

<sup>1</sup> AM213.1-3

**101.105** John McCrudden was 12 years old at the time of Bloody Sunday and lived at 12 Garvan Place, in Block 1 of the Rossville Flats. He gave a NICRA statement.<sup>1</sup> In this he recorded that he looked from the front window of the flat towards Glenfada Park North. *“There was a crowd of about 15–20 running away. I heard about 3 shots and I saw three men falling in the crowd. These men were not firing on the army or throwing nail bombs. They were shot in the back.”*

<sup>1</sup> [AM152.10](#)

**101.106** In his evidence to this Inquiry he recalled seeing three men fall as they ran on their own across Glenfada Park North from the southern end of the eastern block.<sup>1</sup>

<sup>1</sup> [AM152.4](#); [Day 95/111-116](#)

**101.107** John McCrudden could not recall seeing other people at the gable end. He thought that one of the men had looked around the south-east corner of the block and been shot at, but not hit; two lumps had fallen from the corner of the block. The men had then run towards Abbey Park. His recollection was that when they ran the man furthest to the east fell first, while the man in the middle of the group was apparently hit twice as he tried to climb over a fence. According to John McCrudden the final man was shot at the entrance to the Abbey Park alleyway.<sup>1</sup>

<sup>1</sup> [AM152.4](#); [AM152.12](#)

**101.108** In our view John McCrudden’s memory has in this instance played him tricks. His account to us is inconsistent with that of many other witnesses and in our view we can place no reliance on it. His NICRA statement of three men falling in a crowd, taken literally, is also inconsistent with that of other witnesses whose evidence is to the effect that the men who were shot were more or less on their own, though it could be that he was intending to refer merely to people in the near vicinity or ahead of those who were shot.



# Chapter 102: Civilian evidence of soldiers firing in Glenfada Park North

## Contents

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- 
- 102.1** We turn now to examine the evidence given by civilians who believed that they witnessed soldiers firing in Glenfada Park North. In this part of the report we consider only those who gave accounts that suggested that they saw specific soldiers fire, and even then we are mindful of the possibility that they were mistaken. In the course of the Inquiry we have come across many examples of witnesses who, despite their best intentions, made a false assumption that a soldier that they were watching must have fired a shot that they heard.
- 102.2** We consider first the evidence of those civilians who thought that a soldier or soldiers fired from the hip from the north-eastern corner of Glenfada Park North. We then examine the accounts of witnesses who recalled soldiers firing from the centre of the car park, before looking at the evidence of shots that were fired towards the south-eastern corner of the complex and other miscellaneous evidence regarding the soldiers who fired in Glenfada Park. As is discussed above,<sup>1</sup> the cumulative evidence of those members of Anti-Tank Platoon who acknowledged firing shots in Sector 4 was to the effect that four soldiers fired a total of ten rounds in the initial burst of gunfire. All of the shots came from somewhere in the north-eastern quadrant of the courtyard, with eight directed towards the south-west corner and two towards the south-east corner.

<sup>1</sup> [Chapters 99 and 100](#)



## Soldiers firing from the hip

**102.3** A number of witnesses have given evidence that one or more of the soldiers who fired on entering Glenfada Park North did so from the hip or in a manner other than raising the weapon to the shoulder. It was contrary to the Yellow Card<sup>1</sup> to fire other than aimed shots; and aimed shots cannot be fired otherwise than from the shoulder.

<sup>1</sup> The instructions to soldiers on when they could use their weapons, discussed elsewhere in this report (paragraphs 8.121–123).

**102.4** Joe Friel was shot across the chest as he ran through Glenfada Park North; he stumbled but was able, with assistance, to make it through the Abbey Park alleyway. We consider his evidence in detail later in this report,<sup>1</sup> when we discuss the circumstances of his wounding. His evidence was that he believed that he was shot by a soldier who was holding his rifle between his hip and his shoulder.

<sup>1</sup> Paragraphs 104.6–36

**102.5** Gregory Wild, whose shout had alerted Joe Friel to the presence of soldiers in Glenfada Park North, also gave an account in 1972 that suggests that a soldier fired from the hip. In a written statement he recorded that the first soldier he saw in Glenfada Park North was standing close to an opening that led to Rossville Street with his gun at hip level, the gun apparently resting on a small wall. Gregory Wild stated that after shouting his warning he was “*looking towards the soldier and I saw a flash and heard a shot*”. Shortly after this he heard Joe Friel shout that he had been shot.<sup>1</sup>

<sup>1</sup> AW15.4

**102.6** Gregory Wild also gave an interview to the *Sunday Times* Insight Team, in which he stated that he was aware of two shots fired shortly before Joe Friel was hit: “... *i was certain that they came from the soldier I was looking at. he had fired from the hip. it was definitely not an aimed shot.*”<sup>1</sup> A map prepared in conjunction with the interview shows the soldier in the north-east corner of the car park.<sup>2</sup>

<sup>1</sup> AW15.1

<sup>2</sup> AW15.3

**102.7** In his written evidence to this Inquiry, Gregory Wild recorded that he saw a soldier in the north-east corner of Glenfada Park holding a self-loading rifle (SLR) with the butt against his hip and the barrel leaning against the wall of the wheelchair ramp in front of him. He stated that the soldiers fired two or three shots without aiming.<sup>1</sup>

<sup>1</sup> AW15.7; AW15.11

**102.8** Joe Mahon was shot in the hip as he ran across Glenfada Park North. He fell on the pavement in the centre of the southern side of the complex, next to the fatally wounded William McKinney. He told this Inquiry that before he was shot and as he was running towards the Abbey Park alleyway, he saw a group of four or five soldiers coming into Glenfada Park North from the north-eastern entrance, one of whom fired a number of shots from the hip in a “*fan*”.<sup>1</sup> Later in this report<sup>2</sup> we consider the evidence of Joe Mahon in detail, where we give reasons for our view that some at least of his evidence is unreliable.

<sup>1</sup> AM18.2-3; Day 167/20; Day 167/18-22; AM18.2-3

<sup>2</sup> Paragraphs 104.399–409, 104.481–2 and 104.488–492

**102.9** Joseph Donnelly, the man who ended up carrying Michael Kelly from Glenfada Park after others had fled, told this Inquiry that he saw three soldiers enter the complex through the north-east corner. He saw one of the soldiers drop to his knee and assume a firing position. The other two soldiers held their rifles at waist height. He believed that all three fired. He explained in his oral evidence that this belief was based on hearing the sound of shots come from all three soldiers rather than seeing any recoil from the rifles. Joseph Donnelly told us that, as he ran, he saw bullets hit the wooden fence to his left, and that he was confident that the soldiers were aiming at the crowd carrying Michael Kelly. He did not see any civilian casualties at that stage or see the soldiers advancing as they fired.<sup>1</sup> In his NICRA statement Joseph Donnelly referred to soldiers firing as he ran from Glenfada Park with Michael Kelly, but gave no further detail.<sup>2</sup>

<sup>1</sup> AD124.4; Day 128/99-101; Day 128/130

<sup>2</sup> AD124.1

**102.10** Charlie McLaughlin was one of the group who, initially, helped to carry Michael Kelly across Glenfada Park. In his NICRA statement he recalled seeing two soldiers entering the north-east corner of the complex as he carried Michael Kelly. One fired from the hip, and Charlie McLaughlin heard bullets striking the wooden fence on the southern side of the courtyard before he ran out through the alleyway and towards Blucher Street. He gave a similar account of the soldier shooting from the hip in his evidence to this Inquiry, but he also recalled that the other soldier fired aimed shots from the shoulder as he walked forward. Charlie McLaughlin was confident that these soldiers were firing because of the number of shots fired at a time when they were the only soldiers in Glenfada Park North.<sup>1</sup>

<sup>1</sup> AM321.8; AM321.4; Day 177/87-89

- <sup>2</sup> AK2.8-9; AK2.24; Day 160/13-27

held his rifle at his hip. Don Boyle stated that he did not see any of the soldiers pull the trigger and he did not see any bullet strikes, but he was “*sure they were shooting*”.<sup>1</sup> Through ill health Don Boyle was unable to give oral evidence to this Inquiry.

<sup>1</sup> AB47.2

**102.16** OIRA 1’s evidence to this Inquiry was that as he ran across Glenfada Park he had the impression that the soldier he could see in the north-east corner was firing high velocity rounds from the hip. However, he could not be sure that he saw this soldier actually firing.<sup>1</sup> In his note of an interview with this witness, John Barry of the *Sunday Times* Insight Team recorded, in our view correctly, that OIRA 1 said he heard the “*first burst of firing as he got into the Abbey Park alleyway*”, and that he saw two soldiers as he ran, one each at the north-east and north-west entrances. OIRA 1 is also recorded as saying that the former was armed with a Sterling sub-machine gun.<sup>2</sup> We are not persuaded that OIRA 1 actually saw, as opposed to heard, soldiers firing.

<sup>1</sup> AOIRA1.30; Day 395/99-101; Day 395/120-121

<sup>2</sup> AOIRA1.2

**102.17** Private G stated that he fired from a kneeling position.<sup>1</sup> Joseph Donnelly, Don Boyle and James McNulty gave an account of a soldier kneeling, which may therefore indicate (if Private G is to be believed on this point) that it was not Private G who, at this stage at least, fired from the hip. None of the soldiers who have stated that they fired in Glenfada Park has given evidence of having done so from the hip. Lance Corporal F and Private H, who gave oral evidence to this Inquiry, denied that they had fired in this manner or that they had seen anyone else doing so.<sup>2</sup> Corporal E and Private G, as noted above, are dead and gave no evidence to this Inquiry. They were not asked directly at the Widgery Inquiry whether they fired from the hip, but their claim that they fired aimed shots<sup>3</sup> would seem to amount to a denial that they had fired from the hip. However, for reasons that appear in the course of this report, it is necessary to view with great caution the evidence given by these soldiers.

<sup>1</sup> B186; WT14.79

<sup>3</sup> B95; WT14.32; B186; WT14.79

<sup>2</sup> Day 375/109; Day 376/153-154; Day 378/13; Day 377/90-91

**102.18** Our assessment of the evidence relating to the question under consideration leads us to conclude that, despite our concerns about specific aspects of some of the civilian accounts considered above, it is probable that at least one of the soldiers did fire his rifle from the hip, in contravention of the provisions of the Yellow Card.

## Soldiers firing from the centre of Glenfada Park North

- 102.19** Some civilian witnesses have given accounts of soldiers entering Glenfada Park North, advancing to the centre of the car park and then firing from there. This contrasts with the evidence given by Corporal E, Lance Corporal F and Privates G and H, which is supported by the majority of the civilian testimony, that their initial shots were all fired from positions close to the north-eastern corner of the complex. However, for the sake of completeness, we turn to consider the accounts suggesting that the soldiers advanced well into Glenfada Park North before opening fire.
- 102.20** Donncha MacFicheallaigh stated to this Inquiry that as he walked towards the south-west exit of Glenfada Park North he heard someone shout that “*the Brits*” were entering the area. He said that he turned and saw two soldiers entering through the north-eastern corner. There were one or two cars parked in that area and the soldiers moved to the right (ie to the west) and came out from behind the cars before advancing “*at pace*” to within 12 yards of the running crowd. He told us he had a “*firm memory*” of seeing both soldiers firing from the hip towards the south of the courtyard in the direction of the person who had shouted the warning. There were at least three people standing in front of the fences of the southern block, who “*appeared to be petrified as the paras came in and began running parallel to the fence towards the south western exit*”. He heard two or three shots and saw one of these men fall as if he had been shot in the leg. Donncha MacFicheallaigh said he turned to run through the packed entrance to the Abbey Park alleyway, and as he did so he heard more shots and saw someone who he came to believe was Jim Wray fall behind him. Once he was in the alleyway he looked round and saw two more soldiers entering the north-eastern corner of Glenfada Park. He took cover at the side wall of the gardens of the southern block of Glenfada Park North, and while he was there he saw the man beside him, on his left, who he later learned was Michael Quinn, take two steps away from the wall towards Abbey Park, at which moment he was shot in the face.<sup>1</sup>

<sup>1</sup> [AM7.9-10](#); [Day 409/104-116](#); [Day 409/165](#); [Day 409/175-184](#)

**102.21** Donncha MacFicheallaigh gave an interview to the journalist Peter Taylor in 1991 in which he stated that “*two to three Brits came in the opening where we had just come through and just as we looked around they started firing, spraying the square*”.<sup>1</sup> In a later interview with Channel 4 in or around 1997 he mentioned that the first soldier he saw in Glenfada Park was firing from the hip.<sup>2</sup>

<sup>1</sup> I102; Day 409/179

<sup>2</sup> AM7.15; Day 409/163

**102.22** John Shiels told this Inquiry that from a position in a first floor flat in the eastern block of Glenfada Park North he saw a soldier shoot a man who was running across the car park towards the south-western corner of the complex. There were already two bodies in the car park at this time. He stated that the soldier was standing in the centre of the northern end of the courtyard, and that he fired one shot from the shoulder.<sup>1</sup>

<sup>1</sup> AS19.10-11; Day 149/108-111; Day 149/133-137; AS19.18

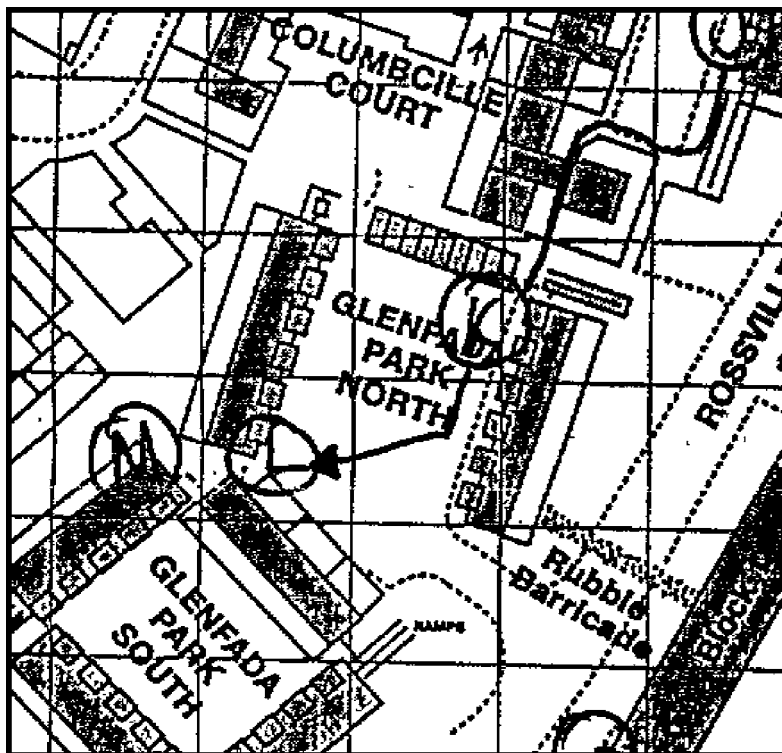
**102.23** In his Keville interview John Shiels stated that he saw “*a man run across the courtyard of the flats and a paratrooper come from behind a wall ... came out shooting and the man fell...*”<sup>1</sup> Although John Shiels may have seen someone shot, we are not persuaded that his accounts indicate that the soldier who fired had advanced to the centre of Glenfada Park North, as opposed to the centre of the northern side of that courtyard.

<sup>1</sup> AS19.19

**102.24** George Hillen, in his written evidence to this Inquiry, stated that immediately before he heard Jim Wray shout that he had been shot, he saw a soldier standing just inside the car parked close to the north-east entrance (“*parked*” would appear to be a typographical error for “*park*”). “*The soldier was standing still when I looked at him but I saw him lift his rifle up to his shoulder and take aim in our direction.*”<sup>1</sup> He stated that he could not say definitely that the soldier he saw was the one who shot Jim Wray, as he did not see him shoot, but he did not think that there were any other soldiers around at the time. He marked the position of the soldier on a map, which we show below, with the letter K.<sup>2</sup>

<sup>1</sup> AH74.4

<sup>2</sup> AH74.19



**102.25** In his oral evidence, however, George Hillen told us that the soldier had come a fair way into the courtyard and indicated that he was about in the centre.<sup>1</sup> He marked two possible positions of the soldier on a photograph, which we show below.

<sup>1</sup> [Day 164/38-42](#)





- 102.26** In view of this inconsistency between his written and oral evidence, we have concluded that it would be unwise to rely on George Hillen's recollection as to where the soldier he said he saw was standing.
- 102.27** Nuala Ni Dhomhnaill stated to this Inquiry that she had a vague recollection of seeing a soldier who was firing while on one knee, without aiming, from the centre of the car park.<sup>1</sup> She believed that she saw this soldier as she ran towards 59 Glenfada Park (the house at the western end of the southern block of Glenfada Park North) where she and her friends took cover. The notes of an interview that Nuala Ni Dhomhnaill gave in the early 1990s to Praxis recorded that this soldier was "*standing in the far corner (where the IRA car is marked on the maps)*".<sup>2</sup> Nuala Ni Dhomhnaill told us that she could not recall the interview or this detail regarding the position of the soldier.<sup>3</sup> In view of this inconsistency in her accounts and, as she herself said, the fact that her account was based on a vague recollection, we place no reliance on it.

<sup>1</sup> M60.15

<sup>3</sup> M60.2-3; Day 173/9-14; M60.15; M60.14

<sup>2</sup> M60.14

- 102.28** John O'Kane, some of whose evidence we have discussed above,<sup>1</sup> stated to this Inquiry that as he fled into the alleyway leading to Abbey Park he saw three soldiers entering Glenfada Park North, two from the north-east and one from the north-west. He recalled that they advanced towards the fleeing crowd, with their rifles to their shoulders. John O'Kane was aware of bullets flying past and hitting the houses on the southern side of Glenfada Park North, but it is unclear whether he actually saw specific soldiers firing.<sup>2</sup> John O'Kane made no specific reference to seeing soldiers firing in Glenfada Park in his 1972 evidence.<sup>3</sup> Since the evidence as a whole persuades us that soldiers did not enter Glenfada Park North from the north-west alleyway before the casualties in Sector 4 were sustained, it seems to us that in this respect John O'Kane's memory is at fault.

<sup>1</sup> Paragraphs 101.23–25

<sup>3</sup> AO48.24; AO48.40

<sup>2</sup> Day 163/17-18; AO48.3

- 102.29** Mary Lewis told NICRA that from the terrace of her house on the western side of Glenfada Park North she saw two youths fall, apparently having been shot by soldiers who were "*in the middle of the courtyard*".<sup>1</sup> This statement is the only evidence that we have from Mary Lewis.

<sup>1</sup> AL10.1

**102.30** Three witnesses, Frankie Mellon, Michael McCusker and John Anthony McDermott (known as Sean McDermott), who were at the southern end of Block 1 of the Rossville Flats, have given evidence of seeing a soldier or soldiers firing inside Glenfada Park North after soldiers had advanced to the southern end of the eastern block of Glenfada Park North. Such was the sight-line of these witnesses that, if their evidence is accurate, the soldier or soldiers must have fired from somewhere in the southern half of Glenfada Park North. However, for reasons that we give later in this report,<sup>1</sup> we have concluded that we should place no reliance on this part of their evidence.

<sup>1</sup> [Paragraphs 109.22–27](#)

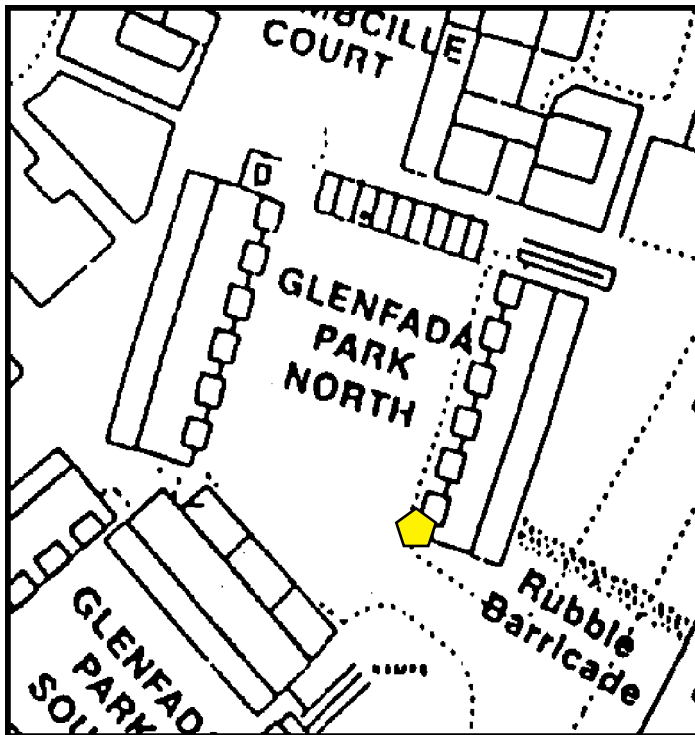
**102.31** In our view the evidence as a whole shows that the initial firing by the soldiers who entered Glenfada Park North from the north-east corner was from the area of that corner. We accordingly are not persuaded by the accounts of witnesses that suggest that soldiers advanced further into Glenfada Park North before opening fire. However, it is possible that what these witnesses (or some of them) saw was not the initial firing by the soldiers, but subsequent firing, which we consider later in this report.<sup>1</sup>

<sup>1</sup> [Chapter 119](#)

## **Soldiers firing towards the south-eastern corner of Glenfada Park North**

**102.32** We have heard evidence from several civilians regarding shots that were fired into the south-eastern corner of Glenfada Park North. In general, these accounts tend to suggest that a small number of rounds were fired in this direction. The only soldier to have stated that he fired in this direction was Corporal E, who claimed to have fired two rounds at a nail and petrol bomber.

**102.33** Patrick O'Donnell was wounded as he crouched behind a fence at the southern end of the south-western side of the eastern block of Glenfada Park North, as is shown on the map below.



 Approximate location of Patrick O'Donnell

**102.34** We consider his evidence in detail later in this report.<sup>1</sup> In essence, he was unable to identify the soldier who shot him, though he has given an account of seeing at least two soldiers in the north-east quadrant of the courtyard shortly before he was hit. Patrick O'Donnell said that he had also seen a civilian fall on the south-western side of Glenfada Park North, which caused him to take cover on the eastern side, but it is not clear from his accounts how many shots were fired in his direction. One round certainly hit Patrick O'Donnell's shoulder, and this shot might also have struck the wall behind him. However, it is also possible that there was a second or even a third bullet.

<sup>1</sup> [Paragraphs 104.499–511](#)

**102.35** Gerry McLaughlin told this Inquiry that he and his friend Danny McCloskey were standing beside a fence on the eastern side of Glenfada Park North when Gerry McLaughlin saw a soldier entering the complex through the north-east corner, carrying a sub-machine gun. This soldier called out in the direction of Rossville Street, "*Here the bastards are, Sarge*", and Gerry McLaughlin decided then to run, as did Danny McCloskey, towards the east entrance to Glenfada Park South. Gerry McLaughlin said that as he ran he looked over his shoulder and caught a fleeting glimpse of about four soldiers entering the park. He then heard shots that he was confident were aimed at him and Danny McCloskey. He recalled a large number of people fleeing through the same entrance to Glenfada Park

South, while others ran towards the south-west corner of Glenfada Park North. Just as he went into the alleyway leading to Glenfada Park South he heard someone shout from a position to the west that he had been hit.<sup>1</sup>

<sup>1</sup> [AM332.9](#); [Day 162/120-129](#); [AM332.17](#)

**102.36** We consider that Gerry McLaughlin was wrong in identifying the weapon held by the soldier as a sub-machine gun. Further, we are not persuaded by this evidence that the shots described by Gerry McLaughlin were in fact aimed at him and Danny McCloskey (who gave no evidence to this Inquiry), since he did not see the soldiers actually firing, nor anything else that could back up his belief. However, it may be the case that he heard shots that were fired in the direction of the south-east corner of Glenfada Park North.

**102.37** Dennis Patrick Irwin stated to this Inquiry that, as he ran from the southern end of the eastern block of Glenfada Park North towards Glenfada Park South, he had a “*very quick glimpse*” behind him. He saw about four soldiers entering through the north-east corner of the car park in pairs. The first two soldiers (including one who he thought was a Sergeant as he was “*shouting orders*”) dropped to their knees, raised their rifles and fired in his direction. He felt one bullet graze his hair and saw others hitting the wall at the northern gable of the eastern block of Glenfada Park South.<sup>1</sup>

<sup>1</sup> [AI3.3](#); [Day 170/84-88](#)

**102.38** Dennis Patrick Irwin made a brief NICRA statement that made no mention of firing in Glenfada Park North. He did refer to bullets “*bouncing off the wall of the corner of the flats*”, but the context of the account suggests to us that this was a reference to the east corner of the southern end of the eastern block of Glenfada Park North. Dennis Patrick Irwin told NICRA that he watched some of the events at the rubble barricade from close to this position, and there is a body of other evidence considered elsewhere in this report<sup>1</sup> of a bullet or bullets striking the eastern corner of this wall.<sup>2</sup>

<sup>1</sup> [Chapter 88](#)

<sup>2</sup> [AI3.8](#)

**102.39** In our view it would be unwise to rely upon the account given to us by Dennis Patrick Irwin as showing that bullets were fired in his direction as he ran into Glenfada Park South. It seems to us that his memory has played him tricks, and that in truth what he witnessed was some of the firing in Rossville Street. Had he in fact had a bullet graze him, it seems to us that this is something he would have mentioned when he gave his NICRA statement.

**102.40** James McNulty was one of the civilians who began to run towards the south-west corner of Glenfada Park from the gable end, but turned back after seeing civilians fall in front of him. He stated to this Inquiry that as he ran out he glanced to his right and saw a soldier on one knee in the north-east corner of Glenfada Park, with his rifle pointing towards the southern end of the park. James McNulty stated that he only looked briefly in this direction, but he could also see two or three other soldiers in a similar location. He ran back to the southern end of the eastern block, from where he saw bullets ricocheting off the northern end or pram-ramp of the eastern block of Glenfada Park South.<sup>1</sup>

<sup>1</sup> [AM377.2-3](#); [Day 152/8-13](#)

**102.41** In his 1972 evidence, James McNulty did not mention seeing this incident.<sup>1</sup> It is unclear to us from his evidence as a whole whether what he told us he recalled seeing was the result of firing by soldiers in Glenfada Park North or those in Rossville Street.

<sup>1</sup> [AM377.10](#); [AM377.11](#); [AM377.13-AM377.15](#)

**102.42** John Leo Clifford gave written evidence to this Inquiry in which he stated that he was outside a house on the eastern side of Glenfada Park South when a bullet passed by him; he thought the round had been fired by soldiers in Glenfada Park North.<sup>1</sup> He was too unwell to give oral evidence to us. As we observe elsewhere in this report,<sup>2</sup> although his account is evidence of the firing of a shot that went into Glenfada Park South, it remains unclear at what stage and from where it was fired.

<sup>1</sup> [AC66.1](#); [AC66.7](#)

<sup>2</sup> [Paragraph 109.25](#)

**102.43** Charles Coyle, whose evidence about being fired at as he ran across the alleyway between Glenfada Park North and Columbcille Court is discussed earlier,<sup>1</sup> told this Inquiry that he was shot at again as he ran from Glenfada Park North to Glenfada Park South. He said that he heard three shots pass by “*very close indeed*” as he ran into Glenfada Park South through the north-eastern entrance. He could not tell whether those shots had come from Glenfada Park North or from the direction of Rossville Street.<sup>2</sup>

<sup>1</sup> [Paragraphs 94.10–16](#) and [94.25–30](#)

<sup>2</sup> [AC88.5](#); [Day 146/171-172](#)

## Other civilian evidence of soldiers firing in Glenfada Park North

**102.44** Two civilian witnesses have given evidence of seeing soldiers taking up positions behind a red van after they entered Glenfada Park North. William Kelly was in 59 Glenfada Park, on the south-western side of the northern block of Glenfada Park South. Although he did not actually record seeing soldiers firing, he did state in his short NICRA account that he saw soldiers behind a red van.<sup>1</sup> In his NICRA statement, William Ward also referred to soldiers behind a red van. There were, he said, three and they “*said nothing and opened fire*”. It appears from this statement that this occurred as Michael Kelly was being carried across Glenfada Park North.<sup>2</sup>

<sup>1</sup> AK29.1

<sup>2</sup> AW9.1

**102.45** Another witness, Ann Gallagher, also referred to a soldier firing from a position behind a vehicle. She was in her aunt’s flat, 8 Garvan Place in Block 1 of the Rossville Flats, during the main events of Bloody Sunday. In her NICRA statement she recorded that:<sup>1</sup>

“When the crowd dispersed [from the rubble barricade] the soldiers moved up Rossville Street and they moved in behind the park at the villas. One soldier stood at a car facing the fellows they had their backs to him and he opened up at the three of them. There was a man standing up there and he was shot in the leg. They must have killed him because the blood was flowing out of him.”

<sup>1</sup> AG1.6

**102.46** Ann Gallagher’s account implies that she saw three men shot by a soldier who was at a car in Glenfada Park. However, in our view it is unlikely that from her aunt’s flat she could have seen more than the very southern end of the courtyard. A photograph (reproduced below) taken from a nearby flat, 12 Garvan Place, shows that there was no sight-line over the eastern block of Glenfada Park North and into the courtyard.<sup>1</sup> Ann Gallagher may have been one floor further up, but to our minds there is still little chance that she could have seen into the north-eastern corner of the car park, from where many witnesses recall a soldier or soldiers firing.

<sup>1</sup> GEN3.12



Glenfada Park North (eastern block)

LONDONDERRY "ROSSVILLE" SECTRA FLATS - LAYOUT.  
BLOCK I

FLOOR

9th		23 X	22	18	17	12	11	7	6	1 X	DONAGH							
8th	ACCESS LEVEL	24 X	21	16	13	10	5	2 X	2 X	PLACE								
7th		25	20	19	15	14	9	8	4	3 X								
6th		24	21	18	17	12	11	7	6	1 X	MURA							
5th	ACCESS LEVEL	25	22	17	16	13	10	5	2	PLACE								
4th		26	21	20	15	14	9	8	4	3 X								
3rd		17 X	16	13	12	9	8	5	4	1 X	GARVAN							
2nd	ACCESS LEVEL	18	15	14	1	10	6	3	2	PLACE								
1st		18	15	14	1	10	6	3	2									
Grd.	SUB-STATION	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	ROSSVILLE GARAGES

JOSEPH STREET END

12 Garvan Place

8 Garvan Place

**102.47** In her evidence to this Inquiry, Ann Gallagher stated that she could no longer recall seeing a soldier fire from beside a vehicle, and she did not recall seeing men fall in Glenfada Park.<sup>1</sup> She did recall seeing a soldier at the southern end of Glenfada Park North firing, but she believed (in our view mistakenly) that he shot the casualties who fell at the rubble barricade.<sup>2</sup>

<sup>1</sup> AG1.4; Day 401/17-18

<sup>2</sup> AG1.2



**102.48** Ann Gallagher's aunt, Eileen Gallagher, was also in the flat. She gave a NICRA statement, but did not mention seeing any men fall in Glenfada Park.<sup>1</sup>

<sup>1</sup> [AG10.1-5](#)

**102.49** In these circumstances we have concluded that we should place no reliance on Ann Gallagher's account of seeing men shot in Glenfada Park North.

## Chapter 103: Consideration of civilian evidence

- 103.1** In general terms the evidence that we have discussed above discloses a picture, as soldiers came into Glenfada Park, of people in various parts of the courtyard. Some people remained at the southern end of the eastern block, while others sought to make their way out of the courtyard in various directions. These included the group accompanying those carrying Michael Kelly towards the alleyway into Abbey Park. Again, in general terms, while those at the southern end of the eastern block spoke of seeing three people running from there and then being shot and falling in the positions shown in the photograph of the bodies taken by Trevor McBride,<sup>1</sup> the recollection of those running towards the Abbey Park alleyway is of one man being shot and falling at the rear of the running group, while others were shot when closer to that alleyway.
- <sup>1</sup> [Paragraph 90.7](#)
- 103.2** Although some of those at the southern end of the eastern block recollected that the three men who were shot were on their own, in our view the true state of affairs was that they were at the back or close to the back of a number of people making their way across the southern side of Glenfada Park North.
- 103.3** We consider that those who believed that all three were shot as they moved from the southern end of the eastern block as the soldiers came in were mistaken. In our view Jim Wray, one of these three, was already in Glenfada Park North close to the group carrying Michael Kelly when the soldiers came in, and he is most unlikely to have had time to return to the southern end of the eastern block and then set off back towards the alleyway into Abbey Park before he was shot. No witness spoke of seeing Jim Wray do this. It seems to us that he fell in the position shown in Trevor McBride's photograph, when he was at the back of the group of people going into the alleyway to Abbey Park. In our view those witnesses who thought he was running from the southern end of the eastern block, seeing three bodies lying on the south side of Glenfada Park North, mistakenly assumed and came to believe that all three had been running from where they were.
- 103.4** It appears that at least some of the witnesses at the southern end of the eastern block saw William McKinney and Joe Mahon as they were shot. However, in our view we have no reliable accounts of seeing these two men fall from witnesses who were further to the west when they ran to the alleyway leading to Abbey Park – for example, those who had moved with the group carrying Michael Kelly, or those who were milling about in the car

park when the soldiers arrived. This indicates to us that William McKinney and Joe Mahon were probably behind these people, having made their run towards the Abbey Park alleyway slightly later and from a point further to the east. In an account that we are satisfied Joe Mahon gave to the *Sunday Times* Insight Team<sup>1</sup> (and to which we return later in this report<sup>2</sup>) he is recorded as saying that he saw two others – meaning William McKinney and Jim Wray – hit in front of him before he was shot. The evidence of those at the southern end of the eastern block satisfies us that William McKinney was probably shot at about the same time as Joe Mahon. Indeed, as we discuss later in this report, Joe Mahon may well have been hit by the bullet that first struck William McKinney.

<sup>1</sup> [AM18.14; AM18.20](#)

<sup>2</sup> [Paragraphs 104.402–408 and 104.488–490](#)

- 103.5** As to Michael Quinn and Joe Friel, the evidence indicates to us that these two were probably both shot at almost the same moment, with Jim Wray falling almost immediately afterwards.
- 103.6** As to Patrick O'Donnell, his evidence is to the effect that he turned back from running towards the alleyway into Abbey Park after seeing someone fall in front of him. As he took cover on the eastern side of Glenfada Park North, Patrick O'Donnell was shot.
- 103.7** Our consideration of the evidence leads us to conclude that Joe Friel and Michael Quinn were probably the first gunfire casualties. As to Daniel Gillespie, the evidence of what caused his injury and when and where he was at the time is far from clear, but for reasons that we give when discussing his case,<sup>1</sup> it seems possible (though far from certain) that he sustained an injury at about the same time as Joe Friel and Michael Quinn.
- <sup>1</sup> [Paragraphs 104.167–201](#)
- 103.8** In our view Jim Wray fell immediately after Joe Friel and Michael Quinn had been shot. For reasons that we give when discussing his case,<sup>1</sup> it seems likely that Jim Wray fell because he had been shot. He was followed by William McKinney and Joe Mahon. Of the identified casualties, Patrick O'Donnell seems to us to have been the last to be hit by the initial gunfire in Glenfada Park North, though for the reasons we give elsewhere in this report,<sup>2</sup> we consider that afterwards Jim Wray was probably shot again as he lay on the ground.
- <sup>1</sup> [Paragraphs 104.437–455](#) <sup>2</sup> [Paragraphs 104.239–436 and 104.448–455](#)
- 103.9** We should emphasise that in our view the time interval between the shooting of all the identified casualties was very short.

- 103.10** To our minds the civilian evidence is to the effect that the soldiers who came into Glenfada Park North opened fire very soon after they arrived; again probably only in a matter of seconds. In this regard their accounts are not dissimilar to those of the soldiers.
- 103.11** In none of the civilian evidence considered above is there any indication that the people in Glenfada Park North behaved in a hostile or riotous manner when the soldiers arrived. On the contrary, the strong impression that we obtained from this evidence is that there was widespread shock and fear, arising from the shooting that had been going on in Rossville Street, and among those at the southern end of the eastern block and probably others, from the knowledge that one person at least (Michael Kelly) had been shot. People were already leaving Glenfada Park North or taking cover when the soldiers arrived, and their arrival and opening fire accelerated this movement. We consider elsewhere in this report<sup>1</sup> the question of paramilitary activity in Glenfada Park North.

<sup>1</sup> [Chapter 111](#)

- 103.12** The representatives of the majority of represented soldiers submitted that the scene in Glenfada Park North when the soldiers arrived was not one of “*an isolated square across which three broke for cover*”, but rather “*a scene of general chaos and confusion*”.<sup>1</sup> We regard the latter as a reasonably accurate description. However, these representatives have also suggested that there were two witnesses whose evidence indicated that some of the crowd at least were preparing for a violent encounter.

<sup>1</sup> [FS7.1902](#)

- 103.13** The first of these witnesses was PIRA 25. In the first version of his written and signed statement to this Inquiry, he stated that when he first arrived in Glenfada Park there were lots of people there. “*They were gathering stones and bottles, ready to throw them at the soldiers.*”<sup>1</sup> In his oral evidence he said he remembered about six or seven people doing this and that one of them was Jim Wray, though later in his evidence he indicated that he was not certain about this.<sup>2,3</sup>

<sup>1</sup> [AG17.2](#)

<sup>2</sup> [Day 424/108-118](#); [Day 424/131](#); [Day 424/146](#)

<sup>3</sup> PIRA 25's then solicitors (Madden and Finucane) later sent to this Inquiry another statement signed by PIRA 25, in which the sentence quoted was omitted ([AG17.6](#)). In his oral evidence PIRA 25 said that he did not remember signing two statements or why the sentence was omitted in the second statement, but he told us that what was contained in the first statement was true ([Day 424/108-118](#); [Day 424/131](#); [Day 424/146](#)). Two other sentences had also been omitted from the second statement. In one PIRA 25 had stated that if there was any rioting he wanted to join in and in the other that there were quite a few people standing about in Columbcille Court ready to throw stones

at the Army if they came further into the Bogside. PIRA 25 said in his oral evidence that he did not know why these sentences too had been omitted, though both contained what he recalled. We made enquiries of the solicitors as to the circumstances in which the second statement came to omit these three sentences, since according to PIRA 25's oral evidence, the information in them was the truth, but they were unable to explain how this had come about, save to say that the person responsible for preparing this statement, who was no longer employed by them, had told them that he had no recollection of the matter at all; and that they could only surmise that he had suggested amendments based on the notes that he had made.

**103.14** We take the view, having listened to his oral evidence,<sup>1</sup> that PIRA 25 did see a number of people picking up stones and bottles in Glenfada Park North. However, it is clear from his evidence as a whole that this was before soldiers came into the Bogside and opened fire, and provides no support for any suggestion that at a later stage, after people had been shot at the rubble barricade and Michael Kelly was being carried across Glenfada Park North, the people there were intent on a violent confrontation with the soldiers.

<sup>1</sup> [Day 424/108-148](#)

**103.15** The second witness was Daniel Gillespie, who stated to us that he saw five or six boys entering Glenfada Park North with broken flagstones, which he assumed they intended to use as missiles to throw at soldiers, but did not see them thrown at any stage.<sup>1</sup>

<sup>1</sup> [AG34.8](#)

**103.16** We consider Daniel Gillespie's evidence in detail later in this report,<sup>1</sup> where we conclude that he may have received an injury in Glenfada Park North when the soldiers came in and opened fire, though this is far from certain, since his accounts and those of others relating to him are confused and inconsistent and in conflict with the evidence we have discussed above. It is possible that at some earlier stage Daniel Gillespie did see some youths with broken flagstones, but even assuming that this is so, we are not persuaded that this occurred at the stage when Michael Kelly was being carried across Glenfada Park North and the soldiers came into the courtyard. Again, therefore, we consider that this evidence does not support the suggestion that, at that time, people in Glenfada Park were intent on a violent confrontation with the soldiers.

<sup>1</sup> [Paragraphs 104.167–177](#)

**103.17** No civilian witness gave evidence that suggested that when the soldiers came into Glenfada Park North, any people there (including those who were shot) were armed with guns or bombs or any other form of lethal weapon. Indeed, all or virtually all were of the same view in positively asserting that they saw no such thing. It was not suggested by those representing soldiers that any of the identified casualties in Glenfada Park North was armed with any lethal weapon.

**103.18** The representatives of the majority of represented soldiers appear to submit that in view of the many inconsistencies between the civilian accounts we should place no reliance at all on their evidence.<sup>1</sup> That there are many inconsistencies does not surprise us, since people were trying to recall what they saw in a chaotic and terrifying situation and from different viewpoints. In the nature of things a number of witnesses to the same events are unlikely to give consistent accounts, but in our view this is not a reason for the wholesale

rejection of all the civilian evidence. We consider below<sup>2</sup> the further submission that there was paramilitary activity at the time in question and that civilian witnesses have deliberately refrained from speaking about it.

<sup>1</sup> [FS7.1895-1900](#)

<sup>2</sup> [Paragraphs 111.63–65, 111.89–94 and 111.100–113](#)

**103.19** We now turn to consider the identified casualties in Glenfada Park North, after which we consider the shooting in Abbey Park, which resulted in the death of Gerard McKinney and Gerald Donaghey. We then discuss various other matters, including the conclusions we reach from the whole of the evidence (military and civilian) of the events in Sector 4.

# Chapter 104: The casualties in Glenfada Park North

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## Joe Friel

**104.1** Joe Friel was wounded by a shot in the chest when he was in Glenfada Park North.

### Biographical details and prior movements

**104.2** Joseph Friel, commonly known as Joe, was 20 years old at the time of Bloody Sunday. He was single, lived with his family in the Rossville Flats, and worked as a tax inspector for the Inland Revenue.<sup>1</sup> He admitted to this Inquiry at a late stage that he had been on the civil rights march on 30th January 1972, having joined it close to the Bogside Inn. He subsequently made his way to Glenfada Park North.<sup>2</sup> However, as will be seen below, there are doubts about how and when Joe Friel got to Glenfada Park North.

<sup>1</sup> [Day 48/48-49](#)

<sup>2</sup> [Day 155/37-38](#); [AF34.67](#); [FS1.2287-2288](#); [CS6.300-301](#)

**104.3** Joe Friel told the Widgery Inquiry that he was wearing a green Parka coat with a hood, a light blue shirt and light grey trousers.<sup>1</sup> In his evidence to this Inquiry, Joe Friel stated that this was correct and added that he was also wearing black socks and black shoes.<sup>2</sup>

<sup>1</sup> [WT6.40](#)

<sup>2</sup> [Day 155/146](#)

### Medical and scientific evidence

**104.4** Joe Friel underwent surgery at Altnagelvin Hospital during the night of Bloody Sunday, and was discharged on 10th February 1972.<sup>1</sup>

<sup>1</sup> [D0778](#); [D0780](#)

**104.5** According to his medical records, Joe Friel suffered a gunshot wound to the chest.<sup>1</sup> The entry wound was on the right side of the sternum, level with his second rib, and the exit wound, which measured 1 inch x 2½ inches, was on the left side of his sternum below the clavicle.<sup>2</sup> His surgeon, Mr HM Bennett, recorded that a bullet had passed transversely across the front of Joe Friel's chest from his right to left.<sup>3</sup> In a letter to the Royal Ulster Constabulary (RUC), Mr Bennett referred to the wound as being caused by "*an 'almost near miss' bullet*";<sup>4</sup> elsewhere he wrote that Joe Friel "*was an extremely lucky young man*".<sup>5</sup> In a report to this Inquiry, Dr Richard Shepherd and Mr Kevin O'Callaghan (experts engaged by this Inquiry) commented that on the basis of this information, the track of the wound was "*more likely*" to be as Mr Bennett described, ie from right to left, than the reverse.<sup>6</sup>

<sup>1</sup> [D768-780](#)

<sup>4</sup> [D0780](#)

<sup>2</sup> [D769](#)

<sup>5</sup> [D0778](#)

<sup>3</sup> [D778](#); [D780](#)

<sup>6</sup> [E10.8](#)

## Where and when Joe Friel was shot

### Accounts given by Joe Friel

**104.6** Joe Friel gave a number of accounts in 1972:

- a) An interview with Detective Sergeant Cudmore on 1st February 1972.<sup>1</sup>
- b) A filmed interview in which he is shown in his hospital bed.<sup>2</sup> No date is given for this interview, but it must have taken place before he was discharged from Altnagelvin Hospital on 10th February 1972.
- c) A statement signed by him bearing the date 7th February 1972.<sup>3</sup> This was probably taken for the Northern Ireland Civil Rights Association (NICRA), since it was witnessed by Marie McDowell, who also took other NICRA statements.<sup>4</sup>
- d) An undated statement,<sup>5</sup> which is probably one of a number that were prepared in February 1972 by the solicitors John Doherty and Christopher Napier, who represented the families of the deceased and the wounded at the Widgery Inquiry. We have seen correspondence from late February and early March 1972 that records that a number of statements taken from civilian witnesses were forwarded by Christopher Napier to John Heritage, the senior legal assistant at the Widgery Inquiry. Although Joe Friel's statement was not among them, it is very similar in appearance to documents that we know were sent.<sup>6</sup> In our view Joe Friel's statement was probably withheld because it revealed that he had been on the civil rights march.<sup>7</sup> This detail is notably absent from the formal statement that he gave for the Widgery Inquiry on 24th February 1972.<sup>8</sup>
- e) A written statement for and oral evidence to the Widgery Inquiry.<sup>9</sup>
- f) An interview with the *Sunday Times* journalist Philip Jacobson dated 15th or 16th March 1972.<sup>10</sup>

<sup>1</sup> AF34.10-11

<sup>2</sup> Vid 4 10.54; X1.4.5-6

<sup>3</sup> AF34.13-14

<sup>4</sup> AD172.4; AD172.8

<sup>5</sup> AF34.41-42

<sup>6</sup> AW15.4; AN1.16-17

<sup>7</sup> AF34.41

<sup>8</sup> AF34.49-50

<sup>9</sup> AF34.15-16; WT6.33-41; WT6.47-48

<sup>10</sup> AF34.63-66

**104.7** In about January 1998 Joe Friel gave an interview to Paul Mahon.<sup>1</sup> He was also interviewed by Don Mullan,<sup>2</sup> and by Jimmy McGovern and Stephen Gargan.<sup>3</sup> He gave written and oral evidence to this Inquiry.<sup>4</sup>

<sup>1</sup> [X4.9.1-50](#)

<sup>3</sup> [AF34.78-118](#)

<sup>2</sup> [AF34.69-77](#)

<sup>4</sup> [AF34.1-68](#); [Day 155/33-149](#)

**104.8** In his interview with Detective Sergeant Cudmore,<sup>1</sup> which was conducted at Altnagelvin Hospital, Joe Friel described watching the march from his home address, 9 Donagh Place, a flat on the seventh floor of Block 1 of the Rossville Flats.<sup>2</sup> He said he decided to go to Free Derry Corner to listen to the speeches and was on his way there when he heard a lot of single shots being fired:<sup>3</sup>

“I then ran like mad towards my block of flats and when I reached the block nearest the Rossville Street end I stopped to get my breath. Shooting was fierce at this time although again I couldn’t see who was doing the shooting. There were about 5 young chaps at the entry door of my block of flats and I walked quickly up towards them keeping in near to the flats. I got right up to these fellows, who were young fellows, none of whom I knew. I didn’t say anything to these chaps and they didn’t speak to me. I stood with my back towards the upper entry of our flats which is off the old Bogside Road. I then heard somebody shout, ‘Look out’ or something like that and saw 3 or 4 soldiers appear at the entry between Rossville Street and the square where I was. They immediately opened fire and then I heard the shots and felt a thud on my chest. At first I thought I was hit by a rubber bullet but when I looked down I saw blood pouring out of my chest and mouth. I ran around the corner where I was assisted by some people.”

<sup>1</sup> [AF34.10-11](#)

<sup>3</sup> [AF34.10](#)

<sup>2</sup> [GEN3.12](#)

**104.9** Joe Friel then continued by describing how he was taken to a house, then put in a car and eventually taken to Altnagelvin Hospital in an Army vehicle. We return to this part of his account below. He told Detective Sergeant Cudmore that he normally wore glasses but had broken them the week before, though he could see fairly well without them.

**104.10** In his filmed interview,<sup>1</sup> Joe Friel described running into a square “*the minute the shooting started*”:<sup>2</sup>

“... a group of other boys ran into it too. We thought that was the safe spot, where there was a confined square. There was no way to get into it except two wee alleys ... down at the foot of it.

So we thought we were safe from the shooting and we were just standing ... and bullets were flying everywhere. We saw people panicking and running, hundreds of them. Next thing we saw is about four soldiers coming down that alley. Then they stepped out into the square and one of them opened fire from his hip. He couldn't have had time to take aim because the minute they appeared I heard a shot, looked, saw him, heard about three shots bang, bang, bang. I thought I was hit with a rubber bullet and I looked down and I saw blood gushing out of here, and ... I panicked I'm shouting I'm shot, I'm shot and I ran down the alley way and was carried out from there over into a house.”

<sup>1</sup> Vid 4 10.54; X1.4.5-6

<sup>2</sup> X1.4.5

**104.11** In his NICRA statement of 7th February 1972,<sup>1</sup> Joe Friel again recorded that he had been making his way to the meeting at Free Derry Corner when the shooting began.<sup>2</sup> He stated that he tried to run from Glenfada Park into Abbey Park in order to get away from the area.<sup>3</sup> He continued:<sup>4</sup>

“Just before coming to the archway I stopped between 5 or 6 young fellows when suddenly there was a shout which sounded like ‘look-out’. I instinctively looked across Glenfada Park and saw 3 or 4 soldiers appear in an alleyway diagonally across from where I was standing. I saw that one of the soldiers had his rifle above his hip and had it pointed towards the group. He immediately opened fire. I remember hearing 3 bangs and felt a thud in the centre of my chest. Although I had seen him fire with the rifle I imagined it to be a rubber bullet because of the dull thud on my chest. Immediately I looked down and saw blood come from just beneath my left shoulder, at the same time blood came spurting out of my mouth. Being still on my feet I ran through the arch into the alleyway leading to Abbey Park shouting, ‘I'm shot, I'm shot’.

<sup>1</sup> AF34.13-14

<sup>3</sup> AF34.13

<sup>2</sup> AF34.13

<sup>4</sup> AF34.13

- 104.12 In his written statement for the Widgery Inquiry dated 24th February 1972,<sup>1</sup> Joe Friel again stated that he went from his flat to listen to the speeches at Free Derry Corner. He heard the shooting commence just after Bernadette Devlin began to speak, and recalled “*steady firing*” from along Rossville Street. He stated that he then ran through the “*inner courtyard*” of Glenfada Park and got “*to the corner nearest the Rossville buildings*”, from where he could see people taking cover on the other side of Rossville Street and hear consistent firing. He continued:<sup>2</sup>

“I decided I could not safely [cross] over the road. I went along the pathway between the two parts of Glenfada Park meaning to leave the area entirely.

When I was nearly at the end of this pathway (where it passes between the two blocks) I heard someone behind me shout. It was not a shout of pain but I cannot otherwise describe it. I looked round and just saw soldiers appearing at an alley across the other side of Glenfada Park. I heard three bangs and felt something strike me below the left shoulder. It was like a light blow with a fist. I looked down and saw blood coming from a wound in my left upper chest. At the same time I coughed up blood. I ran a few steps and felt myself fall forward.

I am certain I saw the soldier who fired the shot which hit me. He was standing slightly to the front of the others and with his rifle at just above waist height fired three shots without aiming. His face was blacked up and I could not recognise him again. He was with at least two other soldiers.

I was carrying no weapon on this day.”

<sup>1</sup> AF34.15

<sup>2</sup> AF34.15

- 104.13 In his oral evidence to the Widgery Inquiry, Joe Friel reiterated that he was unarmed when he was shot, adding that he had nothing in his hands,<sup>1</sup> “*not even a stone*”.<sup>2</sup> His response to allegations from Lance Corporal 104, who claimed that Joe Friel had admitted to having been in possession of a weapon when he was shot, is discussed below.

<sup>1</sup> WT6.34

<sup>2</sup> WT6.37

- 104.14 At this stage it should be noted that in the course of his oral evidence to the Widgery Inquiry Joe Friel was asked where he had come from and said from “*Just above that second barricade*”.<sup>1</sup> Asked whether this was the barricade at the end of Fahan Street or the barricade at the Rossville Flats, he answered, “*The barricade further up, not the one on Rossville Flats, the other one*”.<sup>2</sup>

<sup>1</sup> WT6.39

<sup>2</sup> WT6.39

- 104.15** According to the *Sunday Times* interview notes,<sup>1</sup> which are dated 15th or 16th March 1972, Joe Friel said that as he was walking over from the door of the Rossville Flats towards the meeting at Free Derry Corner:<sup>2</sup>

“... I heard a quite large burst of firing and the crowd began to go down on their faces or make for cover away from the open. I was still some way from the meeting area and I just dashed back to my right for cover in the nearest part of glenfadda [sic]. I went up the small alleyway that isn't marked in your map but it runs along roughly parallel to rossville street. When I got to the end near the entrance to the flats, I realised there was no chance of crossing the street behind the barricade, the shooting was really fierce then. So I turned into glenfadda and made for the alleyway into abbey park, I was just thinking of getting out of the area completely at the time, since it didnt seem I could get home directly.

As I was about halfway down the pavement heading for the alleyway, I heard someone behind me shout something like 'look out, the limeys are there' ... This lad saved my life because when he yelled out, I turned to my right and looking across the car-park bit I saw a group of soldiers standing by the far entrance to glenfadda. One of them was standing a few yards ahead of the others; he had his rifle tucked in just under his shoulder, sort of held in tight with his right arm, and it was aimed in my direction. I recall hearing three shots, bang, bang, bang and I felt a thump in my chest ... I looked down and saw the gash in my jacket and the blood starting to come through, this was all in a few split seconds, you know, and I never stopped moving forward; I ran into the alley as the blood started coming from my mouth and two or three men grabbed me when I came through.”

<sup>1</sup> [AF34.63-66](#)

<sup>2</sup> [AF34.63](#)

- 104.16** Philip Jacobson made a note that the person who shouted “*was a youth called Gregory Wild*”.<sup>1</sup> We consider Gregory Wild's evidence below. Another note added by Philip Jacobson's colleague Peter Pringle indicated that Joe Friel recalled that when he was shot there were about six people in front of him and others behind, and that he did not remember anyone else lying on the ground or being hit.<sup>2</sup>

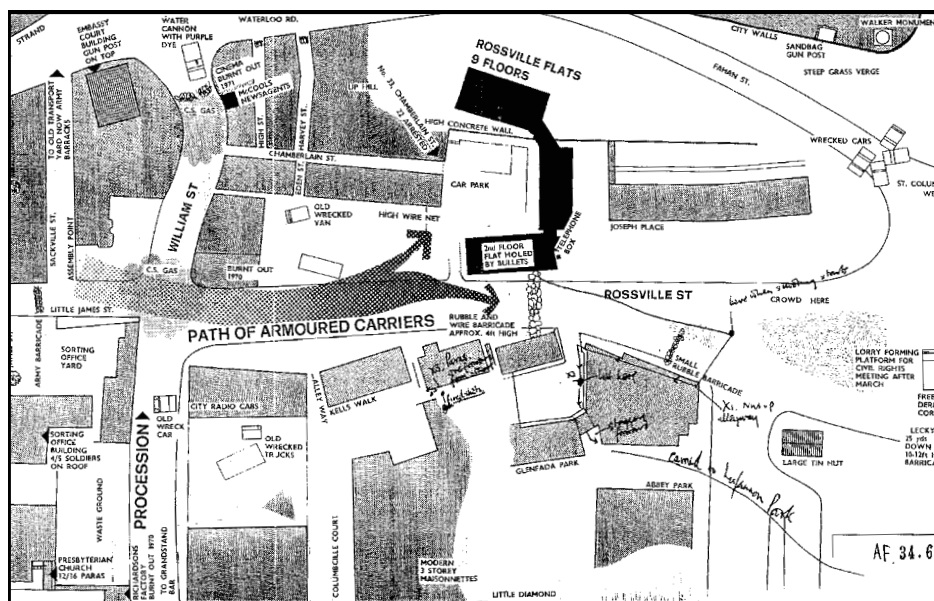
<sup>1</sup> [AF34.63](#)

<sup>2</sup> [AF34.65](#)

- 104.17** The *Sunday Times* map<sup>1</sup> shows the route described in the interview notes.

<sup>1</sup> [AF34.66](#)





- 104.18 As is discussed above, we believe that Joe Friel's undated statement<sup>1</sup> was prepared by John Doherty and Christopher Napier in February 1972. In it Joe Friel stated that he had been on the civil rights march, but had denied this when interviewed by the RUC for fear of being sentenced to six months' imprisonment.<sup>2</sup> He recorded that he was well past the Rossville Flats when he heard shots and rubber bullets.<sup>3</sup> He continued:<sup>4</sup>

"I glanced round as I was running, looking back towards the High flats. I saw a Saracen armoured car on the William Street side of the high flats – there was only the one I saw. I heard shots but I did not see any one shooting. People were running for cover; some were standing in close against the flats taking shelter behind the outbuildings. I raced across the street towards Glenfada Park and ran in through the empty space there. I was hopeful that I could then back back [sic] along the Glenfada houses, into the alleyway [sic] and then be able to re-cross the Rossville Street and get into the High Flats where I live.

There was so much shooting that it was not possible for me to get back across Rossville Street so I continued on up towards Abbey Street, with the intention of getting out through the Little Diamond to get out of the area altogether. Just before I reached the alleyway leading out of the Glenfada houses I heard a shout [sic] 'look out' and I turned my head round. I saw a soldier holding a rifle – it was not up against his shoulder, but underneath his shoulder – and I heard three separate shots and I felt

a small crush – ‘thud’ on my chest. I felt blood coming up my throat and saw blood coming from under my left shoulder. I ran on some more. I felt myself falling forward and then I felt myself being held and I was taken into a house.”

<sup>1</sup> AF34.41-42

<sup>3</sup> AF34.41

<sup>2</sup> AF34.41

<sup>4</sup> AF34.41-42

**104.19** In the late 1990s Joe Friel gave accounts to the journalist Don Mullan;<sup>1</sup> and to Stephen Gargan and Jimmy McGovern who were conducting interviews in preparation for their television dramatisation of the events of Bloody Sunday.<sup>2</sup> Joe Friel’s evidence in these interviews was generally consistent with his solicitors’ statement in 1972.<sup>3</sup>

<sup>1</sup> AF34.69-77

<sup>3</sup> AF34.41-42

<sup>2</sup> AF34.78-118

**104.20** In addition to these accounts Joe Friel was also interviewed by the researcher Paul Mahon in 1998.<sup>1</sup> In this interview Joe Friel said that he had been on the march with his brother Mickey and, he thought but was not sure, Paddy O’Connor, but as the march went on they got separated.<sup>2</sup> He said that he recalled that he was close to the front of the march and could be seen on film,<sup>3</sup> and that when the Army brought out the water cannon he started to head for the Rossville Flats via Chamberlain Street, in order to go home for a cup of tea.<sup>4</sup> He said he was never a man for speeches “*so I had no intention of even going to the platform*”.<sup>5</sup> He had reached the forecourt of the Rossville Flats when he started hearing shots.<sup>6</sup> He told Paul Mahon that he ran (seemingly) into the gap between Blocks 1 and 2, tried to get into the entrance to Block 1 but could not because of the size of the crowd, and then ran across Rossville Street into Glenfada Park North.<sup>7</sup> He said that as he crossed Rossville Street he saw two boys fall, and he kept running when he got into Glenfada Park North.<sup>8</sup>

“I was about half way through when this boy shouted, Gregory Wild. And he turned round and said, ‘There’s the Brits.’ I turned instinctively like that. And as I looked, I could see three soldiers coming through the far end more or less diagonally across from where I was ... The boy in front, he had a gun at his hip ... you could see the smoke or whatever it was coming out of the gun.”

<sup>1</sup> X4.9.1-50

<sup>5</sup> X4.9.5

<sup>2</sup> X4.9.3

<sup>6</sup> X4.9.7

<sup>3</sup> X4.9.3

<sup>7</sup> X4.9.9-11

<sup>4</sup> X4.9.4-5

<sup>8</sup> X4.9.17

**104.21** A little later in this account Joe Friel said that he had got about two-thirds of the way across Glenfada Park North before he heard Gregory Wild's shout.<sup>1</sup> He described one of the soldiers as crouching down with his rifle pointing and said that he was hit by the second or third shot fired by this soldier.<sup>2</sup> He agreed that the shots were "*pretty rapid fire*".<sup>3</sup>

<sup>1</sup> X4.9.18-20

<sup>3</sup> X4.9.23

<sup>2</sup> X4.9.20-21

**104.22** In his written statement to this Inquiry, dated 21st July 1999,<sup>1</sup> Joe Friel described how he had watched the march from the flat and then left to listen to the speeches at Free Derry Corner.<sup>2</sup> He told us that he heard Army fire when Bernadette Devlin was speaking and ran back towards the Rossville Flats;<sup>3</sup> and that he paused at the telephone box at the southern end of Block 1 before moving around the corner to the south-western entrance to that block.<sup>4</sup> That doorway was full of people and he could not get in so he crossed Rossville Street to Glenfada Park North.<sup>5</sup> He told us that he remembered that as he did so people fell to his right, the north.<sup>6</sup> He then described running along the south side of Glenfada Park North, hearing a shout when he was about eight to ten feet from the south-western alleyway, stopping and turning to see soldiers about five or six feet into Glenfada Park North, coming from the north-east corner.<sup>7</sup> He told us that as he was without his glasses he could not make out the soldiers' faces, and that he could not remember if they were blacked up.<sup>8</sup> He stated that there were three or four soldiers, and that the one in front was firing: "*He had his gun in front of him at just above waist height and was moving it from side to side – not swinging it, just moving it a few inches from left to right. The other soldiers were not firing their weapons.*"<sup>9</sup> Joe Friel described hearing three shots, feeling a slight blow to his body and, realising he had been shot, shouting "*I'm shot, I'm shot!*".<sup>10</sup>

<sup>1</sup> AF34.1-8

<sup>6</sup> AF34.2

<sup>2</sup> AF34.1-2

<sup>7</sup> AF34.2-3

<sup>3</sup> AF34.2

<sup>8</sup> AF34.3

<sup>4</sup> AF34.2

<sup>9</sup> AF34.3

<sup>5</sup> AF34.2

<sup>10</sup> AF34.3

**104.23** In his initial written evidence to this Inquiry, Joe Friel referred to the undated statement that he gave in February 1972,<sup>1</sup> and described its contents as "*an utter fabrication*" that he believed to be "*part of the cover-up of what happened on Bloody Sunday*".<sup>2</sup> However, he accepted that the signature on the document was his, and that the events described on its second page<sup>3</sup> were "*reasonably accurate*".<sup>4</sup>

<sup>1</sup> AF34.41-42

<sup>3</sup> AF34.42

<sup>2</sup> AF34.7

<sup>4</sup> AF34.7

**104.24** Before he came to give oral evidence, Joe Friel supplied a further statement to this Inquiry, which had been prepared by his solicitors and was dated 7th June 2000.<sup>1</sup> In this he stated that he wished to correct his initial written evidence of his movements on the day. He had not, as previously claimed, been in his family flat until he left to listen to the speeches. Instead:<sup>2</sup>

"I had in fact been on the march that day and not at home as I described. My reason for misstating the position was that I had given the same account in my statement to the Widgery Tribunal and felt that I should keep the two accounts consistent.

I had given the incorrect account to the Widgery Tribunal because at the date of the march I was a tax official in the Inland Revenue in Derry and in the climate of that time I was concerned that, if my superiors discovered that I had taken part in what was a proscribed march, it might result in my dismissal from secure employment."

<sup>1</sup> AF34.67-68

<sup>2</sup> AF34.67

**104.25** Joe Friel gave oral evidence to this Inquiry on 10th October 2001. At the outset he told us that his further statement, admitting to being on the march,<sup>1</sup> was true to the best of his information and belief.<sup>2</sup> He also told us that he was "*no longer alleging that the contents of the undated statement<sup>3</sup> are a complete fabrication or a cover-up. I have always accepted that the signature on the document was mine.*"<sup>4</sup>

<sup>1</sup> AF34.67

<sup>3</sup> AF34.41

<sup>2</sup> Day 155/34

<sup>4</sup> Day 155/35

**104.26** Joe Friel also made some corrections to his written statement. He said that the impression given that he had immediately run through Glenfada Park North was wrong and that he had stayed there for seconds, "*maybe minutes*". He also said that the soldier he saw was not moving the gun from side to side, but only in one direction, left to right.<sup>1</sup>

<sup>1</sup> Day 155/36-37

**104.27** During his oral evidence, Joe Friel rejected some of his earlier accounts of his movements before he reached Glenfada Park North. He described the route depicted on the *Sunday Times* map as "*totally nonsensical*" and "*totally wrong*".<sup>1</sup> He maintained that after the shooting broke out he went first to the telephone box at the south gable end of Block 1 of the Rossville Flats, then tried to get into the flats and then crossed the road into Glenfada Park North, but he could not explain why that sequence did not appear in his statement for the Widgery Inquiry.<sup>2</sup> He was also asked about his reference, in his oral evidence to the Widgery Inquiry, to having come from the "*second barricade*".<sup>3</sup> He stated that the rubble barricade in Rossville Street was divided into two parts, and by the

“second barricade” he was intending to indicate the part of the barricade that was closer to Glenfada Park North, as opposed to the side that adjoined the Rossville Flats.<sup>4</sup> This explanation is in contrast to the unchallenged interpretation placed on his words in 1972 by the then questioning counsel, who took him to mean that the barricade in question was a smaller one in Fahan Street.<sup>5</sup> Joe Friel stated in his oral evidence to this Inquiry that once he had got to Glenfada Park North he took cover behind one of the two cars, as shown in the south-east corner of the car park in the following photograph.<sup>6</sup>

<sup>1</sup> [Day 155/42](#); [Day 155/51-52](#)

<sup>2</sup> [Day 155/45-46](#)

<sup>3</sup> [WT6.39](#)

<sup>4</sup> [Day 155/47-48](#)

<sup>5</sup> [WT6.39](#)

<sup>6</sup> As discussed in [Chapter 176](#), the provenance of this photograph is uncertain ([Day 155/53-56](#)).



**104.28** At this stage, Joe Friel told us, he could hear shooting, but there were no soldiers in Glenfada Park North.<sup>1</sup> He also said that his statement in his filmed interview that there were “hundreds” of people in the square was an exaggeration.<sup>2</sup> With others who had been hiding behind the cars he decided to run towards the entrance to Abbey Park.<sup>3</sup> His evidence of hearing a shout as he ran, turning and seeing soldiers in the north-east of the courtyard, seeing the lead soldier shoot and realising he had been hit was consistent with that given in his written statement.<sup>4</sup> He added that his recollection of seeing the soldiers

arrive in Glenfada Park North with one carrying a weapon at his hip was “*totally crystal clear*”.<sup>5</sup> He also said that the boy who shouted the warning about the soldiers was Gregory Wild, who came to visit him in hospital a few days after Bloody Sunday.<sup>6</sup>

<sup>1</sup> Day 155/56

<sup>4</sup> Day 155/56-59; AF34.2-3

<sup>2</sup> Day 155/103-105

<sup>5</sup> Day 155/115-116

<sup>3</sup> Day 155/56-57

<sup>6</sup> Day 155/106; Day 155/111

**104.29** Questioned by counsel for the family of Jim Wray, Joe Friel said he did not see Michael Kelly being carried across Glenfada Park North, nor did he see Jim Wray.<sup>1</sup>

<sup>1</sup> Day 155/82-84

**104.30** Joe Friel was asked who else he had told that he had been on the march.<sup>1</sup> He replied that he had told his wife, his father and possibly his sisters and his brothers. When asked, “*Is that it?*”, he replied, “*That is it*”.<sup>2</sup> He did not disclose that he had told Paul Mahon, though this may have been due simply to forgetfulness.

<sup>1</sup> Day 155/136-137

<sup>2</sup> Day 155/137

**104.31** During the course of his oral evidence, Joe Friel was not asked any questions about his interview with Paul Mahon. The reason for this was that it was not until many months after Joe Friel had given evidence that the Inquiry obtained and transcribed the tapes of the interviews conducted by Paul Mahon. However, at the Inquiry’s invitation, Joe Friel’s solicitors subsequently made written submissions in respect of what the soldiers’ representatives described as inconsistencies between Joe Friel’s account to Paul Mahon and his other accounts.

**104.32** We have examined the various accounts given by Joe Friel in some detail, taking these submissions into consideration. We have concluded that we should exercise some caution with regard to his evidence, especially that relating to his movements before he was shot. Our reasons for reaching this conclusion are as follows.

**104.33** As he has himself admitted, Joe Friel lied to the police, to the Widgery Inquiry and initially to this Inquiry about his presence on the march. It is understandable that in 1972 he did not wish the authorities to know about this as he would have risked imprisonment and the loss of his job. However, that reason did not exist when he made his first written statement to this Inquiry, in which he gave a detailed but wholly false account of what he could see of the march from his home in the Rossville Flats. His explanation for continuing to lie was that he wished his evidence to be consistent with what he had said



in 1972, but in other words this means that he was at one stage at least prepared to seek to deceive this Inquiry in order to bolster his credibility, rather than seek to help us to discover the truth. Joe Friel told us that his decision finally to tell the truth was his own.<sup>1</sup>

<sup>1</sup> [Day 155/88-89](#); [Day 155/128](#)

**104.34** There are other matters. Joe Friel told us that he went on his own on the march, whereas he told Paul Mahon that he had gone with his brother and talked with others along the way.<sup>1</sup> He told us that he had gone down to hear the speeches, but told Paul Mahon that he had not done so, but instead had gone towards his flat for a cup of tea.<sup>2</sup> He told us that he could not remember the route that he took to get to the area of the Rossville Flats, but explained to Paul Mahon that he had gone down Chamberlain Street and across the forecourt of the Rossville Flats.<sup>3</sup> He told us that he had paused behind a car in the corner of Glenfada Park North before running for the south-western exit, but told Paul Mahon that he had not paused but run straight across Glenfada Park North.<sup>4</sup> He gave the Widgery Inquiry one account of how he got into Glenfada Park North and us another.<sup>5</sup> In this regard, we are satisfied that Philip Jacobson accurately recorded the route that Joe Friel told him that he had followed to get into Glenfada Park North, a route that Joe Friel himself categorised as “*nonsensical*”,<sup>6</sup> but which seems to us to be the same or much the same route as he described to the Widgery Inquiry.

<sup>1</sup> [Day 155/99](#); [Day 155/118](#); [X4.9.3](#)

<sup>4</sup> [Day 155/53-54](#); [X4.9.17](#)

<sup>2</sup> [Day 155/38](#); [X4.9.5](#)

<sup>5</sup> [AF34.15](#); [WT6.39](#); [AF34.2](#); [Day 155/38-53](#)

<sup>3</sup> [Day 155/100](#); [X4.9.5](#)

<sup>6</sup> [Day 155/42](#)

**104.35** On its own, each of the matters considered in the previous paragraph is not perhaps of the greatest significance, but cumulatively to our minds, together with his initial attempt to deceive this Inquiry, they undermine our confidence in accepting (unless supported by other evidence) the accuracy of the accounts given by Joe Friel as to his movements before he ran from the south-east corner of Glenfada Park North towards the south-west exit, though he has consistently stated, and we accept, that he was shot just as he reached that exit. Our lack of confidence was reinforced by the way he gave oral evidence. He was understandably hostile to the Army, but was in our judgment by turns overly combative and defensive and sometimes too ready to answer without giving the matter sufficient thought. It must further be borne in mind that, as he told us, he still bears physical and mental scars from what happened on Bloody Sunday.<sup>1</sup>

<sup>1</sup> [AF34.8](#)



**104.36** It is the case that Joe Friel has from the time of his NICRA statement maintained that he saw the soldier who shot him as the leading one of three or four who had come through the north-eastern alleyway of Glenfada Park North, who he said fired three shots from the hip, or from between the hip and the shoulder.<sup>1</sup> However, in his very first interview it appears that he told Detective Sergeant Cudmore that he saw three or four soldiers appear at the entry between Rossville Street and the square where he was and that “*They immediately opened fire*”,<sup>2</sup> without identifying the leading soldier as the one who had fired and hit him. We bear in mind, of course, that this interview took place only two days after Joe Friel had been admitted to hospital and quite soon after he had been under general anaesthetic, but he cannot have been particularly confused as he was able to give the police a detailed but wholly false account of watching the march from his home. Thus, although we are satisfied that Joe Friel did see soldiers coming into Glenfada Park North, and that one fired from the hip, or from between the hip and the shoulder, we are less certain, from his evidence alone, that he identified the leading soldier as the one who shot him.

<sup>1</sup> The representatives of the majority of represented soldiers drew our attention to the fact that Joe Friel, in his interview with Paul Mahon, described the soldier as firing from a crouched position. However, the video of the interview shows that Joe Friel was demonstrating that the soldier had the rifle at roughly waist level; and elsewhere during the interview he agreed that the soldier had the gun at his hip.

<sup>2</sup> AF34.10

## Evidence of other witnesses

**104.37** There is, however, other evidence that does indicate that it was the leading soldier who fired and hit Joe Friel.

**104.38** The evidence of Gregory Wild has been considered earlier in this report<sup>1</sup> in relation to the scene as the soldiers arrived in Glenfada Park. Gregory Wild, who was 14 at the time of Bloody Sunday, is shown in the following photograph (also reproduced above) carrying what appears to be a piece of wood.<sup>2</sup>

<sup>1</sup> Paragraphs 101.21–22

<sup>2</sup> AW15.9



Gregory Wild

- 104.39** Gregory Wild was interviewed in 1972 by Peter Pringle of the *Sunday Times* Insight Team.<sup>1</sup> In his notes of the interview, which are dated 6th April, Peter Pringle described Gregory Wild as being “*very bright, good witness, in spite of his age. also very articulate.*”<sup>2</sup>

<sup>1</sup> [AW15.1-2](#)

<sup>2</sup> [AW15.2](#)

- 104.40** The notes of the interview, which appear to be a transcript of Gregory Wild’s actual words, record that Gregory Wild arrived in Glenfada Park North at about the same time as Michael Kelly was shot at the rubble barricade.<sup>1</sup> According to the notes:<sup>2</sup>

“just as I had crossed over into glenfada to make my way home there were some shots. I did not know any of those who were shot at the barricade and I did not witness them but I saw a group of people round one of the bodies which I now know was kelly. there were lots of people milling around in the car park of glenfada park. I was making my way towards the alley way leading into abbey park when I suddenly saw a soldier at the northeastern corner – diagonally opposite from me. there [were] people in front and behind me at the time. I shouted: ‘Look out there’s a limey.’ I think there was another one behind him. Just as I shouted that two shots rang out and I was certain that they came from the soldier I was looking at. he had fired from the hip. it was definitely not an aimed shot. we all started to run through to the alley way. On the other side friel became hysterical and shouted I’m shot, I’m shot. I was at the top of the steps when some people came thru the alley way carrying a body. they shouted



**104.44** In this statement Gregory Wild described seeing a soldier in Glenfada Park close to the entrance leading onto Rossville Street. Gregory Wild stated that the soldier was holding a rifle at just about the height of his hip and “*appeared to have his gun resting on a small wall*”. Gregory Wild called out a warning and saw Joe Friel turn towards the soldier. Gregory Wild was also looking in that direction, and saw a flash and heard a shot. He continued: “*Joe Friel ran a short distance towards an opening which leads [to] Abbey Place and he was shouting ‘I’m shot; I’m shot.’ I saw blood coming from his shoulder. Two men ran towards him and caught him underneath his arms and took him away.*”<sup>1</sup>

<sup>1</sup> [AW15.4](#)

**104.45** Gregory Wild also stated that he visited Joe Friel in Altnagelvin Hospital.<sup>1</sup>

<sup>1</sup> [AW15.4](#)

**104.46** The signed statement Gregory Wild gave in February 1972 differs from his *Sunday Times* account in three main respects. First, in the February statement Gregory Wild referred to seeing only one soldier, rather than two, though this may be because he was asked only about the soldier he saw firing. Second, he recorded that this soldier appeared to rest his rifle on a “*small wall*”. Third, he referred to only one shot, whereas he mentioned two to the *Sunday Times*.

**104.47** Gregory Wild gave a written statement to this Inquiry.<sup>1</sup> In relation to these points of difference, Gregory Wild stated that he saw two soldiers, one in the north-west corner of Glenfada Park and one in the north-east.<sup>2</sup> He told us that he thought that the soldier in the north-east fired two or three shots with the barrel of his gun resting on the wall of a wheelchair ramp.<sup>3</sup> At the time when the Inquiry was hearing oral evidence Gregory Wild lived abroad, and he stated in his written evidence that he had no intention of appearing before us in person as he would find it too painful and distressing.<sup>4</sup> We were accordingly unable to call him.

<sup>1</sup> [AW15.5-10](#)

<sup>3</sup> [AW15.6-7](#); [AW15.9-10](#); [AW15.11](#); [AW15.17](#)

<sup>2</sup> [AW15.6](#)

<sup>4</sup> [AW15.10](#)

**104.48** Gregory Wild told us that the surgical mask that can be seen in the photograph of him close to the group carrying Michael Kelly shown above<sup>1</sup> was supplied by volunteers of the Order of Malta Ambulance Corps, and that once soaked in vinegar it provided some protection against the effects of CS gas.<sup>2</sup>

<sup>1</sup> [Paragraph 104.38](#)

<sup>2</sup> [AW15.9](#)

**104.49** We consider that Gregory Wild’s 1972 accounts are likely to be more reliable than his recollections after so many years. Thus it seems to us that his recollection of seeing a soldier in the north-western corner of Glenfada Park North is in error, and the soldier or

soldiers he saw appeared at the north-eastern corner. It remains uncertain whether he heard one or two shots; though he may well have seen a second soldier behind the one he recalled firing. His February 1972 account of the soldier appearing to have his rifle resting on a low wall is difficult to follow, since, so far as we can ascertain, there was no low wall near the north-east entrance to Glenfada Park North.

**104.50** Although we have not had the advantage of hearing the oral evidence of Gregory Wild, it is clear that he impressed Peter Pringle and we take the view that he is a witness on whom we can place some reliance. His 1972 evidence, together with that of Joe Friel, leads us to conclude that Joe Friel was shot in Glenfada Park North by a soldier (probably one of the first to come into Glenfada Park North) who was holding his rifle at hip level, or between his hip and his shoulder.

**104.51** We should note at this point that we have considered the evidence given by Derek McFeely,<sup>1</sup> Joseph Gallagher,<sup>2</sup> Paul Coyle<sup>3</sup> and John Devine.<sup>4</sup> The first of these signed Donal Dunn's NICRA statement and gave written and oral evidence to us, but we formed the view that although he was doing his best to help us, with regard to his present recollection of what he saw when at the entrance into Abbey Park, he no longer had a reliable memory. We formed the same view of the reliability of the recollections of the others.

<sup>1</sup> AM217.2-4; Day 61/80-84; Day 61/106-114

<sup>3</sup> AC105.4; Day 152/77-82

<sup>2</sup> AG18.2-3; Day 165/10-24; Day 165/36-37; AG18.7

<sup>4</sup> AD41.2

**104.52** The other evidence as to what happened to Joe Friel immediately after he was shot is confused and in parts conflicting.

## Where Joe Friel went after he was shot

**104.53** As noted above, Joe Friel told Detective Sergeant Cudmore that after he was shot he "*ran round the corner*" where he was assisted by some people and carried into someone's house.<sup>1</sup> In his NICRA statement he recorded that he ran into the alleyway leading to Abbey Park and was then carried to a house in Lisfannon Park.<sup>2</sup> In his *Sunday Times* interview he said that he never stopped moving forward despite coughing up blood and seeing the wound in his chest. He said he ran into the alleyway and "*two or three men grabbed me when I came through*". He identified one of the men who helped him as Leo Young.<sup>3</sup>

<sup>1</sup> AF34.10

<sup>3</sup> AF34.63-64

<sup>2</sup> AF34.13

**104.54** In his written evidence to this Inquiry, Joe Friel stated that he did not think that he fell after being shot, while in his oral evidence he told us that he did fall after he had almost made it to the Abbey Park alleyway.<sup>1</sup> He recorded in his written statement that he was helped by Leo Young, Eugene McGillan and Jackie Chambers.<sup>2</sup> In his oral evidence to this Inquiry, Joe Friel said that these names had been given to him by Leo Young, either when they met at the Ardoyne Hotel or at the Widgery Inquiry. Joe Friel went on in his oral evidence to say that he had recently found out that Jackie Chambers had not carried him, but that Patsy Bradley and Manus Morrison had done so.<sup>3</sup>

<sup>1</sup> AF34.3; Day 155/63

<sup>3</sup> Day 155/60

<sup>2</sup> AF34.3

**104.55** Hugh Leo Young told the Widgery Inquiry that he did not assist Joe Friel in Glenfada Park, but first saw him when he was “*lying against a wall*” in an alleyway that was described as being at the “*south-westerly corner of the south-westerly block of Glenfada Park*”. Hugh Leo Young stated that a “*large crowd*” had run through the alleyway, but it was left to him and two others to carry Joe Friel to a house in Lisfannon Park.<sup>1</sup>

<sup>1</sup> AY1.9; AY1.15

**104.56** Hugh Leo Young appears to have given an interview to the *Sunday Times* shortly after Bloody Sunday. The extant notes do not mention Joe Friel, but a map that is marked with Hugh Leo Young’s name (and which is dated 29th March) appears to us to indicate that he first saw Joe Friel at the south-west end of the Abbey Park alleyway, and that he carried him from there into the Murrays’ house in Lisfannon Park.<sup>1</sup>

<sup>1</sup> AY1.27

**104.57** Hugh Leo Young said to this Inquiry that he had no recollection of being interviewed by anyone from the *Sunday Times*, although he thought that he might have been. However, he did not think that the map accurately represented his movements or the position in which he saw Joe Friel.<sup>1</sup>

<sup>1</sup> Day 388/46-49

**104.58** In his evidence to this Inquiry, Hugh Leo Young explained that he first saw Joe Friel as the latter stumbled out of the alleyway leading from the south-west corner of Glenfada Park South and collapsed at a small wall nearby.<sup>1</sup> He believed that Joe Friel was the last person to emerge from the alleyway, and was unaided at that time. Hugh Leo Young told



us that he ran from his position on the southern side of Fahan Street West and reached Joe Friel at the same time as a couple of other people. Together, four of them picked Joe Friel up and carried him to a house in Lisfannon Park.<sup>2</sup>

<sup>1</sup> [AY1.11](#); [AY1.14](#)

<sup>2</sup> [AY1.2](#); [AY1.14](#); [Day 388/24-29](#)

**104.59** Hugh Leo Young remained confident that he saw Joe Friel coming through the south-western alleyway leading from Glenfada Park South into Abbey Park, despite being shown the *Sunday Times* marked map.<sup>1</sup>

<sup>1</sup> [Day 388/33-35](#); [Day 388/47-49](#)

**104.60** In his written statement to this Inquiry, Jackie Chambers told us that he did not help to carry Joe Friel, but was present at the Murrays' house in Lisfannon Park when others brought him there.<sup>1</sup>

<sup>1</sup> [AC56.1-2](#)

**104.61** Eugene McGillan's evidence consisted of a brief NICRA statement in which he recorded: "*They [the Army] hit a boy standing behind me. I pulled him away and we carried him into [...] house.*"<sup>1</sup>

<sup>1</sup> [AM233.1](#)

**104.62** Manus Morrison's evidence to this Inquiry was that he did not see or assist Joe Friel until the latter was in the Abbey Park region. He stated that he was not aware of any military activity in Glenfada Park, and, on his account, he ran through the alleyway before any soldiers arrived in the area. Once in Abbey Park, he saw a man who he later learned was Joe Friel, on the pavement of the Old Bog Road (Fahan Street West) close to the south-eastern corner of Abbey Park.<sup>1</sup> This man was on the ground and had an injury to his chest. Manus Morrison believed that he tended Joe Friel with the help of a man whom he knew, and to whom the Inquiry has given the cipher CIV 1. Manus Morrison did not recall carrying Joe Friel to a house; instead he believed that he flagged down a car to take Joe Friel to hospital.<sup>2</sup>

<sup>1</sup> [AM437.1](#)

<sup>2</sup> [AM437.1-2](#); [AM437.4](#); [Day 154/86-92](#); [Day 154/105-110](#)

**104.63** CIV 1 gave a Keville interview in 1972 in which he stated that he saw Joe Friel lying shot in a house, realised that he had to be taken to hospital immediately, asked if anyone had a car and was lent one by the person next door. He recalled that he, Manus Morrison and another then set off for the hospital with Joe Friel in the back.<sup>1</sup> His evidence about borrowing a car is supported by Brian Kelly, who told us that he lived at Lisfannon Park, and that he lent the car to CIV 1.<sup>2</sup> Patsy Bradley stated to this Inquiry that he saw a man,



whom he later recognised as Joe Friel, fall in front of him and to his right as they ran across Glenfada Park. Patsy Bradley did not recall hearing any shouts of warning just before this incident, and he did not believe that Joe Friel looked over his shoulder in the seconds before he was shot. His evidence was that Joe Friel was slightly to the west of centre in the south of the courtyard when he was hit, and that he fell onto the tarmac of the car park and not the pavement at its southern edge.<sup>3</sup>

<sup>1</sup> AD23.4

<sup>3</sup> AB68.3; AB68.13; Day 153/130-136; Day 153/151-152

<sup>2</sup> CIV 1 told the RUC in 1972 that he went to a house in Meenan Park (ED34.10) but in our view, in the light of Brian Kelly's evidence, this is wrong (AK6.3-4).

**104.64** Patsy Bradley's recollection of the scene in Glenfada Park was limited, but he believed that there were about 15 or 20 people in front of him as he ran. He believed that he heard about five or six bangs around the time that Joe Friel fell, but assumed that they were rubber bullets. As he lifted Joe Friel with the help of another (see below), he heard one different, sharper noise than the bangs he had heard before. He did not see any other casualties in Glenfada Park, and he did not see any soldiers there either.<sup>1</sup>

<sup>1</sup> AB68.3; Day 153/130-135

**104.65** Patsy Bradley told us that he recalled that he and another man whom he did not know helped Joe Friel to his feet from the tarmac onto which he had fallen, and then carried him (Patsy Bradley going first carrying his legs and the other man holding him under his armpits) out of Glenfada Park, through the Abbey Park alleyway, and to a house in Lisfannon Park. Patsy Bradley said that he believed that he saw two bullets striking the tarmac as they crossed Fahan Street West.<sup>1</sup>

<sup>1</sup> AB68.3; Day 153/132-136

**104.66** Patsy Bradley told this Inquiry that Joe Friel was not carrying any form of weapon.<sup>1</sup>

<sup>1</sup> AB68.5

**104.67** We are satisfied from the evidence of Gregory Wild (discussed above) that Joe Friel was, as he has always maintained, shot while in Glenfada Park North, after which he ran or stumbled through the south-west alleyway into Abbey Park, shouting that he had been shot. We consider that Patsy Bradley's recollection (decades after the event) of carrying Joe Friel from Glenfada Park North must accordingly be faulty, though he may have assisted Joe Friel at a later stage. It also seems to us that Hugh Leo Young must be mistaken in his current recollection that Joe Friel came out of the Glenfada Park South alleyway, though we have no reason to doubt that Hugh Leo Young was one of those who carried him.

**104.68** We are also satisfied that Joe Friel was carried to Lisfannon Park and then put in a car to be taken to hospital. In this regard we prefer the 1972 accounts of Hugh Leo Young and CIV 1 to the belief of Manus Morrison that Joe Friel was put in a car flagged down in the Old Bog Road (Fahan Street West). Although we are not certain about this, we consider it more likely than not that Joe Friel remained on his feet for a while and may indeed have got some way towards Fahan Street West before he fell.

## Where Joe Friel was then taken

**104.69** Once inside the Murrays' house in Lisfannon Park, Joe Friel was treated by Eibhlin Lafferty, an Order of Malta Ambulance Corps volunteer.<sup>1</sup> As we have already noted, CIV 1 borrowed a car, which was a light-coloured Ford Cortina with the registration number HGB 992D, from Brian Kelly next door, in order to take Joe Friel to hospital.<sup>2</sup> Joe Friel was placed on the back seat, and he was joined in the car by CIV 1, who was driving, Manus Morrison, in the front passenger seat, and Eugene O'Donnell, who crouched over Joe Friel in the rear of the vehicle.<sup>3</sup>

<sup>1</sup> AF34.3; AM17.2; AM17.9; AM17.13

<sup>3</sup> AD23.4; AO27.2-3; Day 155/177; ED34.10-11; AF34.3;

<sup>2</sup> AD23.4; ED34.10-11; ED34.4; AO27.2; AF34.3

AF34.10; AF34.44; AM437.2

**104.70** CIV 1 drove the Cortina to Barrack Street,<sup>1</sup> where he was stopped at Barrier 20, an Army checkpoint manned by soldiers from 7 Platoon, B Company, 1 R ANGLIAN. According to the battalion's log sheet the car had arrived there by 1631 hours.<sup>2</sup>

<sup>1</sup> AD23.4-5; ED34.10-11; AF34.3; WT6.37

<sup>2</sup> W106.7; W103

**104.71** Barrier 20 was erected in Barrack Street close to the corner of Pitt Street. It consisted of a barbed wire barrier and a strategically placed Armoured Personnel Carrier (APC).<sup>1</sup>

<sup>1</sup> B1165; B1832



## Barrier 20

**104.72** The car driven by CIV 1 arrived at Barrier 20 at about the same time as two other vehicles.<sup>1</sup> One of these was the car containing Gerald Donaghey (shot in Abbey Park as we describe below) with Hugh Leo Young and the driver Raymond Rogan, who had come from Abbey Park. We return later in this report<sup>2</sup> to consider what happened to this car and its passengers at Barrier 20, in the context of considering the question of whether Gerald Donaghey was in possession of nail bombs when he was shot. The other vehicle, apparently containing a middle-aged couple whom the Inquiry has been unable to identify, reversed and drove back into the Bogside.<sup>3</sup>

<sup>1</sup> [B1586](#); [B1665](#); [B1832](#)

<sup>3</sup> [B1587](#); [B1666](#); [B1833](#)

<sup>2</sup> [Chapter 130](#)

**104.73** The Cortina with Joe Friel was probably on the left (looking from the barrier) of the car carrying the older couple. The vehicle carrying Gerald Donaghey seems to have been to the right (again looking from the barrier) and slightly behind the other two vehicles.<sup>1</sup>

<sup>1</sup> [B1586](#); [B1665](#); [B1832](#); [B1876](#); [B1898](#); [B1909](#); [AR24.3-4](#)

**104.74** Before these vehicles arrived a crowd of some 20 to 40 civilians, mostly women and children, had come to Barrier 20 from the direction of the Bogside and asked to be let through the barrier. The soldiers initially refused and an argument developed but after

about five minutes the soldiers agreed to let the people through. At this stage the vehicles arrived and stopped behind the crowd, probably just as the barrier was about to be moved.<sup>1</sup>

<sup>1</sup> B895; B1586; B1665; B1680; B1690; B1832; B1898; B1909; B1912

## Evidence of what happened on the arrival of the car carrying Joe Friel

**104.75** We consider first the evidence from soldiers.

**104.76** Private 029, Private 042, Corporal 150 and Private 135 gave evidence that the driver (CIV 1) or the person in the front passenger seat (Manus Morrison) or both shouted to the soldiers manning the barrier to open it as they were late for work or that they wanted to get to work.<sup>1</sup>

<sup>1</sup> B1586; B1666; B1898; B1832

**104.77** Private 029 said that he approached the driver's side of the car with Sergeant AA and that Private 135 went to the passenger's side. Private 029 stated that as he got there the driver said that he had a sick man in the back and Sergeant AA (the Platoon Sergeant of 7 Platoon) told the driver to get out. *"I dragged the driver out of the car and put him against the wall of a house. 'AA' took the passenger behind the driver out and did likewise. The other person in the back was wounded and was left in the car."*<sup>1</sup> Sergeant AA gave a similar account in his Royal Military Police (RMP) statement but said nothing about the driver demanding that the barrier be opened as he was late for or wanted to get to work. He stated that Corporal 150 and Lance Corporal 104 assisted in the arrest of these two people.<sup>2</sup>

<sup>1</sup> B1586-7

<sup>2</sup> B895-6

**104.78** According to Private 135, as he approached the passenger's side of the vehicle, the front passenger *"aged about 20–25 yrs wearing a black leather jacket and dark trousers, threw the door open to block my way. I fired one baton round at this man as he turned to run away, the round hit him a glancing blow on his left shoulder and he ran off down Barrack St into the Bogside."*<sup>1</sup> Sergeant AA,<sup>2</sup> Private 029<sup>3</sup> and Private 042<sup>4</sup> gave similar accounts of this incident, though Sergeant AA thought that the baton round had hit the person in the head.

<sup>1</sup> B1833

<sup>3</sup> B1587

<sup>2</sup> B896

<sup>4</sup> B1666

**104.79** There is some 1972 evidence from the soldiers that after CIV 1, Manus Morrison and Eugene O'Donnell had left the vehicle, it started rolling backwards down the hill. It seems that Sergeant AA and possibly another soldier stopped this happening after which Lance Corporal 104 got into the car and drove it through Barrier 20, which by this time had been opened.<sup>1</sup>

<sup>1</sup> B1690; B1694; B1876

**104.80** On the basis of the military evidence considered above, including his own RMP statement, Sergeant AA played a significant role in dealing with the crowd and cars at Barrack Street. However, in his evidence to the Widgery Inquiry he stated that he was aware of the arrival of two cars carrying casualties, but he claimed not to have taken “*any part in the incident at all*”.<sup>1</sup> In his written statement to this Inquiry, Sergeant AA accepted that he knew that this was untrue when he said it, and that he was wrong to give such false evidence. He gave various reasons for concealing his involvement in the incident, namely that he did not think that the incident was relevant,<sup>2</sup> that he wanted to complete his evidence to the Widgery Inquiry as quickly as possible,<sup>3</sup> perhaps because “*I did not search the body at the time*”<sup>4</sup> and that he might have misunderstood the question.<sup>5</sup> Sergeant AA denied that he did not mention this incident as he wished to conceal misconduct in the form of Private 135 firing a baton round into a car, soldiers abusing the passengers, and a woman who said she was a nurse being prevented from going to the casualties.<sup>6</sup>

<sup>1</sup> B903

<sup>4</sup> B908.9

<sup>2</sup> B908.9

<sup>5</sup> Day 378/225

<sup>3</sup> B908.9

<sup>6</sup> Day 378/207-215

**104.81** We are unconvinced by the first two of these excuses and from the Widgery Inquiry transcript it is difficult to see how Sergeant AA could have misunderstood the question.<sup>1</sup> As to the two remaining possibilities, we accept Sergeant AA's denial that he was seeking to conceal misconduct. For reasons given below, we do not believe that Private 135 fired a baton round into a car, nor are we sure of the accuracy of his account of preventing a nurse from going to the casualties. As to verbal abuse, in the climate of the times this does not seem to us to be of any real significance. In our view the most likely explanation is that Sergeant AA had failed to search or order the searching of the car, which in our view he should have done. Battalion HQ sent a message to B Company ordering a check of the car for weapons, though this was probably not received until after the car had left Barrier 20.<sup>2</sup>

<sup>1</sup> B903

<sup>2</sup> W106.7 serial 83

**104.82** In his evidence to this Inquiry, Private 135 gave an account of firing his baton gun into the car, hitting the men in the front and knocking them out of the car, whereupon they got up and ran away. He told us that he had acted in response to seeing the vehicle lurch forward and touch the barrier; and that he fired in order to force the occupants out of the car. He also told us that after firing the baton round, he looked and saw a man (Gerald Donaghey) in the back of the car; and that a woman who said that she was a nurse came across to the car and was told by him in abusive terms to go away.<sup>1</sup> For reasons given below, we do not accept Private 135's evidence of firing his baton gun into a car.

<sup>1</sup> B1835.007-008; Day 379/143-145; Day 379/151-152

**104.83** As to the police, there is some evidence from RUC officers who were stationed at the corner of Barrack Street and Bishop Street, which was about 40 yards from Barrier 20,<sup>1</sup> to the effect that one or both of the cars rammed or tried to force their way through the barrier.<sup>2</sup>

<sup>1</sup> JS2.1

<sup>2</sup> Sergeant Keys (JK5.1); Constable Gawley (JG3.1; JG3.3); Constable McVeigh (JM42.1); Constable Carson (JC5.1; JC5.2); Constable Scott (JS2.1)

**104.84** We are satisfied that this did not happen, as none of the soldiers manning the barrier suggested in their 1972 evidence that this occurred or indeed that any police officers were at the barrier. Private 135, in his evidence to us, agreed that he might have been mistaken in his recollection that one of the cars lurched forward and touched the barrier and nothing in his evidence or that of any of the other soldiers suggests that there was any deliberate attempt to ram the barrier. Sergeant AA agreed, in his oral evidence to this Inquiry, that this had not happened.<sup>1</sup> As will be seen later in this report,<sup>2</sup> Corporal 150 told us that when he drove the car containing Gerald Donaghey through Barrier 20 he remembered "*clipping*" it.<sup>3</sup> It may be this incident that these officers saw and wrongly believed was an attempt to force through the barrier. We return below to the evidence of the police officers.

<sup>1</sup> Day 379/164-166; Day 378/204

<sup>3</sup> B1918.2

<sup>2</sup> Paragraph 130.11

**104.85** We now turn to the civilian evidence.

- 104.86 In his Keville interview, CIV 1 stated that they had hoped to get outside the area without the troops seeing them, but this was impossible and they went straight to the barrier:<sup>1</sup>

“Manus Morrison got out of the car as there was a car in front of us at the barricade and he approached the soldiers and told them that we had someone shot in the back of the car. The soldiers then ripped the barricade away and came towards the car and Morrison managed to run away and he was shot by a rubber bullet gun and I saw someone else in the car in front of me, he started to give cheek to the Army, telling them that there was someone shot and they had to get to the hospital right away and they fired a rubber bullet gun at his chest at point blank range in – in the window. I was then pulled out of the car ... I was put up against the wall...”

<sup>1</sup> AD23.3

- 104.87 CIV 1 is dead and gave no evidence to this Inquiry.

- 104.88 In his Keville interview Eugene O'Donnell recalled that when they approached the barrier and asked to be let through “*they immediately attacked the car and dragged us all out. One of them – the driver was hit over the head with a – a rifle. We were dragged out and up – put up against the wall and er – searched...*”<sup>1</sup> His NICRA statement was to the same effect.<sup>2</sup> In his oral evidence to this Inquiry, Eugene O'Donnell explained that what he meant by soldiers attacking the car was that the soldiers had pulled him and CIV 1 out of the car and one had also jumped in and put on the handbrake.<sup>3</sup> He told us that he did not recollect the driver (CIV 1) being hit over the head with a rifle nor any incident in which Manus Morrison was hit by a baton round.<sup>4</sup> He recalled that the front passenger followed by the driver and then he went out of the car in that order.<sup>5</sup>

<sup>1</sup> AO27.9

<sup>4</sup> Day 155/183-184

<sup>2</sup> AO27.8

<sup>5</sup> Day 155/192-193

<sup>3</sup> Day 155/182-185



**104.89** Manus Morrison did not give a statement in 1972.<sup>1</sup> In his written evidence to this Inquiry<sup>2</sup> he stated:

“As we drove up Bishop Street we were stopped at an army barricade at the top of Bishop Street. There were two soldiers there. One seemed to be a normal soldier. He was wearing a khaki camouflage uniform and was carrying a baton gun. I cannot remember what type of helmet he was wearing, I cannot remember if his helmet had a visor or not. The other soldier looked to me like a major as he was wearing a side arm belt with a revolver in it.

The soldiers told us to pull our vehicle in to the left hand side of the road and we did. The soldier with the baton gun told me to get out of the car. I opened the passenger car door and as I was getting out I was suddenly hit at close range with a rubber bullet to my left shoulder. At the time I was not standing straight, I was in a bent position getting out of the car and facing the soldier. He did not say anything to me he just shot me. The major went to CIV 1’s side of the car but I did not see what happened.

After I was shot in the left shoulder with the rubber bullet I spun round and ran. I was very scared. I just ran and ran. I never heard the soldiers shout to me and I cannot remember them firing any rubber bullets or any other live ammunition to stop me from running away. I do not know if they fired at me or not. I cannot remember where I was running to. I just wanted to get away.”

<sup>1</sup> Day 154/119

<sup>2</sup> AM437.2

**104.90** In his oral evidence to this Inquiry, Manus Morrison told us he believed that one of the soldiers who approached the car was an officer, possibly a Major, carrying a sidearm.<sup>1</sup> He also said that the soldier who fired at him had his rubber bullet gun “*just sitting at the top of the door*”, but that “*when I opened the door he put the rubber bullet gun down and told me to get out*”. He agreed with the soldier’s description of his age and what he was wearing, but denied that he had said that he wanted to get to work or that he had opened the door in an attempt to block the soldier. “*He told me to get out of the car and I opened the car door and he just let blow [sic] with the rubber bullet gun.*” He said that he was hit on the front of the shoulder and denied that he had been hit as he was running away. He also disagreed with the evidence that Private 135 gave us about firing into the car and knocking two people out.<sup>2</sup>

<sup>1</sup> Day 154/93

<sup>2</sup> Day 154/95-102

**104.91** In the statement that Joe Friel gave to Detective Sergeant Cudmore at Altnagelvin Hospital on 1st February 1972, he merely stated that the soldiers got the other three people out of the car and recalled a soldier getting into the driver's seat to stop it running back.<sup>1</sup> In what appears to be a NICRA statement, Joe Friel described seeing the driver being dragged out of the car and also the other two passengers being "*taken out. I heard a bang which I took to be a rubber bullet being fired.*"<sup>2</sup> There is nothing in his written statement for the Widgery Inquiry about what happened at Barrier 20.<sup>3</sup> In his oral evidence to that Inquiry he denied that the driver had got out and talked to a soldier: "*He was dragged out.*" He also denied that the driver had said anything about being late for work but that he had shouted "*There is a man in here, he is dead*".<sup>4</sup>

<sup>1</sup> AF34.11

<sup>3</sup> AF34.15

<sup>2</sup> AF34.14

<sup>4</sup> WT6.38

**104.92** In his written evidence to this Inquiry, Joe Friel stated that CIV 1 had been dragged out of the car, but said that he thought that Eugene O'Donnell had opened the back door and got out himself. He stated that he did not know whether Manus Morrison had got out himself or had been dragged out. He stated that he then heard a bang that could have been a rubber bullet or CS gas, and that a soldier jumped into the car and tried to stop it moving. His oral evidence was to the same effect.<sup>1</sup>

<sup>1</sup> AF34.3; Day 155/66-71

**104.93** We consider in more detail later in this report<sup>1</sup> the evidence of the occupants of the car carrying Gerald Donaghey, who were Raymond Rogan and Hugh Leo Young.

<sup>1</sup> Chapter 130

**104.94** Raymond Rogan told the Widgery Inquiry that he recalled seeing the driver getting out of the car in front of him at Barrier 20.<sup>1</sup> In an interview with Stephen Gargan, Raymond Rogan said that he thought that people were taken from that car; he could not say for definite but presumed that what had happened to him had happened to the occupants of the other car.<sup>2</sup>

<sup>1</sup> WT6.4

<sup>2</sup> AR24.83

**104.95** In his written statement to this Inquiry, Hugh Leo Young said that he was made to line up against a wall with three other men who, he assumed, had been taken from the other car. He told us that subsequently those three men were put in a "*Saracen*" while he and Raymond Rogan were put in a jeep and taken to Craigavon Bridge.<sup>1</sup> In his statement for the Widgery Inquiry, Hugh Leo Young said that the men who had got out of the first car told him that Joe Friel was in it.<sup>2</sup> In an interview with Jimmy McGovern, Hugh Leo Young

said that “five boys” from the car containing Joe Friel had already been captured by the Army by the time he arrived at the barrier; they were already against a wall. He said that he and Raymond Rogan were put in a jeep and that the other boys must have been taken somewhere else because he did not see them again.<sup>3</sup>

<sup>1</sup> AY1.4-5

<sup>3</sup> AY1.39-40

<sup>2</sup> AY1.9

**104.96** Two schoolgirls gave NICRA statements about what they said they saw at the barrier at Barrack Street. Perpetua O'Neill described the driver of a car jumping out and shouting to the soldiers to open the barricade as there was an injured man in the car. “*One of the soldiers approached driver of the car, held his gun in one hand and began searching the driver with the other, feeling his pockets. The man said ‘I’ve nothing on me!’ Just after he said this there was a flash from the gun in the soldiers hand, the driver of the car put his hands to his shoulder and ran away towards St. Columb’s Wells.*”<sup>1</sup> Perpetua O'Neill mentioned nothing about this incident in her written evidence to this Inquiry.<sup>2</sup>

<sup>1</sup> AO63.1

<sup>2</sup> AO63.2

**104.97** Brenda Doherty gave a rather different account. She described a car coming up Barrack Street and a young man getting out of it, saying that he had a dying man in the car and needed to go to a hospital. She said that a soldier who was standing by a “Saracen” fired a rubber bullet which struck the young man on the right shoulder. Two soldiers then came down through the barrier and opened the car door.<sup>1</sup> The Inquiry could not find this witness and we accordingly have no evidence from her apart from this NICRA statement, which does not seem consistent with what other witnesses have said.

<sup>1</sup> AO63.6

## Consideration of the Barrier 20 evidence

**104.98** The military and civilian evidence is consistent to the extent that a baton round was fired at one of the people who had arrived in the car carrying Joe Friel; and we have no doubt that this was Manus Morrison, Perpetua O'Neill being mistaken in thinking it was the driver. We reject the account given long after the event by Private 135 of firing into a car. CIV 1, Eugene O'Donnell and Manus Morrison who were in the car with Joe Friel; and Raymond Rogan and Hugh Leo Young who were in the car with Gerald Donaghey, never suggested that this had happened. CIV 1 did give a 1972 account of seeing a soldier fire into the car in front, but he too must be wrong about this. The car carrying Gerald Donaghey was behind, and there is no other evidence from either soldiers or civilians to

suggest that a baton round was fired into the car carrying the middle-aged couple, or (as CIV 1 stated) that anyone in this latter car said that there was someone shot and they had to get to hospital.

**104.99** As to what Private 135 said to us about the woman who said that she was a nurse, this may have been another false account. None of the other soldiers said anything at the time about a nurse coming forward to one of the cars. However, Sergeant AA in his RMP statement<sup>1</sup> did record that a woman among the crowd in front of the barrier said that she was a nurse and that there was a sick man in the car with the red stripe. (This would have been the car carrying Gerald Donaghey.) Sergeant AA stated that he was suspicious and so went through the barrier and approached the first car. We had the impression that Private 135 was not kindly disposed towards this Inquiry; and that he may well have said what he did to us out of a misplaced sense of bravado. We are not persuaded by his account of what he said to the woman who said she was a nurse.

<sup>1</sup> B895

**104.100** We have some hesitation in accepting the account given by Manus Morrison so long after the event. We have already observed that in our view he was mistaken in believing that people in Fahan Street West had flagged down the car in which Joe Friel was driven. His account of being shot with a rubber bullet immediately after getting out of the car and before starting to run away is not supported by the 1972 evidence of CIV 1, whose account was that Manus Morrison was running away when he was hit by a baton round, nor by that of Perpetua O'Neill, who recalled that the man was out of the car and being searched when the baton gun was fired.

**104.101** We do not find it possible to state with certainty the exact circumstances in which Manus Morrison was hit by a baton round. However, in our view this probably was at close range as he attempted to run away, though it remains possible (from Perpetua O'Neill's account) that Private 135 discharged his weapon (perhaps by accident) as he was searching Manus Morrison. However, whether or not he was running away, if the shot was fired deliberately, we do not see any justification for it. A baton gun was designed to be used to disperse rioters, not to fire at people running away.

**104.102** Civilian witnesses dispute the evidence of the soldiers that Manus Morrison initially demanded to be let through the barrier because they were late for or wanted to get to work. However, we consider it likely that he or the driver did say something like this. Several soldiers recalled it; in particular Corporal 150<sup>1</sup> who, as we observe later in this report,<sup>2</sup> struck us as a careful, honest and reliable witness.

<sup>1</sup> B1898

<sup>2</sup> Chapter 130

## What happened to CIV 1 and Eugene O'Donnell

**104.103** As we have already noted, Private 029 in his RMP statement described how he and Sergeant AA took these two civilians and put them up against a wall. This is consistent with the evidence of the civilians.<sup>1</sup> The wall was in Pitt Street, a side street which runs into Barrack Street.<sup>2</sup>

<sup>1</sup> AD23.5; AO27.3

<sup>2</sup> B1899

**104.104** CIV 1, in his Keville interview, said that he was struck on the head with the butt of a rifle, apparently while he was being taken to the wall.<sup>1</sup> He was later the same day interviewed by Detective Constable Neilly. This statement appears to record that CIV 1 told this officer that he had been hit on the head twice with the butt of a rifle, once when he was pulled out of the car and again when he was at the wall, but the statement is not entirely clear, as on one reading it appears to suggest that CIV 1 was moved from one wall to another, which is unsupported by any other evidence. There may have been some misunderstanding by the statement taker.

<sup>1</sup> AD23.5

**104.105** CIV 1 submitted a complaint form to the RUC, in which it is recorded that he had a cut to the left-hand side of the skull. There is a record from Altnagelvin Hospital that CIV 1 was admitted for observation at 12.10am on 31st January 1972, with a cut to the left side of his head which he attributed to a blow by a rifle butt.<sup>1</sup>

<sup>1</sup> D1112

**104.106** CIV 1's account of being hit over the head with a rifle butt as he was pulled out of the car is supported by the NICRA account of Eugene O'Donnell,<sup>1</sup> but there is nothing in this account to suggest that CIV 1 was hit again as they were held against the wall. Raymond Rogan and Hugh Leo Young were also held at this wall, but neither gave an account of

seeing CIV 1 hit on the head while they were there. Hugh Leo Young told us that although soldiers threatened to shoot them if they moved “*The soldiers didn’t actually do anything to us*”.<sup>2</sup>

<sup>1</sup> AD27.8

<sup>2</sup> AY1.5

**104.107** In these circumstances, while we accept that CIV 1 was hit on the head with a rifle butt as or after he was pulled from the car, we are not persuaded that he was physically assaulted again as he stood against the wall.

**104.108** No soldier has admitted hitting CIV 1 with a rifle butt. Private 135 told us that it was possible that he struck a prisoner with the butt of his rubber bullet gun but did not recall doing so.<sup>1</sup> We have already observed that we cannot accept much of what Private 135 now says. On the 1972 evidence, he was, at least at one stage, on the other side of the car. In addition to Sergeant AA and Private 029 there were other soldiers in the area. We are unable to determine which soldier struck CIV 1, but can find nothing in the evidence to justify this blow.

<sup>1</sup> Day 379/158

**104.109** There is no doubt that the civilians taken from the two cars were the subject of verbal abuse and threats as they were taken from the cars and while they were being held against the wall in Pitt Street. It is not possible to identify the soldiers who used such language, though some did agree that strong language had been used.<sup>1</sup> As we have already observed, in the context of what happened on Bloody Sunday, we consider that the use of abusive and threatening language is not of the greatest significance, and though such language cannot be condoned, we note the view expressed by Sergeant AA in the course of his oral evidence to this Inquiry:<sup>2</sup>

“Q. Do you remember there were soldiers who were there who were gloating and making comments such as ‘one stiff’s not enough’?”

A. I did not actually hear that, but I could understand that sentiment.

Q. You could understand that sentiment?

A. Absolutely.

Q. Sorry, what do you mean by that answer?

A. Because for the two years we have had people shot, killed, blown up and abused and everything, for two years, by the Bogside and the Creggan. So if a soldier now and again he gets a bit – he comes out with stuff like that, you have got to expect it, because they are only working-class guys, they are just doing it – 18, 19 years old, 20 years old, that is how it was.”

<sup>1</sup> Day 378/216-220; Day 379/154-158; Day 380/17-18

<sup>2</sup> Day 378/215

**104.110** In their closing summation, Counsel to the Inquiry provided in summary form details of the threats and abuse allegedly directed at those taken from the cars.<sup>1</sup> We see no purpose in going through them in detail in this report.

<sup>1</sup> CS6.909-910

<sup>2</sup> Chapter 130

**104.111** We should say at this stage that it seems to have been suggested that the soldiers at Barrier 20 acted callously in not permitting the cars containing the casualties to proceed immediately through the barrier to the hospital.<sup>1</sup> In our view this is not a legitimate criticism. It seems to us that the arrival of two wounded people correctly aroused the soldiers’ suspicions, which can only have been compounded both by the false reason given initially for demanding that the barrier be opened and when one of the passengers ran away. In this regard we accept the evidence given by Sergeant AA:<sup>2</sup>

“I was interested also in trying to apprehend the people in the cars because, you know, when you suddenly turn up with two people, one is shot dead and one is shot through the chest and we do not know what happened in the Bogside. I am a soldier and my job is to apprehend and to stop anybody who might be involved in a terrorist action or in any action who has been shot, and to try and apprehend it. That was what I was doing.”

<sup>1</sup> FS1.2538; FS1.2545

<sup>2</sup> Day 378/157

**104.112** As it is, the cars were stopped at Barrier 20 for some ten minutes. We explain later in this report,<sup>1</sup> when considering the question of Gerald Donaghey and the nail bombs, how we reach this timing.

<sup>1</sup> Chapter 130

**104.113** Lance Corporal 104 drove Joe Friel in the car in which the latter had arrived at Barrier 20 to the Regimental Aid Post (RAP) at Craigavon Bridge. There he was given medical attention by an Army doctor (Captain 138) and was then taken by ambulance to



Altnagelvin Hospital.<sup>1</sup> We deal below with the question of whether during his journey to the RAP Joe Friel admitted to Lance Corporal 104 that he had been in possession of a weapon when he was shot.

<sup>1</sup> AF34.14

**104.114** The four people taken from the cars and held against the wall in Pitt Street were taken to the RAP at Craigavon Bridge, arriving at about 1725 hours;<sup>1</sup> and from there to the RUC Headquarters at Victoria Barracks.<sup>2</sup>

<sup>1</sup> C1347.18

<sup>2</sup> AY1.9-10; AY1.5-6; WT6.13; Day 388/40-41; AR24.4; AR24.29; AR24.43-45; AD23.6-7; AO27.4

**104.115** According to the Arrest Report Forms prepared at Fort George these four people were arrested by Corporal 150 “*for evading arrest by security forces*”. In other arrest forms Corporal 150 recorded that he had arrested these people at the barrier from two cars, each containing a body, and had handed the four arrestees to Sergeant Vernon Carson (RUC) at the “*bridge location*”, in other words at the RAP.

**104.116** In his first RMP statement Corporal 150 described “*physically*” arresting the driver and front seat passenger, “*who were by now out of their vehicle. They did not have sufficient chance to run away from me.*”<sup>1</sup> In the context of this statement as a whole, this is clearly a reference to the vehicle carrying Joe Friel, but Corporal 150 was mistaken in believing that one of these two men was the front seat passenger, as the evidence considered above shows that this was Manus Morrison, who ran away. He recorded that he took the two men to Pitt Street and ordered them to put their hands against the wall. He stated that he then returned to the barrier which was now open, saw Lance Corporal 104 driving the vehicle through, went to the other vehicle, and then drove this forward through the barrier. After driving this car to the RAP at Craigavon Bridge, Corporal 150 stated that he returned to Barrier 20 and then escorted four persons, including those whom he said that he had arrested, to the RMP operations room.<sup>2</sup> In the arrest documents Corporal 150 recorded that he had arrested two people from the first car; that his Platoon Sergeant had handed him the occupants of the second car; and he had then arrested the the latter.

<sup>1</sup> B1899

<sup>2</sup> B1900

**104.117** In a subsequent RMP statement, Corporal 150 recorded that he recognised CIV 1 and Eugene O'Donnell as the two whom he had arrested and that he believed the other two he escorted to the RMP had come from the other car. “*They were arrested by other members of my platoon, whose names are not known to me.*”<sup>1</sup>

<sup>1</sup> B1902

**104.118** So far as CIV 1 and Eugene O'Donnell are concerned, we accept that Corporal 150 was involved in their arrest. The 1972 statement of Sergeant AA supports his account.<sup>1</sup> Although he had stated in his first RMP statement that these two had had no chance to run away from him, the same statement records that before these arrests and as he ran through the barrier towards the cars he heard someone shouting that the occupants of the cars were trying to escape.<sup>2</sup> In fact, only Manus Morrison tried to escape (and succeeded in doing so), but Corporal 150, when compiling the arrest forms, may well have relied on what he had heard when recording that the arrests were made because the persons concerned were “*evading arrest*”; and whoever shouted may have believed (mistakenly) that it was not only Manus Morrison who was trying to get away.

<sup>1</sup> B896

<sup>2</sup> B1899

**104.119** On his own account Corporal 150 did not arrest Raymond Rogan and Hugh Leo Young, and the former in his evidence to the Widgery Inquiry made this point.<sup>1</sup> However, in the arrest form relating to these two, Corporal 150 stated that he had been handed these people by his Platoon Sergeant whereupon “*I arrested them*”. In his RMP statement Sergeant AA recorded that he did not know who had arrested these people.<sup>2</sup> The 1972 evidence of Private 135 was that he told Raymond Rogan and Hugh Leo Young to get out of the car, after which he held onto the wing mirror to prevent the car rolling back while the driver and passenger were taken away to Pitt Street.<sup>3</sup> It may be that the reason Corporal 150 signed these arrest forms was because he was the soldier who had escorted them from Barrier 20. Corporal 150 was not asked about this matter when he gave evidence to this Inquiry, as his testimony was (correctly) directed to the much more important matter of what he could tell us about Gerald Donaghey. We return to his evidence in this regard later in this report.<sup>4</sup>

<sup>1</sup> AR24.29

<sup>3</sup> B1834

<sup>2</sup> B986

<sup>4</sup> Chapter 130

**104.120** Raymond Rogan told this Inquiry that they were told at the RAP that they had been arrested under the Special Powers Act.<sup>1</sup> He told the Widgery Inquiry that he was informed that he was being detained under this Act because explosives had been found in his car.<sup>2</sup>

<sup>1</sup> AR24.4

<sup>2</sup> AR24.29-30

**104.121** Raymond Rogan also told us that he and the others were searched at the RAP with a device that detected traces of explosive, and after being photographed were taken to RUC headquarters. He and the others were in a cell for some time. He there identified himself as Chairman of the local tenants' association and asked the police to contact Inspector McCullough, whom he knew. “*After about half an hour, I was released.*”<sup>1</sup>

CIV 1 and Eugene O'Donnell were also told at Victoria Barracks that they were free to go. The latter recalled that they had been in the cell for about two hours before they were released at about 10pm.<sup>2</sup> Hugh Leo Young was taken from Victoria Barracks to Ballykelly (a police holding station to the north-east of Londonderry) and released the following day, when he was told in brutal terms that his brother was one of those killed on Bloody Sunday.<sup>3</sup>

<sup>1</sup> AR24.4

<sup>3</sup> AY1.10; AY1.6

<sup>2</sup> AD23.7; AO27.4

- 104.122** In our view the soldiers at Barrier 20 cannot fairly be criticised for stopping the two vehicles containing the casualties and detaining CIV 1, Eugene O'Donnell, Raymond Rogan and Hugh Leo Young. We can find no justification for the firing of the baton round that struck Manus Morrison or the blow with a rifle butt to the head of CIV 1.

## The allegation that Joe Friel admitted that he had been armed when he was shot

- 104.123** We now turn to consider the allegation made in 1972, that on his way to hospital Joe Friel admitted to a soldier that he had been armed when he was shot, something that Joe Friel has always denied.<sup>1</sup>

<sup>1</sup> WT6.39; Day 155/72-73

- 104.124** Lance Corporal 104 (a member of 1 R ANGLIAN) was on duty at Barrier 20 when the vehicles arrived. In his RMP statement, timed at 2340 hours on 30th January 1972, he recorded that after the civilians had got out of both cars, he looked into the back of them and saw in each a person lying on the back seat.<sup>1</sup> He continued:<sup>2</sup>

"I got into the driving seat of the first car and I drove it along Barrack Street, past the road block, for about 200 metres. When I stopped, the youth who was lying on the back seat asked me to take him to Altnagelvin Hospital. I could see that he had a serious chest injury and that he appeared to be in considerable pain.

When the youth, who appeared to be quite lucid, asked me to take him to hospital, I asked him what he had been up to. He said that he had been shot, and I told him that I could see that and that he shouldn't have been playing with guns. I asked how he had been shot and he said that he had a gun and was carrying it when he walked round a corner and bumped into some soldiers, one of whom shot him. He did not say where the incident had occurred nor did he say what sort of gun he had been carrying,

but he did say that he had never done that sort of thing before and that he would not do it again. I asked him what had happened to his gun, and he said that he did not know.

At that stage, the youth again asked me to take him to hospital, and I drove him in the car to the bridge location where some medical orderlies took the youth out of the car and put him into an APC. I did not see the youth again after that.”

<sup>1</sup> B1680-1681

<sup>2</sup> B1681

- 104.125** Lance Corporal 104 gave written and oral evidence to the Widgery Inquiry. In his written statement he recorded that his Platoon Commander ordered him to move the car, which had a defective hand brake. As a result, Lance Corporal 104 drove the car through the barricade and about 40m beyond to the top of a hill.<sup>1</sup> He was then told to drive the car to Company Headquarters. He continued:<sup>2</sup>

“I pulled just round onto the main road but I could not go without an escort – it was too dangerous to do so. The injured man then asked me to take him to a hospital. I told him that I couldn’t go on my own. I asked him what he had been doing. He wouldn’t tell me outright. And then he said his wounds hurt him. I said ‘If you didn’t play with guns you wouldn’t get hurt’. He said that it was his first time and he wouldn’t do it again. I asked him how he had got his wounds. He said he just walked round the corner and that was it. He said that he had a gun, but that he had not fired it. He kept on asking to go to the hospital, and I saw a RUC policeman near and asked him to go with me to the hospital.”

<sup>1</sup> B1690

<sup>2</sup> B1690

- 104.126** Lance Corporal 104 recorded in his written statement for the Widgery Inquiry that after these conversations he did not drive to the Company Headquarters but went instead to the RAP at Craigavon Bridge.<sup>1</sup>

<sup>1</sup> B1690

- 104.127** In his oral evidence to the Widgery Inquiry, Lance Corporal 104 stated that he recognised Joe Friel, whom he had earlier seen giving his evidence, as the injured man from the car.<sup>1</sup> Lance Corporal 104 gave the following account of the conversation that they had had as they waited for an escort to go to the RAP:<sup>2</sup>

“Q. What did he say?

A. I asked him what he was doing and he said he had walked round a corner and he got shot. I said to him ‘You shouldn’t play with guns’. He said ‘I wouldn’t do it again’. Then he asked me my name and I would not tell him and he asked me to take him to hospital.

Q. Is that all that was said?

A. I think so, sir.

Q. Now did he say what he had had with him when he was wounded?

A. Yes, he said he had a gun.”

<sup>1</sup> WT17.43

<sup>2</sup> WT17.42

- 104.128** Under cross-examination by counsel representing the families, Lance Corporal 104 accepted that there were Army investigators present at Craigavon Bridge, but said that he did not tell them of Joe Friel’s confession that he had been armed.<sup>1</sup> When asked whether he had told any RUC officers, Lance Corporal 104 said that he “*may have mentioned it to the bloke on the way down*”, by which he clearly meant the escort, but he agreed that it “*could be*” that he did not tell any policemen either.<sup>2</sup> He did state, however, that he informed his Platoon Commander when he got back to his unit.<sup>3</sup>

<sup>1</sup> WT17.48-49

<sup>3</sup> WT17.49

<sup>2</sup> WT17.49

- 104.129** Lieutenant 145, who was Lance Corporal 104’s Platoon Commander, gave an RMP statement<sup>1</sup> and a written statement for the Widgery Inquiry.<sup>2</sup> There is nothing in these accounts to indicate that Lance Corporal 104 told him about Joe Friel’s alleged confession.

<sup>1</sup> B1876

<sup>2</sup> B1881

- 104.130** The police officer who accompanied Lance Corporal 104 was Constable Alexander Malone. He made a report, dated 4th February 1972, in which he referred to the journey to Craigavon Bridge but made no mention of being told that Joe Friel had confessed to

being in possession of a weapon.<sup>1</sup> Constable Malone gave written and oral evidence to this Inquiry, but stated that he could not recall any conversation that he had between leaving Barrier 20 and arriving at the RAP.<sup>2</sup>

<sup>1</sup> JM5.9

<sup>2</sup> JM5.3; Day 219/122; Day 219/131

**104.131** Lance Corporal 104 gave a written statement to this Inquiry in which he recorded that while he thought he had had a conversation with the wounded man whom he drove to Craigavon Bridge, he could no longer recall the details of it.<sup>1</sup> He also commented on his RMP evidence, stating that although he did not remember a discussion about a gun, he had *“no reason to think that the conversation in my 1972 statements is wrong”*.<sup>2</sup> He added that when he was interviewed by the RMP, *“I did not know the full extent of what had happened on that day, so I had no reason or desire to lie about Joseph Friel”*.<sup>3</sup>

<sup>1</sup> B1705.003

<sup>3</sup> B1705.004

<sup>2</sup> B1705.004

**104.132** We wished to hear the oral evidence of Lance Corporal 104, but he stopped communicating with his legal representatives, went abroad, did not respond to letters from the Inquiry and could not be traced.<sup>1</sup>

<sup>1</sup> Day 380/1-6; Day 382/131-9

**104.133** Detective Sergeant Cudmore, who interviewed Joe Friel in Altnagelvin Hospital on 1st February 1972,<sup>1</sup> prepared an internal memorandum about this interview. In this he wrote that Joe Friel was:<sup>2</sup>

“the man from whom the Army obtained a verbal admission of using/having a gun, although he would not admit same to us. Friel’s statement varies little from the Army’s version other than the admission, and I am convinced that he did admit this to the soldier. Because of his injury and location he was not pressed about this admission.”

<sup>1</sup> AF34.10

<sup>2</sup> AF34.12

**104.134** There is nothing in the statement that Joe Friel gave that evening to suggest that he was asked specifically about this admission, although in it he did deny that at any time he had any weapon or object on his person or in his hand.<sup>1</sup>

<sup>1</sup> AF34.11

**104.135** Detective Sergeant Cudmore gave a written statement to this Inquiry.<sup>1</sup> In this he commented on his memorandum. *“The report goes on to say that I was convinced that he did admit this to the soldier. I have no recollection of being convinced that what he told the soldier was correct.”* Detective Sergeant Cudmore appears to be saying that he could

not recall believing that the admission was true, rather than that he could not recall believing that the admission had been made, though it may be that he meant the latter. He did not give oral evidence to this Inquiry. Detective Constable Gillanders, who accompanied Detective Sergeant Cudmore, was unable to help on this topic in his evidence to this Inquiry.<sup>2</sup>

<sup>1</sup> JC26.10

<sup>2</sup> JG4.6

**104.136** In our view Joe Friel did not admit to Lance Corporal 104 that when wounded he was in possession of a gun. It is apparent from Lance Corporal 104's oral evidence to the Widgery Inquiry that, despite his previous statements, it took a leading question to elicit from him that Joe Friel had made this admission. Lance Corporal 104 did not say anything to the authorities at Craigavon Bridge and in our view had he said anything about an admission to Constable Malone, the latter would have written it in his report. There is material to suggest that Lance Corporal 104 was at the time regarded as an unsatisfactory witness by Detective Inspector McNeill, who attended the Widgery Inquiry hearings, and who reported to the Director of Public Prosecutions that Lance Corporal 104 "*did not come up to strength on his evidence ... regarding the alleged admission*".<sup>1</sup>

<sup>1</sup> OS1.197

**104.137** There is nothing to suggest that the police ever interviewed Joe Friel again about this alleged admission. He was neither cautioned nor arrested, and we accept his evidence to the Widgery Inquiry that he was not placed under armed guard, nor were his clothes examined by the RUC or the Army.<sup>1</sup> Thus whatever the reason for Detective Sergeant Cudmore's view, it did not result in the police taking any further action.

<sup>1</sup> WT6.35-36

## What Joe Friel was doing when he was shot

**104.138** In our view Joe Friel was unarmed when he was shot in Glenfada Park North close to the south-west exit to Abbey Park. There is no evidence that he was doing anything that could have led anyone to believe that he was posing a threat of causing death or serious injury. In our view he was simply trying to get away.

## Michael Quinn

**104.139** Michael Quinn was shot in the face when he was in Glenfada Park North.



## Biographical details and prior movements

**104.140** Michael Quinn was 17 years old at the time of Bloody Sunday and was still at school.<sup>1</sup> On 30th January 1972, he joined the civil rights march in the Creggan and subsequently made his way to Glenfada Park North.<sup>2</sup> There he was shot and received a facial wound. Michael Quinn was taken to Altnagelvin Hospital, where he was operated upon the following day. He was discharged on 10th February 1972.<sup>3</sup>

<sup>1</sup> [AQ11.19](#); [AQ11.7](#)

<sup>3</sup> [AQ11.50-51](#)

<sup>2</sup> [AQ11.19](#)

**104.141** On Bloody Sunday Michael Quinn was wearing what he described to the Widgery Inquiry as a “*rust coloured windcheater*”.<sup>1</sup> He is shown, lying on the ground after his injury, in the following photograph.<sup>2</sup> He had a white handkerchief or scarf round his neck.

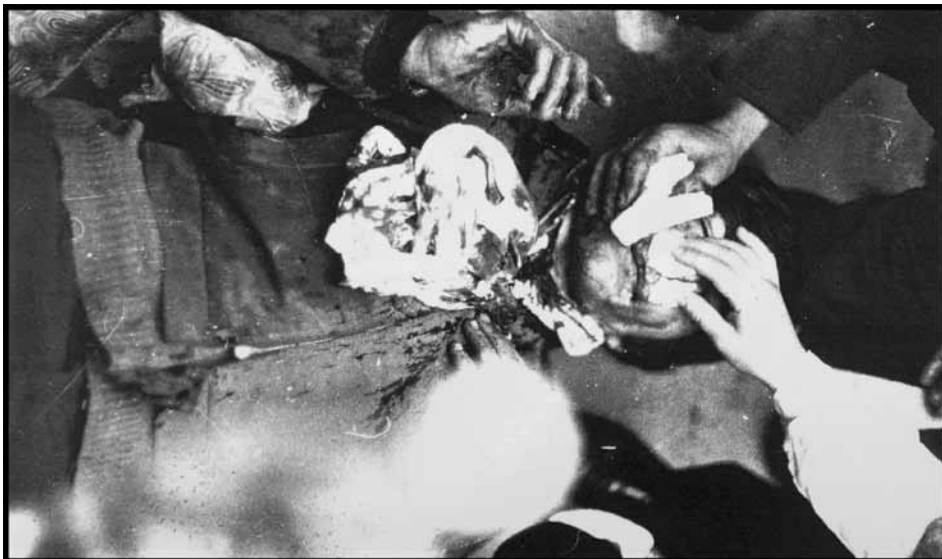
<sup>1</sup> [AQ11.9](#)



## Medical and scientific evidence

**104.142** According to his medical records, Michael Quinn received a gunshot wound to his right cheek, the entry point being just below his “*right molar*”, the bullet travelling above the roots of the upper right molar, and traversing across the face before exiting through the left side of Michael Quinn’s nose.<sup>1</sup> The injuries can be seen in the photographs reproduced above and below, which were taken on the day.

<sup>1</sup> [D917](#); [D908-941](#)





**104.143** Michael Quinn's medical records, and the accompanying X-rays, also recorded that he had "*foreign material*" in his septum and mouth. His surgeon, Mr Harvey, commented that this material "*appeared to be lead pellets*".<sup>1</sup> These were sent for examination at the Department of Industrial and Forensic Science, where Dr John Martin commented that they were "*several small spherical pieces of a brittle black non-metallic substance*", which contained "*no bullet or bullet fragment*".<sup>2</sup> Dr Shepherd and Mr O'Callaghan concluded that there was insufficient evidence to form any conclusions on the origin of this material.<sup>3</sup>

<sup>1</sup> D943; D935

<sup>3</sup> E10.9

<sup>2</sup> D944-D947

**104.144** In a report for this Inquiry, Dr Shepherd and Mr O'Callaghan presented an analysis of the damage caused to the clothes worn by Michael Quinn on Bloody Sunday.<sup>1</sup> This recorded that there was damage to the right-hand shoulder of his jacket, and they concluded that this might have been caused by the same bullet that injured Michael Quinn's face, though it was "*equally possible*" that the damage to Michael Quinn's jacket was caused by a different round from that which caused his facial injuries.<sup>2</sup> However, as will be seen below, Michael Quinn himself ascribed the damage to his jacket as caused by the same bullet that hit his face, so that we consider that the jacket damage was probably not caused by an additional bullet.

<sup>1</sup> E22.1-2

<sup>2</sup> E22.1-2

## Where and when Michael Quinn was shot

### Accounts given by Michael Quinn

**104.145** Michael Quinn gave a number of accounts in 1972:

- a) An interview with Detective Sergeant Cudmore on 7th February 1972.<sup>1</sup>
- b) A statement taken by his solicitor dated 17th February 1972.<sup>2</sup>
- c) Written and oral evidence to the Widgery Inquiry.<sup>3</sup>
- d) An interview with the *Sunday Times* journalists Peter Pringle and Philip Jacobson, the notes of which are dated 1st March 1972.<sup>4</sup>

<sup>1</sup> [AQ11.47-48](#)

<sup>3</sup> [AQ11.7-9](#); [AQ11.63-65](#); [WT7.71-76](#)

<sup>2</sup> [AQ11.17-18](#)

<sup>4</sup> [AQ11.10-16](#)

**104.146** In addition, Michael Quinn gave an interview to Don Mullan in August 1998,<sup>1</sup> and gave written and oral evidence to this Inquiry.<sup>2</sup>

<sup>1</sup> [AQ11.80-87](#)

<sup>2</sup> [AQ11.19-79](#); [Day 169/50-147](#)

**104.147** Detective Sergeant Cudmore recorded in a note of his interview that Michael Quinn declined at that stage to make a statement to the police, and inferred that this was because Michael Quinn did not want to admit to having been on the march.<sup>1</sup> Michael Quinn did, however, answer a number of questions, although not the one relating to what he was doing in the area at the time. In his responses he said that he had been injured by a gunshot on 30th January and that it had happened when he was running to get out of Glenfada Park. He added that he was shot from behind, and that the bullet “*pierced my jacket at the right shoulder and grazed my face*”.<sup>2</sup> Michael Quinn also agreed that his hospital records could be released.

<sup>1</sup> [AQ11.47](#)

<sup>2</sup> [AQ11.48](#)

**104.148** In the statement taken by his solicitor,<sup>1</sup> Michael Quinn described sheltering at the back wall of McLaughlin’s Hardware Store from the gas he thought was being fired by the Army from the direction of Little James Street into the Rossville Street area. He stated that some “*Saracen*” armoured cars then passed by him and travelled “*over*” Rossville Street and he started to run across the waste ground towards the front of the Rossville Flats. He climbed over the rubble barricade and as he did so he heard what he took to be shots

fired by the Army. He then joined a small crowd of people standing at the gable wall of Glenfada Park, but after a short while went around into the small car park “*at the rear of*” Glenfada Park, where he remained for some minutes.<sup>2</sup>

<sup>1</sup> [AQ11.17-18](#)

<sup>2</sup> [AQ11.17](#)

**104.149** Michael Quinn stated that while he was there the shooting began again and he saw a man of about 19 or 20 “*who was shot in the right leg at the entrance to the small alleyway which leads from the carpark into Abbey Park*”.<sup>1</sup> None of those known to have been injured in Glenfada Park North was shot in the leg, and hence Michael Quinn’s evidence on this point might relate to an unknown casualty. This matter is discussed further elsewhere in this report.<sup>2</sup>

<sup>1</sup> [AQ11.17](#)

<sup>2</sup> [Chapter 110](#)

**104.150** Michael Quinn continued in this statement by recording that the shooting then stopped.<sup>1</sup> He stated that “*The place was fairly crowded with people*” and that he remained there for another couple of minutes, but the shooting then resumed “*and the people who were standing at the gable wall at Glenfada Park/Rossville Street, rushed into the carpark at Glenfada Park where I was standing*”.<sup>2</sup> Michael Quinn continued:<sup>3</sup>

“The shooting ceased again after some seconds during which it appeared to me that a large number of rounds had been fired. Just then a small crowd of people carrying the body of a man, who was wearing a blue anorak, crossed the carpark and went into the back of one of the houses at Glenfada Park. After some hesitation, I decided to get out of Glenfada Park. I ran across towards the alleyway leading into Abbey Park and as I was nearing this entrance I felt myself being struck on the right cheek by a bullet. I stumbled but got up and ran on through the alleyway. As I was passing through I noticed the man who I had seen being shot earlier lying in the shadows of a nook in the alleyway. When I reached Abbey Park, someone grabbed me by the arm and we kept on running through Abbey Park and across the old Bogside towards Lisfannon Park.”

<sup>1</sup> [AQ11.17](#)

<sup>3</sup> [AQ11.18](#)

<sup>2</sup> [AQ11.18](#)

**104.151** Michael Quinn then described how he was given first aid from Order of Malta Ambulance Corps volunteers in Blucher Street, after which he was taken by car to the first aid post at St Mary’s School in the Creggan, and from there by car to Altnagelvin Hospital. He said that he had not been armed at any stage with a gun, nail bomb, petrol bomb, stone or any other implement.<sup>1</sup>

<sup>1</sup> [AQ11.18](#)

**104.152** Michael Quinn's written statement for the Widgery Inquiry<sup>1</sup> was in the same terms as that taken by his solicitor, though at the end he added that the coat he was wearing had been cut on the shoulder by the bullet that hit his cheek.<sup>2</sup> He also stated that "*From the direction I was running the shot must have come from the opposite corner of Glenfada Park*".<sup>3</sup> He subsequently produced this coat (a rust coloured windcheater) and in a further short statement agreed that it could be tested "*for signs of it having recently been in contact with weapons of any kind*".<sup>4</sup> There is no evidence to suggest that any such tests were ever conducted.

<sup>1</sup> [AQ11.60-61](#)

<sup>3</sup> [AQ11.61](#)

<sup>2</sup> [AQ11.61](#)

<sup>4</sup> [AQ11.62](#)

**104.153** In his oral evidence to the Widgery Inquiry, and in contrast to his written statement, Michael Quinn said that he had no idea of the source of the shot that struck him.<sup>1</sup> He also stated that he did not hear any ricochet before he was hit.<sup>2</sup> He told the Widgery Inquiry that the young man he saw shot in the leg was not Joe Friel, whom he knew, and that this person had no weapon of any sort on him.<sup>3</sup> Again, we return to consider this part of Michael Quinn's evidence later in this report.<sup>4</sup>

<sup>1</sup> [WT7.73](#)

<sup>3</sup> [AQ11.60](#); [WT7.71-74](#)

<sup>2</sup> [WT7.75](#)

<sup>4</sup> [Chapter 110](#)

**104.154** According to the *Sunday Times* notes of an interview with Michael Quinn,<sup>1</sup> he had joined the march at Bishop's Field. He described the scene at Barrier 14 and said that he had met a friend in Chamberlain Street. He then gave an account in similar terms to his earlier statements, though when he came to describe what happened in Glenfada Park North the journalists made the comment "*from here his recollection of sequence of events becomes confused, but he is clear about what he saw*".<sup>2</sup>

<sup>1</sup> [AQ11.10](#)

<sup>2</sup> [AQ11.11](#)

**104.155** At the end of these notes the journalists recorded that Michael Quinn had given them certain information about paramilitary activity that he had observed in Glenfada Park North.<sup>1</sup> This is a matter to which we return later in this report.<sup>2</sup>

<sup>1</sup> [AQ11.12](#)

<sup>2</sup> [Chapter 111](#)

**104.156** The material from the *Sunday Times* also includes a memorandum dealing with Michael Quinn.<sup>1</sup> This contains an account of Michael Quinn's movements in Glenfada Park North, but adds a detail that did not appear in any of his earlier statements, namely that: "*he stumbled and just beside him james wray (who he now recognises from the pix) fell beside him and hit his head of the kerb of the footpath. but quinn regained his balance and staggered through the passage into abbey park.*"<sup>2</sup> It is not clear how the journalist



came to include this detail about Jim Wray, but from the reference to Michael Quinn recognising him “*from the pix*” it is reasonable to infer that at some stage this was information that he gave to the journalists.

<sup>1</sup> [AQ11.13-14](#)

<sup>2</sup> [AQ11.13](#)

**104.157** The interview conducted by Don Mullan in 1998<sup>1</sup> added nothing material to the accounts that Michael Quinn had given in 1972.

<sup>1</sup> [AQ11.80-87](#)

**104.158** In his written evidence to this Inquiry,<sup>1</sup> Michael Quinn described how he had been drenched by the water cannon in William Street.<sup>2</sup> He also recalled that a man he later learned was Jim Wray told him to take one end of the civil rights banner and go with him onto the waste ground north of William Street, which he did for about two minutes.<sup>3</sup> Michael Quinn then gave a similar description to his 1972 accounts of how he moved over the rubble barricade and then decided to take shelter in Glenfada Park North.<sup>4</sup> At this stage he gave a description of what appeared to be paramilitary activity, and of the man he saw fall in the south-west corner,<sup>5</sup> matters to which we return later in this report.<sup>6</sup>

<sup>1</sup> [AQ11.19-79](#)

<sup>4</sup> [AQ11.20-22](#)

<sup>2</sup> [AQ11.19-20](#)

<sup>5</sup> [AQ11.22-23](#)

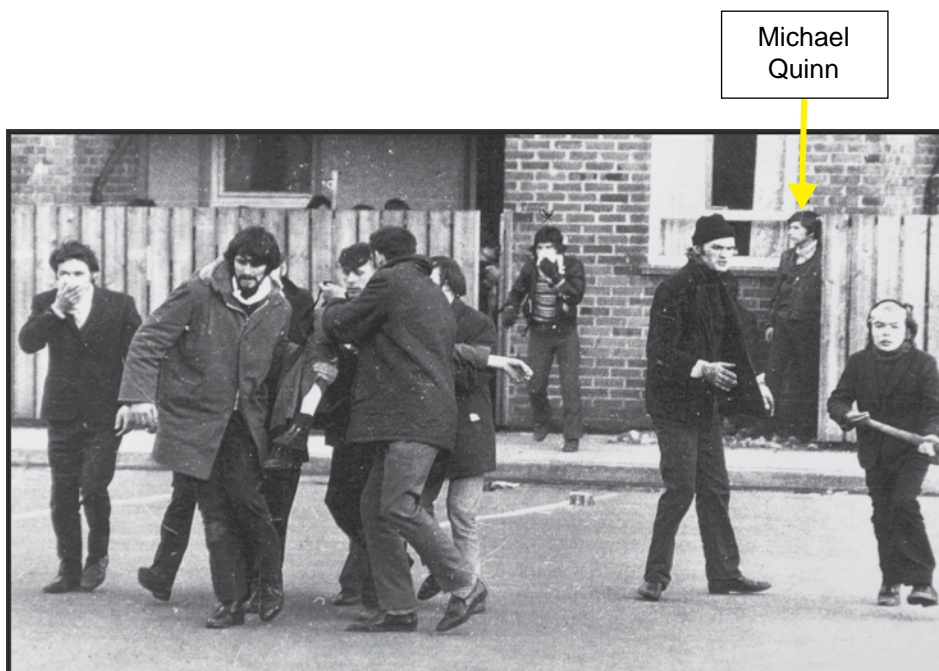
<sup>3</sup> [AQ11.20](#)

<sup>6</sup> [Chapter 111](#)

**104.159** Michael Quinn identified himself standing next to a fence on the eastern side of Glenfada Park North in the photograph below, which also shows the group carrying Michael Kelly across the car park.

<sup>1</sup> [AQ11.25-26](#)





**104.160** He recorded in his written statement to this Inquiry that as those carrying Michael Kelly made their way towards the south-west corner, a crowd surged into Glenfada Park and he heard someone shout that the Army were coming in.<sup>1</sup> Michael Quinn decided to run for Abbey Park, and stated that he was not conscious of people around him as he did so.<sup>2</sup> He continued:<sup>3</sup>

“I must have been quite close to the exit in the southwest corner of Glenfada Park when I was shot in the face. I recall a raised footpath and then I felt a very hard thump in the face ... I had been running bent over and did not look back at all ... I do not recall hearing the shot that hit me and I did not at any stage as I was running look back and see any soldiers.”

<sup>1</sup> [AQ11.23](#)

<sup>3</sup> [AQ11.23](#)

<sup>2</sup> [AQ11.23](#)

**104.161** In his oral evidence to this Inquiry, he clarified that he had not reached the raised footpath by the time he was shot.<sup>1</sup>

<sup>1</sup> [Day 169/88](#)

**104.162** Michael Quinn also stated that he recalled that as he stumbled after being shot, he saw a man's head hitting the ground just in front of him. He recognised the man as the person who had held the NICRA banner with him and one of those who had been around the group carrying the body in Glenfada Park North.<sup>1</sup> Michael Quinn told us that he came to believe that this was Jim Wray, and we are satisfied that this identification is correct.

<sup>1</sup> AQ11.24

## What Michael Quinn was doing when he was shot

**104.163** As will have been seen, Michael Quinn has given consistent accounts of the circumstances in which he came to be shot on Bloody Sunday. In our view we can place reliance on those accounts. In summary, we accept that he was running for the alleyway into Abbey Park when he was shot in the face by a bullet that had probably first gone through the right shoulder of his windcheater; that he did not see who fired the bullet that hit him; that he saw Jim Wray fall; and that he then staggered on through the alleyway into Abbey Park. We are sure that Michael Quinn was not armed with any weapon on Bloody Sunday, nor behaving in a way that could lead anyone to believe that he was posing a threat of causing death or serious injury.

## What happened to Michael Quinn after he was shot

**104.164** Throughout his evidence Michael Quinn stated that after he was shot he stumbled but managed to run through the alleyway into Abbey Park.<sup>1</sup> He told this Inquiry that once there he was helped first by a man whom he did not know, and then by two school friends, Bernard McAnaney and Gerry Roddy.<sup>2</sup> His 1972 evidence was to similar effect.<sup>3</sup> Michael Quinn was taken to Blucher Street (mistakenly transcribed as Butcher Street in some of his 1972 evidence), where he was treated by members of the Order of Malta Ambulance Corps, as is shown in several photographs taken at this time.<sup>4</sup> He was driven by car to a first aid post at St Mary's School in the Creggan, and then by ambulance to Altnagelvin Hospital.<sup>5</sup> We accept Michael Quinn's account of what he did and what happened to him after he was shot. We are also satisfied that Brendan Deehan assisted Michael Quinn by finding a car in which he could be taken to hospital and that Charles McLaughlin went with Michael Quinn in the car to the first aid post.<sup>6</sup>

<sup>1</sup> WT7.73; AQ11.8; AQ11.11-12; AQ11.13; AQ11.18; AQ11.24

<sup>2</sup> AQ11.24; Day 169/91-97

<sup>3</sup> AQ11.8; WT7.73; AQ11.11-12; AQ11.18

<sup>4</sup> WT7.73; AQ11.8; AQ11.12; AQ11.18; AQ11.24; AQ11.86-87; CS6.286

<sup>5</sup> AQ11.8; AQ11.18; AQ11.24-25; AD20.11; Day 155/164-166; AM321.4-5; Day 177/90-92; ED50.4

<sup>6</sup> AD20.11; AM321.4-5

# Daniel Gillespie

## Biographical details

**104.165** Daniel Gillespie was 32 at the time of Bloody Sunday.<sup>1</sup> He was an unemployed steel erector.<sup>2</sup> He joined the civil rights march in William Street and subsequently made his way to Barrier 14.<sup>3</sup> His later movements and the nature and extent of the wound that he received that day are discussed in detail below.

<sup>1</sup> AG34.6

<sup>3</sup> AG34.6; AG34.18

<sup>2</sup> AG34.23; AG34.18

## Medical evidence

**104.166** There are no contemporary medical records relating to Daniel Gillespie. However, Dr Domhnall MacDermott told this Inquiry that he recalled treating “a boy”, whose name he did not know, for a minor head wound in a house somewhere in the general area of Lisfannon Park, Abbey Park and Glenfada Park, or possibly in Francis Street.<sup>1</sup> Dr MacDermott recalled that this casualty, who he thought might have been in his early twenties,<sup>2</sup> told him that he “*had been peeping around a wall and that he had seen a brick in the wall splinter when hit by a bullet and he assumed that a splinter of brick had hit him on the forehead*”.<sup>3</sup> In his written statement to this Inquiry, Dr MacDermott recorded that he saw that his patient’s forehead had actually been grazed by a bullet.<sup>4</sup> However, in his oral evidence, Dr MacDermott appeared to suggest that a fragment of masonry had injured the casualty.<sup>5</sup> In any event, the wound was very small and Dr MacDermott was able to treat it, after cleaning, by using two strips of Elastoplast.<sup>6</sup> Dr MacDermott did not give any evidence in 1972 of this incident, and understandably his recollections so many years later are not entirely clear.

<sup>1</sup> AM5.5

<sup>4</sup> AM5.5

<sup>2</sup> Day 176/186

<sup>5</sup> Day 176/184-186; Day 176/207-208

<sup>3</sup> AM5.5

<sup>6</sup> AM5.5

## Where, when and how Daniel Gillespie was wounded

### Accounts given by Daniel Gillespie

**104.167** Daniel Gillespie did not make any statement in 1972, although he did speak to the *Sunday Times* Insight Team.<sup>1</sup> He was interviewed by the television production company Praxis Films Ltd in the early 1990s,<sup>2</sup> and by Paul Mahon<sup>3</sup> and Don Mullan<sup>4</sup> in 1998.

<sup>1</sup> AG34.17

<sup>3</sup> X4.11.1-49

<sup>2</sup> AG34.18

<sup>4</sup> AG34.23-32

**104.168** Daniel Gillespie gave written and oral evidence to this Inquiry.<sup>1</sup> In his written statement he told us that he was in Rossville Street when the Army vehicles came in.<sup>2</sup> He told us that he recalled that he ran south, over the rubble barricade and into Glenfada Park North, where he saw the group of people carrying Michael Kelly.<sup>3</sup> He said that he had no recollection of Michael Kelly being put down as he was carried across the car park and into Abbey Park.<sup>4</sup> Daniel Gillespie said that he followed the group into Abbey Park and then returned to Glenfada Park North, at a time when there were not a lot of people in the alleyway, so that he easily got through and back again.<sup>5</sup> He told us that after moving to the centre of the courtyard, he turned back and saw a group of boys coming through the south-west alleyway carrying broken flagstones that he assumed they intended to throw at the soldiers; and that he told the boys that live rounds had been fired and that they should go to a safe place.<sup>6</sup> He stated that he turned towards Rossville Street and at that point noticed a paratrooper standing at the north-east corner of Glenfada Park North; and that the paratrooper had his gun at his shoulder and was pointing it at him.<sup>7</sup>

<sup>1</sup> AG34.6-11; Day 158/16-88; Day 159/162-168

<sup>5</sup> Day 158/61-62; AG34.8

<sup>2</sup> AG34.7-8

<sup>6</sup> AG34.8

<sup>3</sup> AG34.7

<sup>7</sup> AG34.8-9

<sup>4</sup> Day 158/66-67

**104.169** Daniel Gillespie stated in his written evidence that he started to run towards the entrance to Rossville Street, but as did so he heard a sharp “*crack*” and realised that he had been hit.<sup>1</sup> His oral evidence was that he did not in fact run before he was shot, but was standing facing the soldier.<sup>2</sup> He told us that he recalled that he fell forwards suffering from a head wound; and that on regaining his senses he saw that two of the boys he had spoken to had come to his aid. As they lifted him up there was another shot from the soldier at the northern end of Glenfada Park and the taller of the two boys groaned, apparently shot.<sup>3</sup> In his oral evidence to this Inquiry, Daniel Gillespie said that he heard this shot, but he could not be sure that he saw it.<sup>4</sup> His account was that this boy fell on him and pushed him back onto the ground.<sup>5</sup> Daniel Gillespie stated that he pushed the

now still boy from his legs, got up and ran into Abbey Park and on to the Credit Union building.<sup>6</sup> There he met Joe Moran and Michael Canavan.<sup>7</sup> They assisted him back to his house in the area of Lisfannon Park, where he found his wife.<sup>8</sup> Daniel Gillespie told us that he subsequently went to Vinny Coyle's house for medical treatment and that there a doctor and an Order of Malta Ambulance Corps member shaved his head so that the wound could be cleaned.<sup>9</sup> He stated that he did not go to hospital, as he was frightened of being arrested if he did so.<sup>10</sup>

<sup>1</sup> AG34.9

<sup>2</sup> Day 158/46

<sup>3</sup> AG34.9

<sup>4</sup> Day 158/50-52

<sup>5</sup> AG34.9

<sup>6</sup> AG34.9

<sup>7</sup> AG34.9

<sup>8</sup> AG34.9

<sup>9</sup> AG34.9-10

<sup>10</sup> AG34.10

**104.170** Peter Pringle of the *Sunday Times* Insight Team told this Inquiry that he assumed that he had interviewed Daniel Gillespie.<sup>1</sup> Having seen his handwritten notes<sup>2</sup> and a typed memorandum under his initials dated 6th April,<sup>3</sup> we are satisfied that he did so. The memorandum recorded the following:<sup>4</sup>

“danny gillespie, 31, ... was shot in glenfada park a few feet from the alley way leading into abbey park. it may have been the same fusilade which hit friel. it was the first time soldiers had been seen in the park. he saw the soldier come into the opening in the nor'east corner. the one in front had a sterling and then there were two with slrs. one of these went down on one knee and fired two or three shots. he felt a bang on his head and started to bleed profusely. he carried on running a few steps and then stumbled in the alley way itself. he was not treated by any k.o.m. [Knight of Malta]. he went home and sprinkled antiseptic powder on it. was seen at the cable st. corner by canavan and others. there is no more than a small scratch on his head.”

<sup>1</sup> Day 190/37-38

<sup>2</sup> M68.149-150; Day 190/38-39

<sup>3</sup> AG34.17

<sup>4</sup> AG34.17

**104.171** During his evidence to this Inquiry, Daniel Gillespie was asked about Peter Pringle's note.<sup>1</sup> Daniel Gillespie said that he had not made a statement to anyone;<sup>2</sup> that it was not possible that he was shot further over towards the alleyway leading into Abbey Park;<sup>3</sup> that he was never conscious of a soldier with a Sterling gun;<sup>4</sup> but that he did recall stumbling in the south-west alleyway.<sup>5</sup>

<sup>1</sup> AG34.17

<sup>2</sup> Day 158/55-56

<sup>3</sup> Day 158/55

<sup>4</sup> Day 158/56

<sup>5</sup> Day 158/56

- 104.172** We are satisfied that the *Sunday Times* Insight Team did interview Daniel Gillespie and accurately recorded what he had told them.
- 104.173** In the early 1990s Daniel Gillespie gave an interview to Praxis Films Ltd.<sup>1</sup> According to the Praxis notes he had seen the soldiers get out of their vehicles in Rossville Street and had then moved past Glenfada Park North into Abbey Park. There he met three other men who were “*throwing stones at the soldiers*”. He moved with them back into Glenfada Park. As they ran in, the three men with him were ready to throw stones. As they entered the park, Daniel Gillespie saw a soldier at the “*other end*” of the courtyard. Daniel Gillespie was “*just running*” when this soldier shot him, the bullet hitting his head after coming off a wall. He was knocked unconscious, and when he awoke another man was lying across him. He was disoriented, but raised himself and stood against a wall for support. He noticed that two other men had been shot – one to his right, and one further away who was trying to raise himself. Two men then came to Daniel Gillespie and helped him away and then to his home.
- <sup>1</sup> [AG34.18](#)
- 104.174** Daniel Gillespie told us that he remembered being interviewed by Praxis Films Ltd. He said, however, that he had not re-entered Glenfada Park North with youths carrying stones and he did not recollect the bullet that hit him first hitting a wall. He said he had not steadied himself against a wall after being shot, and that he had not noticed two other people near him who had also been shot.<sup>1</sup>
- <sup>1</sup> [Day 159/163-166](#)
- 104.175** We accept the evidence of Tony Stark of the Praxis team, that he recorded what Daniel Gillespie had told him.<sup>1</sup>
- <sup>1</sup> [Day 234/156](#)
- 104.176** Don Mullan interviewed Daniel Gillespie in August 1998.<sup>1</sup> Daniel Gillespie gave a similar, although less detailed account to the one contained in his written statement to this Inquiry.
- <sup>1</sup> [AG34.23-32](#)
- 104.177** Paul Mahon also interviewed Daniel Gillespie, but we have found nothing of assistance in this interview.<sup>1</sup>
- <sup>1</sup> [X4.11.1-49](#)

## Accounts given by other witnesses

- 104.178** The *Sunday Times* archive also contained what appears to be the transcript of an interview with Michael Canavan, the civil rights activist whom Daniel Gillespie recalled seeing shortly after he had been shot.<sup>1</sup> According to this document, Michael Canavan and two companions were at the top of the Old Bog Road (Fahan Street West), close to the Credit Union building when:<sup>2</sup>

“... this fellow rounded the corner with blood all over his face. And I recognised him. He was Daniel Gillespie and he lives beside Vinny Coyle. I had met him for the first time the previous day. I said ‘Daniel, what’s happening down there?’ And he said ‘There’s something terrible happening down there. Myself and three others were going round a corner and we met a soldier with a sten gun and he opened fire.’ And he said: ‘I dont know how I got up here.’ Then he said ‘Look at my head’. His head was split a short distance and blood was pouring out of it. And he said ‘Thats what you and your bloody well civil rights march get us, today.’ And I said ‘Well, I’m nothing to do with this. I’m only taking part in it like you.’ ‘But come on, let’s get you into the nearest house and well get it cleaned up and see how badly you’re wounded.’ So we went to the nearest house and the people just opened the door for us, and in a couple of minutes it was obvious that he had just been grazed by a bullet. And I said what happened to the other three boys? And he said I dont know I blacked out completely and I’ve forgotten what happened between then and the time I got up here.’ But he said ‘I think they were shot’. He had run up round from Abbey Park. He was off home round the corner after that, he was all right.”

<sup>1</sup> [KC4.1-8](#)

<sup>2</sup> [KC4.5](#)

- 104.179** Later in this interview Michael Canavan said that Joe Moran was one of the people with him.<sup>1</sup> As noted above, Daniel Gillespie has said that he did meet and was assisted by Michael Canavan and Joe Moran near the Credit Union building. Joe Moran is dead and Michael Canavan was too ill to give evidence to this Inquiry.

<sup>1</sup> [KC4.5](#)

- 104.180** Anthony Martin was 34 at the time of Bloody Sunday. In an article in the *Irish Times* dated 1st February 1972, the journalist Dick Grogan reported that Anthony Martin had said at a press conference that Daniel Gillespie received a scalp wound from a bullet from a low velocity weapon like a Sterling, when they were going to the aid of wounded people.<sup>1</sup>

<sup>1</sup> [L115](#); [Day 176/126](#)



**104.181** Anthony Martin also gave a NICRA statement<sup>1</sup> and was interviewed by Peter Pringle of the *Sunday Times* Insight Team, whose notes of the interview are dated 29th March 1972.<sup>2</sup>

<sup>1</sup> AM24.1

<sup>2</sup> AM24.3

**104.182** In his NICRA statement Anthony Martin described (among other things) going from what appears to have been the area of Lisfannon Park to Abbey Park after men on the north side of Fahan Street West had shouted for help to take the wounded into cover. In this he recorded:<sup>1</sup>

“We went to where the bodies were lying. There were four bodies. On reaching the nearest body, we lifted it and began to carry it to the cover of houses but gun-fire was directed upon us. We had to lower the body to the ground and squatted for cover. I could tell that these shots were low-velocity because they did not make the same noise as a high-velocity bullet on striking the wall.”

<sup>1</sup> AM24.2

**104.183** He made no mention of Daniel Gillespie in this statement.

**104.184** However, in Peter Pringle’s interview notes, Anthony Martin is recorded as saying that he went into the alleyway between Abbey Park and Glenfada Park and found a man lying there who he afterwards discovered was William McKinney. He said they picked this man up and took him to 7 Abbey Park. He then said that they went back to get a body that:<sup>1</sup>

“... was lying on the little ramps on the edge of the pavement in glenfada park. as we went into the alleyway some others were carrying the body of joseph mahon (who was only injured) out of the park. there were soldiers in the park at the time and as we left the cover of the alleyway to get wray’s body we were fired on and the two bullets smacked into the wall ... just after the two shots had been fired the guy who was next to me held his head and blood started pouring out of a scalp wound right on the crown of his head. i know now that his name is gillespi [sic]. i said to him, fuck your head wound lets get this body in. we managed to get it out of the park and took it into the first house (No. 8) on the corner of abbey park.”

<sup>1</sup> AM24.5

**104.185** In his evidence to this Inquiry, Anthony Martin gave various accounts of this incident. In his written evidence he suggested that the shots were fired at his group as they picked up the first casualty, William McKinney.<sup>1</sup> However, during his oral evidence he told us that

he recalled that William McKinney had already been moved by that stage, and that the shots were fired when they were attending to Joe Mahon.<sup>2</sup> He later accepted that he could be wrong on this matter. In response to what was in his NICRA statement, which recorded that he removed only one body from the area, he said that he had no control over the statement after it had been written down in longhand and read back to him, and seemed to us to be doubting its accuracy in its typed-up form.<sup>3</sup>

<sup>1</sup> [AM24.12](#)

<sup>3</sup> [Day 176/97-98](#)

<sup>2</sup> [Day 176/84-86](#)

**104.186** Anthony Martin identified himself as one of the men carrying the body of William McKinney, as shown in the photograph below.<sup>1</sup>

<sup>1</sup> [AM24.12](#); [AM24.15](#)



**104.187** Another photograph shows Joe Mahon being carried from Glenfada Park by two people – almost certainly Leo Day and Eddie Shiels. It is possible that Anthony Martin took over from one of these men, but there is no positive evidence from the film footage of the following moments that this was the case.<sup>1</sup>

<sup>1</sup> [Vid 19 03.47](#)

**104.188** Anthony Martin told this Inquiry that a soldier who had a pistol fired the shots. However, he was equivocal as to whether he actually saw this weapon, or assumed that it was a pistol either from the sound, or because only a limited amount of masonry was dislodged

from the wall that it struck, or because he saw a soldier in a kneeling position without a rifle.<sup>1</sup> He identified the general area where he said the bullets had struck (as shown in the photograph below).<sup>2</sup>

<sup>1</sup> AM24.12; Day 176/86-87; Day 176/111-112;  
Day 176/126-128

<sup>2</sup> AM24.29; Day 176/95



**104.189** Anthony Martin again referred to a man who he later learned was called Gillespie being hit on the head.<sup>1</sup> He said that he believed that he and Gillespie carried William McKinney into Abbey Park, and that he then returned to help with moving Joe Mahon and Jim Wray. He also said that he had the vague impression that a fourth body might have been present, possibly on the western side of the courtyard.<sup>2</sup>

<sup>1</sup> AM24.12; Day 176/88

<sup>2</sup> AM24.12; Day 176/85; Day 176/129-130; AM24.31

**104.190** Daniel Gillespie stated to this Inquiry that Anthony Martin's accounts did not accurately reflect the incident in which he was injured, and that he (Daniel Gillespie) did not help in assisting the Glenfada Park casualties.<sup>1</sup>

<sup>1</sup> Day 158/77-80

**104.191** There are a number of other problems with Anthony Martin's accounts.

**104.192** As already noted, there is no mention of the injury to Daniel Gillespie in Anthony Martin's NICRA statement.

**104.193** The photographic evidence of the movement of Jim Wray and William McKinney established that they were moved at the same time, and that this was after Joe Mahon had been carried from Glenfada Park. Anthony Martin's evidence to the *Sunday Times* and to this Inquiry is inconsistent with this sequence, whereas his NICRA statement (in which there is no reference to Daniel Gillespie) is compatible.

**104.194** There is no other evidence that any soldier fired a pistol in Glenfada Park North. In our view no soldier did fire a pistol in that area.

**104.195** Daniel Gillespie does not appear to be shown in any of the relevant photographs or films carrying any of the Glenfada Park North casualties.<sup>1</sup>

<sup>1</sup> [Paragraphs 108.103–115](#)

**104.196** Most significantly, none of the other witnesses who have stated categorically that they helped to remove the casualties from Glenfada Park North have given evidence of a man being shot in the head as they did so. Most, or all, of the following people must either have missed this incident or have failed to recall it or to record it in any of their evidence if Anthony Martin is correct: Eibhlin Lafferty, Mary Lewis, Sean McDermott, Nell McCafferty, James McDaid, Patrick Kelly, John McLaughlin, Eddie Shiels, Greg Doherty, Thomas Heaney, Daniel McLaughlin, Susan Coyle, Leo Day and Don Campbell.<sup>1</sup> Daniel Gillespie would also have moved into Abbey Park without being caught on the photographs of Trevor McBride or the cine film taken by Michael Rodgers. In our view, had Daniel Gillespie been injured at this stage one or more of these witnesses would have been bound to see him. We return to the removal of the casualties from Glenfada Park North later in this report.<sup>2</sup>

<sup>1</sup> [AM17.1](#); [AL10.1](#); [AM188.1](#); [M54.1](#); [AM166.1](#); [AK21.1](#); [AM500.1](#); [AS16.1](#); [AD66.1](#); [AH56.1](#); [AM325.1](#); [AC86.1](#); [AD13.1](#); [AC8.1](#)

<sup>2</sup> [Chapter 108](#)

**104.197** In these circumstances it seems to us that it would be unwise to rely on Anthony Martin's accounts of how Daniel Gillespie came to be injured.

**104.198** At the same time we cannot accept what Daniel Gillespie told us or what he told Praxis Films Ltd, since it is inconsistent with a substantial body of evidence<sup>1</sup> as to what happened when the soldiers came into Glenfada Park North and first opened fire, as well as with what he told Peter Pringle of the *Sunday Times*. As to the account in the *Sunday Times*, this could be closer to the truth, though it is not wholly consistent with what Michael Canavan told the *Sunday Times* journalists; and both these accounts refer to a soldier with a Sten gun or a Sterling gun, which again is unsupported by any convincing evidence.

<sup>1</sup> [Chapters 92, 97, 101 and 102](#)

**104.199** As will have been seen from the foregoing, on his own account to us, Daniel Gillespie was the first, or one of the first, to be shot, when he was in the centre of Glenfada Park North. According to Anthony Martin he was the last to be shot when close to the south-west corner. Daniel Gillespie's account to Praxis was that he was hit by a bullet coming off a wall after he had gone from Abbey Park into Glenfada Park North with three stone-throwers. According to Michael Canavan, Daniel Gillespie told him that he had been going round a corner with three others when they met a soldier with a Sten gun who opened fire. He told the *Sunday Times* that he was close to the south-west alleyway when one of three soldiers shot him.

**104.200** It is also unclear whether, assuming Army gunfire caused his injury, Daniel Gillespie was hit directly by a bullet, by a bullet that had ricocheted off a wall or by a splinter of brick from a bullet hitting a wall. The last of these possibilities is supported only by the oral evidence of Dr MacDermott given long after the event and is inconsistent with 1972 evidence.

**104.201** The one thread that does seem to run through all accounts (save that of Michael Canavan who does not say anything about where Daniel Gillespie was when he was injured) is that Daniel Gillespie was injured in Glenfada Park North as the result of Army gunfire. The only circumstances that could fit with the other evidence of what happened there is that Daniel Gillespie did receive a slight head injury when the soldiers first opened fire and then made his own way from the scene, meeting Michael Canavan a little later. Whether this is what happened, though, remains very much in doubt, and can only be categorised as a possibility. It is also in doubt whether, if the injury was the result of a gunshot, Daniel Gillespie was hit directly by a bullet or by a ricochet of a bullet that had struck the wall, or indeed (though this is unsupported by any 1972 evidence) by a splinter of brick from a shot hitting a wall.



**104.202** We should record at this point that we have considered the NICRA statement of James McDonald,<sup>1</sup> the evidence of Michael McGinley,<sup>2</sup> that of Bernard Gillespie<sup>3</sup> and the account John Carr gave to Paul Mahon.<sup>4</sup> In our view this material provided no assistance in seeking to determine how Daniel Gillespie came to be injured.

<sup>1</sup> [AM195.1](#)

<sup>3</sup> [AG32.4](#); [Day118/177-178](#)

<sup>2</sup> [AM240.3](#); [Day 91/70-72](#); [Day 91/78-81](#)

<sup>4</sup> [X4.6.5-6](#); [X4.6.62](#)

## Jim Wray

### Biographical details and prior movements

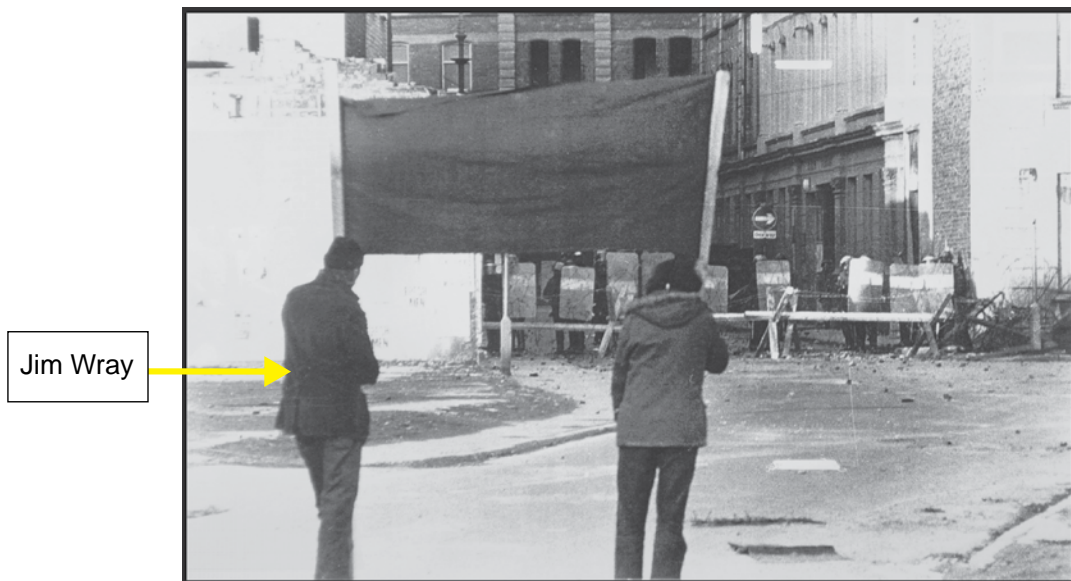
**104.203** James Wray, commonly known as Jim, was 22 years old at the time of Bloody Sunday. He was engaged to be married, lived in the family home in Drumcliffe Avenue, Londonderry and worked as a refrigeration inspector.<sup>1</sup> On 30th January 1972 he went on the civil rights march with members of his family, and was present in William Street during the disturbances that followed the arrival of the crowd at Barriers 12 and 14.<sup>2</sup> Jim Wray is shown in photographs taken at this time, sitting cross-legged in William Street, and carrying the civil rights banner towards Barrier 12.

<sup>1</sup> [AW25.1](#); [D0226](#); [Day 49/25-27](#)

<sup>2</sup> [Day 49/25-27](#); [FS4.1-5](#)

Jim Wray





**104.204** Jim Wray subsequently made his way to Glenfada Park North, where he was shot.

## Where and when Jim Wray was shot

**104.205** As we have already described, Jim Wray can be seen in three photographs close to the group carrying Michael Kelly across Glenfada Park North.







Jim Wray



Jim Wray

**104.206** For reasons given earlier in this report,<sup>1</sup> we consider that Jim Wray probably stayed close to this group and did not return to the gable end on the eastern side of Glenfada Park North before making his way towards the alleyway into Abbey Park. As we also described earlier, Jim Wray was probably at the back of the group of people going towards and into the alleyway into Abbey Park, when he fell in the south-west corner of Glenfada Park

North. The legs of his body can be seen in the photograph taken by Trevor McBride. Although this photograph is shown earlier in this report, it is convenient to show it again here.

<sup>1</sup> Paragraph 103.3



Jim Wray

**104.207** We are sure that Jim Wray was in the course of leaving Glenfada Park North through the south-west alleyway into Abbey Park when he fell. He was at the back of a group of people leaving through this alleyway and probably fell immediately after Joe Friel and Michael Quinn were shot in front of him. Seconds before these events, soldiers had come into Glenfada Park North from the north-east entrance.

**104.208** There is no doubt, as appears from the medical and scientific evidence we discuss below, that Jim Wray was shot twice in the right side of his back. As we have already mentioned, whether he fell because he was shot and whether he was shot after he had fallen and was lying on the ground were matters of great controversy.

## Medical and scientific evidence

**104.209** The autopsy on Jim Wray was conducted by Dr Derek JL Carson, then the Deputy State Pathologist for Northern Ireland,<sup>1</sup> on 31st January at Altnagelvin Hospital.<sup>2</sup> Three other doctors and two RUC photographers were also present.<sup>3</sup> The notes, reports and photographs from this autopsy have been considered by Dr Shepherd and

Mr O'Callaghan who were engaged by this Inquiry as independent experts on pathology and ballistics respectively. Dr Carson, Dr Shepherd and Mr O'Callaghan all gave written and oral evidence to this Inquiry; Dr Carson also appeared before the Widgery Inquiry.

<sup>1</sup> WT8.64; D0532

<sup>3</sup> D0247

<sup>2</sup> D0247

**104.210** The autopsy revealed two entrance wounds and two exit wounds.<sup>1</sup> In their report, Dr Shepherd and Mr O'Callaghan identified the respective wounds as "Wound 1" and "Wound 2" but emphasised that this was to assist description and did not imply the order in which the injuries were inflicted.<sup>2</sup>

<sup>1</sup> D0248-0249

<sup>2</sup> E2.33

**104.211** **Wound 1:** The entry wound (a 0.7x0.5cm oval) was on the right side of the back, with its centre 4.5cm from the midline and 4cm below the scapula. The corresponding exit wound lay on the top back of the left shoulder, and was described in Dr Carson's autopsy notes as being "*elliptical ... 4 cm. x 2 cm. ... its long axis in the sagittal [vertical] plane ... bordered by an irregular zone of abrasion 2–3 mm. wide and it gaped widely exposing lacerated muscles in its depth*".<sup>1</sup> After inspecting photographs of this wound, Dr Shepherd and Mr O'Callaghan gave their opinion that it was caused by "*a bullet that was not 'nose on' at the time of exit*".<sup>2</sup> The exit wound of Wound 1 was higher than the entry wound.

<sup>1</sup> D0248

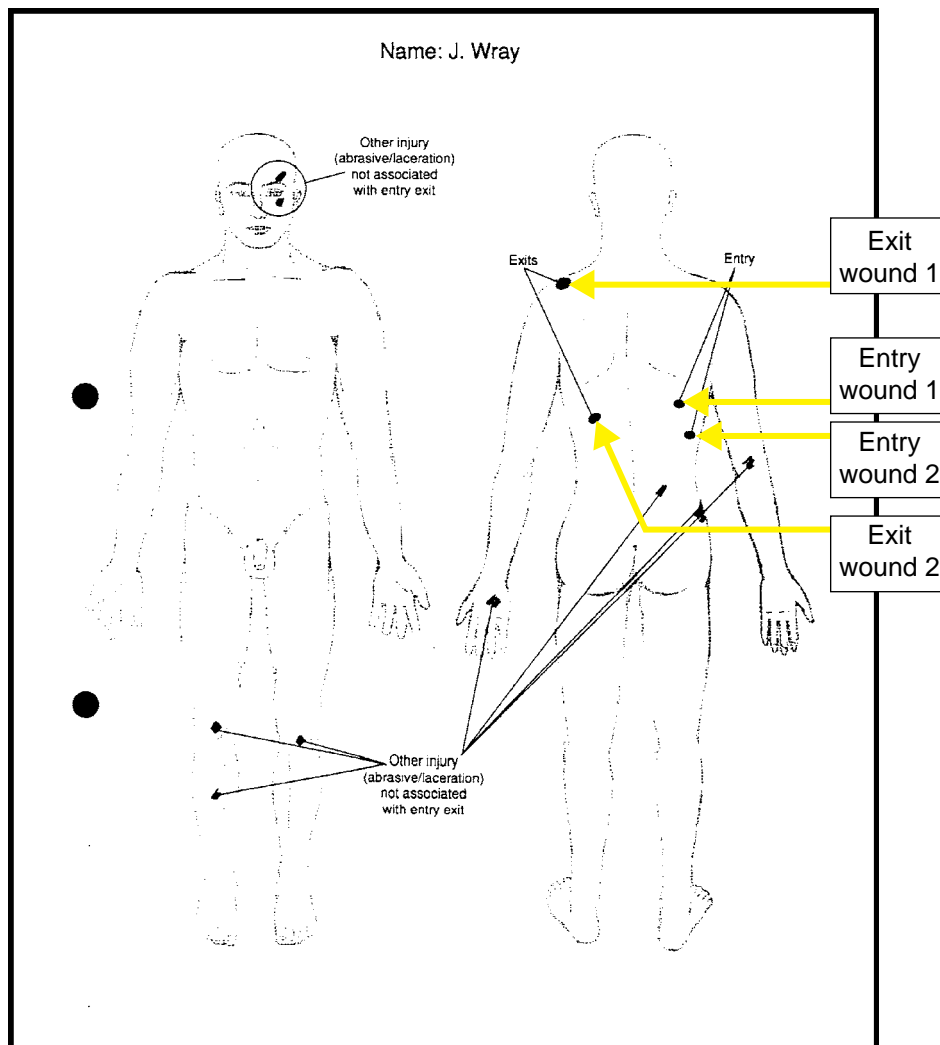
<sup>2</sup> E2.0034

**104.212** **Wound 2:** The entry wound (which was circular and 0.7cm in diameter) was on the right side of the back 7cm below and 2.5cm to the right of entry wound 1. The exit wound (which was roughly circular and 1.1cm in diameter) lay over the left side of the back 14cm to the left of the midline and 5.5cm below the angle of the scapula.<sup>1</sup>

<sup>1</sup> D0248-249; E2.34-35

**104.213** We have examined the morgue photographs, but at the request of the Wray family we do not reproduce them in this report. However, Dr Shepherd and Mr O'Callaghan produced a diagram showing the position of the wounds.<sup>1</sup> That diagram is reproduced below with the addition of the identification of Wounds 1 and 2.

<sup>1</sup> E2.75



**104.214** The internal injuries caused by the track of the two bullets were set out in Dr Shepherd's and Mr O'Callaghan's report. The bullets damaged some of Jim Wray's ribs and thoracic vertebrae.<sup>1</sup>

<sup>1</sup> [E2.33](#); [E2.34](#)

**104.215** In response to questions posed by the legal representatives of the Wray family, Dr Shepherd stated that it would be "*difficult to see*" how either of the bullets could have passed through Jim Wray's ribs and vertebrae in the way described in his report without damaging the spinal canal and spinal cord either through contact or the transmission of "*shock*" waves. He thought it "*most likely*" that either of these situations would have led to "*temporary or permanent damage to the spinal cord*", making it "*extremely likely that JAMES WRAY would have had, at least, decreased function in his legs after being struck by either of the bullets*". If he had been standing when he received either of the wounds then Dr Shepherd would have expected him to fall to the ground "*within a very few*

seconds". He did not expect these injuries to have affected Jim Wray's arms, but commented that it was "*not possible to state if and for how long JAMES WRAY might have been sufficiently conscious to be capable of voluntary movement*".<sup>1</sup>

<sup>1</sup> [E18.1.4-E18.1.5](#)

- 104.216** During his oral evidence to this Inquiry, Dr Shepherd was asked whether each of the wounds would necessarily have proved fatal, or whether Jim Wray's life might have been saved by prompt medical treatment.<sup>1</sup> He replied:<sup>2</sup>

"The wounds were such that with – if I take medicine at 2002, there is a possibility that with advanced trauma support, helicopter ambulances and the like, that [Jim Wray's] life could have been saved. But in the circumstances then, with only the Knights of Malta and different approaches to casualties ... both of these wounds would ultimately have been fatal ... I believe that intervention in terms of 1972 standards of resuscitation at the scene of an accident [meant that] nothing could have been done; having received these injuries, either of these injuries, Mr Wray was going to die."

<sup>1</sup> [Day 229/69](#)

<sup>2</sup> [Day 229/70](#)

- 104.217** Jim Wray had a number of lacerations and abrasions to his face, back, right arm and legs.<sup>1</sup> One of these was a cut above his left eye, which Dr Shepherd and Mr O'Callaghan considered was typical of a blunt impact by or against a flat surface rather than a "*tangential*" contact with a bullet, ie a bullet graze, though they could not entirely discount that explanation.<sup>2</sup> Dr Carson also felt that this laceration did not appear to be a graze from a bullet, but again he could not exclude the possibility completely.<sup>3</sup>

<sup>1</sup> [D0249](#)

<sup>3</sup> [Day 207/8](#)

<sup>2</sup> [E8.26](#)

- 104.218** As to the other lacerations and abrasions, apart from commenting that they were all typical of blunt trauma caused by contacts with the ground or other hard objects, Dr Shepherd and Mr O'Callaghan could not say whether or not they were caused by Jim Wray falling. Because the lacerations and abrasions were on various parts of the body (both back and front), these experts commented that it was impossible for them all to have been caused by a single, simple contact.<sup>1</sup>

<sup>1</sup> [E8.27](#)

- 104.219** Dr John Martin, then the Principal Scientific Officer at the Department of Industrial and Forensic Science (DIFS) in Northern Ireland, conducted tests on the hands and clothing of each of those killed<sup>1</sup> in order to ascertain whether lead particles were present. In cases



where they were, he interpreted the results and gave his opinion as to whether these particles were from firearm discharge residues, which would indicate that the casualty had either been handling a weapon himself or had been close to someone else who fired.<sup>2</sup>

<sup>1</sup> D549

<sup>2</sup> WT9.7-10; D0549-0550; D0550.1; D0551

**104.220** Dr Martin's 1972 notes recorded that lead particles were found on Jim Wray's clothing and his left hand. Dr Martin identified more than 45 particles on Jim Wray's jacket, some partially obscured by the presence of purple dye, and more than 60 lead particles on his trousers.<sup>1</sup> Dr Martin's conclusions were less clear concerning Jim Wray's left hand, but it appears that he identified one lead particle and "smears" on swabs taken from the web of the hand and further "smears" on swabs taken from the palm and back that he also interpreted as positive results.<sup>2</sup> He noted that there was "*not much particle definition (pb) [lead]*" on the web, and, in relation at least to the palm and possibly to the whole of the hand, that the "*smears maybe [sic] dye*".<sup>3</sup> In his report to the Widgery Inquiry, Dr Martin, who did not mention the lead particles found on Jim Wray's trousers, concluded that "*The nature and distribution of lead particles on the hand swabs and clothing is similar to that produced by exposure to discharge gases from firearms*".<sup>4</sup> He confirmed in his oral evidence in 1972 that he considered this to be a "*positive finding*".<sup>5</sup>

<sup>1</sup> D0236-237; D0239-240; E1.0030; E1.0074

<sup>4</sup> D0235

<sup>2</sup> D0237; E1.0030; Day 226/102

<sup>5</sup> WT9.15

<sup>3</sup> D0237; Day 226/102

**104.221** Dr John Lloyd was engaged by the present Inquiry as an expert scientific witness to consider, among other things, the significance that could be given to Dr Martin's tests and findings relating to the presence of possible firearms discharge residue on the bodies and clothing of the deceased. He criticised Dr Martin's general approach and methods and agreed that the overall distributions of the lead particles on all the deceased "*[did] not merely provide no support for the assumption that [the deceased] had been using firearms, but suggest that they had not*".<sup>1</sup> In Dr Lloyd's view those found to have lead particles on their bodies or clothes could have picked these up from a variety of sources other than proximity to discharged firearms.<sup>2</sup>

<sup>1</sup> Day 227/50

<sup>2</sup> E1.51; E1.0001-0114

**104.222** In the case of Jim Wray, Dr Lloyd made a number of specific criticisms of Dr Martin's interpretation of the presence of particles. First, Dr Lloyd explained that if a casualty had been firing a weapon it would be expected, as a general rule, that the number of lead

particles would decrease with distance from the point at which the weapon was fired. Thus it would be reasonable to expect the greatest density close to the hands, and less on the jacket and trousers. In Jim Wray's case the opposite occurred.<sup>1</sup>

<sup>1</sup> E1.32-33; E1.49; E1.74

- 104.223** Dr Lloyd also drew attention to the negative results returned for the presence of lead particles in the pockets of Jim Wray's jacket and jeans. These were significant, he argued, as a gunman might be expected to keep his weapon in a pocket at some point.<sup>1</sup>

<sup>1</sup> E1.35; E1.49; Day 227/28; D238; D241

- 104.224** Dr Lloyd told us that "*In view of the erratic nature of particle deposition when a firearm is discharged, the presence of a single particle in a particular area cannot be reasonably claimed to represent a preferential deposition in that area.*"<sup>1</sup> During his oral evidence he explained that: "*One could describe a deposition as preferential if a substantial number of particles had been deposited and that one could see a distribution of particles over the hand. But where one can see only a single particle, it can hardly be described as a distribution, it could have occurred anywhere on the hand.*"<sup>2</sup> He agreed that a single particle found on the left hand might just as well have appeared on the right.<sup>3</sup> Dr Lloyd also commented that the single particle found on Jim Wray's hand could have derived from his clothing or the incident that contaminated his clothing.<sup>4</sup>

<sup>1</sup> E1.38

<sup>3</sup> Day 227/30-31

<sup>2</sup> Day 227/30-31

<sup>4</sup> E1.0049

- 104.225** Dr Lloyd considered the general evidential basis of "smears" of particles as "*dubious*". In the case of Jim Wray he thought that Dr Martin was "*presumably... attributing the smears on his left palm to the purple dye that had been detected*",<sup>1</sup> rather than to possible handling of bullets or a rifle bolt. In his evidence to this Inquiry, Dr Martin accepted that it was possible that this interpretation was correct.<sup>2</sup>

<sup>1</sup> E1.38

<sup>2</sup> D607; Day 226/102-104

- 104.226** Dr Lloyd felt that there were far too many lead particles present on Jim Wray's clothes to be consistent with his presence as a bystander close to someone who was firing a weapon. Dr Martin's notes recorded the presence of more than a hundred lead particles on Jim Wray's jacket and trousers. Dr Lloyd would have expected a "*much lower*" figure if Jim Wray had been standing close to someone who was firing, perhaps in the order of ten or 20. It would, he said, be "*most unusual*" to see the figure rising to 60.<sup>1</sup>

<sup>1</sup> Day 227/62-64



**104.227** Dr Lloyd concluded that the distribution of lead particles found on Jim Wray's body and clothing was "*not consistent with Wray's use of a firearm or with his role as a bystander*".<sup>1</sup>

<sup>1</sup> [E1.49](#); [Day 227/49-50](#)

**104.228** In his written statement to this Inquiry, Dr Martin stated that "*After reviewing the file, I do not believe that the pattern of lead particle distribution is necessarily consistent with that produced by exposure to discharge gases from firearms*".<sup>1</sup>

<sup>1</sup> [D608](#)

**104.229** Dr Martin appeared to accept many of the criticisms made by Dr Lloyd of his approach and conclusions in relation to Jim Wray, regarding the significance of the density of particles on Jim Wray's trousers;<sup>1</sup> the smears found on Jim Wray's hand and clothing;<sup>2</sup> the interpretation of a single particle;<sup>3</sup> the likelihood that Jim Wray was neither handling a weapon nor close to someone who was; and that the lead particles on his body and clothing were more likely to have been the result of contamination from external sources when his body was subsequently moved.<sup>4</sup>

<sup>1</sup> [Day 226/82-83](#)

<sup>3</sup> [Day 226/86-88](#)

<sup>2</sup> [Day 226/102-104](#)

<sup>4</sup> [Day 226/104-105](#)

**104.230** We have no doubt of the correctness of the views expressed by Dr Lloyd, which were largely accepted by Dr Martin, in contrast to the latter's original reports and his evidence to the Widgery Inquiry. It follows that there is no acceptable scientific evidence to suggest that Jim Wray discharged a firearm on Bloody Sunday, or that he was near anyone else who fired.

**104.231** Mr McSparran, counsel for the families, told the Widgery Inquiry that Jim Wray was right-handed.<sup>1</sup> Dr Martin's tests disclosed no evidence of lead particles on his right hand.<sup>2</sup>

<sup>1</sup> [WT9.33](#)

<sup>2</sup> [D0235](#); [D0237](#); [E1.00074](#)

**104.232** Jim Wray's outer garments were examined for the presence of explosive residues, but none was detected. This alone does not demonstrate that he had not had contact with nail bombs or other such devices. The amount of explosive residues left on a surface can decline very rapidly to the point where detection is not possible, and, as the explosive core of a hand-held bomb is usually wrapped, it is possible that only a small amount of residue would have been deposited in the first place.<sup>1</sup> There is no record of any test for

explosive residues on Jim Wray's hands and it appears no swabs were received by DIFS for this purpose.<sup>2</sup> However, there has never been any positive evidence, including in the work done by DIFS, to suggest that Jim Wray had been handling explosives.

<sup>1</sup> [D0230-0233](#)

<sup>2</sup> [D0233](#)

## What Jim Wray was doing when he was shot

**104.233** It has not been suggested by the legal teams representing the surviving soldiers who fired in Glenfada Park North that Jim Wray was armed or in possession of nail or petrol bombs when he was shot.

**104.234** Corporal E and Private G were not represented at this Inquiry, because they died before it began. However, other soldiers' representatives submitted that there was evidence to suggest "*that in fact James Wray was in possession of stones in Glenfada Park and part of a group preparing to attack soldiers when they entered*".<sup>1</sup>

<sup>1</sup> [FR7.679](#)

**104.235** This submission was based on the evidence of PIRA 25. The evidence that this witness gave related to a period before soldiers had even come into the Bogside and opened fire; and he was not certain of his identification of Jim Wray as one of those he had seen picking up stones and bottles in Glenfada Park North.<sup>1</sup> This evidence, as we have already indicated, provides no support for the suggestion that, at the time when people had been shot in Rossville Street and Michael Kelly was being carried across Glenfada Park North, Jim Wray (or indeed anyone else) was preparing to attack soldiers when they came into Glenfada Park North, as opposed to trying to take cover or escape.

<sup>1</sup> [Day 424/108-118](#); [Day 424/131](#); [Day 424/146](#)

**104.236** In his written statement to this Inquiry, John McGee recalled that he walked through the alleyway from Abbey Park into Glenfada Park North after seeing a man lying on the ground in Abbey Park and came across two men lying on the ground. He recognised one as Jim Wray and the other as William McKinney. "*I believe Jim Wray may have been alive when I saw him; he may have moved his head ... While I was there I picked up either from Jim Wray's hands or from the ground very close beside him a small brown-handled steak knife and a couple of pebbles. I also picked up Jim Wray's watch which had come*

off.”<sup>1</sup> In his oral evidence, John McGee said that over the years he had lost the watch.<sup>2</sup> He also said that the knife and the pebbles were very small and that he did not know why he had picked them up.<sup>3</sup>

<sup>1</sup> AM223.2

<sup>3</sup> Day 65/62

<sup>2</sup> Day 65/52-53

**104.237** We have doubts about the correctness of John McGee’s recollection as regards Jim Wray. In our view it is very unlikely that this casualty was still alive at the stage when John McGee says that he went to him. There is nothing in his account that suggests to us that Jim Wray was preparing to attack soldiers when he fell.

**104.238** There is no other evidence from any civilian source that Jim Wray was either preparing to attack soldiers if and when they came into Glenfada Park North, nor any scientific or medical evidence to suggest that he was or had been armed with any lethal weapon. On the contrary, we consider that the civilian evidence establishes that he was, with others, simply attempting to get out of Glenfada Park North through the alleyway into Abbey Park when he fell.

## Whether Jim Wray was shot while he was on the ground

**104.239** There is evidence to suggest that Jim Wray was shot at least once as he lay on the ground. This consists of eyewitness accounts given both at the time and in later years, and the interpretations of the wounds to Jim Wray’s body and the bullet damage to his clothing made by some, but not all, of the expert witnesses. This issue was one of the most controversial matters discussed during the course of the Inquiry, and while the representatives of Jim Wray’s family have consistently alleged that he was, as they put it, executed by being shot at close range while on the ground,<sup>1</sup> the representatives of the majority of represented soldiers deny that this was the case.<sup>2</sup> No soldier has ever admitted firing at a casualty lying on the ground in Glenfada Park North or anywhere else. The relevant arguments, and the surrounding evidence and analysis, are discussed in the following paragraphs.

<sup>1</sup> FS 4.179-180; FS 4.203-205

<sup>2</sup> FS 7.1924-1925

**104.240** There is no evidence that Jim Wray fell, returned to his feet and fell again, and we are satisfied that he did not do so. This being the case, there are three possible explanations as to Jim Wray’s anatomical position when he received the two bullet wounds found on his body:

1. Jim Wray was shot twice before he fell to the ground.

2. Jim Wray was shot once before he fell to the ground and once after he had fallen.
3. Jim Wray was shot twice after he had fallen to the ground.

**104.241** In order to establish which of these possibilities is the most likely, we first consider the medical and scientific evidence available to this Inquiry, and the interpretations placed upon it by the expert witnesses. In addition to assessing the arguments that directly support each of the possibilities described above, we have to consider a number of subsidiary questions that are relevant to this matter. These include the order in which Wound 1 and Wound 2 occurred, the interval between the shots, the range at which the shots were fired, and whether the shots were fired from the same weapon.

**104.242** None of the expert witnesses who gave evidence to this Inquiry was of the opinion that the question of whether Jim Wray was shot on the ground could be answered by looking at the scientific and medical evidence alone. However, this does not mean that either these witnesses or we considered all interpretations to be equally valid or equally likely. On some aspects the scientific and medical evidence was so inconclusive that it was not useful to our assessment of this matter. On other aspects this evidence and its analysis helped us in our efforts to establish the circumstances in which Jim Wray was killed.

## Expert evidence concerning the wounds and the clothing

**104.243** Turning first to what can be learned solely from the wounds on Jim Wray's body, the most significant expert witnesses in this regard were Dr Carson, who performed the original autopsy, and Dr Shepherd and Mr O'Callaghan, who reviewed the reports, notes and photographs arising from the autopsy.

**104.244** Dr Carson agreed with Dr Shepherd and Mr O'Callaghan that a number of issues concerning Jim Wray's wounds could not be resolved incontrovertibly on the medical evidence alone. These included the order in which the two wounds were inflicted,<sup>1</sup> the time that elapsed between the infliction of the two wounds, and whether or not the wounds were caused by bullets fired from the same weapon.<sup>3</sup> Nonetheless, their interpretations of the wounds and subsequent explanations as to the most likely circumstances in which Jim Wray was shot differed significantly.

<sup>1</sup> Day 229/69; Day 230/92; Day 206/40; Day 206/47-48

<sup>3</sup> E2.38; E8.17; Day 206/40; Day 206/47-48

<sup>2</sup> E2.38; Day 206/40; Day 206/47-48

- 104.245** In the original opinion that he gave on his autopsy findings, which was before the Widgery Inquiry, Dr Carson recorded that:<sup>1</sup>

“The close proximity and appearance of the two entrance wounds strongly suggested that they were caused by two bullets fired from the same weapon, whilst the divergence in the exit wounds indicates some movement of the body between the first and second wounds. On this interpretation the interval between the shots must have been very brief ... It would thus seem likely that the lower of the two entrance wounds was caused first, by a bullet fired from the right of the deceased at near horizontal level, and that as he was falling to the left he was very quickly hit by another bullet, thus accounting for the divergent paths of the two missiles through the body.”

<sup>1</sup> [D253](#)

- 104.246** In other words, Dr Carson thought it likely that Jim Wray was on his feet when he was hit by a bullet that caused Wound 2. Very shortly afterwards and as he fell, he was hit again by a second bullet, which caused Wound 1. As is discussed below, Dr Carson told this Inquiry that he continued to think that this was the most likely explanation for Jim Wray’s injuries, although he accepted that other interpretations were possible.<sup>1</sup>

<sup>1</sup> [D537](#); [Day 206/38-48](#)

- 104.247** In their evidence to this Inquiry,<sup>1</sup> Dr Shepherd and Mr O’Callaghan agreed that it was more likely that both shots were fired by one person, and by extension in quick succession and from the same weapon, rather than by two people. They pointed to the similar shallow angles at which the bullets struck the deceased, the closeness of the shots and the generally similar wound tracks in support of their opinion, although they emphasised that other explanations were also possible.<sup>2</sup>

<sup>1</sup> [E8.0017](#); [E2.0038](#)

<sup>2</sup> In a telephone conversation in March 2006, Dr Shepherd confirmed to the Inquiry that his view that the shots were likely to have been fired by one person meant that, in his opinion, they were fired in quick succession and from the same weapon.

- 104.248** Dr Shepherd and Mr O’Callaghan stressed that caution had to be exercised when examining wound tracks within a body in order to calculate from where the corresponding shot or shots had been fired. Once a bullet had entered a body it could change direction, for example after striking bone, and damage to internal organs might extend far outside the actual track of the bullet. As a result, it was not possible to draw a line between the

exit wound and the entrance wound and then extend it backwards in order to indicate the position of the firer. Indeed, “*often only the first few centimetres of the track will reflect the actual angle of impact*”.<sup>1</sup>

<sup>1</sup> [E2.0009](#)

**104.249** Bearing this in mind, they set out “*three broad propositions that would satisfy the angles of entry of these two bullets if, as we believe, the same individual fired both shots*”. They were:

“If James WRAY was vertical the shots must have been fired from below upwards, as if by someone lying on the ground.

If the firer was standing and the shots were fired horizontally James WRAY must have been bending forwards and the shots must have been fired from his right.

If James WRAY were lying on the ground the shots must have been fired from above and to his right as if by someone standing.

These are three possible variations of the relative positions of the firer and James WRAY, however, others will exist.”

<sup>1</sup> [E2.0038](#)

**104.250** As we have seen, it was the view of Dr Carson that the second of these propositions was the most likely, namely that Jim Wray was shot once on his feet and then as he fell, with the first bullet coming from the right on a near horizontal level. In contrast, Dr Shepherd and Mr O’Callaghan felt that the nature of the exit wound at Jim Wray’s shoulder (Exit Wound 1) was such that it suggested that he was in contact with a firm surface, such as the ground, when he received this injury. The argument on this point revolved on the issue of the cause and extent of the “*shoring*” of this exit wound.

## Shoring

**104.251** Dr Shepherd and Mr O’Callaghan described shored wounds in their report to this Inquiry:<sup>1</sup>

“If the skin is ‘reinforced’ or ‘shored’ by a firm surface as the bullet exits, the everted skin impacts the surface against which it is shored. The everted margin is abraded by the surface leaving a zone of abrasion. The zone of abrasion surrounding shored exit wounds can vary significantly in size and density. In some instances it may mimic the appearance of the abrasion ring of an entrance wound while on other occasions they will be large and diffuse.

Shored exit wounds can occur with a variety of surfaces and circumstances.

Individuals shot while sitting against a firm chair back or lying on the floor or against a wall may have shored exits. In some circumstances, particularly when the velocity of the bullet has been reduced by its passage through the body or for any other reason, even heavy clothing can present a sufficiently firm surface to produce a shored exit.

Generally speaking, if the bullet is travelling at high velocity and the surface against which the skin is shored is hard and unyielding, the zone of abrasion will be well defined. If, however, the velocity of the bullet has significantly diminished and the surface is less firm, the abrasion will be less well defined.”

<sup>1</sup> E2.8-9; Day 206/40-44

- 104.252** In the opinion of Dr Shepherd and Mr O’Callaghan the exit wound at Jim Wray’s shoulder (Exit Wound 1) had the appearance of a shored wound.<sup>1</sup> Dr Carson agreed with this assessment, and with the description of the shoring quoted above.<sup>2</sup> However, there was disagreement between Dr Shepherd and Mr O’Callaghan on the one hand, and Dr Carson on the other, as to the most likely cause of the shoring. We also considered a report by another pathologist, Dr Vincent Di Maio,<sup>3</sup> who took a similar view to that of Dr Carson.

<sup>1</sup> E2.0034

<sup>2</sup> Day 206/42-45

<sup>3</sup> Instructed by those representing the majority of represented soldiers.

- 104.253** Dr Carson told this Inquiry that he believed that the shoring of Exit Wound 1 could have been caused by the tightening of Jim Wray’s clothing as he fell to his left.<sup>1</sup> However, this was not the preferred explanation of Dr Shepherd and Mr O’Callaghan. The resulting debate was well summarised in the submissions of Counsel to the Inquiry, which with little amendment we set out below:<sup>2</sup>

44. Dr Shepherd and Mr O’Callaghan ... felt that it was more likely that the shoring to Exit Wound 1 was caused by Jim Wray being in close proximity to a hard surface. In their report they concluded:

“The exit wound from wound 1 ... is in our opinion a shored exit, which indicates that the left shoulder was in contact with a firm surface and/or his clothing was pulled tight at the time that the bullet exited from this site. We believe that the most likely explanation for this is that James WRAY lay on his left side on the ground when he suffered this wound.”<sup>3</sup>

45. In response to a question from the Treasury Solicitor, Dr Shepherd and Mr O’Callaghan explained further the grounds on which this conclusion was reached:

“1. The exit wound in the left shoulder is a ‘shored’ exit.



2. The 'standing' or 'bending' scenarios are extremely unlikely to result in sufficient tightening of the clothing and cannot result in outside pressure against the shoulder.

3. The 'lying' scenario can result in either or both of these effects.

4. In order to 'shore' an exit of the left shoulder it is therefore 'most likely' that James Wray was lying on his left side.

While the possible orientations of James Wray are infinite the orientation that allows for the tracks of the injuries and the shoring of the wound are limited and, based on the information available to us, we believe that lying on his left side is the most likely orientation.”<sup>4</sup>

Dr Shepherd confirmed that that still represented his view when he gave oral evidence.<sup>5</sup>

46. During his oral evidence to this Inquiry Dr Shepherd stated of their conclusion:

“[I]t is very much a subjective opinion based upon the size of the person within the jacket and how the jacket is being worn, but it was our interpretation, really summed up in [the answer given to the Treasury Solicitor’s written question], it is most likely we felt there had to be this additional shoring rather than simple tightness of the jacket through the position of the body within it.”<sup>6</sup>

47. During his oral evidence to this Inquiry, Dr Shepherd compared Exit Wound 1 on Jim Wray’s shoulder with the injury to William Nash’s back. He concluded that both were shored exit wounds, but he believed that in Mr Nash’s case, the shoring effect was due solely to the tightening of his clothes caused by the orientation of his body, and not by Mr Nash’s back being in contact with a hard surface. Dr Shepherd pointed out that Mr Nash’s wound was more “succulent” than Jim Wray’s,<sup>7</sup> and hence the result of less pressure being applied to the surface of the skin as the bullet exited the body. As Jim Wray’s wound was the result of a “quantitative – or a qualitative difference in the type of shoring”,<sup>8</sup> he continued to believe that it had occurred in a different way – ie through contact with a hard surface as set out above.<sup>9</sup> Dr Shepherd and Mr O’Callaghan’s conclusions on Mr Nash can be found at E2.26-27,<sup>10</sup> and Dr Shepherd’s oral evidence in relation to this case was given at Day 229/10-12;<sup>11</sup> ... Dr Shepherd explained the differences between these photographs [photographs of William Nash’s wound] and those of Jim Wray’s wound on Day 230.<sup>12</sup>

48. Dr Shepherd held to this opinion while being questioned by Peter Clarke QC [Counsel for the majority of the represented soldiers], stating that in his opinion (and that of Mr O’Callaghan) “the shoulder wound was such that it needed a little bit more than simple tightness of the clothing”.<sup>13</sup> He added that this was a “subjective view”.<sup>14</sup>

49. Dr Shepherd gave further evidence on this subject the following day, when he stated that no “grading” of shored wounds had been developed in the literature on the subject.<sup>15</sup>

50. Dr Carson expressed his doubts about this theory, arguing that the position of Exit Wound 1 at the very top of Jim Wray’s back was such that it was unlikely that it could have been in contact with the ground at the time when the bullet exited.<sup>16</sup> Dr Carson did accept that there was a greater possibility that the relevant area of the shoulder could have been pressed against a “vertical surface”, such as a kerb stone.<sup>17</sup> The evidence does not suggest that Mr Wray’s body was pressed against a kerb stone.

51. Dr Shepherd answered this point by stating that in his opinion (and that of Mr O’Callaghan), the flesh around Exit Wound 1 need not have been pressed directly against a hard surface in order to obtain the shoring effect. A part of the body close to the exit wound could have been in contact with the ground and that could have caused the pulling of the clothing tightly across the site of the exit wound. That could produce the required pressure, which would be greater than that resulting from the tightening of clothes caused by Jim Wray falling from a standing position, and “any action ... when the clothing was fixed on the ground that would pull it tight, so any rotational action might tend to pull it tighter over the shoulder and increase the shoring”.<sup>18</sup>

(a) Dr Shepherd agreed with Dr Carson that if the area of the wound had been in contact with the hard surface then it was more easily explained by the suggestion that this was a vertical surface, such as a kerb stone.<sup>19</sup> However, as is considered in the preceding paragraph, Dr Shepherd did not see this as necessary in order to explain the shoring of the wound.

(b) During his examination by Richard Harvey [Counsel for the Wray family], Dr Shepherd accepted that it was possible that the shoring of the wound could have been caused by Jim Wray lying prone against the pavement or courtyard while “struggling to get the left arm out from under himself and push himself up that way”.<sup>20</sup>

52. Peter Clarke QC raised more than once the very limited experience that Dr Shepherd had with shored wounds caused by high velocity bullets.<sup>21</sup> Dr Shepherd stated that such wounds were “something of a rarity” in the United Kingdom,<sup>22</sup> and he had not seen such a wound in his personal examinations.<sup>23</sup> However, he had seen them demonstrated by other pathologists,<sup>24</sup> and low velocity shored wounds were “much more common”.<sup>25</sup> In general, he commented that:

“There is no huge body of evidence. I return to the word ‘subjective’. That is our opinion, that it is most likely that the injury to Mr Wray is caused in that way, but we have tried to be extremely careful, in this interpretation, not to be dogmatic because of the significance that we realise is attached to this particular exit wound.”<sup>26</sup>

(a) Peter Clarke also questioned Mr O’Callaghan along similar lines. Mr O’Callaghan stated that he had seen “really very few” shored high velocity wounds, but he emphasised that the wound itself was of more concern to a pathologist than an expert on ballistics. He accepted that Jim Wray’s Exit Wound 1 could have been caused by clothing alone, but he did not alter the opinion that he and Dr Shepherd gave in their report, namely that it was more likely that it was caused by Jim Wray’s proximity to a hard surface.<sup>27</sup>

...

### **3.5 Dr. Vincent Di Maio’s report to this Inquiry**

78. Dr Vincent Di Maio provided a report to this Inquiry in which he reviewed Dr Shepherd’s evidence to this Inquiry in addition to the original autopsy notes relating to Jim Wray’s case.

79. Dr Di Maio did not disagree with the descriptions of the wounds provided by Dr Shepherd, and he accepted that Jim Wray could have received both wounds while on his feet bending over, while pitching forward, or while lying on the ground.<sup>28</sup>

80. In relation to Wound 1, Dr Di Maio accepted that the wound was “shored” but characterised the shoring as “minimal”. He noted that this was a subjective term as he was not aware of any grading system for the degree of shored wounds.<sup>29</sup>

81. Dr Di Maio noted that in cases where a shored exit wound was associated with a hard surface, “the exiting bullet may itself fragment, or fragment the impacted surface, creating secondary fragment wounds around the exit”. In Jim Wray’s case, there were no such secondary fragment wounds around Exit Wound 1.<sup>30</sup>

82. After raising these two points, Dr Di Maio commented that:

“Two suggestions were made to explain the shoring. One was contact with a firm surface such as a curb. In my opinion, this is extremely unlikely due to the minimal degree of shoring in this case and absence of secondary fragment wounds. The second possibility, and the one I believe to be correct, is that the clothing was ‘pulled tight’ at the time the bullet exited the shoulder, shoring up the skin.

The suggestion is made in the testimony that the clothing was ‘pulled tight’ due to Mr. Wray lying on the ground. In actuality, this position of Mr. Wray is not necessary to explain the occurrence of the shoring. Mr. Wray was dressed in multiple (five) layers of clothing ... I have seen a number of cases of shoring associated only with multiple layers of clothing. In such cases the clothing is often pulled tight by the act of bending. The clothing in such cases reinforces the skin sufficiently so as to produce a shored exit. Therefore there is no necessity for Mr. Wray to have been lying on the ground when he incurred the shored exit. The act of bending over and running away or of pitching forward would be sufficient to tighten the clothing such as to produce a shored exit. In other words, there is no way one can say with certainty whether at the time he received the wound, Mr. Wray was bent over, pitching forward or already on the ground.”<sup>31</sup>

83. It might be felt that Dr Di Maio’s point relating to the secondary fragment wounds was answered by the evidence of Dr Shepherd, Mr O’Callaghan and Dr Lloyd to this Inquiry:

(a) It was not suggested that Jim Wray’s shoulder was pressed tight against a firm surface; but, instead, that he would have been lying on the ground but with his shoulder raised. It was therefore possible that a bullet exiting his shoulder could have struck the ground a small but significant distance from Jim Wray’s body.

(b) The fragmentation of any bullet depended on a number of factors, including the speed at which it left the body, the angle at which it hit any surface and the density of that surface. In the absence of evidence regarding all of these factors, it is not possible to predict with certainty whether or not any given bullet would fragment significantly.

84. While Dr Di Maio stated that secondary fragment wounds “may” result from the proximity of the casualty to a hard surface, his choice of auxiliary verb tacitly acknowledges that this need not be the case. The possible circumstances relating to Jim Wray’s death might be a prime example of an occasion when the absence of such wounds does not indicate that the casualty was upright when the bullet exited the body.

85. Dr Di Maio’s other argument – that the “minimal” shoring could have been caused by the tightening of the clothing without contact with the ground – is avowedly based on a subjective analysis of the extent of the shoring around the wound.

86. The conclusion of Dr Di Maio's report was that "there is no way one can say with certainty whether at the time he received the wound, Mr. Wray was bent over, pitching forward or already on the ground".<sup>32</sup>

87. Despite that, it is reasonable to summarise Dr Di Maio's evidence as an assessment that Jim Wray was probably not lying on the ground when he received Wound 1. While he accepted that the other interpretation was possible, he did not feel that it was the most likely explanation. He based this opinion on a subjective view of a "minimal" level of shoring, which could have been caused by the tightening of Jim Wray's clothes alone, and the absence of secondary fragment wounds. His report did not indicate the weight that he attached to his two points.

88. Dr Shepherd's response to Dr Di Maio's report emphasised that he and Mr O'Callaghan had made a subjective judgement on Jim Wray's likely position when he received Wound 1. As was clear from his earlier evidence, he did not rule out other possibilities, including the two broad scenarios suggested by Dr Di Maio. In conclusion he argued that it was not possible to take the matter further through the pathology alone.<sup>33</sup>

<sup>1</sup> Day 206/45-46

<sup>2</sup> CS6.352-356; CS6.367-370

<sup>3</sup> E2.39

<sup>4</sup> E8.16

<sup>5</sup> Day 229/028

<sup>6</sup> Day 229/30-31

<sup>7</sup> Day 230/102-103

<sup>8</sup> Day 229/30

<sup>9</sup> Day 229/27-30

<sup>10</sup> E2.26-27

<sup>11</sup> Day 229/10-12

<sup>12</sup> Day 230/102-103

<sup>13</sup> Day 229/88

<sup>14</sup> Day 229/88; Day 230/80-81; Day 229/88-89

<sup>15</sup> Day 230/100-101

<sup>16</sup> Day 206/46-47

<sup>17</sup> Day 206/47

<sup>18</sup> Day 229/31-32

<sup>19</sup> Day 229/31

<sup>20</sup> Day 229/69

<sup>21</sup> Day 229/71; Day 229/81-82; Day 230/103-104

<sup>22</sup> Day 230/102

<sup>23</sup> Day 230/104

<sup>24</sup> Day 230/104

<sup>25</sup> Day 230/102

<sup>26</sup> Day 230/104

<sup>27</sup> Day 230/68-73

<sup>28</sup> E33.2-E33.3

<sup>29</sup> E33.2-E33.3

<sup>30</sup> E33.2

<sup>31</sup> E33.2-E33.3

<sup>32</sup> E33.3

<sup>33</sup> E33.4

**104.254** On balance we prefer the views on the shoring of Exit Wound 1 expressed by Dr Shepherd and Mr O'Callaghan, though we should emphasise that those views do not in themselves establish that Jim Wray must have been shot at least once while he was on the ground.

- 104.255** We were particularly impressed by Dr Shepherd's comparison with the wound sustained by William Nash; and consider that Dr Di Maio's view (and possibly that of Dr Carson) was based in part on the absence of evidence of fragmentation of the bullet. For reasons given below, we do not accept that absence of evidence of fragmentation indicates that Jim Wray was unlikely to have been shot on the ground.

## Fragmentation

- 104.256** Dr Carson raised a second objection to the possibility that Jim Wray was shot as he lay on the ground. He suggested that if this had occurred, the bullet would have fragmented on hitting the hard surface of the kerb with the result that the exit wound and adjacent clothing would have been likely to be contaminated with lead particles from the disintegrating bullet and possibly also with debris from the kerb.<sup>1</sup> He stated that he saw no evidence of fragmentation damage to the wound,<sup>2</sup> and there was nothing in Dr Martin's notes of his examination for lead particles to indicate the presence of any particles attributable to a fragmenting bullet.<sup>3</sup>

<sup>1</sup> Day 207/30-35

<sup>3</sup> D240-241; Day 227/72-73

<sup>2</sup> Day 207/30

- 104.257** Dr Carson's point was based on the belief that Dr Shepherd and Mr O'Callaghan were suggesting that Jim Wray was shot while lying with his shoulder pressed to a kerb, and hence that this kerb would inevitably have been struck by the bullet as it left Jim Wray's body. Dr Lloyd told this Inquiry that had this been the situation he would have expected something approaching "*gross*" contamination around the exit hole in the jacket.<sup>1</sup> However, as is discussed above, Dr Shepherd's and Mr O'Callaghan's view was that the shoring of the shoulder wound need not have been caused by direct contact between the area of the exit wound and the kerb. On their hypothesis, it was possible for the wound to have been shored in the way that it was despite the presence of a gap between the point at which the bullet left Jim Wray's shoulder and the kerb or pavement below.<sup>2</sup>

<sup>1</sup> Day 227/69-73

<sup>2</sup> Day 230/71-72; Day 229/30-32

- 104.258** In these circumstances, Mr O'Callaghan suggested two reasons as to why the jacket would not be contaminated by a fragmenting bullet. First, the bullet might have been slowed in its path through Jim Wray's body and there was no certainty that it would have fragmented.<sup>1</sup> Second, even if the bullet had fragmented, the particles would have retained velocity and energy after the bullet struck a hard surface and hence they could have dispersed from the area without contaminating Jim Wray's jacket and wound. Because of

these factors, Mr O'Callaghan considered the possibility that Jim Wray's clothing would have contained fragments of the bullet that struck him as "*unlikely*" and "*a difficult one to envisage*", although he could not rule it out.<sup>2</sup>

<sup>1</sup> [Day 230/27-28](#)

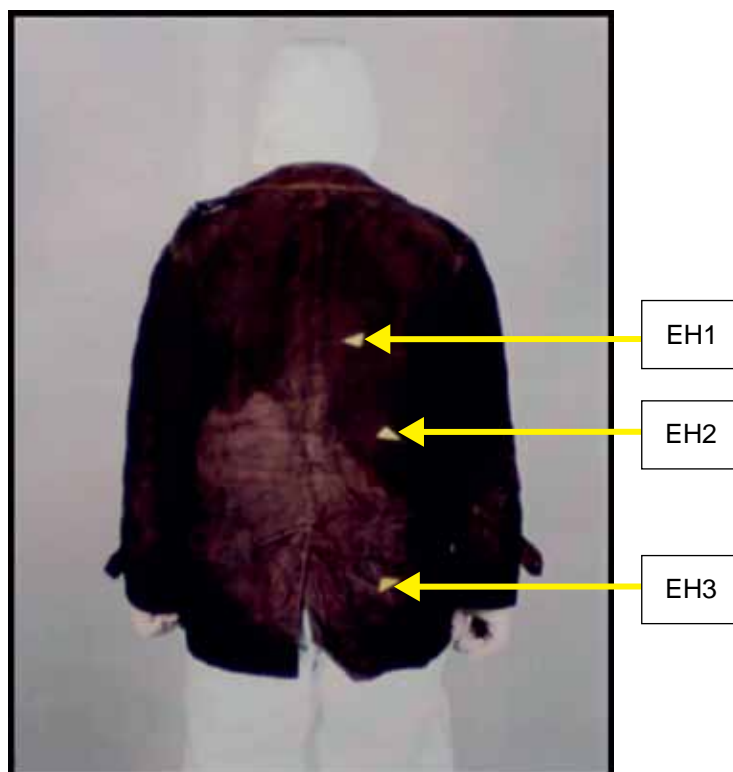
<sup>2</sup> [Day 230/28-29](#)

**104.259** For the reasons given by Mr O'Callaghan we are not persuaded that there would have been evidence of bullet fragmentation on Jim Wray's clothing had he been shot while on the ground; nor (as Dr Di Maio suggested) secondary fragmentation wounds. It follows that in our view the absence of signs of fragmentation in relation to Exit Wound 1 does not indicate that this wound was unlikely to have been sustained while Jim Wray was lying on the ground.

## Bullet damage to the clothing

**104.260** Jim Wray's jacket was sent to DIFS on 2nd February 1972 for examination by Dr Martin and others.<sup>1</sup> It was subsequently returned to the Wray family, who preserved it and made it available to this Inquiry. Dr Shepherd and Mr O'Callaghan were asked to look at the jacket as well as the DIFS notes in the course of their work. They concluded that there appeared to be three bullet entry holes in the back of the jacket. These are marked EH1, EH2 and EH3 on the photograph below.

<sup>1</sup> [D235](#)





**104.261** Dr Shepherd and Mr O'Callaghan considered that in the case of EH3, the bullet entered from the lining side of the jacket.<sup>1</sup>

<sup>1</sup> [E2.37](#); [Day 230/32](#)

**104.262** Dr Martin's notes record the presence of EH1 and EH2.<sup>1</sup> A reference to EH3 appears to have been crossed out on his drawing of the jacket,<sup>2</sup> and no further mention of it was made in his written notes or report.<sup>3</sup>

<sup>1</sup> [D238](#); [D239](#); [D235](#)

<sup>3</sup> [E2.36](#); [D226-246](#)

<sup>2</sup> [D239](#)

**104.263** Dr Martin tested all three holes for the presence of lead particles, but only EH1 returned a positive result. Dr Shepherd and Mr O'Callaghan commented that "*bullet wipe*", the deposit left by the passage of the bullet through clothing, was still visible at the lower right margin of this hole.<sup>1</sup>

<sup>1</sup> [E2.36-37](#); [F4.19](#); [Day 230/13-14](#)

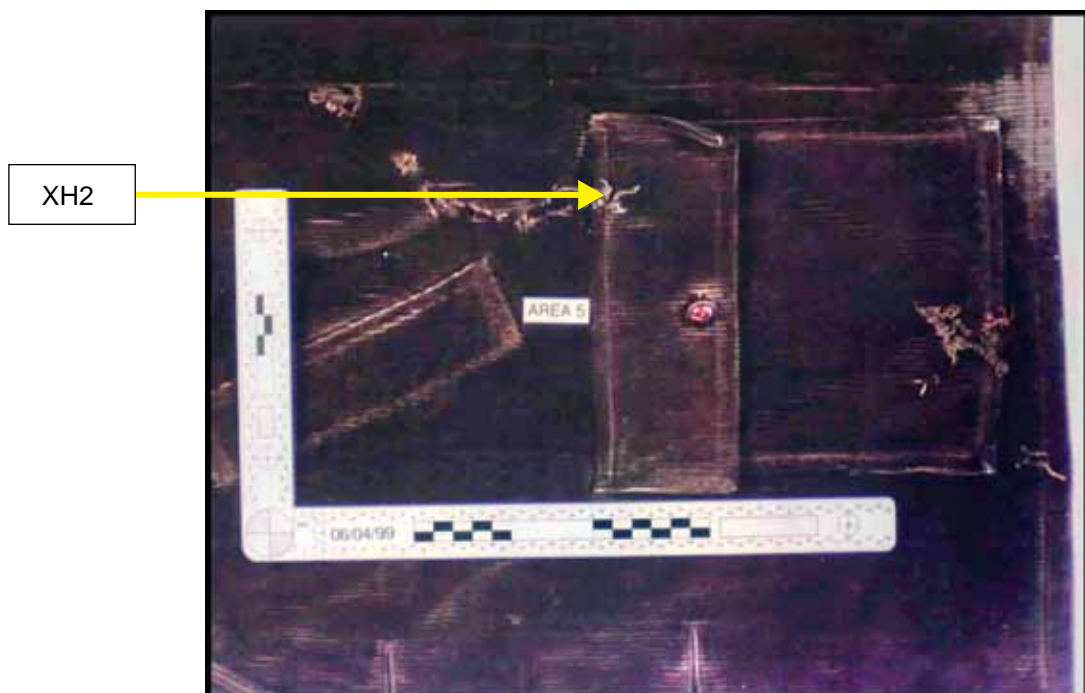
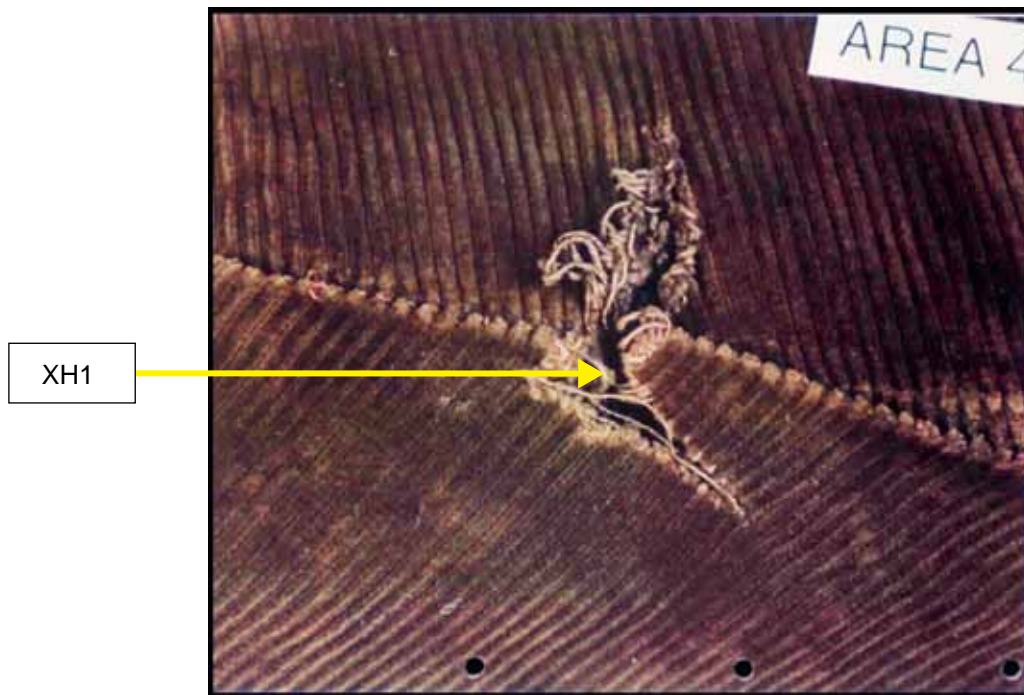
**104.264** Dr Lloyd stated to this Inquiry that Dr Martin's notes indicated that he tested only the exterior surface of the jacket for lead.<sup>1</sup> Mr O'Callaghan attempted to conduct a further test on the lining of EH3, but due to the deterioration of the jacket over the years this was not possible. However, he did confirm that there was no visible bullet wipe around EH3.<sup>2</sup>

<sup>1</sup> [D238-D244](#); [Day 227/55-56](#)

<sup>2</sup> [Day 230/31-32](#)

**104.265** There was further damage to the jacket at the seam on the left shoulder and also to the left side of the jacket including the side pocket. In both cases the lining of the jacket was far less extensively affected than the outer cloth, and there were no visible deposits from muzzle discharges.<sup>1</sup> The relevant areas are marked respectively XH1 and XH2 on the following photographs.

<sup>1</sup> [E2.37](#); [F4.1](#); [F4.3](#); [F4.21-27](#)



104.266 Dr Martin concluded that the damage was consistent with bullet exit.<sup>1</sup> Dr Shepherd and Mr O'Callaghan agreed that this was the most likely cause, though they accepted that there was a possibility that the damage marked XH2 might have been caused by a third bullet.<sup>2</sup>

<sup>1</sup> D235

<sup>2</sup> E8.26

**104.267** Dr Shepherd and Mr O'Callaghan expressed their conclusions on the damage to Jim Wray's jacket, which we accept, as follows:<sup>1</sup>

"There is little doubt that the top hole in the back of the jacket [EH1] is associated with the damage on the left shoulder [XH1] and that the middle hole [EH2] is associated with the damage to the left side [XH2]. The lowest hole [EH3] is more difficult to account for. It may be possible that a bullet passed through the jacket causing the lowest of the three holes but without inflicting an injury to the body. However, photographs taken of the deceased wearing the jacket on Bloody Sunday show that this hole would have been situated high on his right buttock. It is difficult to envisage how a bullet could have passed through the jacket at this site without causing an injury even if the deceased had been running and the jacket moving away from his body when shot.

We have concluded that the most likely explanation for the damage is that the bottom of both the left and right sides of the jacket were folded or crumpled up when the lower of two shots struck. This exposed the lining at the bottom of the right side of the jacket through which the bullet entered, causing holes in the underlying layers of outer cloth and lining beneath. As the bullet exited through the left side of the jacket it left relatively little damage to the lining, but cut through the folded outer cloth leaving a line of ragged damage approximately centered on the top of the pocket."

<sup>1</sup> [E2.37](#)

**104.268** In other words, according to these experts the most likely explanation for the damage to the jacket is that two bullets hit Jim Wray. One entered the jacket at EH1 and exited around the shoulder at XH1. The other initially passed through the exposed lining of the jacket at EH3 while it was folded upwards. It then went through the outside of the jacket at EH2, before exiting on the left side where it caused the damage at XH2. The implication of this analysis is that the bullet that caused EH1 and XH1 also caused Wound 1, while a second bullet resulted in EH2, EH 3, XH2 and Wound 2.

**104.269** Dr Shepherd and Mr O'Callaghan repeatedly stressed that the medical and scientific evidence did not allow them to establish a unique and exact theory regarding the orientation of Jim Wray's body at the time when he was shot.<sup>1</sup> However, they did provide two possible examples of how the jacket came to be crumpled in order to allow for the damage at EH2, EH3 and XH2.

<sup>1</sup> [E2.39](#); [Day 230/33-34](#); [Day 230/62-63](#); [Day 230/86-90](#)

- 104.270** Jim Wray could have been standing upright, but leaning forward from the waist, with the jacket folded up on his back and pushed forward at the sides, as shown in the following photograph.



- 104.271** Alternatively, Jim Wray could have been lying on his front, with the jacket folded on top of his back and pushed forward at the sides, as shown in the photograph below.<sup>1</sup> Mr O'Callaghan confirmed in his oral evidence that this photograph showed "*a person lying full length on the ground and slightly pushing himself up with his arms*" and that this was "*one particular position in which the damage can be reconciled with the position of the deceased*".<sup>2</sup>

<sup>1</sup> [Day 230/62-63](#)

<sup>2</sup> [Day 230/63](#)



**104.272** Mr O'Callaghan commented that these were just two of "*a whole range of possibilities*" that could explain how the jacket came to be "*ruched up*" at the relevant time.<sup>1</sup> He also explained that the position of the model, Jim Wray's nephew, James,<sup>2</sup> in the photograph directly above was intended "*to give the general relationship of [Jim Wray to] the jacket*" and was "*not, by any means, necessarily the position in which Jim Wray was, either when shot or indeed at any time*".<sup>3</sup> Dr Shepherd reiterated this point when he was recalled.<sup>4</sup>

<sup>1</sup> [Day 230/33-34](#); [Day 230/89](#)

<sup>3</sup> [Day 230/88](#)

<sup>2</sup> [FS4.194](#)

<sup>4</sup> [Day 230/94-96](#)

**104.273** With these caveats in place, Mr O'Callaghan went on to say that:<sup>1</sup>

"I think, as we said, there are variations which could account for the crumpling but, taking everything as a whole, this seems to be the more likely, taking, you know, the pathological aspects of it, together with the jacket, but it does not preclude the possibility that the jacket arrived in that position with the deceased in a different position."

<sup>1</sup> [Day 230/89](#)

- 104.274** The Chairman asked Mr O'Callaghan, "*In your answer, you said, 'this seems to me the more likely'; what did you mean by 'this'?*". Mr O'Callaghan replied:<sup>1</sup>

"That the deceased is actually on the ground when the – with the jacket crumpled rather than running. I suppose it is more common sense than anything to do with firearms expertise that the jacket, in this position, for both sides of the jacket to be up, the victim on the ground, the deceased on the ground seems more likely to me, but it is not an immutable opinion, by any means."

<sup>1</sup> [Day 230/90](#)

- 104.275** It is important to note that Mr O'Callaghan's opinion in this regard relates solely to the damage to the jacket at EH2, EH3 and XH2 and therefore only to Wound 2, the lower of the two injuries to Jim Wray's body. In itself, this opinion does not relate in any way to Wound 1 (which resulted in the shored exit wound at Jim Wray's shoulder), or the corresponding damage to the jacket at EH1 and XH1.
- 104.276** As Mr O'Callaghan himself indicated, his view on this matter was based more on common sense than his expertise. While respecting this view, we remain unpersuaded that it amounts on its own to a firm basis for concluding that Wound 2 was sustained when Jim Wray was on the ground.

## The range of the shots

- 104.277** In his evidence to this Inquiry, Mr O'Callaghan explained that a visible deposit of lead and burned propellant might be left on the outer surface of a target shot at a range of less than 1m.<sup>1</sup> In the case of Jim Wray, there is nothing in Dr Martin's 1972 notes to indicate the presence of such a deposit, and his diagrams of the jacket are accompanied by the comment "*no sign of close range*".<sup>2</sup> Mr O'Callaghan told this Inquiry that there was nothing in the material that he had examined to contradict this opinion, and, on the basis that Dr Martin had made a thorough examination and noted the presence of any relevant deposits, he concluded that there was no evidence that Jim Wray was shot from a distance of less than 1m.<sup>3</sup> We accept Mr O'Callaghan's evidence on this point.

<sup>1</sup> [E2.0012; Day 229/15-16](#)

<sup>3</sup> [Day 230/34-36](#)

<sup>2</sup> [D239; F23.6](#)

- 104.278** In his 1972 notes Dr Martin also recorded that Jim Wray had been shot from a distance of more than 30 feet.<sup>1</sup> This finding appears to be based on the absence of contamination by muzzle discharge residues, which, unlike discharge residues from the breech of a weapon, are indicative of firing from a relatively close range. Dr Martin told this Inquiry



that through the results of his tests in 1972 he was able to ascertain the difference between discharge from the muzzle and that from the breech in shots fired at a range of between zero and 12 feet, and that there was only a “negligible” possibility of contamination from muzzle discharge when the range was greater than 30 feet. However, he also stated that at a range of between 12 and 30 feet it was possible to mistake muzzle discharge for that emanating from the breech.<sup>2</sup> Hence, on his own logic, it would be possible for an observer looking at a target struck from a range of between 12 and 30 feet to misidentify muzzle discharge as breech discharge, and then to conclude that as no muzzle discharge was present then the shot must have been fired from a distance of more than 30 feet. Dr Shepherd and Mr O’Callaghan noted that Dr Martin had inexplicably failed to report that residues apparently emanating from a breech could equally have come from a muzzle fired 12–30 feet away. They also recorded that Dr Martin’s descriptions of the particles did not clearly indicate the size of the particles, and that it was not clear how Dr Martin had used these descriptions to interpret the nature of the residues.<sup>3</sup> They concluded that in the cases of all but one of the known victims of Bloody Sunday, the only potentially reliable finding that could be drawn was that the apparent absence of a visible deposit from muzzle discharge on the deceased’s clothing or skin indicated that the shots were fired from a distance of probably no less than a metre.<sup>4</sup> Mr O’Callaghan confirmed in his evidence to this Inquiry that this conclusion applied in the case of Jim Wray,<sup>5</sup> and we accept his evidence on this point.

<sup>1</sup> F23.6; D239

<sup>2</sup> D604; Day 226/60-67

<sup>3</sup> E2.0012-0013

<sup>4</sup> E2.0013. The exception was Gerard McKinney, whose clothes were washed at the hospital prior to examination.

<sup>5</sup> Day 230/35-36

**104.279** We return below to the scientific and medical evidence on the question of whether Jim Wray was shot at very close range, albeit one of greater than a metre.

## **Summary of the medical and scientific evidence on whether Jim Wray was shot on the ground**

**104.280** The expert witnesses who gave evidence to this Inquiry agreed that there was no way of establishing from the medical and scientific evidence alone Jim Wray’s precise anatomical position when he was shot, which of the shots struck him first, the time that elapsed between the two shots, and whether or not Jim Wray was standing, falling or lying on the ground when either wound was inflicted. However, the following paragraphs set out the explanations that each of the relevant experts considered to be the most likely.



**104.281** Dr Shepherd and Mr O'Callaghan thought that the following scenario was the most persuasive:

- a) that the two bullets that struck Jim Wray were fired from the same weapon, from the same position and in quick succession;
- b) that Wound 1, because of the nature of the shoring of the exit wound, was caused when Jim Wray was on his left-hand side on the ground;
- c) that Wound 2, because of the bullet damage to the jacket, was also caused when Jim Wray was on the ground; and
- d) that there was insufficient evidence to indicate which of Wounds 1 and 2 was the first to be sustained.

**104.282** In contrast, Dr Carson, supported in part by Dr Di Maio, considered the most likely explanation for Jim Wray's wounds to be as follows:

- a) that Jim Wray was shot by two bullets fired from the same weapon, from the same position and in quick succession;
- b) that the shoring to the exit wound at Jim Wray's left shoulder was more likely to be caused by a tightening of the clothes as Jim Wray fell, rather than by Jim Wray being in contact with the ground. Dr Di Maio agreed with Dr Carson on this point; and
- c) that, because of the proximity and similar appearance of the entrance wounds and the divergent tracks and exit wounds, and the probable cause of the shoring of the shoulder wound, the lower wound, Wound 2, was inflicted first when Jim Wray was upright and the upper wound, Wound 1, was caused by a bullet striking Jim Wray as he fell to his left.

## **Professor Keith Simpson**

**104.283** Professor Keith Simpson, in 1972 Professor of Forensic Medicine at the University of London and a Home Office pathologist, reviewed the medical evidence available to the Widgery Inquiry and gave evidence on it to that Inquiry. In relation to Jim Wray, Professor Simpson stated that it was not possible to comment on whether the two bullet wounds to his body were caused by the same weapon in the absence of the bullets themselves.<sup>1</sup> However, his view was that the entry wounds were consistent with those caused by a round from a 7.62mm NATO rifle.<sup>2</sup> Professor Simpson thought that the upper of the entry

wounds to Jim Wray's body (Wound 1) might have been caused by a bullet that had been destabilised in flight, but he explained that the deflection need only have been slight and could have been caused by Jim Wray's own clothing.<sup>3</sup> He described the direction of fire as being from right to left.<sup>4</sup>

<sup>1</sup> WT9.39; D0630

<sup>3</sup> WT9.39; D0627

<sup>2</sup> WT9.39

<sup>4</sup> WT9.40

**104.284** On the question of whether Jim Wray was shot while standing or while on the ground, Professor Simpson stated that he could not tell whether he was erect, lying down, raising himself from a prone position, or falling from a raised position.<sup>1</sup> Professor Simpson also commented that he could not assist as to whether it was more likely that Jim Wray was standing when the bullet entered his body.<sup>2</sup>

<sup>1</sup> WT9.40; WT9.51

<sup>2</sup> WT9.43

**104.285** When asked about one of the bullet tracks (Wound 2), Professor Simpson agreed it "*went through from right to left with an inclination upwards at about 15 degrees to the horizontal plane*".<sup>1</sup>

<sup>1</sup> WT9.43

**104.286** We return to Professor Simpson's evidence below, when we consider the question of whether the position of Jim Wray's body on the ground assists in determining whether he was shot after he had fallen.

**104.287** Professor Simpson was not asked about, nor did he comment upon, the points raised by the witnesses to this Inquiry concerning the shoring of Jim Wray's shoulder wound, the significance of possible bullet fragmentation, the range at which Jim Wray was shot and the bullet damage to his jacket. However, his testimony reinforces our view that the scientific and medical evidence alone does not enable us to form a conclusion on the matter under consideration. As Dr Shepherd commented when discussing the question of shoring, "*any final conclusions concerning the position of James Wray when he received this injury will now depend on an assessment of any eye witness accounts that are available to the Inquiry*".<sup>1</sup>

<sup>1</sup> E33.4

**104.288** We accordingly turn to consider the civilian evidence on this question.

## The civilian evidence

**104.289** We turn first to look at the evidence of the eight civilians who gave accounts in 1972 that could be said to show that Jim Wray was shot as he lay on the ground. They are: Malachy Coyle, John Porter, Michael Wilson, Susan and Betty Coyle, Bridget and William O'Reilly, and Gerald Campbell. We then consider later evidence given by these witnesses before assessing what reliance we can place on their accounts.

### Malachy Coyle

**104.290** Malachy Coyle gave a NICRA statement that was dated 1st February 1972. In this he was described as a 14-year-old schoolboy.<sup>1</sup> As we have noted above, shortly before the soldiers opened fire in Glenfada Park North he had been pulled to cover in a yard in Glenfada Park North. In his NICRA account, Malachy Coyle recorded:<sup>2</sup>

"We hid behind a dustbin and looked out to see if we could see the army. I could see three unarmed men lying on the ground in Glenfada Park. One of the men had his left eyebrow shot away. He was lying face down on the ground.

I made a move towards this man but the man in the yard with me pulled me back. We then tried to get into this house, but the man said we should not as the door of the back yard was open and the army would be able to see us. We looked towards the wounded men on the ground and the man with the eye wound looked up at us and exchanged a few words with the man in the yard with me. I heard another shot coming from the direction of the soldiers and I then knew that the man had been shot again in the back of the left-hand shoulder. He gave a groan and I could then see that the man was dead."

<sup>1</sup> [AC97.20](#). Malachy Coyle told us when he gave evidence to this Inquiry that he was in fact 16 at the time of Bloody Sunday ([AC97.1](#)).

<sup>2</sup> [AC97.20](#)

### John Porter

**104.291** John Porter, a Quartermaster Sergeant in the Irish Army who was 33 at the time of Bloody Sunday,<sup>1</sup> gave a long Keville interview.<sup>2</sup> We have already considered some of the evidence of this witness in our examination of Sector 1. In his Keville interview he gave an account of the rioting in William Street, firing in the Rossville Street area, events, including a shot, in the Columbcille Court area and people running from Glenfada Park North. He then described going into 8 Abbey Park:<sup>3</sup>

“I looked out the window and I saw a man running towards the front of Glenfada Park running towards er – from the Rossville Street area. I could just seen the corner of the flats from the house I was in, saw the man running and the next thing I saw was er – your man falling. In my opinion this man was shot from the walls behind the flats to the right of – right of Butcher Gate.”

<sup>1</sup> AP11.1; WT8.44

<sup>3</sup> AP11.26

<sup>2</sup> AP11.26-28

**104.292** John Porter continued by saying that two paratroopers appeared. *“I saw the front paratrooper come up and aim and fire two shots ... These shots would be directed towards the corner of Rossville Street flats and the Free Derry Corner. Er – the next thing I saw was a second paratrooper and another paratrooper appeared and he fired one shot. Er – these two paratroopers went to advance forward...”*<sup>1</sup> These paratroopers then arrested a group of people *“standing behind the flats”* including a woman in a green coat who protested and was kicked. He then said that he ran out of the door towards *“a man seemingly shot in the arm”* who had fallen and cut his right eye or his left eyebrow on the edge of the path, but as he was about *“half way between the man and the flats there was a volley of shots rang out. I knew by the noise of the bullets that the bullets – the bullets had hit the wall just between me and the man and I assumed that the idea was to keep people from getting out on to the Court to lift the wounded men. Er – I learned later that there were two other men round the corner. One of them was dead and the second man was wounded.”*<sup>2</sup>

<sup>1</sup> AP11.26

<sup>2</sup> AP11.26

**104.293** John Porter then stated that he ran back but this time went into 7 Abbey Park. He then described incidents which (as appears later in this report<sup>1</sup>) took place in Abbey Park, after which he said:<sup>2</sup>

“I saw the man lying on the ground that I had tried to rescue earlier on, rise up again with his head and all off the ground and I saw the clothes on his back jump up and I knew that he had been shot at close range by a rifle er – but I saw the smoke at the back of his clothes. The next thing a Paratrooper came out behind the man about four yards across the way and then I went out and helped men to carry this man into the house and er – one of the shots was in his arm where I later – earlier said it was and the cut was above his eye and one of the bullets was in his lower right side and this bullet’s sitting probably in his body but er – the other shots that they fired at close range entered his left side and came out of his right shoulder blade ... There was no doubt in my mind that the Paratrooper shot a wounded man on the ground.”

<sup>1</sup> [Chapters 106, 107 and 108](#)

<sup>2</sup> [AP11.27-28](#)

**104.294** It appears that this Keville interview was edited and transcribed by NICRA and dated 31st January 1972,<sup>1</sup> but that transcription contains some material inaccuracies, to which we refer below. The quotations that we have set out above come from our own transcription of the interview, with the inaccuracies corrected.

<sup>1</sup> [AP11.18](#)

**104.295** John Porter’s signed NICRA statement was dated 1st February 1972.<sup>1</sup> Having given his recollection of earlier events, John Porter stated that he moved from Columbcille Court in the direction of Glenfada Park North:<sup>2</sup>

“... I only got as far as 8<sup>3</sup> Glenfada Park when I heard people shouting and squealing ‘there’s the army. There’s the Saracens.’ I stopped and looked to my left and saw a group of people running through an arch in front of me. A young man in the group wearing a blue suit had an injury and lacerations to the side of his head. I then turned to run and a woman shouted ‘Mister, quick come in here.’ I ran in the door and she said ‘Close the door.’ I kept the door slightly open and looked through the slip-way between the houses in front of me. I saw a young man falling and as he fell he hit his head on the sidewalk. I then heard a volley of shots. I closed the door and went to the window. I told the people in the house that a man was injured. I went back to the door and opened it. I looked towards the injured man. His head was raised up looking towards me and I saw a cut above his left eye. He tried to raise himself up but failed

and then I saw blood on his wrist. I said to the people in the house, 'My God, there's a man who has been shot.' I ran out the door towards the man and saw a group of men standing in the same area. As I was running I saw one of the men make an effort to go towards the injured man. I then heard three bullets hitting the wall between myself and the injured man. The last was a ricoche. I turned immediately and the men at the corner scattered. I ran back to No. 7 and closed the door. I then went to the window and looked out to my left and saw an elderly man lying face up on the ground. He was not moving. I returned to the door and heard someone shout 'Get a first aid man, this man has had a heart attack or something.' I then saw a young man run from the right towards the man waving a white handkerchief. He stopped between the corner and the man and shouted 'Don't shoot, don't shoot!' The next I saw he was knocked off his feet onto the ground. I then saw a girl run from the same place. She was wearing a white coat with a red cross on it. When she arrived at the corner she stumbled and fell. A crowd of approx. 15 people came forward with their hands raised. Some were waving white handkerchiefs. When the group arrived at the corner a number of shots rang out and some squatted down and some lay down. They immediately scattered again. Then I looked back towards the first man who had fallen. I saw a paratrooper appear followed by a second. They took up aimed positions. The first fired two shots and the second one shot. These shots were aimed and elevated. They then moved forward a few yards and noticed a group of people sheparding together. The paratroopers then pointed their rifles in their direction and signaled for the people to move off. I then saw a paratrooper kick one of the people. When the group moved off a woman wearing a green coat remained. She seemed to protest and was perturbed. She moved and the paratrooper stepped to her right rear. I then saw the paratrooper kick the woman. Two more paras arrived followed by a third. This para. turned and followed the group. I then saw the first para. of the second group fire four shots from the hip position and fanned the rifle as he did so. The second para, almost at the same time fired two shots from chest high. They then moved out of my range of view. I again told the people of the house about the man I had seen fall earlier, and told them he was definitely shot. They wanted me to keep away from the window so I moved to an angled position so as to still observe the man lying on the ground. I saw a paratrooper move from the right side of the man to his left. He moved back to the right and crossed again. He was small, dark complexion and could have been wearing a moustache. That was the last I saw of this para.

I still did not go outside because I knew the second para was still there. I moved to the centre of the window and still observed the man I had tried to rescue. I then saw him lift his head off the ground and I said 'That man's not dead yet. He's still alive.' I then saw the back of the man's coat jump up twice about 4 or 5 inches in the air and I said, 'Good God, that man's must been shot twice in the back at close range.' I saw some smoke rise from where he'd been shot. A few seconds afterwards I saw the second para. move out to clear view. Thats the last I saw of that para. He was of light complexion and appeared to have blond type hair.

We waited a few minutes and the area became completely silent. Myself and a few men rushed out of the houses towards this man. We lifted him and carried him back towards the house. When we carried the first man into the house before, we lay him face down and while some tended to him I said, 'What about an Act of Contrition.' We lifted his shirt up and he had a bullet wound on his right lower back and also one on his left lower back. As we pulled his shirt further up I noticed the long triangular shape laceration on his left shoulder. He was still wearing all of his clothes but they were pulled up so we could see his back. Some blood was coming from the wound on his left lower back. I put my handkerchief over the wound to stop the blood flow and a man began to wrap a large wide bandage round his body. I then said that the man would have a wound in his lower right/left arm and I stood up and left the house.

I then got worried and moved off towards Eglington Terrace. On the way a shot rang out and I looked round towards the area of Free Derry Corner and the City Walls and as I did so more shots rang out from the Walls. I then turned towards the houses again and when I arrived I found out that there were five men in the houses who had been shot. I went into No. 7 where a man was being tended by a doctor. Knights of Malta First Aid men were also present."

<sup>1</sup> [AP11.1-3](#)

<sup>2</sup> [AP11.1-3](#)

<sup>3</sup> Examination of the original handwritten version of the statement would suggest that the "8" in the typed version was a typographical error; the number does not appear in the handwritten version. However, John Porter also gave an interview to Kathleen Keville. In the transcript of that interview, he does identify the house as number 8 Glenfada Park ([AP11.25](#)).

#### 104.296 John Porter gave written and oral evidence to the Widgery Inquiry.<sup>1</sup>

<sup>1</sup> [AP11.16-17](#); [WT8.44-55](#)



- 104.297** In his written statement for the Widgery Inquiry, John Porter, after giving an account of events in the Columbcille Court area and what he said he saw from the north-west corner of Glenfada Park looking across the waste ground on the far side of Rossville Street, then stated:<sup>1</sup>

"I then moved to the outside of 8 Abbey Park. I then saw five people running towards me through the slipway out of Glenfada Park and a boy at the front had blood around his right eye. He was wearing a blue suit and had long dark hair. I was then called into 8 Abbey Park. I then saw a young man with auburn hair run towards the slipway in Glenfada Park. He stumbled and fell at the corner of Glenfada Park and remained there. He raised his head and I noticed that he had blood on his left hand and on the left eyebrow. I ran towards him but as I approached there was further rifle fire which struck number 19 Glenfada Park and seemed to come from the north eastern corner. I ran back to Abbey Park and went into Number 7 and noticed a young man running from the direction of Fahan Street. I then noticed an older man lying on his back between the corner of Glenfada Park and Abbey Park."

<sup>1</sup> AP11.16

- 104.298** John Porter then gave an account of hearing a shot, seeing this young man fall in the same area as the older man, and hearing other shots and seeing soldiers threatening a group of people.<sup>1</sup> He continued:<sup>2</sup>

"I then looked at the man I had tried to rescue. He raised his head. I then noticed his green/brown corduroy jacket rise at the back twice and I realized he had been shot again. I didn't see who fired but I saw two puffs of smoke and I think he was shot at from the southern side of Glenfada Park. He then lay still. I then saw a paratrooper move across Glenfada Park behind him. The firing ceased and I then went to the man I had tried to rescue. He was still alive but unconscious and I then helped to carry him to number eight Abbey Park. I noticed a graze wound above his left wrist and on the knuckle of the left index finger. His shirt was bloody. There were two entry wounds on the left and right side of the small of his back. I noticed a jagged exit wound on his left shoulder about 1¼" long and about ¼" thick."

<sup>1</sup> AP11.16-17

<sup>2</sup> AP11.17

- 104.299** John Porter gave a similar account in his oral evidence to the Widgery Inquiry.<sup>1</sup> He said that the man was lying flat when he saw the bullets strike his body and that the bullet that struck him first "*was the one that entered the left side of his back*" and that "*The second bullet, looking at the strike and seeing his jacket move, it was lower, towards the right,*

*lower down his back*".<sup>2</sup> He told the Widgery Inquiry that he had army experience of bullets striking the area of the butts when he was in charge of a butt parade (ie in charge of shooting practice).<sup>3</sup> He also told the Widgery Inquiry that when the body had been taken to the house, he looked at it to see where the wounds were.<sup>4</sup> He said he found wounds to match the places where he saw the strikes occur.<sup>5</sup>

<sup>1</sup> WT8.44-55

<sup>4</sup> WT8.52

<sup>2</sup> WT8.52

<sup>5</sup> WT8.52-53

<sup>3</sup> WT8.52

**104.300** John Porter also told the Widgery Inquiry that when he saw Jim Wray fall at first he did not think he had been shot, but had stumbled and fallen.<sup>1</sup> He was then asked, "*Did you think then he was shot or did you come to the conclusion afterwards that he was not?*". John Porter answered, "*Not until I saw him trying to get up off the ground*". The next question was of a leading character and was "*Wray was only shot when he was standing up?*", to which the answer was "*That I couldn't say*".<sup>2</sup>

<sup>1</sup> WT8.54

<sup>2</sup> WT8.54

**104.301** We should note that John Porter also gave a deposition dated 21st August 1973 for the coroner's inquest into the death of (among others) Jim Wray. In this he stated that when the shootings started he moved to Glenfada Park and eventually entered the doorway of No. 8 Abbey Park:

"I was able to see the alleyway at Glenfada Park and saw a man run through the park for a few steps and fall a few feet from the corner of the flats. There was shooting going on in the background. There was a group of people standing at the corner but none made any effort to assist. I ran to lift him for he lifted his head to me. I noticed blood coming from the corner of his left eye and at the left side of his left hand. I saw his jacket jump up in the air twice, four or five inches. At that instance I realised that this young man had been struck by two bullets in the small of the back. I also saw what I took to be two puffs of gas or smoke as from a rifle in the direction just behind where the man had been shot in the back. When I got to him he was still conscious. I carried him to No. 8 Abbey Park. I subsequently learned that the name of the man was James Joseph Wray."

<sup>1</sup> AP11.23

**104.302** The *Sunday Times* Insight Team attributed a map to John Porter, though there is no record of him giving any statement or interview to the *Sunday Times*.<sup>1</sup> There is another Insight Team map<sup>2</sup> which does not indicate the source of the information, but in our view neither takes the matter any further.

<sup>1</sup> [AP11.22](#)

<sup>2</sup> [AP11.21](#)

## Michael Wilson

**104.303** Michael Wilson, then aged 40, gave a Keville interview (the NICRA transcription of which was dated 30th January 1972<sup>1</sup>) in which he recorded that he ran into Columbcille Court and “*me and another boy went into a small backyard*”.<sup>2</sup> He continued:

“... we were pinned down there and some wee lad, some lad, was a man actually about 25 or so, threw himself on the ground at the kerb and I said to him, ‘sonny, come in here out of the road’ he says ‘I can’t move, they have me pinned down’. Just as that – he was shot in the back. About five minutes after that five or six paratroopers came into, in the cul-de-sac and they called on anybody to come out with their hands up. So we – we came out with our hands up and there was five or six other ones came out from behind cars with their hands up and there was a crowd sitting round the corner at the gable end of the flats...”

<sup>1</sup> [AW18.6](#)

<sup>2</sup> [AW18.12](#)

**104.304** Although Michael Wilson described himself as being in Columbcille Court, his description of seeing soldiers come forward and arrest people and of the crowd sitting round the corner of the gable end is consistent only with him in fact being in Glenfada Park North. We discuss those arrests later in this report.<sup>1</sup>

<sup>1</sup> [Chapter 113](#)

## Susan and Betty Coyle

**104.305** Susan Coyle gave a NICRA statement on 3rd February 1972. It was counter-signed by her daughter Betty.<sup>1</sup> Betty Coyle added no detail to her mother’s evidence, but stated that she had witnessed everything that was contained in her mother’s statement.<sup>2</sup>

<sup>1</sup> [AC86.1-2](#)

<sup>2</sup> [AC86.2](#)

**104.306** Susan Coyle recorded in the statement that she and her daughter were in their home, which was in the eastern block of Glenfada Park North, when she saw people shot at the rubble barricade.<sup>1</sup> According to this account she subsequently watched as soldiers threw

bodies from the barricade into a nearby “*Saracen*”; and then became aware of events in Glenfada Park North.<sup>2</sup> The chronological problems raised by the sequence of the events described in her evidence are discussed below. She continued:<sup>3</sup>

“I then heard shooting at the back of my house; my daughter went to the kitchen and from the kitchen window she saw three bodies lying in front of the three pensioner’s houses in Glenfada Park. I went into the kitchen and I also saw the bodies. Just then there was another shot also from the army, at the same time one of the bodies shuddered as though struck by a bullet. There was no other people present in this part of Glenfada Park at the time.”

<sup>1</sup> AC86.1

<sup>3</sup> AC86.1

<sup>2</sup> AC86.1

## Bridget O’Reilly

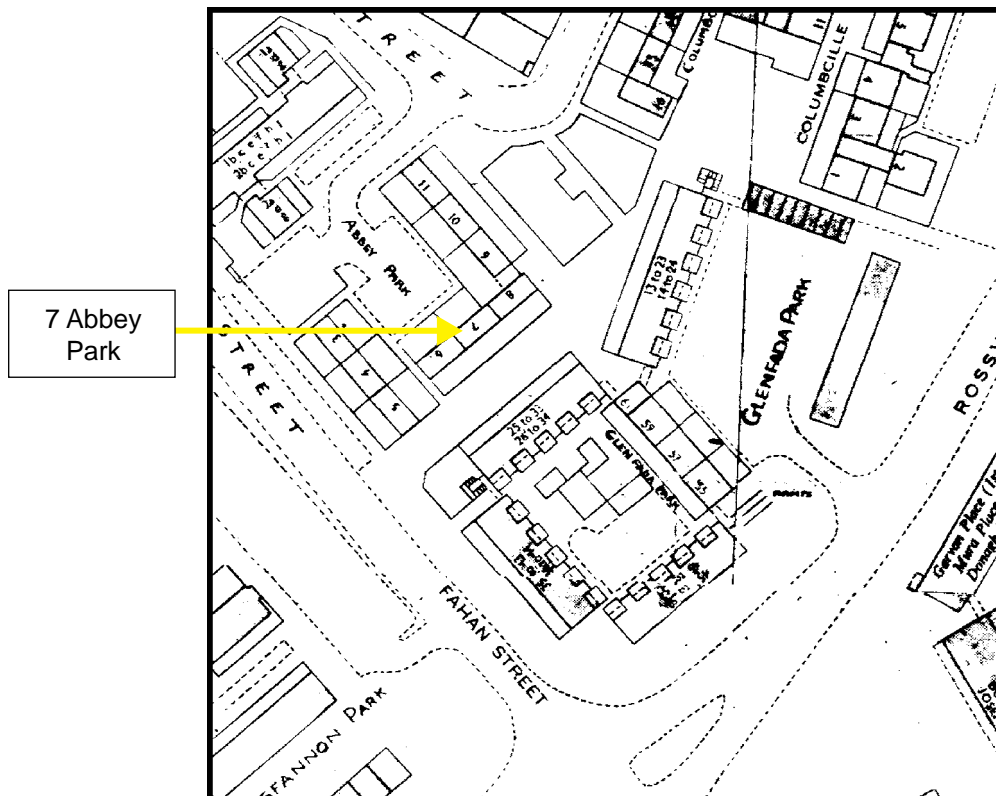
**104.307** Bridget O’Reilly gave a NICRA statement<sup>1</sup> in which she recorded that she was at her home in 7 Abbey Park, shown on the map below, when she first heard shooting. She crawled to and opened her front door, and called for people to come inside. She went on:<sup>2</sup>

“The firing ceased for a few minutes and I went to the window and saw the legs of a man lying outside. There were five or six people across from him and a youth lying in Glenfada Park. The shooting started again. The boys across the street had their hands above their heads. A man stepped over a low wall to reach the man who was lying down. He had his hands above his head.

At this point I saw the man lying in Glenfada Park raise himself from the ground. I saw a soldier run up to [him] and shoot him again. He fell in the road again. This same soldier then fired at the man who had stepped over the wall and this man fell.”

<sup>1</sup> AO66.9

<sup>2</sup> AO66.9



**104.308** We should note here that in her evidence to this Inquiry, Bridget O'Reilly told us that she did not see a soldier fire at Jim Wray. We consider that evidence below.

## William O'Reilly

**104.309** Bridget O'Reilly's husband, William O'Reilly, who was 40 at the time of Bloody Sunday, also gave a NICRA statement in which he described running to his house, 7 Abbey Park, with others after he had heard shooting.<sup>1</sup> He said that from there he saw the following incident:<sup>2</sup>

"I went to my front window and I saw a youth fall at Glenfada Park – his head was on the kerb and his body on the street. He moved slightly and just as I was going out to him more shots rang out, the youths body jerked and lay still."

<sup>1</sup> AO69.7

<sup>2</sup> AO69.7

- 104.310** William O'Reilly also gave written and oral evidence to the Widgery Inquiry. In his written statement he recorded that:<sup>1</sup>

"I was looking out of my front window on the ground floor. I do not know the exact time, but I had heard two lots of shooting. During the second lot of shooting I saw 13 or 14 people come running out [of the alleyway leading from Glenfada Park North to Abbey Park] ... The last one to run out suddenly fell down. He fell heavily and his head hit the ground first. He lay with his head on the flagstones and his body on the tarmac.

He was later taken to No. 8 Abbey Park, my neighbour's house, and I now know his name was Wray."

<sup>1</sup> [AO69.24](#)

- 104.311** We should note here that in William O'Reilly's account to Paul Mahon, he said that he did not actually see the man fall. We consider that evidence below.<sup>1</sup>

<sup>1</sup> [X4.33.43](#)

- 104.312** In his oral evidence to the Widgery Inquiry,<sup>1</sup> William O'Reilly stated that he could hear general shooting at the time at which Jim Wray fell, but he was unable to associate a specific shot with the incident and he accepted that Jim Wray might just have tripped and fallen at that stage.

<sup>1</sup> [WT7.3](#)

- 104.313** There was then the following exchange between William O'Reilly and counsel acting for the families:<sup>1</sup>

"Q. When he was on the ground, after he had fallen, did you see his body move at all at any time?

A. He lifted his head and tried to look round, you know.

LORD WIDGERY: I think you were indicating that he moved his head around?

A. Yes. He was trying to look round.

Mr. HILL: He raised his head from the ground and moved it around, looking about him, is that correct?

A. Yes.

Q. After that, what else, if anything, did you notice about him?

A. I was going to run down like, to get him up, and the body gave a jerk.

Q. Was that a sudden sort of twitch?

A. Yes, it was.

Q. Were you able to see with your own eyes what caused that sudden twitch in Wray's body?

A. No.

Q. But after this twitch, did he then fall again from the slightly raised position to the ground?

A. His head just went down again.

Q. His head had been raised?

A. Yes, he was moving about his head.

Q. And after the twitch did his head fall to the ground?

A. Yes.

Q. Did he then remain lifeless?

A. I did not see him move after.

Q. You did not see him move at all after that?

A. No.

Q. So after the body twitched his head fell to the ground, and he remained perfectly motionless after that, is that so?

A. Yes.

Q. You did not see any weapon of any sort in Wray's hand, is that right?

A. No, I didn't."

<sup>1</sup> WT7.3-4



- 104.314** Counsel for the Ministry of Defence asked William O'Reilly whether he had mentioned in his written statement anything about the man's body jerking:<sup>1</sup>

"Q. In your statement – I don't know if you can answer this – to the Tribunal did you mention anything about the body jerking when Mr. Wray lay on the floor?

LORD WIDGERY: The answer is 'No'.

MR. GIBBENS: In your mind, and this is the object of the answer, isn't it, in your mind it must have been that while lying on the ground the body jerked because the boy was deliberately shot when he was lying flat and motionless?

A. That is right.

Q. And killed by that shot?

A. He was not killed.

Q. Whereas he may only have tripped up till that moment, he then jerked and lay lifeless, according to your evidence?

A. Yes.

Q. Did you believe at that moment that he was dead?

A. Yes.

Q. Because of the second shot?

A. Yes.

Q. Why didn't you mention it when the Tribunal's solicitor, who enquired into this matter, took a statement from you? All you mentioned was the fall, which may have been due to a trip, in your opinion. Why didn't you mention the shot that killed him?

A. I didn't see a shot kill him."

<sup>1</sup> WT7.5

- 104.315** William O'Reilly also gave a deposition dated 21st August 1973 for the coroner's inquest into the death of (among others killed on Bloody Sunday) Jim Wray. In this he described being in his house when he heard two sets of shooting. During the second he saw a group of about 13 people run through the alleyway between Glenfada Park and Abbey Park. As he watched he saw the last person, who he subsequently learned was

Jim Wray, fall flat, with his head on the footpath and his body on the tarmac. In this statement William O'Reilly made no mention of seeing this person's body flinch or jerk on the ground.<sup>1</sup>

<sup>1</sup> AO69.34

## Gerald Campbell

**104.316** Gerald Campbell, a nephew of William O'Reilly who was 18 at the time of Bloody Sunday, was also present in 7 Abbey Park when shooting broke out in Glenfada Park North.<sup>1</sup> In an undated Keville interview, he gave the following account:<sup>2</sup>

"Er – I got into an uncle of mine's house and we were standing at the window. Me, him and another uncle and his wife. And there was a man a fella lying, lying between an opening already shot and he lifted his head up for somebody to help him. We were going to go out and lift him but another shot hit him in the side and the position he was lying, the only place it could have come from would have been Derry walls. While he was lying – well we thought he was dead then, but he seemed to lift his head again."

<sup>1</sup> AC13.1-2; AC13.9

<sup>2</sup> AC13.9

## Assessment of the evidence given in 1972 and 1973

**104.317** The first matter to consider is whether from the civilian accounts given in 1972 and 1973 we can conclude that the witnesses were speaking of Jim Wray.

**104.318** So far as Malachy Coyle is concerned we are sure that the man he described as having "*his left eyebrow shot away*" was Jim Wray. The medical evidence established that Jim Wray had a laceration above his left eye and a bullet wound in the area of his left shoulder.

**104.319** On the face of it, the descriptions given by John Porter of the man falling and lying on the ground appear to us to be of Jim Wray. However, those representing the majority of the represented soldiers submitted that John Porter confused Jim Wray with William McKinney. We consider this submission below.

**104.320** In our view the man William O'Reilly saw was Jim Wray. He told the Widgery Inquiry and the Coroner that he had learned that this was the casualty's name and the position that he described corresponds with the photograph taken by Trevor McBride.<sup>1,2</sup> William

O'Reilly also stated to the Widgery Inquiry that the man in question was taken to 8 Abbey Park, which is where Jim Wray was carried in the aftermath of the shooting incidents, as we describe later in this part of the report.

<sup>1</sup> M53.2

<sup>2</sup> Paragraph 104.206

**104.321** Bridget O'Reilly described herself as watching events from 7 Abbey Park and seeing a man lying in Glenfada Park. From that position we consider that she would not have been able to see the other two casualties lying further to the east, so in our view she was describing Jim Wray, who we know from Trevor McBride's photograph<sup>1</sup> was much closer to the entrance to the alleyway than the other two casualties. We take the same view of Gerald Campbell, whose description of seeing from 7 Abbey Park someone already shot lying between an opening is again to our minds consistent with Trevor McBride's photograph.

<sup>1</sup> Paragraph 104.206

**104.322** On its own, Michael Wilson's 1972 account does not identify the person whom he described being shot. The same can be said of the 1972 accounts of Susan and Betty Coyle. However, considering their evidence in the light of the accounts of those who we are satisfied did identify Jim Wray, we are of the view that they were probably describing the same casualty.

**104.323** We now turn to consider the weight of the evidence given in 1972 and 1973, before considering whether later evidence reinforces or undermines what was said then about the shooting of Jim Wray. Since the medical evidence establishes that he was shot twice, our consideration of this point necessarily encompasses further questions, in particular whether he was shot twice while on the ground, or whether he fell because he had been shot and was then shot again.

**104.324** With the exception of John Porter, none of the witnesses who gave evidence in 1972 and 1973 of seeing a man shot as he lay on the ground explicitly stated that they saw the casualty hit twice while prone. Malachy Coyle, Susan and Betty Coyle and Gerald Campbell indicated in their statements and interviews that only one shot struck the fallen man. The 1972 accounts of Michael Wilson and William and Bridget O'Reilly are in terms that are insufficiently precise to allow an unambiguous interpretation of their evidence on this point.

**104.325** As to John Porter, in his Keville interview he gave his opinion that the man he saw “*falling*” had been shot and at the end of this interview that there was no doubt that the paratrooper had shot “*a wounded man on the ground*”.<sup>1</sup> He did not say in that interview that he saw the clothes on the person’s back jump up twice, but merely that “*I saw the clothes on his back jump up and I knew that he had been shot at close range by a rifle*” and though this is what he then did record in his NICRA statement,<sup>2</sup> he had earlier in this statement recorded that after the man fell (and before this incident of the clothes jumping) he saw him trying and failing to raise himself and thus had shouted to the people in the house “*My God, there’s a man who has been shot*”. John Porter also appears to have told the Widgery Inquiry that although he had at first thought that when the person fell he had stumbled rather than been shot, he had changed his mind when he saw the person trying to get up off the ground.<sup>3</sup>

<sup>1</sup> AP11.26-28

<sup>3</sup> WT8.44

<sup>2</sup> AP11.1-3

**104.326** As we have said, there is no doubt from the medical and scientific evidence that Jim Wray’s body was struck by only two bullets. John Porter’s account, taken as a whole, was to the effect that he believed that Jim Wray was shot as he was running and then twice when he was on the ground, ie three times in all. Thus his account cannot be wholly correct.

**104.327** The other evidence under discussion does not directly assist much in deciding whether or not Jim Wray was shot before he fell. Malachy Coyle seems to have thought that Jim Wray had sustained a bullet wound to his left eyebrow. Michael Wilson described Jim Wray as throwing himself down at the kerb. Susan and Betty Coyle saw only the bodies on the ground. Bridget O’Reilly saw only the legs of the man and said nothing about seeing him fall, so her account of the man being shot “*again*” would appear to be only an assumption on her part. William O’Reilly said only that he saw a man fall, something that, as will be seen, he later retracted. Gerald Campbell described only a man lying on the ground.

**104.328** Apart from the question of whether Jim Wray was shot twice while on the ground, John Porter’s evidence of witnessing Jim Wray being shot on the ground does not stand alone. He was with or close to William and Bridget O’Reilly and Gerald Campbell, who were at 7 Abbey Park. William O’Reilly said he saw the youth move slightly and just as he was going out to him more shots rang out and the “*youth’s body jerked and lay still*”.<sup>1</sup> Bridget O’Reilly said she saw the man in Glenfada Park raise himself from the ground and a soldier then run up to him and “*shoot him again*”,<sup>2</sup> though as appears from her evidence

to us (which we consider below) she told us that she did not in fact see this soldier. Gerald Campbell said that he saw a “fella” lying at an opening lift his head before being shot from the side.<sup>3</sup>

<sup>1</sup> AO69.7

<sup>3</sup> AC13.8; AC13.9

<sup>2</sup> AO66.9

**104.329** Malachy Coyle was close enough to Jim Wray to overhear a conversation between the man who was with him and Jim Wray. Malachy Coyle said that he “*heard another shot coming from the direction of the soldiers and I then knew that the man had been shot again in the back of the left-hand shoulder*”.<sup>1</sup>

<sup>1</sup> AC97.20

**104.330** We consider that Michael Wilson was in or close to the same area. He said that a “fella” had thrown himself down at the kerb, he called to the man to come in with them; that the man had said that he could not because they had pinned him down; and “*Just as that – he was shot in the back*”.<sup>1</sup> Although it is possible that Michael Wilson was intending to convey that the casualty could not move because he had already been shot in the back, in our view it is more likely that what he was saying was that Jim Wray was shot in the back soon after he had said that he was pinned down.

<sup>1</sup> AW18.12

**104.331** Susan and Betty Coyle said they heard shooting at the back of their house on the eastern side of Glenfada Park North, went to the kitchen and saw three bodies lying in front of the three pensioners’ houses in Glenfada Park, ie on the southern side of that complex. “*Just then there was another shot also from the army, at the same time one of the bodies shuddered as though struck by a bullet.*”<sup>1</sup>

<sup>1</sup> AC86.1

**104.332** In our view, John Porter’s evidence that Jim Wray was shot twice in that position does not appear to be supported by the other accounts.

**104.333** It is theoretically possible that there was an additional shot which did not hit Jim Wray when he was on the ground, but which passed through the lowest of the three entry holes in his jacket (discussed above), leading John Porter mistakenly to believe that Jim Wray had been shot twice in this position, but in our view this is unlikely, as we consider that the damage to the jacket is more consistent with the passage of the bullets causing the wounds sustained by Jim Wray.

**104.334** It is also possible that John Porter's evidence was influenced by the knowledge of Jim Wray's wounds that he acquired in the aftermath of the shooting. It is clear from his Keville interview and his NICRA statement that he believed that Jim Wray had received an injury to his arm before he was shot as he lay on the ground.<sup>1</sup> John Porter subsequently saw wounds to Jim Wray's torso after the casualty had been carried to 8 Abbey Park.<sup>2</sup> It might be the case that in an attempt to reconcile what he knew of the wounds with his memories of what he saw, John Porter came to believe that Jim Wray was shot in the arm before he fell, and twice in the back afterwards. This might also help to explain how he felt able to give the Widgery Inquiry detailed though inaccurate evidence about precisely where the bullets struck.<sup>3</sup> To our minds this is a more likely reason than the possibility that there was another shot that went through Jim Wray's jacket without injuring him, but again this can only be regarded as a possibility.

<sup>1</sup> AP11.2; AP11.26

<sup>3</sup> WT8.47-48; WT8.52; AP11.17

<sup>2</sup> AP11.3; AP11.28; WT8.52

**104.335** We are of the view that John Porter confused the sequence of a number of events that he referred to in his evidence. We are satisfied that Jim Wray received all of his bullet wounds before soldiers made arrests in Glenfada Park North, and before anyone was shot in Abbey Park. John Porter's evidence was to the effect that these latter two events took place between Jim Wray falling and his being shot as he lay on the ground.<sup>1</sup> Similarly, Susan and Betty Coyle thought that the incident in which a man was shot on the ground took place after they had seen soldiers lifting bodies into a "Saracen" in Rossville Street. Again, for reasons given elsewhere in this report,<sup>2</sup> this seems to be an incorrect sequence. However, we are not persuaded that this significantly devalues the evidence of these witnesses about Jim Wray. It must be borne in mind that they, like other civilians, were being asked to give accounts of what on any view were rapidly moving, horrific and frightening scenes of shooting and people falling, all in a short space of time. We do not find it surprising that their accounts differed, or that they became confused about the order in which events occurred.

<sup>1</sup> AP11.2-3; AP11.26-28; AP11.16-17; WT8.44-54

<sup>2</sup> Chapters 113, 121, 122, 123 and 124

**104.336** It follows from the foregoing that in our view there is a body of evidence, collected very soon after the event, which on the face of it points towards Jim Wray being shot on the ground, though only John Porter's account suggests that he was shot twice in that position.

- 104.337** To our minds it is not possible simply to dismiss this evidence as being somehow invented, orchestrated or the product of a growing rumour or myth about the shooting of Jim Wray, especially since most of it was gathered so soon after the events of the day.
- 104.338** The name of the interviewer who took or counter-signed a NICRA statement is recorded in five cases involving the witnesses considered above. A different person took each of these five statements.<sup>1,2</sup> There is nothing to suggest that those giving their accounts and the five people who took their statements somehow sought to orchestrate these accounts, or indeed were even aware of what other witnesses had said.
- <sup>1</sup> [AC97.20](#); [AO66.9](#); [AO69.7](#); [AC86.1-2](#); [AP11.3](#)
- <sup>2</sup> One of these statements was co-signed by two witnesses, Susan and Betty Coyle ([AC86.1-2](#)).
- 104.339** However, those representing the majority of the represented soldiers have advanced a number of criticisms in relation to the evidence and the witnesses discussed above, which we now turn to consider.

## Criticisms of the civilian evidence

- 104.340** So far as Malachy Coyle is concerned, the representatives of the majority of represented soldiers suggested that there was “*considerable reason to doubt his account not least that he believed that James Wray was shot in the back of the left shoulder*”.<sup>1</sup> Malachy Coyle did indeed give such a description in his NICRA statement, and it is the case that Jim Wray was actually shot in the right side of the back, where both entry wounds were located. However, as the medical evidence establishes, Wound 1 did exit in the area of the left shoulder. We take the view that far from throwing doubt on Malachy Coyle’s account, it can be said with considerable force that his evidence as to where in his body Jim Wray was shot greatly strengthens that account; on the grounds that what Malachy Coyle saw was the effect of a bullet exiting Jim Wray’s left shoulder but wrongly, though reasonably, thought that this is where the bullet entered.
- <sup>1</sup> [FS7.1959-1960](#)
- 104.341** These representatives also suggested that other incidents described in Malachy Coyle’s evidence (both that given in 1972 and later) were “*quite incredible*”. Specifically, they referred to his account of seeing, immediately after Jim Wray had been shot, “*the close-range shooting of a boy in blue denims in circumstances which cannot be correct*”. We discuss this aspect of Malachy Coyle’s evidence later in this report<sup>1</sup> and conclude



that he was mistaken about this, though for the reasons we give, this mistake too was understandable. In any event the fact remains that his account of seeing Jim Wray shot on the ground is to our minds supported by the other evidence discussed above.

<sup>1</sup> [Chapter 110](#)

**104.342** The representatives of the majority of represented soldiers also suggested that the circumstances in which Malachy Coyle came to give his NICRA statement were relevant to an assessment of his reliability as a witness. Based on an interview that Malachy Coyle gave to the researcher Paul Mahon in March 1998<sup>1</sup> they made two submissions: first that Malachy Coyle told Paul Mahon that he had had contact with Jim Wray's father, James Wray Senior, at an early stage after the events of Bloody Sunday, yet Malachy Coyle deliberately concealed this from this Inquiry; and second that Malachy Coyle told Paul Mahon that it was James Wray Senior who had asked him to make a NICRA statement.<sup>2</sup>

<sup>1</sup> [X4.45.1-154](#)

<sup>2</sup> [FS7.1963-1965](#)

**104.343** As to the first of these submissions, we are not persuaded that Malachy Coyle intentionally kept this information from the Inquiry; when he gave his evidence to this Inquiry he was not asked about this issue. As to the second submission, it is not at all clear from the Mahon interview whether James Wray Senior asked Malachy Coyle to give a NICRA statement. In its context it could also be read as James Wray Senior asking Malachy Coyle to explain to him what he had witnessed.<sup>1</sup> However, on the assumption that James Wray Senior did ask Malachy Coyle to give a statement, it does not follow that the evidence he provided was untrue or influenced by James Wray Senior. It is also relevant to note that Malachy Coyle told Paul Mahon that he thought that Jim Wray's father approached him because "*somebody told him that I must have been talking about it*".<sup>2</sup> To our minds this indicates that it was because Malachy Coyle had previously spoken of the circumstances in which Jim Wray had been shot that the latter's father was naturally anxious to hear a first hand account.

<sup>1</sup> [X4.45.76-79](#)

<sup>2</sup> [X4.45.76](#)

**104.344** The representatives of the majority of represented soldiers made no specific criticisms of the accounts of the shooting of Jim Wray that Michael Wilson, Bridget O'Reilly and Gerald Campbell gave in their NICRA statements.<sup>1</sup>

<sup>1</sup> [FS7.1965-1969](#); [FS7.1974-1975](#)

**104.345** In relation to William O'Reilly, these representatives drew attention to the fact that he made no reference to seeing Jim Wray's prone body jerk as if shot in his written statement for the Widgery Inquiry, in his examination in chief before the Widgery Inquiry,

or in his statement to the Coroner.<sup>1</sup> While this is true, we are not persuaded that this is sufficient to reject the account William O'Reilly gave in his NICRA statement and orally to the Widgery Inquiry.

<sup>1</sup> [FS7.1969-1970](#)

**104.346** The same representatives criticised the evidence of John Porter on a number of grounds.<sup>1</sup>

<sup>1</sup> [FS7.1975-1983](#)

**104.347** First, they submitted that his chronology of events is “*wholly at odds*” with that given by other witnesses.<sup>1</sup> We are of the view, for the reasons given above, that this factor does not entail that his account of seeing Jim Wray shot on the ground should be rejected.

<sup>1</sup> [FS7.1975](#)

**104.348** Second, they submitted that the details contained in John Porter's Keville interview showed that the casualty that he saw in Glenfada Park North was William McKinney, rather than Jim Wray. They asserted that John Porter said in that interview that the man in question “*was shot in the arm and as he fell he cut his right eye*”.<sup>1</sup> They also argued that John Porter's use of language suggested that this casualty was taken to 7 Abbey Park.<sup>2</sup> As these representatives pointed out, Jim Wray was not shot in the arm, had a cut to his left eyebrow and not his right eye, and was taken to 8 Abbey Park after he had been shot. In contrast, William McKinney was shot in his left arm, did have a laceration to his right eye, and was carried from Glenfada Park North to 7 Abbey Park.<sup>3</sup> The representatives of the majority of represented soldiers concluded that the man John Porter originally described in his Keville interview was “*on the facts described by Mr Porter, clearly William McKinney. He has later altered his evidence to fit the location, dress and wounds of James Wray, no doubt having been impressed by the rumour that James Wray was the man who had been shot while prone.*”<sup>4</sup>

<sup>1</sup> [FS7.1978](#)

<sup>3</sup> [FS7.1978-1979](#); [FS7.1982](#)

<sup>2</sup> [FS7.1978](#)

<sup>4</sup> [FS7.1982](#)

**104.349** When considering this suggestion it is important to bear in mind, as we have already noted, that there is an unsigned, edited and inaccurate transcription of the Keville interview dated 31st January 1972.<sup>1</sup> It is the case that William McKinney, one of the casualties shot in Glenfada Park North, as we describe later in this chapter, was shot in the left arm and had a laceration in the area of his right eye. However, it is wrong to

submit that in his Keville interview John Porter stated that the man he saw had been shot in the arm because the words he used were “*seemingly shot in the arm*”.<sup>2</sup> The word “*seemingly*” was omitted from the edited transcript of the Keville tape.<sup>3</sup>

<sup>1</sup> AP11.19

<sup>3</sup> AP11.19

<sup>2</sup> AP11.26

**104.350** Similarly, in the Keville tape, John Porter said that the man fell and cut his right eye “*or his left eyebrow*” on the edge of the path, while the edited transcription omitted the italicised words. Those acting for the soldiers relied on the edited version.<sup>1</sup>

<sup>1</sup> FS7.1976

**104.351** It is true, of course, that later in his Keville interview John Porter did say that he “*helped men to carry this man into the house*” and “*one of the shots was in his arm*”.<sup>1</sup> However, he also said that one of the bullets was “*in his lower right side and this bullet’s sitting probably in his body but er – the other shots that they fired at close range entered his left side and came out of his right shoulder blade*”. Jim Wray had an exit wound in his left shoulder, but if John Porter had simply confused left and right, an exit wound coming out of the shoulder blade is a reasonably accurate description of one of Jim Wray’s wounds. As will be seen below, it cannot have been (whether left or right) a description of the exit of William McKinney’s body wound, which was below and to the left of the left nipple.<sup>2</sup> We consider below the evidence that John Porter gave about a shot wound in the arm.

<sup>1</sup> AP11.28

<sup>2</sup> D0281

**104.352** In relation to John Porter’s evidence of where the casualty was taken, he stated in his Keville interview that “*I went out and helped men carry this man into the house*”.<sup>1</sup> The representatives of the majority of represented soldiers submitted that the totality of John Porter’s 1972 evidence was that he left 7 Abbey Park when he went to pick up the casualty, and that his reference to carrying the man into “*the house*” indicated that he returned to number 7.<sup>2</sup>

<sup>1</sup> AP11.28

<sup>2</sup> FS7.1978-1979

**104.353** We have no doubt that William McKinney was carried to 7 Abbey Park, while Jim Wray was taken to 8 Abbey Park. However, it is also clear from John Porter’s evidence that he had been present in both 7 and 8 Abbey Park during the shooting in Glenfada Park North and Abbey Park. The two houses were next door to one another, and it seems to us that his use of language at the end of his interview was not intended to distinguish between them. Alternatively, he might simply have confused where he went at that point, perhaps understandably given that he was recalling the assistance that he gave to a dying man in

the aftermath of an incident in which a number of people were killed. In our view, what John Porter said in his Keville interview is consistent with his having helped carry Jim Wray to 8 Abbey Park.

- 104.354** In support of their submission that John Porter described William McKinney rather than Jim Wray, those representing the majority of the represented soldiers also drew attention to the fact that he described in his NICRA statement someone beginning to wrap a large wide bandage around the body and that the autopsy photographs show (as they do) just such a bandage wrapped around the body of William McKinney.<sup>1</sup> The difficulty with this argument is that there is nothing to suggest that the same measure was not applied to Jim Wray. On the contrary, a list of the material taken from Jim Wray's body and forwarded to the Department of Industrial and Forensic Science includes what is recorded as a "*field dressing from body*".<sup>2</sup>

<sup>1</sup> FS7.1979

<sup>2</sup> D0227

- 104.355** There are other elements of John Porter's NICRA statement that in our view undermine the proposition that the man that he saw and carried was William McKinney. In the statement he described the wounds that he saw once he had taken the casualty to the house:<sup>1</sup> "*We lifted his shirt up and he had a bullet wound on his right lower back and also one on his left lower back. As we pulled his shirt further up I noticed the long triangular shape laceration on his left shoulder.*" This is an accurate description of three of the four visible shot wounds sustained by Jim Wray, but not of those sustained by William McKinney. The fact that the wound on Jim Wray's left lower back was an exit rather than an entry wound seems to us in this context to be neither here nor there.

<sup>1</sup> AP11.3

- 104.356** The representatives of the majority of represented soldiers again suggested that John Porter's description in this statement of carrying a casualty to "*the house*" suggested that he was referring to taking William McKinney to 7 Abbey Park.<sup>1</sup> However, a consideration of this document as a whole suggests that this was not the case. John Porter stated that he rushed out to the casualty with other men from "*the houses*", suggesting that he was not intentionally distinguishing between 7 Abbey Park and its neighbours.<sup>2</sup> Further, at the end of the statement John Porter described returning to the area after he had moved away. He commented that he went "*into No. 7 where a man was being tended by a*

*doctor*”<sup>3</sup> (emphasis added). His language here does not suggest that this man, William McKinney in 7 Abbey Park, was the same casualty that he had seen shot while on the ground and had subsequently helped to carry and treat.

<sup>1</sup> AP11.3; FS7.1979

<sup>3</sup> AP11.3

<sup>2</sup> AP11.3

**104.357** Although in his Keville interview<sup>1</sup> John Porter described seeing a man on the ground “*seemingly shot in the arm*” and said that when he helped to carry this man into the house “*one of the shots was in his arm*”,<sup>2</sup> it is notable that in his NICRA statement John Porter did not describe seeing the wound to the casualty’s arm after the wounded man had been carried to the house. Instead, he commented that when he first saw the man fall – at a point when John Porter was in 8 Abbey Park and the casualty was some distance away in Glenfada Park – he saw “*blood on his wrist*” and seems to have assumed that this was the result of a bullet wound somewhere on his arm.<sup>3</sup> Later, when the casualty had been carried into the house, John Porter described the wounds to the torso in the terms given above. He went on: “*I then said that the man would have a wound in his lower right/left arm and I stood up and left the house*”.<sup>4</sup> It therefore appears from this statement that John Porter did not see an arm wound when he was in the house. In his written statement for the Widgery Inquiry,<sup>5</sup> John Porter stated that when he first saw the casualty lying at the corner of Glenfada Park he noticed that “*he had blood on his left hand*”; later, after the injured man had been brought into 8 Abbey Park, John Porter noticed “*a graze wound above his left wrist and on the knuckle of the left index finger*”. In his oral evidence to the Widgery Inquiry, John Porter gave a similar account,<sup>6</sup> adding that when the casualty had tried to lift himself from the ground “*his left hand was hanging*”.<sup>7</sup> Dr Carson’s autopsy report recorded that Jim Wray had an “*abrasion, 1¾ x ½ cm., on the back of the [left] hand near its ulnar border*”.<sup>8</sup> Although neither Dr Carson nor Dr Shepherd and Mr O’Callaghan considered this injury to have been caused by a bullet,<sup>9</sup> in our view it is likely that John Porter did. His description of a “*graze wound*” is considerably closer to the injury to Jim Wray’s wrist than to the far more extensive wound caused by a bullet going through William McKinney’s left forearm.<sup>10</sup>

<sup>1</sup> AP11.26

<sup>6</sup> WT8.47-48; WT8.52

<sup>2</sup> AP11.28

<sup>7</sup> WT8.52

<sup>3</sup> AP11.2

<sup>8</sup> D0249

<sup>4</sup> AP11.3

<sup>9</sup> D0253; E2.0036

<sup>5</sup> AP11.16

<sup>10</sup> D0282

**104.358** In the light of this evidence we consider that while John Porter thought that the man had been shot in the arm, and that the bullet had, or had also, caused a graze wound, he was not describing William McKinney rather than Jim Wray.

**104.359** We now turn to other points of criticism that have been made of John Porter's evidence. In his Keville interview John Porter had said, "*I saw the smoke at the back of his clothes*".<sup>1</sup> In his NICRA statement he said that "*I saw some smoke rise from where he'd been shot*",<sup>2</sup> in his written statement for the Widgery Inquiry that "*I didn't see who fired but I saw two puffs of smoke*"<sup>3</sup> and in his oral evidence to the Widgery Inquiry that "*I also saw what I took to be two puffs of gas or smoke as from a rifle ... They came from the direction just behind the man where the shot struck his back*".<sup>4</sup>

<sup>1</sup> AP11.28

<sup>3</sup> AP11.17

<sup>2</sup> AP11.3

<sup>4</sup> WT8.47

**104.360** Those acting on behalf of the majority of the represented soldiers pointed out that only in his oral evidence did John Porter add "*the detail of seeing smoke from a rifle*".<sup>1</sup> They also submit that in only one of his "*first two statements*" did John Porter mention smoke "*and this coming from the injured man's clothes*".<sup>2</sup>

<sup>1</sup> FS7.1981

<sup>2</sup> FS7.1981

**104.361** In fact, the words John Porter actually used in his oral evidence to the Widgery Inquiry were "*as from a rifle*". In addition, as can be seen from the quotations set out above, John Porter in his Keville interview said he saw smoke "*at the back of his clothes*" and did not say that he saw smoke coming from the injured man's clothes. These latter words only appear in the inaccurate and unsigned transcription of the Keville interview.<sup>1</sup> We are not persuaded that this devalues the accounts that John Porter actually gave.

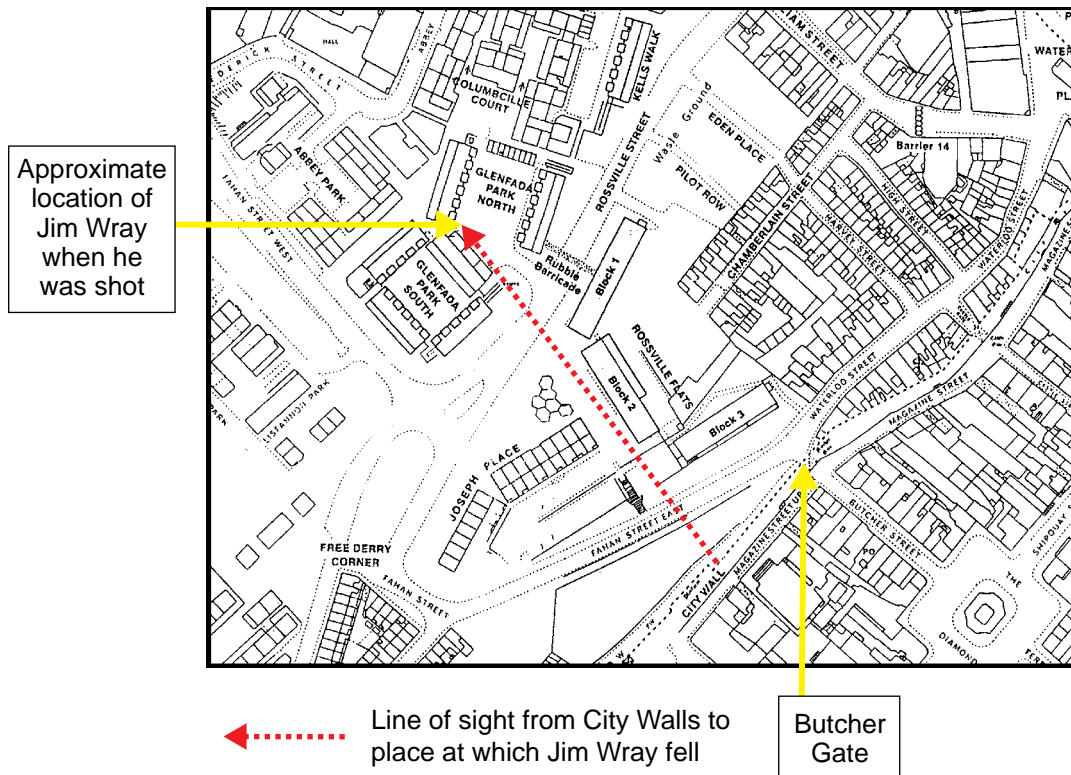
<sup>1</sup> AP11.19

**104.362** The legal representatives of the majority of the represented soldiers raised one further issue from John Porter's Keville interview in support of their suggestion that he saw someone other than Jim Wray. Referring to what they cited as John Porter's opinion that the casualty that he saw had been shot from Butcher Gate, they argued that this "*was not an assumption that would have made sense to a man observing James Wray from a house in Abbey Park*".<sup>1</sup> However, this apparent problem arises from selective quotation from the original sources. John Porter did not say he thought that the shot originated from Butcher Gate; instead he stated that "*In my opinion this man was shot from the walls behind the flats to the right of – right of Butcher Gate*"<sup>2</sup> (emphasis added). This was also correctly transcribed by NICRA in 1972.<sup>3</sup> In our view this was an opinion that did make sense – John Porter would have been aware that there were soldiers on the City Walls and the geography was such that it could easily be thought that someone to the right of Butcher Gate could have shot Jim Wray.

<sup>1</sup> FS7.1978

<sup>3</sup> AP11.19

<sup>2</sup> AP11.26



**104.363** For these reasons, we reject the criticisms made of the 1972 accounts given by John Porter and the submission that John Porter described William McKinney and not Jim Wray. It follows that we also reject the allegation that John Porter “*has in fact re-written his evidence for the benefit of the Widgery Inquiry in order to match the known facts relating to James Wray*”.<sup>1</sup>

<sup>1</sup> FS7.1983

**104.364** Those acting on behalf of some of the soldiers submitted that we should doubt the 1972 accounts given by several of the witnesses considered above because of “*the apparent failure of Mr Porter, Mr Campbell and the O’Reillys to repeat their shocking account to those around them*”.<sup>1</sup> The legal representatives of the majority of the represented soldiers referred to the evidence of James Logue,<sup>2</sup> Maureen Doherty<sup>3</sup> and John Carr,<sup>4</sup> all of whom were in 7 Abbey Park and yet did not refer to Jim Wray being shot on the ground in their 1972 accounts. We see no force in this point, which is based on the dubious assumption that these individuals would probably have recorded in their statements not just what they saw themselves, but what others told them they had seen. It seems also to be suggested that it is suspicious that these witnesses did not themselves see Jim Wray being shot as



he lay on the ground. This suggestion is also based on an equally dubious assumption that these witnesses were looking at Jim Wray at the moment when he was shot and we again see no force in it.

<sup>1</sup> [FS7.1983-86](#)

<sup>3</sup> [AD85.1](#)

<sup>2</sup> [AL18.1](#)

<sup>4</sup> [AC42.1](#)

## Later civilian evidence relating to Jim Wray's death

**104.365** Of those who gave accounts in 1972 that we have considered above, Malachy Coyle, Bridget O'Reilly and Gerald Campbell gave written and oral evidence to this Inquiry. Michael Wilson and William O'Reilly gave written statements, but were not well enough to give oral evidence. John Porter is dead and gave no evidence to this Inquiry, and we were unable to trace Susan and Betty Coyle.

### Malachy Coyle

**104.366** Malachy Coyle stated in his written evidence to this Inquiry that after he had been pulled into the back yard of the corner house at the south gable end of the west block of Glenfada Park North by a bald man in his forties whom he did not know, he looked through the gaps in the wooden fence and saw three people lying to his right on the south side.<sup>1</sup> The person closest to him was still alive:<sup>2</sup>

"He was lying face down half on and half off the south pavement very close to the south west alleyway leading out of the car park. One knee was on the pavement and the other was in the car park. His head was nearest to me and his feet were pointing back east towards the Rossville Flats. His hands were lying outstretched on the ground above his head and I could see that they were empty and that there was nothing lying near them. His head was turned towards where we were hiding and he was looking directly at us. I could see that he had received injury to his right eyebrow which looked like it had been blown away. At the time, I assumed he had been shot and that this was why he was lying on the ground. However, his injury did not seem serious (i.e. life threatening)."

<sup>1</sup> [AC97.12](#)

<sup>2</sup> [AC97.12](#)

**104.367** In his oral evidence Malachy Coyle explained that at the time he assumed that the injury to the man's eyebrow had been caused by a glancing blow from a bullet, and that it was this injury that he did not think was life threatening. He also agreed that his 1972 statement that the injury was to the *left* eyebrow would be the more accurate.<sup>1</sup>

<sup>1</sup> [Day 156/21-22](#)

**104.368** A little later in his written evidence<sup>1</sup> Malachy Coyle stated:

“Once I had determined that the two men lying behind the man closest to me were probably dead, I was only concerned for the man closest to me who was clearly still alive. I do not recall what he was wearing, although I am certain that he did not have any kind of hat on his head. I remember that he raised his head from the pavement and looked directly at the bald man and me and said: ‘I can’t move my legs’. By this point, I know that I was in a state of complete shock. It is a strange feeling. Your emotions become very detached and even though you are on the point of panicking it suddenly becomes possible to think very very clearly. I can remember talking to the bald man in the backyard with me. He was saying: ‘Keep calm. Keep calm’. I must have had a premonition that something really awful was going to happen, as I remember saying to the wounded man: ‘Don’t move. Pretend you’re dead’.

It was moments later that I heard a shot coming from the direction of the Columbcille Court/Kells Walk area to my left (north). As I heard this shot, I saw the pavement near the wounded man explode in sparks. At the same time, I heard the wounded man groan and I saw his head (which was still lifted towards me) go down slowly towards the pavement. He did not move again and I knew he was dead. I was convinced that the shot that caused the sparks to fly from the pavement near by him had killed him. I did not know who this man was at the time but I found out later that he was Jim Wray.”

<sup>1</sup> [AC97.13](#)

**104.369** In his oral evidence, Malachy Coyle said that he had seen no soldier close to Jim Wray while he was looking at him, including when he saw him shot on the ground.<sup>1</sup> As already noted, he also told us that he was 16 at the time, not 14 as stated at the top of his NICRA statement.<sup>2</sup>

<sup>1</sup> [Day 156/91-92](#)

<sup>2</sup> [Day 156/98](#)

**104.370** According to Malachy Coyle’s evidence to this Inquiry, Jim Wray was lying at an angle, with the left side of his body propped up on the pavement and the right side lower down, resting in the gutter.<sup>1</sup> This approximate position was reproduced in the photograph below, although Malachy Coyle explained that Jim Wray was not raising himself with his hands and his feet.<sup>2</sup> The arrow on the photograph indicated roughly where Malachy Coyle thought the bullet would have struck underneath Jim Wray’s body.<sup>3</sup>

<sup>1</sup> [Day 156/33-35; AC97.12](#)

<sup>3</sup> [Day 156/34-35](#)

<sup>2</sup> [Day 156/64; AC97.27](#)



**104.371** We consider below the submission that the position of Jim Wray's body as recalled by Malachy Coyle meant that, on the basis of the medical and scientific evidence, Jim Wray could not have sustained either wound while on the ground.<sup>1</sup>

<sup>1</sup> [FS7.1965](#)

**104.372** Malachy Coyle was interviewed by the television production company Praxis Films Ltd in 1991 during preparations for a documentary marking the 20th anniversary of Bloody Sunday.<sup>1</sup> This brief account seems to us to be consistent with the evidence he gave to this Inquiry.

<sup>1</sup> [O 4.1-19; Day 233/18-19](#)

**104.373** He was also interviewed by Paul Mahon in 1998.<sup>1</sup> Again Malachy Coyle gave an account that is broadly consistent with his evidence to this Inquiry.<sup>2</sup> He said that the kerb was holding up the left side of Jim Wray's body, and that Jim Wray moved his left arm in an attempt to raise himself from the ground.

<sup>1</sup> [X4.45.1-154](#)

<sup>2</sup> [X4.45.39-44; X4.45.102-108; X4.45.128-136](#)

**104.374** We should note at this point that by the time that he came to give evidence to this Inquiry, Malachy Coyle had come to believe that the man who dragged him into the yard in Glenfada Park North was John McCourt.<sup>1</sup> This is possible, as John McCourt told this Inquiry that he pulled a teenage boy into cover in the yard outside his wife's grandmother's house in the south-west corner of Glenfada Park North.<sup>2</sup>

<sup>1</sup> Day 156/18-19

<sup>2</sup> AM144.2; AM144.7; Day 152/136-139

**104.375** In his evidence to us John McCourt stated that while he was lying behind the fence in the yard he called to the people lying outside to keep still and not move.<sup>1</sup> He also stated that he then heard two or perhaps three shots that he "*instinctively*" knew had been fired in Glenfada Park North.<sup>2</sup>

<sup>1</sup> AM144.2

<sup>2</sup> AM144.2

**104.376** There is a Keville interview attributed to a "*Joe McCourt*", according to which:<sup>1</sup>

"I was in Glenfada Park on Sunday when I seen five British soldiers run into the park. They fired on four fellas carrying a wounded civilian. They fired at the civ – wounded civilian and hit him in the head. These four blokes run with the civilian and had to drop him at the far side of Glenfada Park. These five soldiers then went to the corner where there was about thirty civilians standing. They ordered the civilians round the corner and one of the soldiers hit a fella in the mouth with his rifle. He then proceeded to kick another fella. Then two soldiers attacked a woman, they began to kick her and hit her. Three fella then broke away from the crowd and run ... soldier then lifted his rifle and fired at them. I was unable to see whether he hit them because they were then out of sight. This s – soldier then run over into the corner of Glenfada Park. At this time I was standing in er – my wife's Granny's kitchen. I looked out the window and seen two fellas lying dead. A first aid girl came over and showed the red cross – the red cross on her sleeve but the soldier ignored it and fired at her. Er – if the girl hadn't of threw herself on top of one of the dead fellas this soldier would have killed her. The soldier then run away. Thats about all I seen."

<sup>1</sup> X2.35.17

**104.377** However, despite the fact that the address given for Joe McCourt was the same address as that of John McCourt, this witness denied that this interview was with him, on the grounds that he had not seen anyone being killed, only dead bodies.<sup>1</sup> The interview contained nothing about sheltering in a yard with a teenage boy. In view of the fact that the address was the same, in our view John McCourt probably did give this interview.

<sup>1</sup> Day 152/147; Day 152/169

**104.378** Malachy Coyle and John McCourt did not know each other at the time of Bloody Sunday and there are some differences in the detail of their accounts. Malachy Coyle's recollection to this Inquiry was that he was in the yard of the southernmost house of the western block.<sup>1</sup> If in fact he was with John McCourt then on the latter's evidence he was in the adjoining yard to the north.<sup>2</sup> However, these positions would only have been a few feet apart and in our view whichever yard it was makes no difference to the validity of Malachy Coyle's account.

<sup>1</sup> [AC97.12](#); [AC97.21](#); [Day 156/58-59](#)

<sup>2</sup> [Day 152/138-139](#); [AM144.7](#)

**104.379** In his evidence to us, John McCourt stated that he banged on the door of his wife's grandmother's house and he and the boy went in, crawling on their hands and knees.<sup>1</sup> In contrast Malachy Coyle's 1972 recollection (and his evidence to us) was that the man he was with walked out of the yard and that he followed with his hands on his head.<sup>2</sup>

<sup>1</sup> [AM144.3](#)

<sup>2</sup> [AC97.20](#); [AC97.6](#)

**104.380** It is not clear whether Malachy Coyle and John McCourt were in the same yard. On the whole, in view of the differences in their accounts, we consider, though we are far from certain, that they probably were not and that Malachy Coyle was mistaken in coming to believe that he was with John McCourt.

**104.381** It was argued by the representatives of many of the soldiers that Malachy Coyle had deliberately obfuscated his evidence to this Inquiry as to the identity and actions of the man with whom he took cover.<sup>1</sup> We consider this submission to be without merit. Malachy Coyle was an impressive witness who we are sure was trying his best to give an accurate and truthful account of events. In our view the points raised in those submissions in relation to his identification of John McCourt do not devalue Malachy Coyle's evidence about Jim Wray.

<sup>1</sup> [FS7.1960-1963](#)

**104.382** On the basis that Malachy Coyle was with John McCourt, the same representatives submit that their evidence is "*strangely at odds*", in that they describe being in different yards.<sup>1</sup> Presumably this phrase is intended to suggest that this casts doubt on Malachy Coyle's accounts. We disagree. Even assuming they were in the same yard, this does not to our minds detract from Malachy Coyle's description of what he saw.

<sup>1</sup> [FS7.1960](#)

**104.383** These representatives also pointed out that John McCourt “*could see into Glenfada Park North but saw nothing of the shooting Mr Coyle describes and makes no reference to the boy he was with mentioning this to him either*”.<sup>1</sup> It again appears to be suggested that this throws doubt on the honesty and reliability of Malachy Coyle’s evidence and again we disagree. The first part of this suggestion proceeds upon the assumption that John McCourt would have noticed a shot hitting Jim Wray on the ground had that occurred. This in turn assumes that John McCourt was looking at Jim Wray at the same time as Malachy Coyle. There is nothing to indicate that this was the case. The second part of this suggestion proceeds upon the assumption that the two were in the same yard and that since John McCourt in his evidence did not refer to Malachy Coyle saying anything about seeing Jim Wray being shot on the ground, it can be inferred that Malachy Coyle did not say anything. John McCourt’s evidence was in fact directed to what he had himself seen and heard when sheltering in the yard and he was not asked when he gave evidence to this Inquiry whether the person he was with had said anything. However, it is the case that in his Paul Mahon interview, Malachy Coyle said that he did not say anything to the man he was with, because he was too terrified to do so.<sup>2</sup> We have no reason to doubt this. Thus even if we are wrong in our view that the two were probably not in the same yard, we are not persuaded that the fact that Malachy Coyle said nothing to the man he was with about the apparent shooting of a man on the ground throws any doubt on the honesty or reliability of his evidence when assessed as a whole.

<sup>1</sup> [FS7.1960](#)

<sup>2</sup> [X4 45.44](#)

## Michael Wilson

**104.384** Michael Wilson was unable to give oral evidence to this Inquiry due to ill health, but he did provide a written statement.<sup>1</sup>

<sup>1</sup> [AW18.1-5](#)

**104.385** Michael Wilson stated to this Inquiry that he took cover in the garden of the southernmost flat of the western block in Glenfada Park North, and recalled two or three other people being with him. While there he saw a youth fall or throw himself to the ground to his right; he was unsure whether the youth had been shot. Michael Wilson urged him to take cover in the flat, but the youth said he could not move, possibly adding that he was “*pinned down*”. The youth was lying on his stomach with his body “*tight up against the kerb*” and his head pointing towards the alleyway. He was not moaning as he spoke.<sup>1</sup>

<sup>1</sup> [AW18.2](#)

**104.386** Michael Wilson stated that as he lay on the ground, the man was shot. He recorded that he saw “*the round hit him in the middle of his back and the coat lifted about 1” or so and left a small tear in his coat*”. The man had made no attempt to get up or to move his hands, and Michael Wilson believed that his left hand might have been under his body, though he could not see it. “*His other hand was on the kerb near me.*” Michael Wilson did not see where the shot came from, and could see no soldiers at this time, though he explained that his view might have been obstructed due to his position behind the slatted fence.<sup>1</sup>

<sup>1</sup> [AW18.2](#)

**104.387** Michael Wilson’s physical description of the man on the ground – perhaps 20–21 years old, about 5ft 10in, wearing a dark, suit-like jacket and jeans, and no hat<sup>1</sup> – is not entirely consistent with that of Jim Wray, but bearing in mind his 1972 account, together with his description to us of where he was, where the person fell and how he continued to watch that person, we are left in no doubt that Michael Wilson was giving us an account that related to Jim Wray.

<sup>1</sup> [AW18.2](#)

**104.388** Michael Wilson also commented in his written statement that when he said in his Keville interview that he was in Columbcille Court, he must have meant Glenfada Park North. He was clearly right about this.<sup>1</sup>

<sup>1</sup> [AW18.4](#)

## Bridget O’Reilly

**104.389** Bridget O’Reilly, who watched events unfold from the window of her house at 7 Abbey Park, described in her written evidence to this Inquiry how Jim Wray was “*lying half on the pavement and half off*” in the south-west corner of Glenfada Park North.<sup>1</sup> She stated that she saw him move his head and look up,<sup>2</sup> before his body jerked and his coat jumped up.<sup>3</sup> Bridget O’Reilly also recorded: “*Then I saw a soldier coming into view and I think that he shot Jim Wray again ... The soldier stepped over the top of him.*”<sup>4</sup>

<sup>1</sup> [AO66.1-2](#); [AO66.5](#); [AO66.8](#)

<sup>3</sup> [AO66.2](#)

<sup>2</sup> [AO66.1](#)

<sup>4</sup> [AO66.2](#)

**104.390** In her oral evidence, Bridget O’Reilly, when asked about this part of her written statement, said that she did not actually see the soldier aim his gun at Jim Wray.<sup>1</sup> She also said that she saw Jim Wray move only his head, not his shoulders, while he was on the ground.<sup>2</sup>

<sup>1</sup> [Day 172/8](#)

<sup>2</sup> [Day 172/22-23](#)



## William O'Reilly

**104.391** William O'Reilly, who witnessed events from his home at 7 Abbey Park, gave an interview to Paul Mahon. This takes on added significance because William O'Reilly was unable to give oral evidence to this Inquiry owing to his ill health. William O'Reilly told Paul Mahon that when he looked from his house towards the alleyway leading from Abbey Park to Glenfada Park North he saw Jim Wray lying in the gap;<sup>1</sup> he had not seen Jim Wray fall.<sup>2</sup> William O'Reilly recalled that Jim Wray was lying with his body on the car park roadway and his head on the pavement, and that he was looking around.<sup>3</sup> However, he formed the impression that Jim Wray must have been "*paralysed*" with the shot.<sup>4</sup> William O'Reilly said that he was standing next to another man, who Paul Mahon suggested was John Porter,<sup>5</sup> and that this man suggested going out to try to get to Jim Wray. Before they could do so William O'Reilly heard a shot, which seemed to come from somewhere closer than the previous firing that he had heard.<sup>6</sup> William O'Reilly saw Jim Wray's coat jump once, and either he or the other man commented that Jim Wray would now be dead.<sup>7</sup> Both men stepped back a little from the door, and William O'Reilly saw a soldier enter Abbey Park, stepping over Jim Wray apparently without touching him.<sup>8</sup>

<sup>1</sup> X4.33.14-15

<sup>5</sup> X4.33.14; X4.33.16-18

<sup>2</sup> X4.33.43

<sup>6</sup> X4.33.18-19

<sup>3</sup> X4.33.15

<sup>7</sup> X4.33.19

<sup>4</sup> X4.33.15-16

<sup>8</sup> X4.33.20-21

**104.392** William O'Reilly was able to provide a written statement to this Inquiry, in which he gave a similar account to that contained in his Mahon interview.<sup>1</sup> He added that his current memory did not fully tally with some of the things that he had said in his earlier statements, such as seeing Jim Wray fall.<sup>2</sup> He also told us that he did not know the man who was with him at the front door,<sup>3</sup> but in our view Paul Mahon was correct in identifying that man as John Porter.

<sup>1</sup> AO69.1-2

<sup>3</sup> AO69.2

<sup>2</sup> AO69.3

## Gerald Campbell

- 104.393** Gerald Campbell stated in his written evidence to this Inquiry that he had gone to 7 Abbey Park, where his uncle William lived.<sup>1</sup> In the course of this statement he recorded:<sup>2</sup>

“Another recollection I have of that day is of seeing a man at the gap between Glenfada Park North and Glenfada Park South at about the point marked H on the attached map (grid reference H14), although I cannot say exactly when I saw him. I know that I was at the kitchen window when I saw him. I never saw the man’s face and I do not know if he was wearing a hat. He was lying face down with his head and shoulders on a pavement. I could see the top of his head pointing towards me. He kept raising his head, which I will never forget because afterwards I felt that I should have been able to help him. He raised his head three times and then I saw a cloud of dust inches away from the right side of him as I was looking at him, which would have been his left. His body raised on his left side and then he fell down. He did not move again. The way he moved is clear in my mind. I assumed from the cloud of dust I saw and the fact that the man lifted his left side up, that a bullet coming from his right hit the ground to his left first, bounced off the wall and then hit him on his left side. I saw the cloud of dust and the body lifting more or less together. I assumed that he had been shot from the northern area of Glenfada Park North.”

<sup>1</sup> [AC13.2](#)

<sup>2</sup> [AC13.4](#)

- 104.394** The point marked “H” by Gerald Campbell was right in the south-west corner of Glenfada Park North.<sup>1</sup>

<sup>1</sup> [AC13.7](#)



recollection was that he could not see more than about at most a foot to either side of the body and when asked if he had seen a soldier standing over the body, he said, “No, I could not see to either side of that body”.<sup>4</sup>

<sup>1</sup> Day 401/52; X2.33.19; Aud 33 26.55

<sup>3</sup> Day 401/66

<sup>2</sup> Day 401/57

<sup>4</sup> Day 401/67-68

## Assessment of the later evidence of those who gave accounts in 1972 and 1973

**104.397** In assessing the later evidence and accounts given by Malachy Coyle, Michael Wilson, William and Bridget O'Reilly, and Gerald Campbell we have borne in mind the passage of the years and the consequent risk of memories fading or become distorted, though we should say that we are confident that these witnesses were honestly telling us what they believed they had seen and heard. With this caveat in mind in our view the later accounts of these witnesses did not materially undermine the accounts that they gave in 1972, save that Bridget O'Reilly told us that she did not now think that she did see a soldier aim his rifle at Jim Wray as he lay on the ground;<sup>1</sup> and her husband that he did not think that he actually saw Jim Wray fall.<sup>2</sup>

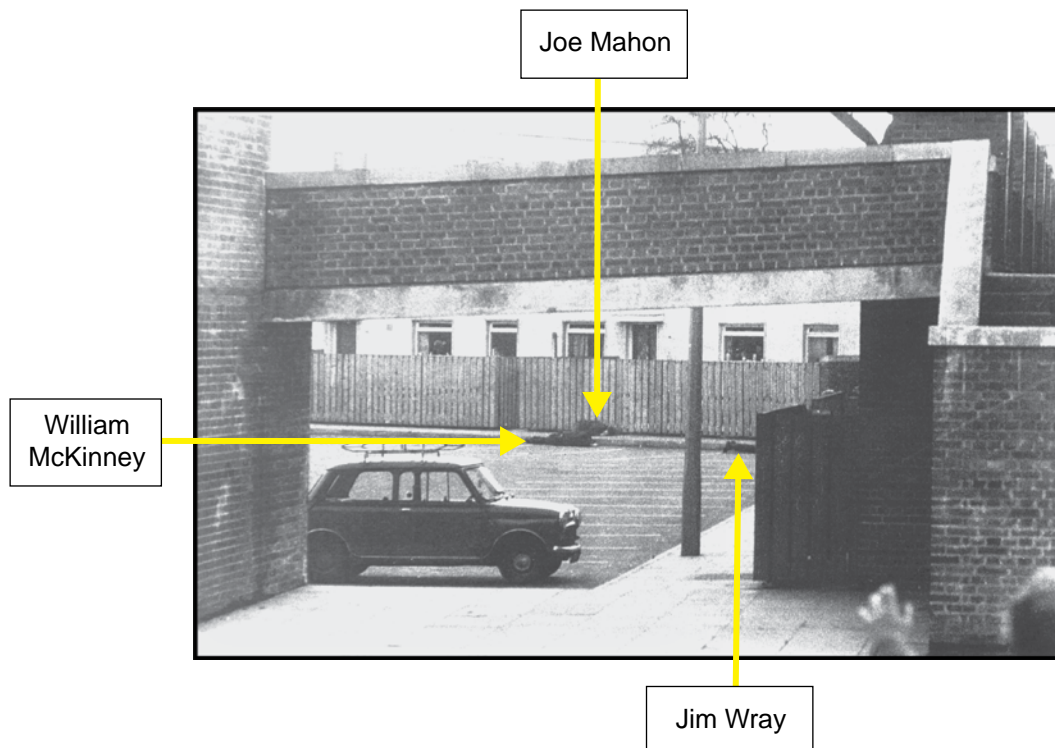
<sup>1</sup> Day 172/8

<sup>2</sup> AO69.3

## Other civilian witnesses

**104.398** A number of other witnesses have given evidence to this Inquiry relating to the shooting of Jim Wray.

**104.399** Joe Mahon, then a 16-year-old schoolboy, was shot as he made his way along the southern side of Glenfada Park North. As is described later in this chapter, he was grievously wounded in the stomach and fell to the ground close to where Jim Wray was lying, as is shown in the photograph below.



**104.400** Joe Mahon gave a vivid account to this Inquiry of seeing, as he lay on the ground, a soldier walk diagonally across Glenfada Park North towards the fallen Jim Wray. According to this account, the soldier shot Jim Wray twice in the back at point blank range, while standing as shown by Joe Mahon, the figure on the right, in the photograph below, and then continued into the south-western alleyway leading to Abbey Park.<sup>1</sup> In the late 1990s, Joe Mahon gave brief accounts of this incident to the journalist Don Mullan<sup>2</sup> and to Channel 4 News,<sup>3</sup> and a more detailed version to Jimmy McGovern and Stephen Gargan in a research interview conducted by them in preparation for their dramatisation of the events of Bloody Sunday.<sup>4</sup>

<sup>1</sup> AM18.4; Day 167/24-26; Day 167/47; Day 167/66-68; AM18.12

<sup>2</sup> AM18.75-76; AM18.82-83

<sup>3</sup> AM18.23

<sup>4</sup> AM18.48; AM18.55-61; AM18.64-67



- 104.401** Joe Mahon did not give evidence to the Widgery Inquiry, but he was interviewed by a number of different people in the aftermath of his shooting. We have written notes or accounts apparently based on these interviews. In none of them is there any mention of Joe Mahon seeing Jim Wray shot in the manner described above.
- 104.402** On 2nd March 1972, the day after he had been discharged from hospital, Peter Pringle and Philip Jacobson of the *Sunday Times* Insight Team interviewed Joe Mahon at his home. This Inquiry has a copy of notes made of that interview, seemingly by Peter Pringle,<sup>1</sup> as well as a map and an internal memorandum that appear to be based on them.<sup>2</sup> Joe Mahon is recorded as saying the following about the point at which he was shot and the incidents that occurred directly afterwards:<sup>3</sup>

“i was hit as i was walking along the wooden fencing. There were two others hit in front of me. i fell to the ground and at first i thought it was a rubber bullet. I assume the shot came from a soldier who I had seen enter through the alley from Rossville St and come up behind a van parked on the east side of the square. The soldier pointed a rifle in my direction.

After I had been shot and was lying face down on the ground I could see about six others [sic] soldiers against the east wall. The other two bodies: one was a few yards in front of me and dressed in a heavy dark overcoat and I think had glasses ... and the other was further down lying in the entrance to the passage way with his head pointing through to Abbey Park.



The next thing I recall clearly was seeing a single soldier on the opposite side of the court from the others, looking towards the passageway and firing two or three shots from under his arm and at the same time shouting to the other soldiers: 'I've got another one [of] them Dave.' The soldier then pulled back towards the van. i think it could have been the first soldier i saw pointing a rifle in my direction, but I'm not certain. I raised my head to look around and a woman from the balcony of a flat diagonally across from me shouted to me: 'Lie still, son, don't move. Pretend you're dead.'"

<sup>1</sup> AM18.14-16

<sup>3</sup> AM18.14-15

<sup>2</sup> AM18.18-21

**104.403** The *Sunday Times* archive contained a map and a memorandum which appear to be based on the material contained in the notes.<sup>1</sup>

<sup>1</sup> AM18.18-21

**104.404** In his evidence to this Inquiry, Joe Mahon denied the accuracy of the account contained in the notes.<sup>1</sup> He recalled being interviewed at home by, he thought, two *Sunday Times* journalists, but "*we did not prepare a written statement together and I was never given anything to look at or sign*".<sup>2</sup> In relation to the notes quoted above Joe Mahon stated: "*The statement appears to me to have been put together by someone from the Sunday Times after that visit, and it is not an accurate account of what happened to me on Bloody Sunday.*"<sup>3</sup> He added that he had set out what happened to him in his written evidence to this Inquiry.<sup>4</sup>

<sup>1</sup> AM18.7-8; Day 167/32-38; Day 167/73-77

<sup>3</sup> AM18.7-8

<sup>2</sup> Day 167/74; AM18.7

<sup>4</sup> AM18.8

**104.405** In his oral evidence to this Inquiry, Joe Mahon put forward two suggestions as to why the *Sunday Times* interview notes make no reference to Jim Wray being shot from point blank range as he lay on the ground. He first suggested that the reference in the notes to the soldier "*looking towards the passageway and firing two or three shots from under his arm*"<sup>1</sup> might have been intended to convey his evidence about Jim Wray's death.<sup>2</sup> However, later in his oral evidence Joe Mahon said that he had not told the journalists about seeing Jim Wray shot because "*I was feared for my life*".<sup>3</sup> Asked why he was fearful, he said, "*Well, who was I going to tell. If I had made a statement to the police about it, they are the Security Forces and who killed Jim Wray, who did I see killing Jim Wray while he lay on the ground. It was the Security Forces.*"<sup>4</sup>

<sup>1</sup> AM18.15

<sup>3</sup> Day 167/68-69

<sup>2</sup> Day 167/36

<sup>4</sup> Day 167/79-80



**104.406** Joe Mahon had been interviewed twice before he talked to the *Sunday Times* journalists. On 7th February 1972 an RUC officer, Detective Sergeant Cudmore, conducted a brief interview which was concerned with the circumstances in which Joe Mahon was shot and did not touch upon matters relevant to the death of Jim Wray.<sup>1</sup> It also appears that the photo-journalist Fulvio Grimaldi talked to Joe Mahon while he was in hospital.<sup>2</sup> In the account Fulvio Grimaldi subsequently produced, there is no reference to Joe Mahon seeing Jim Wray shot as they lay on the ground.<sup>3</sup>

<sup>1</sup> [AM18.13](#)

<sup>3</sup> [AM18.25](#)

<sup>2</sup> [Day 167/39-42](#); [AM18.25](#)

**104.407** In our view the *Sunday Times* interview notes accurately recorded what Joe Mahon told Peter Pringle and Philip Jacobson. We find no force in the suggestion that they had somehow confused the shooting of Jim Wray with three shots by a soldier looking towards the passageway. Indeed, as is noted above, Joe Mahon himself in his evidence seemed later to withdraw from this suggestion.

**104.408** Furthermore, we do not accept Joe Mahon's explanation that he did not tell the *Sunday Times* journalists about seeing Jim Wray shot in the back while on the ground because he feared for his life. In our view, if Joe Mahon had in fact seen Jim Wray being shot twice in the back at point blank range, as Jim Wray lay wounded on the ground, he would have witnessed a particularly horrific event. His explanation that he said nothing about it because he feared for his life might explain his not volunteering this information to the security forces, but does not explain his failure to say anything to the *Sunday Times* journalists or to Fulvio Grimaldi, since he did give them detailed accounts of the incident in which he, William McKinney and Jim Wray were all shot as they ran across Glenfada Park.<sup>1</sup> Had Joe Mahon really witnessed the event he described to us, we are sure that he would have told the *Sunday Times* and Fulvio Grimaldi about it.

<sup>1</sup> [AM18.14](#); [AM18.25](#)

**104.409** What in our view is likely to have happened is that Joe Mahon, as he lay wounded on the ground, saw a soldier approach the south-west alleyway of Glenfada Park North and he heard that soldier fire his rifle into Abbey Park. This is an event which, for reasons given later in this report,<sup>1</sup> we are certain occurred. Having later learned that Jim Wray had been shot twice in the back, Joe Mahon mistakenly came to believe that it was this soldier who had shot Jim Wray at point blank range.

<sup>1</sup> [Chapter 107](#)

**104.410** Our view that Joe Mahon was mistaken is to our minds reinforced by the scientific and medical evidence about the photograph reconstructing Joe Mahon's evidence of what he saw, which is shown above.<sup>1</sup>

<sup>1</sup> Paragraph 104.400

**104.411** We accept the view of Dr Shepherd that for Jim Wray to have been shot by a soldier standing in such a position, the body on the ground would have to have been at an angle of 45° to the horizontal, with his left side down and right side up.<sup>1</sup> Dr Carson gave similar evidence to this Inquiry.<sup>2</sup> There was no evidence, including from Joe Mahon himself,<sup>3</sup> that Jim Wray was in this position.

<sup>1</sup> Day 230/96-97

<sup>3</sup> Day 167/67-68; Day 167/25

<sup>2</sup> Day 207/29

**104.412** We are thus unable to place any reliance on this aspect of Joe Mahon's evidence.

**104.413** With the exception of Bridget O'Reilly, none of the witnesses who gave accounts in 1972 of Jim Wray being shot while lying on the ground referred to seeing a soldier firing into Jim Wray's back from a range of just a few feet. Some of the witnesses were in positions that would not have enabled them to see such an incident had it occurred, but others, such as Susan and Betty Coyle, Malachy Coyle and Michael Wilson, would seemingly have been well placed to see the events Joe Mahon described. As for Bridget O'Reilly, she told us that she did not in fact see the soldier aim his gun at Jim Wray.

**104.414** We have also considered the evidence of a number of other witnesses who gave accounts in 1972 but did not say then anything about seeing Jim Wray being shot on the ground.<sup>1</sup>

<sup>1</sup> Donal Dunn (AD172.3; Day 161/17-20; AD172.8), Pearse McCaul (AM93.4; AM93.16; AM93.14-15; Day 164/115; Day 164/33), John O'Kane (AO48.4; AO48.10; X4.31.30-36; Day 163/19-24; AO48.36; AO48.40; AO48.16-17; AO48.6; AO48.33; Day 163/29; AO48.24; Day 163/64), Paddy McCauley (AM97.5; AM97.8-9; Day 162/81-87; Day 162/92-99; Day 162/105-106; Day 162/111; AM97.12), Celine Dunleavy (AD168.2-3; AD168.8-10; Day 132/166-168; Day 132/187-188; Day 132/193-194; AD168.5), James McNulty (AM377.3; Day 152/16-20; AM377.8; AM377.11; AM377.13-15), John Stevenson (AS33.2; Day 166/6-7), Vincent Harkin (AH34.3; Day 417/149; AH34.1; AH34.9-10), Patrick Moyne (AM444.5; Day 162/27-29; Day 162/40-43; AM444.8) and Frances Lytle (AL36.3; AL36.6-7).

**104.415** Benn Keaveney<sup>1</sup> and OIRA 7<sup>2</sup> did not give accounts in 1972.

<sup>1</sup> AK2.8-10; AK2.20; Day 160/22-42; CS6.389-390

<sup>2</sup> AOIRA7.14; AOIRA7.31; Day 398/80-88; Day 398/101-106; Day 398/175-182; Day 399/5-17; FR 7.714-715; FS4.184

**104.416** We have come to the conclusion that it would be unwise to place reliance on the evidence of the witnesses we have identified in the previous two paragraphs, in relation to the question as to whether or not Jim Wray was shot while on the ground. As with Joe Mahon, had those witnesses who gave accounts in 1972 really witnessed such an event,

it seems to us that they would have been bound to have recounted it at the time. Benn Keaveney acknowledged that in his opinion his memory was affected by trauma, a condition with which he was used to dealing in a professional capacity.<sup>1</sup> OIRA 7 gave a television interview for a programme made to commemorate the 25th anniversary of Bloody Sunday, but made no mention of seeing Jim Wray shot on the ground.<sup>2</sup> We found his explanation for this unconvincing.<sup>3</sup>

<sup>1</sup> AK2.1; AK2.9; AK2.20; Day 160/38

<sup>3</sup> Day 398/104-106

<sup>2</sup> X1.28.29; AOIRA7.21; Day 398/16-17

**104.417** One other witness gave an account that might relate to Jim Wray. James McDonald gave a NICRA statement in which he described seeing a man running in Glenfada Park North, before *“Another three shots rang out and this man fell. A soldier appeared and ran forward and shot this man at point blank range in the lung.”*<sup>1</sup> The NICRA statement as a whole is vague and clearly confused, and James McDonald gave no evidence to this Inquiry. We do not place any reliance on this account.

<sup>1</sup> AM195.1

## Further submissions on behalf of soldiers

**104.418** The nature of the bullet wounds and the orientation of Jim Wray’s body as he lay on the ground formed the basis of a submission made by the representatives of the majority of represented soldiers, that:<sup>1</sup>

“Ultimately, while James Wray died tragically on Bloody Sunday, the evidence, closely examined, demonstrates that he was not shot either at close or long range while on the lying on [sic] the ground, as, with the possible exception of a shooting by a soldier lying prone on the ground which no civilian witnessed, the angle of bullet entry cannot admit such a possibility if he was lying flat on his front as almost every eyewitness acknowledges.”

<sup>1</sup> FS7.2001

**104.419** This submission seems to us to depend upon on a number of propositions, namely that:

1. The expert evidence was that if Jim Wray was lying flat on his front when hit, the firer would either have had to have lowered his weapon to the ground or be lying on the ground when he fired.
2. The civilian evidence was to the effect that Jim Wray was lying flat on his front.
3. There was no evidence that any soldier in Glenfada Park North fired in this manner.

- 104.420** So far as the first of these propositions is concerned, the representatives of the majority of represented soldiers drew our attention to the following passage from Dr Carson's oral evidence to this Inquiry:<sup>1</sup>

"Q. Finally, as far as the upper wound is concerned, we know the entry is upper middle right-hand side of the back and the exit is here. (Indicating)

A. Yes.

Q. If James Wray was actually lying flat, even if he was trying to push himself up but lying flat rather than on one side, if he is lying flat, right?

A. Yes.

Q. The situation would be that the firer of the weapon would be having to lower his weapon to ground level and fire sideways, would he not?

A. Yes, or he could be lying on the ground, of course."

<sup>1</sup> [Day 207/35](#)

- 104.421** It was submitted that this evidence represents Dr Carson's view that if the shot was from a distance, the firer would have had to have been shooting from a very low angle, potentially a lying position.<sup>1</sup>

<sup>1</sup> [FS7.1950](#)

- 104.422** Apart from the fact that the question and answer related to only one bullet wound (Wound 1), we do not accept that Dr Carson was expressing a view about a shot from a distance. The context in which these questions and answers are to be found is a discussion of the likelihood of Jim Wray being shot at very close range,<sup>1</sup> and in our view what Dr Carson was dealing with was only what in his view the position of the firer would have had to be if Jim Wray had been lying flat on the ground and had sustained Wound 1 from a firer close to him.

<sup>1</sup> [Day 207/29-35](#)

- 104.423** As to the second proposition, Malachy Coyle in his NICRA statement described the man (in our view Jim Wray) "*lying face down on the ground*".<sup>1</sup> In his evidence to us he recalled Jim Wray lying with the left side of his body propped up on the pavement and the right side lower down, resting in the gutter.<sup>2</sup>

<sup>1</sup> [AC97.20](#)

<sup>2</sup> [AC97.12; Day 156/33-35](#)

**104.424** Bridget O'Reilly, in her oral evidence to this Inquiry, recalled that Jim Wray was “*kind of*” lying on his stomach rather than lying on his back.<sup>1</sup> When asked whether she had seen Jim Wray raise his head and shoulders, she replied that all she had seen at the time she observed the body jerk was his head lifting up.<sup>2</sup>

<sup>1</sup> Day 172/9

<sup>2</sup> Day 172/23

**104.425** It was submitted that William O'Reilly had changed his account in his written evidence to this Inquiry,<sup>1</sup> in stating that Jim Wray “‘*seemed to be looking around*’. *This contradicts his earlier evidence to Lord Widgery that James Wray was lying ‘flat and motionless*’.”<sup>2</sup>

<sup>1</sup> AO69.1

<sup>2</sup> FS7.1971

**104.426** In fact William O'Reilly did not use the words “*flat and motionless*”. They appeared in a question put to him by Mr Gibbens, counsel for the Ministry of Defence:<sup>1</sup>

“Mr. GIBBENS: In your mind, and this is the object of the answer, isn't it, in your mind it must have been that while lying on the ground the body jerked because the boy was deliberately shot when he was lying flat and motionless?

A. That is right.”

<sup>1</sup> WT7.5

**104.427** A little earlier in his oral evidence to the Widgery Inquiry, William O'Reilly had made clear that he had seen Jim Wray looking around:<sup>1</sup>

“Q. When he was on the ground, after he had fallen, did you see his body move at all at any time?

A. He lifted his head and tried to look round, you know.

LORD WIDGERY: I think you were indicating that he moved his head around?

A. Yes. He was trying to look round.

Mr. HILL: He raised his head from the ground and moved it around, looking about him, is that correct?

A. Yes.

Q. After that, what else, if anything, did you notice about him?

A. I was going to run down like, to get him up, and the body gave a jerk.

Q. Was that a sudden sort of twitch?

A. Yes, it was.

Q. Were you able to see with your own eyes what caused that sudden twitch in Wray's body?

A. No.

Q. But after this twitch, did he then fall again from the slightly raised position to the ground?

A. His head just went down again.

Q. His head had been raised?

A. Yes, he was moving about his head.

Q. And after the twitch did his head fall to the ground?

A. Yes.

Q. Did he then remain lifeless?

A. I did not see him move after.

Q. You did not see him move at all after that?

A. No.

Q. So after the body twitched his head fell to the ground, and he remained perfectly motionless after that, is that so?

A. Yes."

<sup>1</sup> [WT7.3](#)

**104.428** In our view there was nothing inconsistent in William O'Reilly's evidence on this point. In its context, his answer to Mr Gibbens cannot fairly be understood as a retraction of what he had just said. Had it been thought to be so, Mr Gibbens would undoubtedly have pointed this out, which he did not do.

**104.429** As we have already noted, in his written statement to this Inquiry Gerald Campbell recalled seeing a man (in our view clearly Jim Wray) lying face down with his head and shoulders on the pavement, who kept raising his head.<sup>1</sup>

<sup>1</sup> [AC13.4](#)

**104.430** Asked with regard to Jim Wray “*When you saw the bullets strike his body, are you sure he was lying on the ground when you saw those bullets st[r]ike?*”, John Porter answered “*He was lying flat*”.<sup>1</sup>

<sup>1</sup> AP11.12

**104.431** In his written evidence to this Inquiry, Michael Wilson described the youth he saw (again in our view Jim Wray) as lying on his stomach with “*his body tight against the kerb*”.<sup>1</sup>

<sup>1</sup> AW18.1

**104.432** From the accounts of these witnesses it does appear that Jim Wray was lying face down, though raising his head and looking around. Whether he was in the position described by Malachy Coyle decades after the event is much more uncertain, and in the light of the other evidence it seems to us that we should not rely on his recollection in this regard.

**104.433** As to the third proposition, it is also the case that there is no evidence, from either a military or a civilian source, that a soldier fired from a prone position or lowered his rifle and fired it from ground level, though it should be noted (as discussed above) that there is both civilian and military evidence that earlier a soldier had fired from a kneeling position.

**104.434** As we have already indicated, in our view the civilian evidence, taken with the scientific and medical evidence discussed above, does establish that if Jim Wray was lying flat (as opposed to an angle of about 45° to the ground) he could not have been shot at short range save by a firer at ground level.

**104.435** We are not persuaded, however, that it is legitimate to take Dr Carson’s evidence and to extrapolate from it the proposition that if Jim Wray was lying flat and face down a soldier at other than short range would have had to have fired from ground level. There was no scientific evidence to support such an extrapolation.<sup>1</sup> On the contrary, though he seems only to have been considering the angle at which the bullets entered Jim Wray’s body and their track through his body, Professor Simpson expressed the following view to the Widgery Inquiry:<sup>2</sup>

“Q. So if Wray was lying on the ground when shot, he must have been shot by someone also lying on the ground?

A. No. He could be shot in the way in which these injuries were sustained by a person kneeling, standing or lying. The angle at which the bullet enters the body, unless it was a very close discharge, bears no relation to their relative position. This was a transverse wound.



Q. Is the track which the bullet takes through the body, unless interrupted by a bone, indicative of the direction from which the shot comes?

A. No. It is a relative matter between the position of the body as to whether it is prone, or half-prone or half-supine: it is not solely a matter of the direction from which the bullet comes.

Q. I do not see quite then how the relative term 'shot as when standing' relates to the position of the firer and the position of the victim?

A. I am only putting forward a probability – shot as when standing.

Q. Would it appear to you to be, from the evidence of the wound and the direction, more likely that the person was standing when the bullet entered his body?

A. I do not think I can help in that respect.

Q. In the case of Wray, the track went through from right to left with an inclination upwards at about 15 degrees to the horizontal plane?

A. Yes.

Q. That would still apply if the firer was kneeling and necessarily aiming rather downwards?

A. Yes, or if the body were tilted with the weapon horizontal.”

<sup>1</sup> Although we are not scientific experts, it seems to us that as the distance from a standing firer increases, as a matter of geometry the angle at which Jim Wray's body would have to be relative to the ground in order to account for Wound 1 would necessarily decrease from the angle required if the shot was from a standing firer at short

range; and would further reduce if the firer was not standing but was kneeling or shooting from a lower position. However, this was not canvassed with the experts.

<sup>2</sup> WT9.43

**104.436** In our view, therefore, though we are satisfied that Jim Wray was not shot on the ground at point blank range, we find nothing in the medical or scientific evidence that precludes the possibility that he was shot in that position from a greater range.

## Whether Jim Wray fell because he was shot

**104.437** We have already observed that in our view the 1972 evidence that Jim Wray was shot on the ground indicates that he sustained one wound in this position. A number of other witnesses described seeing Jim Wray fall.

**104.438** George Hillen told this Inquiry that as he was at the back of the crowd trying to get through the south-western alleyway of Glenfada Park North he saw Jim Wray to his right, who then said he had been hit and fell forwards.<sup>1</sup> George Hillen gave no evidence in 1972, and though he was doing his best when he came to give oral evidence to us,<sup>2</sup> we formed the view from his evidence as a whole that his memory was such that we could not place much reliance on his recollection. However, his account is consistent with Jim Wray falling because he had been shot.

<sup>1</sup> [AH74.4](#)

<sup>2</sup> [Day 164/25](#)

**104.439** Michael Quinn was, as we have described earlier in this chapter, shot in the face as he ran towards the south-west exit of Glenfada Park North, but he managed to continue through the alleyway and into Abbey Park. He was interviewed by a member of the *Sunday Times* Insight Team, whose notes included the comment: “*james wray (who he [Quinn] now recognises from the pix) fell beside him and hit his head of [sic] the kerb of the footpath.*”<sup>1</sup>

<sup>1</sup> [AQ11.13](#)

**104.440** In his evidence to this Inquiry, Michael Quinn stated that he recalled “*thinking that someone else has been shot with me because – I guess from the way he fell. He did not put his hand out. I recall his head hitting the kerb stone.*”<sup>1</sup> He later added: “*I did not see a bullet hitting the person, but I could tell from the fact that his head was hitting the kerb stone, his hands were nowhere in view. He did not put his hand out to stop his fall.*”<sup>2</sup> Michael Quinn stated that he did not know at the time who this person was, although he recognised him as someone who had carried the NICRA banner and had been around “*the group carrying the body in Glenfada Park North*”.<sup>3</sup> He subsequently came to think that the man was Jim Wray,<sup>4</sup> an identification that seems to us to be correct. To our minds this evidence supports the view that Jim Wray fell because he was shot.

<sup>1</sup> [Day 169/89](#)

<sup>3</sup> [AQ11.24](#)

<sup>2</sup> [Day 169/136](#)

<sup>4</sup> [AQ11.24](#)

**104.441** Although other witnesses described seeing Jim Wray fall, we did not find their evidence helpful on the question as to whether or not this was because he had been shot or because he had simply tripped or otherwise lost his balance.

## The evidence of Private 027

**104.442** Private 027, the Anti-Tank Platoon signaller, gave some evidence that seemingly relates to the circumstances in which Jim Wray came to be shot. Elsewhere in this report<sup>1</sup> we have described the nature of the accounts he gave before he provided written and oral evidence to this Inquiry.

<sup>1</sup> [Chapter 179](#)

**104.443** In the account he gave in 1975,<sup>1</sup> Private 027 stated that *“H fired from the hip at a range of 20 yards. The bullet passed through one man and into another and they both fell, one dead and one wounded. He then moved forward and fired again, killing the wounded man. They lay sprawled together half on the pavement and half in the gutter.”*

<sup>1</sup> [B1565.006-007](#)

**104.444** Private 027 said to this Inquiry that, as with other aspects of his 1975 account, he had no recollection of the detail described in it, but he also had *“no reason to doubt that this description of events is what I thought occurred at the time or believed to have occurred at the time”*.<sup>1</sup>

<sup>1</sup> [Day 246/94](#)

**104.445** Private 027 told us that he believed that he read his *“field notebook”* account of the events of Sector 4 to the journalist Lena Ferguson,<sup>1</sup> who took notes as he did so, during the course of an interview for Channel 4 (which took place on 16th March 1997). Lena Ferguson told us that Private 027 did produce his diary, but that it did not play a major part in the conversation.<sup>2</sup> However, her interview notes do record a similar incident.<sup>3</sup> On the most straightforward interpretation of these notes, Private 027 appeared to suggest that Private G fired into a crowd of 40 and hit two men with one bullet. A third man was then shot, possibly in the leg, by Private H, who then *“went and finished him off”*.<sup>4</sup>

<sup>1</sup> [Day 249/174](#)

<sup>3</sup> [B1565.273](#)

<sup>2</sup> [Day 202/54-55](#)

<sup>4</sup> [B1565.273; Day 249/173-175](#)

**104.446** Private 027 told this Inquiry that he did not believe that he had an independent memory of the events in Glenfada Park when he gave this account to Lena Ferguson.<sup>1</sup>

<sup>1</sup> [Day 249/183-184](#)

**104.447** We have earlier explained why we consider that Private 027 did not enter Glenfada Park North until after the initial burst of firing. Thus in our view much of his accounts must at best be second hand. We have also observed that whereas in 1975 he stated that it was

Private H who had hit two men with one bullet, he seems to have told Lena Ferguson that it was Private G who had done this. In these circumstances, though these two accounts are consistent in identifying Private H who had shot a man on the ground, it seems to us that all that can be said about this evidence is that it is not inconsistent with the civilian evidence that Jim Wray was shot and fell and was then shot again as he lay on the ground. Private 027's naming of Private H as the soldier responsible for this latter shot is a matter that we return to consider below, though we should say at this stage that we do not regard it, on its own, as a reliable basis for concluding with any certainty that Private H shot Jim Wray on the ground.

## Conclusions on the shooting of Jim Wray

- 104.448** It is clear from the medical and scientific evidence that Jim Wray was shot twice in the back.
- 104.449** On the basis of the civilian evidence discussed and considered above, we have concluded that Jim Wray probably fell because he was shot once as he was making his way out of Glenfada Park North.
- 104.450** We have also concluded, on the same basis, that he was probably shot again as he lay on the ground.
- 104.451** We reject the assertion that Jim Wray was “executed” by a soldier shooting him at close range while he was on the ground. There was no 1972 evidence to this effect and it seems to us that the accounts given in 1972 are inconsistent with such an assertion. Furthermore, the medical and scientific evidence, which we accept, is to the effect that for such a shooting to have happened, Jim Wray, rather than lying flat on the ground as most of the accounts in 1972 described, would have to have been on his left hand side at an angle of some 45° to the ground.
- 104.452** We interpret Malachy Coyle's 1972 account that Jim Wray had *been “shot again in the back of the left-hand shoulder”* as he lay on the ground as convincing evidence that he witnessed the effect of the bullet that caused Wound 1 exiting from his body, as there is no doubt from the medical evidence that it did so in this area. This is consistent with the views of Dr Shepherd and Mr O'Callaghan on the likely cause of the “shoring” of this exit wound, though not with those of Dr Carson and Dr Di Maio.
- 104.453** It follows from these conclusions that in our view the shot that caused Jim Wray to fall was the lower of the two shots that hit him, in other words the shot that caused Wound 2. This means in turn that while we accept that the entry hole of a bullet into the lining of

Jim Wray's jacket was caused by the bullet that inflicted Wound 2, we are not persuaded that this is a firm indication that Wound 2 was inflicted when Jim Wray was on the ground. Mr O'Callaghan thought this was the most likely explanation, but described his view as "*not an immutable opinion, by any means*".

- 104.454** From the medical and scientific evidence the experts expressed as "*the most likely*" of the possibilities, that the two bullets that struck Jim Wray were fired from the same weapon from the same position and in quick succession, though as they emphasised more than once, this did not preclude other possibilities that might arise from eyewitness evidence.
- 104.455** That eyewitness evidence persuades us that it is probable that Jim Wray, after he had been shot and had fallen, lay on the ground for long enough to exchange words with people nearby before he was shot again. There is no civilian evidence that helps to decide whether he was shot by the same weapon or from the same position; and only Private 027's second hand account that the same soldier was responsible for both shots.

## Where Jim Wray was taken

- 104.456** We deal with this aspect of the matter after considering the circumstances of the casualties in Abbey Park, since it was after these casualties had been sustained that Jim Wray was moved from Glenfada Park North.

## William McKinney

- 104.457** William McKinney was shot in the back and fatally wounded by Army gunfire when he was on the south side of Glenfada Park North.

## Biographical details and prior movements

- 104.458** William McKinney, often known as Willie, was 26 years old at the time of Bloody Sunday.<sup>1,2</sup> He was engaged to be married, lived in the family home in the Creggan and was a compositor at the *Derry Journal* newspaper.<sup>3</sup> On 30th January 1972 he attended the civil rights march with his next-door neighbour, Peter Harrigan.<sup>4</sup> William McKinney, a keen amateur photographer, took his cine camera with him, as he had done at the Magilligan Strand demonstration the previous week, and we have seen the footage that he filmed on both occasions. William McKinney and Peter Harrigan separated when they moved away from William Street because of the presence of gas in the area.<sup>5</sup>

William McKinney spoke to his brother, George, at the junction of William Street and Rossville Street shortly before soldiers entered the Bogside.<sup>6</sup> He subsequently made his way to Glenfada Park North.<sup>7</sup>

<sup>1</sup> [Day 48/100](#); [D0280](#)

<sup>2</sup> There are contemporary documents ([D0262](#); [D0264](#); [D0267](#)) that give William McKinney's age as 27; this may be because he was only three days short of his 27th birthday when he was shot.

<sup>3</sup> [Day 48/101-105](#); [D262](#); [FS1.2267](#)

<sup>4</sup> [AH 37.1](#)

<sup>5</sup> [AH37.1-2](#)

<sup>6</sup> [AM301.2](#)

<sup>7</sup> [CS6.505-508](#); [FS1.2267-2269](#)

## Where William McKinney was shot

**104.459** We have no doubt that William McKinney was shot and fatally wounded in Glenfada Park North. It is convenient to set out again Trevor McBride's photograph showing where he lay after being shot.



William  
McKinney

**104.460** We should note, however, that there was some evidence that seemed to suggest that William McKinney might have been shot in Abbey Park.

**104.461** John Carr in his evidence to the Widgery Inquiry and the later coroner's inquest said that a man, who he later learned was William McKinney, was shot as he ran to assist Gerard McKinney.<sup>1</sup> As described later in this report,<sup>2</sup> Gerard McKinney was shot in Abbey Park. In his evidence to this Inquiry, John Carr agreed that the person he believed to have been

shot may just have been diving for cover, and that he might simply have assumed it was William McKinney, because he later saw William McKinney being carried into a house in Abbey Park.<sup>3</sup>

<sup>1</sup> AC42.14; AC42.18; AC42.23-24; AC42.26

<sup>3</sup> Day 159/107-115; Day 159/126

<sup>2</sup> Chapter 107

**104.462** Maureen (also known as Mary) Doherty stated to this Inquiry that from her position in the scullery of 7 Abbey Park she saw William McKinney crawling south along the west side of the western block of Glenfada Park North just before Gerard McKinney and Gerald Donaghey were shot.<sup>1</sup> Mary Doherty stated that she recognised William McKinney from his work at the *Derry Journal* and his presence at a dinner dance “*a while before Bloody Sunday*”. In her NICRA statement<sup>2</sup> she did not mention seeing William McKinney, but in her written statement for the Widgery Inquiry she did add, after describing shooting in Abbey Park, that before this shooting she saw “*the young McKinney*” creeping along at the Glenfada Flats. “*He appeared to be injured but I did not see him being shot.*”<sup>3</sup> In our view Mary Doherty was mistaken in thinking that she saw William McKinney.

<sup>1</sup> AD85.2-3; Day 161/93-95; Day 161/111-113

<sup>3</sup> AD85.11

<sup>2</sup> AD85.9

**104.463** James McLaughlin gave a NICRA statement in which he recorded that “*A man running beside me who I later learned was William McKinney was shot.*”<sup>1</sup> This statement does not make clear where he was saying that this incident occurred, though on one reading he could have been referring to Abbey Park. In an account given to Peter Pringle of the *Sunday Times* Insight Team, James McLaughlin described being in Abbey Park and helping to carry William McKinney into 7 Abbey Park, but said nothing about being beside William McKinney when this casualty was shot.<sup>2</sup> In his written statement to this Inquiry, James McLaughlin told us that he was now not sure precisely where the running man fell or whether the running man had stumbled or had been shot. He also told this Inquiry that William McKinney might not have been the person he saw fall.<sup>3</sup>

<sup>1</sup> AM463.8

<sup>3</sup> AM463.2-4

<sup>2</sup> AM463.9

**104.464** Joe Mahon (who is also shown in Trevor McBride’s photograph of the three lying in Glenfada Park North<sup>1</sup>) has throughout maintained that William McKinney fell in Glenfada Park North just to his right.<sup>2</sup> As we describe later in this part of the report there are photographs that show William McKinney’s body being carried into Abbey Park from Glenfada Park North through the south-west alleyway. There is also evidence of the earlier presence of William McKinney at the south gable end of the eastern block of Glenfada Park North, to which we refer below. In our view the witnesses who said or



implied that William McKinney was shot elsewhere are mistaken, possibly because they confused William McKinney with Gerard McKinney, who (as we describe later<sup>3</sup>) was shot in Abbey Park, or because William McKinney was carried into Abbey Park after he was shot.

<sup>1</sup> Paragraph 104.206

<sup>3</sup> Chapter 107

<sup>2</sup> AM18.3; AM18.15

## Medical and scientific evidence

**104.465** Dr Carson performed an autopsy on the body of William McKinney at Altnagelvin Hospital on 31st January 1972. The autopsy was observed by Dr Raymond McClean, Dr MacDermott and Dr Cavanagh.<sup>1</sup>

<sup>1</sup> D0280

**104.466** The autopsy revealed two entry and two exit wounds. The fatal injuries were caused by a bullet that entered the right side of William McKinney's back, traversed his upper abdomen and exited on the left side of his lower chest.<sup>1</sup> A bullet had also passed through his left forearm from the palm side to the back.<sup>2</sup> Dr Carson's conclusion on the autopsy was that a single bullet was responsible for all the injuries.<sup>3</sup>

<sup>1</sup> D0280-0281; D0285; E2.0043

<sup>3</sup> D285

<sup>2</sup> D0282; D0285; E2.0043

**104.467** We have had the opportunity to examine the photographs that were taken of William McKinney during the autopsy. We have decided, after consulting with the families of the deceased, not to publish them.

**104.468 The Trunk Wound:** The entry wound (0.5cm circular) was on the right side of the back 13cm from the midline and 9cm below the scapula. The corresponding exit wound (2cm x 1.6cm) lay on the left side of the chest 8cm below and 10cm to the left of the left nipple. There were substantial internal injuries to William McKinney's ribs, right lung, liver, stomach, colon and spleen.<sup>1</sup> Assuming the body was in the Normal Anatomical Position, a concept used by pathologists to describe wounds on the basis that the casualty was standing vertically with hands by the sides,<sup>2</sup> the track was described in the 1972 notes, reports and opinions as being from back to front at 33° from right to left and horizontal.<sup>3</sup> Dr Shepherd and Mr O'Callaghan concluded that the bullet entered the right side of William McKinney's back and passed through the left side of his lower chest, causing the body wounds and internal injuries.<sup>4</sup> There was a disagreement between Dr Carson and Dr McClean, who observed the autopsy, over whether the track was horizontal or whether, as Dr McClean suggested, there was a 5° upward angle.<sup>5</sup> Dr Shepherd and

Mr O’Callaghan considered that the difference “*was well within the possible error for these measurements and can therefore be disregarded*”<sup>6</sup> and Dr Carson in his evidence to this Inquiry referred to the difference as being insignificant.<sup>7</sup> We accept their opinions on this point.

<sup>1</sup> D0281; D0285; D0291-293

<sup>5</sup> D0535-536; AM105.38-39

<sup>2</sup> Day 229/103

<sup>6</sup> E2.0042-43

<sup>3</sup> D0281; D0291-293; E2.0042; D292

<sup>7</sup> D0535-536

<sup>4</sup> E2.0042-43

**104.469** In his autopsy opinion Dr Carson stated that the internal gunshot wounds to William McKinney’s torso were “*associated with bleeding into the chest and abdominal cavities and death, which would probably have been rapid but not instantaneous, was due to their combined effects*”.<sup>1</sup>

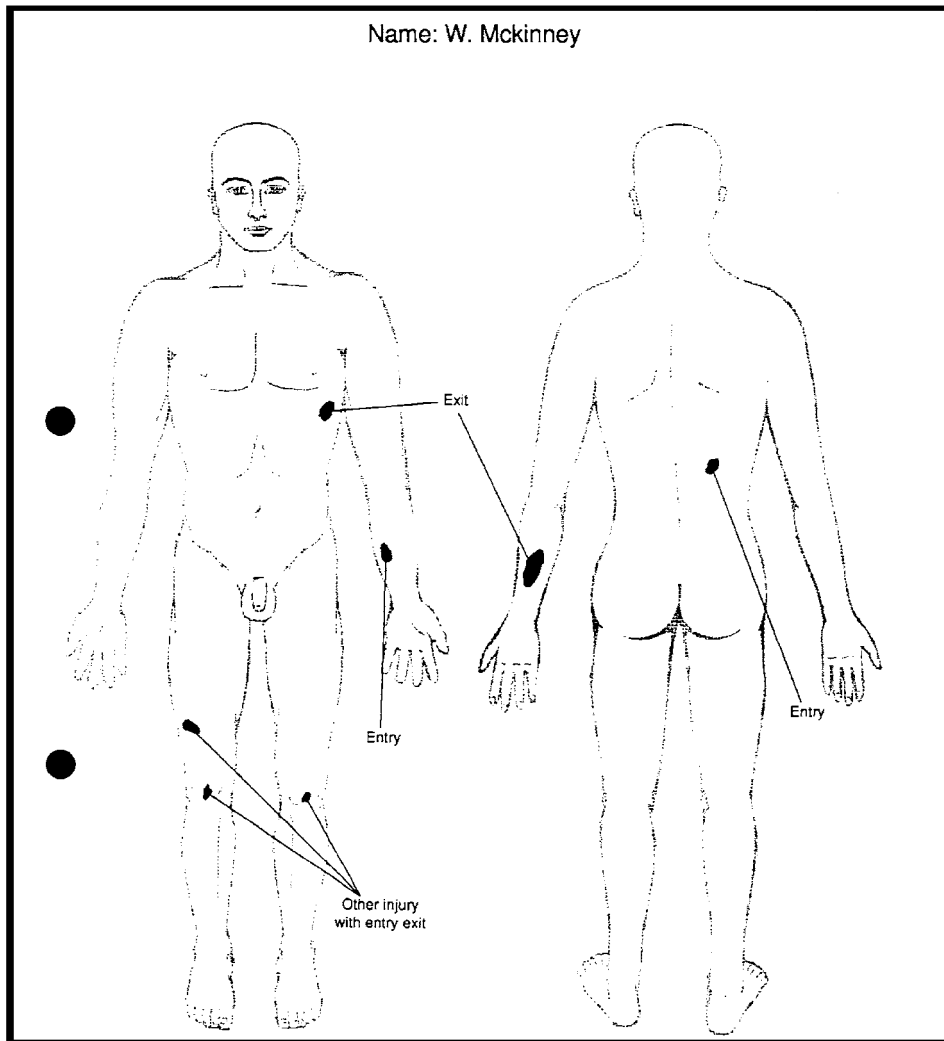
<sup>1</sup> D0285

**104.470 The Arm Wound:** The entry wound to William McKinney’s forearm was described in the autopsy report as “*an irregular elliptical wound, 15mm. x 10 mm.*” on the flexor surface (ie the palm side). It lay 70mm above the wrist. The exit wound was “*a gaping elliptical wound*”, 80mm long by 30mm wide, with the lower end 25mm above the wrist.<sup>1</sup>

<sup>1</sup> D0282; E2.0043

**104.471** Dr Shepherd and Mr O’Callaghan produced a diagram showing the position of the wounds.<sup>1</sup> That diagram is reproduced below.

<sup>1</sup> E2.75



**104.472** Dr Carson agreed with Dr Shepherd and Mr O'Callaghan that the wound on the palm side of the forearm was an entrance wound, and that its atypical appearance – being larger and more irregular than a “*clean*” or “*simple*” entrance wound – suggested that the bullet that struck William McKinney’s arm was unstable or damaged by the time that it did so.<sup>1</sup> The experts had different views as to the cause of the damage or instability, and their evidence on this point is accurately described in our Counsel’s summation, which we set out below:

4. There is some disagreement between Dr Carson on the one hand, and Dr Shepherd and Mr O'Callaghan on the other, regarding the nature of the injuries to Mr McKinney's arm. Dr Carson believed that these were likely to have been caused by the same bullet that had earlier passed through his body (and thus represented a re-entry and an exit wound).<sup>2</sup> Dr Shepherd and Mr O'Callaghan thought that this explanation was only of equal likelihood with the possibility that he was hit by a second unstable or damaged bullet.<sup>3</sup>

(a) Dr Shepherd and Mr O'Callaghan explained that the fact that the entry wound in Mr McKinney's arm was considerably smaller than the exit wound to his chest did not preclude the possibility that the same bullet was responsible. They commented that fragments of rib might have distorted the chest wound, while Dr Carson also referred to the possibility that the phenomenon of 'temporary cavitation' (the expansion of tissue around a wound in the immediate aftermath of the bullet passing through) could have caused the same effect.<sup>4</sup>

(b) Dr Carson explained to this Inquiry that he did not rule out the possibility that the arm was struck by a second bullet, but he believed that it was simpler to explain the injuries by the single-bullet theory, and hence it was 'more likely' that this was correct.<sup>5</sup>

(c) Dr Martin's contemporary notes referred to the damage to the sleeve of Mr McKinney's coat as being consistent with the re-entry and re-exit of the same bullet that had passed through his torso.<sup>6</sup> Dr Shepherd and Mr O'Callaghan concluded that there was no accompanying description or explanation in the extant notes to suggest why he came to that conclusion.<sup>7</sup>

<sup>1</sup> Day 206/37-38; E2.0043

<sup>2</sup> D285; Day 206/23-37; D536; D537.1

<sup>3</sup> E2.43-E2.45; Day 229/33-36

<sup>4</sup> E2.43; Day 229/35; Day 206/31

<sup>5</sup> Day 206/37

<sup>6</sup> D276; D272-D275

<sup>7</sup> E2.44

**104.473** We accept the evidence of Dr Shepherd and Mr O'Callaghan on this topic. We therefore consider that it is not possible on the medical evidence alone to determine whether it was more likely that William McKinney was struck by one bullet than by two. There is no civilian evidence that assists on this question.

**104.474** Dr Martin conducted tests for the presence of lead particles on William McKinney's clothing and hands. He interpreted his findings as a negative result, and therefore concluded that William McKinney had not been using a firearm.<sup>1</sup> William McKinney's clothing was also tested for the presence of explosive residues, but none was found;

no swabs were received by DIFS to allow similar tests to be conducted in relation to his hands.<sup>2</sup> There is therefore no scientific evidence to suggest that William McKinney had discharged a firearm or handled explosives at any stage on Bloody Sunday.

<sup>1</sup> [D269-271](#)

<sup>2</sup> [D265-266](#)

## When William McKinney was shot

**104.475** We have no doubt that William McKinney was shot as he went from the southern end of the eastern block of Glenfada Park North towards the south-west alleyway into Abbey Park. Shortly before he was shot he had been standing among the crowd round the body of Michael Kelly, and was identified by John James McLaughlin<sup>1</sup> and John Kelly<sup>2</sup> from the photograph of this scene, as shown below. There is nothing to indicate that he went elsewhere before he started to go across the south of Glenfada Park North.

<sup>1</sup> [AM339.5](#); [AM339.7](#)

<sup>2</sup> [AK13.4](#); [AK13.14](#)



William  
McKinney

## What William McKinney was doing when he was shot

**104.476** There is no evidence and no-one has suggested that William McKinney was in possession of any form of weapon. However, it appears to be suggested by the representatives of the majority of represented soldiers that William McKinney may not have been attempting to flee, but was rather “*standing his ground*” when soldiers came into Glenfada Park North; and that his possession of both a cine camera and an ordinary camera might, with “*sudden movement with such a piece of photographic equipment*” be mistaken for some kind of aggressive, armed behaviour.<sup>1</sup>

<sup>1</sup> [FS7.1910](#); [FR7.750](#)

**104.477** We do not accept this. William McKinney did have his cine camera with him, though not his ordinary camera,<sup>1</sup> and did on occasion take risks to get pictures.<sup>2</sup> The short distance between William McKinney and the soldiers in Glenfada Park North in our view makes it highly unlikely that anyone at that distance could mistake a cine camera for a firearm. There is no evidence to suggest that as he made his way across Glenfada Park North, he behaved in such a way as could lead anyone to believe that he was armed and posing a threat of causing death or serious injury. The fact that he was shot in the back is to our minds inconsistent with any such suggestion.

<sup>1</sup> [Day 176/150](#); [AD13.2](#)

<sup>2</sup> [AM301.5](#)

**104.478** We deal later in this report<sup>1</sup> with the question of who shot William McKinney.

<sup>1</sup> [Chapter 112](#)

## Where William McKinney was taken after he was shot

**104.479** We deal later in this report<sup>1</sup> with this aspect of the matter.

<sup>1</sup> [Chapter 108](#)

## Joe Mahon

**104.480** Joe Mahon was shot by Army gunfire at the top of his right thigh, when he was on the southern side of Glenfada Park North.

## Biographical details and prior movements

**104.481** Joseph Mahon, commonly known as Joe, was 16 years old at the time of Bloody Sunday. He was single and lived with his family in the Creggan, had left school in January 1972 and was due to begin an apprenticeship as a joiner.<sup>1</sup> He took part in the civil rights march at Bishop's Field on 30th January 1972 and subsequently made his way to Glenfada Park North.<sup>2</sup> There he was shot and seriously wounded.<sup>3</sup>

<sup>1</sup> [AM18.1](#); [Day 48/97-98](#); [FS1.2277](#)

<sup>2</sup> [AM18.1](#); [AM18.14](#)

<sup>3</sup> When interviewed by Detective Sergeant Cudmore while in hospital, Joe Mahon said that he had been visiting the house of a relative at the time when he was shot ([AM18.13](#)). We have drawn no adverse inferences from Joe Mahon's refusal to tell Detective Sergeant Cudmore the truth, as it is understandable that he would not wish to admit that he had been on the march.

**104.482** Joe Mahon spent a month in hospital and as a result lost his apprenticeship.<sup>1</sup> He described the effect of the injury he sustained on his life in the following terms:<sup>2</sup>

"I have never fully recovered from the wound I received that day. I have to have regular check ups and the damage to my intestines means I have to be careful about what I eat and drink. I am unable to drink strong spirits. I regularly get pain and cramp in my hips and suffer frequent bowel infections and some numbness in my leg. Before Bloody Sunday I was a very keen sportsman and played Gaelic football. I played football once for Derry Minors and had been captain of the school hurley team. After Bloody Sunday I did not dare take up these sports again because I did not believe that my hips were up to it. Whilst I was in hospital I had been told that I would suffer severe arthritis and would be in a wheelchair by the time I was 45. Mentally, my outlook on life changed. I became more withdrawn and introverted."

<sup>1</sup> [D0819](#); [AM18.6-7](#); [AM18.78](#)

<sup>2</sup> [AM18.7](#)

## Medical and scientific evidence

**104.483** Joe Mahon was shot above his right hip by a bullet that penetrated into his abdomen and was recovered from the left anterior superior iliac region (ie the front left side of the pelvis).<sup>1</sup> He suffered multiple perforations of the bowel,<sup>2</sup> and the serious and potentially fatal nature of his condition is demonstrated by a letter written by consultant surgeon Mr HM Bennett to Chief Superintendent Frank Lagan on 10th February 1972:<sup>3</sup>



“The bullet was a high velocity one and such missiles when they penetrate abdominal viscera carry a notoriously bad prognosis. I am not therefore prepared at this moment to state the possible outlook for this patient and he may well have a very stormy period if indeed he survives at all.”

<sup>1</sup> D809-824; E10.09-10

<sup>3</sup> D0824

<sup>2</sup> E10.10; D0824

**104.484** Dr Martin, in his letter to the RUC dated 4th April 1972, described the round that was found in Joe Mahon’s body as being a “*badly damaged 7.62 calibre rifle bullet*”.<sup>1</sup> He stated that he was unable to match the bullet with any of the 29 rifles that the Army had supplied to him, but nor could he exclude the possibility that it was fired from one of those weapons.<sup>2</sup> Dr Shepherd and Mr O’Callaghan concluded in a report to this Inquiry that “*The damage to the bullet is unlikely to have been caused during its passage through the clothing or the body. It is most likely that this bullet has struck an intermediate object prior to hitting Joseph Mahon.*”<sup>3</sup> We accept this conclusion.

<sup>1</sup> D0827

<sup>3</sup> E10.10

<sup>2</sup> D0826-829

## Whether Joe Mahon was hit by a bullet that had hit William McKinney

**104.485** The intermediate object to which Dr Shepherd and Mr O’Callaghan referred was, in our view, probably the body of William McKinney, since the latter (as can be seen in the photograph of the three bodies in Glenfada Park North<sup>1</sup>) fell close to Joe Mahon. In addition, it should be noted that in his 1975 account Private 027 described two men being struck by one bullet fired by Private H.<sup>2</sup> However, in this account Private 027 said that Private H had fired from the hip and then had gone forward and shot again, killing the wounded man. According to the notes made by the journalist Lena Ferguson, Private 027 told her that it was Private G who had fired into a crowd and hit two men with one bullet, after which Private H shot another man and then “*went and finished him off*”.<sup>3</sup> Since in our view Private 027 did not enter Glenfada Park North until after the initial burst of firing, at best his account of this incident and his inconsistent accounts of who was responsible must be based on what he was told afterwards. We return to consider Private 027’s account later in this report,<sup>4</sup> when discussing the question of which soldier shot William McKinney.

<sup>1</sup> Paragraph 104.208

<sup>3</sup> B1565.273; Day 249/173-175

<sup>2</sup> B1565.6-B1565.7

<sup>4</sup> Chapter 112

**104.486** In his evidence to this Inquiry, Lance Corporal F was asked about the possibility that he might have shot both Joe Mahon and William McKinney with the same bullet and he agreed that this was possible.<sup>1</sup> However, in view of his professed lack of memory of events and the generally unsatisfactory nature of his evidence, we consider that this answer is of little if any assistance.

<sup>1</sup> [Day 376/171-175](#)

**104.487** There is no other evidence that assists in determining whether Joe Mahon was hit by a bullet that had previously struck William McKinney. The only other possibility is that the bullet first hit the ground, as there does not appear to be anything else (apart from William McKinney's body) that it could have struck before hitting Joe Mahon. Despite the fact that Private 027's evidence is second hand, it does in our view point, though far from conclusively, to Joe Mahon being hit by a bullet that had struck William McKinney. We are of the view that Joe Mahon was probably shot by a bullet that had first hit William McKinney.

## Where Joe Mahon was when he was shot

**104.488** As noted when discussing the circumstances in which Jim Wray came to be shot earlier in this chapter, we have rejected the account given by Joe Mahon of seeing, as he lay on the ground, a soldier shoot Jim Wray at point blank range. However, there is an account contained in a memorandum prepared by the *Sunday Times* Insight Team, according to which Joe Mahon told the journalists that he was running along the fencing on the south side of Glenfada Park North, thought he saw two others hit in front of him *"and then I was hit in the thigh [sic]. at first i thought it was a rubber bullet. i assumed the shot had come from the soldier i had seen enter the alley from rossville street in the northeast corner of the car park. he had come up behind a van and pointed a rifle in my direction."*<sup>1</sup>

<sup>1</sup> [AM18.14](#); [AM18.20](#)

**104.489** In his evidence to this Inquiry, Joe Mahon said that much of what was contained in the *Sunday Times* notes of the interview was inaccurate.<sup>1</sup> In particular he told this Inquiry that he had not seen a soldier in the north-east corner of Glenfada Park North but rather a number of soldiers, one of whom wore a distinctive jacket and was firing from the hip in a *"fan"* motion.<sup>2</sup> We take the view that the *Sunday Times* notes did record what Joe Mahon told the journalists at the time; and that had he in fact seen a soldier behaving in this

manner he would have told the journalists. The same applies to the interview conducted by Fulvio Grimaldi to which we have already made reference.<sup>3</sup> In this interview Fulvio Grimaldi recorded Joe Mahon saying that he was walking when shot.

<sup>1</sup> [AM18.8](#)

<sup>3</sup> [AM18.25](#)

<sup>2</sup> [AM18.3](#); [Day 167/18-21](#)

**104.490** The *Sunday Times* map relating to Joe Mahon marked him as falling well to the east of centre on the southern edge of Glenfada Park North.<sup>1</sup> This map, and Joe Mahon's other *Sunday Times* evidence, indicated that there were two other bodies to the west.<sup>2</sup> However, on the basis that Joe Mahon was hit by a bullet that had struck William McKinney, which we consider was probably the case, this map shows Joe Mahon further to the east than the point at which we believe he fell. That he fell closer to William McKinney seems to us to be supported by what is seen in Trevor McBride's photograph of the bodies in Glenfada Park North, which we have reproduced above.<sup>3</sup>

<sup>1</sup> [AM18.8](#)

<sup>3</sup> [Paragraph 104.206](#)

<sup>2</sup> [AM18.18](#); [AM18.14](#); [AM18.20](#)

## What Joe Mahon was doing when he was shot

**104.491** We return to the evidence of Joe Mahon when considering what happened subsequently in Glenfada Park North and Abbey Park. At this stage, however, we should state that we have found no evidence to suggest that he was behaving in a way that could lead anyone to believe, albeit mistakenly, that he was posing a threat of causing death or serious injury. He was running (or possibly walking) away from the soldiers when he was shot.

**104.492** We deal later in this report<sup>1</sup> with the question of who shot Joe Mahon.

<sup>1</sup> [Chapter 112](#)

## Where Joe Mahon was taken after he was shot

**104.493** We deal with this aspect of the matter later in this report.<sup>1</sup>

<sup>1</sup> [Chapter 108](#)

## Patrick O'Donnell

**104.494** Patrick O'Donnell was shot in the shoulder by Army gunfire as he sheltered behind a fence on the east side of Glenfada Park North.

## Biographical details and prior movements

**104.495** Patrick O'Donnell, commonly known as Patsy, was 41 years old at the time of Bloody Sunday. He was married with six children, lived in Rathowen Park, Londonderry and was employed as a roofing contractor.<sup>1</sup> On 30th January 1972 he joined the civil rights march with some friends, and subsequently made his way to Glenfada Park North,<sup>2</sup> where he was wounded.

<sup>1</sup> [AO35.1](#); [AO35.12](#); [Day 48/146](#); [FS1.2298](#)

<sup>2</sup> [AO35.1](#)

## Medical and scientific evidence

**104.496** Patrick O'Donnell sustained what was described in his discharge letter as a “*through and through bullet wound*” to his right shoulder.<sup>1</sup> Dr Shepherd and Mr O'Callaghan reviewed the 1972 notes relating to Patrick O'Donnell's injury and commented that “*A number of metallic fragments were noted on X-Ray but only one appears to have been found at operation; this fragment was submitted to DIFS [Department of Industrial and Forensic Science]. Dr Martin identified that fragment as being a piece of lead 'which could be part of a bullet.'*”<sup>2</sup> No comment can be made concerning the nature of the projectile.”<sup>3</sup>

<sup>1</sup> [D899](#)

<sup>3</sup> [E10.10](#); [D889-D902.1](#); [D903-D907](#)

<sup>2</sup> [D906](#)

**104.497** Patrick O'Donnell also received an injury to his scalp later in the day. This wound and the circumstances in which it was sustained are discussed later in this report.<sup>1</sup>

<sup>1</sup> [Chapter 114](#)

**104.498** Patrick O'Donnell was treated at Altnagelvin Hospital and was discharged on 9th February 1972.<sup>1</sup> As a result of his injuries he was unable to return to his work for a period of six to eight months.<sup>2</sup>

<sup>1</sup> [D0902.1](#)

<sup>2</sup> [Day 48/150](#)

## Accounts given by Patrick O'Donnell

**104.499** Patrick O'Donnell gave a number of accounts in 1972:

- a) An interview with Detective Constable FJR Gillanders. According to the resulting statement and an associated police note, the main interviews were conducted on 3rd and 4th February 1972 at Altnagelvin Hospital, and Patrick O'Donnell provided additional information and signed the document in the presence of his solicitor on 11th February 1972.<sup>1</sup>
- b) A NICRA statement dated 7th February 1972.<sup>2</sup>
- c) Written and oral evidence to the Widgery Inquiry.<sup>3</sup>
- d) An interview with the *Sunday Times* journalists, Peter Pringle and Philip Jacobson, the notes of which are dated 6th March 1972.<sup>4</sup>

<sup>1</sup> ED61.4-5; AO35.9

<sup>3</sup> AO35.18-AO35.19; WT6.41-46

<sup>2</sup> AO35.7-AO35.8

<sup>4</sup> AO35.20-25

**104.500** Patrick O'Donnell also gave written and oral evidence to this Inquiry.<sup>1</sup>

<sup>1</sup> AO35.1-AO35.6; AO35.10-AO35.11; AO35.26; Day 156/110-134; Day 157/1-28

**104.501** Patrick O'Donnell was quoted in at least two newspapers in 1972, describing the incident in which he was shot.<sup>1</sup> In his evidence to this Inquiry, he accepted that these accounts were “colourful”.<sup>2</sup>

<sup>1</sup> L136; L144; Day 157/10-12

<sup>2</sup> Day 157/12

**104.502** In his interview with Detective Constable Gillanders,<sup>1</sup> Patrick O'Donnell stated that he had heard that two people had been shot and taken to a house in Columbcille Court. When he got there he was not allowed in and after talking to people about what had happened he decided to go to Free Derry Corner. According to this account, he went through Columbcille Court and then Glenfada Park North. Before he reached the exit into Rossville Street he heard shots that sounded different from rubber bullets. He and everyone else started to run towards Free Derry Corner, but as he came round the corner of Glenfada Park he saw two civilians “*obviously injured*” lying a few yards back from the rubble barricade. The shots continued and there were a number of people sheltering at the gable end. He decided to run back across Glenfada Park North. He then continued:

“As I started to run I saw somebody falling some distance in front of me across the Park. There were other ones running as well as me. As I ran along I could still hear shooting. I stopped for a second and across Glenfada Park in the direction of Columbcille Court and about 30 or 40 yards from me I saw a soldier with a rifle in his hands. He appeared to be aiming in the direction of where I stood. There was a woman just in front of me and we both dived down behind a wooden fence and I kept the woman pushed down as far as possible. I heard a crack and felt pieces of cement of the wall behind me hit me around the shoulders. I looked round and saw the right shoulder of my coat was torn and I also saw a mark on the wall just above my shoulder. I felt a pain in my right shoulder, like burning. The tear in my coat also looked burnt. The woman and I rolled round to the shelter of the gable of the flats.”

<sup>1</sup> [ED61.4](#)

**104.503** Patrick O'Donnell then described what happened to him subsequently, to which we return later in this report.<sup>1</sup>

<sup>1</sup> [Chapter 114](#)

**104.504** Patrick O'Donnell gave a similar account in his NICRA statement, although he mentioned in this that he had seen more than one soldier in Glenfada Park North.<sup>1</sup>

<sup>1</sup> [AO35.7-8](#)

**104.505** The *Sunday Times* interview notes<sup>1</sup> also contain a similar account, with Patrick O'Donnell again recorded as referring to the presence of soldiers rather than a soldier in Glenfada Park North.<sup>2</sup> Patrick O'Donnell described taking cover “*by the side of a wooden fence that juts slightly out into the park*” and “*almost sitting on top of an elderly woman in a fur coat*”.<sup>3</sup> According to this account, he said that the fence provided hardly any cover and that “*the next thing i knew there was a sharp crack and a bullet hit the wall beside me and sprayed me with chiipings from the brick. another bullet smacked into the wooden fence. i didnt realise immediately that i had been hit.*”<sup>4</sup> This appears to be the only time that Patrick O'Donnell was recorded as saying that a second bullet had struck close to him.

<sup>1</sup> [AO35.20-21](#)

<sup>3</sup> [AO35.20](#)

<sup>2</sup> [AO35.20](#)

<sup>4</sup> [AO35.20](#)

**104.506** Patrick O'Donnell's evidence to the Widgery Inquiry was broadly consistent with his earlier statements.<sup>1</sup> He told that Inquiry that he could remember seeing two soldiers in Glenfada Park North,<sup>2</sup> and that they were about 30 or 40 yards away.<sup>3</sup> It is not possible to ascertain from the transcript precisely where Patrick O'Donnell said that the soldiers were positioned, although one was "*at about the centre*"<sup>4</sup> and the other appears to have been in the north or "*north-by-west*" segment of the car park.<sup>5</sup> Patrick O'Donnell recalled that one of the soldiers had his "*rifle levelled, but level with his chest, not to his shoulder*".<sup>6</sup> However, while he "*took it*" that he was shot by one of the soldiers that he had seen,<sup>7</sup> he said that he "*could not really say what soldier fired the shot*".<sup>8</sup>

<sup>1</sup> AO35.18; WT6.41-46

<sup>5</sup> WT6.46

<sup>2</sup> WT6.46

<sup>6</sup> AO35.18

<sup>3</sup> WT6.44

<sup>7</sup> WT6.46; WT6.42

<sup>4</sup> WT6.42

<sup>8</sup> WT6.44

**104.507** Patrick O'Donnell also told the Widgery Inquiry that at the moment he was shot he was "*pretty low down*", crouched on top of the woman with whom he had taken cover behind the fence.<sup>1</sup> He thought that the bullet that struck him also hit the wall behind him at his shoulder level,<sup>2</sup> but he did not know whether or not he was hit by a ricochet.<sup>3</sup> He stated that he had not been carrying a gun or a weapon of any sort.<sup>4</sup>

<sup>1</sup> WT6.46

<sup>3</sup> WT6.46

<sup>2</sup> WT6.44; WT6.41

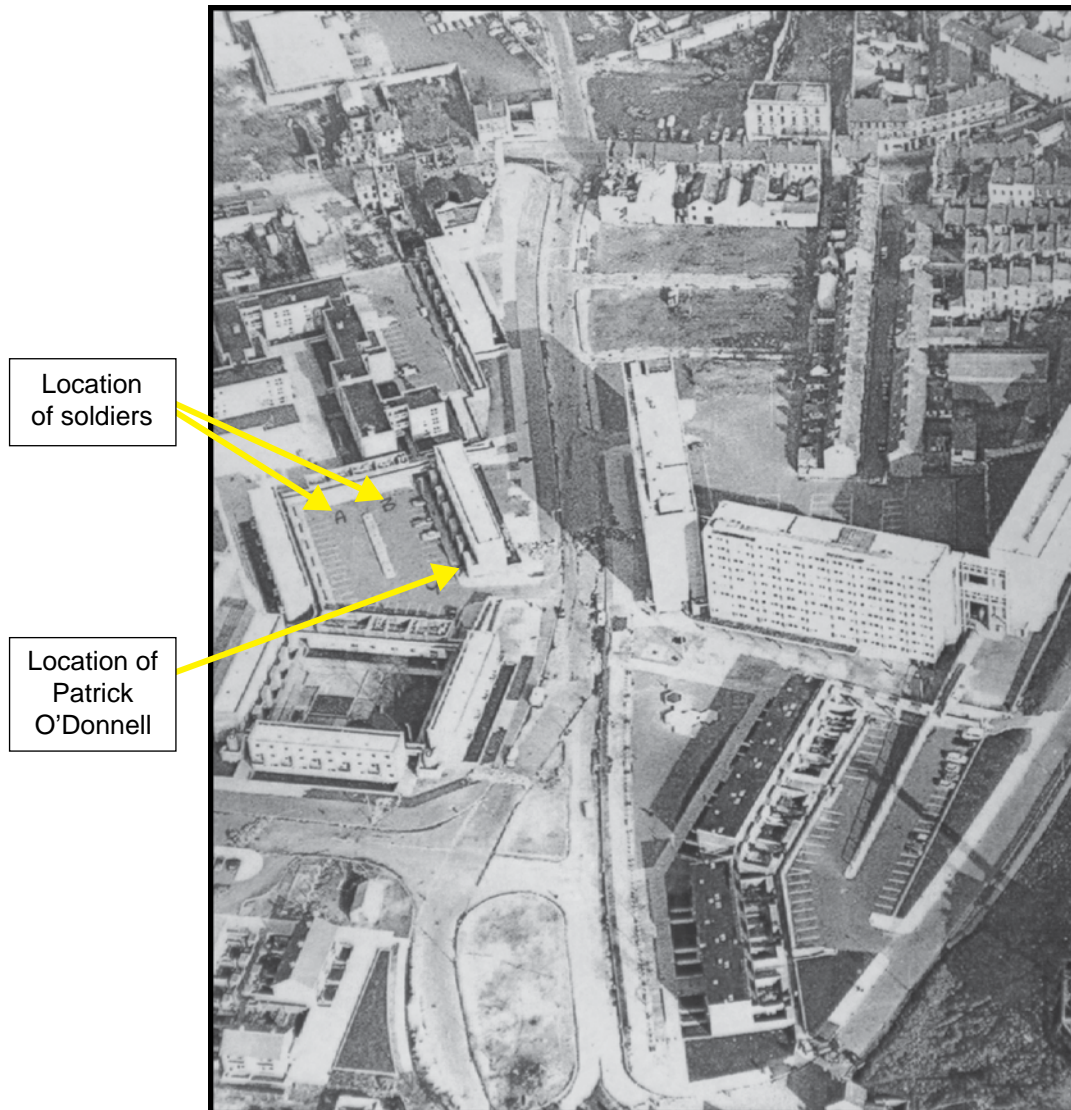
<sup>4</sup> WT6.44

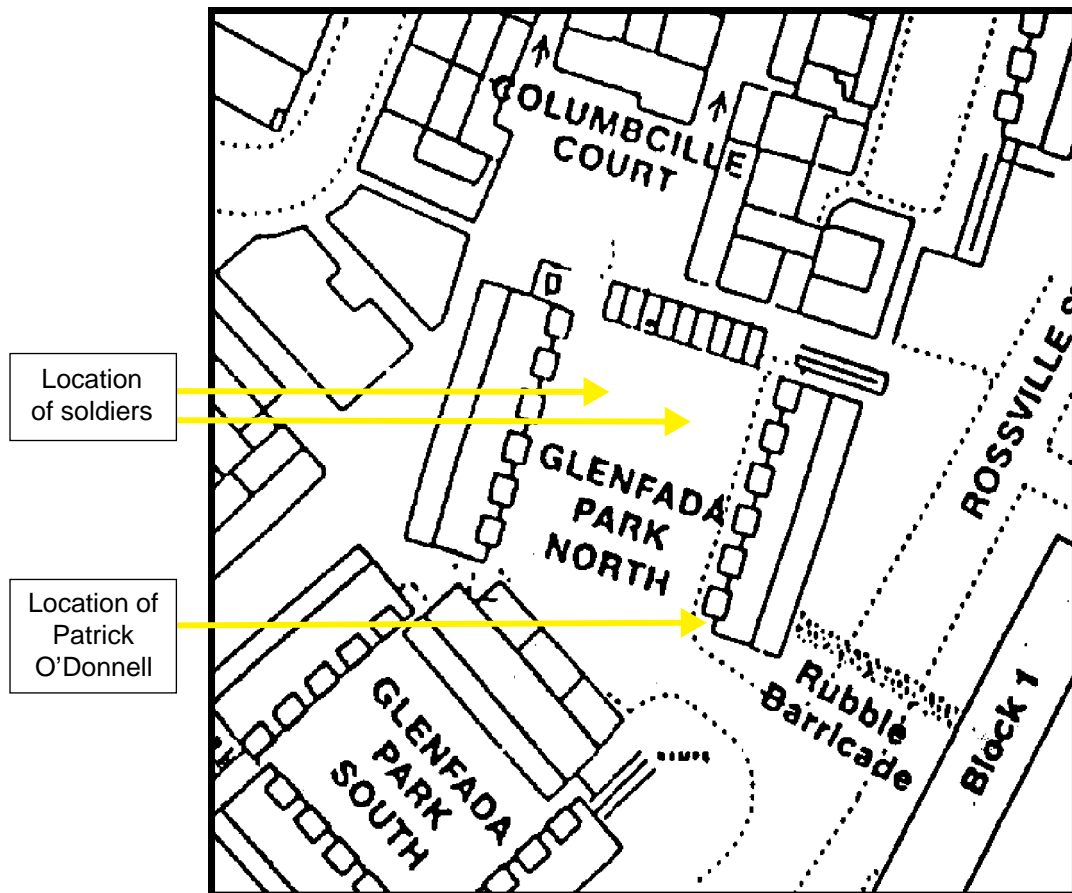
**104.508** In his written evidence to this Inquiry,<sup>1</sup> Patrick O'Donnell identified where he had taken shelter, and where he had seen the soldiers in Glenfada Park North.<sup>2</sup> These positions are identified on the following photograph and map.

<sup>1</sup> AO35.1-AO35.6; AO35.10-AO35.11; AO35.26

<sup>2</sup> AO35.2; AO35.6







**104.509** Patrick O'Donnell's evidence to this Inquiry was consistent with his 1972 accounts. He recalled that as he was thinking of running from the gable end of the eastern block of Glenfada Park North towards Abbey Park he saw three or four lads running in the same direction. One of these stumbled and fell at the corner of the exit, and Patrick O'Donnell, who by that time had taken a couple of steps away from the gable end, turned back.<sup>1</sup> He took cover in the position marked above, crouched on top of a woman, who he subsequently learned was called Winifred O'Brien, and another man.<sup>2</sup>

<sup>1</sup> Day 156/113-115; AO35.2

<sup>2</sup> Day 156/115; AO35.2

**104.510** In relation to the shot that injured him, Patrick O'Donnell marked on the photograph below the approximate position that the bullet struck the wall behind him.<sup>1</sup>

<sup>1</sup> AO35.37; Day 156/131-133



**104.511** He told this Inquiry that he thought that it was possible that he had been hit by bullet fragments that had ricocheted off the wall.<sup>1</sup> However, he stated that he had no recollection of a second round hitting the fence despite being reminded of what was recorded in the *Sunday Times* notes.<sup>2</sup>

<sup>1</sup> [Day 156/118](#)

<sup>2</sup> [Day 156/125](#)

## Accounts of other witnesses

**104.512** Winifred O'Brien, who was 44 years old at the time, gave a Keville interview and spoke to the *Sunday Times* in the aftermath of Bloody Sunday. In the former, she simply stated that "*They shot a fella in an arm while we was under cover*".<sup>1</sup> However, in a longer account to the *Sunday Times* she recalled that after she heard shooting she knelt down by a wooden fence.<sup>2</sup> She was comforted by a man of 17 or 18, but then heard people shouting that the Paras were coming in.<sup>3</sup> She continued:<sup>4</sup>

“Next thing, an older heavier built man came up and he sort of threw himself on top of me to protect me behind the fence. I cant remember how it happened but he suddenly said he was hit in the right shoulder. he was going to put his own hankie on the wound but i’d a brand new one, never been used, with me and i said here, take this one, it will be cleaner. i opened his coat and put the folded hankie inside his shirt against the wound. there was quite a lot of blood and i got some on both hands.

the next thing was 5 or 6 paras rushing up and lifting everybody there. the young boy, the first one who helped me, was knocked around very rough and they were also shoving the man hit in the shoulder.”

<sup>1</sup> AO4.5; AO4.1

<sup>3</sup> AO4.2

<sup>2</sup> AO4.2

<sup>4</sup> AO4.3

**104.513** Winifred O’Brien’s account is consistent with those given by Patrick O’Donnell and in our view both of these witnesses are correct in their recollections. It has not been possible to identify the other man with whom they took cover.

**104.514** Robert Devine gave this Inquiry a written statement in which he recorded that on the evening of Bloody Sunday he visited Patrick O’Donnell in Altnagelvin Hospital. Robert Devine recalled that Patrick O’Donnell told him that he had been hit by a bullet ricocheting off the wall and that he had seen the soldier who had shot him.<sup>1</sup> This contrasts with Patrick O’Donnell’s later evidence, in which he explained that he only assumed that a soldier whom he had seen was responsible for shooting him. In our view Patrick O’Donnell’s later evidence was the more reliable.

<sup>1</sup> AD42.4

## Where and when Patrick O’Donnell was shot

**104.515** We have no doubt that Patrick O’Donnell was shot by one of the soldiers in Glenfada Park North. We are not certain that he suffered this wound from a ricochet of a bullet hitting the wall. Though fragments were found in Patrick O’Donnell’s shoulder, one of which Dr Martin identified as a bullet fragment, it is possible either that the bullet first went through the wooden fence, broke up as it did so and then hit him, or that the bullet fragmented on hitting the wall.

**104.516** We accept Patrick O’Donnell’s evidence of how he came by this bullet injury. Some details in his various accounts vary, but we are sure that throughout he was doing his best to give an honest recollection of events.

- 104.517** On the basis of this evidence we have concluded that Patrick O'Donnell decided to run towards Abbey Park because people were shouting and he had seen people lying at the rubble barricade. He saw somebody falling some distance in front of him. This caused him to turn back and take cover as he described. He was shot after he had done so.
- 104.518** Although Patrick O'Donnell only mentioned a second bullet once and afterwards could not remember, it is noteworthy that Peter Pringle (one of the journalists who interviewed him for the *Sunday Times*) recorded that he himself saw “*the hole in the brick wall and also the splintered wood of the fence during the first week following BS [Bloody Sunday]*”.<sup>1</sup> This might be an indication that Peter Pringle saw evidence of two bullets and thus that Patrick O'Donnell may have been correct when he told the *Sunday Times* that a second bullet struck the fence behind which he was sheltering.

<sup>1</sup> [AO35.23](#)

## What Patrick O'Donnell was doing when he was shot

- 104.519** There is nothing to suggest, and no-one has suggested, that Patrick O'Donnell was armed with any sort of weapon. We are sure that he was not and that he was doing nothing that could have led anyone to believe, albeit mistakenly, that he was posing a threat of causing death or serious injury. He was simply trying to take cover.
- 104.520** We return later in this report<sup>1</sup> to the question as to whether or not it is possible to identify the soldier whose fire injured Patrick O'Donnell. At this stage it is to be noted that none of the soldiers admitted firing at a fence or at a person crouched behind a fence at the south-west end of the eastern block of Glenfada Park North.

<sup>1</sup> [Chapter 112](#)

## What happened to Patrick O'Donnell

- 104.521** Patrick O'Donnell was one of those later arrested at the southern gable end of the western block of Glenfada Park North. We deal with these arrests and what happened to Patrick O'Donnell later in this report.<sup>1</sup>

<sup>1</sup> [Chapters 113 and 114](#)

## Summary of the initial shooting in Glenfada Park North

- 104.522** In the light of the evidence we have considered, we have concluded that, with the exception of the injury caused by the second shot to hit Jim Wray, the gunshot injuries suffered by the following individuals were sustained as the result of the initial burst of firing by the soldiers who had come into Glenfada Park North. Michael Quinn, Joe Friel and Jim Wray were shot when close to the south-west alleyway leading into Abbey Park, within a very short time of each other. William McKinney and Joe Mahon were shot further to the east, in our view probably just after Michael Quinn, Joe Friel and Jim Wray. Patrick O'Donnell was probably shot slightly later, as his 1972 evidence (which we accept) was that he turned back from running to the south-west exit of Glenfada Park North after seeing someone fall in front of him. As to Daniel Gillespie, we remain in doubt as to where and how he sustained his injury, though it is possible that he was also hit by a bullet, a ricochet or a splinter of brick during this initial burst of firing.
- 104.523** We are satisfied that none of those shot in Glenfada Park North was armed or doing anything that could have led anyone to believe that any of them was posing a threat of causing death or serious injury. There was no evidence from any source that any warning was given before soldiers opened fire, though Corporal E said that he had shouted "*drop it*" before he fired.
- 104.524** We now turn to consider what happened after the shooting of the casualties considered above, though we should point out that it is not wholly clear whether any of the movements of the soldiers we now turn to describe took place before or after the shot that in our view hit Jim Wray as he lay on the ground.



# Chapter 105: The movements of the soldiers after the initial shooting

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**105.1** We consider first the evidence of the soldiers.

## Corporal E

**105.2** Corporal E recorded nothing in his Royal Military Police (RMP) statements about what he did after shooting what he described as a petrol and nail bomber. In his written statement for the Widgery Inquiry he recorded that some of the crowd surrounded the body of the man he had shot. He continued:<sup>1</sup>

“With the other soldiers I then moved forward to make arrests and we arrested about thirty people. My section took them back as far as the wall from which we had come for them to be conveyed back. I was still covering the position at the entrance to Glenfada Park for a few more seconds and then returned to a position in Rossville Street in front of Columbcille Court where armoured vehicles were waiting for members of my platoon.”

<sup>1</sup> [B95](#)

**105.3** In his oral evidence to the Widgery Inquiry, Corporal E said that after he had shot the man he moved forward slightly with three or four others in order to collect prisoners. He said that they collected roughly 30 prisoners, some or all of whom had been in the crowd



which he said had surrounded the person he had shot.<sup>1</sup> In reply to a question from Lord Widgery, Corporal E agreed that the furthest south he had gone in Glenfada Park North was to about the middle of the eastern block.<sup>2</sup>

<sup>1</sup> WT14.33-34

<sup>2</sup> WT14.42

## Lance Corporal F

- 105.4** Lance Corporal F recorded in his first RMP statement<sup>1</sup> that after he had shot and hit a nail bomber in Glenfada Park North he and other members of his unit advanced towards the rioters:<sup>2</sup>

“The rioters dispersed.

The remainder of my team gave me cover when I checked around the corner of a building. Around the corner I saw huddled against the wall about 20 people, 19 men and 1 woman. I called to the remainder of the team and we arrested this [sic] twenty people.

We then escorted the prisoners back towards Rossville St...”

<sup>1</sup> B121

<sup>2</sup> B122

- 105.5** In the statement taken by Colonel Overbury dated 19th February 1972,<sup>1</sup> Lance Corporal F recorded that, immediately after he had shot a nail bomber in Glenfada Park North, he ran along the eastern wall of Glenfada Park to the corner. “*As I did so I heard pistol shots coming from the area of the wall at the far end of the Rossville Flats.*” He then described shouting that there was a gunman and shooting someone near that wall. We consider this part of Lance Corporal F’s evidence in detail in that part of this report concerned with the events of Sector 5. Lance Corporal F told Colonel Overbury that after these shots he saw people standing near him and huddled together at the end of the flats in Glenfada Park North. He and other soldiers, including Private G, arrested these people.

<sup>1</sup> B135

- 105.6** In his written statement for the Widgery Inquiry,<sup>1</sup> Lance Corporal F recorded that after he had shot the nail bomber “*I then asked ‘G’ to cover me as I heard pistol shots in the direction of Rossville Flats.*” Lance Corporal F stated that he saw a gunman at the far end of the Rossville Flats, shouted a warning to Private G, shot the gunman and then saw and arrested people at the gable end.

<sup>1</sup> B138

- 105.7 In his oral evidence to the Widgery Inquiry, Lance Corporal F gave a similar account.<sup>1</sup> He also said that he did not see Corporal E at all when he was in Glenfada Park North,<sup>2</sup> and that apart from some ambulance people who came forward to the bodies and the people huddled behind the gable end wall he saw no other civilians in Glenfada Park North.<sup>3</sup>

<sup>1</sup> WT14.48

<sup>3</sup> WT14.73

<sup>2</sup> WT14.48

- 105.8 Later in this report,<sup>1</sup> we deal in detail with the evidence relating to the arrest of the people who were at the southern end of the eastern block of Glenfada Park North.

<sup>1</sup> Chapter 113

## Private H

- 105.9 In his first RMP statement, Private H gave no clear indication of his movements after he had first fired.<sup>1</sup> He stated that his patrol came under fire from a concealed sniper firing from a toilet window in “a block of flats extending east towards Chamberlain Street” and that he responded by firing 17 shots at the sniper, then changed his magazine and fired two more. The sniper “*did not return fire*”.<sup>2</sup> In what we believe to have been his second RMP statement he said that the sniper was located on the south side of the “*car park*”.<sup>3</sup> In his third RMP statement,<sup>4</sup> Private H recorded that after his initial shooting at a nail bomber and at someone who tried to retrieve a nail bomb in Glenfada Park North he withdrew from his position and took up a position behind a low wall about four feet high next to the north-east corner of the block of garages in Glenfada Park North.<sup>5</sup>

“Whilst in this position I heard the sound of a single shot being fired. I saw a puff of smoke come from a toilet window in 57 Glenfada Park. I could see the shape of a man, and the muzzle of a rifle pointing out of the window.

I fired the remainder of my magazine in aimed shots at the window to prevent the gunman from further firing because ‘F’ and ‘G’ were both still in the square without cover. I changed my magazine and fired a further two aimed shots at the gunman. I saw him fall and believe I hit him. I then ceased fire just as the order to cease-fire was given to me by Sergeant Major Lewis of my Company.”

<sup>1</sup> B220

<sup>4</sup> B228

<sup>2</sup> B221

<sup>5</sup> B231

<sup>3</sup> B225

**105.10** Private H gave a similar account in his written statement for the Widgery Inquiry, describing the window as “*a single window with frosted glass and an upper pane which was open. The rifle was sticking out of this pane.*”<sup>1</sup>

<sup>1</sup> B234

**105.11** In his oral evidence to the Widgery Inquiry, Private H repeated what he said about the 19 shots he had fired at a toilet window and his reason for doing so. He was closely questioned but continued to insist that he had given a true account. He said the window was at ground floor level<sup>1</sup> and that he had pulled back from where he had been earlier and had fired from the “*archway*” leading into Glenfada Park North.<sup>2</sup> We set out below part of what he told the Widgery Inquiry:<sup>3</sup>

“Q. You told my Lord of three rounds that you fired in the courtyard.

A. Yes.

Q. So that would mean that you had 17 left after you had fired those?

A. Yes.

Q. And you have told my Lord that you fired 19. Does that mean you had to put on another magazine?

A. Yes, a quick change.

Q. And fired two rounds out of that?

A. Yes.

Q. As a result of those shots did you see any effect?

A. Yes, on the 19th I saw the man fall.

Q. What could you actually see?

A. Normally when I was firing he would move back to the side and on the last one he went down instead of to the side.

Q. Was that from the same position where you had fired the other rounds from?

A. No.

Q. Where was it?

A. I pulled back from this under the archway here.

Q. That is the archway that leads into that courtyard?

A. Yes.

Q. Perhaps I had better get this clear: those shots that you fired in that way, were they fired in quick succession or with intervals between each one?

A. I fired when the gunman appeared.

Q. Were there long intervals between the shots; can you give my Lord any picture?

A. Between three and five seconds.

LORD WIDGERY: I want to get this clear. Do you mean he would go away for a time and then come back and you would fire at him again?

A. Yes. The reason he kept coming back is because two other members of my patrol were in the open and he was trying to shoot them, I am certain.

Q. I follow; I did not quite understand this at first. So it is not 19 shots in one engagement, it is a repetition of this man coming back and your firing at him and his retiring and then returning again?

A. Yes.

Q. How many such incidents are there? We break the 19 shots down into what – 5, 6, 10 different occasions?

A. I do not get what you mean.

Q. He must have come forward on a number of occasions? He came forward on 19 occasions.

Q. Single shot each time?

A. Yes.”

<sup>1</sup> [WT14.99](#)

<sup>3</sup> [WT14.100](#)

<sup>2</sup> [WT14.100](#)

**105.12** Private H said that his trajectory photograph (reproduced below) showed where he had fired the 19 shots, marked with a line to the east of where he had indicated his earlier shots.<sup>1</sup>

<sup>1</sup> [WT15.16](#)



**105.13** In his written evidence to this Inquiry Private H repeated his account of firing 19 shots at a window, though he said he did not now know where it was.<sup>1</sup> In his oral evidence to us he maintained this account, though he accepted that the window could not have been where he had said it was in 1972.<sup>2</sup>

<sup>1</sup> [B264.002](#)

<sup>2</sup> [Day 377/66-80](#); [Day 378/44-49](#)

**105.14** We have no doubt, for the reasons we give below, that the accounts that Private H has given of firing 19 shots through the same window at a sniper were invented by him in an attempt to disguise what in fact had happened. It was suggested to us by Lieutenant 119 (Private H's Platoon Commander) that what might have happened was that Private H had lost a full ammunition magazine and had invented firing a large number of shots to cover up this loss.<sup>1</sup> We find this possible explanation quite unconvincing and Private H himself rejected it.<sup>2</sup> Lieutenant 119 told us that it was relatively easy to obtain a spare empty magazine,<sup>3</sup> presumably on the basis that this is what Private H might have done, but we have found no evidence that indicates that this was or even might have been the case. We have no doubt that Private H fired the rounds in question on Bloody Sunday, and his own counsel did not suggest otherwise. The question is when and in what circumstances Private H fired these rounds.

<sup>1</sup> [B1752.018](#)

<sup>3</sup> [B1752.018](#)

<sup>2</sup> [B264](#)

**105.15** It is to our minds inconceivable that a sniper would come forward to the same window on 19 separate occasions, to be shot at on each occasion until hit with the nineteenth shot. On this basis alone we would reject as false the account given by Private H. Neither his Platoon Commander nor the Company Sergeant Major believed his account.<sup>1</sup> In addition, there is convincing evidence that no such series of repeated shots as described by Private H hit either 57 Glenfada Park North or indeed anywhere along the southern side of Glenfada Park North.

<sup>1</sup> [B1752.018](#); [Day 373/94](#)

**105.16** James and Margaret McCartney, who lived in 57 Glenfada Park, stated that no bullets went through a frosted window in the property, but one round did break the clear glass of the bedroom window before lodging itself in the wardrobe.<sup>1</sup> William Kelly, who was in the next-door house (number 59) gave a Northern Ireland Civil Rights Association statement which indicates that this shot occurred when he attempted to go to the casualties he could see lying in the courtyard.<sup>2</sup>

<sup>1</sup> [AM88.1-2](#); [AM90.1-6](#); [AM90.6](#)

<sup>2</sup> [AK29.1](#)

**105.17** Peter Carr, the Treasurer of the Abbey Street and Area Tenants Association, made a statement dated 10th March 1972,<sup>1</sup> in which he recorded that he had conducted a personal inspection of the area on 9th March, during which he discovered the following damage apparently caused by bullets:

- a) There was one bullet hole in the vicinity of No 55 Glenfada Park. The phraseology of the statement is obscure as to where exactly the bullet mark was but it appears to have been on the garden wall that ran out from the property on the left as one faced the house.<sup>2</sup>
- b) There were no bullet marks on the masonry of 57 Glenfada Park. The window marked by Private H on a photograph shown to Peter Carr was a kitchen window of clear glass, where the putty was “*obviously old*” and the window unmarked. To the right was a bathroom window of unmarked frosted glass, also with old putty. Next to the right was a bedroom window that had just been replaced and he was shown a bullet hole through the door of the wardrobe.<sup>3</sup>
- c) There was one bullet mark under the bedroom window of 59 Glenfada Park and the down pipe between the bathroom and the kitchen had been broken, apparently by a bullet. There was also a bullet mark on the garden wall.<sup>4</sup>

<sup>1</sup> [AC43.1.001](#); [AC43.2-4](#)

<sup>3</sup> [AC43.2-3](#)

<sup>2</sup> [AC43.2](#)

<sup>4</sup> [AC43.3](#)



- 105.18** This sequence of windows (clear kitchen, frosted bathroom, clear bedroom) can be seen in the first of the following photographs, the middle frosted glass window in the second, the replaced bedroom window in the third, the damaged bedroom window in the fourth, and the damage to the wardrobe in the bedroom in the fifth.







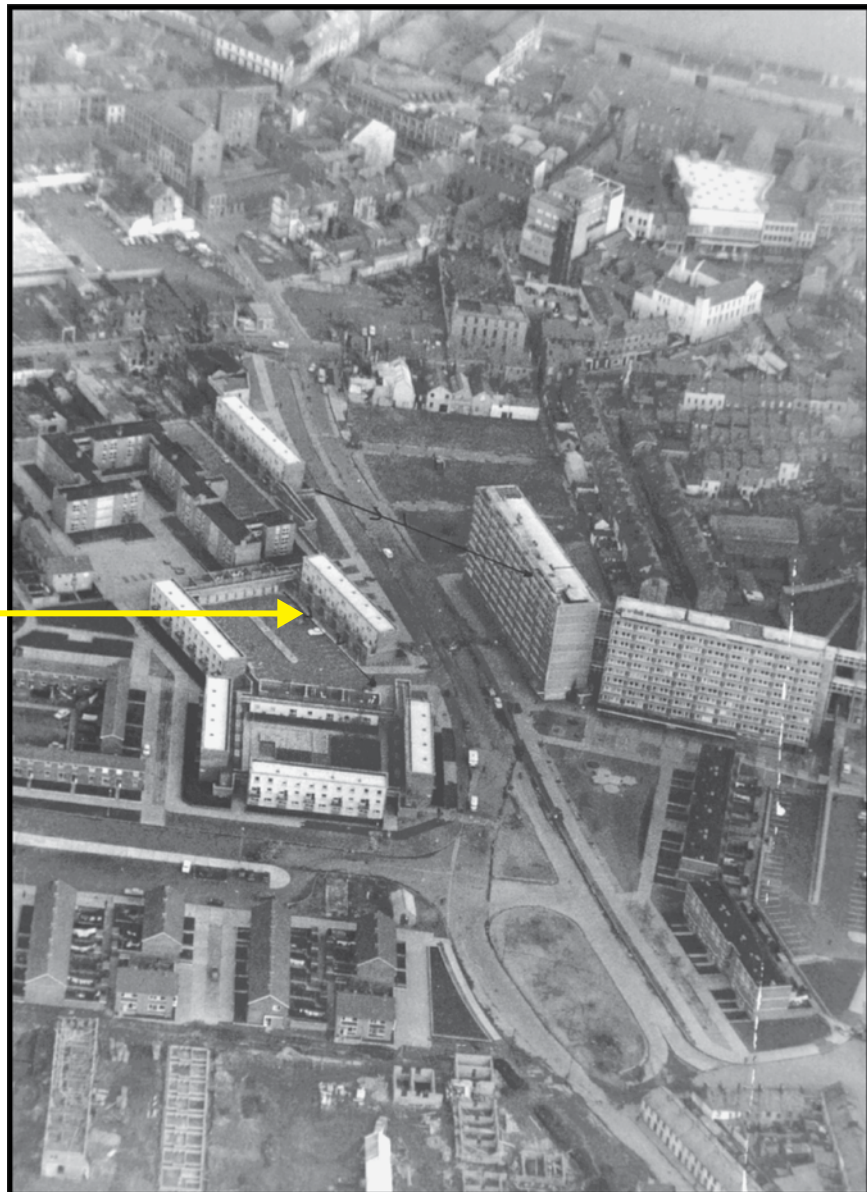


- 105.19** William McCartney, the son of James and Margaret McCartney, told us in his written statement to this Inquiry that his father told him that in addition to the round that came through the bedroom window, one bullet had hit the wall outside and another had struck the kitchen or bathroom outlet pipe.<sup>1</sup> It seems to us more likely than not that these were the shots recorded by Peter Carr as hitting 59 Glenfada Park, since his obviously careful observations were made soon after the event and he did not record similar shots hitting 57 Glenfada Park.

<sup>1</sup> [AM86.3](#)

- 105.20** The numbering of the three houses on the south side of Glenfada Park North ran in odd numbers, starting with number 55 on the eastern side, ie the side closest to Rossville Street.
- 105.21** William McKinney and Joe Mahon fell more or less in front of 59 Glenfada Park, so if two bullets hit William McKinney it is possible that one ended up causing one of the marks noted by Peter Carr at that address. It is possible that some of the bullet marks in this area observed by Peter Carr resulted from shots fired by Private H after the initial burst of firing.
- 105.22** Corporal E's trajectory photograph (reproduced below) shows the two shots that he said he had fired in Glenfada Park as travelling in a direction that might have hit 55 Glenfada Park; though in our view, on the basis of this trajectory photograph, they appear more likely to have gone into the entrance to Glenfada Park South.

Trajectory line  
(running south-  
east, parallel  
to the eastern  
block of  
Glenfada Park  
North)



**105.23** For reasons given elsewhere in this report,<sup>1</sup> we have concluded that Corporal E is the soldier most likely to have shot Patrick O'Donnell, since the line of his two shots according to his trajectory photograph came closest to where Patrick O'Donnell was sheltering at the southern end of the eastern block of Glenfada Park North. However, as we have noted earlier,<sup>2</sup> it is not clear whether one or two shots landed where Patrick O'Donnell was wounded. If it was two shots, both would also have hit the fence and wall where he was, and accordingly are unlikely to have caused the bullet hole at number 55 recorded by Peter Carr. If only one shot landed near Patrick O'Donnell, it is possible that one of Corporal E's shots did hit 55 Glenfada Park.

<sup>1</sup> [Paragraph 112.26](#)

<sup>2</sup> [Paragraphs 104.505 and 104.518](#)



**105.24** The only soldier who said at any stage that he had fired at 57 Glenfada Park was Private H. Although we reject his description of what he was firing at and the number of shots that he said he had fired at that time, he said that he had shot at a window in this house after the initial firing. This is consistent with the evidence of William Kelly to which we have referred above.

**105.25** Item 11 in the Loden List of Engagements<sup>1</sup> records “*1 sniper in toilet window at GR 43191683 fired upon. Not hit.*” The grid reference corresponds to 57 Glenfada Park. To our minds the likely source for this entry is Private H, though the entry, in common with the other entries, does not record the number of shots the soldier told Major Loden that he had fired, nor that, as Private H afterwards asserted, he had hit his target with his 19th shot.

<sup>1</sup> [B2214](#)

**105.26** In our view it is probable that Private H fired a shot at a window of 57 Glenfada Park.

**105.27** No other soldier has said that he saw Private H firing any shots after the initial burst of firing. Private G told the Widgery Inquiry that there was shooting going on, apparently as he was making his way towards the bodies, which could have been further shooting by Private H, but in view of the unsatisfactory nature of Private G’s accounts, little reliance can be placed on this.<sup>1</sup>

<sup>1</sup> [WT14.93](#)

**105.28** In these circumstances we can find no good reason for the single shot that Private H probably fired at 57 Glenfada Park after the initial burst of firing. At the stage he fired this shot, the other soldiers would have been moving in Glenfada Park North and there is no evidence whatever to suggest that there was then any paramilitary activity in the area that could have justified this shot. Warrant Officer Class II Lewis (the Company Sergeant Major) told us that it was his belief that some soldiers, including Private H, might have responded “*enthusiastically, over-enthusiastically, to a situation that could have been controlled easier by firing fewer rounds.*”<sup>1</sup> Applied to the shot that in our view Private H fired at 57 Glenfada Park, this is a euphemistic way of describing a shot fired at a house, obviously giving rise to a serious risk of harm to the occupants, for which Private H neither had, nor could have believed that he had, any justification whatever.

<sup>1</sup> [Day 373/99](#)

**105.29** It was submitted on Private H’s behalf that it was a possibility<sup>1</sup> that his firing of 19 shots, or some of them, was the incident in the Eden Place waste ground witnessed by Corporal INQ 444,<sup>2</sup> to which we refer elsewhere in this report.<sup>3</sup> In our view this is likely

(though far from certain) to be the case in relation to some of Private H's shots, though there is nothing in Corporal INQ 444's account to suggest that Private H was firing at a window or other specific target, as opposed to shooting wildly upwards. However, we also consider that Private H was probably responsible for firing a substantial number of indiscriminate shots from the Rossville Street entrance to Glenfada Park North, at a stage soon after soldiers had arrested people sheltering at the southern end of the block at the entrance. We give our reasons for this conclusion when we consider the events of Sector 5.

<sup>1</sup> In the written submissions it was stated that this was "more likely than not" (FS9.114). <sup>3</sup> Chapter 61

<sup>2</sup> Day 430/85-87

**105.30** In summary, therefore, we are of the view that Private H fired at least one further shot in Glenfada Park North after the initial burst of firing; and that he probably also fired indiscriminately from the entrance to Glenfada Park North and, after that, indiscriminately from somewhere in or about the Eden Place waste ground.

**105.31** Private H told us that he was terrified on the day.<sup>1</sup> This may have been so, but in our view this does not excuse his indiscriminate firing. We consider elsewhere in this report<sup>2</sup> the shots that he said he fired upon first going into Glenfada Park North.

<sup>1</sup> B264

<sup>2</sup> Paragraphs 97.27–48

## Private G

**105.32** In his first RMP statement<sup>1</sup> Private G recorded that after he had fired three aimed shots at a man with a rifle in Glenfada Park North and seen him and another gunman fall, "*the group of people standing near to the gunmen picked up the two weapons and ran off down an alleyway in a North Easterly direction.*"<sup>2</sup> In context it is clear that "North Easterly" should have read "south-westerly". Private G continued:<sup>3</sup>

"We split up and gave chase. I ran down the alleyway past the two bodies lying on the ground but the people with the weapons had already turned off from the alleyway out of sight. We were recalled to Rossville St and when I returned I found that prisoners had been taken from the area by other members of my platoon. The bodies of the gunmen were left where they fell."

<sup>1</sup> B168-170

<sup>3</sup> B169

<sup>2</sup> B169

**105.33** In his written statement for the Widgery Inquiry, Private G recorded that:<sup>1</sup>

“There were a fair number of people on the opposite side of the courtyard. When the men fell a small crowd gathered round quickly. I could not actually see anyone pick up a weapon because there were too many people in front. I did not fire at them. The crowd ran off quickly up a little alleyway only a couple of yards behind them. F moved down the wall of the eastern building to the big opening by the barricade and I worked round the other two walls. We could not run straight across the courtyard because it is open on a number of sides and we could have been fired on. By the time I reached the far corner the crowd had completely vanished. There was nobody there at all, just the two bodies and another body a few yards further down towards the opening.

Our Platoon Commander then recalled us. I heard F shout ‘There’s a gunman’ or something like that. I saw him down on one knee at the south east corner of Glenfada Park aiming in an easterly direction. I saw him fire one or two shots in a direction out of my sight.

At this point a party of about 20 people where F was were ferried back by F and some others.”

<sup>1</sup> B187

**105.34** Private G had not mentioned in his RMP statements hearing Lance Corporal F shout a warning and then aim and fire in an easterly direction.

**105.35** In his oral evidence to the Widgery Inquiry, Private G said that there was a fair crowd along the footpath where he had seen gunmen, that they immediately ran past the two who had been shot and “*when they had run past the weapons had gone as well*”.<sup>1</sup> He then described how he and Lance Corporal F gave each other cover while (as seems tolerably clear from the transcript) he went west and then south while Lance Corporal F went south.

<sup>1</sup> WT14.80

**105.36** Private G then said “*My idea of moving up there was to find where the weapons had gone*”, but “*just as we got there we got the recall*”.<sup>1</sup> According to the transcript there followed the following exchange:

“Q. Before you got the recall did you fire through that alleyway in the direction of Abbey Park, towards you on the model?

A. Yes, Sir.

Q. Did you see any bodies through there in the open space just beyond the gap?

A. Do you mean through here?

Q. Yes.

A. No, sir.

Q. You did not see any bodies through there?

A. No.

Q. Then you say you got a recall?

A. Yes.”

<sup>1</sup> [WT14.81](#)

**105.37** The questioning then turned to the topic of hearing Lance Corporal F shout a warning and shoot in an easterly direction across the front of the Rossville Flats, in respect of which Private G gave the same account as he had given in his written statement for the Widgery Inquiry.<sup>1</sup> He said that he had not mentioned this shooting by Lance Corporal F in his RMP statements because he was only making a statement about what he had done.<sup>2</sup> This explanation is quite unconvincing and we do not accept it, since he had in fact described in his first RMP statement<sup>3</sup> the earlier shooting by Lance Corporal F. In our view Private G invented this part of his account in order to provide support for the account eventually given by Lance Corporal F of shooting in an easterly direction.

<sup>1</sup> [WT14.81](#)

<sup>3</sup> [B169](#)

<sup>2</sup> [WT14.83](#)

**105.38** Later in his oral evidence to the Widgery Inquiry, Private G said that the crowd at the gable end had not been removed before Lance Corporal F shot across the front of the Rossville Flats. He said that he did not see anyone shoot a man who was lying on the ground, and that when he and Lance Corporal F had fired initially there was no-one else in front of their targets or immediately behind them.<sup>1</sup>

<sup>1</sup> [WT14.87](#)



**105.39** It is important to note that during his oral evidence to the Widgery Inquiry, Private G was not questioned by anyone about what the transcript records as his admission that he had fired through the south-west alleyway towards Abbey Park. There is a passage near the end of his oral evidence that seems to us in its context to amount to a denial that he or any other soldier had fired through that alleyway:<sup>1</sup>

“Q. ‘I ran down the alleyway past the two bodies lying on the ground, but the people with the weapons had already turned off from the alleyway out of sight.’ Do you remember saying that?

A. Yes.

Q. To what alleyway did you intend to refer?

A. What I mean is that I came through here, through there and looked down here.

Q. And looked across here?

A. Yes.

Q. You did go down that alleyway?

A. I did not go down here or in here. I just went into that alleyway, sir.

Q. Coming just to the people who had fled down there?

A. I mean trying to ascertain what is happening. I could not actually chase across there. We had to do that in a soldierly way, working our way round.

Q. You went up that alleyway looking for the people who had gone away with what you believed were the weapons from the two men who you thought had been shot?

A. I did not follow them any further than that, sir, because we got a recall.

Q. Who recalled you?

A. Our Platoon Commander. He came over.

Q. He came over and recalled you?

A. Yes. I do not know whether it was him who actually said to me, but I got the words ‘Come back’.

Q. Do you have a rifle which you keep all the time?

A. Yes.

Q. Is the number of that rifle A.5259?

A. I could not be sure about that, sir. We go by butt numbers. Mine is 11 or something.

Mr. READ: I would be grateful for assistance from my friend –

Mr. GIBBENS: I was instructed that that is his rifle.

Mr. READ: Did you see anybody lying down in that alleyway?

A. Not actually in the alley, no, sir.

Q. Did you see anyone in at the barricade behind – a lot of people there?

A. No, sir, I did not go out into here.

Q. You did not fire down there?

A. No, sir.

Q. Did you see any other soldier fire down there?

A. No, sir.”

<sup>1</sup> WT14.94-95

**105.40** Despite the reference in the third to last question to “*the barricade*”, we are sure that the last two questions related to the alleyway leading into Abbey Park, not to the entrance into Glenfada Park North from Rossville Street, because Private G had already given evidence of seeing Lance Corporal F firing in an easterly direction from the latter entrance. Had Private G actually made an admission that he had fired through the south-west alleyway in the direction of Abbey Park, it would undoubtedly have been picked up in subsequent questioning, if only because he had not previously said anything about firing into Abbey Park. It may be that all concerned realised that the answer was not responsive to the apparent question, but in our view it is much more likely that a mistake was made in the transcript. If the word “*fire*” was a mistake for “*look*” the passage under discussion would make sense and be consistent with what Private G had said in his previous statements, as well as his later denial that he had fired through that alleyway. In our view, in his oral evidence to the Widgery Inquiry, so far from admitting that he had fired into Abbey Park, Private G denied that he had done so.

**105.41** There is no reason to doubt that after the initial burst of firing Private G made his way to the south-west corner of Glenfada Park North, and it may be he did so, as he himself described, by moving westwards then southwards along the western side. His evidence

was consistently to the effect that he did no more than look through that alleyway in an attempt to see where the weapons he had earlier described had gone, after which he withdrew when he heard that the soldiers had been ordered to pull out.

**105.42** For the reasons we give hereafter<sup>1</sup> we have no doubt that what in fact Private G did was not only to go to and through that alleyway, but also to fire from there into Abbey Park. We likewise have no doubt that it was in Abbey Park that Gerard McKinney and Gerald Donaghey were shot and mortally wounded by Private G.<sup>2</sup> We should note here that we are satisfied that Jim Wray was shot on the ground before Private G went into Abbey Park. We have already considered<sup>3</sup> John Porter's evidence, which was to the effect that this occurred afterwards. However, in this regard we have concluded that he was mistaken in recalling this sequence of events. As will be seen from our discussion of what happened in Abbey Park,<sup>4</sup> Private G went through the alleyway, fired one (or possibly two) shots, mortally injuring Gerard McKinney and Gerald Donaghey, and then fired a further shot in the direction of the people coming to the aid of these casualties, before returning to Glenfada Park North. Apart from John Porter, we have found no other evidence to suggest that it was after Private G returned from Abbey Park that Jim Wray was shot on the ground. The evidence that we have considered elsewhere<sup>5</sup> indicates to us that while Jim Wray lay on the ground for long enough to exchange some words with those close by before he was shot again, this period was not long enough to allow Private G to go towards Abbey Park, shoot there as we describe below and return to Glenfada Park North. Furthermore, the evidence of both William O'Reilly and Gerald Campbell<sup>6,7</sup> is to the effect that Jim Wray was shot on the ground before a soldier came into Abbey Park.

<sup>1</sup> [Chapter 112](#)

<sup>2</sup> The Widgery Inquiry seemed to proceed on the basis that these two had been shot in the south-west corner of Glenfada Park North; and Lord Widgery so found in his report.

<sup>3</sup> [Paragraphs 104.293–302](#)

<sup>4</sup> [Chapters 107 and 112](#)

<sup>5</sup> [Paragraphs 104.368 and 104.385](#)

<sup>6</sup> [Paragraphs 104.309–316](#)

<sup>7</sup> [AC13.9](#)

## Other soldiers

**105.43** As to other soldiers, we have noted earlier in this report<sup>1</sup> that Lieutenant 119 said that he followed Corporal E and Lance Corporal F into Glenfada Park North; saw Lance Corporal F fire two rounds and saw Private G about halfway down the western side; and then, seeing three bodies at the south-western corner, started off towards them, at which point he

received an order to withdraw.<sup>2</sup> For reasons we have already given,<sup>3</sup> we consider that Lieutenant 119 was mistaken in identifying Lance Corporal F as the soldier he saw firing two rounds; in our view the soldier in question was probably Corporal E.

<sup>1</sup> Paragraphs 96.4–5

<sup>3</sup> Paragraph 100.19

<sup>2</sup> WT14.14

**105.44** It is not possible to be sure of the movements of Lance Corporal J. It appears that he did, as he said, go into Glenfada Park North; Lieutenant 119 said he recalled seeing him there.<sup>1</sup> As already noted, Lance Corporal J said that he saw Soldiers F and G firing at nail bombers, but for reasons already given<sup>2</sup> we can place no reliance on his evidence.

<sup>1</sup> WT14.9

<sup>2</sup> Paragraphs 81.50–57, 82.84, 89.33–41, 98.11–15, 100.4, 100.18 and 100.21

**105.45** As we have said,<sup>1</sup> we consider that Private 027 followed Lieutenant 119 into Glenfada Park North.

<sup>1</sup> Paragraphs 96.9–12

**105.46** It is likely that many other members of Anti-Tank Platoon who had been at the Kells Walk wall moved into or closer to Glenfada Park North, as they seem to have been involved in the arrest or escorting of civilians who had been sheltering at the south gable wall of the eastern block of Glenfada Park North. None of them has said that he saw any of the shooting in Glenfada Park North, nor does their evidence provide any assistance on the situation there during or after the initial burst of firing, though we return to their accounts<sup>1</sup> when considering the circumstances in which the arrests were made.

<sup>1</sup> Chapter 113

## Civilian evidence

**105.47** There is not much civilian evidence of what the soldiers did and where they went in Glenfada Park North after the initial burst of firing, doubtless because the civilians had fled or were trying to keep out of sight. We consider what evidence there is in the context of discussing the shooting in Abbey Park,<sup>1</sup> the circumstances in which civilians were arrested in the vicinity of the wall at the southern end of the eastern block of Glenfada Park North,<sup>2</sup> and what happened in Sector 5.<sup>3</sup>

<sup>1</sup> Chapter 107

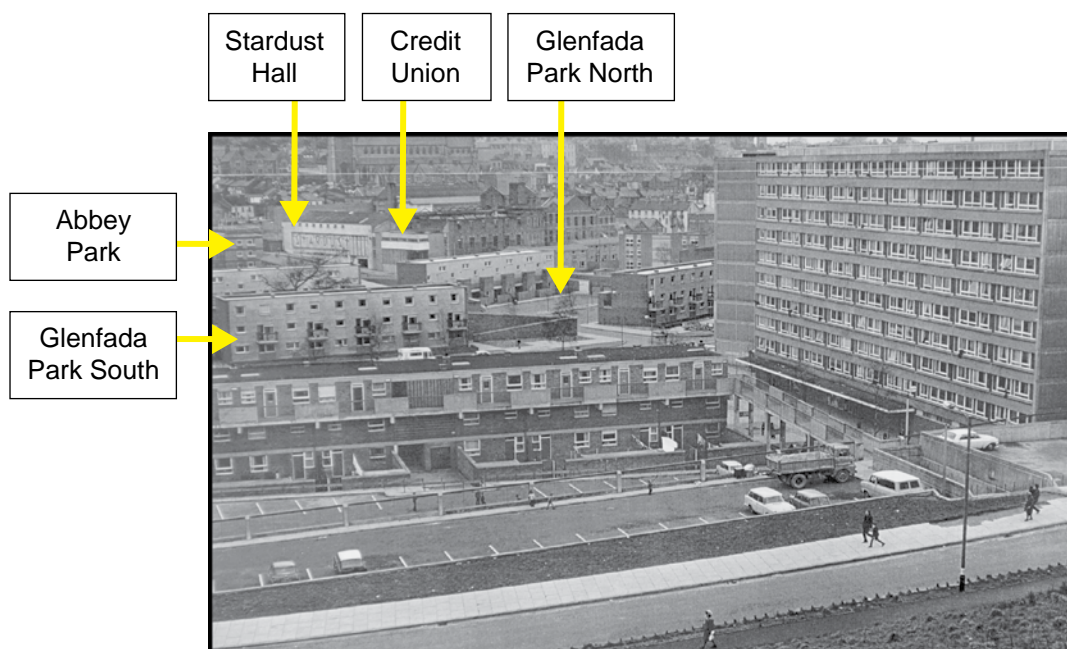
<sup>3</sup> Chapter 119

<sup>2</sup> Chapter 113

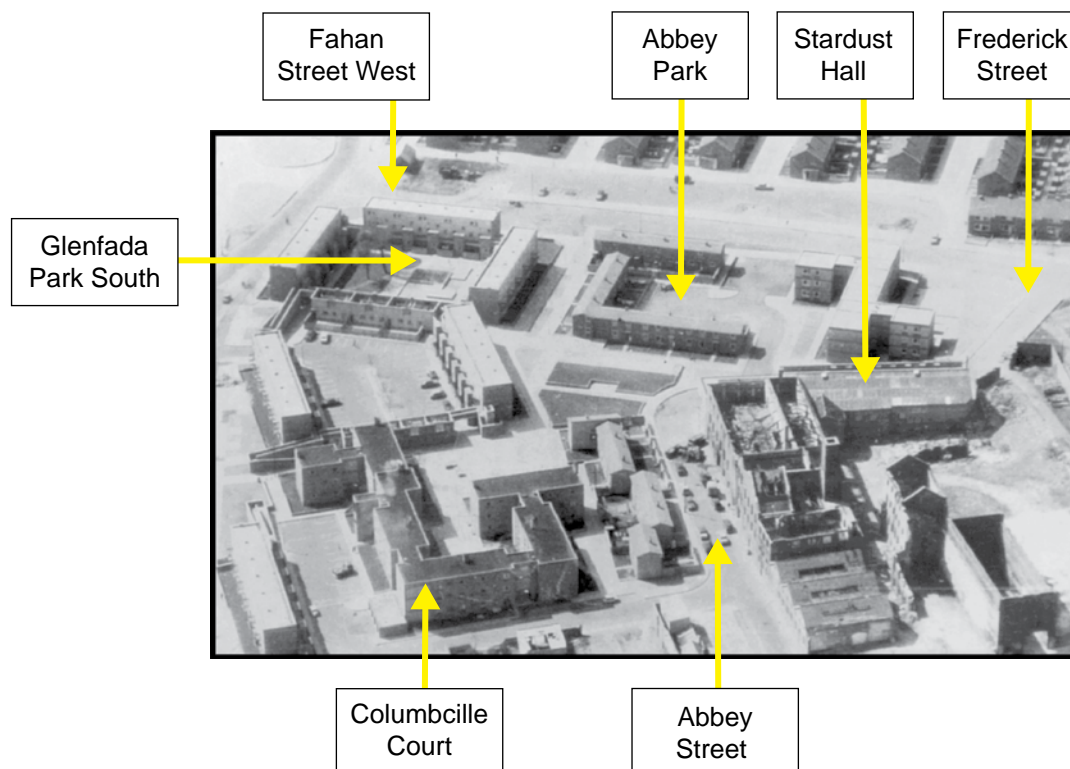
**105.48** We now turn to what happened in Abbey Park, and first describe the layout of that part of the city.

## Chapter 106: Abbey Park – the layout of this part of the city

**106.1** Abbey Park was in 1972 a modern development built immediately to the north-west of Glenfada Park South. Fahan Street West (Old Bog Road) bordered it to the south-west and Frederick Street to the north-east and north-west. Two well-known buildings on the north side of Frederick Street faced southwards towards Abbey Park. They were the Stardust Hall and the Credit Union building. The latter stood on the corner of Frederick Street and Abbey Street. Both buildings can be seen in the photograph below. The photographer was looking north-west from the City Walls.

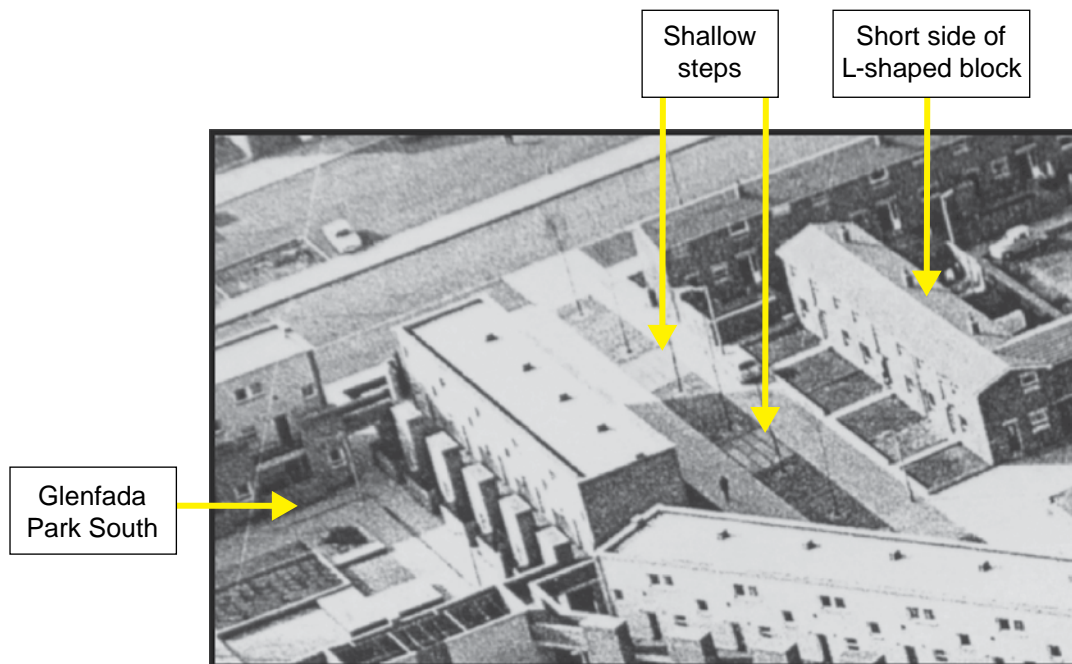


**106.2** Abbey Park consisted of two sets of buildings. On the north-west side of Abbey Park was a three-storey block, fairly similar in appearance to the blocks of Columbcille Court. To the south-east were two blocks of terraced houses, each of two storeys. One block was L-shaped; the other formed a straight row. These sets of buildings are seen in the following aerial photograph, which was taken from the north-east.

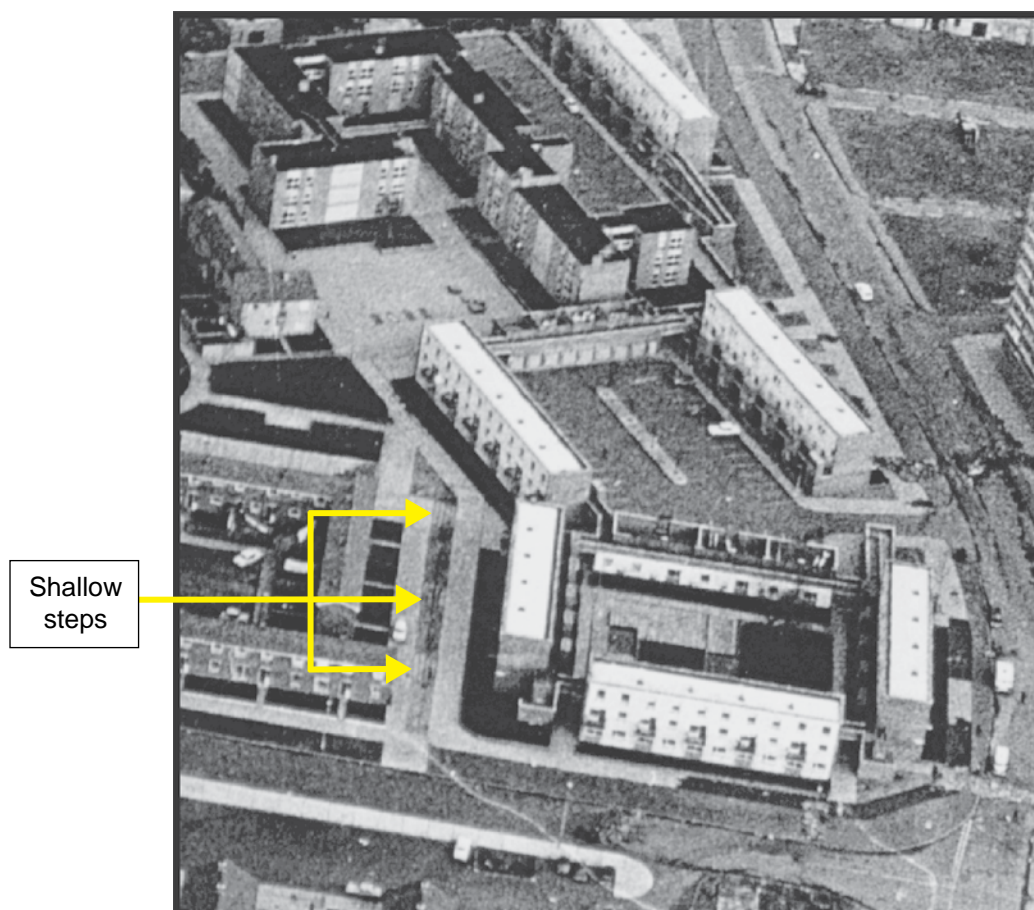


- 106.3** The Inquiry is concerned in particular with events that occurred near the L-shaped block, the short side of which faced Glenfada Park South. This block is seen towards the top of the photograph above.
- 106.4** The short side consisted of three terraced houses, numbers 6, 7 and 8 Abbey Park, numbered from south to north, so that Number 8 was on the corner of the short and long sides. The front doors of these houses faced Glenfada Park South. There was an area of garden in front of each house, bordered by a low wall. At the south end of the short side was a gap between it and the straight block of houses which faced onto Fahan Street West.
- 106.5** The longer side of the L-shaped block consisted of further terraced houses, numbers 9, 10 and 11 Abbey Park.
- 106.6** The photograph below shows numbers 6, 7 and 8 Abbey Park and the gardens in front of these houses. The paved area between Glenfada Park South and Abbey Park is also visible. This area rose slightly in height as it approached Abbey Park. A cobbled strip ran down the middle of the paving. Three sets of shallow steps traversed the cobbled strip, since the north-western side of the path from Fahan Street West was higher than the south-eastern side. The photograph shows two of these sets of steps.





**106.7** The third set of steps was slightly to the north-west of the alleyway leading from Glenfada Park into Abbey Park. All three sets of steps can just be seen in the photograph below.





# Chapter 107: The shooting and casualties in Abbey Park

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## Introduction

**107.1** Two men, Gerard McKinney and Gerald Donaghey, were shot and fatally wounded in Abbey Park. Gerard McKinney fell on the northernmost set of shallow steps, ie to the north-west of the alleyway that ran into Glenfada Park. He is shown in the following photographs receiving treatment as he lay on these steps.



**107.2** On the right of the latter picture is the short side of the L-shaped block of Abbey Park, which contained the homes of the William and Bridget O'Reilly (7 Abbey Park) and the Carr family (8 Abbey Park). Part of the rectangular block of houses facing Fahan Street West can be seen in the background. The photographer was looking south-west.

**107.3** There are no similar photographs showing Gerald Donaghey, as after he was shot he was quickly carried into Raymond Rogan's house at 10 Abbey Park. However, we are sure that Gerald Donaghey was close to Gerard McKinney, slightly to the north and west, when the two men were shot.

- 107.4** Several members of the Order of Malta Ambulance Corps and at least one other civilian ran towards these casualties in order to offer assistance. Robert Cadman and Sean McDermott, who had been in Columbcille Court, approached from the north, while Eibhlin Lafferty and Hugh Leo Young ran from Lisfannon Park to the south. We are satisfied that a shot was fired towards the latter two, causing them to either duck or dive down. However, neither of them was injured, and they continued to move to the two dying men.
- 107.5** The sound of this shot, the reaction of Eibhlin Lafferty and Hugh Leo Young, and the way in which those who treated Gerard McKinney dropped to the ground in order to assist him once they arrived at the shallow steps, led several witnesses to assume that another casualty had been wounded in this incident. We are satisfied that this was not the case, and that Gerard McKinney and Gerald Donaghey, the only two people shot in Abbey Park, fell more or less at the same time.
- 107.6** The gunshot wounds to Gerard McKinney's body were not immediately apparent even to those attending him, and it was initially thought that he had suffered a heart attack. This misdiagnosis is reflected in much of the eyewitness evidence of the events in Abbey Park.
- 107.7** Gerald Donaghey was treated in 10 Abbey Park, before being placed in Raymond Rogan's car and driven towards Altnagelvin Hospital. The car was stopped at an Army checkpoint in Barrack Street, where Raymond Rogan and Hugh Leo Young, a passenger in the vehicle, were removed and arrested. A soldier then drove the vehicle to the Regimental Aid Post at Craigavon Bridge, where four nail bombs were found in the pockets of Gerald Donaghey's trousers and jacket. The circumstances in which the nail bombs were discovered, and the controversy over whether they had been in Gerald Donaghey's possession before he was shot or had been planted on him afterwards, are discussed in detail elsewhere in this report.<sup>1</sup>
- <sup>1</sup> [Chapters 125–145](#)
- 107.8** Gerard McKinney was treated on the steps in Abbey Park, until an ambulance arrived to take him to Altnagelvin Hospital.
- 107.9** We now turn to consider in more detail the events in Abbey Park. Among the matters to be considered are the number and identity of the soldier or soldiers who were in Abbey Park at the time; whether the casualties were shot by the same bullet; which of the two men fell first; and the number of shots fired in total in Abbey Park during this period. We also consider evidence that one or both of Gerard McKinney and Gerald Donaghey

had their hands in the air when they were shot, and that someone shouted at the soldier or soldiers not to fire. Finally, there is the question of whether there was anything that either man was doing that could have led anyone to believe that either of them was posing a threat of causing death or serious injury.

## Gerard McKinney

### Biographical details

**107.10** Gerard McKinney, often known as Gerry, was 35 years old at the time of Bloody Sunday. He lived in the Waterside area of Londonderry and was married with seven children. His wife, Ita, gave birth to their eighth child eight days after Gerard McKinney died.<sup>1</sup>

<sup>1</sup> [FS1.2439](#)

**107.11** Gerard McKinney attended the civil rights march with his brother-in-law, John O’Kane, whose evidence is discussed below.<sup>1</sup> The two men were close to one another in Abbey Park when Gerard McKinney was shot and fatally wounded.

<sup>1</sup> [AO48.1](#); [AO48.34](#); paragraphs 107.72–85

### Medical and scientific evidence

**107.12** The medical and scientific evidence regarding Gerard McKinney’s death has been well summarised by Counsel to this Inquiry in their closing summation.<sup>1</sup> The following paragraphs are based on this work, with few changes.

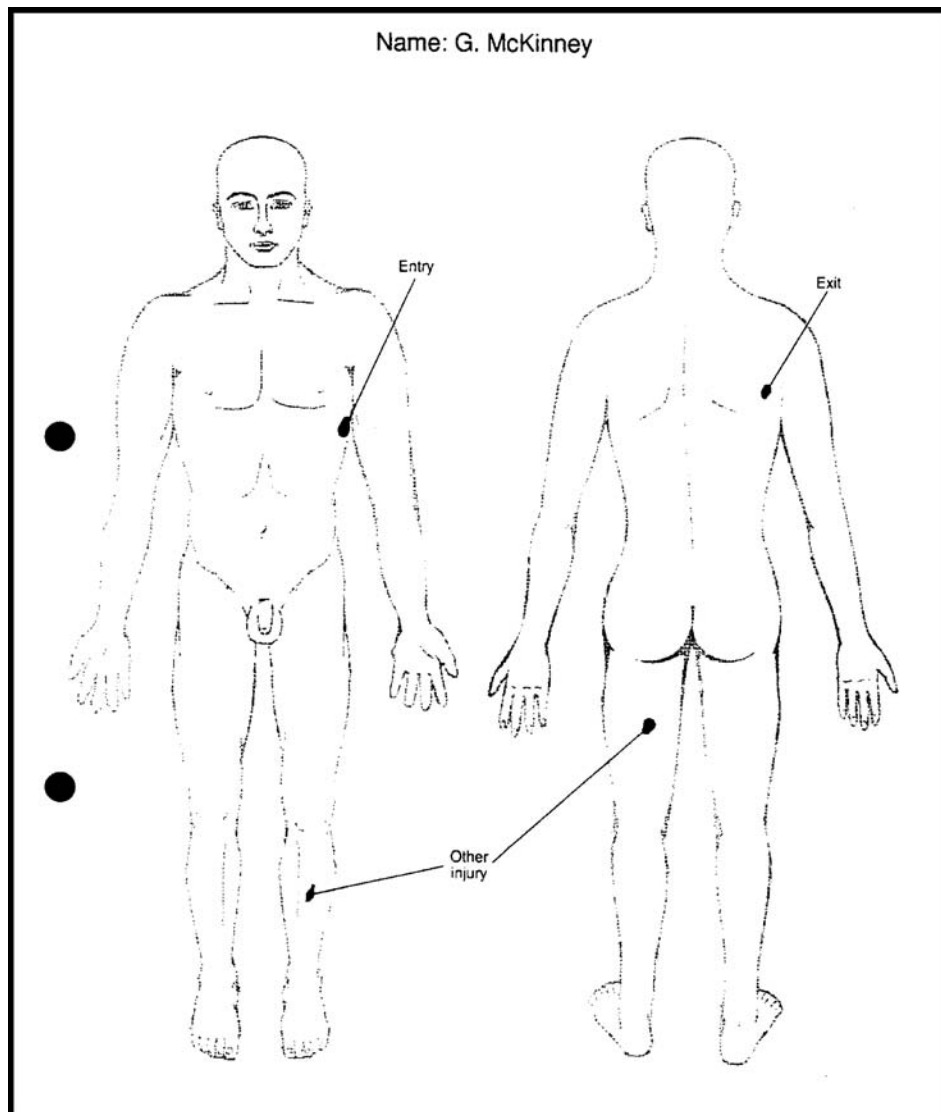
<sup>1</sup> [CS6.551-552](#); [CS6.558-559](#)

**107.13** Dr Derek Carson performed an autopsy on the body of Gerard McKinney at Altnagelvin Hospital on 31st January 1972. This was observed by Dr Raymond McClean, Dr Domhnall MacDermott and Dr Cavanagh.<sup>1</sup> The notes, photographs and report that arose from the autopsy revealed one entry wound and one exit wound on Gerard McKinney’s body. The entry wound, which was circular and 0.7cm in diameter, was located 15cm below the left armpit. The exit wound, which was triangular and 1.6 x 1.4cm, lay on the right side of Gerard McKinney’s back, 17cm from the midline.<sup>2</sup> These wounds are shown on the diagram below.<sup>3</sup>

<sup>1</sup> [D313](#)

<sup>3</sup> [E2.0079](#)

<sup>2</sup> [E2.49](#); [D314-D317](#)



**107.14** We have had the opportunity to examine the photographs that were taken of Gerard McKinney during the autopsy. We have decided, after consulting the families of the deceased, not to publish them.

**107.15** Dr John Martin's notes and report indicate that the damage to Gerard McKinney's clothing was consistent with the injuries.<sup>1</sup> Dr Martin was then the Principal Scientific Officer at the Department of Industrial and Forensic Science in Northern Ireland.

<sup>1</sup> [D304](#); [D306-7](#); [D309-10](#)

- 107.16** Dr Carson recorded that the bullet track was front to back, at 10° from left to right and upwards at 10°. <sup>1</sup> He recorded internal injuries to the left 8th and 9th ribs, the lower lobe of the left lung, the spleen, the left kidney, the 11th and 12th thoracic vertebrae (with adjacent fractures of the ribs on both sides), the lower lobe of the right lung, and the right chest wall, associated with fractures of the right 8th and 9th ribs. <sup>2</sup>
- <sup>1</sup> [D314; D317](#) <sup>2</sup> [E2.49; D314-17](#)
- 107.17** Dr Carson stated to the Widgery Inquiry that, considering these injuries, he would have expected Gerard McKinney to have died within five or ten minutes of receiving the wounds. <sup>1</sup>
- <sup>1</sup> [WT8.64](#)
- 107.18** Gerard McKinney had abrasions to his left little finger, his left shin and the back of his right thigh. The autopsy notes also referred to an older injury to his right index finger. <sup>1</sup>
- <sup>1</sup> [E2.49-50; D314-17](#)
- 107.19** The lack of any injuries to his arms indicates that, at the time when the bullet passed through his body, Gerard McKinney's arms were not across either the entry or the exit wound. Dr Richard Shepherd (engaged by this Inquiry as an independent expert on pathology) agreed that this was consistent with eyewitness evidence that suggested that Gerard McKinney had his hands raised when he was shot. However, he emphasised that this was not the only possible orientation that would allow for Gerard McKinney's injuries. <sup>1</sup>
- <sup>1</sup> [E18.1.39](#)
- 107.20** Dr Carson suggested to the Widgery Inquiry that the injury to Gerard McKinney's right thigh was possibly caused by a bullet fragment. <sup>1</sup> Dr Shepherd and Mr Kevin O'Callaghan (engaged by this Inquiry as an independent expert on ballistics) could neither confirm nor deny this possibility, because of the lack of an adequately detailed photograph. <sup>2</sup> In his evidence to this Inquiry Dr Carson stated that he based his opinion on the fact that the injury was minor and isolated, but he emphasised that other explanations were also possible. <sup>3</sup>
- <sup>1</sup> [D317](#) <sup>2</sup> [E2.50](#) <sup>3</sup> [Day 206/10-11](#)
- 107.21** Dr Shepherd and Mr O'Callaghan stated to this Inquiry that the minor injuries were consistent with a fall or a stumble against objects. <sup>1</sup>
- <sup>1</sup> [E2.50](#)

**107.22** Dr Shepherd and Mr O'Callaghan concluded:<sup>1</sup> “Gerard McKINNEY was struck by a single shot and, assuming he was in the Normal Anatomical Position, the shot passed from right to left and slightly from front to back.”<sup>2</sup> In view of their earlier findings this must be an error for “left to right”.<sup>3</sup> Dr Shepherd also noted that Gerard McKinney was shot from a source below him and to his left.<sup>4</sup>

<sup>1</sup> E2.50

<sup>3</sup> E2.49

<sup>2</sup> As described earlier, the “Normal Anatomical Position” is a concept used by pathologists to describe wounds on the basis that the casualty was standing vertically with hands by the sides (Day 229/103).

<sup>4</sup> E18.1.39

**107.23** Dr Carson’s autopsy notes, and his evidence to the Widgery Inquiry, recorded that Gerard McKinney’s clothes had been removed before he saw the body.<sup>1</sup> Dr Carson initially stated to this Inquiry that he did not know the reasons for this,<sup>2</sup> but he accepted that it could have been because Gerard McKinney had been admitted to the hospital with a suspected heart attack.<sup>3</sup>

<sup>1</sup> D314; WT8.64

<sup>3</sup> Day 207/2

<sup>2</sup> Day 206/7

**107.24** It appears from the letter from the Department of Industrial and Forensic Science (DIFS) dated 15th February 1972 that when Gerard McKinney’s clothing was received, some of it appeared to have been washed. Gerard McKinney had been wearing a brown tweed car coat, a brown check suit, a pink shirt and tie and a distinctive patterned black, brown and white pullover. The clothing included a pair of brown leather gloves.<sup>1</sup>

<sup>1</sup> D299; D301-306

**107.25** Although some of the clothing, when tested for explosive residues, showed what was described as a “short sharp response”, Alan Hall (a Senior Scientific Officer at DIFS) told us that such a response is usually created by substances other than explosive residues.<sup>1</sup>

<sup>1</sup> D303; D622

**107.26** As to significant levels of lead particles, it appears that hand swabs and clothing were tested but no or no significant lead particles were detected. Dr Martin told the Widgery Inquiry that the gloves also tested negative for lead particles.<sup>1</sup> The letter from DIFS dated 18th February 1972 expressed the conclusion that “*The absence of significant numbers of lead particles on the hand swabs and clothing indicates that the deceased [Gerard*



*McKinney] had not been using a firearm”.*<sup>2</sup> However, Dr Lloyd told the present Inquiry that the washing of Gerard McKinney’s clothing could have led to the loss of lead particles if any had been present in the first place.<sup>3</sup>

<sup>1</sup> WT9.17

<sup>2</sup> D304

<sup>3</sup> E1.21. It is not clear which items of clothing had been washed. Detective Inspector McNeill recorded that the shirt, vest and underpants had been washed by the hospital staff, but that the outer garments had not been washed, while DIFS recorded that the car coat had been freshly washed (JM38.4; D303).

**107.27** There is therefore no scientific evidence that suggests that Gerard McKinney had been handling firearms or explosives, though it is the case that some of his clothing appears to have been washed before it was tested. However, there is no evidence from any source, nor was it suggested by anyone, that Gerard McKinney had been handling firearms or explosives.

**107.28** On the basis that Gerard McKinney’s clothing had been washed, Dr Shepherd and Mr O’Callaghan were unable to draw any reliable conclusions as to the range at which he was shot.<sup>1</sup>

<sup>1</sup> E2.0014

## Gerald Donaghey

### Biographical details

**107.29** Gerald Donaghey, commonly known as Gerry, was 17 years old at the time of Bloody Sunday. He lived with his sister Mary Doherty and her husband and son in the Bogside, his adoptive father having died in December 1965 and his adoptive mother four weeks later.<sup>1</sup> Gerald Donaghey had worked at Carlin’s Brewery in the Waterside, but, as we record below, he was jailed for disorderly behaviour in 1971 and was not re-employed after his release in December of that year.<sup>2</sup> The evidence and arguments regarding his movements and associates on 30th January 1972 are all discussed in greater detail in the section of this report that deals with the discovery of four nail bombs on Gerald Donaghey’s person after his death.

<sup>1</sup> AD86.1; FS1.2442

<sup>2</sup> AD86.11; AD86.29; FS1.2442; ED47.33

## Medical and scientific evidence

**107.30** The medical and scientific evidence regarding Gerald Donaghey's death has also been well summarised by Counsel to this Inquiry in their closing summation.<sup>1</sup> The following paragraphs are based on this work, although we have again made a few changes to the references and some of the phraseology.

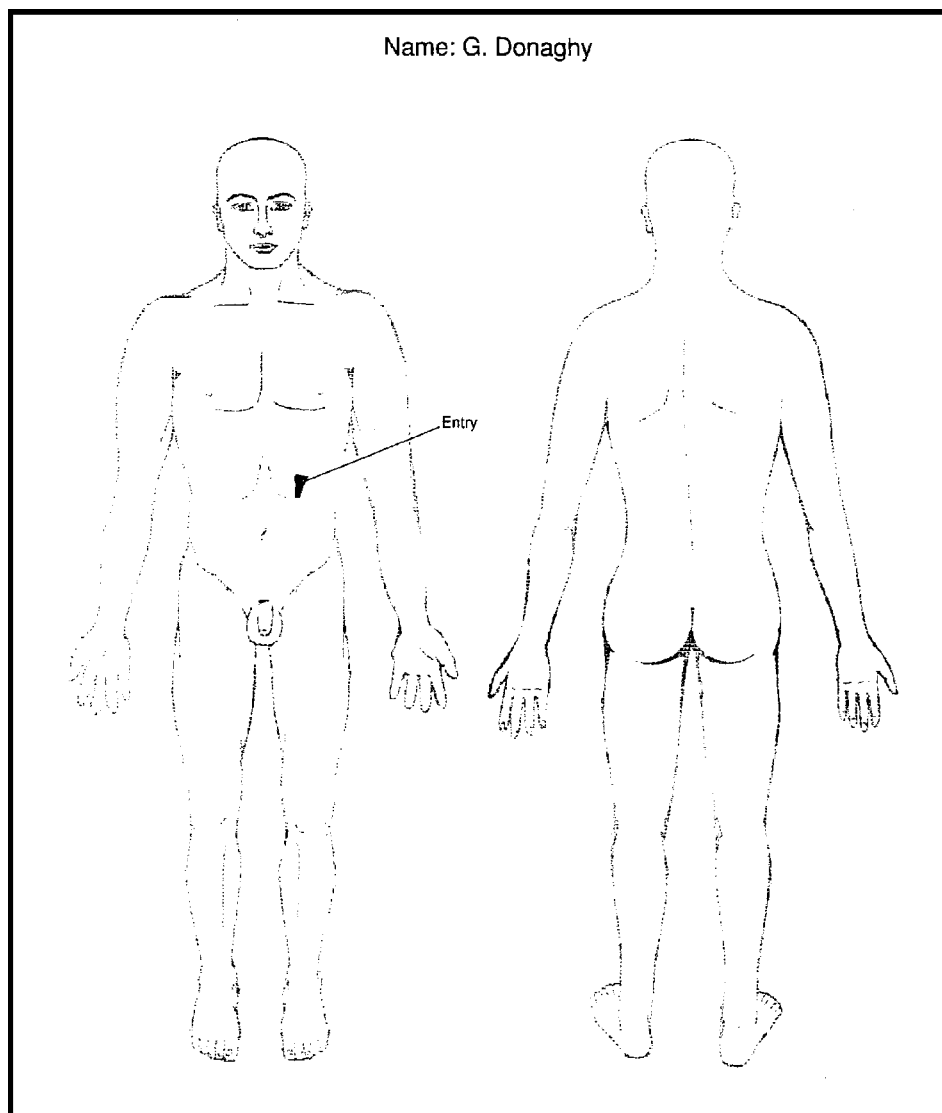
<sup>1</sup> [CS6.552-553](#); [CS6.559-560](#)

**107.31** Dr John Press performed an autopsy on the body of Gerald Donaghey at Altnagelvin Hospital on 31st January 1972.<sup>1</sup> The notes, photographs and report that arose from the autopsy revealed only one significant external injury on his body. This was an entry wound on the left side of the front of the abdomen.<sup>2</sup> The position of the wound is shown on the diagram below.<sup>3</sup>

<sup>1</sup> [D0368](#)

<sup>3</sup> [E2.0070](#)

<sup>2</sup> [E2.22](#); [D368-371](#); [D372](#)



- 107.32** We have had the opportunity to examine the photographs that were taken of Gerald Donaghey during the autopsy. We have decided, after consulting with the families of the deceased, not to publish them.
- 107.33** A single 7.62mm calibre bullet was recovered from the muscles on the right side of the back wall of the abdomen. This bullet had grazed the second lumbar vertebra before lodging in this position. Gerald Donaghey also suffered internal injuries to his stomach, duodenum, aorta and inferior vena cava.<sup>1</sup>
- <sup>1</sup> [E2.22](#); [D369-372](#)
- 107.34** Dr Press did not record the angle of the bullet track in his notes and main autopsy report,<sup>1</sup> but in the opinion that he presented to the Widgery Inquiry he described an angle of 15° downwards and 40° from left to right.<sup>2</sup>
- <sup>1</sup> [D369-D371](#); [D376-D379](#) <sup>2</sup> [E2.22](#); [D372](#)
- 107.35** Dr Martin described in his report a bullet entry hole in the left front of Gerald Donaghey's jacket, with corresponding damage to the clothing underneath. The size of the hole in the jacket indicated to Dr Martin that the bullet was not stable when it struck Gerald Donaghey.<sup>1</sup> Dr Shepherd and Mr O'Callaghan, who considered the entry wound on Gerald Donaghey's body as well as the damage to his clothing, agreed with this opinion.<sup>2</sup>
- <sup>1</sup> [D354](#); [D358-361](#) <sup>2</sup> [E2.22-23](#); [Day 229/44-45](#)
- 107.36** We accept Dr Shepherd's and Mr O'Callaghan's conclusion that:<sup>1</sup>

“There is no doubt that Gerard DONAGHY was struck by only one bullet and that that bullet struck his abdomen approximately ‘side on’ most probably with the nose of the bullet pointing downwards and the base upwards.

Assuming the Normal Anatomical Position the angle of contact is clearly from left to right and downward.”

- <sup>1</sup> E2.23; Day 229/38-39

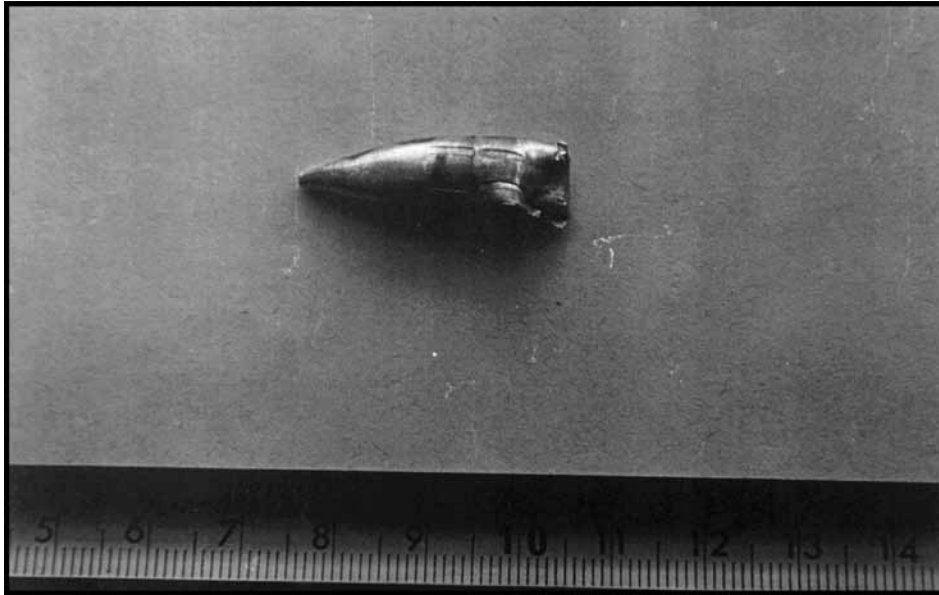
- 107.37** Dr Martin tested Gerald Donaghey's clothing and body for lead particles. He found more than 100 particles on the front and right arm of Gerald Donaghey's jacket and four on his right hand.<sup>1</sup> This pattern led Dr Martin to conclude that:<sup>2</sup>

“The nature and distribution of lead particles on the swabs and jacket are not fully consistent with exposure to discharge gases from firearms; the levels on the jacket are too high. It is possible that lead particles from the bullet which entered the deceased’s stomach were the main cause of the contamination.”

- <sup>1</sup> D354: D357-365: E1.30

- 2 D355

- 107.38** Dr Lloyd agreed with Dr Martin's conclusion that the "*distribution is not attributable to the use of a firearm*". However, he did not accept that the bullet that was recovered from Gerald Donaghey's body was the probable cause of the contamination. Dr Lloyd listed a number of possible causes, for example the presence of a weapon nearby or cross-contamination from those who searched for the nail bombs in Gerald Donaghey's pockets, but concluded that there was no scientific way of establishing the source of these particles.<sup>1</sup>
- <sup>1</sup> [E1.43](#); [Day 227/42-43](#)
- 107.39** We accept the opinions of Dr Lloyd and Dr Martin that there was no scientific evidence to suggest that Gerald Donaghey had been handling a firearm.
- 107.40** Gerald Donaghey's hands and clothing were also tested for the presence of explosives residue. He had been wearing a blue denim jacket, blue jeans, a blue shirt and a blue woollen sweater, and at the time of his death he had a white handkerchief tied around his neck.<sup>1</sup> The nature of Gerald Donaghey's clothing, and the DIFS tests for explosives residue, are examined in the section of this report dealing with the discovery of four nail bombs on his person after his death.
- <sup>1</sup> [D330](#); [D336](#); [D349](#); [D354](#); [D358-360](#)
- 107.41** Dr Shepherd and Mr O'Callaghan considered both the medical and scientific evidence in order to ascertain whether any conclusions could be made regarding the range at which Gerald Donaghey was shot. They felt that the only "*potentially reliable conclusion*" that they could draw was that the range was probably no less than 1m. This was based on the absence of visible muzzle discharge deposits on Gerald Donaghey's clothes or body.<sup>1</sup>
- <sup>1</sup> [E2.14](#)
- 107.42** Dr Martin examined the bullet that was recovered from Gerald Donaghey's body, and conducted tests to determine from which rifle it had been fired. He concluded that it was a "*slightly damaged*" 7.62mm SLR round. He identified the rifle from which it had been fired as one that was assigned to Private G.<sup>1</sup> The damage to the bullet is shown in the following photograph.
- <sup>1</sup> [D354](#); [D356](#); [D362](#); [D364-5](#); [WT9.15-16](#); [WT14.94](#)



**107.43** Mr O’Callaghan stated to this Inquiry that if this bullet had been modified or tampered with in order to expose the lead core, then he would have expected to find a reference to this in Dr Martin’s notes. There was no reference to any such deliberate interference.<sup>1</sup> Accordingly there is nothing to suggest that the bullet had been modified or tampered with in any way.

<sup>1</sup> [Day 230/76](#)

**107.44** Dr Martin told this Inquiry the method by which he matched the bullet to the rifle, and explained his belief that the matches he made were accurate and definite and not just the best fit.<sup>1</sup>

<sup>1</sup> [D47](#); [D564](#); [D610.6-8](#); [Day 226/95-96](#); [Day 226/151-156](#)

**107.45** Dr Martin told this Inquiry that he would have examined bullets that had been test-fired from each of the 29 rifles he had been given to examine. Having eliminated those bullets that clearly did not match the bullet recovered from one of the deceased (Michael Kelly or Gerald Donaghey), he would then have examined with care those test bullets that were a possible match. Once he had found a test bullet that he believed to match the recovered bullet, he would not have gone on to conduct a detailed examination of the remaining test bullets.<sup>1</sup>

<sup>1</sup> [Day 226/95-96](#); [Day 226/153-156](#)

**107.46** Mr O’Callaghan stated to this Inquiry that his method would have been to continue to examine the remaining test bullets to ensure that there was no closer match.<sup>1</sup> However, he said that:<sup>2</sup> *“I am not saying for one moment that Dr Martin was wrong. I am saying that*

*I am simply unable to say whether he was correct or not ... he felt confident in his conclusions and certainly I am expressing ... the approach I would take and it is just one approach.”*

<sup>1</sup> [Day 230/48-51](#)

<sup>2</sup> [Day 230/52](#)

**107.47** Mr O’Callaghan could not suggest a figure for the level of probability that the bullet recovered from Michael Kelly’s body may have corresponded to another of the rifles in the pool of 29 that Dr Martin tested.<sup>1</sup>

<sup>1</sup> [Day 230/50-51](#)

**107.48** Mr O’Callaghan also told this Inquiry that he would not describe the process in which Dr Martin was involved as matching a bullet to a weapon, but preferred to talk of a “*corresponding agreement between marks on the test bullets and the fired bullet ... recovered from the victims*”.<sup>1</sup>

<sup>1</sup> [Day 230/50](#)

**107.49** Although perhaps Dr Martin could have used a more thorough method, we are satisfied that the bullet recovered from Gerald Donaghey’s body was fired from Private G’s rifle. Since there is nothing in any of the evidence to suggest that someone else had his rifle on Bloody Sunday, it follows that Private G must have fired this bullet.

## Whether the same bullet hit Gerard McKinney and Gerald Donaghey

**107.50** We are satisfied from the evidence considered below that Gerard McKinney and Gerald Donaghey were within a short distance of each other when they were shot. One possible explanation is that both men were killed by the same bullet, which passed through Gerard McKinney before striking Gerald Donaghey. The expert witnesses addressed this possibility in their evidence to this Inquiry, concentrating particularly on the damage that had been done to the bullet that was recovered from Gerald Donaghey’s abdomen, the nature of the entry signs found on Gerald Donaghey’s clothing and torso, and whether the medical evidence of the position and track of both men’s bullet wounds precluded the possibility that the resulting injuries were all caused by the same round. Again we have based the following paragraphs on the accurate summary of the expert views prepared by Counsel to the Inquiry,<sup>1</sup> with a few changes to the references and some of the phraseology.

<sup>1</sup> [CS6.555-558](#)

**107.51** In their written report, Dr Shepherd and Mr O'Callaghan concluded: "*The 'side on' contact, the lack of penetration of the body and the damage to the bullet all indicate that the bullet [that was recovered from Gerald Donaghey's body] had struck another object or person before striking Gerard DONAGHY.*"<sup>1</sup>

<sup>1</sup> [E2.23](#)

**107.52** Dr Shepherd and Mr O'Callaghan stated in their oral evidence to this Inquiry that the extent of the damage to the bullet indicated that some of this prior contact would have been with a hard object or hard bone. They added that they did not think that the contact with Gerald Donaghey's spine alone would have been sufficient. However, they felt that it was possible that the bullet could have been damaged by first striking Gerard McKinney's vertebrae and ribs (at a time when it was moving faster) and then by its passage through Gerald Donaghey's body. However, they emphasised that this was not the only possible explanation, as a deflection off another hard surface could have had the same effect.<sup>1</sup>

<sup>1</sup> [E18.1.38](#); [Day 229/40-46](#); [Day 230/40-44](#)

**107.53** Dr Shepherd also commented that the entrance wound on Gerald Donaghey's body indicated that the bullet was yawing (ie tumbling so that it was not nose-on) when it struck him. In his opinion, the bullet might have been destabilised in its flight as the result of passing through soft tissue before hitting Gerald Donaghey's clothing and body. However, and as is noted above, he thought that the damage to the bullet could only have been caused by contact with a hard surface.<sup>1</sup>

<sup>1</sup> [Day 229/44](#)

**107.54** Dr Press, who conducted the autopsy on Gerald Donaghey, stated in his opinion to the Widgery Inquiry that the fact that the bullet was recovered from Gerald Donaghey's body indicated that the round was travelling at low velocity by the time that it struck him.<sup>1</sup> Dr Press initially told the present Inquiry that as there was no apparent fragmentation, he felt that it was unlikely that the bullet had struck hard bone or a hard object before it entered Gerald Donaghey's body. He therefore felt that the bullet might have been slowed to a low velocity by a passage through soft tissue, although he could not rule out other possibilities.<sup>2</sup> However, when it was pointed out to him that the recovered bullet had been slightly damaged at the rear he modified his initial view, stating that it was possible that the bullet had struck a hard object or hard bone before it entered Gerald Donaghey. As with Dr Shepherd and Mr O'Callaghan, he did not think that this damage could have been caused by the contact with Gerald Donaghey's vertebrae.<sup>3</sup>

<sup>1</sup> [D0372](#); [D513-514](#)

<sup>3</sup> [Day 205/177-178](#)

<sup>2</sup> [D513-514](#); [Day 205/173-177](#)



- 107.55** We accept Dr Shepherd's and Mr O'Callaghan's view that the bullet must have struck a hard object, which could have been bone or something else, before entering Gerald Donaghey's body.
- 107.56** With regard to the implications of the medical evidence on the spatial relationship between the two men, it is relevant to note that the entry wound on Gerald Donaghey's body was lower than the entrance and exit wounds on Gerard McKinney's body. However, we accept Dr Shepherd's evidence that this could be consistent with a scenario in which the same bullet struck both men if Gerald Donaghey was on higher ground than Gerard McKinney at the time when they were shot, or if the latter was bending over at that time.<sup>1</sup>
- <sup>1</sup> [Day 229/47-49](#)
- 107.57** It was suggested by the representatives of the families of Gerard McKinney and Gerald Donaghey that the evidence of the expert witnesses did not support the notion that the two men were shot by the same bullet. In this regard they relied on the evidence of the bullet tracks to suggest that, assuming that Gerard McKinney and Gerald Donaghey were standing, the bullet that exited the former was travelling upwards, while the bullet that entered the latter was travelling downwards.<sup>1</sup>
- <sup>1</sup> [FS1.2437-2438](#)
- 107.58** Dr Press's and Dr Carson's Opinions for the Widgery Inquiry did indicate that the bullet track in Gerard McKinney's body was upwards at 10°,<sup>1</sup> and that that in Gerald Donaghey's body was downwards at 15°.² Dr Shepherd agreed that if these measurements were correct, and if both men were standing upright, then "*the orientation cannot be one that would allow for the shoot-through*".³ However, he also said this:⁴

"A. I think the angles are less certain than the descriptions given in the post mortem report, so I do not mean to say that they were measured incorrectly, but the fact that it is 10 degrees up or 5 degrees down is perhaps of less significance than the rather more obvious spatial arrangement between the two of the left side of the abdomen presenting towards the right side of the chest.

Q. Does that mean that the relative position of the two wounds on the bodies of these two deceased does or does not provide an indication that if a single bullet was responsible for both wounds, Mr Donaghy must have been higher up than Mr McKinney?

A. If Mr McKinney was bent over, the orientation of the wound is changed very considerably. Mr Donaghy potentially could be higher than him or lower than him or on a level ground to him. I think pathologically to try and extrapolate the injuries and the patterns of injuries we have and the angles that have been measured and place people in very precise positions, would be to stretch those facts to the point of failure, and I would rather not take that any further, other than the simple proposition that clearly the left side of Mr Donaghy must be presenting towards the right side of Mr Gerard McKinney's back."

<sup>1</sup> D0317

<sup>3</sup> Day 229/65-66

<sup>2</sup> D0372

<sup>4</sup> Day 229/48-49

**107.59** We accept that it would be wrong to extrapolate, from the bullet tracks and the assumption that the two men were standing upright, their precise position when they were shot.

**107.60** It seems to us that Dr Press agreed with these views, and suggested that if Gerald Donaghey had been leaning well forwards then the tracks would possibly be consistent with what was described as a "*shoot through*".<sup>1</sup>

<sup>1</sup> Day 205/181-183

**107.61** In the light of the foregoing, we were not persuaded by the submission that the medical and scientific evidence precluded the possibility that both men were hit by the same round because of the upwards angle of the bullet track through Gerard McKinney's body and the downwards track in Gerald Donaghey's body.<sup>1</sup>

<sup>1</sup> FS1.2437-2438

**107.62** It is noteworthy that this submission does not attempt to deal with the causes of the damage to the bullet, the angle at which it struck Gerald Donaghey and the reduction in its velocity to the extent that it did not pass through his body.<sup>1</sup> All of these matters to our minds suggest that the bullet struck a hard object, which could have been bone or something else, before hitting Gerald Donaghey. There is nothing to indicate what this could have been, other than to suggest that the bullet struck either Gerard McKinney or the ground first. The latter would involve the bullet having to pass upwards towards

Gerald Donaghey's body at an even steeper angle than if it had previously passed through Gerard McKinney. It would follow that this would require Gerald Donaghey to be leaning to a greater degree to allow for the downward track of the bullet. In our view this is much less likely than the explanation that Gerald Donaghey was struck by the same bullet that had first hit Gerard McKinney.

<sup>1</sup> [FS1.2443-2444](#); [FS1.2437-2438](#)

## What Gerard McKinney and Gerald Donaghey were doing when they were shot

**107.63** We now turn to consider the civilian evidence of the circumstances in which Gerard McKinney and Gerald Donaghey were shot.

### The civilian evidence

**107.64** There was a substantial amount of evidence on the events surrounding the shooting of Gerard McKinney and Gerald Donaghey, some of it inconsistent and contradictory. We do not find this surprising, given the terrifying circumstances in which the witnesses found themselves and the well-known fact that it is almost inevitable that a number of people giving an account of an event have sharply differing recollections. In addition, as we have mentioned before, apart from the shock of events, the passage of years is also likely to dim or distort memories or to cause people to come to believe, erroneously but in good faith, that they witnessed events that in truth they had only heard about from others, sometimes years or even decades later.

**107.65** Thus we have had accounts that differ, for example, as to who was shot first, as to the time interval between the two casualties, as to where Gerard McKinney and Gerald Donaghey fell, as to the number of soldiers involved and the number of shots fired in Abbey Park, and as to where the soldier or soldiers were and from where the firing came. In this regard we should note that the Widgery Inquiry concluded that these two casualties were shot in Glenfada Park North,<sup>1</sup> though for the reasons we set out below we are certain that this was not the case.

<sup>1</sup> [WTRPT31](#)

## Joe Mahon

**107.66** We have already referred<sup>1</sup> to the accounts given by Joe Mahon when considering the events in Glenfada Park North, especially the shooting of Jim Wray and the wounding of Joe Mahon himself. In particular we concluded that despite Joe Mahon's current view that much of what was contained in the *Sunday Times* notes of interview was inaccurate, the notes recorded what he told the journalists at the time.

<sup>1</sup> [Paragraph 104.488](#)

**107.67** Although we have set it out earlier in this report,<sup>1</sup> it is convenient to repeat the account that Joe Mahon gave to the *Sunday Times*. He described the circumstances in which he was shot, and explained that after he had fallen to the ground in Glenfada Park North he could see two other casualties lying nearby. He continued:<sup>2</sup>

"The next thing I recall clearly was seeing a single soldier on the opposite side of the court from the others, looking towards the passageway and firing two or three shots from under his arm and at the same time shouting to the other soldiers: 'I've got another one [of] them, Dave.' The soldier then pulled back towards the van."

<sup>1</sup> [Paragraph 104.402](#)

<sup>2</sup> [AM18.15](#)

**107.68** From the context of his interview it seems to us that the van that Joe Mahon said was at the eastern side of Glenfada Park North was actually in the north-east corner of the complex. It is also clear that the passageway in question was the south-west alleyway leading from Glenfada Park North into Abbey Park.<sup>1</sup>

<sup>1</sup> [AM18.14](#)

**107.69** As we have noted earlier in this report,<sup>1</sup> we are of the view that this is a description of a soldier shooting into Abbey Park and not, as Joe Mahon appeared at one stage to suggest to us, a mistaken account of the shooting of Jim Wray. On this basis we have concluded that we can place reliance on this part of Joe Mahon's evidence in the context of considering the shooting in Abbey Park.

<sup>1</sup> [Paragraph 104.409](#)

**107.70** The importance of this account lies firstly in the fact that Joe Mahon described the soldier shouting that he had got another "one", which suggests that this soldier thought that he had shot only one person; secondly that Joe Mahon described this soldier firing more than once; and thirdly that Joe Mahon described seeing only one soldier shooting into Abbey Park, something that he has maintained throughout.

**107.71** Although two soldiers of Anti-Tank Platoon were called Dave, in our view Private G was probably addressing his “pair”, Lance Corporal F.

## John O’Kane

**107.72** John O’Kane, Gerard McKinney’s brother-in-law, was 31 years old on Bloody Sunday. He gave the following accounts of the events of that day:

- a) a Northern Ireland Civil Rights Association (NICRA) statement.<sup>1</sup> John O’Kane told this Inquiry that he did not recall giving this statement,<sup>2</sup> but we are satisfied that he did so;
- b) a long handwritten statement that he prepared in February 1972;<sup>3</sup>
- c) an interview with the television production company Praxis Films Ltd in the early 1990s;<sup>4</sup>
- d) an interview with the researcher Paul Mahon in the later 1990s;<sup>5</sup> and
- e) an interview in the late 1990s with Stephen Gargan of Gaslight Productions Ltd, who was researching a dramatisation of the events of Bloody Sunday.<sup>6</sup>

<sup>1</sup> [AO48.24](#)

<sup>4</sup> [O12.1-19](#); [AO48.27-29](#)

<sup>2</sup> [Day 163/76-77](#)

<sup>5</sup> [X4.31.1-71](#); [AO48.49](#)

<sup>3</sup> [AO48.34-38](#); [AO48.11-15](#); [AO48.39-41](#)

<sup>6</sup> [AO48.45-88](#)

**107.73** John O’Kane also gave written and oral evidence to this Inquiry.<sup>1</sup>

<sup>1</sup> [AO48.1-89](#); [Day 163/1-78](#)

**107.74** According to the statement John O’Kane gave to NICRA, he went on the civil rights march with Gerard McKinney.<sup>1</sup> The two were present when CS gas and the water cannon were deployed, and they subsequently doubled back to the junction of Abbey Street and William Street where they heard of injuries to two civilians. (These were Damien Donaghey and John Johnston.) Gerard McKinney subsequently intervened to assist a BBC journalist who had “*got into some difficulty with a section of the crowd*”.<sup>2</sup>

<sup>1</sup> [AO48.24](#)

<sup>2</sup> [AO48.24](#)

- 107.75** John O’Kane recorded that the shooting “*started in earnest*” near to Columbcille Court, and was carried out by the Army who concentrated on a retreating crowd. He and Gerard McKinney saw a youth of about 16 who had been shot in the side, who in our view was probably Michael Kelly. Along with a couple of others they tried to carry the youth out of danger, but the crowd soon knocked him from their grasp.<sup>1</sup>

<sup>1</sup> [AO48.24](#)

- 107.76** As shooting was continuing they ran into what John O’Kane described as Columbcille Court:<sup>1</sup>

“We lay with our backs to the wall on one side of the Court in the company of some six others, afraid to move for a time. Gunfire was heavy when I suggested that we try to cross the court in the direction of Blutchter St. [sic] one at a time. However as gunfire got heavier I decided not to risk it.

Gerry decided after a few mintues to take a chance and accompanied by a youth, whom I dont know, he led us out across the court. As we went forward I was some yards behind Gerry. At a stage when I can only assume he was visible from the other side of the entrance Gerry turned, shouted ‘No, no’ and put his hands in the air. A shot rang out which caught Gerry about the chest and he fell forward. A second shot rang out and the youth who was leading the way along with him fell to the ground. We retreated back to the wall of the court.

I cannot state emphatically enough that Gerry, the youth, and everybody else in the courtyard at the time were completely unarmed and defenceless.”

<sup>1</sup> [AO48.24](#)

- 107.77** John O’Kane’s long handwritten statement is dated 23rd February 1972.<sup>1</sup> There is a typed version.<sup>2</sup> He told us that he prepared this statement because he expected to be called to give evidence at the Widgery Inquiry, although in the event he was not interviewed for a written statement, nor did he give oral evidence to that Inquiry.<sup>3</sup> He said that he was traumatised and worried about his sister, Gerard McKinney’s widow, when he made this statement.<sup>4</sup>

<sup>1</sup> [AO48.34-38](#)

<sup>3</sup> [AO48.32](#)

<sup>2</sup> [AO48.39-41](#)

<sup>4</sup> [Day 163/13](#)

- 107.78** In this statement John O’Kane described how he and Gerard McKinney heard gunfire and ran across the car park in Glenfada Park North.<sup>1</sup> They made their way towards the gable end of the eastern block where they saw a man, Seamus (James) Liddy, who had been

hit with a rubber bullet, and a youth, who John O'Kane later learned was Michael Kelly, who had been shot in the stomach.<sup>2</sup> With others, Gerard McKinney lifted Michael Kelly and began to run for safety; however, "*The youth was dropped in the process of running but with the intense firing we realised it would have been suicide to stop.*"<sup>3</sup> John O'Kane continued his statement as follows:<sup>4</sup>

"As we ran through the opening at Glenfada Park another youth was shot down who was running with us. We dived for cover around the corner of the block and stood wondering how we were going to reach the boy. Another youth later known to me as Gerard Donaghy said he would be able to get him if he lay on his stomach and crawled. We were told not to as it was too dangerous but he had done so anyway. As he was starting to crawl[?] we pulled him in again by the feet.

With the firing continuing we realised that we would have to get out the area we ran from our cover of the flats with the intention of getting across the opening towards Westland Street.

As we did so we heard people shout get back, get back! I did not know where they was coming from but we started to run back anyway.

As we did so I noticed my brother-in-law and Gerard Donahey [sic] who was still standing. I stepped about five paces from them and said "Come back, come back it's not worth it". It appeared that they were sure they would get across.

My brother-in-law was standing with his left side facing the opening which we had run through and young Donaghy was standing just next to him on his immediate right. My brother-in-law's arm was outstretched across the boy's chest and James Gerard McKinney said just a minute son till we see if it's clear.

As he turned towards the opening to see if it was safe to cross his arms shot up in the air and he shouted "No! no!" as he did so a shot rang out and he fell to the ground right in front of my eyes and then another shot rang out and young Donaghy fell to the ground gripping his stomach and squealing right in front of my eyes.

I could not move, I just stood there frozen to the spot. I heard voices all round shouting "come back, come back". I just don't know how I got back but some other men who were standing in the [flats] pulled me out the garden so eventually they got me into one of the flats through the window and they pulled me by the shoulders into a room. All this time they were lying there and no one could get near them. A while after this, I cannot say, how long, people started to appear with their arms above their heads.



The first one I saw beside my brother-in-law was a Knights of Malta girl in uniform. By the time I reached him there was three male Knights of Malta treating him as a cardiac case. I told him he was shot but I could not convince them that this was the case. They asked me to get a cardiac ambulance. I respected their efforts and what they were trying to do so an onlooker and myself went to call an ambulance. This we succeeded in doing and we returned to the scene. I saw his brother leaning beside him and told him what had happened. By this time the ambulance arrived. We helped to lift him onto the stretcher and into the ambulance.”

<sup>1</sup> AO48.40

<sup>3</sup> AO48.40

<sup>2</sup> AO48.40

<sup>4</sup> AO48.40-41

**107.79** John O’Kane said in his oral evidence to this Inquiry that the phrase “*we started to run back anyway*” in the third paragraph of the extract above should be taken to refer only to him, and not to Gerard McKinney or Gerald Donaghey.<sup>1</sup>

<sup>1</sup> Day 163/30-31

**107.80** The Inquiry obtained this statement from the *Sunday Times* archives. John O’Kane was not able to recall to whom he gave the statement,<sup>1</sup> but he or someone else must have supplied it to the *Sunday Times*. His name appears on the following two *Sunday Times* maps<sup>2</sup> but we have no notes or other indications that he was ever interviewed by the *Sunday Times* Insight Team.

<sup>1</sup> AO48.32

<sup>2</sup> AO48.16; AO48.17



**107.81** In his written statement to this Inquiry,<sup>1</sup> John O’Kane gave a description of the young boy, who he believed was Gerald Donaghey, being shot before Gerard McKinney. When shown his 1972 handwritten statement, however, he accepted that the latter was the most accurate account of the shooting.<sup>2</sup>

<sup>1</sup> AO48.4

<sup>2</sup> Day 163/27-34

**107.82** We should note at this point that we were satisfied that John O’Kane was an honest witness doing his best to assist us. His written statement to this Inquiry provides a good example of how people come, through no fault of their own, to change their recollection of events or mistakenly to believe that they had witnessed things which in fact they had only heard about from others. For example, John O’Kane stated in his written evidence that he had seen two people, which must be a reference to Damien Donaghey and John Johnston, who were shot on the laundry waste ground before 1 PARA entered the Bogside,<sup>1</sup> though in his oral testimony he agreed on reflection that he had not done so.<sup>2</sup> Thus we treat with some caution a number of matters recalled by John O’Kane years after the event, but not mentioned in his 1972 statements.

<sup>1</sup> AO48.2

<sup>2</sup> Day 163/47; Day 163/62-63

**107.83** For the same reasons we found no further assistance in the accounts John O’Kane gave to Praxis<sup>1</sup> and Paul Mahon.<sup>2</sup>

<sup>1</sup> O12.11-18

<sup>2</sup> X4.31.36-50; X4.31.57

**107.84** However, in our view, subject to one point, the statements that John O’Kane gave in 1972 about the shooting of Gerard McKinney and Gerald Donaghey seem to us to be an account of the event upon which we can place some reliance, though, as he has said himself, he was traumatised at the time by what he had seen and by the effect on his sister and her children.<sup>1</sup> The subject point is whether in fact he was correct in believing that each victim was shot by a separate bullet, something he maintained that he was sure about when he gave evidence to us.<sup>2</sup>

<sup>1</sup> Day 163/13

<sup>2</sup> Day 163/56-57

**107.85** As we have already observed, and as John O’Kane seemed to accept,<sup>1</sup> there appears to have been nothing else apart from Gerard McKinney’s body that could have caused the bullet to slow and become damaged before it hit Gerald Donaghey. On his account, the two casualties were very close together when they were shot. Thus, despite his 1972 account (and those of others that we discuss below) his evidence does not persuade us that the two were shot by different bullets. In our view those who say that there were two

separate shots may have seen two people fall and concluded that there must have been two shots, or were confused by another shot aimed towards people coming up the pathway, which we discuss below. It is also possible that there were in fact two shots and people assumed that one had hit Gerard McKinney and the other Gerald Donaghey.

<sup>1</sup> [Day 163/56-58](#)

## John Carr

**107.86** John Carr, sometimes known as Sean, was 13 on Bloody Sunday. He lived in 8 Abbey Park, one of the houses that faced the entrance to the alleyway into Glenfada Park North. He gave a NICRA statement in which he described watching events from the upstairs front window of his home. He recorded that he saw a soldier run into the alleyway, put his rifle to his shoulder, and shoot a man “*who put his hands above his head and faced the soldier*”, and who then “*fell on his face and turned over*”. According to this account another man then ran to this casualty “*from the next house*”. As this second person bent over the injured man the soldier shot him too and he fell. The soldier then ran back through Glenfada Park.<sup>1</sup>

<sup>1</sup> [AC42.11](#)

**107.87** John Carr gave a written statement for and oral evidence to the Widgery Inquiry. In his written statement, he recorded that he had learned that the first man whom he saw shot was Gerard McKinney, and he described how Gerard McKinney had joined his hands together and blessed himself after he had fallen. In relation to the second casualty, whom he identified as William McKinney, John Carr did not claim that he had seen this man shot by the soldier, but instead stated that he had heard a second shot from the same direction as the soldier who had shot Gerard McKinney.<sup>1</sup>

<sup>1</sup> [AC42.14](#)

**107.88** It is clear from his oral evidence to the Widgery Inquiry<sup>1</sup> that John Carr was seeking to describe a shooting in Abbey Park, by a single soldier who had come through the south-west alleyway from Glenfada Park North.<sup>2</sup> He told the Widgery Inquiry that he had seen the second man shot, in terms consistent with his NICRA statement. He again said that the first man shot was Gerard McKinney, and the second man was William McKinney. He described the latter as wearing glasses and a sort of overcoat, and carrying what he was afterwards told was a camera.<sup>3</sup> He also said that he was looking from the third window in from the corner on the first floor.<sup>4</sup>

<sup>1</sup> [WT17.3-13](#)

<sup>2</sup> [WT17.5](#)

<sup>3</sup> [WT17.6](#)

<sup>4</sup> [WT17.9](#)

**107.89** Gerald Donaghey was wearing a denim jacket and jeans on Bloody Sunday.<sup>1</sup> In his oral evidence to the Widgery Inquiry, John Carr said that he had not seen a man in blue denims in the area.<sup>2</sup> He also stated that the men he saw shot were at “*the top of small steps ... Out from our house*”.<sup>3</sup> John Carr gave evidence of seeing and hearing the soldier fire, but in view of what he stated in his written evidence it remains unclear whether he saw the soldier fire two shots or whether he saw him fire one shot and heard the other coming from the same direction.<sup>4</sup>

<sup>1</sup> AD86.2

<sup>3</sup> WT17.11

<sup>2</sup> WT17.11

<sup>4</sup> AC42.14; WT17.6; WT17.12-13

**107.90** John Carr gave consistent but less detailed accounts to the Coroner in 1973.<sup>1</sup> He also gave written and oral evidence to this Inquiry.<sup>2</sup>

<sup>1</sup> AC42.26-29

<sup>2</sup> AC42.1; Day 158/161-174; Day 159/105-134

**107.91** Since for reasons given elsewhere in this report<sup>1</sup> we have no doubt that William McKinney was shot in Glenfada Park North, and since John Carr’s description of the second person shot fits William McKinney but not Gerald Donaghey, John Carr was clearly wrong in his identification of the second person he said he saw shot in Abbey Park. As we describe later,<sup>2</sup> there is evidence that, after Gerard McKinney and Gerald Donaghey had fallen, a shot caused people coming up from the south (which would have been on John Carr’s right) to dive for cover. In his oral evidence to us John Carr accepted that he did not actually witness the second person being shot and agreed that he might have seen instead a civilian running towards Gerard McKinney and diving to the ground unhurt after another shot had been fired.<sup>3</sup> In his written evidence to this Inquiry,<sup>4</sup> he stated that he saw the second man and heard the second shot some 20 to 30 seconds after he had witnessed the first shooting. To our minds this supports the view that what John Carr saw was someone who dived for cover.

<sup>1</sup> Paragraphs 104.459–464

<sup>3</sup> Day 159/107-108; Day 159/113-115

<sup>2</sup> Paragraphs 107.107 and 107.139

<sup>4</sup> AC42.4

**107.92** John Carr also agreed that one of the reasons he identified the second man as William McKinney was because he had learnt that this was the name of the person who had been taken into the O’Reillys’ house next door.<sup>1</sup> We accept his evidence to this Inquiry that he did not know for years after the event that Gerald Donaghey had also been shot in Abbey Park.<sup>2</sup>

<sup>1</sup> Day 159/125-127

<sup>2</sup> Day 159/126-127

- 107.93** John Carr reconstructed the positions of the soldier and the two casualties in two photographs<sup>1</sup> that were attached to his written evidence to this Inquiry. The first shows the position where the man that he later learned was Gerard McKinney was shot, and the second shows where John Carr first saw the man that he identified as William McKinney.

<sup>1</sup> [AC42.7](#); [AC42.8](#)

Location  
of first  
casualty



Location  
of second  
casualty





- 107.94** John Carr has given consistent accounts throughout of a single soldier coming through the south-west alleyway from Glenfada Park North, putting his rifle to his shoulder and shooting a person on the steps who had his hands in the air. We have no doubt, because of the evidence of John Carr, John O’Kane and the witnesses that we consider hereafter, that that person was Gerard McKinney. Likewise John Carr has given consistent evidence of a later second shot, though he now accepts that he did not see that shot hit anyone.
- 107.95** In our view it is understandable, especially bearing in mind the age of John Carr at the time and the frightening events that he witnessed, that he should have believed afterwards that he saw a second person shot. We also consider that he might not have seen Gerald Donaghey fall because this casualty was just out of sight around the corner of John Carr’s house. With regard to Gerard McKinney, however, we believe that he gave a reliable account of the shooting of that person. To our minds his evidence is not inconsistent with Gerald Donaghey having been shot by the bullet that had hit Gerard McKinney.
- 107.96** We should note that we have considered the accounts that John Carr gave to Stephen Gargan of Gaslight Productions Ltd<sup>1</sup> and to Paul Mahon.<sup>2</sup> In our view they do not provide any further assistance.

<sup>1</sup> [AC42.40-46](#)

<sup>2</sup> [X4.6.25-60](#)

## Peter Carr

- 107.97** John Carr’s father, Peter Carr, also made a NICRA statement.<sup>1</sup> In this he described how he was in his home at 8 Abbey Park when Michael Kelly, then fatally wounded, was carried into the house. While he was attending to Michael Kelly, Peter Carr heard a volley of shots and went upstairs to check that his children were safe. From a bedroom window facing Glenfada Park North he saw a uniformed soldier aim a rifle and fire:<sup>2</sup>

“At this point I heard my son Sean [John] who was in another room scream hysterically, ‘They’ve shot a man and he had his hands up’. I ran into the room and saw Sean standing at the window. I jumped across the bed and was about to pull Sean to the ground when I saw a figure pass by the window. I heard another shot and my son shouted ‘They’ve shot another man’. I pulled Sean to the ground and told him to stay there.”

<sup>1</sup> [AC43.5](#)

<sup>2</sup> [AC43.5](#)



- 107.98** Peter Carr gave a consistent account of events to Praxis Films Ltd<sup>1</sup> and to Paul Mahon,<sup>2</sup> though in the latter account Peter Carr said that he did not know whether he saw the soldier actually fire.<sup>3</sup>

<sup>1</sup> [AC43.6](#)

<sup>3</sup> [X4.6.15](#)

<sup>2</sup> [X4.6.13-16](#)

- 107.99** Peter Carr is dead and gave no evidence to this Inquiry. However, his 1972 account provides support for much of the evidence of his son.

## Maureen Doherty

- 107.100** Maureen Doherty gave a NICRA statement<sup>1</sup> in which she described watching events from the scullery window of her friend Bridget O'Reilly's house at 7 Abbey Park. This was next door to the Carrs' home and also faced the alleyway that led to Glenfada Park North. She stated that she saw two men, one young and the other middle-aged, who were walking towards a soldier who had a gun trained on them. The young man, who had thick black hair, was wearing a white shirt, a dark coat and dark trousers. The older man was wearing a brown suit, brown socks and brown shoes:<sup>2</sup>

"The two men were walking, with their hands on the crown of their heads, from Abbey Park out towards Glenfada Park (had they continued walking they would have reached Rossville Street). Just outside Mrs O'Reilly's window the soldier fired his rifle, he had his rifle against his chest, and the two men fell. The older man, who was also the tallest of the two fell first, then almost immediately the younger man fell. They both fell on their backs."

<sup>1</sup> [AD85.9](#)

<sup>2</sup> [AD85.9](#)

- 107.101** Maureen Doherty described the older man joining his hands in a praying position and making the sign of the Cross, an account similar to that given by John Carr.
- 107.102** We should note at this point that John Carr's evidence was that he only saw one person shot, whereas Maureen Doherty saw two. However, this does not seem to us to be an inconsistency between the two witnesses, as they were looking at the scene from different windows at different levels, and John Carr may not have been able to see the second casualty.

- 107.103** In her written statement for the Widgery Inquiry,<sup>1</sup> Maureen Doherty gave a broadly similar account. However, she is recorded as stating the following, which may indicate that she did not actually see the soldier as he fired:<sup>2</sup>

“Suddenly I noticed one soldier outside Mrs O’Reilly’s door on the path. He was standing to my right ... I looked to my left immediately and saw two men coming forward ...

The soldier moved out into my vision. He must have stepped forward. He fired two shots one after the other.”

<sup>1</sup> AD85.11

<sup>2</sup> AD85.11

- 107.104** Maureen Doherty was not called to give oral evidence to the Widgery Inquiry, but she did give a written statement and oral evidence to the present Inquiry.<sup>1</sup> We have no doubt that she was doing her honest best to assist us, but we did not find her account after so many years added anything material to her 1972 evidence.

<sup>1</sup> AD85.1; Day 161/85-119

- 107.105** In our view Maureen Doherty’s NICRA statement is a reasonably reliable account of the shooting of Gerard McKinney and Gerald Donaghey, although whether she actually saw the soldier as he fired remains, by reason of her Widgery Inquiry statement, somewhat in doubt.

## William O’Reilly

- 107.106** We have already referred<sup>1</sup> to the evidence of William O’Reilly and his wife, who were present in their house at 7 Abbey Park on Bloody Sunday, when considering the shooting of Jim Wray.

<sup>1</sup> Paragraphs 104.307–315

- 107.107** William O’Reilly gave a NICRA statement,<sup>1</sup> in which he described seeing a soldier standing at the Housing Trust Office<sup>2</sup> take aim and fire at a youth in blue denims who had been running towards the steps with his hands above his head. The youth fell and another youth, also with his hands up, ran towards him and was also shot and fell. He stated that the soldier fired twice more at the latter youth. A female Order of Malta Ambulance Corps member ran towards them, more shots rang out and “*she had to dive on her mouth and nose*”.

<sup>1</sup> AO69.7

<sup>2</sup> We do not know to what building William O’Reilly was referring.

- 107.108** William O'Reilly gave a rather different account to the Widgery Inquiry, in which he described seeing a soldier come about ten feet through the alleyway after Jim Wray had fallen. According to his written statement:<sup>1</sup>

"4. ... One man dressed in light blue denims ran out from the wall and ran up the steps that lead to the side of Abbey Park (Nos. 9–11). He was followed by a man in a brown overcoat who ran after him with his hands up. The soldier fired two shots from waist level and both men fell.

5. The man in blue denim, whose name I now know was Donaghy, fell on the top step. The man in the brown overcoat, who I now know was McMcKinney [sic] (the one from the Waterside) fell at the foot of the steps. Mr McKinney was shot first because he was between Mr Donaghy and the soldier."

<sup>1</sup> [AO69.24](#)

- 107.109** His evidence about the Order of Malta Ambulance Corps member remained the same as in his NICRA statement.

- 107.110** In his oral evidence to the Widgery Inquiry, William O'Reilly gave an account similar to that in his written statement. In both he stated that neither man had any weapon. He told the Widgery Inquiry that the soldier fired, not from his shoulder, but with the gun gripped against his elbow. He also told the Widgery Inquiry that Gerard McKinney fell first "*because he was between Mr Donaghy and the soldier*".<sup>1</sup> His statement to the Coroner was much the same as his evidence to the Widgery Inquiry.<sup>2</sup>

<sup>1</sup> [WT7.2](#); [WT7.4](#); [WT7.5-7](#)

<sup>2</sup> [AO69.28](#)

- 107.111** In his written evidence to this Inquiry William O'Reilly stated that Gerard McKinney and Gerald Donaghey were about three feet apart when they were shot and that, although it now seemed to him that the latter fell first, "*it was that quick that one could almost say that they fell together*".<sup>1</sup> He provided a photograph reconstructing the position of the soldier that he saw.<sup>2</sup>

<sup>1</sup> [AO69.3](#)

<sup>2</sup> [AO69.5](#)



Location  
of soldier

**107.112** William O'Reilly's evidence to the Widgery Inquiry is generally consistent with the accounts of John O'Kane, John and Peter Carr and Maureen Doherty, though his NICRA statement is at odds with their evidence. Owing to his illness, we were unable to ask William O'Reilly further questions about this. However, in his written statement to this Inquiry he told us:<sup>1</sup>

"I have been shown some of the previous statements that I have made. I do not actually remember making them now and my current memory of events does not fully tally with some of the things that I have read in these statements. Some things in these statements are definitely incorrect. For example, the statements that I appear to have given to Mary Healey in February 1972 says that I was one of the marchers, which isn't right. Mr Rooney's house was at the other end of Abbey Park, [...]. That statement refers to shooting from the Derry walls. I do not have any recollection of that. Neither do I recall actually seeing the youth who was lying in the alleyway between Glenfada Park North and Abbey Park actually fall. Neither can I now remember that the young fella with tight jeans tried to rise on his elbow after he had been shot. When the girl in the white uniform, who was a Knight of Malta, was shot at, the soldier that I had seen in the alleyway had, I think, already gone."

<sup>1</sup> [AO69.3](#)

- 107.113** In these circumstances it seems to us that we can place some reliance on what William O'Reilly told the Widgery Inquiry, even though the differences between that evidence and his NICRA account remain unexplained. His Paul Mahon interview<sup>1</sup> provides, on its own, only limited assistance in seeking to decide how these two casualties came to be shot, though he was consistent in saying that there was only one soldier.

<sup>1</sup> [X4.33.1-81](#)

## Bridget O'Reilly

- 107.114** We have considered Bridget O'Reilly's accounts, and we accept her evidence to this Inquiry that she did not witness the shooting of either Gerard McKinney or Gerald Donaghey,<sup>1</sup> even though her NICRA statement could be interpreted to suggest that she may have seen one of them fall.<sup>2</sup> Apart from the fact that she said that she heard two shots and saw only one soldier in Abbey Park, her evidence did not help us further on the matter under consideration.<sup>3</sup>

<sup>1</sup> [AO66.2; Day 172/16-18](#)

<sup>2</sup> [AO66.9](#)

<sup>3</sup> [AO66.9; AO66.2; AO66.5; Day 172/10-21; X4.33.59-67; X4.33.74-81](#)

## Gerald McCauley

- 107.115** Gerald McCauley gave a written statement for and oral evidence to the Widgery Inquiry,<sup>1</sup> in which he described taking refuge in a house (almost certainly in Columbcille Court), witnessing the shooting of two people (from his description Gerard McKinney and Gerald Donaghey) and then going out with his hands up to try and help. In his written statement he recorded that:<sup>2</sup>

"I became aware of soldiers at the corner block of houses beside the wooden palings. I froze on the spot and a girl in a white overall come on the scene. The soldiers fired at her but the bullet hit the pathway about 2 feet in front of her. The soldier shouted 'Get back' and the girl threw herself on the ground and started to crawl over to the man in the brown coat. (Afterwards I was told he was McKinney). At this time I didn't hear any more shooting from the soldiers in the court yard."

<sup>1</sup> [AM95.8; WT6.21-26](#)

<sup>2</sup> [AM95.8](#)

- 107.116** Gerald McCauley continued by describing how he then went to help carry Gerald Donaghey to a house (10 Abbey Park), a matter to which we return later in this report.<sup>1</sup>

<sup>1</sup> [Paragraph 129.17](#)

**107.117** In his oral evidence to the Widgery Inquiry, Gerald McCauley gave a similar account,<sup>1</sup> but described seeing only one soldier at the gable end of the south-western corner of Glenfada Park North,<sup>2</sup> in contrast to the “*soldiers*” to whom he referred at points in his written statement. He described the younger man as being “*maybe six feet farther out*” from the older man in brown.<sup>3</sup> In terms of his own movement he recalled leaving the house with his hands up, but then stopping dead when the soldier pointed a rifle at him.<sup>4</sup> The soldier then saw the girl in white and shot towards her.<sup>5</sup> He gave his opinion that “*I would not say he fired at the girl deliberately*” as “*he could not have missed her*”.<sup>6</sup>

<sup>1</sup> WT6.21-26

<sup>4</sup> WT6.23

<sup>2</sup> WT6.23

<sup>5</sup> WT6.24

<sup>3</sup> WT6.22

<sup>6</sup> WT6.26

**107.118** Gerald McCauley gave written and oral evidence to this Inquiry.<sup>1</sup> In this evidence he confirmed that he had been in a house on the south-west side of Columbcille Court.<sup>2</sup> He also described seeing two soldiers and then a third who came between these two and shot towards the girl with a white coat or uniform.<sup>3</sup>

<sup>1</sup> AM95.1; Day 173/87-131

<sup>3</sup> AM95.2-3; Day 173/118

<sup>2</sup> AM95.2; AM95.16; AM95.19; Day 173/104-105

**107.119** Although in his NICRA statement he referred both to “*soldiers*” and to a “*soldier*”, in his oral evidence to the Widgery Inquiry Gerald McCauley referred only to one soldier. It may be that either Gerald McCauley or the person who took his statement in 1972 used the word “*soldiers*” loosely when compiling his written account. In any event his evidence does not persuade us that more than one soldier was involved in the events in Abbey Park.

## Other witnesses

**107.120** James Logue was also in 7 Abbey Park (his aunt’s house) and gave a NICRA statement,<sup>1</sup> but this lacked any additional helpful detail. He also gave written and oral evidence to this Inquiry,<sup>2</sup> in which he described seeing two soldiers near the south-west alleyway raise their rifles and hearing them fire, details that had not appeared in his NICRA statement.<sup>3</sup> However, though we have no doubt that James Logue was doing his best to help us, we concluded that his recollections after so long were insufficiently clear to be relied on.

<sup>1</sup> AL18.7

<sup>3</sup> Day 161/63-78; AL18.2-3; AL18.8

<sup>2</sup> AL18.1; Day 161/58-79

**107.121** We have already referred<sup>1</sup> to the evidence of John Porter when considering the shooting of Jim Wray. As we noted, he also described witnessing shooting in Abbey Park, which on his account occurred before what he believed to be the shooting of Jim Wray on the ground, but which, from the evidence we have already considered, we are sure occurred afterwards.

<sup>1</sup> [Paragraph 104.291](#)

**107.122** In his Keville interview John Porter said that he was in 7 Abbey Park when he heard someone shouting that a man had had a heart attack “*out to the left of Glenfada Park*”.<sup>1</sup> From other evidence, to which we have already referred, indicating that a number of people initially believed that Gerard McKinney had had a heart attack, it is clear that John Porter must have been referring to this casualty. John Porter then described seeing a young lad, who was waving a handkerchief and shouting “*don’t shoot*”, knocked off his feet:<sup>2</sup> “*I knew that he was shot dead by a high powered rifle.*”<sup>3</sup> He said that he then saw a first aid girl fall as she ran towards the young boy; she told him afterwards she had been fired upon.<sup>4</sup> A “*lot of people*” came running after her, but they also took cover when a volley of shots was fired in their general vicinity.<sup>5</sup>

<sup>1</sup> [AP11.26-27](#)

<sup>4</sup> [AP11.27](#)

<sup>2</sup> [AP11.27](#)

<sup>5</sup> [AP11.27](#)

<sup>3</sup> [AP11.27](#)

**107.123** John Porter’s evidence on this topic is difficult to reconcile with the evidence given by John O’Kane, John and Peter Carr, Maureen Doherty, William O’Reilly (in his evidence to the Widgery Inquiry) and Gerald McCauley. It is noteworthy that he made no mention of a soldier at or near the alleyway leading to Glenfada Park North. On his own account he did not see the shooting of Gerard McKinney. In our view it may be the case either that John Porter mistakenly thought that Hugh Leo Young had been shot as he ran up from the south, or that he had come to believe what he had been told by others; in any event we are not persuaded by his account that Gerard McKinney and Gerald Donaghey were shot in two separate incidents or that these two could not have been hit by the same bullet.



- 107.124** Patrick Kelly made a NICRA statement, in which he said that he had come across from Lisfannon Park towards Glenfada Park:<sup>1</sup>

“People in the area told us that there were more casualties round the corner in the Mews lane. I and another man went round to pick up a casualty we saw lying on the ground. There were three soldiers armed with SLR guns who threatened to shoot us if we went forward into the area. We went back and after a few minutes we decided to try again. This time the soldiers did not stop us and we advanced to pick up the wounded man whom we later discovered was the older man, McKinney. As we lifted him from the sort of alcove where he lay we saw three other bodies lying still without movement. They were very close together. We carried up the first man who was still alive, round the corner to safety. The Knights of Malta took him over and attended him.”

<sup>1</sup> AK21.14

- 107.125** According to a note bearing Peter Pringle’s initials,<sup>1</sup> it appears that Patrick Kelly told the *Sunday Times* that he picked up Gerard McKinney’s body in the alleyway between Glenfada Park North and Abbey Park and placed the body on the steps.

<sup>1</sup> AK21.1

- 107.126** Patrick Kelly gave written and oral evidence to this Inquiry.<sup>1</sup> In his written statement he described seeing a body in Glenfada Park North, about halfway up the western side, as well as three bodies on the south side.<sup>2</sup> He said nothing about seeing a body in an alcove or carrying any casualty to the Abbey Park steps. With reference to his NICRA statement he told us that he had believed that the body on the western side was Gerard McKinney, though he no longer remembered why he thought it was Gerard McKinney; and that he did not actually help to move this body, though he was with the crowd that did.<sup>3</sup> In his oral evidence he agreed that his reference to “*the Mews lane*” in his NICRA statement was to the path running from Fahan Street West northwards between Glenfada Park and Abbey Park.<sup>4</sup> He also told us that he only had a quick glance at this body. “*The reason it was McKinney, I was just told that was who it was, I did not know him myself.*”<sup>5</sup>

<sup>1</sup> AK21.4; Day 158/88-161

<sup>4</sup> Day 158/92-93

<sup>2</sup> AK21.7-10; AK21.16

<sup>5</sup> Day 158/118-119

<sup>3</sup> AK21.10

**107.127** Patrick Kelly was unable to identify himself in the photographs and film of people carrying casualties from Glenfada Park North into Abbey Park,<sup>1</sup> to which we refer later in this report.<sup>2</sup>

<sup>1</sup> [Day 158/108-110](#)

<sup>2</sup> [Chapter 108](#)

**107.128** Patrick Kelly was doing his honest best to assist this Inquiry, but in our view his evidence on the matter under consideration does not persuade us that Gerard McKinney was shot in Glenfada Park North. His 1972 accounts were of a man in a “*sort of alcove*” or in the alleyway, but both in his NICRA statement and to us he made clear that he was only given the name afterwards.

**107.129** Leo Day, a Captain in the Order of Malta Ambulance Corps and commanding officer of the organisation’s Derry unit,<sup>1</sup> was interviewed by Philip Jacobson of the *Sunday Times*.<sup>2</sup> In typewritten notes bearing the handwritten date “22/2/72”,<sup>3</sup> he is recorded as saying that he saw two bodies in Abbey Park and then went with a Knight of Malta, Alice Long, into Glenfada Park North. He went on:<sup>4</sup> “*We knelt over the first man and eye [sic] could see he was definitely dead but myself and another man carried him back out of the line of fire. i remember he was terribly heavy, a big chap.*” At this point the journalist put in brackets “*this was probably Gerald McKinney*”. In our view this comment incorrectly identifies this body as Gerard McKinney. Leo Day is dead and gave no evidence to this Inquiry. He was in our view referring to William McKinney. In the light of the evidence we have considered above, we remain in no doubt that Gerard McKinney was shot on the steps in Abbey Park.

<sup>1</sup> [AD13.1; Day 182/66](#)

<sup>3</sup> [AD13.1-3](#)

<sup>2</sup> [Day 191/137](#)

<sup>4</sup> [AD13.3](#)

**107.130** We have examined the evidence of a number of other people in relation to the shooting of Gerard McKinney and Gerald Donaghey. We have concluded that their evidence does not assist us further in trying to determine how Gerard McKinney and Gerald Donaghey came to be shot, though as appears elsewhere in this report the evidence of some of them is helpful on other matters.<sup>1</sup>

<sup>1</sup> The witnesses include Gerald Campbell, Charles Meehan, Paddy McCauley, Gerry Doran, George Hillen, Julian Daly, Mickey McLaughlin, Sadie McGinley, Thomas McGlinchey, James McDonald, Ken Murphy, John McCourt, Jane McCourt, Charles Haslett, Benn Keaveney, Ann McEleney, Donncha MacFicheallaigh, Daniel Dunn, John McLaughlin, Greg Doherty, Eddie Shiels, Thomas Heaney, Daniel McLaughlin, Anthony Martin, Noel Kelly and Michael Wilson.

## Other firing in Abbey Park after the shooting of Gerard McKinney and Gerald Donaghey

**107.131** We have no doubt, from her evidence and that of others to whom we refer hereafter, that the girl in white described by Gerald McCauley and William O'Reilly was Eibhlin Lafferty (later Eibhlin Mahon). Eibhlin Lafferty was an Order of Malta Ambulance Corps volunteer and was 18 years old on Bloody Sunday.<sup>1</sup> She was wearing an Order of Malta Ambulance Corps uniform, a white coat with a red heart on the top left pocket, and carried a white first aid bag.<sup>2</sup>

<sup>1</sup> [AM17.1](#); [AC1.1](#)

<sup>2</sup> [WT6.14](#); [AM17.1](#)

### Eibhlin Lafferty

**107.132** Eibhlin Lafferty prepared a report for the Order of Malta Ambulance Corps soon after Bloody Sunday.<sup>1</sup>

<sup>1</sup> [AM17.9](#)

**107.133** The *Sunday Times* Insight Team archive contains what appear to be notes of an interview with Eibhlin Lafferty. A map attached to these notes is dated 21st February, which may be the date of the interview.<sup>1</sup> Philip Jacobson, whose initials appear on the notes, told us that he remembered interviewing her.<sup>2</sup>

<sup>1</sup> [AM17.11-17.18](#)

<sup>2</sup> [Day 191/136-138](#)

**107.134** Eibhlin Lafferty denied to us that she gave this interview.<sup>1</sup> However, we are satisfied that she is mistaken about this and that the transcript does record what she told Philip Jacobson.

<sup>1</sup> [Day 166/61-62](#)

**107.135** Her reluctance to admit to this interview might stem from the fact that in an introduction to the transcript of the notes, Philip Jacobson remarked: *"this is a remarkable interview but needs to be treated with caution. lafferty is bright, brave and talkative; her boss Leo Day has reservations about some of the specific incidents she recounts, but agrees she is a good Malta girl who certainly did good work on Bloody Sunday."*<sup>1</sup> Philip Jacobson, who had also interviewed Leo Day,<sup>2</sup> said to us that he could not recall what Leo Day's reservations were, or whether Leo Day himself referred to the specific details.<sup>3</sup> However, his remark has caused us to treat with some caution Eibhlin Lafferty's accounts, though as will be seen below other evidence supports some of what she has said.

<sup>1</sup> [AM17.11](#)

<sup>3</sup> [Day 191/136-137](#)

<sup>2</sup> [Day 191/137](#)

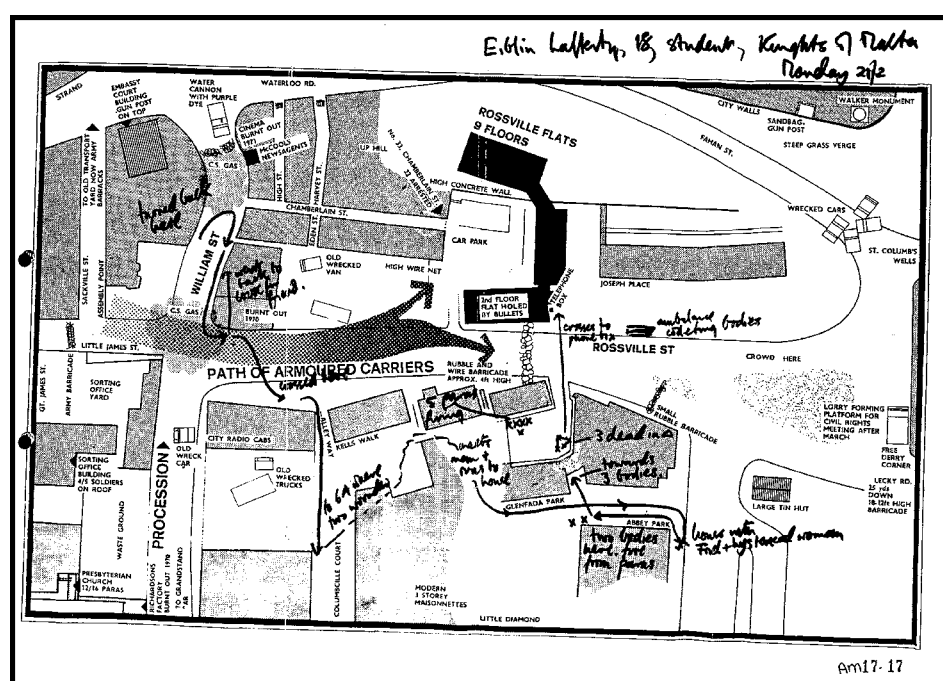
**107.136** Eibhlin Lafferty also gave written and oral evidence to this Inquiry and an interview to Jimmy McGovern.<sup>1</sup>

<sup>1</sup> AM17.1; AM17.22; Day 166/28-85

**107.137** It is clear from her report to the Order of Malta Ambulance Corps and the *Sunday Times* interview notes that Eibhlin Lafferty had treated a casualty, Joe Friel, in a house in Lisfannon Park. On hearing further shots and, according to her own report, having seen casualties lying on the ground, Eibhlin Lafferty left this house and moved towards Glenfada Park.<sup>1</sup> A map attached to her *Sunday Times* interview notes, which is reproduced below,<sup>2</sup> shows her route.

<sup>1</sup> AM17.9-10; AM17.13

<sup>2</sup> AM17.17



**107.138** The notes record what she said happened next:<sup>1</sup>

“Two men were lying near the abbey park angle (see map) and she went to them first. she just had time to see that one was still alive when a burst of shooting forced her to dive down. ‘I shouted [‘]dont shoot, dont shoot, red cross’ but they didn’t stop firing.’ Robert Cadman, Malta man, came out to help with the first two bodies...”

<sup>1</sup> AM17.13

**107.139** In her evidence to this Inquiry, Eibhlin Lafferty told us that she recalled seeing from the house in Lisfannon Park (where she had treated the wounded Joe Friel) two bodies in Abbey Park. She stated that she ran across to Abbey Park. “*There was shooting going on*

*as I ran past the front of the houses in Abbey Park and bullets were bouncing around me. I was shouting, 'Don't shoot, first aid' but the shooting was continuous, shot after shot. I did not see where the shooting came from but I thought it was coming straight towards me ... I could hear the 'ping' of bullets."* She described one shot hitting the side of her trousers and stated that she dived down just before she reached the Carrs' house, close to what she now believed was the body of Gerard McKinney. She recalled saying the Act of Contrition in the ear of this person and that she was aware of another man lying further north.<sup>1</sup>

<sup>1</sup> AM17.2-3

**107.140** In her oral evidence to this Inquiry Eibhlin Lafferty told us that she could not now really be certain where this other body was, but that it was further to the west than that of Gerard McKinney. She also told us that she did not see any soldiers as she ran up the side of Abbey Park and dived to the ground, nor was she aware at this time of other civilians in the area.<sup>1</sup>

<sup>1</sup> Day 166/41-47

**107.141** Eibhlin Lafferty gave a broadly consistent account of events in an interview with Jimmy McGovern.<sup>1</sup>

<sup>1</sup> AM17.23-24; AM17.28-30; AM17.32-35

**107.142** Eibhlin Lafferty's account of moving from Lisfannon Park along the eastern side of Abbey Park is to a substantial degree supported by the evidence of Robert Cadman, Gerald McCauley and Hugh Leo Young.

## Robert Cadman

**107.143** Robert Cadman, a nurse who was on duty with the Order of Malta Ambulance Corps, made a NICRA statement dated 4th February 1972,<sup>1</sup> and a handwritten statement dated 5th February 1972.<sup>2</sup> The latter, which was very similar to his NICRA account, might well have been a report to the Order of Malta Ambulance Corps.

<sup>1</sup> AC1.1-AC1.1.1

<sup>2</sup> AC1.22

**107.144** In his handwritten statement, Robert Cadman described how, shortly after the soldiers entered the Bogside, he had gone to a house in Columbcille Court where two injured men were being treated.<sup>1</sup> From the context we are sure that this was "Ma" Shiels' house, where Damien Donaghey and John Johnston, who had been shot on the laundry waste ground before 1 PARA had moved through barriers 12 and 14, had been taken. Robert

Cadman stated that as a number of other medical personnel were present and his services were not required he went outside, where he heard two women shouting that there were two men lying in front of their house who needed assistance:<sup>2</sup>

“Myself and Vol[unteer] Shane McDermott went to the men, coming in the opposite direction, that is towards us Wom[an] Vol[unteer] Evelyn [sic] Lafferty was coming to the assistance of the men at the same time. I seen a rifle appearing from a passage. I shouted at Evelyn to stay where she was, she did not appear to hear me, I heard a shot and seen Evelyn’s hand going to her leg. She shouted ‘First Aid, First Aid’ and came on to the men.

The first man I examined was dead, I checked the second who was still alive but was unconscious. I could see no bullet holes or blood so from his condition it appeared he had taken a heart attack. I said an Act of Contrition, I made the sign of the cross with an Indulged Crucifix on his forehead. I told Shane to start heart massage and I started mouth to mouth. This we kept up for a half hour or more until the ambulance arrived...”

<sup>1</sup> AC1.23

<sup>2</sup> AC1.23-24

**107.145** Robert Cadman went on to describe going with this person to Altnagelvin Hospital, and learning only later that he had been shot.<sup>1</sup> In what appears to be a late amendment to the statement Robert Cadman named the casualty as “*G. McKinney*”, an identification that we accept.<sup>2</sup>

<sup>1</sup> AC1.24

<sup>2</sup> AC1.24

**107.146** In his NICRA statement Robert Cadman recorded that after seeing Eibhlin Lafferty’s hand go to her leg, he did not see her again until later that evening.<sup>1</sup>

<sup>1</sup> AC1.1

**107.147** Robert Cadman gave a written statement to this Inquiry,<sup>1</sup> but did not give oral evidence. In his statement he identified himself as the person seeking to resuscitate Gerard McKinney on the steps in Abbey Park shown in the following photograph.<sup>2</sup>

<sup>1</sup> AC1.33

<sup>2</sup> AC1.40; AC1.46



## Sean McDermott

**107.148** The person Robert Cadman called “*Shane McDermott*” was Sean McDermott, another volunteer in the Order of Malta Ambulance Corps. In a Keville interview Sean McDermott said:<sup>1</sup>

“... one of our girls out of the Order was running to an injured man who we later found out had a heart attack and later died in the ambulance going to the hospital. She went over to help him and she waved her hands in the air shouting ‘first aid, first aid’ to the soldiers which were standing in the middle of the – standing at the end of Columbcille Court behind a – a fence – a wooden fence and they er – fired two – two rounds of ammunition at her and everyone seen the dirt rising beside her feet and the girl was that much shocked that she dropped to the ground and she thought she was hit and when some other passer by come along and went over and examined her and told her she was all right she wasn’t hit she got up and she ... forward – rushed forward to the soldiers who still had their guns er – ready to shoot and said er ‘don’t shoot me don’t shoot me I’m a first aid girl’ and they started laughing and she shouted ‘you’re – you’re a pack of bastards’ and well at the – by that time I was behind her then and she run right out into the street...”

<sup>1</sup> [AM188.16](#)



- 107.149** Sean McDermott's account of a soldier shooting at an Order of Malta Ambulance Corps volunteer, who in our view was Eibhlin Lafferty as she advanced towards the casualties in Abbey Park is, therefore, consistent with that of Robert Cadman, except for the issue of how many rounds were fired.
- 107.150** Sean McDermott also made a handwritten account,<sup>1</sup> probably a report made at the request of Leo Day, the commanding officer of the Derry Order of Malta Ambulance Corps.<sup>2</sup> He recorded that he heard "*the army*" open up as Eibhlin Lafferty ran towards a fallen casualty. He stated that he then ran to her believing that she had been hit, after which he saw seven bodies round a corner and followed Eibhlin Lafferty as she ran to them shouting "*First AID*", after which he returned to assist Robert Cadman in treating Gerard McKinney for a suspected heart attack.

<sup>1</sup> AM188.5-6

<sup>2</sup> Day 180/120

- 107.151** Sean McDermott also gave written and oral evidence to this Inquiry.<sup>1</sup> In this, he stated that he believed that his account of the Order of Malta Ambulance Corps member being fired at as she ran to the person who they thought had had a heart attack related to what happened in Glenfada Park North.<sup>2</sup> We are of the view that this is incorrect, and that what he was seeking to describe in his 1972 reports was something that happened in Abbey Park. Sean McDermott admitted that he was in a state of shock immediately after the events in question, and it is possible that this affected his memory of events.<sup>3</sup>

<sup>1</sup> AM188.1-17; Day 180/92-123

<sup>3</sup> AM188.2-3; Day 180/101-114

<sup>2</sup> Day 180/113-114

## Hugh Leo Young

- 107.152** Hugh Leo Young, who was 26 at the time and whose younger brother was John Young, one of those killed on Bloody Sunday, has also given evidence to suggest that he was running to the casualties in Abbey Park from the south when a soldier fired towards him and Eibhlin Lafferty. Like her, he had previously been in 23 Lisfannon Park, the house to which he had helped to carry the injured Joe Friel.
- 107.153** Hugh Leo Young gave a 1972 statement to Detective Sergeant Eugene McTeggart, who, as is examined elsewhere in this report,<sup>1</sup> interviewed him in relation to the nail bombs found on Gerald Donaghey's person.<sup>2</sup> He provided a written statement for and oral

evidence to the Widgery Inquiry, which again concentrated on this issue,<sup>3</sup> and it appears that he spoke to a *Sunday Times* journalist or journalists at that time.<sup>4</sup> Hugh Leo Young also gave written and oral evidence to this Inquiry.<sup>5</sup>

<sup>1</sup> Paragraph 134.75

<sup>4</sup> AY1.26

<sup>2</sup> ED47.7

<sup>5</sup> AY1.1; Day 388/20-68

<sup>3</sup> AY1.9-10; WT6.11-21

**107.154** In his evidence to the Widgery Inquiry, Hugh Leo Young stated that he and “*Laverty*” (clearly Eibhlin Lafferty) crossed Fahan Street from Lisfannon Park to go to the two men he could see lying on open ground. He said they were both running, with Eibhlin Lafferty ten yards or less behind him. He also said that he saw a soldier with a rifle standing against the wall at the gable end, about 30 to 40 feet from him, who fired one round at him. He agreed that the shot fired at him struck the ground at his heels, as he had told Detective Sergeant McTeggart, and that in consequence he fell down onto one knee. In his written statement for the Widgery Inquiry he had recorded that the soldier was about 20 yards away on his right and that he had heard the bullet ricochet.<sup>1</sup> He described continuing on to the two men, with him going to Gerald Donaghey and Eibhlin Lafferty to the other man.<sup>2</sup>

<sup>1</sup> AY1.9

<sup>2</sup> AY1.9; WT6.11-12; WT6.14-15

**107.155** There is a *Sunday Times* note<sup>1</sup> bearing Peter Pringle’s initials, which refers to Hugh Leo Young’s evidence to the Widgery Inquiry and which adds details in a form which indicates that Peter Pringle had talked to him. The note records that the soldier fired at Hugh Leo Young “*from the entrance (abbey park side) of the alley way leading into glenfada park*”. This position is shown on a *Sunday Times* map.<sup>2</sup>

<sup>1</sup> AY1.26

<sup>2</sup> AY1.27

1 Day 388/31

**107.157** Hugh Leo Young recalled that Eibhlin Lafferty was less than ten yards behind him and perhaps even parallel with him.<sup>1</sup> We were impressed by this witness, who we believe was trying his best to help us, though where his evidence to us differed from his 1972 accounts it seems likely that time has dimmed or distorted his memory and we prefer in these instances to rely on his earlier accounts. We obtained no additional assistance from the long interview he gave to Jimmy McGovern some time after February 1999.<sup>2</sup>

1 Day 388/33

2 AY1.32

## Conclusions on the evidence of further firing in Abbey Park

**107.158** On the basis of the foregoing evidence we are sure that a shot was fired towards Eibhlin Lafferty and Hugh Leo Young as they ran north up the path leading from Fahan Street West (the Old Bog Road) towards where Gerard McKinney and Gerald Donaghey were lying. Although others, including Eibhlin Lafferty herself, gave evidence that more than one shot was fired in this direction, we believe this to be incorrect. In our view what these witnesses probably heard was firing elsewhere, which they thought was directed at them.<sup>1</sup>

<sup>1</sup> Charles Haslett ([M38.1](#)), Benn Keaveney ([AK2.10-20](#); [Day 160/43-45](#)) and Ann McEleney ([AM196.4](#)).

# Chapter 108: Events following the shooting in Glenfada Park North and Abbey Park

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## Photographs

**108.1** There are a number of photographs that were taken by Trevor McBride and Larry Doherty of people standing round Gerard McKinney and making attempts to revive him, two of which were included earlier in this report.<sup>1</sup> We are not sure who took the following close-up photograph of this scene.

<sup>1</sup> [Paragraph 107.1](#)



**108.2** As is noted earlier in this report,<sup>1</sup> Trevor McBride photographed William McKinney, Joe Mahon and Jim Wray as they lay in Glenfada Park North. He did this from the Columbcille Court area, facing south through the north-western entrance to Glenfada Park North. It is apparent from Trevor McBride's contact sheets<sup>2</sup> and his evidence to this Inquiry<sup>3</sup> that he took these photographs before he moved towards Abbey Park, where he subsequently photographed Gerard McKinney and those tending him, and then people carrying William McKinney and Jim Wray through the alleyway from Glenfada Park North to Abbey Park. We return to the latter photographs below.

<sup>1</sup> Paragraph 104.206

<sup>3</sup> M53.2; Day 168/9-28

<sup>2</sup> M53.5-6

**108.3** Larry Doherty told us that he had moved to the Abbey Park area with his brother-in-law Dr Raymond McClean, after being in the house in Columbcille Court where Damien Donaghey and John Johnston, the first civilians to be injured by gunfire on Bloody Sunday, had been treated. He stated that he could only recall seeing one casualty (whom he photographed) in the Abbey Park area, and was confident that had there been another casualty close by he would have photographed him too.<sup>1</sup> It will be seen that there were considerably more people around Gerard McKinney when Larry Doherty took his photographs than there were when Trevor McBride took his, which indicates to us that they were taken at a later stage.

<sup>1</sup> M21.4-5; M21.16-20; Day 70/123-124

- 108.4** It is noteworthy that neither Trevor McBride nor Larry Doherty photographed Gerald Donaghey lying in Abbey Park. We have no doubt that had they seen him there they would have photographed him, but for the following reasons we are sure that Gerald Donaghey had been moved before either photographer reached the scene.
- 108.5** According to the ambulance logs and the evidence of Ronald Moore and John Rutherford, the ambulance staff involved, the call for the ambulance that took Gerard McKinney to Altnagelvin Hospital was made at 4.30pm. The ambulance left Altnagelvin at 4.31pm and got to the Glenfada Park area at 4.37pm.<sup>1</sup> So far as Gerald Donaghey is concerned, as we describe elsewhere in this report,<sup>2</sup> he was taken by car from 10 Abbey Park and the car was stopped at Barrier 20 on Barrack Street. We are satisfied that the car carrying him arrived at that barrier shortly before 4.31pm. On the basis of these timings, we are sure that Gerald Donaghey had been taken into the house and thence by car to Barrier 20 several minutes before the ambulance arrived for Gerard McKinney, who had not been moved from the steps. In our view Gerald Donaghey had been taken into 10 Abbey Park and may even have been in the car before either of the photographers arrived in Abbey Park, which we consider accounts for the fact that there are no photographs of him. We return elsewhere in this report<sup>3</sup> to how Gerald Donaghey was moved, when considering the question of whether he had nail bombs in his possession at this time.

<sup>1</sup> [D500.27](#); [ED29.5](#); [ED36.8](#)

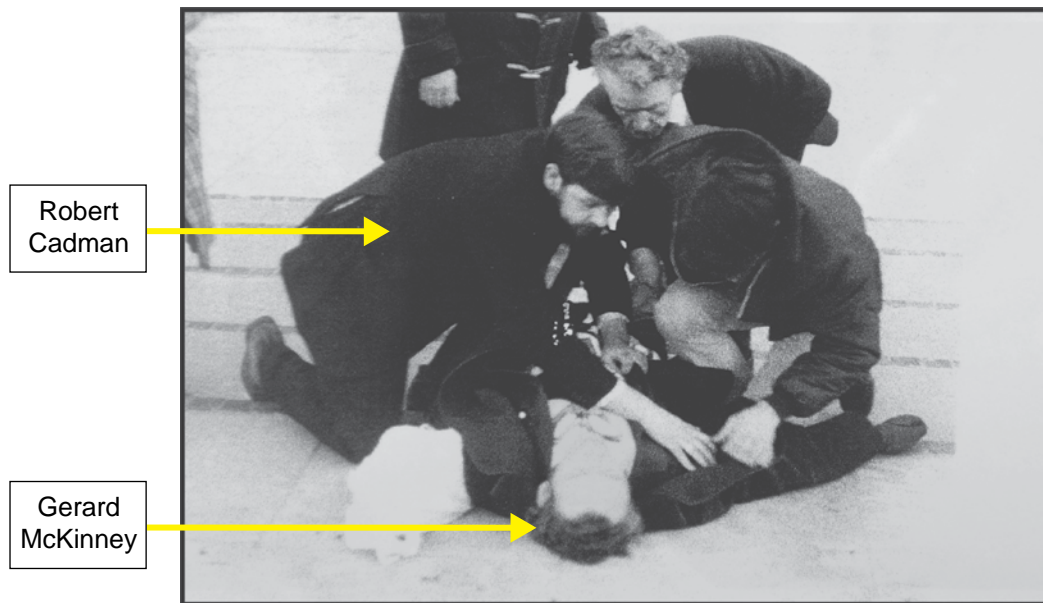
<sup>3</sup> [Chapter 129](#)

<sup>2</sup> [Chapters 129](#) and [130](#)

- 108.6** Some of the first photographs in Trevor McBride's sequence show Gerard McKinney being treated by a bearded man wearing the coat of an Order of Malta Ambulance Corps volunteer, as seen in the first photograph below. This was Robert Cadman; several civilians were also in attendance. By the time Larry Doherty arrived to take his photographs, another Order of Malta Ambulance Corps volunteer had arrived at or returned to the scene, and was giving heart massage. This was Sean McDermott.<sup>1</sup> As can be seen in the second photograph below (taken by Larry Doherty) someone had placed a crucifix on one of the steps nearby.

<sup>1</sup> [AM188.8](#); [AM188.2](#); [AD50.14](#); [AD50.21](#)





Sean  
McDermott



## Where Gerard McKinney was taken

- 108.7** As we have described above, Gerard McKinney lay on the Abbey Park steps for some time until he was taken in an ambulance to Altnagelvin Hospital, accompanied by Robert Cadman. The ambulance also carried Michael Kelly and probably Joe Mahon.

## Where Gerald Donaghey was taken

- 108.8** We deal in detail with where Gerald Donaghey was taken elsewhere in this report,<sup>1</sup> when we consider whether he had nail bombs in his pockets when he was shot. In summary, he was carried into Raymond Rogan's house, No 10 Abbey Park, and there examined by Dr Kevin Swords. He was put into Raymond Rogan's car to be driven to Altnagelvin Hospital. Soldiers at Barrier 20 in Barrack Street stopped the car. A soldier then drove the car to the Regimental Aid Post at Craigavon Bridge, where a medical officer examined him and he was found to be dead. Four nail bombs were found in his pockets. Gerald Donaghey was later taken to Altnagelvin Hospital.

<sup>1</sup> [Chapters 129](#) and [130](#)

## Conclusions on the shooting of Gerard McKinney and Gerald Donaghey

- 108.9** On the basis of the scientific evidence we are sure that Private G fired the bullet that was found in Gerald Donaghey's body.
- 108.10** Our assessment of the civilian evidence to which we referred earlier is that, although some is confused and contradictory, nevertheless we can be reasonably sure of a number of matters.
- 108.11** In our view it was after Jim Wray had been shot a second time (probably as he lay on the ground) that Private G went alone into the south-west alleyway of Glenfada Park North; and from about the Abbey Park entrance to that alleyway was responsible for the shooting of Gerard McKinney and Gerald Donaghey. We are unable to determine whether he shot from the shoulder or from another position, since John Carr recalled the former and William O'Reilly the latter.

**108.12** We have also concluded that Gerald Donaghey was hit by a bullet that first went through Gerard McKinney. To our minds there is no other viable explanation for the fact that the bullet that hit Gerald Donaghey had been damaged and lost velocity before it had entered his body. On what we regard as reliable evidence, the two individuals were in a position where this could have happened, having moved out from the grass strip on the western side of Glenfada Park North with a view to heading south. The civilian witnesses who insisted that the two were shot by separate bullets may well have assumed, seeing two bodies fall, that there had been two bullets. As we have already noted,<sup>1</sup> from his remark overheard by Joe Mahon, it seems that Private G may not have realised that he had shot two people, which in our view is consistent with him aiming and firing only at one.

<sup>1</sup> [Paragraphs 107.67–71](#)

**108.13** We are persuaded by the civilian evidence that Gerard McKinney shouted out “*No, no*” and perhaps “*Don’t shoot*” immediately before he was shot. The medical and scientific evidence is that he did not have his arms in line with the entry and exit wounds; and the civilian evidence indicates to us that he had his hands up, having previously put one arm out, apparently to dissuade Gerald Donaghey from going further south while he checked that the coast was clear. In this position Gerard McKinney could not in our view have been believed by anyone to have been posing a threat of causing death or serious injury. It is possible that Gerald Donaghey also had his hands on or above his head, though we are not certain of this; but since we consider that Private G fired at Gerard McKinney, not Gerald Donaghey, what the latter was doing is not strictly relevant. We should record, however, that there is nothing in any of the evidence to suggest that he was doing anything that could have led anyone to believe that he was posing such a threat. We discuss elsewhere in this report<sup>1</sup> the question of whether he had nail bombs in his pockets when he was shot, but on the basis that he did, there is nothing to suggest that these would have been visible to Private G, or that Gerald Donaghey was attempting to use one of these devices.

<sup>1</sup> [Chapter 145](#)

**108.14** In our view it was Private G who fired another shot towards Eibhlin Lafferty and Hugh Leo Young as they ran north towards the two casualties, though it seems to us that this shot was probably intended to frighten rather than to kill or injure. We are not persuaded that more than one shot was fired in this direction. It also seems to us that these two people were probably the first or among the first to reach the bodies, though others, some waving handkerchiefs, followed them shortly afterwards.

- 108.15** It is clear that many people believed Gerard McKinney to have suffered a heart attack. Indeed, it would appear that it was not until after he had been taken to Altnagelvin Hospital that it was discovered that he had been shot. He lay on the steps for some time until an ambulance arrived, while Gerald Donaghey was carried into Raymond Rogan's house, 10 Abbey Park, at a relatively early stage. We return to what happened to Gerald Donaghey elsewhere in this report.<sup>1</sup>
- <sup>1</sup> [Chapter 129](#)
- 108.16** It seems to us that Private G must have gone back into Glenfada Park North through the south-west alleyway before Eibhlin Lafferty and Hugh Leo Young reached the bodies in Abbey Park, since had he been there at that stage this would surely have been noticed.
- 108.17** As we have previously observed,<sup>1</sup> Private G never admitted to shooting anyone in Abbey Park. Indeed, on our interpretation of the Widgery transcript, while agreeing that he had gone into the south-west alleyway, he specifically denied firing into Abbey Park. We are satisfied that this was a lie and that he knew that he had shot at least one person in that area.
- <sup>1</sup> [Paragraph 99.10](#)
- 108.18** The fact that Private G lied does not, of itself, necessarily establish that he knew at the time that he fired that he had no justification for doing so. However, when this fact is taken together with the civilian evidence discussed above, we are left in no doubt that this must have been the case.

## The recovery of the bodies in Glenfada Park North

- 108.19** After Gerard McKinney and Gerald Donaghey had been shot in Abbey Park and Private G had gone from the alleyway, a number of civilians went into Glenfada Park North in order to assist the casualties there. Some witnesses have given evidence that shots were fired at one or more of these people at this stage. We deal first with the accounts given by the Order of Malta Ambulance Corps volunteer Eibhlin Lafferty.

### Eibhlin Lafferty

- 108.20** We have already referred<sup>1</sup> to Eibhlin Lafferty's evidence concerning the events in Abbey Park. In her 1972 handwritten report,<sup>2</sup> she recorded that after she had been fired upon and reached a casualty in what we believe to have been Abbey Park, she was joined by "a male nurse". It is not entirely clear whether this was Robert Cadman or Sean

McDermott who, as described above,<sup>3</sup> both recalled seeing her approach, though from what she told the *Sunday Times* (see below) it was the former. She subsequently moved to attend to three more injured men, who, from the context, we are confident were William McKinney, Joe Mahon and Jim Wray.<sup>4</sup> She wrote:<sup>5</sup>

“I ran to the other three men and began shouting First Aid, and the soldiers began shooting at me again, but this time I did not move. I stood shouting ‘First Aid’ until the three patients were under cover, and as I went round the corner I was shot at again.”

<sup>1</sup> Paragraphs 107.132–142

<sup>4</sup> AM17.10

<sup>2</sup> AM17.10

<sup>5</sup> AM17.10

<sup>3</sup> Paragraphs 107.144 and 107.148

- 108.21** In the account that Eibhlin Lafferty gave to the *Sunday Times* Insight Team, she is recorded as stating that after Robert Cadman had come to help with the two bodies in Abbey Park, she moved towards the passageway to Glenfada Park:<sup>1</sup>

“looking through she saw five soldiers, three of whom were pointing rifles in her direction; one in particular was firing continuously from the kneeling position. She shouted ‘dont shoot, red cross’ and swears that one soldier shouted back ‘you[r] white coats are great targets but your red hearts are even better.’ Significance of this is that the Malta girls wear hospital style coats with their red insignia over the left breast.

‘The one on his knees doing all the firing looked scared stiff and i shouted out to him, are you mad. i almost felt a pity for him, he seemed that frightened.’ when a crowd came through the passway, the soldiers retreated through a side alley. an ambulance came in and backed up to the passway and the three men were put in it.”

<sup>1</sup> AM17.13-14

- 108.22** This account does not explicitly record that Eibhlin Lafferty thought that the soldier was aiming and firing at her.
- 108.23** So far as her 1972 accounts are concerned, therefore, one is to the effect that soldiers fired at her when she went into Glenfada Park North and again when she “*went round the corner*”, but she stood her ground; while the other records only one incident and does not seem to suggest that the soldier was trying to shoot her.
- 108.24** Eibhlin Lafferty gave written and oral evidence to this Inquiry.

**108.25** In her written evidence,<sup>1</sup> Eibhlin Lafferty stated that as she was attending Gerard McKinney, “*so shocked, I could not even speak*”, she saw other bodies to her right, lying in Glenfada Park North. She went through the alleyway and as she came out into Glenfada Park North she saw three or four soldiers standing at the north-east entrance, but no civilians. She stated that she also saw a soldier “*about halfway across Glenfada Park North, down on one knee*”. Eibhlin Lafferty continued:<sup>2</sup>

“He had his rifle at his shoulder, in the firing position, pointing towards the south end of Glenfada Park North. As I went through the alleyway into the car park, he turned his gun straight towards me as if taking aim and there was a shot. At that second someone pulled me back by the back of my neck and said, ‘Are you looking to get killed?’. I told him not to be silly and said that they would not shoot a first aider. I went out again and walked towards the bodies.

I came right through the alleyway into Glenfada Park North. My arms were held right out at my sides, at shoulder level. I shouted out, ‘Don’t shoot. Don’t shoot, first aid’ and I think I shouted, ‘Do you not know that we are first aiders?’ I have always had the firm impression that there was another soldier at the north west entrance to Glenfada Park North. A soldier shouted, “Your white coats are a target but your red heart is a better one” (referring to the heart on my uniform). I think it was the one in the north west corner. On hearing this, I threw my First Aid bag to the ground in anger. I could not believe he said this to First Aid personnel. I kept my arms out, walking towards the bodies, looking at the soldiers. The soldiers were backing out of the courtyard facing the people who were starting to come out to the bodies. They were holding their guns up, but not taking aim. The soldiers were not hurrying. The soldier who had been on one knee was also backing out. He appeared to walk out at his leisure, holding his gun at waist height pointing it and swinging it from side to side.

I shouted for someone to get the bodies and people emerged and gathered around them. The bodies were lifted away. I just wanted them to be taken. I was the first person there. Joseph Mahon who is now my husband, was one of the men lying there. I remember being in a house after that and asking him whether he was alright, but I don’t know now which house that was. I also remember him asking for water. I asked him was he alright and he replied that he was.”

<sup>1</sup> AM17.3-4

<sup>2</sup> AM17.4



**108.26** In her oral evidence to this Inquiry, Eibhlin Lafferty described the kneeling soldier as pointing his weapon at the bodies when she first saw him. When asked how she knew that this soldier was the one who had fired she said, “*Because he was the only one that was looking at me*” and because there was nobody else there, though she also said that she saw neither a flash from his gun nor the recoil of the rifle, nor where the shot went. When she was asked why she had said to the person who had pulled her back that the soldiers would not shoot a first-aider, since on her account she had just been shot at, she replied, “*Because I wanted to go out to the bodies again.*”<sup>1</sup>

<sup>1</sup> [Day 166/52-55](#)

**108.27** Eibhlin Lafferty told us that her recollection was that she was only shot at once at this stage.<sup>1</sup> She also said that she did not go near any of the bodies and stood until all the bodies were lifted with her arms outstretched: “*I just kept facing the soldiers.*”<sup>2</sup> She identified herself (in our view correctly) as the figure in a white coat just visible in the background of the photograph taken by Trevor McBride of two of the casualties being carried through the alleyway into Abbey Park.<sup>3</sup>

<sup>1</sup> [Day 166/58-59](#)

<sup>3</sup> [Day 166/60; AM17.21](#)

<sup>2</sup> [Day 166/59-60](#)



**108.28** Eibhlin Lafferty gave an account in an interview with Jimmy McGovern, broadly similar to the evidence that she gave us.<sup>1</sup>

<sup>1</sup> [AM17.24-25; AM17.27; AM17.31](#)

**108.29** There are difficulties with the accounts that Eibhlin Lafferty has given. One of her 1972 accounts is to the effect that she was fired at as she went to the casualties in Glenfada Park North, but stood her ground until they had been taken away, while the other seems

to record that she observed a soldier firing as she went in and does not seem to suggest that this soldier then tried to shoot her. In contrast her evidence to us is to the effect that she was fired on only as she first attempted to go into Glenfada Park North, that she was pulled back and then came out again into Glenfada Park North and stood facing the soldiers with her arms outstretched until the casualties had been removed, without being fired on again.

**108.30** We now turn to consider what other evidence there is on the question of whether a soldier fired at Eibhlin Lafferty as she went into Glenfada Park North.

## Mary Lewis

**108.31** Mary Lewis, then aged 60, made a Northern Ireland Civil Rights Association (NICRA) statement<sup>1</sup> in which she described being on the terrace of her home in her first and second floor flat at 24 Glenfada Park North, which was in the eastern block of the complex. She recorded seeing soldiers fire from the middle of the courtyard and, it seems, two of the three casualties fall as they ran towards the Abbey Park alleyway. She continued:<sup>2</sup> *"I called to members of the Knights of Malta to come to tend to the boys. One, a girl, stepped out with her hands in the air but had to go back as the soldiers fired at her."* According to this statement, this incident occurred while people were sheltering at the southern end of the eastern block of Glenfada Park North, and that it was after those people had been taken away by soldiers that people came out and carried away the bodies in Glenfada Park North.

<sup>1</sup> [AL10.1](#)

<sup>2</sup> [AL10.1](#)

**108.32** Mary Lewis is dead and gave no evidence to this Inquiry.

## Seamus Doherty

**108.33** Seamus Doherty told this Inquiry that he recalled Eibhlin Lafferty going into Glenfada Park North through the alleyway, hearing one or two shots, and seeing her come back. He does not appear to have given any account in 1972.<sup>1</sup>

<sup>1</sup> [AD102.2](#); [Day 166/130-131](#)

## “Joe McCourt”

- 108.34** We have already referred<sup>1</sup> to the Keville interview, and unsigned NICRA statement based on it, attributed to a “Joe McCourt”, according to which,<sup>2</sup> after the soldiers had ordered the civilians at the gable end “*round the corner*”, a soldier ran over “*into the corner of Glenfada Park*”:

“At this time I was standing in er – my wife’s Granny’s kitchen. I looked out the window and seen two fellas lying dead. A first aid girl came over and showed the red cross – the red cross on her sleeve but the soldier ignored it and fired at her. Er – if the girl hadn’t of threw herself on top of one of the dead fellas this soldier would have killed her. The soldier then run away.”

<sup>1</sup> [Paragraph 104.376](#)

<sup>2</sup> [X2.35.17](#); [AM144.6](#)

- 108.35** For reasons given earlier in this report,<sup>1</sup> we are of the view that this Keville interview was probably given by John McCourt, though he denied that this was the case. On this basis John McCourt was describing what he says he saw from a window of a house at the southern end of the western block of Glenfada Park North.

<sup>1</sup> [Paragraph 104.377](#)

## Sean McDermott

- 108.36** We have already referred<sup>1</sup> to the evidence of Sean McDermott when considering the shooting of Gerard McKinney and Gerald Donaghey. As we have noted, although in his evidence to us he said that he believed that his descriptions of shooting aimed at a female volunteer of the Knights of Malta Ambulance Corps related to Glenfada Park North,<sup>2</sup> in our view his evidence refers to the incident when Private G fired a shot in the direction of Eibhlin Lafferty as she came up the pathway in Abbey Park and does not lend any support to her account of being shot at as she went into Glenfada Park North.

<sup>1</sup> [Paragraphs 107.148–151](#)

<sup>2</sup> [AM188.5-6](#); [AM188.13-16](#); [Day 180/114](#)

## Noel Kelly

- 108.37** Noel Kelly gave evidence about Eibhlin Lafferty. We consider his accounts below<sup>1</sup> in the context of discussing his evidence of a shot directed at him as he attempted to go to the casualties in Glenfada Park North; but, as will be seen, though he recalled this Order of

Malta Ambulance Corps volunteer coming into Glenfada Park North after a shot had been fired at him, he agreed that notwithstanding one of his 1972 accounts he did not himself see or hear a shot directed towards her.

<sup>1</sup> [Paragraphs 108.79–95](#)

## Further evidence relating to Eibhlin Lafferty

**108.38** Eibhlin Lafferty’s 1972 written report appears to suggest that she was fired on twice in Glenfada Park, as she recorded that she was fired on again; but when asked about this she told us that she recalled that she was fired on only once in Glenfada Park.<sup>1</sup>

<sup>1</sup> [Day 166/58-59](#)

**108.39** We have no doubt, as Eibhlin Lafferty told us, that she was in a state of shock, having been fired on as she approached the bodies in Abbey Park. Although she now does not suggest that she was shot at as she went back into Glenfada Park North and faced the soldiers until the bodies were removed, it is right to consider first whether any other evidence supports her 1972 account, and second whether there is any evidence to support the account that she gave us.

## Nell McCafferty

**108.40** The journalist Nell McCafferty took refuge in 59 Glenfada Park, a house at the western end of the northern block of Glenfada Park South. In an article for the *Irish Times*, published on 31st January 1972,<sup>1</sup> she wrote that about ten minutes after about 30 people had been arrested at the gable wall at the south-eastern end of Glenfada Park North “a group of Red Cross officials came into the courtyard. A young female wearing a white coat with Red Cross clearly marked ran into the middle of the courtyard waving her arm at the soldiers. I watched her duck and run cover [sic] as a soldier fired on her. Meanwhile the other Red Cross official dragged a body away.”

<sup>1</sup> [M54.11](#)

- 108.41 In a statement sent to the Widgery Inquiry,<sup>1</sup> Nell McCafferty again described the people at the gable end being taken away by soldiers. She recorded:<sup>2</sup>

“There was further silence. I heard voices outside and got up to look out. Knights of Malta off[fi]cials, and some civilians, about five in all, were removing the body outside my garden fence. They also picked up what I thought was a tape recorder. As they did so, a Knights of Malta girl stood in the middle of the courtyard, hands above her head, waving at the paratroopers opposite. She threw herself to the ground as one of them fired on her, his rifle balanced on the shoulder of his kneeling companion. I also threw myself to the ground. I did not get up again until I h[e]ard a voice saying ‘Theyre gone’.”

<sup>1</sup> M54.12-15

<sup>2</sup> M54.14

- 108.42 In her written evidence to this Inquiry,<sup>1</sup> Nell McCafferty stated that she recalled a young woman walking from the eastern walkway linking Glenfada Park North with Columbcille Court towards two bodies. “*As she approached the middle of the courtyard the soldiers fired at her feet in order to make her dance. I ducked down on the floor again.*”

<sup>1</sup> M54.7

- 108.43 In her oral evidence to this Inquiry Nell McCafferty first described this as a vivid recollection.<sup>1</sup> However she later said that although the soldiers certainly fired more than one shot at this girl,<sup>2</sup> her description of the girl being made to dance was “*a rhetorical, political flourish on my part*”.<sup>3</sup>

<sup>1</sup> Day 168/141

<sup>3</sup> Day 169/40

<sup>2</sup> Day 169/39-41

- 108.44 Looking at Nell McCafferty’s oral evidence to us as a whole, we formed the view that many of the things that she said that she had witnessed, including the incident in question, she had in fact not seen but had been told about by others. So far as her 1972 accounts are concerned, she said in one that the girl had ducked and run for cover, and in the other that the girl had thrown herself on the ground. Eibhlin Lafferty, on the other hand, recorded in her 1972 report that she had stood her ground until the casualties had been removed. None of those who went to help to bring the bodies out of Glenfada Park supports Nell McCafferty’s accounts. If indeed soldiers had been firing at a girl in the middle of Glenfada Park North, those coming forward to the bodies could not have failed to see this, especially since they would have been in the line of fire. We have concluded that we can place no reliance on Nell McCafferty’s accounts of a soldier shooting at a girl in Glenfada Park North. In our view she has become muddled about what she herself saw

and what she was told about by others. Further, on her own admission, she thought it appropriate in one instance in her written evidence to this Inquiry, rather than trying to help us to discover the truth, instead to embellish her account with false details, for the reason she gave. It is to her credit that she admitted this when she gave oral evidence, but the fact that she initially chose to embellish her account undermines our confidence in accepting her testimony.

- 108.45** A number of witnesses have stated that they entered Glenfada Park North and assisted the casualties there without either being fired upon or seeing others fired upon.

## Patrick Kelly

- 108.46** We have already referred<sup>1</sup> to the evidence of Patrick Kelly when considering the shooting of Gerard McKinney and Gerald Donaghey. As we have indicated, his evidence is problematic and he does not seem to appear in any of the photographs of people carrying casualties from Glenfada Park North, though his account does seem to relate to this period. However, it is noteworthy that in his NICRA statement,<sup>2</sup> from which we have quoted above,<sup>3</sup> he does not suggest that the soldiers fired, but rather that for a time they merely threatened to do so if people went forward. He said to us that he had no recollection of seeing a female volunteer of the Knights of Malta Ambulance Corps running into Glenfada Park North or hearing shots.<sup>4</sup>

<sup>1</sup> Paragraphs 107.124–128

<sup>2</sup> AK21.14

<sup>3</sup> Paragraph 107.124

<sup>4</sup> Day 158/105-106

## John McLaughlin

- 108.47** John McLaughlin, who was 51 years old on Bloody Sunday, was interviewed by Peter Pringle of the *Sunday Times*.<sup>1</sup> According to the notes of this interview, John McLaughlin had been among the group initially apprehended by a soldier at the gable end of the eastern block of Glenfada Park North, but he had managed to run away to Fahan Street.<sup>2</sup> He subsequently went to Abbey Park, where he went to the fatally injured Gerard McKinney, before leaving him to the care of the nurse Robert Cadman. John McLaughlin's account continued:<sup>3</sup>

“after that i went into the alley way with a k.o.m. girl as we could see at least two bodies in the glenfada park. when we looked out across the park there were still some soldiers – about tow or three – in the opposite corner. the girl kept shouting: “First aid.” i put my head out and made a motion to the soldiers that we wanted to get to the bodies and one of them nodded his head as though to say it was all right for us to come out. at the same time some other soldiers were loading bodies into a saracen in rossville st. the first body i came to i truned over on his back and sd an act of contrition in his ear. it was a young lad. then we helped to carry the lad into the house, No 8. abbey park. it was the carr’s house and there was another body [that of Michael Kelly] in there at the time.”

<sup>1</sup> [AM500.1-2](#)

<sup>3</sup> [AM500.2](#)

<sup>2</sup> [AM500.1-2](#)

**108.48** John McLaughlin gave a Keville interview in which he said that after he had run away from Glenfada Park and moved to Lisfannon Park, “*myself and a few others came back and helped to carry the bodies away*”. He was then asked “*were the [sic] ... hindered in any way when you tried to ... shot at or anything?*”, to which he answered “*No, no*”.<sup>1</sup>

<sup>1</sup> [AM500.3](#)

**108.49** John McLaughlin was identified by his brother, Daniel McLaughlin,<sup>1</sup> as one of those shown carrying Jim Wray’s body through the south-west alley of Glenfada Park North in a photograph we have reproduced above.<sup>2</sup> As already noted,<sup>3</sup> in the background of the same photograph can be seen a female figure whom Eibhlin Lafferty identified as herself.<sup>4</sup>

<sup>1</sup> [AM325.5](#); [AM325.7](#)

<sup>3</sup> [Paragraph 108.27](#)

<sup>2</sup> [Paragraph 108.27](#)

<sup>4</sup> [Day 166/60](#)

**108.50** John McLaughlin is dead and gave no evidence to this Inquiry. However, if (as seems to us possible but far from certain) the Order of Malta Ambulance Corps girl shouting “*First Aid*” was Eibhlin Lafferty, then his account contradicts her 1972 assertion that soldiers fired at her at this stage. It should also be noted that according to John McLaughlin’s account, it was at some stage after people had been arrested at the southern end of the eastern block of Glenfada Park North that he and others went to the casualties.



## Eddie Shiels

**108.51** Earlier in his account to the *Sunday Times*, John McLaughlin had said that he went into Abbey Park with “*Eddie Shields, a post office worker*”.<sup>1</sup> This person must be Eddie Shiels, who gave us a written statement in which he described himself as working for the Post Office at the time of Bloody Sunday.<sup>2</sup> According to Eddie Shiels, he saw from Abbey Park three people lying on the ground in Glenfada Park North and started to walk out towards them despite a warning from the crowd. He stated that he saw three soldiers at the corner of the square diagonally opposite him. He froze, but eventually one of the soldiers pointed to him and to one of the men on the ground:<sup>3</sup> “*I took this to mean that I could tend to the injured man. I turned away from the soldier and carried the injured man with someone else, but I do not know who, back to the corner where the crowd was gathered.*”<sup>4</sup> Later in this statement Eddie Shiels recorded that the only firing he heard on Bloody Sunday was when he was at Free Derry Corner before the incident described above.<sup>5</sup>

<sup>1</sup> AM500.2

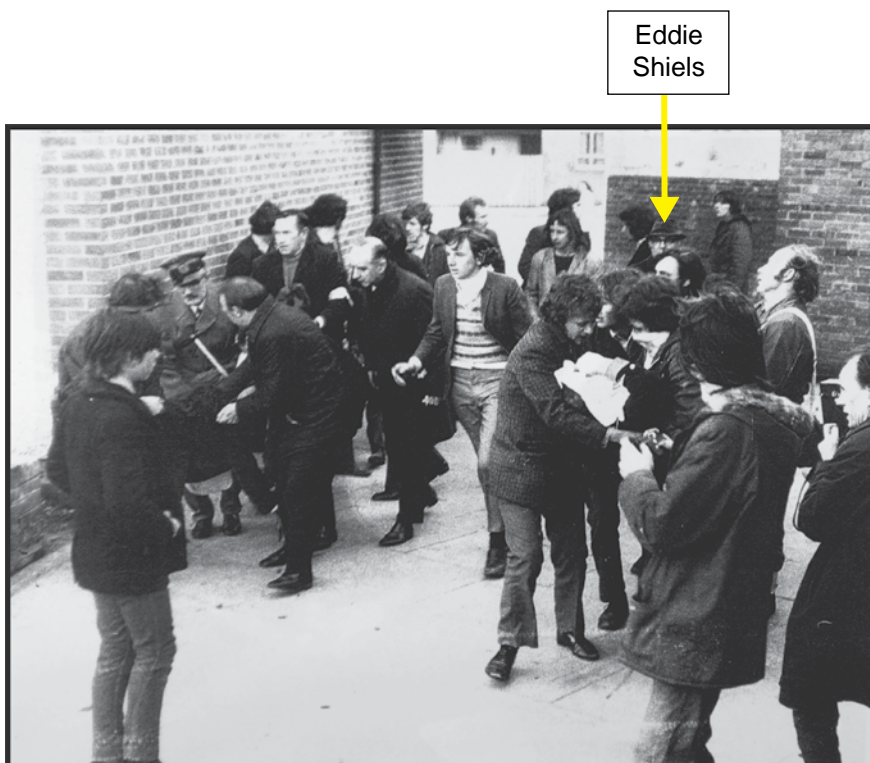
<sup>4</sup> AS16.2

<sup>2</sup> AS16.1

<sup>5</sup> AS16.2

<sup>3</sup> AS16.2

**108.52** Eddie Shiels identified himself in the photograph discussed in paragraph 108.49 above as the person behind William McKinney’s body.



**108.53** Although Eddie Shiels did not appear to recognise himself in a film clip,<sup>1</sup> it seems to us that he was in all probability one of those shown helping to carry Joe Mahon. He can be seen in the following still:<sup>2</sup>

<sup>1</sup> [AS16.2](#)

<sup>2</sup> [Vid 19 03.47](#)



## Leo Day

**108.54** Leo Day was, as we have previously mentioned,<sup>1</sup> the officer in command of the Derry Brigade of the Order of Malta Ambulance Corps. He was interviewed by Philip Jacobson of the *Sunday Times* Insight Team,<sup>2</sup> who described him as a “*good witness, quiet and restrained*”.<sup>3</sup>

<sup>1</sup> [Paragraph 107.129](#)

<sup>3</sup> [AD13.1](#)

<sup>2</sup> [AD13.1-5; Day 191/36](#)

**108.55** In this account Leo Day described being called to Abbey Park and seeing “*two bodies lying there*”.<sup>1</sup> He is recorded as saying that he helped to carry what he thought was the older of these casualties into the nearest house and was looking at the other when “*i looked across to the pass through to glenfadda [sic] and saw another three, maybe four bodies visible. i could also see at least 3 soldiers on the far wall...*”<sup>2</sup> He then described asking Alice Long “*a Knight girl*” to go through with him:<sup>3</sup>

“We went very gingerly through to the bodies shouting ‘red cross, dont shoot’ and holding out our hands. and nobody did, although they trained their guns on us. we knelt over the first man and eye could see he was definitely dead but myself and another man carried him back out of the line of fire. i remember he was terribly heavy, a big chap ... quite a lot of people had emerged from their houses and hiding places by now as the firing seemed to have stopped...”

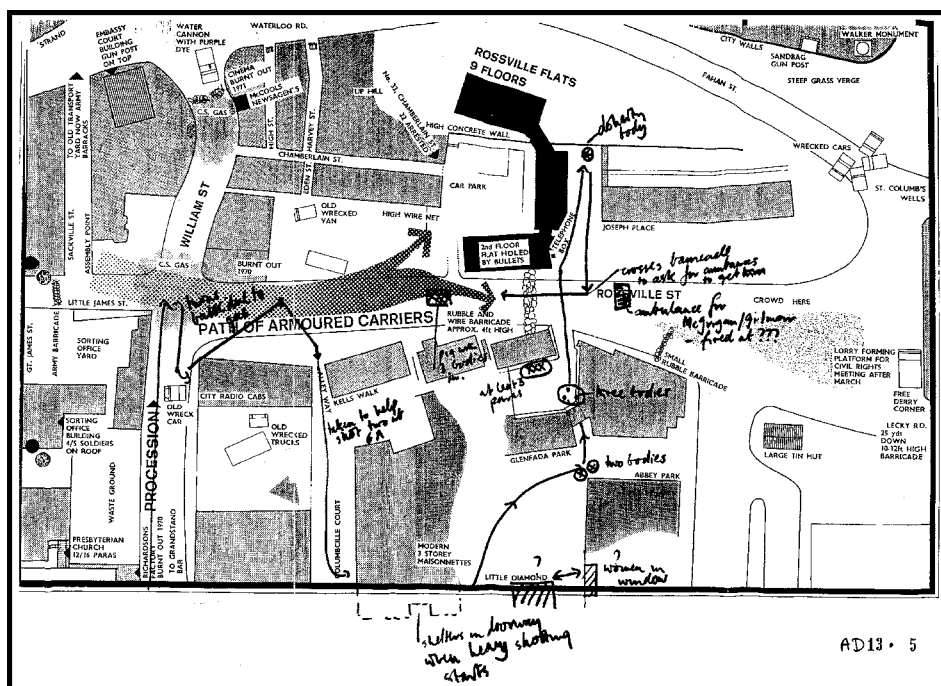
1 AD13.2

3 AD13.2-3

## 2 AD13.2

**108.56** On a map<sup>1</sup> accompanying this account the three soldiers are shown about halfway down the eastern side of Glenfada Park North and the three bodies in the area of the south-west corner.

1 AD13.5



**108.57** Leo Day, who is dead and gave no evidence to this Inquiry, can be seen in two of Trevor McBride's photographs that we reproduce below at paragraphs 108.106 and 108.110, first helping to carry Joe Mahon and then helping to carry Jim Wray.<sup>1</sup> In his account to the *Sunday Times*, he seems to be saying that he only helped to carry one person from Glenfada Park North, but the photographs demonstrate that this is incorrect. His recollection that he first carried the older man in Abbey Park to a house is also incorrect.

since Gerard McKinney lay on the steps until the ambulance came. On the basis of the photographic evidence, we are satisfied that Leo Day helped to carry two people from Glenfada Park North.

<sup>1</sup> [Day 168/26-27](#)

## Alice Long

**108.58** It is not entirely clear whether it was Alice Long who went into Glenfada Park North with Leo Day. This person (now Alice Doherty) gave a number of accounts in 1972 in which she recorded that at some stage during the day she was with Leo Day, but in none of those accounts did she say anything about accompanying him into Glenfada Park North,<sup>1</sup> and though in a *Sunday Times* interview she did say she went with Leo Day to where two bodies were outside Abbey Park, the journalist noted that she had very little recollection of the next few minutes and her account jumped to being with the body of Patrick Doherty at the front of the Rossville Flats.<sup>2</sup> Patrick Doherty was one of those shot in Sector 5, in circumstances we consider in the context of that sector.<sup>3</sup>

<sup>1</sup> [AD50.28; AD50.26-27; AD50.31-33](#)

<sup>3</sup> [Chapter 118](#)

<sup>2</sup> [AL37.7-8; AL37.10](#)

**108.59** Alice Long gave written and oral evidence to this Inquiry.<sup>1</sup> In this she recorded leaving the Shiels' house in Columbcille Court, moving along the alleyway to the north of Glenfada Park North, and meeting Leo Day on the corner of the eastern block of Glenfada Park North and Rossville Street. From there they went to investigate the reports of casualties in Saracens. There are, however, points of comparison with Leo Day's evidence – notably the two of them walking with their hands in the air, and with Alice Long in front as she was wearing a white coat. In her oral evidence to this Inquiry she was shown Leo Day's statement, but did not seem to recall the incident described.<sup>2</sup> She stated that she did not attend Jim Wray and was not with him.<sup>3</sup> She also disputed the accuracy of the *Sunday Times* map.<sup>4</sup>

<sup>1</sup> [AD50.11-12; AD50.29; Day 135/155-224](#)

<sup>3</sup> [Day 135/214](#)

<sup>2</sup> [Day 135/210-214](#)

<sup>4</sup> [Day 135/215-217](#)

**108.60** In view of this evidence it is possible, therefore, that it was Eibhlin Lafferty rather than Alice Long that Leo Day asked to go with him into Glenfada Park North, though this in our view is unlikely, as we find it difficult to accept that Leo Day identified the wrong volunteer of the Knights of Malta Ambulance Corps as the one with him. However, whether we are right or wrong about this, Leo Day's account contains nothing to suggest that Eibhlin Lafferty was fired on as she stood facing soldiers in Glenfada Park North.

## Susan and Betty Coyle

**108.61** We have already referred<sup>1</sup> to the NICRA statement of Susan Coyle and her daughter Betty<sup>2</sup> when considering whether Jim Wray was shot on the ground. In this statement they recalled that a woman in a white coat entered Glenfada Park North from Abbey Park shouting “*don’t shoot*”, and that “*The army permitted this girl and two or three men ... to come forwards and remove the bodies.*”

<sup>1</sup> Paragraphs 104.305–306

<sup>2</sup> AC86.1

## Greg Doherty

**108.62** Greg Doherty gave written and oral evidence to this Inquiry, though he does not appear to have made a statement in 1972.<sup>1</sup> He told us that he walked up the alleyway between Abbey Park and Glenfada Park North from the Old Bog Road (Fahan Street West). He said that he recalled seeing only one person on the ground in Abbey Park.<sup>2</sup> He also said that he went through the alleyway between Glenfada Park North and Glenfada Park South and as he went past the corner he saw three or four soldiers at the north-eastern entrance to Glenfada Park North. “*The soldiers were very close together and the one in the front was down on one knee with his gun raised, pointing it towards us. He was continually moving the gun in a figure of eight shape, pointing it at us. The other three soldiers didn’t seem to be doing anything apart from standing and talking to each other.*”<sup>3</sup>

<sup>1</sup> AD66.1; Day 160/137-155

<sup>3</sup> AD66.4

<sup>2</sup> Day 160/145

**108.63** Greg Doherty also described seeing four bodies lying on the south side of Glenfada Park North, three in about the position shown in Trevor McBride’s photograph of the bodies lying there, and the fourth to the left, ie much further to the east, though his recollection was that all four were lying with their feet facing north.<sup>1</sup> He had no recollection of seeing people huddled at the entrance-way from Rossville Street,<sup>2</sup> and agreed that apart from the soldiers and the bodies he saw nobody else. He told us that he moved towards the bodies and helped to carry one (clearly from his description William McKinney). He identified himself in a photograph and film footage.<sup>3</sup>

<sup>1</sup> AD66.4; Day 160/146-147

<sup>3</sup> AD66.4-5; Day 160/150-151

<sup>2</sup> Day 160/148-149

**108.64** Greg Doherty told us that when he was in Glenfada Park North he “*didn’t feel that I was about to be shot at*”, though as he moved between the bodies he could still see the kneeling soldier.<sup>1</sup>

<sup>1</sup> [AD66.4](#)

**108.65** This witness was clearly doing his best to recollect what he had seen and done in Glenfada Park North. In our view his recollection of the bodies lying with their feet facing north is faulty, in the light of Trevor McBride’s photograph of the bodies lying in Glenfada Park North, but had he been fired on as he went to the bodies we have no doubt that he would have recalled this. As it is, his evidence, which we find convincing on this point, is to the effect that this did not happen and that the soldiers still present did not attempt to stop people going to the bodies when he got into Glenfada Park.

**108.66** We return to this witness<sup>1</sup> when considering whether there were casualties in Glenfada Park North in addition to those we have identified and considered above.

<sup>1</sup> [Paragraphs 110.34–40](#)

## Thomas Heaney

**108.67** Thomas Heaney told us that he was with his cousin Greg Doherty when they moved into Glenfada Park North, and recalled Eibhlin Lafferty pushing past them with her hands raised shouting “*first aid*”. He recalled seeing about a dozen soldiers on the northern side of Glenfada Park North, all in a line with their rifles pointing south. He also said he saw three bodies.<sup>1</sup> He could not identify himself as one of those in the photograph taken by Trevor McBride<sup>2</sup> of people carrying Jim Wray and William McKinney out of Glenfada Park North.<sup>3</sup>

<sup>1</sup> [AH56.9-10; Day 140/43](#)

<sup>3</sup> [Day 140/44-45](#)

<sup>2</sup> [Paragraph 108.110](#)

**108.68** According to Greg Doherty, whose evidence we discussed above, he saw his cousin Thomas Heaney in a gated yard in Glenfada Park South, crouching down with his knees up to his chin: “*He was completely terrified and wouldn’t move.*”<sup>1</sup> Thomas Heaney told us that his recollection differed and that he had met his cousin in Lisfannon Park.<sup>2</sup>

<sup>1</sup> [AD66.3](#)

<sup>2</sup> [Day 140/53-54](#)



- 108.69** In these circumstances it remains unclear whether Thomas Heaney did in fact go into Glenfada Park North with his cousin. It is also the case that he is alone in describing about a dozen soldiers all in line with their rifles pointing south. However, his evidence does not suggest that the people who went into Glenfada Park North came under fire from soldiers.

## Joe Mahon

- 108.70** Joe Mahon had been shot and injured in Glenfada Park North. He was the only one of the three casualties who fell and lay on the south side of the car park to survive. Although in his evidence to us Joe Mahon recalled hearing a shot after he had heard Eibhlin Lafferty shouting, “*Don’t shoot – first aid*”,<sup>1</sup> there was no mention in the account Joe Mahon gave the *Sunday Times* of a shot after the soldier he described shooting into Abbey Park had come back to Glenfada Park North, and the Knights of Malta Ambulance Corps girl had come through the alleyway from Abbey Park, nor any mention of a soldier calling out to her as she had described.<sup>2</sup> The section of the interview notes dealing with this part of Joe Mahon’s account are in the form of a third person summary, rather than a transcript of Joe Mahon’s own words. However, we are sure that had Joe Mahon mentioned a shot or shots possibly being fired at a Knight of Malta Ambulance Corps volunteer, then this would have been recorded. The accounts of interviews conducted with Joe Mahon by Detective Sergeant Cudmore and Fulvio Grimaldi also contain no reference to such an incident.<sup>3</sup> In the end we took the view that we should not rely on this part of Joe Mahon’s evidence.

<sup>1</sup> AM18.5; Day 160/28-30

<sup>3</sup> AM18.25; AM18.13

<sup>2</sup> AM18.15

## Conclusions on the accounts of Eibhlin Lafferty

- 108.71** In the light of the evidence discussed above, we consider that the 1972 account that Eibhlin Lafferty gave of standing her ground in Glenfada Park North while being fired at cannot be correct, as she herself has in effect acknowledged in her evidence to us.



- 108.72** The account that Eibhlin Lafferty gave to us of coming forward, being shot at and retreating before coming forward again could be said to be supported by what Mary Lewis said and, to a degree, by what John McCourt and Seamus Doherty said. Mary Lewis put the incident in question before the civilians at the gable end had been moved away, while John McCourt put it afterwards, though his account of a Knight of Malta Ambulance Corps volunteer having to throw herself on top of one of the dead people in Glenfada Park North is not what Eibhlin Lafferty said happened in any of her accounts. However, as we have already stated, the fact that people may have misremembered the sequence of events does not in our view necessarily devalue their testimony as to what they saw.
- 108.73** The major difficulty we find in the account Eibhlin Lafferty gave to this Inquiry is that it does not seem to be reflected by what she said at the time, apart perhaps from what she put in her report about being fired on again as she went round a corner. In addition, we found unconvincing Eibhlin Lafferty's explanation of why she had said to the person she recalled pulling her back that the soldiers would not fire at a first-aider, if indeed she had just seen a soldier doing precisely that. Such an explanation is, on the contrary, much more consistent with Eibhlin Lafferty going out, simply hearing shots without knowing that they had been fired at her, and then being pulled back into cover.
- 108.74** Weighing the evidence considered above as a whole, we have concluded that Eibhlin Lafferty probably did make an initial attempt to go into Glenfada Park North, but went, or was pulled, back after the sound of gunfire. In our view Eibhlin Lafferty (and Mary Lewis) heard gunfire and mistakenly assumed that it was directed at the former. We take the view that Eibhlin Lafferty was mistaken in her recollection that she actually saw a soldier fire at her; for had this been the case, she could hardly have made the remark she recalled making to the person who pulled her back. As to John McCourt, his account is in our view clearly wrong in at least one respect, as Eibhlin Lafferty has never suggested that she threw herself down on one of the bodies; and accordingly we are unable to place reliance on it.
- 108.75** We are also not persuaded by Eibhlin Lafferty's evidence to the *Sunday Times*, and to this Inquiry, that after she entered Glenfada Park North a soldier shouted words to the effect that her white coat was a good target but her red heart was a better one. Had this remark been made to her, we would have expected to see it in the report she made to the Order of Malta Ambulance Corps,<sup>1</sup> as it would obviously have been of concern to the organisation as a whole. Her explanation to us for its omission was that this was due to her youth and the trauma of events,<sup>2</sup> but we are not convinced by this. No-one else in Glenfada Park North at the time has given evidence of hearing any such remark. Furthermore, there is convincing evidence given in 1972 by another volunteer in the

Knights of Malta Ambulance Corps, Antoinette Coyle, that an army officer warned her in Chamberlain Street that the white uniforms made perfect targets.<sup>3</sup> Alice Long also told the *Sunday Times* of a similar remark when she was with Antoinette Coyle in Chamberlain Street, which she ascribed to a “fat corporal”.<sup>4</sup> In our view it would be too much of a coincidence for similar words to have been used on different occasions and in different parts of the Bogside, and we prefer the evidence of Alice Long and Antoinette Coyle to that of Eibhlin Lafferty. In our view Eibhlin Lafferty heard of this remark from one of her colleagues and mistakenly came to believe that the remark had been made to her.

<sup>1</sup> AM17.13

<sup>3</sup> AC85.27

<sup>2</sup> Day 166/81-82

<sup>4</sup> AL37.8

- 108.76** There is also the fact that Eibhlin Lafferty described being shot at continuously as she made her way towards where Gerard McKinney and Gerald Donaghey were lying in Abbey Park. As we have already mentioned, we are sure that only one shot was fired at her at this time.
- 108.77** We are also sure that Eibhlin Lafferty behaved very bravely on the day, both in going to the casualties in Abbey Park and then in going into Glenfada Park North. We also consider that she has come genuinely to believe what she told us. However, bearing in mind the matters discussed above, we do not accept that any soldier tried to shoot her or towards her in Glenfada Park North.

## Other evidence of shooting at those going to the casualties in Glenfada Park North

- 108.78** We now turn to consider the evidence of others about shots being directed at people going to the casualties in Glenfada Park North. As will be seen, the first of these, Noel Kelly, gave some evidence about Eibhlin Lafferty, though in the end he accepted that he had not in fact seen a soldier shoot at her. It is possible that she mistakenly came to believe that the shot described by Noel Kelly had been fired at her, but the difficulty with this is that the position of the soldier said to have fired is significantly different in her account and that of Noel Kelly.

## Noel Kelly

- 108.79 Noel Kelly gave a Keville interview.<sup>1</sup> In this he gave an account of seeing two men, one of whom he knew to be “*Mr McKinney from Westway*”, “*standing looking down into an alleyway and both of them fell. The shots rang out just before they fell.*” The statement continued:

“I went with another man and we went down beside him and I put a hanky above my head and waved it like a flag. Eh – down the alleyway we looked down and there was two more youths lying shot in the alleyway. Across from that there was a courtyard and there was a soldier standing with a rifle against the courtyard. He looked at us and I waved a hanky in the air and he’s fired two shots at us. We ran back against a wall. Then there was a red cross girl who shouted around the corner that she was red cross and then went out into the open way and he shot at her too. She came back in then and put her coat around the corner waving the coat and then she came around the corner there. I think her name is er – Lafferty. Er – the soldier panicked then and ran back and he went back then and er – we went across and one of the men was dead. He might of died of a heart attack I am not sure but the other man when we went to pick up he was shot twice. He was shot in the head and in the, the back and we went to pick him up and the blood came over our coats. We took him into the house. The house in the next door and every time someone moved out of it there was a soldier who was further up the street kept firing at people who came out the door and there are bullet holes in the wall to prove this.”

<sup>1</sup> [AK17.35](#)

- 108.80 Noel Kelly gave a NICRA statement.<sup>1</sup> In this he described running across the Old Bog Road (Fahan Street West), looking round the corner towards Abbey Street, and seeing “*two men lying side by side, face upwards on their backs in Glenfada Park. I could see that one of them was still moving.*” He decided with another youth to go to their aid, pulled out a handkerchief, held it above his head, and went towards the two men. The statement continued:

“We came opposite a laneway facing Rossville Flats I noticed 2 young men lying nearby in the laneway: one was trying to crawl in my direction. At this point I saw a soldier leaning against a lamppost, through the laneway on the opposite side of the small car park. He was facing in the direction of Free Derry Corner. He turned round and saw us. I held the handkerchief with both hands above my head. He seemed to hesitate for a few seconds and then swung his rifle in my direction and fired at least once when I dived to the ground. The other youth who had gone past the lane ran back towards the Old Bog Road. The crowd of youths who had been following had just reached the garden of the middle house of 6 and they run back too. When the soldier fired there was no one else visible to him as far as I know. I then began to crawl back to the shelter of the houses. A girl, called Lafferty of Creggan Hill, in a Knights of Malta white coat, came running across the gardens from the direction of Old Bog Road shouting [‘]Red Cross, Red Cross...’ and came between myself and the soldier. He seemed to panic and ran back in the direction of William St. I do not know if he fired at her or not. I got up and saw about 10 men coming in my direction from Old Bog Rd. with their hands on their heads. They were followed by the small crowd which had previously run back. Patrick Doherty and Junior McClintock, both from Broadway were among them. I then went to the aid of the two men in Colmcille Court with about 2 other youths.”

<sup>1</sup> [AK17.19-20](#)

- 108.81** In this statement Noel Kelly identified the two men “*in Colmcille Court*” as “*Gerald [sic]*” McKinney and William McKinney. He stated that with others he lifted the latter and took him into a house, “*No.7 nearby*”. He stated that he then went back to the other man who was surrounded by a small group of people and being treated by an “*oldish*” Order of Malta Ambulance Corps man “*with grey hair and thick lensed glasses*”.

- 108.82** Noel Kelly also gave an interview to Peter Pringle of the *Sunday Times* Insight Team. In the notes of this interview, dated 6th April,<sup>1</sup> he is recorded as saying:

“From [Lisfannon Park] ... I saw a body lying on the steps opposite the entrance leading into glenfada park (x4). I moved to the southern part of glenfada park and then with another boy i waved a whit handkerchief and moved over to the steps. I could now see there were two bodies. just as we passed the alley way leading into glenfada i saw a soldier in the car park (x1) and he fired a shot at me and we both hit the deck – or at least i slipped and fell down, Through the alley i could also see two bodies. one was on the pavement and the other was half way in the alley. the latter was joseph mahon and he was crying out that he had been hit. i went over to the first body on the steps and it was william mckinney from westway. he had a graze on his head and he had been hit in the back. i thought the other man was dead. there was no one else around the bodies when i first arrived but they gathered very soon afterwards. there were some k.o.m. people there. i helped to carry william mckinney into No. 7 abbey park.”

<sup>1</sup> [AK17.1](#)

- 108.83** On an accompanying map, various positions are marked with numbers that correspond to the text of the interview. These include “x4”, showing that the first casualty that Noel Kelly saw was on the shallow steps in Abbey Park; and “x1” showing that the soldier who fired at Noel Kelly was at the south-west corner of the eastern block of Glenfada Park North.<sup>1</sup>

<sup>1</sup> [AK17.3](#)

- 108.84** Noel Kelly made no mention of Eibhlin Lafferty in his *Sunday Times* interview.

- 108.85** Noel Kelly gave written and oral evidence to this Inquiry.

- 108.86** In his written evidence,<sup>1</sup> he stated that he saw two bodies lying side by side on the top step “*in front of Abbey Street*”. He went to them. He stated that he later recognised the nearest to him as Gerard McKinney and the other as William McKinney. He then stated that he heard a shout from the alleyway leading into Glenfada Park North and saw a man crawling towards him, who he was afterwards told was Joe Mahon; and another man whom he recognised as Jim Wray lying in the south-western corner of Glenfada Park North.<sup>2</sup>

<sup>1</sup> [AK17.11](#)

<sup>2</sup> [AK17.12](#)

**108.87** Noel Kelly also described seeing a soldier standing at the south-eastern corner of Glenfada Park North looking in the direction of Free Derry Corner. He stated that he called to the soldier who turned round and fired towards him. He also stated that the soldier was leaning on a lamp post holding his rifle at hip level. *“He seemed to pause for a split second, as if deciding what to do and then he swung his body and his rifle round to face me ... I shouted ‘don’t shoot’ and held a hanky above my head with both hands. The soldier took aim and shot at me.”* Noel Kelly stated that he went backwards but slipped and fell. He stated that he heard only one shot but had been told by others hiding behind a garden wall (who he said would not have seen the soldier) that three shots had been fired at him.<sup>1</sup>

<sup>1</sup> [AK17.12](#)

**108.88** Noel Kelly continued: *“As I fell, a girl wearing a Knights of Malta coat, whose name I knew to be Lafferty, jumped out from behind the garden wall and ran between me and the soldier. She shouted ‘Red Cross, Red Cross – don’t shoot.’ At this point, I can remember hearing a sound like a referee’s whistle – it was a very distinctive sound. The soldier turned and ran towards Rossville Street.”* He said that after a few minutes things seemed to calm down. *“Lafferty had gone – some people said the para had shot at her but I didn’t see this.”*<sup>1</sup> He then described helping to lift William McKinney into the living room of a house in Abbey Park; after he had come out of this house, he saw Gerard McKinney still lying on the ground.<sup>2</sup>

<sup>1</sup> [AK17.12](#)

<sup>2</sup> [AK17.13](#)

**108.89** Later in this statement, after being shown his earlier accounts, he stated that he did not see either of the McKinneys fall, but added that *“On reflection, I do remember Lafferty coming out twice, and that she was shot at the first time”*.<sup>1</sup>

<sup>1</sup> [AK17.14](#)

**108.90** In his oral evidence to this Inquiry, Noel Kelly repeated that the man that he recalled crawling through the alleyway was Joe Mahon.<sup>1</sup> He also told us that the soldier he saw was leaning against the lamp post below the gable end of the eastern block of Glenfada Park North.<sup>2</sup> He gave an account of holding up his handkerchief, shouting *“do not shoot”*, seeing the soldier turn round and point his rifle at him, and hearing one shot as he was backing away.<sup>3</sup> He said that this was the only soldier he saw at this stage.<sup>4</sup>

<sup>1</sup> [Day 62/33](#)

<sup>3</sup> [Day 62/38](#)

<sup>2</sup> [Day 62/36-37](#)

<sup>4</sup> [Day 62/42](#)

- 108.91** When asked about Eibhlin Lafferty, Noel Kelly told us that she had come into the alleyway and got between him and the soldier.<sup>1</sup>

“Q. Did you see what the soldier did when she appeared, saying ‘do not shoot’?”

A. To be honest at that stage I was trying to get back up the alleyway to get back into cover again, so I do not know what the soldier did.

Q. You say ‘at this point I can remember hearing a sound like a referee’s whistle’?

A. Yes.

Q. ‘The soldier turned and ran towards Rossville Street.’ Did you see that?

A. I just caught him out of the corner of my eye. As I was going back, I saw him running away, yes.”

<sup>1</sup> [Day 62/43](#)

- 108.92** When shown his Keville interview, Noel Kelly told us that it was not right that he had seen two men fall or heard two shots as they did so.<sup>1</sup> He also said that he did not in fact recall the Red Cross girl coming out twice, nor did he see a soldier shoot at her, and agreed that he had no basis for saying that the soldier he saw panicked.<sup>2</sup> He did not recall seeing any people at the southern end of the eastern block of Glenfada Park North.<sup>3</sup>

<sup>1</sup> [Day 62/45](#)

<sup>3</sup> [Day 62/51](#)

<sup>2</sup> [Day 62/47-48](#); [Day 62/80](#); [Day 62/126-127](#)

- 108.93** Noel Kelly identified himself in one of the photographs taken by Trevor McBride<sup>1</sup> of people carrying Jim Wray and William McKinney through the alleyway from Glenfada Park North into Abbey Park; though we are not certain about this, as Greg Doherty, as will be seen,<sup>2</sup> also identified himself as the same person. At this stage Noel Kelly agreed that he must have been mistaken in believing that William McKinney was one of the bodies he had seen in Abbey Park.<sup>3</sup>

<sup>1</sup> [Day 62/53-54](#)

<sup>3</sup> [Day 62/54](#)

<sup>2</sup> [Paragraph 110.38](#)

- 108.94** As will have been seen, there are a number of differences and difficulties in the various accounts Noel Kelly has given. He was clearly wrong in believing that William McKinney was shot in Abbey Park and in seeing Joe Mahon crawling in the alleyway leading from Abbey Park and though he has throughout stated that a soldier fired at him, it seems that he is not sure whether this soldier fired one or two shots. We formed the impression that Noel Kelly was doing his honest best to help us in the evidence he gave to this Inquiry.



However, in the end we remained unpersuaded that a soldier standing at or near a lamp post to the south of the southern gable end of the eastern block of Glenfada Park North fired a shot in Noel Kelly's direction as the latter emerged from the alleyway leading from Abbey Park. As we discuss when considering the events of Sector 5,<sup>1</sup> there was a soldier in the position described by Noel Kelly, who fired a number of shots, but these were in the general direction of Free Derry Corner. In our view Noel Kelly was probably mistaken in believing that a shot or shots had been fired in his direction.

<sup>1</sup> [Chapter 119](#)

- 108.95** Noel Kelly's evidence does not assist on the question of whether a soldier fired at Eibhlin Lafferty, as it now seems clear that he did not witness any such incident.

## James McDaid and others

- 108.96** James McDaid was an Order of Malta Ambulance Corps volunteer who gave written and oral evidence to this Inquiry.<sup>1</sup> He told us that he had made a report in 1972 of what he had done and witnessed on Bloody Sunday, but we have been unable to trace this document.<sup>2</sup> In his evidence to us he recalled that he had attempted to go into Glenfada Park North from the north-western entrance, having seen a body there.<sup>3</sup> He said he was with another man whom he could not identify,<sup>4</sup> carrying his medical bag.<sup>5</sup> James McDaid said that when they got about ten feet into the courtyard he heard a ricocheting bullet strike the ground about three to four feet in front of him, though he did not hear the shot itself. He thought that this was intended to warn him not to go further.<sup>6</sup> He told us that the people at a gable end near to the north-western entrance called for them to return, which they duly did,<sup>7</sup> after which James McDaid went to a house where he treated a boy with chest wounds and a man whom he knew to be William McKinney.<sup>8</sup>

<sup>1</sup> [AM166.1; Day 61/16-17](#)

<sup>5</sup> [AM166.3-4](#)

<sup>2</sup> [AM166.6; Day 61/14](#)

<sup>6</sup> [AM166.4; Day 61/11-12](#)

<sup>3</sup> [AM166.3-4](#)

<sup>7</sup> [AM166.4](#)

<sup>4</sup> [Day 61/10; Day 61/17](#)

<sup>8</sup> [AM166.4; Day 61/12](#)

- 108.97** We have no doubt that William McKinney was the only casualty to be taken to 7 Abbey Park. However, it is possible that James McDaid went to both this house and 8 Abbey Park, as he acknowledged in his oral evidence.<sup>1</sup>

<sup>1</sup> [Day 61/13; Day 61/16](#)

- 108.98** It was clear from his evidence, and James McDaid acknowledged, that he was unsure of where he had entered Glenfada Park North and indeed could not swear that he had gone into Glenfada Park at all.<sup>1</sup> He was identified by one Order of Malta Ambulance Corps

volunteer, Mary Gallagher, as being shown in the group around the body of Gerard McKinney in one of the photographs taken by Trevor McBride.<sup>2</sup> His own evidence was that he did not see the scene of William McKinney being brought out of Glenfada Park North and agreed that he must have arrived in that area some time after this had happened. He (and indeed others) identified the person Mary Gallagher thought was him as being in fact Leo Day.<sup>3</sup>

<sup>1</sup> [Day 61/9; Day 61/16; Day 61/26](#)

<sup>3</sup> [Day 61/15](#)

<sup>2</sup> [Day 70/73](#)

**108.99** James McDaid was trying to remember events occurring decades earlier, and while he was undoubtedly doing his honest best to help us, he acknowledged the limitations of what he recalled. We concluded that his recollections were not sufficiently clear or certain to allow us to place any reliance on them.

**108.100** We take the same view of the evidence that Daniel McLaughlin gave to this Inquiry.<sup>1</sup>

<sup>1</sup> [AM325.1](#)

**108.101** We have also already referred<sup>1</sup> to the evidence of Anthony Martin, when discussing the wounding of Daniel Gillespie. For the same reasons as we gave there we are unable to accept his evidence that he and others trying to rescue the bodies in Glenfada Park North came under fire from a low velocity weapon. It should be noted, however, that at no stage did he suggest that soldiers had fired at an Order of Malta Ambulance Corps volunteer in Glenfada Park North.

<sup>1</sup> [Paragraphs 104.180–199](#)

**108.102** We discuss below<sup>1</sup> the evidence of others about firing in Glenfada Park North at a stage after the casualties had been sustained in Sector 4.

<sup>1</sup> [Chapter 109](#)

## Further consideration of the photographs

**108.103** Although we have referred to photographs of casualties being carried from Glenfada Park North when discussing the evidence about the circumstances in which the bodies were recovered, it is convenient to describe the photographic records of these events in more detail at this stage.

**108.104** Trevor McBride took three photographs of the removal of the bodies from Glenfada Park North through the south-west alleyway into Abbey Park. He took these after he had photographed Gerard McKinney lying on the steps in Abbey Park.<sup>1</sup> His contact sheets allow the chronological sequence of these photographs to be established, and we consider each in turn below.

<sup>1</sup> [M53.1-2](#)

**108.105** Michael Rodgers took film footage at approximately the same time, and this too is considered below. Michael Rodgers told this Inquiry that he thought that the sequence of his footage had been altered when it was processed.<sup>1</sup> However, it is possible to establish, from Trevor McBride's contact sheets,<sup>2</sup> that this was not the case.<sup>3</sup>

<sup>1</sup> [AR22.5-6](#)

<sup>3</sup> [CS6.240-241](#)

<sup>2</sup> [P233.53](#)

**108.106** The first of Trevor McBride's three photographs taken from the contact sheets, reproduced below, shows two men carrying a youth through the Glenfada Park–Abbey Park alleyway. The same group is shown, briefly, on Michael Rodgers' film footage.<sup>1</sup>

<sup>1</sup> [Vid 19 03.47](#)



**108.107** Joe Mahon has told this Inquiry that he recognised himself as the person being carried.<sup>1</sup> We consider that he is right about this.

<sup>1</sup> [AM18.5; Day 167/30](#)

**108.108** We are satisfied that Trevor McBride correctly identified the man in the distinctive uniform as Leo Day, who, as is discussed above,<sup>1</sup> was a Captain in the Order of Malta Ambulance Corps.<sup>2</sup> It is very likely that the other man is Eddie Shiels. He stated to this Inquiry that he did not recognise himself from film footage,<sup>3</sup> but he did identify himself on a different photograph, reproduced below at paragraph 108.110. In our view, the similarity between the man shown carrying Joe Mahon with Leo Day and the man that Eddie Shiels identified as himself is such that we are confident that he is the man shown in the film footage.

<sup>1</sup> [Paragraph 107.129](#)

<sup>3</sup> [AS16.2](#)

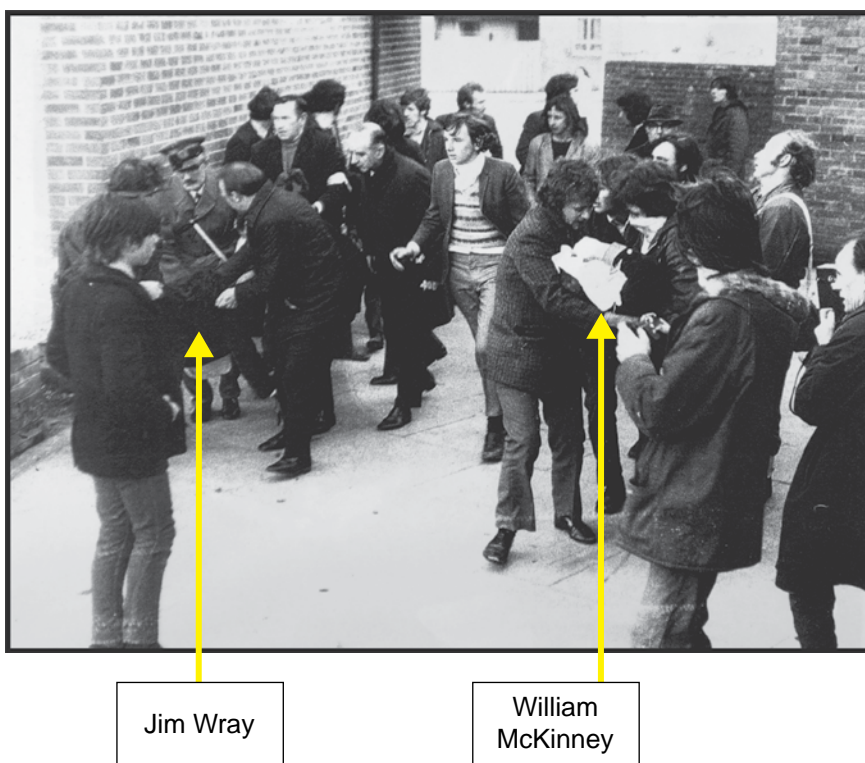
<sup>2</sup> [Day 168/26-27](#)

**108.109** Michael Rodgers' film footage shows Leo Day seemingly handing Joe Mahon's legs to another person, and Eddie Shiels looking back a second later.<sup>1</sup> A still from the film, taken a little after Trevor McBride's photograph, shows a moustachioed man apparently carrying Joe Mahon with the person we believe to have been Eddie Shiels.

<sup>1</sup> [Vid 19 03.47](#)



**108.110** The second of Trevor McBride's photographs shows two casualties being carried from Glenfada Park North into Abbey Park. These were Jim Wray on the left, and William McKinney, who is identifiable by the button on the cuff of his jacket, on the right.



Jim Wray

William  
McKinney

**108.111** Leo Day and John McLaughlin were identified from this photograph as two of those carrying Jim Wray. Leo Day was identified by James McDaid (a Lieutenant in the Order of Malta Ambulance Corps).<sup>1</sup> John McLaughlin was identified by his brother Daniel and by Greg Doherty.<sup>2</sup> We consider that these identifications are correct.

<sup>1</sup> [Day 61/15](#)

<sup>2</sup> [AM325.5](#); [AM325.7](#); [AD66.5](#); [AD66.8](#)

**108.112** Sean McDermott identified himself as one of those carrying William McKinney. In our view he is right about this.<sup>1</sup> Don Campbell thought, but was not sure (so neither are we), that he was the man in the check jacket supporting William McKinney.<sup>2</sup> Noel Kelly and Greg Doherty both identified themselves as the man shown with his face turned to the right in the centre of the three men carrying the torso of William McKinney,<sup>3</sup> but though we accept that they may have been there, we are not sure that either has made a correct identification. Anthony Martin identified himself as the man with dark hair and with his head turned to the right behind the three people holding William McKinney's torso. It is possible that this is a correct identification, but in view of the other difficulties we have had with his accounts we are not sure about this.<sup>4</sup>

<sup>1</sup> [AM188.3](#); [AM188.10](#)

<sup>3</sup> [AK17.29](#); [Day 62/53-54](#); [AD66.5-6](#)

<sup>2</sup> [AC8.3](#); [Day 157/75-77](#)

<sup>4</sup> [AM24.12](#); [AM24.15](#); [Day 176/81-82](#)



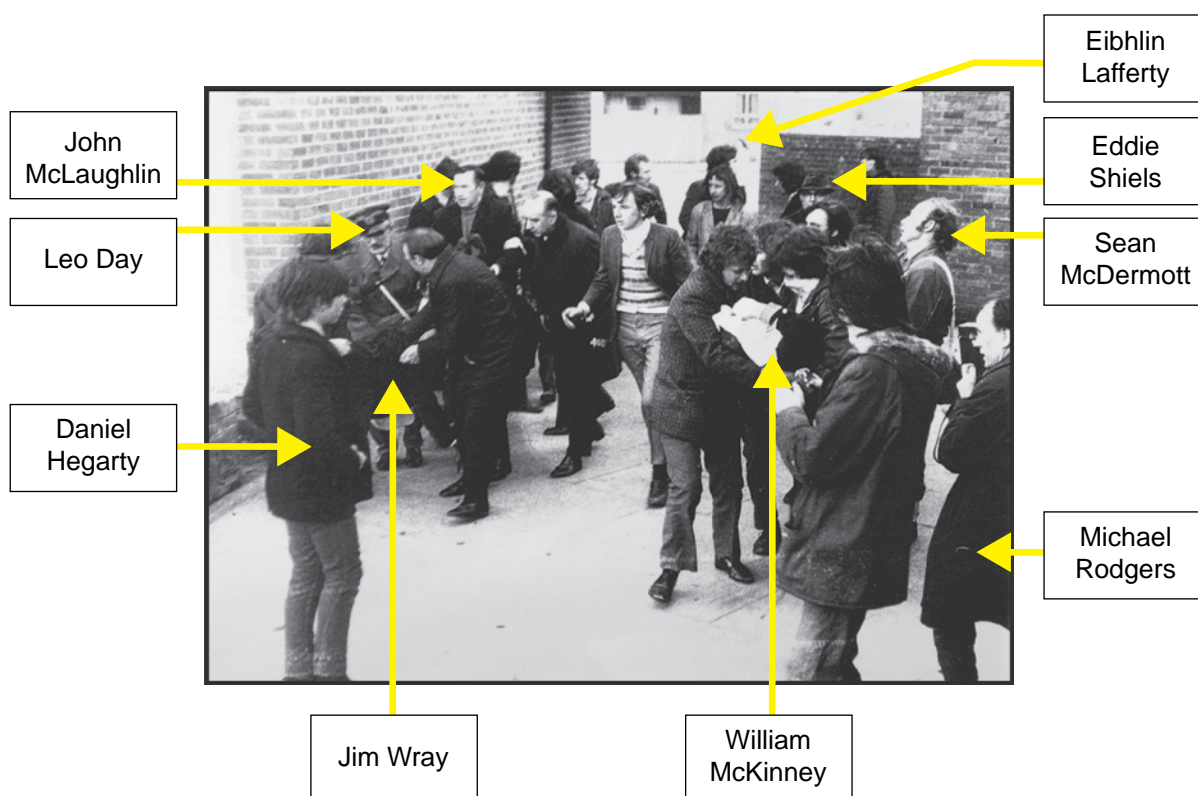
**108.113** Eddie Shiels identified himself as the man in the hat and glasses standing behind the group carrying William McKinney.<sup>1</sup> Eibhlin Lafferty identified herself as the figure in the white coat in the background standing in Glenfada Park North.<sup>2</sup> We are satisfied that these identifications are correct.

<sup>1</sup> AS16.2-3

<sup>2</sup> AM17.21; Day 166/60

**108.114** We have little doubt that the man shown filming on the extreme right of the photograph is Michael Rodgers. He did not comment on this photograph in his written evidence to this Inquiry, but his film seems to us to have been taken from this position. The solicitors for the majority of the families identified the man with a camera to the left of Michael Rodgers as Robert Renton, but gave no source for this information. The Inquiry has received no evidence from anyone of this name.

**108.115** We set out below a marked copy of the photograph on which we have identified those we are reasonably sure appear in it.



## When people went to the casualties in Glenfada Park North

**108.116** As we describe elsewhere in this report,<sup>1</sup> a number of people sheltered behind or near the southern wall of the eastern block of Glenfada Park North, and were there when soldiers came into Glenfada Park North and opened fire. We describe later in this report<sup>2</sup> the circumstances in which many of these people were then arrested and taken by soldiers north through Glenfada Park North to the fence of the GPO sorting office at the junction of William Street and Rossville Street.

<sup>1</sup> [Chapter 92](#)

<sup>2</sup> [Chapter 113](#)

**108.117** As will have been observed, a number of the witnesses whose evidence we have discussed in the preceding paragraphs have stated that they did not see or recall seeing any civilians at the southern end of the eastern block of Glenfada Park North, or indeed (apart from soldiers and the casualties) anyone in Glenfada Park North, when they went out to the casualties. None of the civilian witnesses who have given accounts of what was happening at this stage have suggested that there were then civilians at this southern end or visible elsewhere in Glenfada Park North. Mary Lewis, in her NICRA statement, did record that there were still people at this southern end when an Order of Malta Ambulance Corps member tried to go to the bodies but was fired at and retreated. We were not persuaded by this. Mary Lewis went on to state that it was after these civilians had been marched away that “*people then came along and took the bodies away*”.<sup>1</sup>

<sup>1</sup> [AL10.1](#)

**108.118** So far as the people at this southern end are concerned, there is nothing in their evidence to suggest that while they were there, or indeed while they were being marched through Glenfada Park North, they saw anyone go to the casualties. We deal with the circumstances of the arrests of these people and what subsequently happened to them later in this report,<sup>1</sup> but in the present context we should note that two of them (Fr Denis Bradley and Fr Terence O’Keeffe) recounted how they had seen the bodies in Glenfada Park North and unsuccessfully sought permission to go to them, in terms which in our view indicate that they probably did not observe any civilians with or going towards these casualties.

<sup>1</sup> [Chapters 113, 157, 159, 160, 161, 162 and 163](#)



**108.119** Fergus McAteer, who was at the gable end, told this Inquiry that:<sup>1</sup>

“Immediately before my arrest I do not recall seeing anyone approach the three men who had been shot [running across Glenfada Park North] but I am certain that no-one could have reached them before the soldiers because at that stage I could see no-one else around except the arrested gable wall group and the soldiers themselves. Their bodies were still lying on the ground on their own as I was arrested.”

<sup>1</sup> [AM42.10](#)

**108.120** We have discussed the account given by John McLaughlin above.<sup>1</sup> According to this account he was someone who was both at the southern end of the eastern block of Glenfada Park North when the soldiers arrived there and one of those who went through the south-western alleyway of Glenfada Park North to the aid of the casualties. He told us<sup>2</sup> that he managed to escape from this southern end, running through Glenfada Park South, then along Fahan Street West (the Old Bog Road) and up the Abbey Park alleyway, after which he went back into Glenfada Park North to help bring out the casualties. He made no mention of seeing people still at this southern end when he went back in but only of seeing two or three soldiers in the “*opposite*” corner. Although it is not possible from his evidence to know precisely how long it took John McLaughlin to go from this southern end and round and back to the south-western exit to Glenfada Park North, this must in our view have been at least long enough for those arrested to have been marched away and out of Glenfada Park North.

<sup>1</sup> [Paragraphs 108.47–50](#)

<sup>2</sup> [AM500.1-2](#)

**108.121** There is some evidence from soldiers that is relevant in this context.

**108.122** Lieutenant 119 recorded, in his written statement for the Widgery Inquiry, that when he arrived there:<sup>1</sup>

“The courtyard then contained only my own men and on the far corner three bodies about which one or two civilians had started to assemble. I set off towards the bodies with the intention of seeing what could be done, but just at that moment a man standing by my radio operator shouted that we had orders to withdraw. I saw Knights of Malta first aid staff approaching the bodies and therefore left them to take care of them. At that moment about 20 people emerged from the gable end of the east building. They were clearly in a hazardous position. I therefore picked them up, and did so as a routine arrest operation because I thought the gunman who had fired at us might still be amongst them.”

<sup>1</sup> [B1752.044](#)

- 108.123** In his oral evidence to the Widgery Inquiry, Lieutenant 119 gave a similar account.<sup>1</sup> He also noted that at this time he could also hear the sound of baton rounds being fired on the Rossville Street waste ground.<sup>2</sup> In his evidence to this Inquiry, Lieutenant 119 said that he had no recollection of the arrests in Glenfada Park North.<sup>3</sup>

<sup>1</sup> WT14.15

<sup>3</sup> B1752.017; Day 363/159-164

<sup>2</sup> WT14.14

- 108.124** In his evidence to the Widgery Inquiry, Lance Corporal F was asked whether, before he made arrests at the southern end of the eastern block of Glenfada Park North, he had seen anyone in the courtyard other than the three men who had been shot. He replied that “*there were some a[m]bulance people came forward*” shortly after the casualties fell.<sup>1</sup> In his evidence to this Inquiry, Lance Corporal F stated that he had no independent recollection of most of the events in Glenfada Park North.<sup>2</sup>

<sup>1</sup> WT14.73

<sup>2</sup> B167.004

- 108.125** In contrast to the accounts given by Lieutenant 119 and Lance Corporal F, Private G told the Widgery Inquiry that he did not “*see a first-aid girl coming out to tend to some of the wounded at any time*”.<sup>1</sup> Private H told this Inquiry that he did not recall seeing any first aid personnel in Glenfada Park,<sup>2</sup> and he made no reference to any such people in his 1972 evidence.

<sup>1</sup> WT14.87

<sup>2</sup> B264.2; Day 377/112-113

- 108.126** Private 027, in his written evidence to the Royal Military Police and to the Widgery Inquiry, stated the following:<sup>1</sup>

“The civilians remaining were arrested and led out of the square with their hands on their heads. As the park emptied I saw three male bodies lying at the far end of the park. They appeared to be dead. I subsequently saw these bodies being removed through the NW exit by male persons dressed in donkey jackets and flat caps.”

<sup>1</sup> B1548; B1552

- 108.127** In his evidence to this Inquiry, Private 027 stated that he had a vague recollection of seeing civilians being apprehended and escorted out of Glenfada Park. He was then left alone and believed that he crossed to the south-east corner where he stood watching the casualties being removed by civilians. He again referred to seeing men in donkey jackets and flat caps participating in this process. He was shown the evidence of Eibhlin Lafferty, but he said he did not recall the incident that she described.<sup>1</sup>

<sup>1</sup> B1565.44; Day 246/96-98

**108.128** Private 027's 1975 account gave the impression that after the arrestees were escorted from Glenfada Park he was left alone in the courtyard, and that during this time he saw four men with flat caps and donkey jackets enter the complex, pick up the bodies and carry them out. Private 027 aimed at them but did not fire.<sup>1</sup>

<sup>1</sup> [B1565.7](#)

**108.129** Lieutenant 119's and Lance Corporal F's evidence suggests that the people at the southern end of the eastern block of Glenfada Park North were either still there, or being escorted north through Glenfada Park North, when people went to the casualties. In the light of the other evidence, however, we consider that this is unlikely to have been the case. Lieutenant 119 may well have seen civilians at or approaching the bodies, but it seems to us that he was mistaken in believing that this was before the arrested civilians had been taken away. Lance Corporal F said that people attended the bodies "*shortly*" after they had fallen, but for the reasons given elsewhere in this report,<sup>1</sup> we find his evidence so unsatisfactory that we place no reliance on it. Much the same applies to Private G. In the case of Private 027, it seems to us (as we have stated earlier in this report) that he had come into Glenfada Park North with Lieutenant 119. He does not say anything about Order of Malta Ambulance Corps volunteers going to the casualties, but to a degree his evidence seems to be consistent, so far as timing is concerned, with that of the civilians.

<sup>1</sup> [Chapter 100](#)

**108.130** In our view, therefore, the civilians arrested at the southern end of the eastern block of Glenfada Park North had probably gone from Glenfada Park North when people went to the aid of the casualties there.

## What afterwards happened to Jim Wray, William McKinney and Joe Mahon

**108.131** We have already described what happened to Joe Friel and Michael Quinn after they had been shot, and the evidence relating to Daniel Gillespie. We consider what happened to Patrick O'Donnell later in this report,<sup>1</sup> since he sustained a further injury after he was arrested at the southern end of the south-eastern block of Glenfada Park North.

<sup>1</sup> [Chapter 114](#)

- 108.132** Jim Wray was taken to the Carrs' house at 8 Abbey Park,<sup>1</sup> where Michael Kelly had already been carried.<sup>2</sup> Both men were treated by Rosemary Doyle and possibly other Order of Malta Ambulance Corps volunteers.<sup>3</sup> They were examined by Dr Raymond McClean, who found that Michael Kelly was already dead and that Jim Wray was mortally wounded, if not also dead.<sup>4</sup> Fr George McLaughlin attended Jim Wray as he lay in the house.<sup>5</sup>

<sup>1</sup> AC43.5; AC42.5; Day 158/164; Day 159/111

<sup>4</sup> AM105.50; AM105.56-57; AM105.98; AM105.6

<sup>2</sup> AC43.5; Day 158/164; Day 159/111

<sup>5</sup> H13.2; H13.7

<sup>3</sup> AD140.3; AD140.8-9; Day 101/13-15; AM311.2;  
AM105.50; AM105.56; Day 175/34

- 108.133** William McKinney was carried next door to 7 Abbey Park, the home of William and Bridget O'Reilly.<sup>1</sup> There he was attended by Fr Anthony Mulvey,<sup>2</sup> and treated by James McDaid and Sophia Marley of the Order of Malta Ambulance Corps,<sup>3</sup> and Dr Raymond McClean.<sup>4</sup> Despite their efforts, William McKinney died while in the house.<sup>5</sup> William O'Reilly thought that William McKinney died while being carried to an ambulance,<sup>6</sup> but in the light of Dr McClean's and James McDaid's evidence he was in our view mistaken about this.

<sup>1</sup> WT7.3; AO69.25; AO69.31; AO66.9

<sup>5</sup> AM105.50; AM105.56-58; AM105.98; AM105.6-7;  
AM166.5

<sup>2</sup> H15.12; WT4.28; AO66.9

<sup>6</sup> WT7.3; AO69.25; AO69.31; AO66.9

<sup>3</sup> AM166.5; AM311.2

<sup>4</sup> AM105.50; AM105.56-58; AM105.98; AM105.6-7

- 108.134** Joe Mahon was taken into Isobel McCourt's house at 4 Abbey Park.<sup>1</sup> There he was treated by a nurse, Jackie Cassidy.<sup>2</sup>

<sup>1</sup> AM141.1; AM141.2-3; AM18.15; Day 167/38

<sup>2</sup> AM18.15; Day 167/38-39; AM141.1

- 108.135** Jim Wray, Michael Kelly, William McKinney and Joe Mahon were all subsequently driven to Altnagelvin Hospital by ambulance. Michael Kelly was the first of the fatally wounded to be taken. He was placed in an ambulance manned by Ronald Moore and John Rutherford,<sup>1</sup> which stopped in Glenfada Park at 4.37pm and arrived at Altnagelvin Hospital at 5pm.<sup>2</sup> Gerard McKinney was transported in the same vehicle,<sup>3</sup> which also contained Michael Kelly's brother, John,<sup>4</sup> his brothers-in-law George Cooley<sup>5</sup> and George Downey,<sup>6</sup> Gerard McKinney's brother Louis,<sup>7</sup> and the Knights of Malta volunteers Sean McDermott<sup>8</sup> and Robert Cadman.<sup>9</sup>

<sup>1</sup> ED29.5-6; ED36.8-9

<sup>6</sup> AD134.6-7

<sup>2</sup> ED29.5; D500.26-27

<sup>7</sup> ED29.6; AM305.3

<sup>3</sup> ED29.5-6; ED36.8-9

<sup>8</sup> AM188.6; ED36.8; AC1.4

<sup>4</sup> AK13.3

<sup>9</sup> AC1.1; AC1.1.01; AC1.38; ED36.8

<sup>5</sup> Day 167/87; AD134.6-7

**108.136** The ambulance that took Jim Wray to hospital arrived in the Abbey Park/Glenfada Park area at 5.03pm, and returned to Altnagelvin at 5.20pm.<sup>1</sup> It was manned by John Holmes and William Gray.<sup>2</sup> Rosemary Doyle accompanied Jim Wray.<sup>3</sup> Geraldine Richmond, who was suffering from shock, was also placed in this ambulance.<sup>4</sup>

<sup>1</sup> [ED48.11](#); [ED48.8-9](#); [D500.26-27](#)

<sup>4</sup> [AM45.6](#); [AD140.3](#); [AD140.8-9](#); [AM223.18](#); [ED48.9](#); [ED48.11](#)

<sup>2</sup> [ED48.8](#); [ED48.10](#)

<sup>3</sup> [AD140.3](#); [AD140.8-9](#)

**108.137** William McKinney, who was accompanied by Sophia Marley,<sup>1</sup> was taken to Altnagelvin Hospital in an ambulance manned by Norman McElhinney and William Wilson.<sup>2</sup> This arrived in Glenfada Park at 5.10pm, and reached the hospital at 5.20pm.<sup>3</sup>

<sup>1</sup> [AM166.5](#); [AM311.2](#); [ED37.8](#)

<sup>3</sup> [D500.26-27](#)

<sup>2</sup> [ED37.5](#); [ED37.7-8](#); [D500.26-27](#)

**108.138** It is not altogether clear how Joe Mahon was transported to Altnagelvin Hospital. He recalled that he was placed in an ambulance with two other casualties (which would suggest the vehicle manned by Ronald Moore and John Rutherford), but he thought that one of these was William McKinney, which would suggest the vehicle manned by Norman McElhinney and William Wilson.<sup>1</sup> A number of those who were present in the former ambulance, which contained Michael Kelly and Gerard McKinney, referred to the presence of a third casualty,<sup>2</sup> who was described by George Downey as a younger man of around 18–20 who appeared to have been shot in the leg.<sup>3</sup> In our view this was likely to have been Joe Mahon.

<sup>1</sup> [AM18.6](#); [AM18.15](#); [Day 167/31](#)

<sup>3</sup> [AD134.6](#)

<sup>2</sup> [ED36.8](#); [ED29.5](#); [AK13.3](#); [AC1.1.01](#); [AC1.38](#)

**108.139** Later in this report<sup>1</sup> we return to consider the movements of the ambulances, as the logs that were kept are helpful in timing other events.

<sup>1</sup> [Chapter 124](#)

# Chapter 109: Accounts of other shooting at civilians in the area of Sector 4

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**109.1** A number of witnesses have given evidence of seeing one or more civilians inside Glenfada Park North, or running from Glenfada Park North, being shot, or shot at, after soldiers had arrived at the entrance to the car park. These included civilians who were in Glenfada Park North itself (Patrick McGinley, Denis Patrick McLaughlin, Malachy Coyle and John McCourt); one who was watching from Mura Place in Block 1 of the Rossville Flats (Pat Doherty); and three who were close to the phone box at the southern end of the same block (Frankie Mellon, Michael McCusker and John Anthony McDermott, known as Sean McDermott).

## Patrick McGinley

- 109.2** In his Keville interview Patrick McGinley said that, while he and others were sheltering at the gable end, soldiers arrived and held them at gunpoint. Three youths attempted to run. The soldiers shot at them and they fell. Patrick McGinley said that he also tried to run but another man held him back.<sup>1</sup>

<sup>1</sup> [AM241.10](#); [AM241.19](#)

## Denis Patrick McLaughlin

- 109.3** Denis Patrick McLaughlin's evidence to this Inquiry, and in one of his 1972 statements, might suggest that he witnessed the same event. He believed that four youths ran across Glenfada Park North from the gable end when a soldier arrived there, and that three were "cut down" as they did so. The fourth, Patrick McGinley, returned with his hands on his head.<sup>1</sup>

<sup>1</sup> [AM326.6-7](#); [Day 159/42-53](#); [Day 159/65](#)

## Malachy Coyle

- 109.4** In his Northern Ireland Civil Rights Association (NICRA) statement dated 1st February 1972<sup>1</sup> Malachy Coyle gave an account of seeing from a yard in the south-west corner of Glenfada Park North a man who had been shot while lying on the ground. We have considered this account in our examination of the shooting of Jim Wray.<sup>2</sup> Malachy Coyle continued:

"I looked across the court, and saw about eight soldiers running across from my left to right. The first soldier looked around the corner and saw a group of women taking shelter from the army gunfire. He shouted that he was going to shoot them. He also called them bastards. The man in the yard with me said that if we showed ourselves the army would shoot us if they had seen us in the yard. I followed the man out with my hands on top of my head. We stood looking at the soldiers who were still threatening the women. I saw a youth wearing a dark blue suit panic, and start running. One of the soldiers shot him in the stomach before he had even made a step. The soldier had shot him from almost point blank range. On seeing this I panicked and ran towards the opening on my right hand side. I heard more shooting but I kept running until I was well away from the gunfire and danger."

<sup>1</sup> [AC97.20](#)

<sup>2</sup> [Paragraphs 104.290, 104.318, 104.327 and 104.340–343](#)



**109.5** Malachy Coyle gave a similar account in his Paul Mahon interview and in his written and oral evidence to this Inquiry.<sup>1</sup> He agreed that it was possible that the soldier had missed, but that he did not believe that this had happened.

<sup>1</sup> [X4.45.48-64](#); [AC97.5-6](#); [Day 156/44-52](#)

## John McCourt

**109.6** We have referred above<sup>1</sup> to the Keville interview attributed to “Joe McCourt”. This recorded that after soldiers had begun to arrest (and assault) civilians at the gable end, three men broke away and ran off. One soldier then lifted his rifle and fired at them, but the witness could not see whether they were hit. We have also considered the next part of this statement in which Joe McCourt recorded that the same soldier then “*ran over into the corner of Glenfada PK*” and apparently fired at a female Order of Malta Ambulance Corps member.<sup>2</sup> As we have observed<sup>3</sup> when considering the shooting of Jim Wray, John McCourt has denied being responsible for this statement, although some of the evidence contained within it regarding earlier events seems to match his account of what he did and saw on the day, and in oral evidence to this Inquiry John McCourt agreed that the address on the transcript was his address in 1972.<sup>4</sup> John McCourt gave no evidence to this Inquiry of seeing the incident described in the Keville interview attributed to Joe McCourt.<sup>5</sup> We have earlier expressed the view that John McCourt probably did give this Keville interview.<sup>6</sup>

<sup>1</sup> [Paragraph 104.376](#)

<sup>2</sup> [AM144.6](#); [AM144.9](#)

<sup>3</sup> [Paragraphs 104.377–383](#)

<sup>4</sup> [Day 152/146-147](#); [Day 423/93-95](#); [Day 423/109-112](#)

<sup>5</sup> [Day 152/148-150](#)

<sup>6</sup> [Paragraph 104.377](#)

## Pat Doherty

**109.7** Pat Doherty said in a Keville interview that from his position in 17 Mura Place, on the sixth floor of Block 1, he saw soldiers who “*came in round the back and they were arresting the fellas*”. He watched as a man was shot while holding a white flag with his hands above his head. Another man then ran off, and Pat Doherty said he heard further shooting. He also said that “*it was just out of our view and it appeared that he had been shot too*”. In his evidence to this Inquiry, Pat Doherty recalled that he saw one man shot as he gave himself up in Glenfada Park. Pat Doherty told us that he recalled seeing a man in Glenfada Park who came out to give himself up but was then shot. However, Pat Doherty stated that his memory of events was poor, and he preferred his 1972 evidence.<sup>1</sup>

<sup>1</sup> [AD95.2](#); [AD95.1](#); [AD95.4](#)

## Frankie Mellon

**109.8** Frankie Mellon gave evidence to this Inquiry that while he was sheltering by the telephone box at the southern end of Block 1 of the Rossville Flats, he saw a soldier on one knee aiming at a tall man with fair hair who was running in a southerly direction (towards Free Derry Corner) in Glenfada Park. The soldier, whose position Frankie Mellon could not recall with precision, screamed at the man to stop. Frankie Mellon watched the man clutch his stomach as he was shot in the back, and saw a piece of masonry fall from the wall in front of the man. However, Frankie Mellon could not be sure that the soldier whom he had seen, and who had shouted and aimed at the man, was the one who fired the shot, though he did say that the soldier was aiming into Glenfada Park North. Frankie Mellon's recollection of this incident was extremely vague – so much so that he could not recall whether or not the soldier was actually in Glenfada Park<sup>1</sup> – and he gave no evidence of it in his Keville interview or NICRA statement.<sup>2</sup> He thought that it happened after he had seen the shootings of Hugh Gilmour and possibly Bernard McGuigan (casualties in Sector 3 and Sector 5 respectively that we discuss later in this report<sup>3</sup>) but he could not be sure of this sequence.<sup>4</sup>

<sup>1</sup> [Day 151/168-170](#)

<sup>3</sup> [Paragraphs 86.60–150](#) and [118.205–294](#)

<sup>2</sup> [AM399.19](#); [AM399.16](#)

<sup>4</sup> [AM399.12](#); [Day 151/164-171](#); [Day 151/196-197](#)

## John Anthony (Sean) McDermott

**109.9** Sean McDermott gave a NICRA statement in which he described sheltering with his friend Frankie Mellon by the telephone box after Hugh Gilmour and Bernard McGuigan had been shot and that *“While there I looked across the road and saw a soldier chase five young boys, behind a wall. I lost sight of the boys but I saw the soldier raise his gun and fire at the boys who were not more than five yards away from him. I don’t know if any of them were hit.”*<sup>1</sup>

<sup>1</sup> [AM4.11-12](#)

**109.10** In his written evidence to this Inquiry, Sean McDermott gave a slightly different account. He recalled seeing two civilians running into the north-west alleyway of Glenfada Park South who disappeared behind a wall near that alleyway. It is clear from the map attached to this statement that Sean McDermott was in fact referring to the north-east

alleyway. He then stated that he saw a soldier who appeared to come from the south-east corner of Glenfada Park North run to the opening of the alleyway and there fire three or four shots in quick succession in the direction of the fleeing men.<sup>1</sup>

<sup>1</sup> AM4.5-6

**109.11** In his oral evidence to this Inquiry, Sean McDermott gave a similar account to that in his written statement and marked on the following photograph where he said the soldier was standing.<sup>1</sup>

<sup>1</sup> Day 144/72; AM4.14



## Michael McCusker

**109.12** Another witness at the southern end of Block 1 of the Rossville Flats, Michael McCusker, stated to this Inquiry (but not in his Keville interview<sup>1</sup>) that he saw about five soldiers in the Glenfada Park North courtyard apparently shooting towards the south and west of that courtyard. Michael McCusker believed that the soldiers were firing from the hip as they ran, but he did not recall seeing the recoil of their rifles or any smoke coming from the barrels of their guns. He did not (or could not) see what the soldiers were firing at. He

told us that he did not see any civilians gathering at the south gable end of the eastern block of Glenfada Park North. He described the soldiers being in the entrance to Glenfada Park North and firing in a westerly direction.<sup>2</sup>

<sup>1</sup> AM160.7; AM160.13-15

<sup>2</sup> AM160.5-6; Day 148/64-68; Day 148/86-89; AM160.11; AM160.12

**109.13** Michael McCusker appears to have spoken to Praxis Films Ltd, and the note of that interview contains a reference to “*Soldiers over in G. Park and K. Walk shooting*”.<sup>1</sup>

<sup>1</sup> AM160.9

## Consideration of the evidence of other shooting in the area of Sector 4

**109.14** In our view Patrick McGinley and Denis Patrick McLaughlin were confused about the sequence of events, and were seeking to describe the shooting of Jim Wray, William McKinney and Joe Mahon, who we are sure were hit and fell on the south side of Glenfada Park North before any soldier had got as far as the gable end.

**109.15** There is no doubt Malachy Coyle believed at the time and continues to believe that he witnessed a youth shot at very close range by one of the soldiers at the gable end. However, it seems to us that he must be mistaken about this. Had such an incident occurred, it would have been in very close proximity to the people at the gable end, who could hardly have missed seeing someone near them shot at close range, but there is no evidence from any of them of any such shooting.

**109.16** There is evidence from others that some people did run away from the group at the gable end when the soldiers arrived there.

**109.17** John McLaughlin (51 at the time) was at the gable end. We have already considered the evidence of this witness when examining the events in Abbey Park.<sup>1</sup> In a Keville interview he said that he had run away from the gable end when the soldiers arrived;<sup>2</sup> and in an interview with Peter Pringle of the *Sunday Times*, that after a soldier appeared at the gable end and pointed his rifle at them:<sup>3</sup>

“one young lad ran out toward the alley way and as he did so the soldier swiveled his rifle round after him but as far as i can remember did not shoot. he simply shouted at him to stop. i took the opportunity and ran across to the passage leading into the southern part of glenfada. the soldier shouted at me to stop and i saw him swing his rifle round at me. i put my hands on my head, bent double, and just kept going. i think there were others behind me. i didn’t hear any shots then.”

<sup>1</sup> Paragraph 107.130

<sup>3</sup> AM340.12

<sup>2</sup> AM500.3

**109.18** James Quinn (31 years old in 1972) told this Inquiry that he ran from the gable end to Joseph Place as the soldiers led the arrestees away.<sup>1</sup> As he did so, he heard shots, but he did not see who fired them and he could not say whether they were fired in his direction.<sup>2</sup> James Quinn’s evidence suggests that he fled at a later stage than John McLaughlin.

<sup>1</sup> AQ10.6

<sup>2</sup> Day 179/67-68

**109.19** Ken Murphy gave a NICRA statement in which he described watching the arrests from a house in Glenfada Park North and seeing a “*young fella*” fall to the ground and get up again.<sup>1</sup> In his written evidence to this Inquiry, he told us that he now had no recollection of events, save that he did recall that he was in 13 Glenfada Park North at the northern end of the western block.<sup>2</sup>

<sup>1</sup> AM457.1

<sup>2</sup> AM457.2

**109.20** It seems unlikely that what Malachy Coyle saw was either John McLaughlin or James Quinn running away, because neither of these could be described as a youth. However, he may well have seen the youth described by the former, and it is possible that this was the “*young fella*” Ken Murphy described as falling down. Malachy Coyle was on his own account terrified and in our view, especially if there had been other shooting from a soldier or soldiers at the gable end, he seems understandably but mistakenly to have associated this with seeing a youth fall to the ground.

**109.21** The Keville interview<sup>1</sup> given by John McCourt refers to three men running away and a soldier firing at them, though it does not indicate in which direction he recalled the men running. In the previous chapter<sup>2</sup> we concluded that John McCourt was mistaken in his recollection that soldiers shot at a female volunteer of the Order of Malta Ambulance Corps in Glenfada Park North. In our view what he may have seen were people running

away and a soldier pointing his rifle at them, as described by John McLaughlin, but on its own his account does not persuade us that a soldier actually shot at those fleeing from the gable end.

<sup>1</sup> [X2.35.17](#)

<sup>2</sup> [Paragraphs 108.34 and 108.74](#)

**109.22** As to Pat Doherty, the position of the man with the white flag or the other man who then ran is not clear from his 1972 account. It seems to us that he may well have observed some of the firing from, as opposed to into, Glenfada Park North, which we return to consider in the context of Sector 5.<sup>1,2</sup> The evidence he gave to this Inquiry is also unclear, as he appears to have a recollection or impression of a soldier coming from the rubble barricade in Rossville Street firing at someone coming out of Glenfada Park North. Since Pat Doherty himself accepted that his recollection at the time was a lot clearer than when he gave evidence to this Inquiry, we have concluded that it would be unwise to rely on his evidence that there was any shooting in the Glenfada Park North area apart from that directed out from that area, which we consider when discussing the events of Sector 5.

<sup>1</sup> [Chapter 119](#)

<sup>2</sup> As will be seen ([paragraphs 118.263–268](#)), there is evidence that Bernard McGuigan, shot in Sector 5, was holding a cloth in his hand when he was shot.

**109.23** As to Frankie Mellon, we took the view that his evidence of seeing someone shot in Glenfada Park North was so vague that it would also be unwise to place any reliance on it. He himself acknowledged that his recollection came from what he described as a peripheral vision while he was concentrating his attention elsewhere.<sup>1</sup> As noted above, he said nothing about such an incident in his Keville interview or NICRA statement.

<sup>1</sup> [Day 151/168-70](#)

**109.24** As to Sean McDermott, in both his 1972 account and in his evidence to this Inquiry, he put the incident he described as occurring after the shooting of Bernard McGuigan. As appears from our consideration of the events of Sector 5,<sup>1</sup> there is no other evidence to suggest that any soldier he could have seen from his position shot at young boys fleeing southwards from this area after Bernard McGuigan was killed. However, as we have already observed, the fact that a witness has got the sequence of events wrong does not necessarily invalidate the account given by that witness. In his oral evidence, Sean McDermott appeared much less certain about when this incident occurred.<sup>2</sup>

<sup>1</sup> [Paragraphs 119.17–35](#)

<sup>2</sup> [Day 144/81](#)

**109.25** It is possible that Sean McDermott was recalling the same incident as that contained in the Keville interview of John McCourt. If so, there are two witnesses who describe a soldier firing at fleeing people. However, the only evidence we have from people who did

flee when soldiers got to the south gable wall of the eastern block of Glenfada Park North is to the effect that although a soldier ordered them to stop and pointed his rifle in their direction, he did not actually fire. As we describe when considering Sector 5,<sup>1</sup> there was undoubtedly Army firing out of Glenfada Park North after soldiers had got to the gable end and it may be that Sean McDermott and John McCourt heard this firing and associated it with the soldier pointing his rifle at people fleeing from the area of the gable end.

<sup>1</sup> [Chapter 119](#)

**109.26** John Leo Clifford gave written evidence to this Inquiry<sup>1</sup> though he was too unwell to give oral evidence. He stated that he was in Glenfada Park South when a bullet passed close by him which he thought must have come from soldiers “*on the walkway above the northern block of Glenfada Park North*” or from soldiers on the ground at the north-east corner of Glenfada Park North. It was suggested by counsel for the Wray family that this account was consistent with the evidence given by Sean McDermott.<sup>2</sup> In the sense that both witnesses describe shooting into Glenfada Park South this is correct, but John Leo Clifford spoke of only one bullet he thought had come from the north of Glenfada Park North, said nothing about people fleeing and thought the bullet had been aimed at him, whereas in his evidence to us Sean McDermott said that the soldier he saw fired three or four shots in quick succession from the south-east of Glenfada Park North at fleeing people. In our view, John Leo Clifford’s evidence does not support the account given by Sean McDermott. On its own, it is evidence that a shot was fired which went into Glenfada Park South, but when and from where remains unclear. It seems to us that this may have been one of the shots that was fired in Sector 3, or one fired earlier in Sector 4, but apart from John Leo Clifford’s recollections, given decades after the event, there is no evidence that he was the target of whoever fired this round.

<sup>1</sup> [AC66.1](#)

<sup>2</sup> [Day 144/79](#)

**109.27** In these circumstances, we are not persuaded by Sean McDermott’s evidence, considered alone or with the Keville interview of John McCourt, that a soldier fired at anyone fleeing from the area of the southern end of the eastern block of Glenfada Park North.

**109.28** As to Michael McCusker, while we have no doubt that he was doing his best to help this Inquiry, and may well have seen soldiers in the southern part of Glenfada Park North, we are not persuaded that they were firing into Glenfada Park North as he described. As he was close to the corner of the southern end of Block 1 of the Rossville Flats<sup>1</sup> his view into



Glenfada Park North was very restricted and he could have seen only part of the southernmost area from there. It seems to us that what he may have seen or heard is some of the firing in Sector 5, which we consider later in this report.<sup>2</sup>

<sup>1</sup> [Day 148/89](#)

<sup>2</sup> [Chapter 119](#)

## Conclusions on the evidence

**109.29** Having examined the evidence to which we have referred above, we are of the view that after soldiers had arrived at the mouth of the entrance to Glenfada Park North and started arresting people, there was no further shooting into Glenfada Park North by soldiers in the area. We consider that after the initial shooting soon after soldiers came into Glenfada Park North, the shooting of Jim Wray and the shots that Private G fired in Abbey Park, the next firing in the area was not into, but out of, Glenfada Park North, in circumstances that we examine when dealing with the events of Sector 5.<sup>1</sup> As we have already observed, it may be that some witnesses mistakenly thought that the firing into Sector 5 was into Glenfada Park North. It must also be remembered that at a late stage, after those arrested in Glenfada Park North had been taken away and indeed after the firing into Sector 5, there was, as we describe when dealing with later events in Sector 3,<sup>2</sup> firing by soldiers in Rossville Street. This too may have led people mistakenly to believe that shots were being fired in Glenfada Park North.

<sup>1</sup> [Chapter 119](#)

<sup>2</sup> [Chapters 123 and 124](#)

# Chapter 110: The question of unidentified casualties in the area of Sector 4

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**110.1** We now consider the evidence which representatives of the soldiers submitted shows that in addition to the casualties that we have identified and considered in this part of the report, other unidentified civilians were shot and injured in the area of Sector 4.<sup>1</sup>

<sup>1</sup> [FS7.2173-2183](#); [FS8.1348-1357](#)

- 110.2** We should note at the outset that we find difficulty with this submission. There is no doubt that the casualties in Sector 4 that we have identified and considered were shot by soldiers and the contrary has not been suggested. The submissions therefore must be that *in addition* soldiers shot other people in Sector 4, but little or no attempt was made to suggest which soldier or soldiers were responsible, to identify the circumstances in which they fired, to reconcile the submissions with the evidence of the soldiers that they hit only the people at whom they were aiming and did not hit anyone by accident while aiming at others, or that they fired only the number of rounds that they later reported. It is the case that neither the soldiers nor the Army advanced any such submissions about additional casualties in 1972.
- 110.3** As we understand it, part of the submissions seems to be that in addition to the identified casualties, there were others, about which people kept quiet, because those casualties had been engaged in paramilitary activities and because people were told or knew that they should not be identified. We return to this point below.
- 110.4** In support of the submission that there were unidentified casualties, the soldiers' representatives drew our attention to the evidence of the witnesses that we consider below. On the logic of the submissions, these must have been witnesses who were somehow unaware that they should not have given this evidence, or who ignored instructions, though this is not a point addressed in the submissions.

## The bodies lying in Glenfada Park North

- 110.5** The photograph taken by Trevor McBride (reproduced below) shows three people lying in Glenfada Park North after the shooting in that area.



**110.6** These were William McKinney, Joe Mahon and Jim Wray. In addition, Patrick O'Donnell had been shot and injured on the eastern side of Glenfada Park North and was subsequently arrested with others at the gable end. We have described the circumstances in which these casualties were shot elsewhere in this report.<sup>1</sup>

<sup>1</sup> [Chapters 104 and 112](#)

**110.7** Trevor McBride's photograph shows only a small part of Glenfada Park North. It was suggested by the representatives of the majority of represented soldiers that at or about the time that this photograph was taken, one or two others were lying injured in Glenfada Park North.<sup>1</sup>

<sup>1</sup> [FS7.2176-2182](#)

## Patrick Kelly

**110.8** We have already referred<sup>1</sup> to the evidence of this witness, when discussing the shooting of Gerard McKinney and Gerald Donaghey. We consider below Patrick Kelly's account of seeing an unidentified man with a leg wound in Abbey Park.

<sup>1</sup> [Paragraphs 107.124–128](#)

**110.9** We consider first Patrick Kelly's 1972 accounts, to which the soldiers' representatives did not refer in their submissions.<sup>1</sup>

<sup>1</sup> [FS7.2176-2177; FS8.1352-4](#)

**110.10** In his Northern Ireland Civil Rights Association (NICRA) statement (which we have set out earlier in this report<sup>1</sup> when dealing with the shooting of Gerald Donaghey), Patrick Kelly described going into Glenfada Park North and while lifting a wounded older man he later discovered was “McKinney”, “*from the sort of alcove where he lay, we saw three other bodies lying still without movement. They were very close together.*” Patrick Kelly then described how he carried the older man “*who was still alive*” round the corner where “*the Knights of Malta took him over and attended him*”; and he and others went back into Glenfada Park North and carried the three remaining casualties to houses.<sup>2</sup>

<sup>1</sup> Paragraph 107.124

<sup>2</sup> AK21.14

**110.11** According to a note bearing the *Sunday Times* journalist Peter Pringle’s initials,<sup>1</sup> it seems that Patrick Kelly told the *Sunday Times* that he picked up Gerard McKinney’s body in the alleyway between Glenfada Park North and Abbey Park and placed the body on the steps:

“he then says he looked round the corner of the alley way into glenfada park and saw two groups of soldiers and he went out into the park and saw three bodies lying along the south fencing. they were very clos together. he says ther was only about 8 feet between the three of them. he carried the nearest one into the alley way. this man had blood coming from his chest and he was wearing jeans and a broad belt. he was lying face downwards and had dark hair.”

<sup>1</sup> AK21.1

**110.12** We have concluded earlier in this report<sup>1</sup> that the man Patrick Kelly described lifting could not have been Gerard McKinney, who we are sure was shot on the steps in Abbey Park. From his description, it would seem that the second person Patrick Kelly said he had carried into the alleyway was Jim Wray. It would also seem that the remaining two were William McKinney and Joe Mahon.

<sup>1</sup> Paragraph 107.128

**110.13** On the basis of this account, therefore, Patrick Kelly helped to carry an older wounded man, not Gerard McKinney, from the alleyway between Glenfada Park North to Abbey Park where Order of Malta Ambulance Corps members attended to him.

**110.14** We have already considered<sup>1</sup> the evidence of people who went to the aid of the identified casualties in Glenfada Park North; and considered the photographs and film taken as those casualties were taken into Abbey Park.<sup>2</sup> Patrick Kelly does not appear in this photographic record, and that record shows that Joe Mahon was carried out before William McKinney and Jim Wray.<sup>3</sup>

<sup>1</sup> [Chapter 104](#)

<sup>3</sup> [Day 158/108-110](#)

<sup>2</sup> [Chapter 108](#)

**110.15** There were, as again can be seen from photographs shown earlier in this report,<sup>1</sup> Order of Malta Ambulance Corps members who attended Gerard McKinney as he lay on the steps in Abbey Park; and we have also considered their accounts earlier in this report.<sup>2</sup> There is no evidence from any of these first-aiders that indicates that they rendered assistance to any but the identified casualties.

<sup>1</sup> [Paragraph 107.147](#)

<sup>2</sup> [Paragraphs 107.129 and 107.132–157](#)

**110.16** In his evidence to this Inquiry, Patrick Kelly gave a different account.

**110.17** He stated to this Inquiry that he returned to Glenfada Park at a time when the soldiers were apparently withdrawing from the area. In addition to the three casualties on the south side of the courtyard, he recalled seeing another body about halfway up the western side of the square.<sup>1</sup>

<sup>1</sup> [AK21.7-8](#)

**110.18** Patrick Kelly stated that this additional casualty was lying half on and half off the pavement, with his legs pointing into the car park. The casualty was a man in his twenties or thirties with dark hair and dark, mainly denim clothes, who was lying on his side facing the Abbey Park alleyway. Patrick Kelly saw, and briefly followed, a group that carried this body out of Glenfada Park North. He lost sight of them as they passed through the alleyway into Abbey Park. He subsequently helped to carry the body that was closest to the alleyway out of Glenfada Park North.<sup>1</sup>

<sup>1</sup> [AK21.8; Day 158/114-116; Day 158/122-124](#)

**110.19** During his oral evidence, Patrick Kelly remained adamant that he had seen a casualty in this position.<sup>1</sup> He stated that the casualty would not have been shown on Trevor McBride's photograph of the three casualties in Glenfada Park North, as the casualty would have been obscured from the photographer by the wall on the right-hand side of the frame to the right of the lamp post.<sup>2</sup>

<sup>1</sup> [Day 158/126; Day 158/128; Day 158/145](#)

<sup>2</sup> [Day 158/146](#)

**110.20** As we have said earlier in this report,<sup>1</sup> we formed the view that Patrick Kelly was doing his best to help us, but in view of the differences between his 1972 evidence and the account he gave to us, and the fact that he does not appear in any of the photographic and film evidence of the casualties being removed from Glenfada Park North, we formed the view that we could not rely on his evidence about what he recalled that he saw and did.

<sup>1</sup> [Paragraph 107.128](#)

## Anthony Martin

**110.21** We have already considered<sup>1</sup> the accounts given by Anthony Martin of what he saw and did when he got to Abbey Park and Glenfada Park North. For the reasons there stated, we found significant difficulties with his evidence, and concluded that we could not rely upon his account of how Daniel Gillespie (whose slight head wound we were discussing) came to be injured. We now return to his evidence in the present context.

<sup>1</sup> [Paragraphs 104.180–197](#)

**110.22** In his NICRA statement,<sup>1</sup> Anthony Martin described how he crossed the Old Bog Road (Fahan Street West) from Lisfannon Park on hearing shouts to come and get the wounded under cover:

“On commencing to cross, we were not fired on, and we reached the other side safely. We went to where the bodies were lying. There were four bodies. On reaching the nearest body, we lifted it and began to carry it to the cover of the houses but gun-fire was directed upon us. We had to lower the body to the ground and squatted for cover. I could tell that these shots were low-velocity because they did not make the same noise as a high-velocity bullet on striking the wall. I am certain that we were fired on by the Army because by then they were the only ones who were in command of the rear of Glen Fada Park. We put the wounded man into the nearest open door and then put him on the living-room floor. I then left the house to look for more wounded. There was at this stage only one wounded man left lying on the ground and he was being given mouth-to-mouth resuscitation. Upon finding that this man could not be moved, and there being no more wounded to bring in, I commenced to look for a priest.”

<sup>1</sup> [AM24.17](#)



**110.23** On one reading of this account, it is possible that Anthony Martin could have been seeking to describe seeing Gerard McKinney in Abbey Park, and the three identified casualties in Glenfada Park North. As we have described earlier, Gerald Donaghey appears to have been taken to Raymond Rogan's house soon after being shot, while Gerard McKinney was left lying on the steps, people believing that he had had a heart attack.

**110.24** In an interview with the *Sunday Times* Insight Team, Anthony Martin is recorded as saying that he joined a bunch of other people carrying white handkerchiefs and went with them into Abbey Park, where people were shouting that someone had been shot:<sup>1</sup>

"i went into the alley way between abbey and glenfada park and there was a man lying there. he was middle aged and had a dark overcoat on. i now know that he was william mckinney of westway. he had blood over his eye (right) which i wiped away. with three others we carried him up some steps (there was a body lying on the steps immediately in front of the alleyway entrance, he says) and into no. 7 abbey park. i was carrying his legs. all the women in the house were crying as we brought him in and i tried to calm them down because this man was still alive. he was moving his eyes. then we went back to get a body which was lying on the little ramps on the edge of the pavement in glenfada park. as we went into the alleyway some others were carrying the body of joseph mahon (who was only injured) out of the park. there were soldiers in the park at the time and as we left the cover of the alleyway to get wray's body we were fired on and the two bullets smacked into the wall ... i was yelling at the soldiers that there were wounded people there but they did not seem to take any notice. just after the two shots had been fired the guy who was next to me held his head and blood started pouring out of a scalp wound right on the crown of his head. i know now that his name is gillespi. i said to him, fuck your head wound lets get this body in. We managed to get it out of the park and took it into the first house (no. 8) on the corner of abbey park. i then went out into fahan st direction asking people to get a priest."

<sup>1</sup> [AM24.19-20](#)

**110.25** According to this account, Anthony Martin helped to carry William McKinney into number 7 Abbey Park and then, while going back for another body, met the people carrying out Joe Mahon. He was then fired on as he tried to get to Jim Wray's body.

**110.26** We have already commented<sup>1</sup> on the fact that this sequence of events is not consistent with the photographic and film records, which show Joe Mahon as the first to be brought out of Glenfada Park North, followed by William McKinney and Jim Wray. In addition, we have, for the reasons we have given,<sup>2</sup> rejected Anthony Martin's account of being fired on as he tried to go to a casualty in Glenfada Park North and of how Daniel Gillespie came to be injured. It is also to be noted that Anthony Martin's *Sunday Times* account is inconsistent with his NICRA statement, particularly since in the latter he recounted being fired on as he was carrying the first body he reached.

<sup>1</sup> Paragraph 104.193

<sup>2</sup> Paragraphs 104.191–197

**110.27** In his written evidence to this Inquiry, Anthony Martin stated that as he was helping with the casualties, "*I also had the impression of a fourth body in the square of Glenfada Park North, but not on the pavement in the South end*".<sup>1</sup> In his oral evidence, he thought this might have been on the west side of Glenfada Park North, but when he was asked how confident he was about his recollection of seeing a fourth body, he replied, "*After 30 years and at the age of 64, I would not put odds on it*".<sup>2</sup>

<sup>1</sup> AM24.12

<sup>2</sup> Day 176/84-85

**110.28** In view of the difficulties with Anthony Martin's evidence to which we have already referred, and the vagueness of his recollection of a fourth body on the west side of Glenfada Park North, we are unpersuaded that he saw a fourth unidentified body.

**110.29** It was suggested, however, that since Joe Mahon was the first to be carried out of Glenfada Park North, followed by William McKinney and Jim Wray (as can be demonstrated by the photographic and film evidence), and on the basis of accepting the accuracy of Anthony Martin's account that he went back out for another body (one on the south side of Glenfada Park North), this other body must have been an unidentified fourth casualty.<sup>1</sup> We reject this submission, on the grounds that we do not accept Anthony Martin's accounts, which are at odds with a substantial body of evidence that we have considered earlier in this report.<sup>2</sup>

<sup>1</sup> FS7.2178

<sup>2</sup> Paragraphs 104.191–196; Chapter 108

## Joseph Gallagher

**110.30** This witness does not appear to have given any account in 1972,<sup>1</sup> but did give written and oral evidence to this Inquiry. We formed the strong impression that he had no clear recollection of events. In his written statement he recorded that as he ran into Glenfada Park North from Rossville Street he noticed a man lying on the ground in the south-east corner:<sup>2</sup>

“[He] might not have been shot, he might just have been knocked down or lying down because I never remember seeing any blood on him. I can’t remember anything else about that first guy because I was past him so quick. He was lying right up against the fence, so may be he was just hiding.”

<sup>1</sup> AG18.4; Day 165/8

<sup>2</sup> AG18.2-4

**110.31** During his oral evidence, Joseph Gallagher accepted that the man that he had seen in the south-eastern corner of Glenfada Park North might have been one of the casualties shown in Trevor McBride’s photograph of the three casualties in Glenfada Park North. He also marked on another photograph, shown below, the position of the man that he saw as being far closer to the centre of the car park than his initial evidence implied.<sup>1</sup>

<sup>1</sup> Day 165/11-12



**110.32** Joseph Gallagher also gave an account of seeing Jim Wray falling in front of him, of going back to help Jim Wray and feeling a bullet going through his hair, after which he saw Joe Friel falling after being shot.<sup>1</sup> This account is inconsistent with the evidence that we considered when dealing with the shooting of the identified casualties.<sup>2</sup>

<sup>1</sup> [AG18.3](#)

<sup>2</sup> [Chapter 104](#)

**110.33** We are not persuaded by the evidence that Joseph Gallagher gave decades after the event. We are sure he was doing his best to assist us, but we have concluded that his recollections are so unclear that we should not rely upon them.

## Greg Doherty

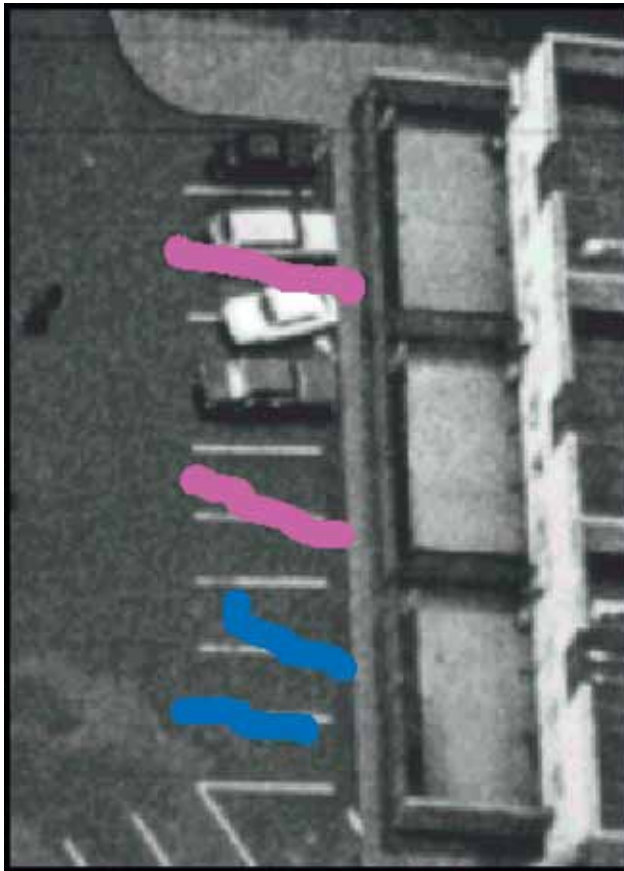
**110.34** We have already considered<sup>1</sup> the evidence of this witness in the context of the question of whether those going to the bodies in Glenfada Park North were fired on as they sought to do so. In his evidence to this Inquiry, he described seeing four bodies lying on the south side of Glenfada Park North, three in about the position shown in Trevor McBride's photo,<sup>2</sup> and the fourth to the left, ie much further to the east, though his recollection was that all four were lying with their feet facing north.<sup>3</sup> He marked their position on a blown-up section of an aerial photograph (reproduced below) of the south side of Glenfada Park North.<sup>4</sup>

<sup>1</sup> [Paragraphs 108.62–65](#)

<sup>2</sup> [Paragraph 110.5](#)

<sup>3</sup> [AD66.4; Day 160/146-147](#)

<sup>4</sup> [AD66.11](#)



**110.35** Greg Doherty stated that all of these supposed casualties were lying with their heads on or against the kerb, and with their feet pointing towards the north-east corner of the complex. The distance between each of the three bodies closest to the Abbey Park alleyway was about three or four feet. The fourth body was a further ten or twelve feet to the east.

**110.36** He told us he moved past the first two people – whom he believed were dead – and then assisted in carrying the third body into Abbey Park. Greg Doherty told us that he recalled that this man – who was alive – had a camera or camera case or light meter around his neck.<sup>1</sup>

<sup>1</sup> [AD66.4-5](#)

**110.37** Greg Doherty stated that he did not go to the fourth person lying in Glenfada Park. He was not close enough to see whether or not this person was a man or a woman, and he could not tell whether he or she was injured.<sup>1</sup> He said that he did not know what happened to this person.<sup>2</sup>

<sup>1</sup> [Day 160/146-147; Day 146/149](#)

<sup>2</sup> [Day 160/149](#)

**110.38** We have no doubt that the man Greg Doherty described as the third body was William McKinney, for as we have already noted, he did have a cine camera with him when he was shot. Greg Doherty identified himself as one of the people helping to carry William McKinney.<sup>1</sup> We have discussed this identification earlier in this report,<sup>2</sup> and concluded, since Noel Kelly identified himself as the same person, that we cannot be sure that either was correct on this point. However, we have no reason to doubt that Greg Doherty did assist William McKinney.

<sup>1</sup> [Day 160/150-151](#)

<sup>2</sup> [Paragraphs 108.63, 108.93 and 108.112](#)

**110.39** Whether he identified another casualty further to the east is another matter. He was in our view clearly wrong in his recollection that the feet of the casualties were pointing north, and that the first three were as close together or in line as he recalled, as can be demonstrated from Trevor McBride's photograph.<sup>1</sup> Had there been an injured person further to the east, then that person would have been very close to the people sheltering at the gable end; and even closer to those sheltering behind the cars on the other side of the entranceway from Rossville Street. There is no evidence from any of those people of an injured person in this position. We are not persuaded that Greg Doherty's testimony on this point (he gave no account in 1972) can be relied upon as indicating that someone in addition to the four identified casualties was shot and lay in Glenfada Park North.

<sup>1</sup> [Paragraph 110.5](#)

**110.40** The representatives of the majority of the represented soldiers submit that a body described by Joseph Gallagher and Greg Doherty "*would of course correlate with the evidence of Soldier E*".<sup>1</sup> Corporal E, as we have noted earlier in this report,<sup>2</sup> claimed that he had fired at and hit a nail and petrol bomber who was on the eastern side of Glenfada Park North. What this submission does not address, however, is the fact that there is no evidence from any of the soldiers who approached the gable end after the shooting that there was a body on the south-east side of Glenfada Park North, which they could not have failed to see, if indeed there had been one there.

<sup>1</sup> [FS7.2181](#)

<sup>2</sup> [Paragraphs 97.50–57](#)

## Patrick Moyne

**110.41** It was suggested that Patrick Moyne saw a casualty in the area of the gable end after Jim Wray was shot.<sup>1</sup> In fact, there is nothing in his evidence to this Inquiry that indicates that what this witness recalled seeing ("*I think a person was being attended to at the south east entrance to Glenfada Park North and I think there was a crowd around him*") was something he observed after the shooting of Jim Wray.<sup>2</sup> As we have described

earlier,<sup>3</sup> a crowd surrounded Michael Kelly at the gable end after he had been brought shot from the rubble barricade, Patrick O'Donnell was at the gable end after he had been shot on the eastern side of Glenfada Park North, and Seamus (James) Liddy was treated at the same place after being hit with a rubber bullet. In addition, the *Derry Journal* reporter, Noel McCartney, described his friend crawling there from the rubble barricade with his leg injured by a baton round.<sup>4</sup> It seems to us that what Patrick Moyne was recalling was seeing one of these people. The suggestion that he saw an unidentified casualty necessarily involves asserting that the crowd around him have chosen not to refer to this incident, a matter that we consider further below.

<sup>1</sup> FS7.2181

<sup>2</sup> AM444.5; Day 162/28-30

<sup>3</sup> Paragraphs 92.1–3

<sup>4</sup> M55.9

## Patricia Harkin

**110.42** Patricia Harkin (now Patricia Canning) was in her sister's flat on the top floor of Block 1 of the Rossville Flats. She recorded in her NICRA statement<sup>1</sup> that from there she saw:

“five bodies lying in Glenfada Park – three on the path and the other two were further in. Some people from an alleyway off Glenfada Park were trying to pick up one of the bodies but the soldiers were shooting from the corner and they had to retreat. Some of these rescuers wore Knights of Malta uniforms.”

<sup>1</sup> AC26.13

**110.43** Patricia Harkin initially stated to this Inquiry that she could not remember seeing any bodies in Glenfada Park North, nor shooting from the corner as described in her NICRA statement.<sup>1</sup> However, later during her oral evidence she said that she did recall seeing the five bodies, and she believed that they were all in Glenfada Park North. However, she also said that she was able to see some of Abbey Park from her viewpoint, and when asked whether it was there that she could have seen two of the bodies, she replied, “*It may have been*”. Patricia Harkin commented that her memory came and went on this matter.<sup>2</sup>

<sup>1</sup> AC26.10; Day 121/182-183

<sup>2</sup> Day 121/190-195

**110.44** We reject the submission made by the representatives of the majority of the represented soldiers that Patricia Harkin was quite sure that all five casualties were in Glenfada Park North.<sup>1</sup> This submission was made on the basis of relying on only part of her evidence.



In our view, what Patricia Harkin was describing in her NICRA statement, and what she may or may not have recalled in her evidence to us, was seeing the three identified casualties in Glenfada Park North and the two in Abbey Park.

<sup>1</sup> [FS7.2181](#)

## The fallen man behind Michael Kelly

**110.45** Earlier in this report<sup>1</sup> we have described how Michael Kelly, shot at the barricade in Rossville Street, was carried into the entrance to Glenfada Park North and there tended while lying on the ground. One of the photographs records this scene.

<sup>1</sup> [Paragraphs 92.1–3](#)



- 110.46** In the background of this photograph a man is shown lying on the ground. A blown-up portion of this photograph is shown below.



- 110.47** The representatives of the majority of represented soldiers submitted that this photograph “appears to show a body lying in Glenfada Park North at the time the crowd was tending [Michael] Kelly which does not correspond with any known dead or injured person”.<sup>1</sup>

<sup>1</sup> [FS7.2182](#)

- 110.48** No-one appears to be looking at or tending this body. Had it been someone who had been shot we would have expected a different reaction from the people around. The photograph was taken before Michael Kelly was carried across Glenfada Park North and thus before any soldiers had come into that area. We do not accept that the person on the ground was an unidentified casualty. It seems to us much more likely that he had simply fallen over while he was moving away, as some others are doing in the photograph.
- 110.49** Having looked individually at the evidence of the witnesses said to show unidentified casualties lying in Glenfada Park North, we considered whether, despite the difficulties and doubts we have expressed in relation to each individual account, the evidence looked at as a whole might paint a different picture. In our view it does not. We therefore conclude that there is no acceptable evidence that in addition to the three casualties identified in Trevor McBride’s photograph and Patrick O’Donnell at the gable end, there was or even might have been anyone else who was shot and lay in Glenfada Park North.

## An armed member of the Provisional IRA shot in the chest

**110.50** We have discussed earlier in this report<sup>1</sup> the evidence of Michael Quinn, one of those wounded in Glenfada Park North. In the *Sunday Times* interview notes (dated 1st March 1972) the following passage appears in the typescript, which is then crossed out by hand.<sup>2</sup>

<sup>1</sup> Paragraphs 104.145–162

<sup>2</sup> AQ11.12

~~4. he heard that a provisional ira man had been shot in the chest in the glenfada area and that the man had been carrying a gun.~~

**110.51** The *Sunday Times* notes record that this was one of five items of information that Michael Quinn had supplied “under guaranty of total anonymity”.<sup>1</sup> One of Peter Pringle’s manuscript notes of what was clearly an interview with Michael Quinn contains a reference in square brackets “[IRA provo shot in chest]”.<sup>2</sup>

<sup>1</sup> AQ11.12

<sup>2</sup> M68.55; M68.289

**110.52** Michael Quinn did not recall asking for a guarantee of anonymity but he suggested that Peter Pringle and Philip Jacobson (two of the *Sunday Times* Insight Team) may have offered it to him.

**110.53** Michael Quinn believed that after he had given his account of his own experiences, Peter Pringle and Philip Jacobson put certain propositions to him regarding Glenfada Park. He believed that in some cases they recorded his evidence and opinions inaccurately.<sup>1</sup> He told this Inquiry that he had no recollection of having heard that a member of the Provisional IRA had been shot in the chest, and could not help further as to why this sentence appeared in the *Sunday Times* notes.<sup>2</sup>

<sup>1</sup> AQ11.26-27; Day 169/97-101

<sup>2</sup> AQ11.27; Day 169/101

**110.54** Peter Pringle said to this Inquiry that it was not his normal practice to prompt the interviewee with possible information as to what they might have seen in Glenfada Park.<sup>1</sup> He commented that the sentence relating to the shot IRA man was in parentheses, probably as an indication that Michael Quinn was passing on information that he had

heard, rather than that which he had witnessed first-hand. Peter Pringle did not know why he had crossed the sentence out on the typed version, although he agreed that it indicated that he had chosen not to rely on the information.<sup>2</sup>

<sup>1</sup> Day 190/63-64

<sup>2</sup> Day 190/72-73

**110.55** Philip Jacobson could not recall the interview with Michael Quinn, but he deduced that the crossing out of the sentence about the IRA man who was shot in the chest was a sign that they were unable to find any evidence that supported this rumour.<sup>1</sup>

<sup>1</sup> Day 191/148-150

**110.56** In the Insight Team's final article<sup>1</sup> there was no reference to an armed member of the Provisional IRA being shot in Glenfada Park.

<sup>1</sup> L211-214

**110.57** In these circumstances we take the view that all that can be inferred from this part of Michael Quinn's evidence is that he seems to have heard from an unknown source that an armed member of the Provisional IRA had been shot in the chest in the Glenfada Park area. It also appears to be the case that the *Sunday Times* journalists were unable (as we were) to find any evidence to support this rumour. In our view the existence of such a rumour is not a reliable basis for concluding even that such an event might have occurred.

**110.58** We should add that our examination of records held by the Security Services (which we cannot describe in full because to do so would be likely to infringe the human rights of individuals) revealed nothing that could be said to support this rumour. On the contrary, had a Provisional IRA man been shot in the chest in Glenfada Park North (or indeed anywhere else on Bloody Sunday) this incident would have been likely to have been mentioned in those records.

## A man with a leg wound

**110.59** The following witnesses gave evidence that it was suggested showed that an unidentified casualty or casualties sustained a leg wound in Glenfada Park North. We again first consider their evidence on an individual basis and then consider whether when viewed collectively, they present a different picture.

## Hugh Duffy

**110.60** In his written evidence to this Inquiry, Hugh Duffy (who was 42 at the time of Bloody Sunday) stated that he “*either saw, or somehow became aware of a man who had been shot in the leg. He may have been one of the other bodies I saw close to Mr McKinney or the person I saw being taken into one of the houses near Mr McKinney’s body.*”<sup>1</sup>

<sup>1</sup> [AD156.4](#)

**110.61** It is clear from this statement that “*Mr McKinney*” was Gerard McKinney. In his oral evidence Hugh Duffy told us that the man he recalled seeing was still alive and was about half his age. A little later in his oral evidence he said he thought he saw the man being taken into a person’s hallway “*or something like that*”, and then that “*I had not seen the chap was shot in the leg, I did not see his injury, no*”. Having been shown a section of the film showing people being carried out of Glenfada Park North,<sup>1</sup> he agreed that it was quite possible that the man he remembered was Joe Mahon.<sup>2</sup>

<sup>1</sup> [Vid 52 02.08](#)

<sup>2</sup> [Day 150/89-97](#)

**110.62** Hugh Duffy gave a Keville interview which seems to have been transcribed into an unsigned NICRA statement. This dealt with what Hugh Duffy had seen at the barricade in Rossville Street, and recorded nothing about what he told us he had seen or learned when he was in Abbey Park.<sup>1</sup>

<sup>1</sup> [AD156.9](#)

**110.63** In our view Hugh Duffy’s evidence lends no support for the suggestion that he saw an unknown casualty with a leg wound in Abbey Park. To our minds the most likely explanation is that he saw or was told about Joe Mahon, who was shot at the top of the right thigh.

## Patrick Kelly

**110.64** We have considered above<sup>1</sup> Patrick Kelly’s 1972 account of seeing and lifting a body in the alleyway between Glenfada Park North and Abbey Park; and his evidence to us that he saw but did not himself help, a body halfway up the western side of Glenfada Park North.

<sup>1</sup> [Paragraphs 107.124–128](#)

**110.65** In his NICRA statement Patrick Kelly recorded that he made his way to Lisfannon Park, looked towards the Rossville Flats, saw the Army vehicles and a body by the telephone box, and made his way across the “Bogside Road” towards Glenfada Park. “*The first thing I saw was a boy of about 17 or 18 years who had been shot in the leg being helped by two other people.*” He then described being told that there were other casualties round the corner in the Mews Lane, which is the alleyway between Glenfada Park South and Abbey Park.<sup>1</sup>

<sup>1</sup> [AK21.14](#)

**110.66** Nothing about a boy shot in the leg appears in Peter Pringle’s notes of an interview he appears to have had with Patrick Kelly.<sup>1</sup>

<sup>1</sup> [AK21.1](#)

**110.67** In his written evidence to this Inquiry,<sup>1</sup> Patrick Kelly described going into the alleyway between Glenfada Park South and Abbey Park and as he approached the alleyway into Glenfada Park North he saw:<sup>2</sup>

“a young fella coming towards me in a southerly direction. He was being supported by a couple of people who seemed to be holding him up under his arms and shoulders. He was dragging one leg and favouring the other and I think the people around him were saying ‘let’s get him into an ambulance’. He seemed to be a teenager and was slim, although not particularly tall. He was wearing dark clothing but I don’t remember any other details about him.”

<sup>1</sup> [AK2.4-11](#)

<sup>2</sup> [AK21.6-7](#)

**110.68** In his oral evidence to this Inquiry, Patrick Kelly told us that he did not see any wound or blood and that seeing him limping, “*It is possible he might have been hit with a rubber bullet, you know, it is possible, I did not see any blood.*”<sup>1</sup> “*I took it he was shot in the leg.*”<sup>2</sup> He also agreed that it was in the alleyway between Abbey Park and Glenfada Park that he saw the young limping boy. He did not recollect seeing people clustered round a body in Abbey Park.<sup>3</sup>

<sup>1</sup> [Day 158/99](#)

<sup>3</sup> [Day 158/101](#)

<sup>2</sup> [Day 158/100](#)

**110.69** We have considered earlier in this report<sup>1</sup> Patrick Kelly’s evidence about Gerard McKinney and concluded that he was wrong to believe that this casualty was in the alleyway between Abbey Park and Glenfada Park North. We have also concluded that we cannot rely on his account of seeing and lifting a body in this alleyway, or his account of

seeing a body about halfway up the western side of Glenfada Park North. In view of this, we treat with caution his account of seeing a limping youth. If he did see such a youth in the area of Abbey Park, then on his account, since he saw no wound or blood, what was causing the limp remains uncertain, though he may have seen the friend of Noel McCartney, who had been injured by a baton round.<sup>2</sup>

<sup>1</sup> Paragraphs 107.124–128

<sup>2</sup> M55.8-9

## Matthew Connolly

**110.70** In an interview with Peter Pringle and Philip Jacobson of the *Sunday Times* Insight Team, Matthew Connolly is recorded as saying that he was taking shelter at the south-western corner of Glenfada Park South after fleeing from the gable end of the eastern block of Glenfada Park North, when he saw a boy of about 18 lying outside a house in Abbey Park about halfway down the alleyway between Abbey Park and Glenfada Park South. *“I could see that he had jeans on. He was holding his leg as if it had been shot.”* He then described looking round the corner and *“there were three or four soldiers on the corner of glenfada park”*.<sup>1</sup> According to the map accompanying this interview these soldiers were on the western side of the western block of Glenfada Park North.<sup>2</sup>

<sup>1</sup> AC76.15-17

<sup>2</sup> AC76.17

**110.71** Matthew Connolly told the Insight Team that before he seen this boy he had seen three or four bodies on *“the steps”* as he ran to take shelter. The map indicates that these were on the steps where Gerard McKinney and Gerald Donaghey fell.<sup>1</sup>

<sup>1</sup> AC76.17

**110.72** Matthew Connolly had made no mention of this boy in his NICRA statement.<sup>1</sup> He made a statement to the coroner investigating John Young’s death on Bloody Sunday, but this was of course concerned with the death of this person and again made no mention of the boy.<sup>2</sup>

<sup>1</sup> AC76.13

<sup>2</sup> AC76.27

**110.73** In his written and oral evidence to this Inquiry, Matthew Connolly told us when he came into the alleyway between Glenfada Park South and Abbey Park he saw two further casualties nearby, one *“almost exactly behind the other”*, close to the where the alleyway runs into Fahan Street West (Old Bog Road).<sup>1</sup> One of these casualties, who he came to believe was called Donaghy, was carried into a house in Abbey Park.<sup>2</sup> The other casualty,



16 or 17 years old, with dark curly hair, did not appear to be as badly hurt, as he was talking to people around him, and possibly kneeling. He did not see where this person was hurt.<sup>3</sup>

<sup>1</sup> AC76.5; AC76.24

<sup>3</sup> AC76.5-6; Day 151/29-31

<sup>2</sup> AC76.6; Day 151/28-29

**110.74** Some minutes later, Matthew Connolly saw another casualty further to the north. This was a middle-aged man, who appeared to be being treated for a heart attack. After Bloody Sunday he was told that this man was called William McKinney.<sup>1</sup>

<sup>1</sup> AC76.7; Day 151/32-33

**110.75** This middle-aged man was undoubtedly Gerard McKinney. However, we find the rest of Matthew Connolly's account, concerning the two casualties he said he had seen a few minutes earlier, very difficult to follow. It is inconsistent with what he said to the *Sunday Times* Insight Team, where he recalled seeing only one person holding his leg, somewhat further north up the alleyway and after he had seen people lying on the Abbey Park steps. We came to the conclusion that while Matthew Connolly was doing his best to help this Inquiry, his recollections in his evidence to us were muddled and that it would be unwise to rely on them. It is possible that one of the people he saw (in addition to Gerald Donaghey) was Joe Friel, who, as we described when considering the circumstances in which he was wounded,<sup>1</sup> may have paused at the southern end of the alleyway. Whether this is so, and whether the person in his NICRA statement he recorded seeing holding his leg had in fact been shot, remain uncertain. Again, this person may have been the friend of Noel McCartney, who had been injured in the leg by a baton round.<sup>2</sup>

<sup>1</sup> Paragraphs 104.53–67

<sup>2</sup> M55.8-9

## Michael Quinn

**110.76** We have already considered<sup>1</sup> the evidence of Michael Quinn, one of those wounded in Glenfada Park North, when considering the circumstances in which he came to be shot, and the passage in the *Sunday Times* notes referring to a Provisional IRA man being shot in the Glenfada Park area.

<sup>1</sup> Paragraphs 104.145–162

- 110.77 In the statement taken by his solicitor,<sup>1</sup> Michael Quinn recorded that he had gone from the gable end of the eastern block of Glenfada Park North into the car park in Glenfada Park North:<sup>2</sup>

"I remained there for some minutes. While I was there, the shooting began again. I saw a man, who appeared to be nineteen or twenty years of age, who was shot in the right leg at the entrance to the small alleyway which leads from the carpark into Abbey Park. I am quite sure that this man had nothing in his hands when I saw him. At this stage the shooting ceased for a short while ... The shooting then resumed and the people who were standing at the gable wall at Glenfada Park/Rossville Street, rushed into the carpark at Glenfada Park where I was standing. The shooting ceased again after some seconds during which it appeared to me that a large number of rounds had been fired. Just then a small crowd of people carrying the body of a man, who was wearing a blue anorak, crossed the carpark and went into the back of one of the houses at Glenfada Park. After some hesitation, I decided to get out of Glenfada Park. I ran across towards the alleyway leading into Abbey Park and as I was nearing this entrance I felt myself being struck on the right cheek by a bullet. I stumbled but got up and ran on through the alleyway. As I was passing through I noticed the man who I had seen being shot earlier lying in the shadows of a nook in the alleyway."

<sup>1</sup> [AQ11.17-18](#)

<sup>2</sup> [AQ11.18](#)

- 110.78 Michael Quinn's written statement for the Widgery Inquiry was in the same terms.<sup>1</sup> In his oral evidence to that Inquiry,<sup>2</sup> Michael Quinn repeated that he was in Glenfada Park North when he saw this young man being shot. "*He was standing just in front of the alleyway which leads into Abbey Park.*" He said that he knew the man had been shot because he saw the hole in his leg and blood coming from it. He also said that he did not see where the shot had come from and that there were no soldiers in the courtyard at the time; and that the man had been standing facing towards the garages in Glenfada Park. Michael Quinn then described seeing people carrying a body across Glenfada Park North. He then repeated what he had said in his written accounts about seeing the man shot in the leg lying in the alleyway leading into Abbey Park. He told the Widgery Inquiry that this man was not Joe Friel (another of those wounded in Glenfada Park North) whom he knew.

<sup>1</sup> [AQ11.60-61](#)

<sup>2</sup> [WT7.71-74](#)

- 110.79** According to the notes of an interview by the *Sunday Times* Insight Team (Peter Pringle and Philip Jacobson), Michael Quinn told them:<sup>1</sup>

"I was amazed to see people still standing openly round the barricade in the middle of Rossville street; i talked to Charlie McGuigan (dead man's son). the next thing i recall is seeing a young man shot in the leg on the footpath near the passway to Abbey Park. my impression was that the shot came from the north east corner of Glenfadda and when i looked back to the man – I had seen the bullet wound in his leg – he had gone (he saw him again later) the shooting stopped for a bit and i moved between two of the wooden fences behind houses on the east side of Glenfadda; from there i saw several men carrying a man's body on their shoulders into one of the houses (map). after that i decided to dash for the passway to Abbey Park and was running doubled over and i was hit in the right upper cheek, (the bullet appears to have fractured his cheek bone and grazed his nose.)

I staggered through the passage way into Abbey Park and remember seeing the man shot in the leg lying near the back of the Glenfadda block."

<sup>1</sup> [AQ11.10-11](#)

- 110.80** The journalists made a note that when Michael Quinn dealt with what happened in Glenfada Park North, "*from here his recollection of sequence of events becomes confused, but he is clear about what he saw*".<sup>1</sup> We do not know what led the journalists to record this comment.

<sup>1</sup> [AQ11.11](#)

- 110.81** In his evidence to this Inquiry, Michael Quinn gave a similar account, but with two main differences.<sup>1</sup> He told us that the youth was wearing a grey jacket and grey trousers and was standing in the north-west corner of Glenfada Park North.<sup>2</sup>

<sup>1</sup> [AQ11.22](#); [Day 169/73-82](#)

<sup>2</sup> [AQ11.22](#); [AQ11.29](#); [Day 169/77-79](#)

- 110.82** In our view Michael Quinn's 1972 accounts of where the man was and what he was wearing are to be preferred to his recollection decades later.

- 110.83** While Michael Quinn's 1972 accounts of seeing a man shot in the leg were generally consistent and coherent, there are difficulties in accepting his evidence in this regard. According to these accounts, he saw this event before he saw people carrying a body (clearly that of Michael Kelly) across Glenfada Park North and though to the *Sunday Times* he said that his impression was that the shot had come from the north-east corner of the courtyard, he told the Widgery Inquiry that there had been no soldiers in the

courtyard at the time. Thus on this basis what he saw could not have been the shooting of Joe Mahon, who was hit in the upper thigh after Michael Kelly had been carried across and after the soldiers had come in and opened fire. Joe Mahon was the only identified casualty in Glenfada Park North to have suffered a leg wound. No one else has given evidence of any casualty in Glenfada Park North before Michael Kelly had been carried across, and from the photographs of that event (and the evidence of those who told us they were there at that stage), which we have considered earlier in this report,<sup>1</sup> there were undoubtedly a considerable number of people around, some of whom at least could not have missed seeing what Michael Quinn described.

<sup>1</sup> [Chapter 92](#)

**110.84** As we have said elsewhere it is understandable that witnesses could get the order of events wrong, but even on this basis Michael Quinn's account of the man wounded in the leg cannot, in our view, be reconciled with the other evidence. He could not have been describing the shooting of Joe Mahon, since we are satisfied (for the reasons given earlier in this report<sup>1</sup>) that by the time this happened Michael Quinn was in the south-west corner of Glenfada Park North making his way into Abbey Park, and was probably the first of these two to be shot. Furthermore, his account does not suggest that he saw someone shot in the leg behind him.

<sup>1</sup> [Paragraphs 104.145–164](#) and [104.485–490](#)

**110.85** For reasons that we give later in this report,<sup>1</sup> we do not accept the suggestion that there were people in Glenfada Park North who must have witnessed this event but chose not to mention it. In our view the most likely explanation is that Michael Quinn did see someone who he believed was a person shot in the leg, but that he was mistaken about this, even though in his oral evidence he denied that this was the case.<sup>2</sup> There is no evidence from either any military or any civilian source to support his account. It is possible that he saw someone who had or appeared to have sustained a leg injury who had been injured elsewhere, and came to believe that he had seen this happen, perhaps because he heard a shot when he first saw this person holding his leg. His account of seeing a person lying in the alleyway as he went through may be correct, but whether or not this was the person he said he had seen being shot is another matter, since at this time Michael Quinn had himself been shot in the face and was attempting to flee, so he could for those reasons have easily been mistaken. In the end we are unpersuaded by Michael Quinn's evidence that he witnessed the shooting of an unidentified person in the leg in Glenfada

Park North. It is noteworthy that when Peter Pringle, the *Sunday Times* journalist, was asked at this Inquiry about what Michael Quinn had said about a person shot in the leg, he told us that he was never able to resolve or get to the bottom of this matter.<sup>3</sup>

<sup>1</sup> Paragraphs 110.123 –127

<sup>3</sup> Day 190/57-59

<sup>2</sup> Day 169/114

**110.86** We should note at this point that the representatives of some of the represented soldiers submitted that the evidence of Kieran Gill and Noel Doherty about seeing casualties – respectively one with a leg wound and one with what seemed to be a hip injury – being placed into cars at St Columb’s Wells;<sup>1</sup> and an *Irish Times* article dated 31st January 1972,<sup>2</sup> which indicated that a man with a leg wound was taken to Letterkenny Hospital “might, one can put it no higher, indicate that the man shot in the leg in Glenfada Park was taken to the area of St Columb’s Wells and/or Letterkenny Hospital”.<sup>3</sup> This submission is based upon the assumption that an unknown man was shot in the leg in Glenfada Park North.

<sup>1</sup> M105.9; Day 203/143-4; AD91.7; Day 82/24

<sup>3</sup> FS8.1355-1357

<sup>2</sup> L69.2

**110.87** For the reasons that we have given, the evidence of any of these witnesses, considered individually, does not persuade us that they saw unidentified people who had been injured by rifle fire. Looking at the evidence as a whole, Patrick Kelly and Matthew Connelly may have seen someone who had an injured leg and it may be that this was the same person whom Michael Quinn saw in Glenfada Park North, but whether or not this was so, we take the view that their evidence as a whole (including that of Hugh Duffy) does not show that an unidentified casualty had been shot in the leg by rifle fire in Glenfada Park North, or indeed elsewhere.

## A man with a head or face wound

### John McCourt

**110.88** We have already considered the Keville interview with “Joe McCourt”<sup>1</sup> and have concluded that this account was (despite his denial) probably given by John McCourt. In his Keville interview John (or Joe) McCourt is recorded as saying:

“I was in Glenfada Park on Sunday when I seen five British soldiers run into the park. They fired on four fellas carrying a wounded civilian. They fired at the civ – wounded civilian and hit him in the head. These four blokes run with the civilian and had to drop him at the far side of Glenfada Park.”

<sup>1</sup> [AM144.6](#); [AM144.9](#)

- 110.89** As will have been seen during our consideration of the events in Glenfada Park North, immediately before and when soldiers came into that area, there is abundant and convincing evidence (including some photographic evidence) that a group of people carried Michael Kelly (who had been mortally wounded in Rossville Street) across Glenfada Park North, just before the soldiers came in, but dropped or left him close to the south-western alleyway leading into Abbey Park as the soldiers arrived, leaving one or two people to lift him up and carry him into Abbey Park, more or less as the soldiers opened fire.
- 110.90** None of those who helped carry Michael Kelly or who accompanied this group has suggested that he was shot in the head or at all as he was being carried and there is no medical or scientific evidence of such a wound.
- 110.91** Michael Kelly was in fact hit in the stomach, not the head. However, one of the casualties in Glenfada Park North was Jim Wray who, as we have described, fell near to the same alleyway. He was shot in the back, but had also sustained an abrasion wound above his right eye, which in our view might have been reasonably but mistakenly believed to be a shot wound.
- 110.92** There is no evidence from any source that suggests to us that another wounded person was carried across Glenfada Park North and fired on after (or indeed before) the soldiers came into that area, nor has any soldier given evidence that any of the people they fired at in Glenfada Park North was hit in the head.
- 110.93** In these circumstances we reject the account of John McCourt that soldiers fired and hit in the head a wounded person being carried across Glenfada Park North. If he saw anything at all, it was the group carrying Michael Kelly. In this context it will be noted that we have earlier in this report<sup>1</sup> also rejected what John McCourt said in his Keville interview about a soldier firing at a first aid girl who to save herself had had to throw

herself on one of the dead people in Glenfada Park North. It is possible that John McCourt had confused seeing Jim Wray's abrasion head wound with the wound on the body he said was dropped in what appears to be about the same area.

<sup>1</sup> Paragraph 108.74

## Sean McDermott

**110.94** We have discussed above<sup>1</sup> the evidence of the Order of Malta Ambulance Corps volunteer Sean McDermott about the aftermath of the shooting in Glenfada Park North and Abbey Park.

<sup>1</sup> Paragraphs 107.148–151 and 108.36

**110.95** In his Keville interview, Sean McDermott described going into Glenfada Park North with Eibhlin Lafferty (another Order of Malta Ambulance Corps volunteer whose evidence we have also discussed above<sup>1</sup>):<sup>2</sup>

“By that time I was behind her then and she run right out into the street and we later ss – seen that there was four men shot dead in the matter of about six yards the bodies was nearly on top of one another. There was one man shot through the head and one – there was one shot through the chest, one through the stomach and another man was sho – er – shot through the – two men were shot through the face out at the end of the barricade which is about thirty yards away and their face was completely destroyed.”

<sup>1</sup> Chapter 108

<sup>2</sup> AM188.16-17

**110.96** Sean McDermott made no reference to a man with a head injury in his handwritten report for the Order of Malta Ambulance Corps,<sup>1</sup> nor, in his evidence to this Inquiry, could he recall seeing this.<sup>2</sup> He told us that what he had said about two men shot through the face “*must have been hearsay because I was not out near the barricade*”.<sup>3</sup>

<sup>1</sup> AM188.6

<sup>3</sup> Day 180/116

<sup>2</sup> AM188.2; Day 180/114-115

**110.97** In our view Sean McDermott was wrong in believing both that he saw a dead man who had been shot through the head in Glenfada Park North and that four dead men were lying there. In the light of the evidence discussed above, when considering the evidence of shooting in Glenfada Park North and of the photographs and film taken as casualties were removed from there, we are satisfied that the only three lying in Glenfada Park North when Sean McDermott went in were William McKinney, Joe Mahon and Jim Wray.



It is possible that Sean McDermott (who we are sure gave his evidence in good faith) saw the abrasion wound on Jim Wray's head and initially believed that it was a gunshot wound.

## John Porter

**110.98** In his Keville interview, John Porter described seeing four or five people “*coming through one of the little gateways between the flats. And the man in the front was wearing a light blue suit and er – his right eye on the side of his head was shot out. And in my opinion it was only shock kept him running...*”<sup>1</sup> In his signed NICRA statement, John Porter described seeing a group of people running through an arch in front of him. “*A young man in the group wearing a blue suit had an injury and lacerations to the side of his head.*”<sup>2</sup> In his written statement for the Widgery Inquiry,<sup>3</sup> John Porter recorded that he was at the outside of Abbey Park when he saw five people running towards him through the slipway out of Glenfada Park “*and a boy at the front had blood around his right eye. He was wearing a blue suit and had long dark hair. I was then called into 8 Abbey Park.*” In his oral evidence to the Widgery Inquiry, John Porter was asked about this person:<sup>4</sup>

“Q. We particularly want your help here on what you saw and what happened when you had moved to 8, Abbey Park. Did you first of all see several people, five people, running towards you when you were in that position, through the slipway of Glenfada Park?

A. I did, yes.

Q. Did you notice that the one in the front of them appeared to have blood round the side?

A. I saw the group of people run through the slipway. I was about 15 or 20 yards away from them at the time. The young man in the front to the right wore a blue suit and I noticed his whole right eye was all covered in blood and I got the impression that the side of his head had been shot off.”

<sup>1</sup> AP11.25

<sup>3</sup> AP11.16

<sup>2</sup> AP11.2

<sup>4</sup> WT8.45

**110.99** We are of the view that the person John Porter was describing was likely to be Michael Quinn. We have considered above<sup>1</sup> the circumstances in which Michael Quinn was wounded in the face and how he went through the alleyway between Glenfada Park

North and Abbey Park. He was not shot in the eye, but in our view, as can be seen from the photographs, sustained injuries that someone could have mistaken for an eye injury; and could be described as someone with long dark hair.

<sup>1</sup> Paragraphs 104.139–164

**110.100** Michael Quinn does not appear to have been wearing a blue suit or anything that could be mistaken for a blue suit. As we have recorded above,<sup>1</sup> he told the Widgery Inquiry that he was wearing a “*rust coloured windcheater*”.<sup>2</sup>

<sup>1</sup> Paragraph 104.14

<sup>2</sup> AQ11.9

**110.101** Despite this we are not persuaded that at the time we are sure that Michael Quinn emerged injured from Glenfada Park North, ie among the first to flee as the soldiers came into that courtyard, there was another man with different clothes but a similar-looking injury who did the same. There is no evidence, apart from John Porter’s description of the clothing, to suggest that this was the case. It seems to us much more likely that the person John Porter saw was Michael Quinn. As will have been seen from our consideration of other aspects of John Porter’s evidence,<sup>1</sup> we have concluded that some of the other details he gave are unlikely to be accurate. We would include among these his recollection of what the man he saw was wearing.

<sup>1</sup> Paragraphs 19.129–134, 104.325–326 and 104.333–335

## Paul Coyle

**110.102** In his written statement to this Inquiry, Paul Coyle described seeing in Abbey Park, as he emerged from the alleyway, a man walking in a northerly direction holding something to his face, which was red with blood.<sup>1</sup> During his oral evidence, he said that he could not be “*100 per cent*” where he had seen the casualty. However, he remained confident that the casualty was walking towards him as he exited the alleyway.<sup>2</sup> When shown photographs of Michael Quinn, Paul Coyle said that he was unable to comment on whether this was the man he had seen as the casualty had been walking with a handkerchief to his face.<sup>3</sup>

<sup>1</sup> AC105.8

<sup>3</sup> Day 152/83-84

<sup>2</sup> Day 152/81-83

**110.103** We have already observed<sup>1</sup> that in our view Paul Coyle no longer has a reliable memory of events. We consider that he may have seen Michael Quinn. It is also possible that he saw Daniel Gillespie, another of those we have considered earlier in this report.<sup>2</sup> We are not persuaded by Paul Coyle's evidence that he saw an unidentified casualty in Abbey Park.

<sup>1</sup> [Paragraph 104.51](#)

<sup>2</sup> [Paragraphs 104.165–202](#)

## Patrick McGowan

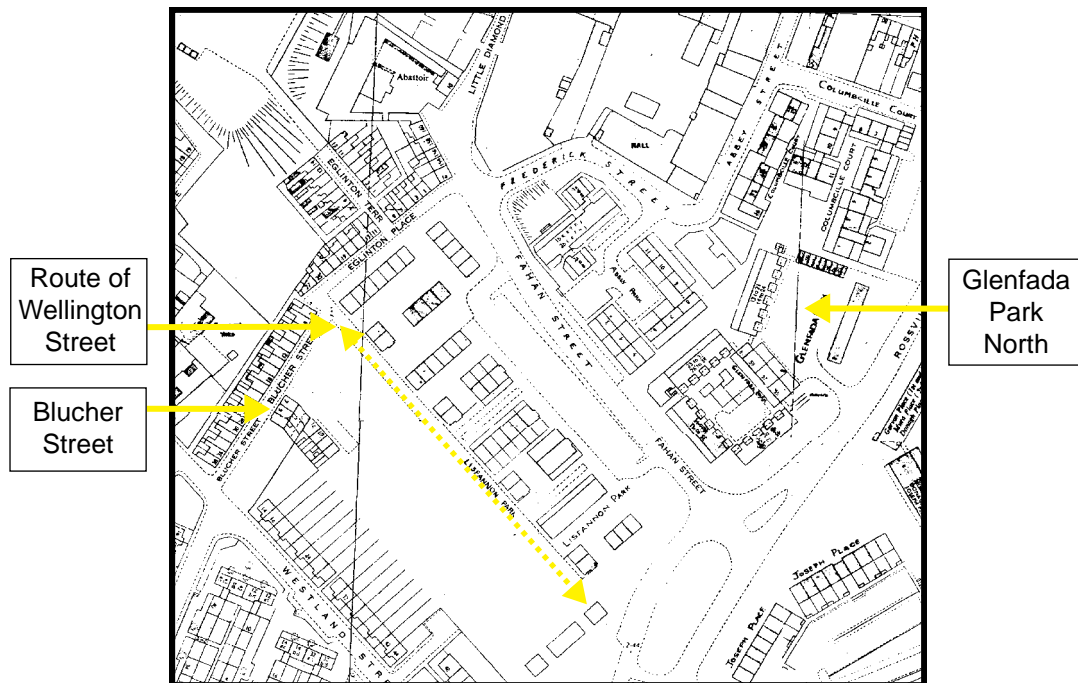
**110.104** In a written statement dated 22nd February 1972 which was made to William O'Connell, an SDLP Councillor,<sup>1</sup> Patrick McGowan recorded that after witnessing Army shooting at the barricade in Rossville Street he moved into Glenfada Park *“and met two boys, one shot through the face. They needed assistance. I stayed and the other boy left. I took this boy through Glenfada Park into Wellington Street and the girls of the Knights of Malta took charge of him.”*

<sup>1</sup> [AM261.4; AM216.8](#)

**110.105** Wellington Street originally led into Blucher Street, which is where, as we have described above,<sup>1</sup> Michael Quinn received first aid from Order of Malta Ambulance Corps volunteers.<sup>2</sup> Wellington Street did not in fact exist by the time of Bloody Sunday, as it had disappeared with the creation of Lisfannon Park. We have marked on the map below where it used to be.

<sup>1</sup> [Paragraphs 104.151 and 104.164](#)

<sup>2</sup> [AQ11.18](#)



**110.106** In his oral evidence to this Inquiry, Patrick McGowan said that he no longer remembered anything about the second boy.<sup>1</sup> In his written evidence he stated that while he was at the southern gable end of the eastern block of Glenfada Park North, he saw a young man who had been shot in the face. Patrick McGowan described the man as being about 20, tall and thin, and with a bloodstained white shirt. The man had apparently been shot in the cheek with the bullet coming out of the right side of his nose. He took this man to Blucher Street where he left him in the care of a member of the Order of Malta Ambulance Corps. Shown a photograph of Michael Quinn, he stated that the man he helped did not appear to have as severe a wound as shown in the photograph, but it might have been Michael Quinn that he helped.<sup>2</sup>

<sup>1</sup> Day 138/17-19

<sup>2</sup> AM261.3-4

**110.107** In the course of his oral evidence Patrick McGowan was shown the photograph again, but this time said he was as sure that this was not the man he had helped.<sup>1</sup> He also said he was sure that he had come across the man, who was standing on his own, at or near the southern gable end of the eastern block of Glenfada Park North; and rejected the suggestion that the man was near the south-west alleyway leading into Abbey Park.<sup>2</sup>

<sup>1</sup> Day 138/16-17

<sup>2</sup> Day 138/12

**110.108** In these circumstances, there are two aspects of Patrick McGowan's evidence to us that might suggest that the man he saw and helped was not Michael Quinn, namely that he expressed himself sure from the photograph of Michael Quinn that it was someone else; and because he recalled that the man he helped he first saw wounded but standing on the eastern side of Glenfada Park North, whereas from the evidence discussed earlier,<sup>1</sup> we are sure that Michael Quinn was wounded as he was in the south-western corner, making his way into the alleyway leading into Abbey Park.

<sup>1</sup> [Paragraphs 104.145–163](#)

**110.109** Despite these aspects, we are not persuaded that the man Patrick McGowan saw and helped was or even might have been an unidentified casualty. In our view it was in all probability Michael Quinn. Patrick McGowan was seeking to recall details decades after the event. There is no other evidence of a person with a wound to the face standing near to the gable end of the eastern block of Glenfada Park North. As we have described elsewhere,<sup>1</sup> a considerable number of people were sheltering at this gable end; but none of them described seeing such a wounded man, though according to Patrick McGowan's recollection as to when he first saw this man, they would have been very close by. Furthermore, Patrick McGowan would, on his account, have been helping the man from Glenfada Park North to Blucher Street at about the same time as Michael Quinn, who had a remarkably similar injury to that described by Patrick McGowan, was also being assisted to the same place, yet there is nothing in Patrick McGowan's evidence to suggest that he saw another casualty with much the same injury.

<sup>1</sup> [Chapter 92](#)

**110.110** As to the photograph of Michael Quinn, initially Patrick McGowan was not sure if this was the man, because of the severity of the wound. In his oral evidence he was firmer about this, because the man he helped "*was fit to run*" and "*had more of a suit and white shirt on him*".<sup>1</sup> As will have been seen in our consideration of the circumstances surrounding his wounding,<sup>2</sup> Michael Quinn was indeed able to run after he was wounded, but it is not surprising that he was lying on the ground when being attended to by Order of Malta Ambulance Corps volunteers; and since it is likely his wound would have continued to bleed, the injury could have appeared worse at this stage. It seems to us that the white handkerchief or scarf round his neck could have been mistaken for a white shirt, and though we bear in mind that he was wearing a windcheater, once again it must be borne in mind that after so many years, it would not be surprising if Patrick McGowan's recollection of such a detail was faulty.

<sup>1</sup> [Day 138/16](#)

<sup>2</sup> [Paragraph 104.164](#)

## Dennis Patrick Irwin

- 110.111** Dennis Patrick Irwin made a NICRA statement in which he described what he saw at the barricade in Rossville Street and that he then “*ran up between the houses and through Abbey Pk. To Blutchers [sic] Street.*”<sup>1</sup>

<sup>1</sup> AI3.8

- 110.112** In his written statement to this Inquiry, Dennis Patrick Irwin told us that he recalled seeing a crowd of people standing round a boy who was lying by “*Harry’s Toy Shop*”:<sup>1</sup>

“In Blucher Street, I saw a crowd of people standing around a boy who was lying on the ground by Harry’s Toy Shop (at point X marked on map 2 attached to this statement). I remember that he was tall and dark haired. He was also well built, as though he lifted weights. He was wearing a checked shirt. His face and chest were covered with blood. There was so much blood that his shirt was saturated. Some people in the crowd were calling out for other people to give the boy more room to breathe. Others in the crowd were shouting that he was dead. No one seemed to know who he was. I do not know whether he was alive or dead.”

<sup>1</sup> AI3.5

- 110.113** In his oral evidence to this Inquiry, Dennis Patrick Irwin agreed that the shop to which he had referred in his written statement was not in fact a toyshop, but a shop belonging to a Mr Toye.<sup>1</sup> Shown photographs of Michael Quinn in Blucher Street, Dennis Patrick Irwin was not sure whether this was the man that he saw there, but thought that it could be him.<sup>2</sup>

<sup>1</sup> Day 170/89

<sup>2</sup> Day 170/90

- 110.114** The description of the man Dennis Patrick Irwin gave does not seem to match that of Michael Quinn, save that from the fact that the man’s face was covered with blood, it appears that the man he saw had sustained a wound to the head or face. However, once again we are not persuaded that this was an unidentified casualty. No witness, including Dennis Patrick Irwin himself, has suggested that two people were lying in Blucher Street with a head or face wound. After so many years, it seems to us that Dennis Patrick Irwin’s description of the man that he saw is not so convincing that it outweighs the fact that the person he saw was in the street where we are sure that Michael Quinn was taken. In our view it was Michael Quinn that Dennis Patrick Irwin saw.

## Michael McGinley

**110.115** Michael McGinley stated to this Inquiry that he saw a man with a head wound outside John Toye's shop on Blucher Street. The wound did not appear to be deep, although there was a lot of blood, and Michael McGinley described it as a "*scrape*". The casualty was standing alone, but within the proximity of about four or five other men, two of whom were having a fight. Michael McGinley heard one of these men complain to another: "*You bastard, you nearly got us all killed.*"<sup>1</sup>

<sup>1</sup> [AM240.3](#); [AM240.7](#); [Day 91/80](#)

**110.116** Michael McGinley was shown photographs of Michael Quinn, but said that this was not the man that he saw. He described the casualty as being in his mid to late twenties, with dark hair and a light build. His wound was on the left side of his forehead.<sup>1</sup>

<sup>1</sup> [Day 91/78-80](#)

**110.117** It seems to us that the person Michael McGinley recalled seeing was not Michael Quinn, whose wound could hardly be described as a scrape, and who seems to have been lying on the ground being attended to by Order of Malta Ambulance Corps volunteers soon after being brought to Blucher Street.

**110.118** It was suggested during the course of the Inquiry that the person Michael McGinley saw was Daniel Gillespie, who was 32 at the time and did sustain a slight head wound on Bloody Sunday.<sup>1</sup> We have discussed his case in detail above.<sup>2</sup>

<sup>1</sup> [Day 91/86-90](#)

<sup>2</sup> [Paragraphs 104.165–202](#)

**110.119** According to Daniel Gillespie, Joe Moran and Michael Canavan escorted him to Lisfannon Park on a route that did not take in Blucher Street. For reasons that we have already given,<sup>1</sup> we treat with caution Daniel Gillespie's accounts of where he went and what he did on Bloody Sunday. He told us that he had no recollection of seeing the confrontation described by Michael McGinley. However, he did say that after he had been treated he was still bleeding and could have been in Blucher Street, "*but I cannot say that I was in Blucher Street*".<sup>2</sup>

<sup>1</sup> [Paragraphs 104.198–201](#)

<sup>2</sup> [Day 158/81-82](#)



**110.120** Bernard Gillespie told us in his written statement that he saw his namesake Daniel Gillespie in the area of Lisfannon Park or Westland Street. “*His head was grazed and he looked absolutely terrified.*”<sup>1</sup> In his oral evidence Bernard Gillespie said that though he had never thought about it for years, he thought he had met Daniel Gillespie, who was on his own, at the corner of Blucher Street and Westland Street.<sup>2</sup>

<sup>1</sup> AG32.4

<sup>2</sup> Day 118/177-179

**110.121** Although the evidence is far from convincing, it does seem to us that the person Michael McGinley saw was probably Daniel Gillespie. However, if we are wrong and it was not, then how and when this person sustained a slight head wound remains a mystery. All that can be said is that there is no evidence from any source to suggest either that it was a rifle shot wound, or that this person was hurt in Glenfada Park North or indeed Abbey Park.

**110.122** For the reasons that we have given, the evidence of these witnesses taken individually does not persuade us that they saw an unidentified casualty with a head or face wound. We have looked at their evidence as a whole, but to our minds this does not alter our view that no unidentified person was injured in the head or face by rifle fire in Glenfada Park North. There is no other evidence from these witnesses or from any other witnesses that anyone saw more than one person with a head or face wound. We conclude that the person whom the witnesses saw was Michael Quinn, seriously wounded in the face, or (in the case of Michael McGinley) Daniel Gillespie with a slight head wound.

## General conclusions on unidentified casualties in the area of Sector 4

**110.123** The representatives of some of the represented soldiers submitted that “*The issue of unidentified casualties raises the concern that the Tribunal has not been told the full story about the events of Bloody Sunday and particularly the involvement and the activity of the IRA.*”<sup>1</sup>

<sup>1</sup> FR8.89

**110.124** In our discussion of the events of Sectors 2 and 3 we gave our reasons for rejecting any suggestion that anyone other than the identified casualties had been shot by Army gunfire on Bloody Sunday. We take the same view of any suggestion that there were

any unidentified casualties in Sector 4 and on this point, for the reasons we have given, we accept the submissions made on behalf of the majority of the families that there were no such casualties.<sup>1</sup>

<sup>1</sup> [FS1.2157-2180](#)

- 110.125** The suggestion that there were other unidentified casualties in Glenfada Park North necessarily involves the proposition that there must have been people in that area who saw unidentified casualties but who chose, or who were induced, to make no mention of them in the accounts that they have given. The only reason for such choice or inducement that we can conceive of would be that these people knew or suspected, or were told, that these casualties had been engaged in paramilitary activities against the soldiers, and so should not be mentioned. How they all knew or suspected this, or when and by what means they were induced not to say anything, remains unclear.
- 110.126** None of the civilians on the basis of whose accounts it is submitted that there were unidentified casualties has suggested that the people they recalled seeing injured were or had been engaged in paramilitary activities. These people obviously decided to state publicly what they believed that they had seen. There is no evidence that they were asked to conceal what they had seen. No explanation is offered as to why they chose, in contrast to the many other civilians in the area at the time, to give the accounts that they did.
- 110.127** In our view, however, there is a simple explanation and one that we accept, namely that the other people in the area did not see unidentified casualties. To our minds, this itself casts grave doubt on what some of the witnesses we have discussed above believed that they witnessed. We are sure that had unidentified people been shot and injured in Sector 4, many people there would have seen such events; the fact that they have given no account of having done so is far more likely to be because no such events occurred than because they individually or collectively decided or were told to say nothing. In short, we repeat our view that there were no unidentified casualties of gunfire in the area of Sector 4.

# Chapter 111: Paramilitary activity in Sector 4

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- 111.1 In this chapter we consider evidence and submissions relating to paramilitary activity in the area of Sector 4. Elsewhere in this report<sup>1</sup> we discuss paramilitary organisations and activities generally.

<sup>1</sup> [Chapters 146–154](#)

## Whether Glenfada Park North was a “*habitual haven of paramilitary activity*”

- 111.2 The representatives of the majority of represented soldiers submitted that there was considerable evidence that Glenfada Park North “*was a habitual haven of paramilitary activity and a regular sanctuary for rioters and armed individuals. Such evidence has emerged entirely separately from the soldiers’ accounts of observing just such activity in the area.*”<sup>1</sup> In support of this submission, these representatives relied on the evidence of a number of civilian witnesses, and other material that suggested that republican paramilitaries used Glenfada Park North as a place in which to store weapons.<sup>2</sup> We discuss these matters below.

<sup>1</sup> [FS7.2008](#)

<sup>2</sup> [FS7.2008-2014](#)

## Civilian evidence

- 111.3 William Barrett lived in Glenfada Park South at the time of Bloody Sunday and for a number of years afterwards. He told us that a man with a machine gun had fired on a number of different occasions (he could not remember when) from inside Glenfada Park North towards an Army Observation Post on top of the Embassy Ballroom building.<sup>1</sup>

<sup>1</sup> [AB110.3](#); [Day 198/063-067](#); [Day 198/95](#)

- 111.4 Raymond Rogan, the Chairman of the Abbey Park Tenants Association, gave the following evidence to the Widgery Inquiry:<sup>1</sup>

“Q. And [you] have lived in Abbey Park for some years?

A. Almost two years.

Q. And you also, I suppose, can speak with close knowledge of previous incidents that happened in the way of rioting in that area?

A. That is correct.

Q. That William Street and the top of Rossville Street are the scene of daily riots in the afternoons?

A. There are disturbances there, yes.

Q. Can you tell my Lord this: is it not right that frequently rifle fire or IRA fire comes from Glenfada Park Flats?

A. That I couldn't say with a great degree of certainty who actually does the firing.

Q. But firing does come from that area against the troops, doesn't it?

A. It is common knowledge."

<sup>1</sup> [WT6.2](#)

**111.5** In his oral evidence to this Inquiry, Raymond Rogan agreed that he had, in his answers in the passage quoted above, accepted that before Bloody Sunday it was common knowledge that fire directed against the troops came on occasion from the Glenfada Park flats.<sup>1</sup>

<sup>1</sup> [Day 184/007-008](#)

**111.6** Paddy McCauley told us that from his experience of participating in riots and witnessing gun battles, the north-east corner of Glenfada Park North was the safest place to be in the Bogside. He explained that this was because "*you cannot be seen from the Embassy buildings, you cannot be seen from the Derry Walls and the army will not come in that far*".<sup>1</sup> At the time of Bloody Sunday, the Army had Observation Posts on both the Embassy Ballroom building and the City Walls. Paddy McCauley accepted the suggestion put to him by counsel that "*hardline rioters*" and people "*carrying weapons of any kind*" would consider Glenfada Park North as "*the obvious place to run to as being somewhere that was reasonably safe where you could not be seen*".<sup>2</sup>

<sup>1</sup> [Day 162/106-107](#); [AM97.1](#)

<sup>2</sup> [Day 162/106-107](#)

**111.7** Joe Mahon also told us that Glenfada Park North was a safe area, but he said this was because soldiers had never come that far into the Bogside before, rather than because Glenfada Park North was not overlooked.<sup>1</sup>

<sup>1</sup> [Day 167/050](#)

## Evidence of republican paramilitaries storing weapons in Glenfada Park North

**111.8** The representatives of the majority of represented soldiers put forward several pieces of evidence to suggest that both the Provisional and the Official IRA had, on occasions, positioned cars with weapons in Glenfada Park.<sup>1</sup> In relation to the Provisional IRA, these representatives cited the evidence to this Inquiry of the researcher Paul Mahon, who said that in the late 1990s he interviewed Gerard “Mad Dog” Doherty, a member of the Provisional IRA at the time of Bloody Sunday.<sup>2</sup> In the notes that Paul Mahon made of this interview, he recorded being told that: “*The IRA often would use a car positioned in Glenfada Park as an arms dump.*”<sup>3</sup> Paul Mahon stated that the interview had also been recorded on video tape and sound tape, but both of these tapes had gone missing.<sup>4</sup> Gerard Doherty, who told this Inquiry that he had been a member of the Provisional IRA and was nicknamed “Mad Dog”,<sup>5</sup> said that he had no recollection of being interviewed by Paul Mahon.<sup>6</sup> He also stated, while being asked about different issues unrelated to the alleged interview, that he did not know where the Provisional IRA Quartermaster used to store weapons.<sup>7</sup> With regard to Bloody Sunday itself, Gerard Doherty said that he was not aware of the presence of a car or cars containing weapons in Glenfada Park North.<sup>8</sup>

<sup>1</sup> FS7.2012-2013

<sup>5</sup> AD65.19; AD65.25

<sup>2</sup> AM19.4; AM19.24; Day 413/85-86

<sup>6</sup> Day 400/177-184

<sup>3</sup> Day 412/196-197; AM19.232

<sup>7</sup> AD65.23; Day 400/26; Day 400/133

<sup>4</sup> AM19.24; Day 411/139

<sup>8</sup> Day 400/71

**111.9** In our view Gerard Doherty was interviewed by Paul Mahon and did make the remarks noted by Paul Mahon. Whether Gerard Doherty was referring to the Provisional IRA or the Official IRA remains uncertain, but we are of the view that it is likely that republican paramilitaries did often use a car in Glenfada Park North in which to dump or store weapons.

**111.10** With regard to the Official IRA’s use of Glenfada Park North as an area in which to store weapons, the representatives of the majority of represented soldiers referred to the evidence of OIRA 1, OIRA 2 and OIRA 7.<sup>1</sup> These men told us that after OIRA 1 had fired a .303 rifle from Columbcille Court towards soldiers close to the Presbyterian church, an incident we considered earlier in this report,<sup>2</sup> the weapon that he used was dumped in the boot of a car that was parked on the eastern side of Glenfada Park North. We consider their accounts in detail below, but note here that in our view this happened.

<sup>1</sup> FS7.2012

<sup>2</sup> Chapter 19

## Consideration of the submissions

**111.11** The representatives of the majority of represented soldiers submitted that the material considered above provided “*clear evidence that Glenfada Park North was indeed likely to be the destination of both rioters and armed men surprised by the Army incursion into the Bogside on that day*”.<sup>1</sup> As we understand the submission, it is that this evidence provides support for the accounts of the soldiers who went into Glenfada Park North and there opened fire.

<sup>1</sup> [FS7.2014](#)

**111.12** What this evidence shows is that Glenfada Park North was considered to be a place of safety for rioters and indeed for paramilitaries, because the area was not visible from Army Observation Posts and because at the time of Bloody Sunday it was thought that the security forces would not venture that far into the Bogside. The evidence shows that before Bloody Sunday, arms were stored in the area and that there was paramilitary firing from the area against the soldiers. The evidence also shows that shortly before soldiers did come into Glenfada Park North, members of the Official IRA dumped a weapon in a car that was parked there.

**111.13** This evidence, of course, does not of itself establish what happened when soldiers did come unexpectedly into Glenfada Park North, as they did on Bloody Sunday, though it does indicate that republican paramilitaries could have been in that area of the Bogside.

**111.14** In our view the central question in the context of Sector 4 is not simply whether paramilitaries or rioters might go into Glenfada Park North when surprised by soldiers coming into the Bogside, or had at some other time fired at soldiers from there, nor even whether paramilitaries or rioters had taken refuge there when the soldiers did come in on Bloody Sunday. To our minds the central question is whether there is evidence that when the soldiers came into Glenfada Park North, there were paramilitaries there who behaved either in the manner described by the soldiers, or otherwise in such a way as to cause the soldiers to open fire.

**111.15** With this question in mind we now turn to consider other evidence of paramilitary activity in Glenfada Park North.



## The gunman or gunmen seen on Rossville Street

**111.16** In that part of this report dealing with the events of Sector 3, we considered the evidence given by Private 017 of encountering a man with a handgun on the western side of Rossville Street.<sup>1</sup> Private 017, who was armed with a baton gun, was one of the members of Mortar Platoon who debussed from Sergeant O's Armoured Personnel Carrier when it slowed on Rossville Street. He ran to the wall of the pram-ramp at the southern end of Kells Walk, from where, on his account, he saw the gunman further to the south shortly afterwards; and hence before soldiers from Anti-Tank Platoon entered Glenfada Park North. We also considered the accounts given by a number of civilians – Fr Thomas O'Gara, Marian McMenamin, Michael Lynch, Margo Harkin and Liam Mailey – whose evidence supported the proposition that there was a man with a handgun on Rossville Street as, or shortly after, Support Company entered the Bogside. We concluded that there had been at least one man who had fired a handgun at this stage and that there may have been others. From the evidence of these witnesses, it appears that at least one gunman then fled from Rossville Street along one of the alleyways at the north end of Glenfada Park North. We do not know where he went, but it is at least possible that it was into Glenfada Park North.

<sup>1</sup> [Chapter 74](#)

**111.17** We have concluded earlier in this part of the report<sup>1</sup> that the gunman or gunmen who fled along one of the alleyways was not the reason for soldiers going into Glenfada Park North. We have already considered, and – for the reasons we have given – rejected, the evidence of Lieutenant 119 of seeing a man with a handgun at the *south-east* corner of Glenfada Park North, some distance from the gunman to which the witnesses, including Private 017, referred. None of the soldiers who went into Glenfada Park North and opened fire claimed in their evidence to the Royal Military Police (RMP) or to the Widgery Inquiry to have seen a man with a handgun in Glenfada Park North. There is an entry in Major Loden's List of Engagements,<sup>2</sup> which records firing at two men with pistols and that one was hit and the other unhurt. We have concluded that it is possible that this entry was made from information provided by Private G, but since that soldier afterwards described his targets as men with small rifles, and said that both were shot, this is only a possibility. There is nothing from any of the other firing soldiers to suggest that any of them saw one or more men armed with pistols. Thus even if one or more men with handguns did flee

into Glenfada Park North, there is insufficient evidence to conclude that they were there when the soldiers came into Glenfada Park North or (assuming that they were there) that their presence caused any of the soldiers to open fire.

<sup>1</sup> [Chapters 93 and 94](#)

<sup>2</sup> [ED49.12](#)

## Evidence given to journalists of a man with a handgun firing in Glenfada Park North

**111.18** John Barry of the *Sunday Times* Insight Team told this Inquiry that he interviewed the politician and civil rights activist Ivan Cooper at some point soon after his team had finished writing its article on Bloody Sunday (hence after 23rd April 1972).<sup>1</sup> This Inquiry obtained the Insight Team's working papers from the *Sunday Times*, including a long note that John Barry said he had made from a tape recording of his interview with Ivan Cooper.<sup>2</sup> This note includes the following passage:<sup>3</sup>

"IC [Ivan Cooper] only heard later that [OIRA 6] had fired a revolver in Glenfada Park. McE [George McEvoy] told IC that [OIRA 6] had been running around mad with a pistol all afternoon. McE says he fired very very early."

<sup>1</sup> [Day 193/105; M3.6](#)

<sup>3</sup> [KC12.71](#)

<sup>2</sup> [Day 193/122](#)

**111.19** Ivan Cooper told this Inquiry that he had never been interviewed by John Barry or any member of the Insight Team and he rejected the note referred to above in its entirety.<sup>1</sup> In response to the specific passage relating to OIRA 6 and the handgun, Ivan Cooper said that while he knew of OIRA 6 at the time of Bloody Sunday, he had never been aware that OIRA 6 was carrying a weapon that day.<sup>2</sup> However, we are of the view that John Barry did interview Ivan Cooper and made an accurate record of what Ivan Cooper told him.

<sup>1</sup> [Day 419/76-78; Day 419/142-143](#)

<sup>2</sup> [Day 419/132-133](#)

**111.20** George McEvoy made a statement to this Inquiry in which he described Ivan Cooper as a "*fantastic liar*" and refuted many of the claims that Ivan Cooper is recorded as having made about him in John Barry's interview note.<sup>1</sup> George McEvoy also stated that he did

not know anybody with OIRA 6's name.<sup>2</sup> OIRA 6 denied carrying a weapon or being in Glenfada Park on the day, and he told us that he did not know George McEvoy and had only heard of, but had not met, Ivan Cooper.<sup>3</sup>

<sup>1</sup> AM208.3-5

<sup>3</sup> AOIRA6.7; Day 413/163-164

<sup>2</sup> AM208.4

**111.21** In these circumstances it is difficult to be confident of the accuracy of what Ivan Cooper told John Barry. His account was on its face second-hand, and his claimed source denied that he had told Ivan Cooper what the latter told John Barry. Furthermore, OIRA 6 denied being in Glenfada Park North or having a handgun on the day. At best, this evidence raises the possibility that there was a man with a handgun (whether or not it was OIRA 6) who fired in Glenfada Park North. This was said to be at a very early stage, which would hardly seem to describe the stage when soldiers came into Glenfada Park North, which was after considerable firing by soldiers in Sectors 2 and 3; while, at the same time, there would seem to be little point in anyone firing a handgun in Glenfada Park North if the soldiers had not come in. In these circumstances we consider it possible that what Ivan Cooper told John Barry was a confused reference to the man, or one of the men, with a handgun, whom Private 017 and others saw on the western side of Rossville Street. This incident could be described as being at an early stage. Whatever the truth may be, none of the soldiers who went into Glenfada Park North and there opened fire claimed in his statements or oral evidence to have seen or heard a man with, or firing, a handgun when the soldiers arrived in that area; nor is there any other evidence that suggests to us that a man firing a handgun caused any of the soldiers to open fire in Glenfada Park North or Abbey Park.

**111.22** The *Sunday Times* archive also contains what appears to be a note taken by John Barry during or following an interview with OIRA 1.<sup>1</sup> John Barry told this Inquiry that he had no independent recollection of such an interview, or of the provenance of the note, although he was sure that he had talked to OIRA 1 during the time when the Insight Team was staying in the Bogside.<sup>2</sup> From the language and phrases used in the note, John Barry thought that it was not made from a tape recording.<sup>3</sup>

<sup>1</sup> AOIRA1.1; Day 193/100

<sup>3</sup> Day 193/101

<sup>2</sup> Day 193/100-101

**111.23** As we have discussed during our consideration of the events of Sector 1,<sup>1</sup> OIRA 1 fired a rifle shot from Columbcille Court across William Street at a soldier close to the Presbyterian church approximately 20 minutes before Support Company entered the Bogside. According to the *Sunday Times* notes, OIRA 1 told John Barry that after firing

this shot and being confronted by three Provisional IRA members, he returned the rifle to the boot of a car parked in Glenfada Park North. The words “*I think he said it was a green Avenger, but my notes don’t record that*” are included in parenthesis after the first reference to this car. The notes record OIRA 1’s reaction to the entry of Support Company into the Bogside in the following terms:<sup>2</sup>

“He sped back into Glenfada, and shouted to them to get the car out. He thought one of the Saracens would come into Glenfada and catch them red-handed. There were five or six Stickies [members of the Official IRA] around the car, and they couldn’t get the thing out in time. OIRA 1 said to abandon it, and get the arms out of the boot. They did: the arms consisted of a Sten, a carbine, two 303s and a .22 automatic.

He toyed with the idea of trying to make a fight of it, but rejected the idea. ‘The men weren’t in position’. Shouted to everyone to retreat. All did, except for one – who ran up to what OIRA 1 swears was the north-west corner of Glenfada, that is the corner towards Wm St [William Street] and furthest from the flats. OIRA 1 says he got up on a balcony – on the front of C. Court [Columbcille Court], he said the bloke told him later, – and got in a couple of shots with the 22 automatic.

OIRA 1 says he knows that a man from the Creggan section of the Officials got in a couple of shots in the carpark from a .38 pistol. Those, says OIRA 1, are the only three sets of shots that the Officials got off before the troops opened up.”

<sup>1</sup> Chapter 19

<sup>2</sup> AOIRA1.1

**111.24** We deal in more detail below with the evidence about a car containing arms in Glenfada Park North.

**111.25** As we have noted when dealing with the events of Sector 1,<sup>1</sup> OIRA 1 denied participating in a formal interview with John Barry, although he said that it was possible that he spoke to him.<sup>2</sup> OIRA 1 also denied many of the details contained in the *Sunday Times* note, and said that he doubted that he would have provided John Barry with information of the type that was recorded.<sup>3</sup> OIRA 1 stated to this Inquiry that he did not provide the information concerning the weapons that were taken out of the car to John Barry. He also said that there was no possibility that there was more than one weapon in the car and he denied seeing any other Official IRA volunteers in Glenfada Park North at that time.<sup>4</sup> He dismissed as “*false*” the information suggesting that someone fired from a balcony at the soldiers.<sup>5</sup>

<sup>1</sup> Chapter 19

<sup>4</sup> Day 395/117-118

<sup>2</sup> Day 395/106

<sup>5</sup> Day 396/105

<sup>3</sup> AOIRA1.31-32; Day 395/106-109

- 111.26 However, for the reasons that we gave, we are sure that OIRA 1 did speak to John Barry, and in our view John Barry accurately recorded what OIRA 1 had told him about this incident.
- 111.27 We have also referred, when dealing with the events of Sector 1,<sup>1</sup> to an article written by Gerard Kemp, which was published in the *Sunday Telegraph* on 23rd April 1972. The article contains quotations from an interview between Gerard Kemp and a man described as the Official IRA sniper who fired at soldiers close to the Presbyterian church, a description that matches OIRA 1. The sniper is recorded as giving the following account of events after he had fired that shot:<sup>2</sup>

“After I fired that one shot I went back to my car and put the rifle in the boot. Ten to 15 minutes later the Paras moved up and I told our boys to get their weapons out of their cars.

Only a few of us were there. Most of the I.R.A. were up on the Creggan because we expected the Army to take advantage of the march and move in up there.

One guy got on to a balcony and fired at the Paras. Someone else fired with the pistol. I was by the barricade in Rossville Street next and saw three civilians go down. They were cracking away all over the show mostly army S.L.R.s (self-loading rifles). We started running. James Wray was shot dead just behind me.”

<sup>1</sup> Chapter 19

<sup>2</sup> L210

- 111.28 Gerard Kemp told this Inquiry that he could no longer remember this interview, but he had no reason to doubt that the article contained an accurate record of what he was told.<sup>1</sup> OIRA 1, however, said that he did not know Gerard Kemp and he did not think that he had given him such an interview.<sup>2</sup> OIRA 1 told us that the parts of the extract quoted above dealing with the order for “our boys” to get weapons and with the firing from the balcony were both inaccurate, as was the sentence about someone firing with a pistol, unless this was a reference to OIRA 4’s shots in the Rossville Flats car park.<sup>3</sup> We are of the view that OIRA 1 did speak to Gerard Kemp, and that the latter did accurately record what he was told.

<sup>1</sup> M47.2

<sup>3</sup> Day 395/140-141; Day 396/104-105

<sup>2</sup> Day 395/138

- 111.29** As to what OIRA 1 told John Barry about a man firing in a car park with a .38 pistol, and what he told Gerard Kemp about someone firing with “*the pistol*”, we consider it more likely than not that both of these references were to the shots fired by OIRA 4 in the car park of the Rossville Flats. We discuss the circumstances in which OIRA 4 fired those shots elsewhere in this report.<sup>1</sup>
- <sup>1</sup> [Chapter 58](#)
- 111.30** Although OIRA 1 told John Barry that the man had fired with a .38 pistol, whereas OIRA 4 told us he was armed with a .32, we nevertheless consider it more likely that the phrase “*the car park*” refers to the Rossville Flats car park rather than to Glenfada Park North. Witnesses generally referred to the latter as “Glenfada Park” or “Glenfada Park North” and not as “the car park”. John Barry was told by OIRA 1 that the man had fired “*before the troops opened up*” (which was not the case with OIRA 4), but to our minds this phrase cannot have meant before any soldiers had fired at all (because of the shooting by soldiers in Sector 1) and in our view was in its context probably a reference to soldiers opening fire in Rossville Street or Glenfada Park North; and it does not lead us to doubt that the firing referred to was probably that of OIRA 4 in the car park of the Rossville Flats.
- 111.31** As to what Gerard Kemp was told, although what he wrote could indicate that he was told that a man with a pistol fired in Glenfada Park North, it is noteworthy that if this is so, OIRA 1 did not mention to Gerard Kemp, as in our view he did to John Barry, the firing by OIRA 4, but instead told him of some other, unadmitted Official IRA firing on the day. This seems to us to be unlikely.
- 111.32** In our view, therefore, the evidence under discussion does not establish that a man fired a handgun in Glenfada Park North.
- 111.33** It is to be noted that none of the soldiers who went into Glenfada Park North and there opened fire claimed in their statements or oral evidence to have seen or heard a man firing a handgun in that area. As we have already observed, there is nothing to suggest that a man firing a handgun caused any of the soldiers to open fire in Glenfada Park North.
- 111.34** As to the shots said to have been fired from a balcony, it seems unlikely that this was a reference to the incident described by Private 017 and which we have considered in the context of Sector 3,<sup>1</sup> since this involved a man with a handgun further to the south of Columbcille Court and at ground level. We have found no other evidence that suggests to

us that there was firing from a balcony in Columbcille Court. It is just possible that OIRA 1 was referring to shots that in our view were probably fired at soldiers in Sector 2 from a balcony of the Rossville Flats, which we have discussed elsewhere in this report,<sup>2</sup> and that he misunderstood or was misinformed of the location. It is noteworthy that Gerard Kemp's article is to the effect that, according to OIRA 1, both the car park and balcony shots were fired before three people fell at the rubble barricade, another possible indication that they were fired before soldiers came into Glenfada Park North.

<sup>1</sup> Chapter 74

<sup>2</sup> Paragraphs 58.120–131

**111.35** In these circumstances, we are not persuaded that shots were fired from a balcony in Columbcille Court. Again, however, even assuming that there were such shots, there is nothing that suggests to us that these were heard by, or had any effect on, the soldiers who went into Glenfada Park North.

## The question of photographic evidence indicating paramilitary activity in the north-east corner of Glenfada Park North

**111.36** The representatives of the majority of represented soldiers submitted that there was photographic evidence, which indicated “*that there was activity in the north east corner of the square [Glenfada Park North] shortly before the soldiers entered which caused concern to the civilians gathered in the area*”<sup>1</sup> and “*that something was taking place in the north east of Glenfada Park North in the period shortly before soldiers entered*”.<sup>2</sup>

<sup>1</sup> FS7.2018

<sup>2</sup> FS7.2021

**111.37** We have earlier shown the photographs to which these submissions refer, but we reproduce them again here. The first, which was taken by freelance photographer Liam Mailey, shows the scene at the Rossville Street entrance to Glenfada Park North shortly after Michael Kelly, who had been mortally wounded at the rubble barricade, had been carried there.





**111.38** The other three photographs were taken by Ciaran Donnelly of the *Irish Times*. They show the group carrying Michael Kelly across Glenfada Park North.





- 111.39** The last three photographs show the group initially carrying Michael Kelly towards the north-east corner of Glenfada Park North, but then changing direction and moving towards the alleyway at the south-west corner that led to Abbey Park. As we have already noted, these photographs were taken before (but only just before) the soldiers came into Glenfada Park North. The first photograph, which was taken a little earlier, shows a man on the left-hand side of the frame seemingly gesticulating with his right hand. The representatives of the majority of represented soldiers submitted that this man was “*signalling or remonstrating towards the north east corner*” of Glenfada Park North.<sup>1</sup>

Whether the man was actually facing that corner (as opposed to a generally northward direction) and whether he was signalling or remonstrating or merely waving to someone to the north is not apparent from the photograph.

<sup>1</sup> [FS7.2021](#)

- 111.40** In the context in which the submission is made it seems to be suggested that the “*activity*” that prompted the change of direction and the man to gesticulate was related to the presence of gunmen or men with bombs, or perhaps both, on the northern side of Glenfada Park North.
- 111.41** We find no force in this submission and do not accept it. None of those who gave evidence to us about lifting and carrying Michael Kelly have suggested that they changed course because of any such activity, nor have we found any other evidence from any source that indicates to us that this might have been the reason for the change of course, or for the man gesticulating earlier.

## Michael Kivelehan

- 111.42** In 1991 John Goddard, a journalist with Praxis Films Ltd, interviewed Michael Kivelehan.<sup>1</sup> He made the following notes of this interview:<sup>2</sup>

“Michael Kivelehan (along with mother, two sisters at various points, and if they could have got in the room another 37 Kivelehans.) Michael is a taxi driver, around early 40’s. Never been in any bother or involved.

His brother, and brother in law, were on the barricade when the shooting started there, and he is endeavouring to get them to talk to me.

Michael is believable up to point, but all the contentious stuff which is off tape his two sisters and mother backed up immediately with more detail. So ...? Excellent talker however.

WITNESS: GLENFADA PARK EVENTS

NOT WIDGERY and not talked before to anyone.

STORY

Saw two men who had been shot be [sic] soldiers early that day. One called Robinson. About 10 am.

Whole family (four brothers, seven sisters, children etc.) been to aunt's funeral that morning, and on march in best clothes etc.

Watching riot at bottom of William street when Paras came out. Began to run up Rossville street. Saracens parked across Kells Walk, Pilots Row, men came out of them. Over barricade, they had started shooting – impression was from the men by Kells Walk, boy got stuck on barbed wire on top of barricade. Not sure if shot or not. Been no shooting, bombing, even stoneing at that point. Me into Glenfada Park, and to my Grannie's flat, top right corner of top quadrangle. Soldiers coming into G. Park from Kells Walk.

In flat it was pandemonium – women on floor praying, shooting outside, picking targets by sound of it.

Looking through letter box into Glenfada saw:

- Young fella running across G. Park towards alley by us, and soldier leaning down the far corner, shot him.
- Young fella arrested by soldier, against wall, rifle near or against his right cheek, shot him.

Went to other side of house, window looking out on to Abbey Park, saw: – two bodies laid on ground out there.

Not republican minded, political.

OFF the record:

- Man with short arm in their flat, disarmed and got rid of.
- Two nail bombs dumped in street outside his flat. Know because dragged the two boys in who had them. ENDS.”

<sup>1</sup> [M86.15](#)

<sup>2</sup> [AK45.1](#)

**111.43** In his oral evidence to this Inquiry, John Goddard told us that the “*contentious stuff*” referred to in his note was the “*off the record*” information regarding the short arm and the nail bombs. He also said that the interview took place during a family gathering, and he indicated that other members of Michael Kivelehan’s family contributed to the evidence regarding this issue.<sup>1</sup>

<sup>1</sup> [Day 233/199-200](#)

**111.44** John Goddard told us that he believed that the family as a whole were “*very, very detailed in what happened*”, namely that the people with weapons were “*disarmed, clipped round the ear and told to sit in a corner*”.<sup>1</sup> He later added that the Kivelehans had told him that the gun was “*broken up and attempts were made to drop it down the toilet and various other places*”.<sup>2</sup> He told us that the Kivelehans did not know where the gun had come from.<sup>3</sup>

<sup>1</sup> Day 233/200

<sup>3</sup> Day 234/62

<sup>2</sup> Day 234/61

**111.45** In his written evidence to this Inquiry, Michael Kivelehan told us that he had been in his grandmother’s flat on Bloody Sunday and that the flat was towards the southern end of the western side of Glenfada Park North.<sup>1</sup> We are sure that this is where the flat was. Michael Kivelehan referred to the notes made by John Goddard and told us:<sup>2</sup>

“I have to say I do not remember the interview but in view of what he says about lots of Kivelehans being together I wonder whether these notes were made at the 50<sup>th</sup> wedding anniversary of my parents in 1992 which was held at the Hall of the Ancient Order of Hibernians.<sup>3</sup> I have a vague memory of being interviewed but where or when it was I do not know. My age is given as early 40’s and as I am now 55. I suppose that this is about right. Also I was a taxi driver.

The journalist has got it wrong however when he talks about seeing two men who had been shot by soldiers early in the day. There was a shooting near Columbcille Court the previous day when Peter Robson and Peter McLaughlin were shot near the Grandstand bar and this may be what is being referred to. I did not see anybody shot on the day itself and during the morning I was involved with my aunt’s funeral.

He mentions looking through the letterbox into Glenfada. I think this is something my brother in law, John McCourt, did rather than me.

Also, he refers to a young fellow being shot in the cheek. I think that the journalist is fantasising about this. I may have heard about it and the name Michael Quinn which has been mentioned to me now rings a bell but I think it was probably John McCourt who said he had seen someone shot in the cheek and I picked this up.

I do not remember anything about two boys with nail bombs. Maybe there were two boys in the house with us but I did not see them and I don't remember them having nail bombs. I have been referred to the evidence of Michael Quinn given to this Inquiry where he talks of two lads with nail bombs being led away. I know nothing about this. Certainly, I was not involved in any such incident. I do have a vague memory of a youngster about 18 or 19 who was brought into the house by John McCourt but I do not remember him having any nail bombs or there being any short arm or pistol in the house. If it happened I do not remember it.

I have been asked whether, assuming that it is I who gave the interview, the information was given under any cloak of confidentiality. I do not remember giving the interview, nor do I remember the journalist nor do I remember any undertaking of confidentiality being asked for or given."

<sup>1</sup> [AK45.4](#)

<sup>2</sup> [AK45.5](#)

<sup>3</sup> In his oral evidence, Michael Kivelehan said that the anniversary might have been in 1991 or 1992 ([Day 406/67](#)).

**111.46** Michael Kivelehan's oral evidence to us was in effect that he had no independent recollection of the circumstances of the interview.<sup>1</sup> He told us that he did not recall any information regarding the presence of nail bombs or a short arm in his grandmother's house on Bloody Sunday.<sup>2</sup> He said that he would not have forgotten about the incidents described at the end of John Goddard's notes if he had been aware of them, and he stated that if he did know anything about such matters he would have been prepared to tell the Inquiry.<sup>3</sup> He suggested that he might have been drunk during the interview, which would explain his lack of memory. He could not explain why this would have made him invent a story about the presence of nail bombs and a short arm in his grandmother's house, other than suggesting that it might have been "*wishful thinking*" – a phrase that he was subsequently unable to expand upon.<sup>4</sup> However, Michael Kivelehan accepted that he had "*no basis for suggesting that Mr Goddard is wrong in what he says happened at the interview*".<sup>5</sup>

<sup>1</sup> [Day 406/67-68](#); [Day 406/77-78](#)

<sup>2</sup> [Day 406/79-80](#)

<sup>3</sup> [Day 406/80-81](#)

<sup>4</sup> [Day 406/81-82](#)

<sup>5</sup> [Day 406/85-86](#)



**111.47** Michael Kivelehan also told us that he had eight sisters and three brothers. He said that he did not know to which two sisters John Goddard was referring in the first line of his note, a reference that implies that these sisters, and their mother, took part in the interview.<sup>1</sup> We consider the evidence of other members of his family about the interview and the events of Bloody Sunday in the paragraphs that follow.

<sup>1</sup> [Day 406/68-69](#); [Day 406/71](#)

**111.48** Michael Kivelehan's brother-in-law John McCourt, to whom Michael Kivelehan referred in his evidence to this Inquiry, told us that he vaguely recalled the presence of a journalist at a family celebration in the early 1990s. In contrast to Michael Kivelehan's evidence, John McCourt thought that this celebration took place at Michael Kivelehan's house. John McCourt said that he saw this journalist but did not meet him.<sup>1</sup> He said that he later learned that the journalist had been invited to the gathering by Michael Kivelehan in order to conduct an interview.<sup>2</sup>

<sup>1</sup> [Day 423/96-97](#); [Day 423/112-114](#)

<sup>2</sup> [Day 423/102-103](#); [Day 423/115](#)

**111.49** In relation to the events of Bloody Sunday, John McCourt, whose evidence we consider in greater detail in our consideration of the events of Sector 4, told us that he had entered his wife's grandmother's house in Glenfada Park shortly after the soldiers had fired in that area. He told us that he recalled that a 14- or 15-year-old boy went into the house with him. However, he stated that if the youth was in possession of a gun he did not see it, and he would not have let him into the house in those circumstances. He stated that he had no recollection of seeing any civilian with a weapon or nail bomb, or of anyone being disarmed, on Bloody Sunday.<sup>1</sup> He also said that it would not have been possible for Michael Kivelehan to have dragged two youths who had been in possession of nail bombs into the flat as *"I was outside and Mickey went in first and we went in and closed the door, nobody went back out again"*.<sup>2</sup>

<sup>1</sup> [AM144.2-3](#); [AM144.10](#)

<sup>2</sup> [Day 423/108](#)

**111.50** John McCourt also told us that:<sup>1</sup>

"On one occasion, some time ago now Michael did mention to me that he had seen a boy with a gun on the day, but he did not say where or when, and we did not discuss it further. In my view Michael can be fanciful on occasions and I just put it down to silly, stupid talk."

<sup>1</sup> [AM144.10](#)



**111.51** In his oral evidence to this Inquiry, John McCourt said that Michael Kivelehan had told him that he had taken the gun away from the man. John McCourt said that the conversation took place in a bar, years after Bloody Sunday but long before Michael Kivelehan's interview with the journalist at the family gathering. He told us that he could not provide any further detail about what Michael Kivelehan had said of the incident, and reiterated that he considered the comments to be "*fanciful*", adding that "*Mickey was the type of person who tended to make himself feel important*". When asked whether it had occurred to him that the incident could have taken place in the house in Glenfada Park North, John McCourt commented: "*Very strange that nobody else seen this, I mean, there was quite a lot of people in this flat.*"<sup>1</sup>

<sup>1</sup> [Day 423/103-107](#)

**111.52** John McCourt's wife and Michael Kivelehan's sister, Jane McCourt, told us that she was in her grandmother's flat on Bloody Sunday, which she said was on the western side of Glenfada Park North.<sup>1</sup> She told us that she had no knowledge of a journalist interviewing her brother or any other members of her family.<sup>2</sup> She also told us that she did not see any of the incidents described in the note, and would not, knowingly, have allowed an armed person into her grandmother's flat.<sup>3</sup> She said that the only family gathering that they had had in recent years and before the death of her mother was the celebration of her parents' 50th wedding anniversary, held at the Ancient Order of Hibernians club.<sup>4</sup>

<sup>1</sup> [AM142.1](#); [AM142.3](#)

<sup>3</sup> [AM142.4](#); [Day 423/122-124](#)

<sup>2</sup> [Day 423/121-122](#); [Day 423/129-130](#)

<sup>4</sup> [Day 423/128](#); [Day 423/131](#)

**111.53** Jane McCourt also told us that her other sisters could not have supplied John Goddard with information as they were not present in her grandmother's flat on Bloody Sunday.<sup>1</sup> She agreed with her husband's opinion that Michael Kivelehan could be "*fanciful*", but said that she would not describe her mother in the same way.<sup>2</sup> She also stated that her husband had never spoken to her about Michael Kivelehan's alleged comments about seeing a man with a gun on Bloody Sunday.<sup>3</sup>

<sup>1</sup> [Day 423/126-127](#)

<sup>3</sup> [Day 423/124-125](#); [Day 423/129](#)

<sup>2</sup> [Day 423/125](#)

**111.54** Michael Kivelehan's wife, Helen Kivelehan, also recalled making her way to her husband's grandmother's flat.<sup>1</sup> She was there when her husband arrived.<sup>2</sup>

<sup>1</sup> [AK48.1](#)

<sup>2</sup> [AK48.2](#)

<sup>1</sup> AK48.4; Day 423/83-85

2 Day 423/91-92

1 AK38.1

2 Day 423/101

**111.60** More difficult is the question of the accuracy of the account that Michael Kivelehan gave John Goddard.

**111.61** Without being at all certain, it is our view that there probably was some incident when a man armed with a short arm, by which we understand a handgun, took refuge in the flat on Bloody Sunday; and that Michael Kivelehan or others of the family took and disposed of this weapon. Who the man was, when he came into the flat, where he had come from and what he had previously been doing (including whether he had fired this weapon) remain unknown. He might have been the man or one of the men seen by Private 017 and others, which we have discussed earlier,<sup>1</sup> but this can only be speculation. However, as we have already observed,<sup>2</sup> there is only the entry in Major Loden's List of Engagements that could be said to indicate that the soldiers saw and fired at two men with pistols, hitting one; and the evidential value of this entry is slight if not non-existent, since none of the soldiers who fired in Glenfada Park North claimed in their evidence to the RMP and the Widgery Inquiry that they had seen or shot at a man armed with a pistol. In our view there is insufficient evidence to conclude that a pistol man was or was likely to have been there when the soldiers came into Glenfada Park North or (even assuming that they were there) that their presence caused any of the soldiers to open fire.

<sup>1</sup> Paragraph 111.16; Chapter 74

<sup>2</sup> Paragraph 111.17

**111.62** As to the nail bombs, again in our view there probably was some such incident as recorded by John Goddard, though as with the man with a short arm, who these "boys" were, when they came into the flat, where they had come from and what they had previously been doing remain unknown. We have found nothing that suggests to us that soldiers had seen these individuals in possession of nail bombs; or anything that lends support to what the soldiers said they encountered when they got into Glenfada Park North and the reasons they gave for opening fire. What can be said, however, is that this material is evidence that there were two individuals with nail bombs (which they dumped) in Glenfada Park North at some stage during Bloody Sunday.

**111.63** It was submitted by the representatives of the majority of represented soldiers that it was "overwhelmingly likely" that Michael Kivelehan, who accepted that he had only given evidence under the threat of subpoena,<sup>1</sup> had been untruthful in his evidence to this Inquiry about what he could remember of the incidents discussed above.<sup>2</sup> Representatives of other soldiers also cast doubt on Michael Kivelehan's honesty on this point, and argued that this, together with the fact that none of the members of Michael Kivelehan's family or others who were in the flat at the time mentioned either the gunman or the nail bombs, means that *"The Tribunal is therefore faced with a clear example of reticence to tell the*

*Tribunal the truth about civilian gunmen and nail bombers*". It was also pointed out that no witness has come forward to admit carrying a handgun into this flat or to dumping nail bombs outside.<sup>3</sup>

<sup>1</sup> Day 406/83

<sup>3</sup> FS8.1239-1240

<sup>2</sup> FS7.2034-2036

**111.64** We remain in doubt whether or not to accept Michael Kivelehan's evidence that he did not recall what he had told John Goddard about a gunman and boys with nail bombs. He may genuinely have forgotten, but equally he may have been reluctant to tell this Inquiry what he had witnessed. As to his family, we did not have an opportunity to question Mary Ann Kivelehan, Michael's mother; and we do not know to which of the sisters John Goddard was referring in his note, or whether others in the flat were privy to what John Goddard was being told. Mary Ann Kivelehan made no mention of individuals with a short arm or bombs in her NICRA statement. On the whole we consider that there probably was reluctance to tell this Inquiry about the incidents in question.

**111.65** As to the gunman and those with nail bombs, as Counsel to the Inquiry pointed out, they could be dead or, if active within paramilitary movements, reluctant for many reasons to come forward. Nevertheless, the fact remains that apart from the evidence under discussion, no-one has told us anything about this incident.

## Michael Quinn

**111.66** Michael Quinn, who was shot in the cheek as he ran from Glenfada Park North, gave an interview to the *Sunday Times* journalists Peter Pringle and Philip Jacobson, which is dated 1st March 1972.<sup>1</sup> This Inquiry has a copy of the journalists' notes of the interview, and we have referred to it when considering the circumstances in which Michael Quinn was shot<sup>2</sup> and when dealing with the issue of unidentified casualties in Glenfada Park North.<sup>3</sup>

<sup>1</sup> AQ11.10-16

<sup>3</sup> Chapter 110

<sup>2</sup> Paragraphs 104.154–156

- 111.67 According to the notes of the interview, Michael Quinn gave the following account, “*under guaranty of total anonymity*”, of seeing boys with nail bombs in Glenfada Park North:<sup>1</sup>

“while standing between the fences on the south side of glenfadda [sic] he saw two youths carrying nail bombs in their hands. one had long fair hair and was wearing a blue denim jacket; the other had very black hair, shortish, and was wearing a fawn jacket. the boms [sic] were cylindrical shape with a black fuse projecting from the top; they were about 6 ins long he estimates. at no time did he see the bombs lit but he is adamant that he saw them. one description fits gerard donaghy perfectly.

he says that he heard from close source that a senior official IRA man arrived on the scene and told the nail bombers to take them away as there was too much danger to other civilians.”

<sup>1</sup> [AQ11.12](#)

- 111.68 The comment that one of the descriptions “*fits gerard donaghy perfectly*” appears to have come from one of the journalists rather than Michael Quinn, who said that he did not know Gerald Donaghey.<sup>1</sup> Later in this report,<sup>2</sup> when considering whether Gerald Donaghey was in possession of nail bombs when he was shot in Abbey Park, we return to the question as to whether one of these descriptions does indeed fit him.

<sup>1</sup> [Day 169/122; Day 190/61](#)

<sup>2</sup> [Chapters 127 and 128](#)

- 111.69 Michael Quinn said nothing to the Widgery Inquiry about seeing nail bombs.<sup>1</sup> In his written evidence to this Inquiry, he told us that he took shelter in Glenfada Park North after seeing soldiers taking up positions in the area of Kells Walk. He stated that he moved to a position about halfway along the path on the eastern side of Glenfada Park North, from where he saw the following incident:<sup>2</sup>

"I do not know how long I was in Glenfada Park North, but I remember after some time seeing two young fellows in the northeast corner at the point marked I in grid reference J13 (and on photograph MQ1) who were looking round the corner of the flats into Rossville Street. They were only young, about my age or a little bit older, and I did not know them. I was concerned in case they did anything. They were clearly nervous too, looking out and back again. I recall one of them having a denim jacket and dark hair and one with fair hair and a quilted anorak. The boy with the fair hair and quilted anorak had something which might have been a nail bomb in his left side pocket. I had not seen one before and didn't know what it looked like but I remember something like a Coke tin with grey tape and a piece of material coming out of the top. Coupled with the fact that they were peering out towards the army and seemed very nervous and were keeping a look out I was very frightened by what I saw. It was then I saw a man coming from the northwest corner of Glenfada Park North walking in the direction of the arrow I have marked on the map into Glenfada Park North at grid reference I13 towards these two boys. I remember hearing him say words to the effect of 'Put those away, you will only get people killed'. My only recollection is of seeing what I took to be a nail bomb in a pocket, but my memory of these words suggests to me that the boys may have had something in their hands which I saw, but cannot now remember seeing. The shooting in Rossville Street was going on at this time and was reasonably intense and the boys did as they were told and left by the northwest corner of Glenfada Park with this man back the way he had come. I did not recognise the man, or know whether he was an IRA man but concluded later that the man probably was a member of the IRA – by virtue of the way the boys unquestioningly did what he told them. The man was older than we were and was wearing a long coat. I would say he was in his mid twenties but I had never seen him before or since."

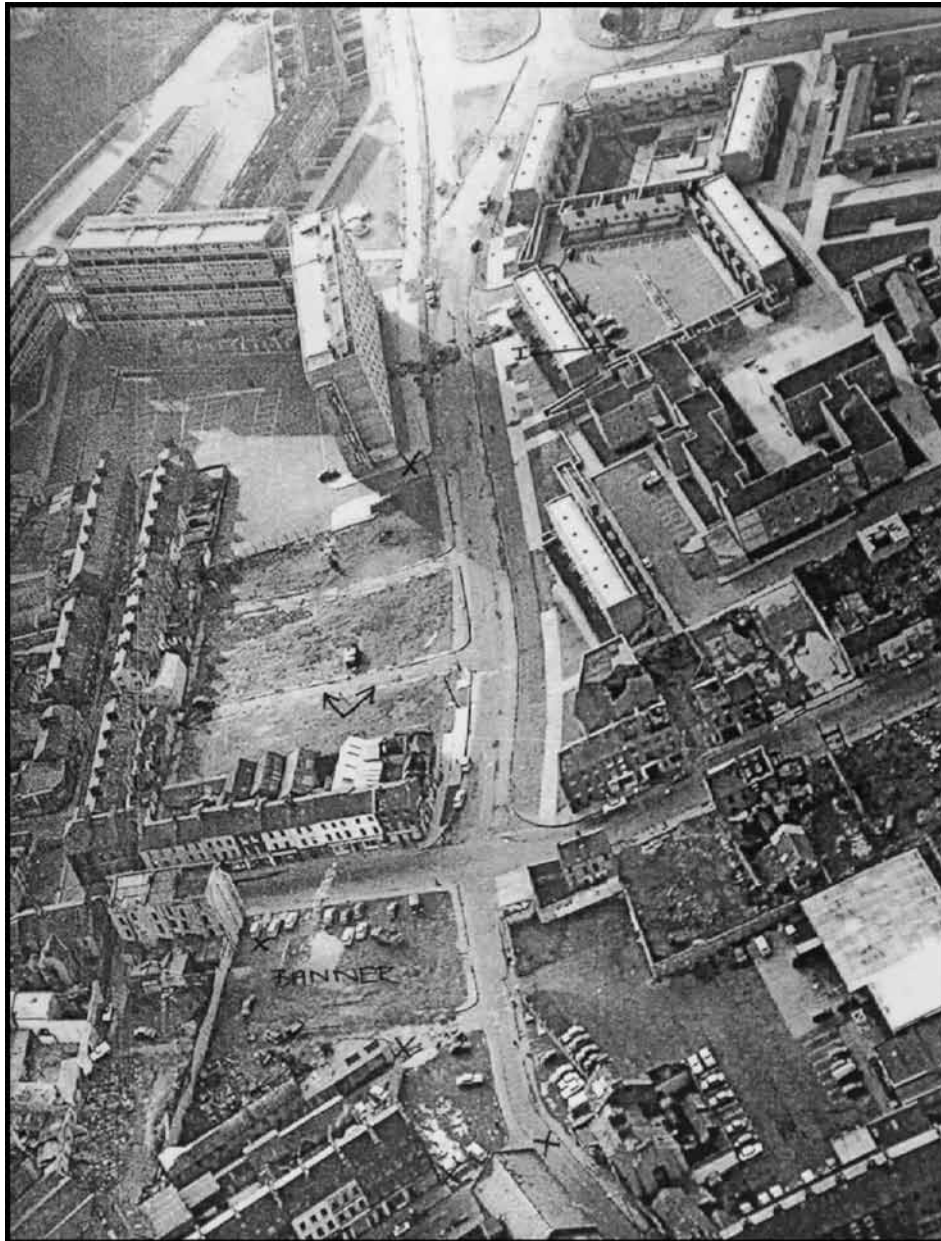
<sup>1</sup> [AQ11.1-9](#)

<sup>2</sup> [AQ11.22](#)

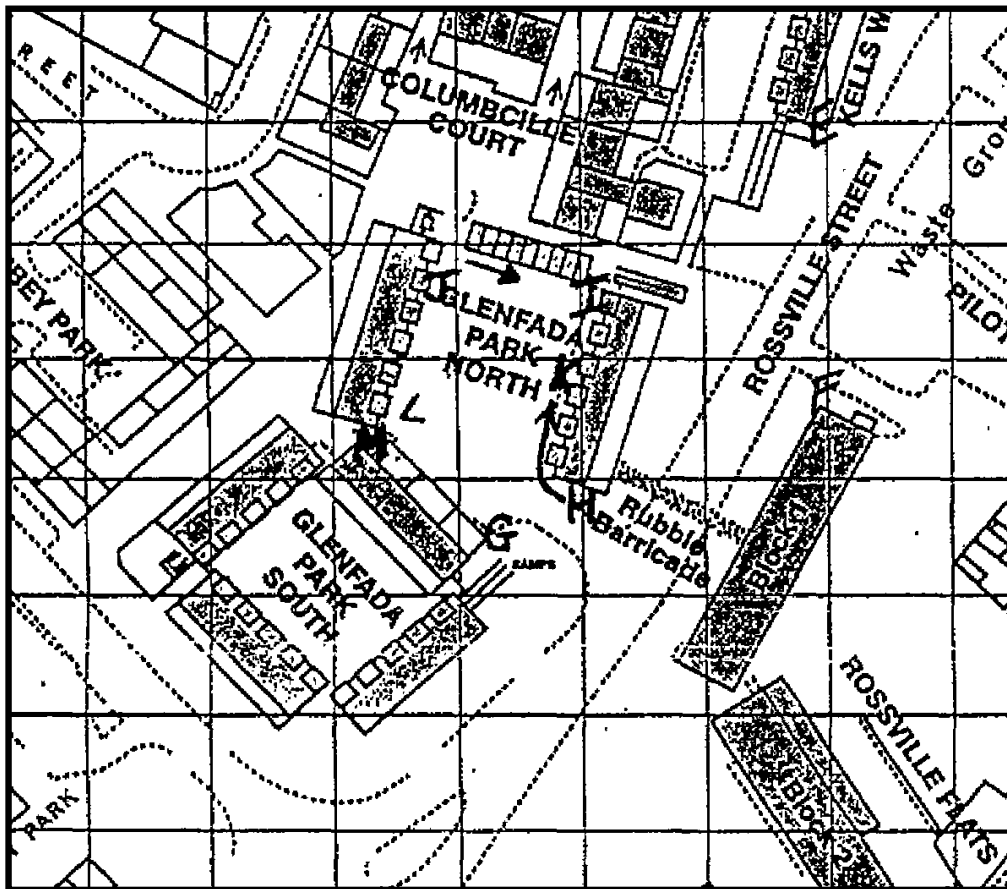


111.70 The photograph and map to which Michael Quinn referred are set out below.<sup>1</sup>

<sup>1</sup> [AQ11.31](#); [AQ11.29](#)







- 111.71 During his oral evidence Michael Quinn told us, and we accept, that his recollection of events was limited to that which he had recorded in his written statement to this Inquiry.<sup>1</sup> He had, in his written evidence, made the following comments about those parts of the *Sunday Times* notes that concerned the youths with nail bombs:<sup>2</sup>

“Sunday Times:

I recall speaking to Jacobson and Pringle of The Sunday Times. I did not make a statement to them. It was soon after I had been released from hospital and was back at school and the journalists called at home to interview me. They said they would be in the City Hotel and so that evening I went down on my own to speak with them. There were just the three of us in the room and I told them what had happened to me. One was writing it down ... I did say that I saw two boys with what I took to be nail bombs, but they had left Glenfada Park North before the soldiers came in. Apart from the two boys I had seen in Glenfada Park whom I have referred to above I did not see anybody with a nail bomb or anything which looked like one that day. Frankly it beggars belief that someone would throw a nail bomb at a soldier in a confined space with civilians present and I certainly saw no-one doing this. I am quite clear in my own mind about that. It is alleged that I had heard from someone else of a man arriving to tell the two boys to get out of Glenfada Park. This is incorrect, for as I have stated above, I witnessed this episode and the fact that they left some time before the entry of the Army. I did not witness any other activity that could be considered suspicious in Glenfada Park North.”

<sup>1</sup> [Day 169/72](#)

<sup>2</sup> [AQ11.26](#)

- 111.72 In our view the account Michael Quinn gave the journalists in 1972 of seeing two youths carrying in their hands what he took to be nail bombs is likely to be more accurate or complete than his recollection so long afterwards, as indeed Michael Quinn indicated might be the case in his written statement to this Inquiry. Whether or not he saw a senior Official IRA man tell the two boys to get out of Glenfada Park, as opposed to being told about it, is perhaps not so clear, particularly because the *Sunday Times* journalists accepted that they might have misinterpreted some of Michael Quinn’s account of this incident.<sup>1</sup> In view of his evidence to this Inquiry, we are of the view that what Michael Quinn probably said (or intended to say) to the journalists was that he had seen the man tell the boys to leave and had seen them do so, but that it was not until later that he learned, or concluded, that the man was a member of the IRA.

<sup>1</sup> [Day 190/65-66](#); [Day 191/149-150](#)

**111.73** As will be seen from his written evidence, Michael Quinn told us that “*reasonably intense*” shooting was going on in Rossville Street at the time when he saw the youths with nail bombs, and that the youths left Glenfada Park North before the soldiers arrived.<sup>1</sup> In view of the relatively short period of time between the first shots in Rossville Street and members of Anti-Tank Platoon entering Glenfada Park North and opening fire, according to Michael Quinn the youths could not have left Glenfada Park North very long before the soldiers arrived.

<sup>1</sup> [AQ11.22-23](#)

**111.74** We are satisfied from this evidence that Michael Quinn did see two youths with nail bombs in Glenfada Park North shortly before the soldiers came into that area. We are also satisfied from this evidence that these youths were told to leave and then did leave Glenfada Park North, before the soldiers arrived. To our minds it is unlikely that they returned, since they had been told to leave because of the danger to civilians, though it is just possible that these were the two who went into the flat on the western side of Glenfada Park North. What can be said is that this material is evidence that there were people with nail bombs in Glenfada Park North shortly before the soldiers arrived, who left and who were unlikely to have been, or stayed, in the open square when the soldiers arrived.

**111.75** Whether one of the youths with nail bombs was Gerald Donaghey, who was shot and fatally wounded in Abbey Park, is a matter that we consider elsewhere in this report,<sup>1</sup> when dealing with the fact that nail bombs were found in his possession when he was brought to the Regimental Aid Post at Craigavon Bridge.

<sup>1</sup> [Chapters 126, 127 and 128](#)

## Danny Craig

**111.76** Danny Craig’s name is attached to two 1972 statements: one undated<sup>1</sup> and the other dated 4th March.<sup>2</sup> The latter seems to have been a statement taken by Christopher Napier, a solicitor who acted for the families of the deceased at the Widgery Inquiry, as it bears his signature as a witness. In his oral evidence to this Inquiry, Danny Craig agreed that both statements were signed by him, and that both gave his then address.<sup>3</sup> Although

he repeatedly told us that he had no memory of making either of these statements,<sup>4</sup> in our view he did. His written and oral evidence to this Inquiry in many respects differs from that which he gave in 1972.

<sup>1</sup> AC111.7

<sup>4</sup> Day 135/80-83; Day 135/89-90; Day 135/100-101;  
Day 135/105; Day 135/124-128; Day 135/133-134

<sup>2</sup> AC111.11

<sup>3</sup> Day 135/79; Day 135/83

**111.77** Danny Craig told us that he had been next to Michael Kelly when the latter fell at the rubble barricade.<sup>1</sup> He stated that he then ran into Glenfada Park North and took cover at a fence with about ten or 12 other people.<sup>2</sup> In his written statement to this Inquiry he gave the following account of what he saw from this position:<sup>3</sup>

“When I was by the fence in Glenfada Park North with the other people I saw this young kid of about 10. He was carrying a tray made of a biscuit tin lid which looked to be full of petrol or nail bombs, although it may not have been as I have never seen a nail bomb and so do not actually know what one looks like. They looked like fireworks. He was crying his eyes out and he said to me ‘Mister, what do I do with these?’ The big guys were coming across Glenfada Park and I knew that if we had been caught with those bombs we would have been shot dead. I was crying at this stage and I kicked the tray out of his hands and away from us and said ‘Get your arse out of here!’ Whatever was on that tray never got used that day.”

<sup>1</sup> AC111.2

<sup>3</sup> AC111.3

<sup>2</sup> AC111.3

**111.78** Danny Craig had given no such account in 1972. On the contrary, in his undated statement, he had recorded that “*At no time did I see anyone of the civilians with either a gun, a nailbomb or a petrol bomb*”.<sup>1</sup>

<sup>1</sup> AC111.9

**111.79** In his oral evidence to this Inquiry, Danny Craig expressed uncertainty as to where he was when this incident occurred. Eventually he told us that he thought that it was “*more likely*” that he was in Abbey Park than in Glenfada Park North.<sup>1</sup> Danny Craig said that the youth carrying the tray told him that the objects on it were nail bombs; and told us that there were about “*six or ten*” objects on the tray.<sup>2</sup> His oral evidence was to the effect that he did not actually see soldiers coming into Glenfada Park North or Abbey Park when he saw the boy with the tray of bombs, but that he expected them to do so from what people were saying and shouting.<sup>3</sup>

<sup>1</sup> Day 135/63-75; Day 135/115; Day 135/139;  
Day 135/151-152

<sup>2</sup> Day 135/112-113; Day 135/111

<sup>3</sup> Day 135/75-76; Day 135/114-115

- 111.80** Looked at on its own, we would find it difficult to accept the account given by Danny Craig of encountering a very young boy with a tray of bombs, who was weeping and asking what he should do with them; and then kicking the tray out of the boy's hands, on the face of it a very dangerous thing to do with a tray he had been told was holding bombs. The account given by Danny Craig can only be described as extraordinary.
- 111.81** However, it was submitted by the representatives of some of the soldiers that despite the difficulties with Danny Craig's evidence, there were similarities with the evidence of Charles McGill, to whom we now turn.<sup>1</sup>

<sup>1</sup> FS8.1232

## Charles McGill

- 111.82** Charles McGill made a NICRA statement, dated 3rd February 1972.<sup>1</sup> He also made an initial written statement for this Inquiry, which he signed on 16th June 1999.<sup>2</sup> During the course of the interview with the solicitors acting for the Inquiry (Eversheds) that led to the production of this statement, Charles McGill gave additional information on an "off the record" basis. Eversheds produced a separate note that recorded this material,<sup>3</sup> and Charles McGill later agreed, in a supplementary statement dated 29th January 2001, that this could be made public.<sup>4</sup> The parts of the note made by Eversheds that are relevant to this part of the report were as follows:<sup>5</sup>

*"Information given by Witness, on condition that it was NOT used in Statement:*

Mr McGill said he did not see any firearms on civilians that day but after the shooting had finished he saw a man with a rifle in Glenfada Park. He was wearing a long khaki/ brown coat and had a rifle underneath his coat, which you could see. It was a swallow tail coat. Mr McGill spoke to him that day. The man asked him where he could get a firing point and Mr McGill told him to fuck off. After that the man disappeared. Mr McGill thinks that perhaps he came from one of the flats in Glenfada Park and that he was a member of the Official IRA.

Mr McGill also mentioned nail bombs. He said that he saw these long after the shooting was over. He saw three people, young men with long hair, who were panicking wanting to get rid of nail bombs. They had a tray with about 10 nail bombs in, which looked like grenades, shiny and well made. He saw them at about the same time and in the same area as the man with the rifle. He thinks that these men were Official IRA (Stickies)

...

MR MCGILL STRESSED THAT HE DOES NOT WANT THIS MENTIONED IN HIS STATEMENT – he says that he has to live around here and he only gave us the information after we assured him that his statement would only be signed when he had amended it as he wished and was happy with it. Although he allows me to write this information down, he stressed that it was not to go in his statement.

He was legally represented at the time by Nicola Hart of M&F who assured him that the only information that would go in his statement was what he wanted to go in it.”

<sup>1</sup> AM230.8

<sup>4</sup> AM230.9

<sup>2</sup> AM230.1-7

<sup>5</sup> AM230.11

<sup>3</sup> AM230.11

**111.83** In his supplementary statement of 22nd January 2001, Charles McGill commented on the matters recorded in this note.<sup>1</sup>

“5. The Eversheds note is broadly accurate but I have the following comments to make in relation to it.

6. I believed that the man who had the rifle was a member of the Official IRA because I knew that the Provisional IRA had said that they would be nowhere near the march. I was not personally told this but it was well publicised and common knowledge in the community in which I was living. On the basis of that information I assumed that the man was an Official. It was this knowledge that also leads me to assume that the three young men with the nail bombs were also Official IRA. However, I did not recognise any of them.

7. The note says that I saw the gunman in Glenfada Park. I now do not think that is correct. I now believe that I was in the Abbey Park area. At the time I was not familiar with the area even though I came from Derry. Indeed, I still am not familiar with the flats in the Bogside area. It was difficult to know one block of flats from another block. I had left the area of Mrs Shiels house at Columbcille Court. I had not been inside the house. I walked along either Abbey Street or one of the lanes away from the direction of Williams Street, as I knew that there were soldiers in that area.

8. I was going roughly south and I was going along between the grassy area at the front of Abbey Park and the western side of Glenfada Park North. I arrived in the area where Gerry McKinney was on the ground after having been shot. He was at point 12 on the map that is exhibited to my statement dated 16 June 1999.<sup>2</sup> He was still on the ground when I arrived. I was at about that place when I saw the man with the rifle.

9. The shooting had ended and there were a lot of people milling about. They were more anxious about getting out of the area than in being shot. My main fear was in being lifted by the soldiers. I do not know where the rifleman came from. There were, as I say, many people milling about and he suddenly appeared. He was asking three or four people about where he could get a firing position. I was one of those people and I did tell him to fuck off. When I saw him he was to my right and ahead of me, to the north.

10. It was about the time that I saw the rifleman that I saw the young men with the nail bombs. They were also to the right of me. I do not think that they were together with the man with the rifle.

...

12. The reason why I did not want this information to be put in my Eversheds statement is explained in the Eversheds note. However, I also did not want people to use as an excuse to detract from the enormity of what I had seen that day – innocent people being shot down. I saw a lot of things from the time the shooting started but I did not hear any nail bombs that day or see any civilians fire any weapon.

13. When I made my statement to the Civil Rights people I do not believe that I would have told them of these events that I had seen after the shootings. My reasons for doing so are the same as those set out at paragraph 12 above.”

<sup>1</sup> [AM230.9-10](#)

<sup>2</sup> Point 12 is approximately the position of the shallow steps that lay between the buildings of the western block of Glenfada Park North and Abbey Park.

**111.84** In his oral evidence to this Inquiry, Charles McGill said that he could not be sure that he saw the man with the rifle and the youths with nail bombs at “*actually the same time*”, but they were in the same area.<sup>1</sup>

<sup>1</sup> [Day 69/116](#)

**111.85** We are sure that Charles McGill saw a man with a rifle and three young men with nail bombs, since it is difficult to conceive of a reason why he should invent such an account when interviewed for this Inquiry, but simultaneously ask for it to be treated in confidence. Further, we have no doubt that the note made by Eversheds of his “off the record” evidence on this point was an accurate record of what he said at that time. However, it is less clear where and when he saw these armed men, and we discuss the evidence that he gave to this Inquiry on these points in the paragraphs that follow.



111.86 As Counsel to the Inquiry pointed out,<sup>1</sup> on these matters Charles McGill gave (or was recorded as having given), and then retracted, the following evidence:

- a) that he saw the man with the rifle in Glenfada Park and the youths with nail bombs in the “*same area*”: evidence given “off the record” during the statement-taking process with Eversheds;<sup>2</sup> evidence retracted, in the sense that he located both incidents in Abbey Park, in his supplementary statement and oral evidence;<sup>3</sup>
- b) that the gunman might have come from one of the flats in Glenfada Park: evidence given “off the record” during the statement-taking process with Eversheds;<sup>4</sup> evidence retracted during his oral evidence;<sup>5</sup>
- c) that he moved through Glenfada Park himself: evidence given in original Eversheds statement;<sup>6</sup> evidence retracted during his oral evidence;<sup>7</sup>
- d) that he saw a group of girls crossing Glenfada Park as he looked at events at the rubble barricade: evidence given in original Eversheds statement;<sup>8</sup> evidence retracted during his oral evidence;<sup>9</sup> and
- e) that he saw four bodies “*lying in the square*”, by which he meant Glenfada Park: evidence given in original Eversheds statement,<sup>10</sup> and expanded upon in his oral evidence;<sup>11</sup> evidence retracted during his oral evidence, where he said that he was only told about these bodies and did not see them.<sup>12</sup>

<sup>1</sup> CS6.977

<sup>2</sup> AM230.11

<sup>3</sup> AM230.9-10; Day 69/112; Day 69/116; Day 69/172-173

<sup>4</sup> AM230.11

<sup>5</sup> Day 69/114

<sup>6</sup> AM230.4

<sup>7</sup> Day 69/101-103; Day 69/156

<sup>8</sup> AM230.5

<sup>9</sup> Day 69/104-105

<sup>10</sup> AM230.5

<sup>11</sup> Day 69/145

<sup>12</sup> Day 69/145

111.87 As Counsel to the Inquiry also pointed out, Charles McGill offered various explanations as to how these changes to his evidence came about:<sup>1</sup>

- a) that he was not very familiar with the area, even though he lived in the city;<sup>2</sup>
- b) that the solicitor taking the statement had had difficulties in understanding what he was saying;<sup>3</sup>
- c) that at the time he did not read through his first statement after he had given it, as he thought that this Inquiry would be a “*whitewash*”;<sup>4</sup>

- d) that he did not read the statement as *“I just did not think about it”*;<sup>5</sup>
- e) that his evidence was *“misinterpreted”*, as he *“did not know one park from the other”*, and thought of Glenfada Park *“as an area, not one block of flats”*;<sup>6</sup> and
- f) that in relation to the four bodies in Glenfada Park, the difference between his oral and written evidence was because the latter was *“taken out of context”*.<sup>7</sup>

<sup>1</sup> CS6.978<sup>5</sup> Day 69/171<sup>2</sup> Day 69/99; AM230.9<sup>6</sup> Day 69/170<sup>3</sup> Day 69/112<sup>7</sup> Day 69/145-146<sup>4</sup> Day 69/146-147

**111.88** Dealing first with the question of where Charles McGill saw these individuals, he initially told Eversheds that the incident took place in Glenfada Park North, whereas in his supplementary statement and in his oral evidence Charles McGill told us that he believed that the incident had taken place in Abbey Park.<sup>1</sup>

<sup>1</sup> AM230.9; Day 69/112; Day 69/116; Day 69/172-173

**111.89** The representatives of the majority of represented soldiers submitted that *“The Tribunal will no doubt consider whether Mr McGill had some reason to wish to relocate his evidence in this manner”*<sup>1</sup> and that *“The Tribunal may well consider whether Mr McGill is in some way motivated to distance the gunman he saw from the Glenfada Park area”*.<sup>2</sup> As we understand the submission, it is that Charles McGill wanted to distance what he saw from the events of Glenfada Park North and the casualties sustained there.

<sup>1</sup> FS7.2140<sup>2</sup> FS7.2142

**111.90** In his oral evidence to this Inquiry, Charles McGill was asked whether he was *“trying to remove all these incidents from Glenfada Park, for some reason”*. His answer was *“No, no, no reason whatsoever”*.<sup>1</sup>

<sup>1</sup> Day 69/173

**111.91** For the reasons that follow, we are of the view that Charles McGill probably saw the man with a rifle and the youths with nail bombs in Abbey Park, not Glenfada Park North.

**111.92** In his first written statement to this Inquiry he told us that:<sup>1</sup>

“At about 4.15 pm, as I was running or crawling in the Glenfada Park area, I remember seeing Gerry McKinney’s body lying on a ridge on a couple of steps. I would say he was positioned in the area marked at point 12 on the map (grid reference G13/G14). I recall that from where Gerry was lying, I could see William Street through the alleyway to the western side of Columbcille Court. There was a first aid person pumping Gerry’s chest. I did not see any blood. It looked as though they thought he had had a heart attack.”

<sup>1</sup> [AM230.4](#)

**111.93** Point 12 on the map<sup>1</sup> marks the position where we are sure Gerard McKinney fell, which was, as we have already described,<sup>2</sup> on the northernmost set of steps leading to Abbey Park from Glenfada Park. Charles McGill, in this part of his first written account, used the expression “*the Glenfada Park area*” while describing something he saw in Abbey Park, which to our minds is an indication that he was not clearly differentiating between the two when he made his first statement. In his supplementary statement he told us that he was about where Gerard McKinney was when he saw the man with the rifle, and that about the same time he saw the youths with nail bombs.<sup>3</sup>

<sup>1</sup> [AM230.7](#)

<sup>3</sup> [AM230.9-10](#)

<sup>2</sup> [Chapter 107](#)

**111.94** Eversheds first interviewed Charles McGill in October 1998, at an early stage of this Inquiry. As we have noted above, he signed his first written statement on 16th June 1999, and his supplementary statement on 22nd January 2001, two days before he gave oral evidence. We do not find it surprising that on reflection he, like many other witnesses, should seek to correct or clarify what he had previously said about events that had taken place so long ago, especially considering his uncertainty about the geography of the Bogside. This to our minds is a much more likely reason for the changes to his evidence about where he saw the man with a rifle and the youths with nail bombs than the motive suggested by the soldiers, because the suggested motive does not explain why Charles McGill would want to distance what he saw from Glenfada Park to Abbey Park, where of course there were also casualties.

**111.95** We now turn to the question of when Charles McGill saw the man with a rifle and the youths with nail bombs.

- 111.96** In our view Charles McGill saw these individuals at a relatively late stage, after the shooting in Glenfada Park North and Abbey Park. He told us, and we accept, that before seeing the armed men he saw Gerard McKinney lying on the steps in Abbey Park, being tended by a first aid person.<sup>1</sup> As we describe elsewhere in this report,<sup>2</sup> a first aid person did seek to help Gerard McKinney, in the mistaken belief that he had suffered a heart attack.
- <sup>1</sup> [AM230.4; AM230.9; Day 69/113](#) <sup>2</sup> [Chapter 108](#)
- 111.97** Charles McGill made no mention in any of his accounts of seeing Gerald Donaghey, who was shot at the same time as Gerard McKinney and fell close to him. As we also describe elsewhere in this report,<sup>1</sup> soon after Gerard McKinney and Gerald Donaghey had fallen, the latter was picked up and carried into a nearby house. It follows, in our view, that Charles McGill must have arrived on the scene after this had happened, for otherwise he would have seen that there were two casualties on or near the steps, something that he would be unlikely to forget.
- <sup>1</sup> [Chapters 107 and 129](#)
- 111.98** We have concluded earlier in this report<sup>1</sup> that Gerard McKinney and Gerald Donaghey were shot in Abbey Park by Private G, after he and his colleagues had fired in Glenfada Park North, injuring or killing all of the casualties who were hit there. It follows that, in our view, Charles McGill did not see the man with the rifle, or the youths with nail bombs, until after the Sector 4 casualties had been shot.
- <sup>1</sup> [Chapter 112](#)
- 111.99** Charles McGill made no mention of seeing Jim Wray, William McKinney and Joe Mahon being carried from where they had fallen in Glenfada Park North into Abbey Park. As we describe elsewhere in this report,<sup>1</sup> this happened after Gerard McKinney and Gerald Donaghey had been shot. Again, in our view, Charles McGill would probably have mentioned the casualties being carried into Abbey Park had he been there at the time, which may be an indication that he only arrived in Abbey Park after these casualties had been carried into Abbey Park.
- <sup>1</sup> [Chapter 108](#)
- 111.100** There is, however, an aspect of Charles McGill's evidence that suggests that he saw the man with the rifle and the youths with nail bombs before the casualties had been moved from Glenfada Park North. As is noted above, in his first written statement Charles McGill described seeing "*four or five bodies lying in the square*";<sup>1</sup> he subsequently told us that "*the square*" was a reference to Glenfada Park North.<sup>2</sup> The sequence of events as

described in his first written statement to this Inquiry indicates that this would have been after he had seen the armed men, something that would be inconsistent with the Glenfada Park North casualties having been moved from there. In his oral evidence, Charles McGill stated that his written statement was “*totally untrue*” on this point, as he was only told about these bodies and did not actually see them.<sup>3</sup>

<sup>1</sup> AM230.5

<sup>3</sup> Day 69/145

<sup>2</sup> Day 69/145

**111.101** According to his first written statement to this Inquiry, Charles McGill saw the bodies lying in the square after he had seen bodies on the rubble barricade and after he had looked at the body of Bernard McGuigan, who had been shot in Sector 5 in circumstances we discuss elsewhere in this report.<sup>1</sup> In the light of these circumstances, we are of the view that by this stage it is more likely than not that the casualties had been moved from Glenfada Park North. Accordingly we consider it probable that Charles McGill was right when he told us that he was told about, rather than saw, casualties in Glenfada Park North.

<sup>1</sup> Chapter 118

**111.102** It has also been suggested that Charles McGill’s evidence of the firing that he heard on Bloody Sunday indicates that he saw the rifleman and the youths with nail bombs at a time when soldiers were still engaged in the Glenfada Park area. He originally told Eversheds (the solicitors acting for this Inquiry) that he saw the nail bombs “*long after the shooting was over*”.<sup>1</sup> In his supplementary statement he told us that when he saw the man with the rifle “*the shooting had ended and there were a lot of people milling about*”.<sup>2</sup> In his oral evidence to this Inquiry he reiterated that the “*shooting was all over*” by the time he saw the armed men.<sup>3</sup> A little later in his evidence Charles McGill gave the following evidence in response to the question of counsel for the majority of represented soldiers:<sup>4</sup>

“Q. Of course at the time you left Abbey Park, the shooting was going on, was it not, and it continued to go on when you were near to the rubble barricade; that is what you have told us?

A. Yeah, yeah.

Q. Was what you were telling us the truth?

A. Yeah, it is the truth as far as I can recall.

Q. If it is true that you saw a gunman in or near Abbey Park, that would be at a time when the shooting was still going on, would it not?

A. To be totally honest with you, there was no shooting at that time, that is what I recall.

Q. Then the shooting must have resumed, because you have told us it had resumed when you were away from Abbey Park, to which you did not return?

A. I told at the start I could not get any sequence other than what, what I seen that day, but there was no shooting from the gunman.”

<sup>1</sup> AM230.11

<sup>3</sup> Day 69/112-113; Day 69/115

<sup>2</sup> AM230.9

<sup>4</sup> Day 69/155

**111.103** Charles McGill’s evidence was that after he saw the youths with nail bombs he “*tried to get away as fast as I could from that area*”.<sup>1</sup> He subsequently moved to the northern end of the eastern block of Glenfada Park South, from where he could see the rubble barricade on Rossville Street.<sup>2</sup> Contrary to counsel’s suggestion, Charles McGill had not said that there had been shooting going on or continuing as he left Abbey Park. It is the case, however, that in his original statement to this Inquiry Charles McGill recorded that as he looked at the rubble barricade, “*the firing was continuing, although I could not see any soldiers*”.<sup>3</sup> Although at one stage during his oral evidence he appeared to doubt this recollection of gunfire,<sup>4</sup> later he told us that he did hear shooting when he was in this position, though it was not as heavy as that which he had heard earlier in the day.<sup>5</sup>

<sup>1</sup> Day 69/116

<sup>4</sup> Day 69/104

<sup>2</sup> AM230.4; AM230.7; Day 69/101-102

<sup>5</sup> Day 68/128-129

<sup>3</sup> AM230.5

**111.104** It was submitted to us by the representatives of the majority of represented soldiers that Charles McGill’s evidence that “*there was still shooting from the Army when he reached the rubble barricade*”<sup>1</sup> indicated that when he saw the man with a rifle in Glenfada Park or Abbey Park, “*shooting was still occurring*” and “*soldiers were still engaged in the area*”.<sup>2</sup>

<sup>1</sup> FS7.2140

<sup>2</sup> FS7.2140-2142

**111.105** We do not accept this submission. It assumes that because Charles McGill heard shots when he was near the rubble barricade, there must also have been shooting when he was in Abbey Park. As appears from our consideration of the later events of Sector 3,<sup>1</sup> after the last of the casualties of Bloody Sunday was shot in Sector 5, there was a pause of some minutes before there was renewed shooting by the soldiers, this time aimed

towards a window in Block 1 of the Rossville Flats. It follows that Charles McGill might have seen the gunman and moved from Abbey Park towards Rossville Street during the lull in firing, before hearing the later shots that were fired towards the flats once he had arrived by the rubble barricade.

<sup>1</sup> [Chapters 123 and 124](#)

**111.106** Further, Charles McGill told us that while he was in the region of the rubble barricade he did not see any civilians at the southern end of the eastern block of Glenfada Park North.<sup>1</sup> As we discuss elsewhere in this report,<sup>2</sup> a group of civilians remained in this area until they were arrested and escorted away by members of Anti-Tank Platoon. This was after all of the Glenfada Park North and Abbey Park casualties had been shot. The absence of this group at the time when Charles McGill was in the area of the rubble barricade supports the proposition that he did not get there until relatively late in the day.

<sup>1</sup> [Day 69/104; Day 69/107](#)

<sup>2</sup> [Chapter 113](#)

**111.107** Our assessment of Charles McGill's evidence, in the light of the other evidence to which we have referred, leads us to conclude that it is probable that he saw the man with the rifle and the youths with nail bombs after the casualties had been moved from Glenfada Park North and during the period between the end of the firing in Sectors 4 and 5 and the later firing by soldiers at Block 1 of the Rossville Flats.

**111.108** The representatives of other soldiers made a separate submission on the timing of Charles McGill's accounts. They argued that Charles McGill's evidence that he saw the youths with nail bombs at a late stage was "*highly questionable*", especially because "*there was no reason for these young people to be panicking [as Charles McGill had suggested that they were] if this event occurred 'long after' the shooting had ended*".<sup>1</sup>

<sup>1</sup> [FS8.1230-1231](#)

**111.109** In our view this submission is advanced with the benefit of hindsight. If, as is our view, Charles McGill saw the youths with nail bombs at a stage after the main shooting had taken place, this would still have been in the aftermath of a period in which scores of live rounds had been fired and soldiers had unexpectedly advanced into the Bogside as far as Glenfada Park North, and, in the case of Private G, Abbey Park. At that stage, the civilians in these areas could not have known whether or not the soldiers had permanently withdrawn or whether they were likely to return. This was a point that Charles McGill himself made in the course of his oral evidence:<sup>1</sup>



“Q. You are recorded there as saying that ‘the youngsters were panicking, wanting to get rid of them’?”

A. That is the opinion I got.

Q. That is what it appeared to be?

A. Yeah.

Q. The soldiers had all gone by then, had they not?

A. I never seen any soldiers there.

Q. There were not any soldiers about at that stage?

A. No, I never seen any soldiers.

Q. Was it apparent to you what they were panicking about?

A. It is okay talking now, you asked me a question now that people did not know when the army was going to come in, nobody was to say that the army was going to come in to lift people and arrest people.

Q. That is what you assume that they were panicking about?

A. Yeah.”

<sup>1</sup> Day 69/157-158

**111.110** It was also the case that soldiers remained on the City Walls and other high points surrounding the Bogside, and that those carrying the nail bombs would have been at risk not only of arrest, but also of being shot.

**111.111** In any event, of course, by the time we believe that Charles McGill saw the rifleman and the youths with nail bombs, there had been substantial shooting by soldiers, and people had been killed and wounded by Army gunfire. Many people have told us that they were at this stage in a state of fear, shock or panic and in our view those carrying the nail bombs are likely to have been similarly affected.

**111.112** The representatives of the majority of represented soldiers also submitted that Charles McGill’s attitude to this Inquiry detracted from the reliability of his evidence.<sup>1</sup> As we have noted above, he told us that at the time that he gave his first statement he thought that the Inquiry would be a “*whitewash*”, and during his oral evidence he reiterated that belief.<sup>2</sup>

<sup>1</sup> FS7.2144

<sup>2</sup> Day 69/145-147

**111.113** We do not accept this submission. It seems to us that whatever Charles McGill may have thought about the present Inquiry, it does not follow that he gave us evidence, especially in his supplementary statement and his oral evidence, upon which we should not rely. At the end of his oral evidence Charles McGill agreed that he had given Eversheds the information they recorded because he thought that the Tribunal should have a full account of that which he was able to say of the events of the day.<sup>1</sup> We can think of no other reason for Charles McGill to have mentioned the man with the rifle and the youths with nail bombs when he could simply have concealed his evidence on these points. We would also draw attention to the fact that when counsel for the majority of represented soldiers asked Charles McGill whether at the time he made his statement he was not taking the Inquiry seriously, the answer was “*I was taking it serious because I feel sorry for the people who were shot and the innocent people who were killed*”.<sup>2</sup>

<sup>1</sup> [Day 69/175](#)

<sup>2</sup> [Day 69/146](#)

**111.114** Charles McGill told us that he thought that the rifleman and the youths with nail bombs were members of the Official IRA, but this was solely because he understood that the Provisional IRA “*would be nowhere near the march*”.<sup>1</sup> He also said that he did not recognise any of them.<sup>2</sup> In our view Charles McGill’s assumption that these men were members of the Official IRA does not amount to useful evidence identifying the organisation to which they belonged or may have belonged. We do not know who they were, though we do consider that they are likely to have been at least connected to the Official or the Provisional IRA, since we have found no evidence from any source to suggest that there were independent armed freelance republican paramilitaries in the city on Bloody Sunday.

<sup>1</sup> [AM230.11](#); [AM230.9](#); [Day 69/115](#); [Day 69/117](#)

<sup>2</sup> [AM230.9](#)

**111.115** During the course of his oral evidence, Charles McGill agreed that the tray on which he had seen nail bombs was similar to a biscuit tin lid.<sup>1</sup> As we have described above, Danny Craig told us that he had kicked a biscuit tin lid which was being used to carry nail bombs out of the hands of a boy in the Abbey Park or Glenfada Park area. We consider that Danny Craig probably saw the same nail bombs as Charles McGill, notwithstanding that the description the former gave of the incident he told us he had witnessed differs in material respects from what in our view was a far more credible account given by Charles McGill.

<sup>1</sup> [Day 69/159-160](#)

**111.116** Charles McGill told us that at some point during the day he was joined by his friend John Deeney. However, we have not found a comparative analysis of the evidence given by the two men to be of any assistance in the matter under consideration.<sup>1</sup>

<sup>1</sup> [AD28.1-4](#); [AM230.5](#); [Day 69/105](#); [Day 69/129-130](#)

**111.117** In the circumstances discussed above, while Charles McGill's evidence does show that there were paramilitaries in the area after the shooting by soldiers in Glenfada Park North, in our view it does not in itself lend any support to what the soldiers said they encountered when they got into Glenfada Park North or the reasons they gave for opening fire. There is nothing that suggests to us that soldiers saw youths with a tray of bombs when they came into Glenfada Park North; and in view of what Charles McGill heard the rifleman say, it is unlikely that he had been in Glenfada Park North while the soldiers were there. What such evidence does do is to indicate that there were armed paramilitaries in the area, albeit late in the day; and that no-one has come forward to explain who they were, where they had come from and what they had been doing. Charles McGill told us that many people were milling around when the man with a rifle appeared and that "*he was asking three or four people*", including himself, about where he could get a firing position,<sup>1</sup> which is another indication that there may have been reluctance among some people to come forward to this Inquiry to tell us of paramilitary activity.

<sup>1</sup> [AM230.10](#)

## Benn Keaveney

**111.118** Benn Keaveney told this Inquiry that while he was in the Abbey Park area in the aftermath of the shooting incidents, he saw two youths carrying a large box that contained between two and four nail bombs. The youths were 19 or 20 years old, and were wearing bulky jackets that he thought may have contained other nail bombs.<sup>1</sup>

<sup>1</sup> [AK2.12](#)

**111.119** In the course of his oral evidence, Benn Keaveney said that he recognised one of the youths, although he did not know his name. He had seen him at previous riots, and believed that the youth had associated with people who were armed with weapons or nail bombs on such occasions.<sup>1</sup> He also stated that he was sure that the youths carried the nail bombs in a box rather than on a tray, as he had seen them carrying the box at an angle, with the nail bombs in one corner.<sup>2</sup>

<sup>1</sup> [Day 160/46-47](#)

<sup>2</sup> [Day 160/108-109](#)

**111.120** Benn Keaveney also told us that the youths appeared to have just arrived in the area and did not seem to know what had happened. They were out of breath and had been running. They approached him and asked him where “*the Brits*” were. An old man also approached, and told the youths not to do anything as the soldiers had moved back and they (the Army) would use the presence of nail bombs to justify their actions.<sup>1</sup> Benn Keaveney commented that the youths “*appeared to be resigned*” and moved back towards the Old Bog Road (Fahan Street West), which lay to the south of Abbey Park.<sup>2</sup>

<sup>1</sup> AK2.12; Day 160/49-50

<sup>2</sup> AK2.12

**111.121** Benn Keaveney’s evidence was that this incident occurred after he had assisted in tending a casualty who lay at the shallow steps in Abbey Park, after he had helped carry at least one body into a house in Abbey Park and a long time after the Army had withdrawn. Benn Keaveney also told us that he had escorted a distressed old man into Glenfada Park South before he returned to Abbey Park and saw the youths carrying the nail bombs.<sup>1</sup>

<sup>1</sup> AK2.10-12; Day 160/50-51

**111.122** According to his evidence to this Inquiry, about five minutes after this incident Benn Keaveney saw a dark-haired man in his twenties or thirties, whom he believed was in the Provisional IRA, somewhere in the area of Lisfannon Park (the housing complex to the south of Fahan Street West). Benn Keaveney recalled that the man was wearing a long coat, “*inside which I could make out the obvious shape of a rifle*”. He did not know from where the man had come, but he saw him talking to the youths referred to above, who were still carrying the box containing nail bombs.<sup>1</sup> Benn Keaveney told us that he thought that the man was a member of the Provisional IRA, as he had seen him at previous riots. He had heard the man referred to as a “*Provo*” and had seen him exercise some authority on previous occasions, but he said that he did not know his name or nickname.<sup>2</sup>

<sup>1</sup> AK2.12; Day 160/51-54

<sup>2</sup> Day 160/53-54

**111.123** Benn Keaveney told us that he heard the man tell the youths to “*get back up*”, which he interpreted as meaning that they should go back to the Creggan. Benn Keaveney also saw other people in the area telling the man about who had been shot. He said that the man did not do anything with his rifle while he was watching and that the man and the two youths with nail bombs moved further into Lisfannon Park, at which stage he lost sight of them.<sup>1</sup>

<sup>1</sup> AK2.12; Day 160/54

- 111.124** In May 1998, before making his formal written statement for this Inquiry, Benn Keaveney prepared his own written account for us,<sup>1</sup> the relevant parts of which we set out below. This was broadly consistent with his later written statement and his oral evidence, although in this account Benn Keaveney recalled that the youths had nail bombs in their hands as well as in a box:

“Two young men appeared running which was strange because everyone else was still and quiet and shocked. They are out of breath and one was upset but also angry. They had a number of nail bombs in their hands and some in a box. An older man stopped them going forward and told them not to throw the bombs and that the army had withdrawn. He then told them that ‘they’ the army will just use it as an excuse to say that is why they fired. They stood still holding the bombs and I told them that the army has moved back and that there is no point. The two men agreed and walked away further into the Bogside. I am very very clear that the shooting was over and no more shots were ever fired. When I saw the men with the nail bombs: I had already helped carry people into houses and helped the old man and seen the army move back off Kells walk. Only then did I see the bombs carried by these two men who did not pass them to anyone else, light the fuses or throw them. A few minutes later I saw them again but much further back across Bogside road and they were talking to a man who had a rifle under his coat. Seeing him a number of men crossed over to this group and I went as well and they repeated that the army was gone and to shoot now would put at risk the injured and the dying. The man with the rifle nodded his head and ordered the other two to leave with him. There was no anger between these three men and the others. The general feeling then was not revenge but to help the wounded and the hundreds of distressed people milling around. Also the fact that there were some people dead was already starting to make some of the crowds start to pray.”

<sup>1</sup> [AK2.21-22](#)

- 111.125** In our view Benn Keaveney did see two youths with nail bombs in the area of Abbey Park, and later the same youths with a rifleman somewhere in Lisfannon Park. We also consider that he saw these individuals some time after the Army firing had finished. We do not know the identity of any of them, and though on the basis of Benn Keaveney’s evidence it could be suggested that they, or one or more of them, were members of the Provisional IRA, we remain in doubt as to whether this was the case.

- 111.126** We also remain in doubt as to whether those seen by Benn Keaveney were the same as those seen by Charles McGill. Benn Keaveney's evidence that the bombs were being carried in a box, not on a tray, could be an indication that they were not the same people, but the possibility exists that at some stage after Charles McGill's sighting, the bombs were transferred from a tray to a box.
- 111.127** As with Charles McGill, while Benn Keaveney's evidence does show that there were paramilitaries in the area after the shooting by soldiers in Glenfada Park North, in our view it does not in itself lend any support to what the soldiers said they encountered when they got into Glenfada Park North or the reasons they gave for opening fire; or provide any other explanation for why they opened fire, since there is nothing that suggests to us that the youths with nail bombs or the man with a rifle were or were likely to have been in Glenfada Park North at any relevant time. What such evidence again does do is to indicate that there were armed paramilitaries in the area, albeit late in the day; and that no-one has come forward to explain who they were, where they had come from and what they had been doing.
- 111.128** We do not know whether the gunman seen by Benn Keaveney was the same individual seen by Charles McGill.

## Noel McCartney

- 111.129** Noel McCartney, a reporter for the *Derry Journal* at the time of Bloody Sunday, gave a written statement for the Widgery Inquiry,<sup>1</sup> but did not give oral evidence to that Inquiry. He did, however, give both written and oral evidence to the present Inquiry. We have already referred to his evidence in detail elsewhere in this report<sup>2</sup> when considering the submission that there was an additional unidentified casualty in Sector 3.

<sup>1</sup> M55.8-9

<sup>2</sup> Chapter 87

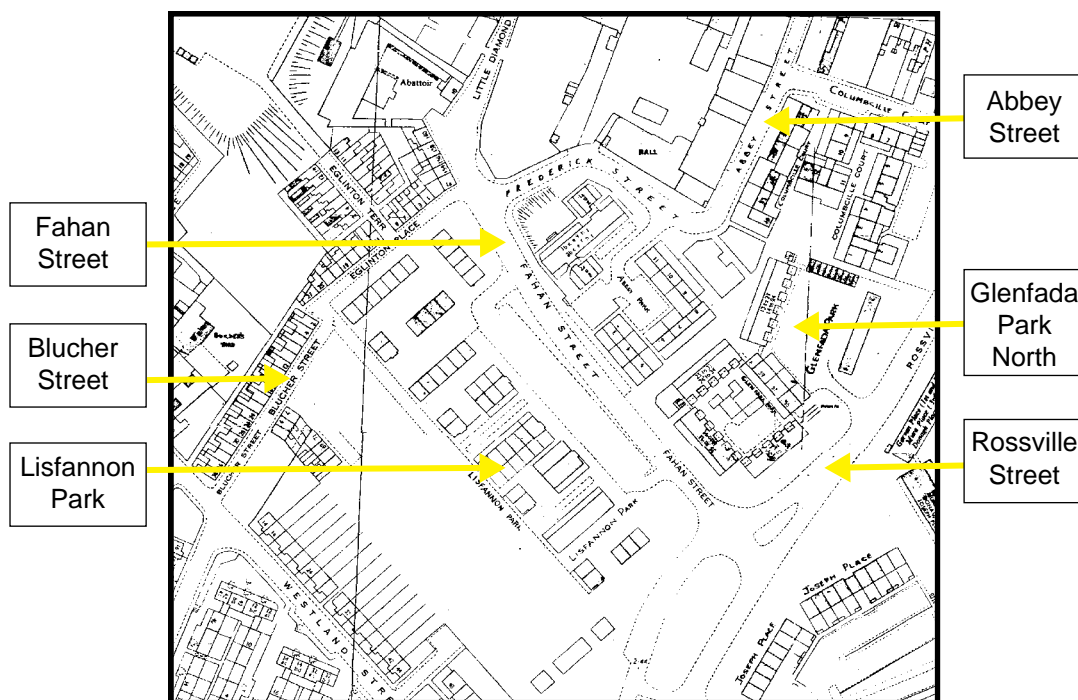
- 111.130** In his written statement for the Widgery Inquiry, Noel McCartney stated that he was at the entrance to the Glenfada Park North car park when a youth (clearly from his description Michael Kelly) was shot at the rubble barricade. He saw this casualty brought to a position close to him, and then left the area to look for someone with first aid training.<sup>1</sup> He recorded that:<sup>2</sup>

“I went through Glenfada Park to Fahan Street looking for a first aid man. I then saw a civilian with a rifle who appeared at the opening to Rossville Street, who crossed inside Glenfada Park in the direction of Abbey Street. I found a first aid post at Blucher Street but they were assisting a 15 year old youth shot in the cheek. I heard more shooting and went to Lisfannon Park.”

<sup>1</sup> M55.8-M55.9

<sup>2</sup> M55.9

**111.131** We set out below a map showing the places mentioned in Noel McCartney's written statement for the Widgery Inquiry.



**111.132** The youth whom Noel McCartney saw being treated in Blucher Street was in our view Michael Quinn; as we discuss elsewhere in this report,<sup>1</sup> Michael Quinn was shot in the face in Glenfada Park North, and was subsequently taken to Blucher Street. Noel McCartney gave no evidence, either to the Widgery Inquiry or to us, of seeing any of the shooting incidents that occurred inside Glenfada Park North.

<sup>1</sup> Paragraphs 104.139–164

**111.133** Noel McCartney's written statement for the Widgery Inquiry does not provide sufficient detail to allow us to ascertain precisely when or where, on his account, he saw a civilian with a rifle. On timing, it is only possible to establish from the statement that the purported sighting was made after Noel McCartney left the entrance to the Glenfada Park North car



park and before he found the first aid post at Blucher Street. On location, Noel McCartney recorded that the man “*appeared at the opening to Rossville Street [and] crossed inside Glenfada Park in the direction of Abbey Street*” (emphasis added).

- 111.134** In respect of the latter point, it was submitted on behalf of the representatives of the majority of represented soldiers that earlier in his statement for the Widgery Inquiry, Noel McCartney had used the expression “*the opening*” to describe the entrance from Rossville Street into Glenfada Park North, which was close to the rubble barricade.<sup>1</sup> This is so. These representatives also submitted that the only “*opening*”, as opposed to “*alleyway*”, onto Rossville Street from either Glenfada Park North or Glenfada Park South was this entrance, but this point only has substance if each of the other entrances into Glenfada Park South from Rossville Street would not be described by anyone (including Noel McCartney) as an opening.

<sup>1</sup> FS7.2145

- 111.135** On the basis of this submission, it could be suggested that Noel McCartney saw a rifleman at the entrance to the Glenfada Park North car park. However, looking at the material part of the statement as a whole, it is our view that Noel McCartney was saying that it was not until after he had left Glenfada Park North and the area of the rubble barricade, and had got as far as Fahan Street, that he saw the rifleman. Noel McCartney was asked about this point during his oral evidence to this Inquiry:<sup>1</sup>

“Q. I am asking you what you would have meant by the expression that was used in 1972:

‘I saw a civilian with a rifle who appeared at the opening to Rossville Street who crossed inside Glenfada Park to the direction of Abbey Street.’

A. I am not sure, but I do not think it was that location, that is very close to the barricade. I think it was some distance from the barricade, from vague memory, that I saw this person.

LORD SAVILLE: Mr Clarke, if you look at 55.9, on the account given then, paragraph 7, the third sentence says:

‘I then saw a civilian’ and the previous sentence says:

‘I went through Glenfada Park to Fahan Street looking for a first aid man.’

I read that and whether or not Mr McCartney now can help us with his recollection is that it was only when you had in effect got to or virtually to Fahan Street that you saw this civilian; that would be further south than the arrow on the map Mr Clarke has just shown you?

A. Yes, that would be my memory.”

<sup>1</sup> [Day 157/116](#)

- 111.136** It was pointed out by the representatives of the majority of represented soldiers that it is difficult to see how Noel McCartney, if he had got to Fahan Street, could have seen the man cross Glenfada Park South.<sup>1</sup> However, Noel McCartney’s statement could be interpreted as meaning that he saw the man entering Glenfada Park, moving east to west, and did not actually see him crossing inside Glenfada Park.

<sup>1</sup> [FS7.2146](#)

- 111.137** Turning to his evidence to this Inquiry on this point, Noel McCartney told us that his memory of Bloody Sunday was “*quite hazy*” other than of what he had witnessed at the rubble barricade.<sup>1</sup>

<sup>1</sup> [M55.2](#)

- 111.138** He told us that he recalled moving off towards Blucher Street in order to find medical assistance. He did not know which route he took, but had a “*vague memory*” that he went through Glenfada Park South.<sup>1</sup> While on his way to Blucher Street, he recalled seeing a civilian with a three-quarter-length coat holding a rifle in an upright position. He commented that the light was not good at this point, and told us that he could not describe the person with the gun other than noting that he was male.<sup>2</sup> He said he could see the whole length of the rifle, and that the man was not seeking to conceal the weapon with his coat when he saw him.<sup>3</sup>

<sup>1</sup> [M55.2](#); [Day 157/109](#)

<sup>3</sup> [Day 157/115](#)

<sup>2</sup> [M55.2](#); [Day 157/94](#)

- 111.139** We are of the view that Noel McCartney did see a rifleman, and though it is difficult to be sure exactly where, we accept his evidence to this Inquiry that it was some distance from the rubble barricade and thus not in the road entrance into Glenfada Park North. To our minds it is probable that Noel McCartney made his way into Glenfada Park South and that when he got to the southern end of Glenfada Park South, or to a position south of this courtyard, he saw the rifleman moving from the entrance into Rossville Street in the south-east corner of Glenfada Park South in the direction of Abbey Street.

- 111.140 The question remains as to when Noel McCartney saw this rifleman. The representatives of the majority of represented soldiers submitted:<sup>1</sup>

“It is clear that Mr McCartney saw this gunman in the Abbey Park/Glenfada Park area at a time when soldiers were engaged in that area of the Bogside. Mr McCartney is confident that he saw the man on his way to Blucher Street to obtain medical assistance, shortly after seeing Michael Kelly fall.<sup>2</sup> Certainly having reached Blucher Street and then travelled on to Lisfannon Park Mr McCartney says that ‘I heard more shooting’,<sup>3</sup> again confirming the early stage at which he saw the man with a rifle. Mr McCartney was able to confirm in his BSI statement that ‘shooting was still going on’<sup>4</sup> when he reached Blucher Street.”

<sup>1</sup> FS7.2148

<sup>3</sup> M55.9 paragraph 7

<sup>2</sup> M55.9 paragraph 6

<sup>4</sup> M55.2 paragraph 7

- 111.141 We are sure that Noel McCartney left the entrance into Glenfada Park North before the soldiers came in and started firing, for he could hardly have failed to notice this event had he still been there. We are equally sure that by the time he reached Blucher Street Michael Quinn, injured in Glenfada Park North, had been brought to the first aid post there. It seems to us for this reason that the firing he recalled after having reached Blucher Street is unlikely to have been firing within Glenfada Park North or Abbey Park. As we have noted in the course of our consideration of the events of Sector 4, the shooting in these areas lasted for only a short period, which was not long enough to have allowed Michael Quinn to have been taken to and treated in Blucher Street. Instead it is more likely to have been the late firing by soldiers at Block 1 of the Rossville Flats, which we describe when considering the later events in Sector 3.<sup>1</sup> As we have already noted, Noel McCartney’s 1972 account does not answer the question of when he encountered the rifleman, other than establishing that it was after he moved from the entrance to the Glenfada Park North car park and before he reached the first aid post at Blucher Street, and his evidence to us does not assist us further. It is not therefore correct to suggest, as the representatives cited above submit, that his evidence makes it clear that he saw the rifleman at the stage when soldiers were engaged in Glenfada Park North or Abbey Park. In our view it is much more likely that he saw the gunman after the casualties had been sustained in that area.

<sup>1</sup> Chapters 123 and 124

- 111.142** We do not know who this gunman was and have no evidence that suggests to us that he was or might have been among those people who were moving across the southern side of Glenfada Park North when the soldiers came in and opened fire. We do not know whether the rifleman seen by Noel McCartney was the same as that seen by Charles McGill or Benn Keaveney.

## John Leo Clifford and Kevin Clifford

- 111.143** John Leo Clifford gave a NICRA statement<sup>1</sup> which is dated 4th February 1972. In this he recorded that he went to his wife's aunt's house in Glenfada Park, then went out and learned that a man and a boy had been shot in William Street, went back to the house but could not get in, so entered Mrs Dunlop's house (which was next door and on the eastern side of Glenfada Park South) at some point after the lorry leading the demonstration had reached the southern end of Rossville Street. From the house he heard shots and saw bodies near a telephone box, and people cowering against the telephone box. He also described seeing a photographer taking pictures of these casualties.

<sup>1</sup> [AC66.8](#)

- 111.144** From this account we have no doubt that John Leo Clifford was describing the situation at the south end of Block 1 of the Rossville Flats, after the shooting in Sector 5, which we consider in detail elsewhere in this report.<sup>1</sup>

<sup>1</sup> [Chapters 115–120](#)

- 111.145** In his NICRA statement<sup>1</sup> John Leo Clifford recorded that after this he left the house with a nephew, but *“gunfire started again ... and the bullets passed close to us”*. He thought that they seemed to come from the direction of Columbcille Court. He subsequently went back into the house, from where he saw Fr Anthony Mulvey moving from the telephone box towards the rubble barricade. John Leo Clifford stated that *“During this action at no time did I see anyone carrying guns other than the army. I did not hear any nail bombs no [sic] see any petrol bombs.”*

<sup>1</sup> [AC66.8](#)

- 111.146** John Leo Clifford gave a written statement to this Inquiry<sup>1</sup> but through ill health was unable to give oral evidence. In his written statement John Leo Clifford told us that he was outside when the shooting commenced; whereas his NICRA statement indicates that he was in Mrs Dunlop's house in Glenfada Park South. He also told us that he went to one house in Glenfada Park South, while in his NICRA statement he described going into two houses. His written evidence to this Inquiry as to how he came to enter Mrs Dunlop's

house also differs from his NICRA statement. In addition, his evidence to this Inquiry as to how he came to enter Mrs Dunlop's house is very different from his NICRA statement. There are other differences, as can be seen from a comparison of both accounts.<sup>2</sup>

<sup>1</sup> AC66.1

<sup>2</sup> AC66.5-6

**111.147** In his written evidence to this Inquiry, John Leo Clifford told us:<sup>1</sup>

"I stayed in [Mrs Dunlop's] house for a further 10 minutes, although by this stage people were starting to move around the Rossville Street area. As I left [Mrs Dunlop's] house and turned northwards whilst still in the Glenfada Park South courtyard, I saw about 40 people being lined up and frisked against the southern gable wall of the eastern block of Glenfada Park North by soldiers who were carrying rifles and batons. I cannot remember what was being said at the time. As I was standing there, at approximately the point marked N on the attached map (grid reference 115) [a position close to the pram ramp on the north-east corner of Glenfada Park South]<sup>2</sup> a civilian gunman ran from the south west corner of Glenfada Park South in a north easterly direction to the north east corner of Glenfada Park South. He was carrying a 303 rifle and wearing a brown suit. He was aged about 26 to 28. He looked around the north east corner of Glenfada Park South but turned round and then ran back in a south easterly direction. I was with my nephew Kevin at the time and he thought that the gunman was a "stickie", that is a member of the official IRA."

<sup>1</sup> AC66.3-4

<sup>2</sup> AC66.7

**111.148** There are difficulties with this account, though we are sure that John Leo Clifford was doing his best to help us. We have no doubt that, as we describe elsewhere in this report,<sup>1</sup> the civilians who were arrested in the mouth of the Glenfada Park North car park were removed from the area before people were shot (in Sector 5) on the south side of the Rossville Flats, and that both of these events took place well in advance of the arrival of the ambulance in Rossville Street. Further, John Leo Clifford did not mention seeing people being arrested in Glenfada Park in his NICRA statement.

<sup>1</sup> Chapters 113 and 119

**111.149** In our view, John Leo Clifford's NICRA statement is, so far as his movements are concerned, likely to be more accurate than his recollections decades later to this Inquiry. On this basis, we are of the view that his account of seeing a rifleman must relate to the time he ventured out of the house with his nephew, before going back after hearing more firing. His 1972 account is consistent with our findings elsewhere in this report<sup>1</sup> that some

minutes after people had been shot in Sector 5 (and hence even longer after the shooting in Sector 4), and after photographers had taken pictures of these casualties, there was further firing by soldiers at Block 1 of the Rossville Flats. We are of the view that it was this firing that John Leo Clifford heard after he left Mrs Dunlop's house.

<sup>1</sup> [Chapter 123](#)

**111.150** Before expressing a view on whether John Leo Clifford saw a gunman, we draw attention to the evidence of his nephew.

**111.151** John Leo Clifford's nephew was Kevin Clifford, who told us that he had very little recollection of the events of Bloody Sunday.<sup>1</sup> However, he did remember taking cover with John Leo Clifford in a house in Glenfada Park South.<sup>2</sup> He told us:<sup>3</sup>

"My uncle also refers to seeing a civilian gunman in paragraph 26 of his statement and now that I have read it I remember seeing the guy too, but not where uncle Leo says he was. My uncle refers to a 'stickie' and that's exactly what I would have called a member of the Official IRA too. I remember seeing a guy with a gun, but I think I saw him near the Bogside Inn, south of Free Derry Corner and around the junction of Westland Street and Lecky Road. He was coming up (northwards) from between Free Derry Corner and the Bogside Inn. The man was hiding the gun on his right hand side under his coat or jacket as if he was trying to disguise it. I don't know what sort of gun it was, but it was not big enough to be a rifle. There were a lot of people about and someone said something like 'It's a stickie'. The man was walking on his own amongst all these people and only stood out because you could see the gun he was trying to hide and people were saying he was a stickie. I couldn't describe the man, he was young enough, but I had never seen him before that day and I've never seen him since. I just kept on walking. I can't remember if uncle Leo was with me at the time, but I know I was on my way home."

<sup>1</sup> [AC67.1](#)

<sup>3</sup> [AC67.2-3](#)

<sup>2</sup> [AC67.1-2](#)

**111.152** If this account is broadly accurate, then a gunman (identified by someone as a "stickie", ie a member of the Official IRA) was present in the approximate area of Free Derry Corner in the aftermath of the shooting incidents on Bloody Sunday. To our minds this is not inconsistent with John Leo Clifford's NICRA statement, which ends fairly abruptly after the shooting. His statement that "*During this action at no time did I see anyone carrying guns other than the army*" is not in our view necessarily inconsistent with what he told us he had seen, since the word "*action*" indicates that he was referring to the period of Army

firing, at which stage John Leo Clifford could honestly say that he had not seen any civilian gunmen. He may have seen one shortly thereafter, but decided that it was not relevant, or best ignored, in his NICRA account.

- 111.153** We are of the view that both John Leo Clifford and his nephew did see a paramilitary gunman on Bloody Sunday. The major, though not the only, difference between the accounts of John Leo Clifford and his nephew is where these witnesses say they saw a gunman. We have considered whether each saw a different gunman, the one in Glenfada Park South and the other south of Free Derry Corner. In the end, however, in view of the fact that much of John Leo Clifford's evidence to this Inquiry as to where he was differs from his NICRA statement, and our conclusion that the latter is likely to be a more accurate account than the former, we consider it more probable than not that these witnesses saw only one gunman, who was somewhere south of Free Derry Corner. The other differences in their accounts (for example whether they saw a rifle or some smaller weapon) we would attribute to the fact that both were trying to recall what they saw, decades after the event.
- 111.154** There is nothing that to our minds suggests that the gunman seen by John Leo Clifford and his nephew was or was likely to have been in Glenfada Park North when the soldiers entered that area.
- 111.155** We deal below with the submission that John Leo Clifford's evidence was related to the movements and actions of Anthony Martin and OIRA 7.

## **Allegations of weapons in a vehicle or vehicles in Glenfada Park North**

### **Evidence of members of the Official IRA**

- 111.156** In the course of our discussion of the events of Sector 1,<sup>1</sup> we referred to the notes made by John Barry of the *Sunday Times* Insight Team of an interview with OIRA 1.<sup>2</sup> In that context, we were principally concerned with the circumstances in which OIRA 1 fired a shot with a rifle from Columbcille Court at soldiers on the opposite side of William Street, a shot which hit a drainpipe on the eastern side of the Presbyterian church. As we have noted above, although OIRA 1 denied that he had given any form of formal interview to



John Barry, we concluded not only that he did so, but also that in all essential respects John Barry accurately recorded in his note what he had been told by OIRA 1 about the latter's activities on Bloody Sunday.

<sup>1</sup> [Chapter 19](#)

<sup>2</sup> [AOIRA1.1-2](#)

**111.157** As we point out in our discussion of the events of Sector 1,<sup>1</sup> OIRA 1 told John Barry that on Bloody Sunday he and OIRA 2 had collected the rifle which he later fired from a car in Glenfada Park. This differed from the account that OIRA 1 gave to this Inquiry, which was that on Bloody Sunday they picked up the rifle, which had previously been hidden, from Columbcille Court. However, in both the accounts OIRA 1 stated that after firing, and after becoming involved in a confrontation with a number of people shortly afterwards, he and OIRA 2 took the rifle back to a car in Glenfada Park North.

<sup>1</sup> [Chapter 19](#)

**111.158** We set out below the relevant parts of John Barry's note. It will be seen that this includes the passage quoted earlier in this chapter concerning the firing of a couple of shots in the car park and shots said to have been fired from Columbcille Court:<sup>1</sup>

"Said that no approach about guns had been made to the Officials. Said that the main emphasis by the Officials that day was up in Creggan. Two sections of 16 men – both the sections being Creggan ones, I gathered – were gathered in cars at the back of the Creggan. He said they were waiting for a possible Army assault.

The Bogside section was under his charge. He had the available arms stored in the boot of a car in Glenfada. (I think he said it was a green Avenger, but my notes don't record that).

[The notes then record OIRA 1 telling John Barry about his movements on the day, his shot at the soldiers close to the Presbyterian church, and the confrontation that followed between OIRA 1 and OIRA 2 and members of the Provisional IRA. We have discussed this part of the notes in Chapter 19.]

OIRA 1 then has very hazy chronology. He went back to Glenfada, put the rifle back in the boot of the car, and waited rather at a loose end. Then he either a) saw Kelly's body, or b) saw the Saracens coming in. From other sources, the latter is the only conceivable one:

OIRA 1 was appalled. Someone shouted to him, and he went round the gable to see. Behold, the Saracens approaching. He sped back into Glenfada, and shouted to them to get the car out. He thought one of the Saracens would come into Glenfada and catch them red-handed. There were five or six Stickies around the car, and they couldn't get the thing out in time. OIRA 1 said to abandon it, and get the arms out of the boot. They did: the arms consisted of a Sten, a carbine, two 303s and a .22 automatic.

He toyed with the idea of trying to make a fight of it, but rejected the idea. 'The men werent in position'. Shouted to everyone to retreat. All didd, except for one – who ran up to what OIRA 1 swears was the north-west corner of Glenfada, that is the corner towards Wm St and furthest from the flats. OIRA 1 says he got up on a balcony – on the front of C. Court, he said the bloke told him later, – and got in a couple of shots with the 22 automatic.

OIRA 1 says he knows that a man from the Creggan section of the Officials got in a couple of shots in the carpark from a .38 pistol. Those, says OIRA 1, are the only three sets of shots that the Officials got off before the troops opened up.

OIRA 1 seems to have blown his mind at this point. Because he relates in great detail how he saw Micky Kelly – a young cousin of his – fall behind the gable. Pressed, he says that what he saw was a crowd around him, a figure in a white shirt, he thinks. But he insists that he then saw, obliquely, three figures standing at the barricade and a burst of automatic – 'machine gun' – fire, at which the three fell – adding austerely: 'Whether they were hit or not I could not say'.

He says that there was then the buzz that troops were coming up to Glenfada. He ran for it across Glenfada, out to the Abbey Park entrance. He says that there were two or three people in front of him, and he is convinced he was the last person to make it. He says there were five or six behind him. Says the person first behind him was Wray, whom he claims to have known.

Says there was a burst of firing. Says as he was running across he saw a soldier at both northern entrances of Glenfada – the soldier at the R St side with a Sterling, but he doesnt remember what the other soldier was carrying. 'I put my head down and ran'.

He heard the burst of firing as he got into the Abbey Park alleyway.

He cut into number 4, Abbey Park, where there were about 15 people. Was told 'There was a wounded man here, shot. He's gone to hospital'.

He ran over to his Grandma's place, on the other side of the Bog Road. My note says that she said 'Jesus, no don't.' The next note says that there were shots fired from the walls, but not at him. I think, but its a pure guess, that she was warning him not to cross the street or something.

He met one of his fellow from Glenfada with a sporting .303 down his trouser leg. The fellow asked him 'Shall I get down there and have a dab?' nodding towards Glenfada. This conversation was taking place around Lisfannon Park. OIRA 1 said no, more people will be killed.

[The notes then record OIRA 1 telling John Barry about seeing the injured 'Big Micky' Doherty at Vinny Coyle's house, before going to his own mother's house in order to reassure her.]

Went into Cable Street. Met OIRA 3. Who said 'Where's the weapons?' OIRA 1 said they were safe in the Bog. OIRA 1 indicated that OIRA 3 wanted to have a go, or at least was surrounded by people who wanted to have a go. But he was dissuaded.

OIRA 1 then headed for the far corner of Blucher Street, to find another of his Glenfada guys still with a weapon. Asked what he should do with it, OIRA 1 replied 'Get it dumped'.

OIRA 1 says he did hear shooting at this stage from their side but he doesnt know where it came from."

<sup>1</sup> AOIRA1.1-2

- 111.159** According to our interpretation of this account, OIRA 1 had the available arms of the Bogside section of the Official IRA in a car, which could have been a green Avenger, in "*Glenfada*", which in our view meant Glenfada Park North. When he returned from firing the shot at soldiers at the Presbyterian church he put the rifle that he had used in the boot. Then on realising that Army vehicles were coming into the Bogside, and fearing that one might come into "*Glenfada*", he and five or six other "*Stickies*" (a nickname for members of the Official IRA) tried but failed to get the car out. Instead, they abandoned the car and took the arms out of the boot. These consisted of a Sten gun, a carbine, two .303 rifles and a .22 automatic. OIRA 1 shouted to everyone to retreat and all did save for one who got in a couple of shots with a .22 automatic from Columbcille Court. OIRA 1 himself, according to this account, fled from Glenfada Park North through the entrance to

Abbey Park. He later encountered two men, both of whom are associated with “*Glenfada*” in the notes. The first was, “*around Lisfannon Park*”, with a “*sporting .303 down his trouser leg*”, while the other was in Blucher Street, “*still with a weapon*”.

- 111.160** In our consideration of the events of Sector 1,<sup>1</sup> we also discussed the article, published on 23rd April 1972 in the *Sunday Telegraph*, in which Gerard Kemp reported on an interview that he had conducted with a member of the Official IRA who fired on Bloody Sunday. We are sure that the interview was with OIRA 1. We are also of the view that the quotations contained in the article faithfully reproduced what OIRA 1 told Gerard Kemp.

<sup>1</sup> Paragraphs 19.18–19

- 111.161** The article recorded, in OIRA 1’s own words, his account of his shot at the soldiers close to the Presbyterian church. He continued:<sup>1</sup>

“After I fired that one shot I went back to my car and put the rifle in the boot. Ten to 15 minutes later the Paras moved up and I told our boys to get their weapons out of their cars.

Only a few of us were there. Most of the I.R.A. were up on the Creggan because we expected the Army to take advantage of the march and move in up there.

One guy got on to a balcony and fired at the Paras. Someone else fired with the pistol. I was by the barricade in Rossville Street next and saw three civilians go down. They were cracking away all over the show mostly army S.L.R.s (self-loading rifles). We started running. James Wray was shot dead just behind me.”

<sup>1</sup> L210

- 111.162** OIRA 1 is not recorded in this article as having made any reference to seeing armed members of the Official IRA after he left Glenfada Park North.
- 111.163** In his written evidence to this Inquiry, OIRA 1 gave the following account of taking the weapon that he had fired to a car in Glenfada Park:<sup>1</sup>

“... the other volunteer and I ... made our way through the back streets [from Columbcille Court] to Glenfada Park North where a car was parked along the eastern wall of the flats which bordered Rossville Street. The car was parked about half way along on the inside of the courtyard on the eastern side. It was parked lengthways ie. north/south not east/west. I have never seen any photographs of this from the day of the march, and I could therefore be wrong, but I am pretty certain that that was where the car was. It stayed there until after the end of the march. I put the rifle in the boot of the car and locked the car and took away the keys. I cannot recall what I did with the keys now. I am not sure now whether the other volunteer who had been with me was still with me. I think that on the way I may have lost him at some point around the time I put the gun in the car. It made sense for us to split up after a shot had been fired.”

<sup>1</sup> AOIRA1.28

- 111.164** OIRA 1 told us that apart from the rifle that he had used, there was no other weapon in the car.<sup>1</sup> He denied those parts of John Barry’s notes and Gerard Kemp’s article that suggested that there was a group of Official IRA volunteers in Glenfada Park, that he ordered them to remove weapons from a car or cars, and that he met armed Officials after he had fled from there.<sup>2</sup>

<sup>1</sup> AOIRA1.33; Day 395/97-98; Day 395/118

<sup>2</sup> AOIRA1.33-35; Day 395/117; Day 395/122; Day 395/124-125; Day 395/140; Day 396/104

- 111.165** OIRA 1’s evidence to us was that after dumping the rifle he moved to the southern end of the eastern block of Glenfada Park North. He told us he recalled seeing the arrival of soldiers in Rossville Street, hearing shots, and seeing a person fall at the rubble barricade. He told us that on realising that soldiers had entered Glenfada Park North he fled the area through the alleyway leading to Abbey Park.<sup>1</sup>

<sup>1</sup> AOIRA1.29-30

- 111.166** OIRA 2 stated in his written evidence to this Inquiry that he accompanied OIRA 1 back to Glenfada Park North after the latter had fired at the soldiers close to the Presbyterian church. He told us that OIRA 1 put the .303 rifle that he had used into the boot of a car that was parked on the eastern side of the car park, and that OIRA 1 locked the boot. The two men decided that they could not move the car because of all of the people in the vicinity, and so they decided to split up, with OIRA 2 leaving the area via Rossville Street and Free Derry Corner. OIRA 2 stated that the only weapon that was in the car in Glenfada Park North was the rifle fired by OIRA 1.<sup>1</sup>

<sup>1</sup> AOIRA2.16; AOIRA2.21-22

111.167 Another member of the Official IRA, OIRA 7, also told this Inquiry<sup>1</sup> that he was present when OIRA 1 and OIRA 2 placed a rifle in a car in Glenfada Park North.

<sup>1</sup> AOIRA7.7-9

111.168 In his written statement to this Inquiry he gave this account:<sup>1</sup>

“There were few people in Glenfada Park North at the time. The march was still going on, and a crowd had gathered at Free Derry Corner to listen to the speeches.

I don’t know who suggested that we should put the rifle in a car, but I knew that we wanted to get rid of it. I am not now sure about the sequence of events, but it is my recollection that all three of us went to a car in Glenfada Park North, and put the rifle in the boot of that car. I do not know if the weapon had come from a dump, or from the car, and do not know if there was a dump in the area. I did not see the weapon until I was at the stairwell. I have no idea where the keys of the car came from or the sequence of events. Nor do I remember where the car had come from, or how it had come to be there. I know I did not drive it down or put it where it was. The rifle was put in the boot of the car (and not on the back seat), and once it was there, it was over and done with. I do not recall there being anything else in the back or boot of the car. From that point on the rifle did not surface again. We could not drive the car out of Glenfada because of the people in Rossville Street.

I am not sure where the other two volunteers went. I certainly did not go with them and did not hang around for long. There were no other volunteers around. No one approached us to ask what had happened. It did not make sense to stick together. I understand from Eversheds that neither of the other two volunteers now mention me being involved in the incident, and its immediate aftermath. I nevertheless was involved, as I have described.

I have been asked where the car was in Glenfada Park North. It was on the eastern side. I have marked its approximate position on the map at point E. I assume it had been driven in previously and left there. The car was facing north, ie towards us as we came into the square. Over the years I have been told it was a dark coloured car and possibly either an Avenger or a Cortina. They were two of the newest cars out then and it always made sense to use a car that worked! This is therefore probably true. I think it may have been an Avenger, because I know you did not lock the boot of a Cortina which had a push button, whereas the Avenger self locked and you had to use a key to open it. I am asked who left with the keys. I do not recall. It did not seem important at the time and is a detail I do not recall. I comment on this further later.”

<sup>1</sup> AOIRA7.9-10

**111.169** OIRA 7 had in fact marked the position of the car on an aerial photograph rather than a map.<sup>1</sup> According to him, the car was parked about halfway down the eastern side of Glenfada Park North, facing north, ie towards Columbcille Court. This is consistent with the evidence of OIRA 1 and OIRA 2 to this Inquiry.<sup>2</sup> OIRA 7 said in his written statement that he did not think that the car was moved at any stage during the afternoon.<sup>3</sup>

<sup>1</sup> AOIRA7.26; Day 398/47

<sup>3</sup> AOIRA7.17

<sup>2</sup> AOIRA1.28; AOIRA2.16; Day 392/67; E24.11

**111.170** In response to the John Barry interview notes, OIRA 7 stated that there were no arms in the car in Glenfada Park North apart from the rifle that he, OIRA 1 and OIRA 2 put there. He also said that he was “*certain that there were not four or five OIRA members about in Glenfada Park*”, and that that he did not recall any attempt being made to move the car out of the area.<sup>1</sup>

<sup>1</sup> AOIRA7.23; Day 398/51-53; Day 398/160

**111.171** As we have discussed during our consideration of events in Sector 1,<sup>1</sup> OIRA 7 told us that he joined OIRA 1 and OIRA 2 in Columbcille Court during the confrontation that followed OIRA 1’s shot at soldiers close to the Presbyterian church. For reasons we gave there, we were not convinced that OIRA 7 was present at this time. We are not sure whether at some later stage he either joined OIRA 1 and OIRA 2 and went with them to the car in Glenfada Park North, or met them there. Neither OIRA 1 nor OIRA 2 mentions the presence of OIRA 7 in Glenfada Park North and OIRA 1 told us that he did not recall seeing OIRA 7 at that time,<sup>2</sup> but in view of our doubts about the reliability of the evidence given by OIRA 1 and OIRA 2, this is not conclusive.

<sup>1</sup> Paragraph 19.65

<sup>2</sup> Day 396/53

**111.172** OIRA 7 told us that after the .303 rifle had been placed in the car, he left Glenfada Park North by the north-eastern exit and went into Rossville Street, where he remained until Support Company entered the Bogside. He said that having heard a live shot he went back into and through Glenfada Park North, leaving the area by the alleyway leading to Abbey Park.<sup>1</sup> We return below, when considering the evidence of Anthony Martin, to OIRA 7’s account of his later thoughts of returning to the car to get the rifle.

<sup>1</sup> AOIRA7.10-14

**111.173** It is our view that what OIRA 1 told John Barry and Gerard Kemp about the presence of other weapons and their removal when soldiers came into the Bogside is much closer to the truth than is his evidence (and that of OIRA 2 and OIRA 7) to this Inquiry, that the rifle that had been fired in Columbcille Court was the only weapon in the car. As we have



pointed out in the course of our consideration of the events of Sector 1,<sup>1</sup> we have concluded that in other material respects neither OIRA 1 nor OIRA 2 told us the truth. In our view there were a number of weapons in the car, probably those described to John Barry; there were more Official IRA members present than just OIRA 1 and OIRA 2; and some at least of the weapons were removed shortly before the soldiers came into Glenfada Park North. We have considered earlier in this chapter whether any of those weapons was then fired and where this might have occurred.

<sup>1</sup> [Chapter 19](#)

**111.174** It will have been noted that according to Gerard Kemp's article, there was more than one car in Glenfada Park North. We consider this matter below.

## Civilian, photographic and film footage evidence

**111.175** A little earlier in this chapter, we referred to the interview that Michael Quinn gave to the *Sunday Times* journalists Peter Pringle and Philip Jacobson. In the notes of the interview it was recorded that Michael Quinn had given a number of pieces of information, "under guaranty of total anonymity".<sup>1</sup> We have already discussed the evidence relating to nail bombs that was included under this heading. Now, we turn to the first item that was recorded:<sup>2</sup>

"1. there were two 'IRA cars' parked in glenfadda park. he knows they were IRA men, known in the district. two were in one, unknown in the other. he saw no guns."

<sup>1</sup> [AQ11.12](#)

<sup>2</sup> [AQ11.12](#)

**111.176** In his written evidence to this Inquiry, Michael Quinn told us:<sup>1</sup>

"At the end [of the interview] I recall they wanted to put certain things to me. I don't recall now, but having now seen their notes ... they put it to me that there were IRA cars in Glenfada Park North. There weren't any, and I am very upset and concerned that the notes I have seen have wrongly recorded me as saying that there were IRA cars in Glenfada Park."

<sup>1</sup> [AQ11.26](#)

**111.177** In his oral evidence to this Inquiry, Michael Quinn added that he had no recollection of seeing any cars in Glenfada Park North.<sup>1</sup>

<sup>1</sup> [Day 169/99](#)

**111.178** Peter Pringle told us in his oral evidence to this Inquiry that he and Philip Jacobson would not normally prompt a witness in the manner described by Michael Quinn, even though he thought that they had heard from other sources about IRA cars in Glenfada Park North.<sup>1</sup> Philip Jacobson agreed that they would not generally “lead” witnesses.<sup>2</sup> Other than this, the two men were unable to assist further on the note about the IRA cars.

<sup>1</sup> Day 190/63-64

<sup>2</sup> Day 191/149

**111.179** We are sure from the evidence discussed above that there was at least one IRA car in Glenfada Park North. However, we are unable to decide whether the information about two cars was given by Michael Quinn to Peter Pringle and Philip Jacobson, or whether the journalists had learned this from another source.

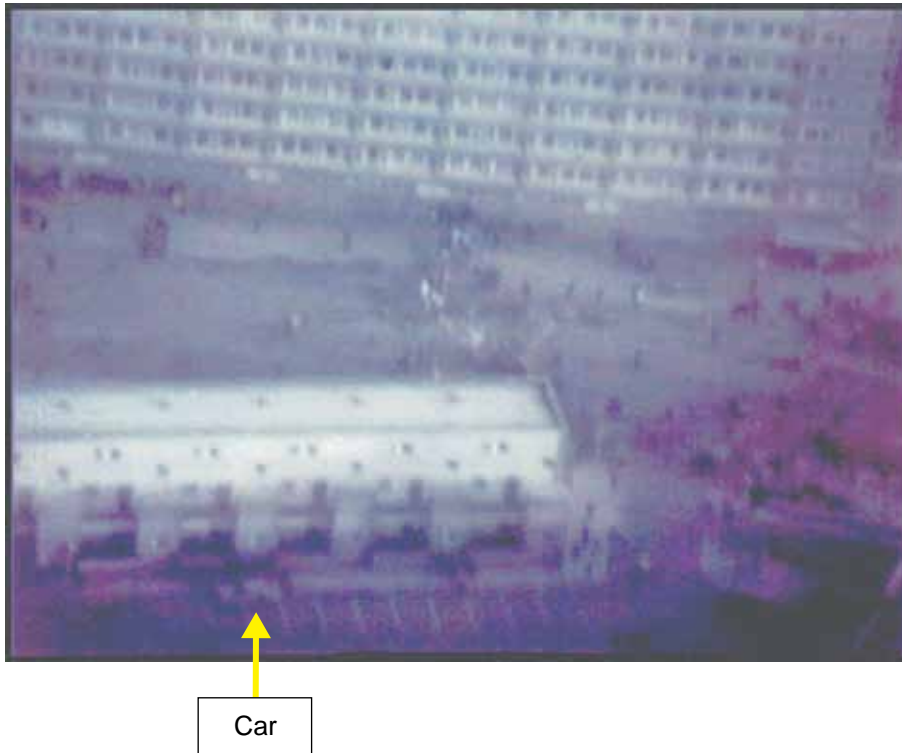
**111.180** The *Sunday Times* notes record Michael Quinn referring to two “IRA cars” in Glenfada Park. Gerard Kemp’s article in the *Sunday Telegraph*, which we discussed above, quotes his source, who we are sure was OIRA 1, as saying that he “told our boys to get their weapons out of their cars” (emphasis added).<sup>1</sup>

<sup>1</sup> L210

**111.181** In this connection the representatives of some of the soldiers made submissions, based on an examination of the footage filmed from the helicopter that flew above the Bogside on Bloody Sunday and the photographic evidence obtained by this Inquiry, to the effect that five cars could be seen in Glenfada Park North at various stages shortly before and shortly after the events of Sector 4, and that two moved position at some stage during this period. Although these representatives submitted that there was, as OIRA 7 had said, a car parked on a north–south axis close to and about halfway along the eastern block of Glenfada Park North, they did not suggest that the evidence showed that this car was one of those that moved.<sup>1</sup> A still from the helicopter footage shows a car parked in the position described by OIRA 7.<sup>2</sup>

<sup>1</sup> FS8.1220-1227

<sup>2</sup> E24.11



**111.182** One of the most significant photographs that was referred to in this submission is reproduced below. It shows two cars in the south-east corner of Glenfada Park North, one of which is parked facing east across the marked parking bays.<sup>1</sup>

<sup>1</sup> As discussed in [Chapter 176](#), the provenance of this photograph is unknown, but in our view it was taken on Bloody Sunday.



**111.183** We have no doubt that the car shown nearest the camera was in the same place throughout the events of the day, as it was supported on bricks.<sup>1</sup> However, we accept that it appears from the photographs and helicopter footage that the car shown parked across the marked bays was moved to that position at some stage during the afternoon.<sup>2</sup> OIRA 7 told this Inquiry that he did not know anything about the movements of this car, and denied that the Official IRA car with the rifle in its boot was moved after he, OIRA 1 and OIRA 2 returned to it from Columbcille Court.<sup>3</sup> He also said that he had not mistaken the position of the Official IRA car, and that it was “*certainly not*” the one shown parked across the marked bays in the photograph above.<sup>4</sup> The evidence of OIRA 1 and OIRA 2 was to the effect that the car they used to dump the rifle was not moved after they left it.<sup>5</sup>

<sup>1</sup> Day 155/53-56; AO1.5

<sup>4</sup> Day 399/77

<sup>2</sup> FS8.1222

<sup>5</sup> AOIRA1.28; AOIRA2.16

<sup>3</sup> Day 399/65-66

**111.184** The soldiers’ representatives made the following submission about the car that was parked across the marked bays:<sup>1</sup>

“It is a very odd time for a car to have been moved, stranger still if it was moved once 1 Para had deployed. Added to this is the fact that the car has been parked across the hatched lines of the parking spaces, rather than within a parking space, certainly suggestive of the fact that the car was parked in some haste.

... both the fact that this car was moved at such a late stage and parked in an unusual manner are grounds for suspicion as to what purpose this car was being used for.”

<sup>1</sup> FS8.1223

**111.185** These submissions appear to suggest the possibility either that this car was a second IRA vehicle in Glenfada Park North, or that it was the IRA vehicle that had originally been parked along the eastern side of the car park.<sup>1</sup>

<sup>1</sup> FS8.1223

**111.186** We have found nothing that suggests to us that this vehicle was likely to be the one that had been on the eastern side of Glenfada Park North, since it is equally possible that this was simply a vehicle that someone had tried to drive out of Glenfada Park North, abandoning the attempt when soldiers came into the Bogside. The soldiers’ representatives submitted that John Barry’s interview with OIRA 1 “*strongly suggests*” that an unsuccessful attempt was made to move the vehicle, relying on the following words in the notes of the interview: “*There were five or six Stickies around the car, and*

*they couldn't get the thing out in time. OIRA1 said to abandon it, and get the arms out of the boot.*"<sup>1</sup> To our minds, however, this passage can equally be read as indicating that a decision was made to abandon the car without attempting to move it.

<sup>1</sup> FS8.1223-1224

- 111.187** The same representatives also made the following submission about the two figures shown in the centre of the car park in the photograph:<sup>1</sup>

"The Tribunal will be aware of the two figures apparently running away from this vehicle [the car parked across the marked bays, which these representatives have suggested might have been used by paramilitaries], one of whom is carrying some type of object...

It is not clear what this person is carrying. The image is consistent with a firearm carried under a coat or in a holdall. Further the photo is more consistent with the man carrying the object moving not towards the south-west exit but towards the north west exit, running away from the position of car 1."

<sup>1</sup> FS8.1224

- 111.188** The following is a blown-up portion of the photograph, showing the two figures:



- 111.189** The same representatives also drew attention to OIRA 7's written evidence to this Inquiry, in which he identified himself as the figure with the light jacket shown in the middle of the car park in this photograph.<sup>1</sup> In his oral evidence to this Inquiry, OIRA 7 changed his evidence on this point, telling us that he had made a mistake when giving his statement as a result of misidentifying himself on television footage taken earlier in the day.<sup>2</sup> The soldiers' representatives submitted that "*the Tribunal should be very slow to accept OIRA*

7's *volte-face at face value*", and said that it was "*perhaps no coincidence*" that his change of evidence came after OIRA 1's oral evidence to this Inquiry, in which it was pointed out that the person in the photograph appeared to be carrying something.<sup>3</sup>

<sup>1</sup> AOIRA7.13

<sup>3</sup> FS8.1225-1227

<sup>2</sup> Day 398/27-29; Day 398/76-77; Day 398/171-172; Day 399/59-61; FS8.1225-1227

**111.190** In our view it is not possible to infer from the photograph, which of course shows only an instant of time, that the figures were running away from the vehicle, in the sense of having departed from it, or that either figure was moving towards the north-west corner of Glenfada Park North, or that the figure on the right was carrying anything other than a coat or some other innocent object.

**111.191** On the available evidence, we are unable to say more than that the possibility exists that the figure carrying a coat was OIRA 7, bearing in mind that we have doubts whether he was, as he asserted, in Glenfada Park North with OIRA 1 and OIRA 2. In addition, we cannot exclude the further possibility that, whoever the figure was, he was carrying a firearm under the coat.

**111.192** We should note at this point that we have considered the evidence given by David Mills, a BBC producer who was sent to Northern Ireland to cover the Widgery Inquiry.<sup>1</sup> In his written statement to us he recorded the following:<sup>2</sup>

"During my research I also discovered that some Officials who were in the Bogside when the Paratroopers came in panicked, and tried to get out of the Bogside in a car. I was also told that in their haste to get away, the car had reversed into a wall. I was probably first told about this by Peter Pringle, a journalist with The Sunday Times Insight team. I was impressed by his methodical approach, and the accuracy and reliability of his sources of information. I would probably also have done some of my own research to check the details relating to this incident. I have a vague memory of seeing a damaged wall in a small courtyard. I have been shown a map of the Bogside and I think the wall in question was somewhere near the West side of Glenfada Park North."

<sup>1</sup> M108.1

<sup>2</sup> M108.3-4

**111.193** David Mills gave a similar account of a car being driven into a wall by members of the Official IRA in a letter dated 20th April 1972 to Colonel Maurice Tugwell, the staff officer responsible for information policy at Headquarters Northern Ireland, whom David Mills had met during the course of his assignment in Northern Ireland.<sup>1</sup> In the letter, David Mills wrote that it was "*almost certain there were a car load of Officials*" in Glenfada Park as the paratroopers came in, and that these men took their weapons with them as they fled,



abandoning the vehicle. He added that three of the Officials fired from near Free Derry Corner “*Minutes after*”, while the fourth “*circled around and was shot at by Soldier G. or F.*”.<sup>2</sup> In his written evidence to this Inquiry, David Mills expressed surprise at the account of the firing that he gave to Colonel Tugwell and said that his recollection was that only one member of the group near Free Derry Corner fired, and that he did so “*much later*”.<sup>3</sup> In his oral evidence he stated that he considered this aspect of the letter to be “*inaccurate*”.<sup>4</sup>

<sup>1</sup> M108.1

<sup>3</sup> M108.8

<sup>2</sup> M108.9

<sup>4</sup> Day 235/43-44

**111.194** During his oral evidence to this Inquiry, David Mills was asked about the source of his information. He said that he was “*fairly sure it started with Peter [Pringle] and it was confirmed by others in the Bogside I spoke to*”.<sup>1</sup> Asked on what evidence he had based his account of a fourth Official who had circled around and was shot at by Soldier G or F, he said that “*I think it was almost certainly from Peter Pringle*.”<sup>2</sup> He also told us that he no longer believed this part of his account to be accurate.<sup>3</sup>

<sup>1</sup> Day 235/43; Day 235/23

<sup>2</sup> Day 235/59

<sup>3</sup> Day 235/43; the transcript records David Mills saying that it was accurate, but in view of the context this seems to be a transcript error, as soldiers’ representatives appear to acknowledge (FS7.2120).

**111.195** David Mills also said to us, in relation to his account of a car being driven into a wall, that his account “*was not going to be part of my programme and so there was no cause for me to investigate it very closely and it was really a bit of gossip that I was passing on*”.<sup>1</sup>

<sup>1</sup> Day 235/24

**111.196** There is no reference to an Official IRA car crashing into a wall in the *Sunday Times* article of 23rd April 1972,<sup>1</sup> or in the extant notes of the interview between John Barry and OIRA 1.<sup>2</sup> Apart from David Mills we have found no other evidence that suggests that an Official IRA car crashed into a wall in Glenfada Park North.

<sup>1</sup> L211-214

<sup>2</sup> AOIRA1.1-2

**111.197** David Mills was asked whether he had any information to suggest that any Official IRA members had fired in Glenfada Park before fleeing. His answer was “*No, certainly they did not fire before fleeing*”.<sup>1</sup>

<sup>1</sup> Day 235/25

**111.198** In our view it would be unwise to rely on David Mills’ accounts, save where they are supported by the *Sunday Times* material.



## Anthony Martin

**111.199** We have referred to Anthony Martin’s evidence in the course of considering the events of Sector 4. As we have noted, he gave an interview to the *Sunday Times* Insight Team,<sup>1</sup> in the course of which he described assisting those taking casualties from Glenfada Park North to houses in Abbey Park. This account continued:<sup>2</sup>

“i then went out into fahan st direction asking people to get a priest into the two houses where we had taken the wounded. i met [Michael] canavan in fahan st. and he was shouting to some people to get some of the cars parked there and back them into abbey park to get the wounded to hospital. about this time i met an ira man and he told there were two rifles in a car – a green avenger – parked in glenfada park and he wanted me to help him get to it. i learnt later that the rifles had been removed before the shooting started. after that i moved out of the area to vinny coil’s house with a k. of m. girl. we [w]anted to take shelter there but he told us to go away because the helicopter circling overhead was watching his house. so I then walked home.”

<sup>1</sup> AM24.3

<sup>2</sup> AM24.5

**111.200** In his written statement to this Inquiry<sup>1</sup> Anthony Martin gave us a similar account of this incident:

“I headed out of Glenfada Park North and met the man I knew who was involved in the IRA. He explained that there was a Green Avenger car parked in Glenfada Park North that had rifles in the boot. He asked me if I would help him go and collect them. I was so angry by that point that I said I would take one of the rifles myself and do something. We went back into Glenfada Park South and made our way to the entrance at the east of Glenfada Park South looking into Glenfada Park North to see if it was safe to go in. The car was in the position I have marked on the attached map at grid reference I14 [a position about halfway along the eastern side of Glenfada Park North].<sup>2</sup> The soldiers were still there and we decided it was too risky to approach the car.

I wish to make it clear that the reason the car was parked in Glenfada Park North that day was completely incidental to the Civil Rights March. Until I met the IRA man, I had no idea it was there. It would have been there to store guns in the way I have described earlier [see below]. I also wish to make it clear that I saw no civilian gunmen or nail bombers in the area.”

<sup>1</sup> AM24.12-13

<sup>2</sup> AM24.23

- 111.201 Anthony Martin's reference to "*stor[ing] guns in the way I have described earlier*" was to an earlier section of the same statement in which he said that:<sup>1</sup>

"I know that some IRA guns were kept in cars dotted around the city, in order to avoid being seized in army raids. Everyone knew that this was their standard tactic, as houses could be raided and guns seized. There were no such cars placed to store guns for use during the march."

<sup>1</sup> AM24.9

- 111.202 Anthony Martin's evidence is relevant to that of OIRA 7. As we have discussed above, OIRA 7 told this Inquiry that he was with OIRA 1 and OIRA 2 when they placed the .303 rifle that OIRA 1 had fired into the boot of a car in Glenfada Park North. In his written statement to us, OIRA 7 said that he later considered going back to the car in order to get the rifle. His evidence was that this happened after he had returned to the Abbey Park alleyway, having followed people carrying a stretcher from Abbey Park to an ambulance that was parked in Rossville Street.<sup>1</sup> If accurate, this would mean that he did not contemplate this course of action until well after Anti-Tank Platoon had withdrawn from Glenfada Park North. In his written evidence to this Inquiry, OIRA 7 told us:<sup>2</sup>

"I do not now know how I thought I was going to get to the rifle. After all the rifle had been put in the boot of the car and I do not now know whether the car was open or whether the boot was locked. If the boot was locked I would have felt a fool going across Glenfada Park to a locked car and this makes me think that I may have had the keys of the car with me. I do not know how. I don't think it was me who brought the car down to Glenfada Park, but maybe I was with someone who did. Were the keys handed to me? I do not now know. One of the other two volunteers may have gave me the keys to bring the car up to the Creggan later as I was a volunteer and they were more senior to me. All I remember is that I intended to get the rifle so I think it more probable than not that I had the keys of the car."

However, there was a heated discussion about the sense of me going into Glenfada Park North and I did not make it as far as the car. I do not recall any particular conversation or confrontation and certainly not something like I have described earlier relating to the incident at the stairwell in Columbcille Court. I remember someone saying it was madness and I would only get myself killed. I was angry enough to have gone to the car and got the rifle and would have felt justified in getting and using it, but I was held back. Anyway, the army were withdrawing by then. I cannot recall now if I was pulled back or was persuaded it was too dangerous and that we should look after the casualties.

I have been referred to the evidence of Tony Martin. I know who he is. I do not remember seeing him, and do not recall discussions with him, but from what he says, he must be referring to me. I was totally focussed on not wanting to be talked out of it or be stopped. If Tony Martin says he was there I accept that. Whatever the reason, wiser counsel prevailed as there were still soldiers in the square, and I made no attempt to get at the rifle in the car. The car was still in Glenfada Park North when I intended to go and get the rifle.”

<sup>1</sup> AOIRA7.15-16

<sup>2</sup> AOIRA7.16

**111.203** In his oral evidence to this Inquiry, OIRA 7 said that Anthony Martin was wrong in thinking that there was more than one rifle in the car, or that these rifles had been removed before the shooting began. He also thought that the discussion about returning to the car took place in the alleyway between Glenfada Park North and Abbey Park, and not in Glenfada Park South.<sup>1</sup> When asked whether the soldiers were still present at the time when he went to get the weapon, OIRA 7 said that “*there were still some soldiers around ... I believe they were still in Glenfada Park, although I could not see them*”.<sup>2</sup>

<sup>1</sup> Day 398/98-100

<sup>2</sup> Day 399/23

**111.204** In the light of the evidence discussed above, particularly that of the account given by OIRA 1 to John Barry and Gerard Kemp, we are of the view, as we have said, that there were weapons in the car in Glenfada Park North, which were removed soon after the soldiers had come into the Bogside. We also consider that Anthony Martin’s evidence about meeting an “*IRA man*” is probably correct and that this man did ask Anthony Martin for help in collecting rifles from a car in Glenfada Park North.

**111.205** We are not sure whether that man was OIRA 7. If OIRA 7 had been in Glenfada Park North and seen the weapons being removed, he could hardly have gone back later with the intention of collecting them. We have already expressed our doubts whether OIRA 7 was in Glenfada Park North at this stage. However, it remains possible that he was the person whom Anthony Martin met.

**111.206** We should note at this point that the representatives of the majority of represented soldiers submitted, under the general heading of “*Civilian Evidence of Riflemen in Sector 4*”, that:<sup>1</sup>

“The gunman seen by Mr [John Leo] Clifford was of course in a similar area, at a similar time as the IRA man from the OIRA Creggan section described by Mr Anthony Martin. OIRA 7 denied when questioned either seeing the man Mr Clifford describes or being involved in the incident himself.”

<sup>1</sup> [FS7.2136](#)

**111.207** We have already expressed the view that what John Leo Clifford saw was probably a gunman in the area south of Free Derry Corner. Furthermore, there is nothing to suggest that the man Anthony Martin met was armed. On the contrary, in his oral evidence to this Inquiry Anthony Martin told us, and we accept, that the man was not armed.<sup>1</sup> Accordingly, in our view there is nothing to suggest that Anthony Martin and John Leo Clifford were referring to the same man.

<sup>1</sup> [Day 176/102-103](#)

**111.208** We are unable to determine whether there was more than one IRA car in Glenfada Park North. Apart from the reference to “cars” in the *Sunday Times* notes and Gerard Kemp’s article, to which we have referred above, there is a reference in Paul Mahon’s interview of Anthony Martin to a couple of cars, though the transcript of the interview does not expressly indicate whether Anthony Martin was referring to cars used by the IRA.<sup>1</sup> It remains possible that there was more than one IRA car in Glenfada Park North, though on the evidence that we have seen there seems to have been IRA activity in relation to only one car.

<sup>1</sup> [X4.18.75](#)

## Paul Mahon

**111.209** Paul Mahon conducted research into the events of Bloody Sunday, in part by interviewing a large number of relevant witnesses. We have referred to the material he obtained in this way throughout the course of this report. In his written statement to this Inquiry Paul Mahon gave the following evidence about an alleged conversation that he had with Liam Wray, the brother of Jim Wray who was shot and killed in Glenfada Park North:<sup>1</sup>

“In relation to matters concerning Glenfada Park, I was told by Liam Wray that many years after Bloody Sunday he was approached by a former member of the Official IRA who told him that he was sorry about what had happened to his brother, Jim on Bloody Sunday. He explained that he, and another member of the Official IRA were exiting Glenfada Park North through the alleyway into Abbey Park, carrying unconcealed weapons. He explained that the crowd rushing towards the exit at the time had held back at the sight of the two armed Official IRA men. The Official IRA man told Liam Wray that they both got through the alleyway into Abbey Park and within seconds of their exit heard the gunfire directed towards that position. I asked Liam Wray if he would provide the identity of this man or if it would be possible for him to speak to me and he said that there would be no possibility of this man speaking to me.”

<sup>1</sup> [AM19.14](#)

**111.210** In his oral evidence to this Inquiry, Paul Mahon said that Liam Wray had probably given this information to him in 1999. He told us that he had never conducted a formal interview with Liam Wray or made a note of this conversation, though “*it was something I was not going to forget, anyway*”. Paul Mahon also said that he never found out the name of the former member of the Official IRA in question.<sup>1</sup>

<sup>1</sup> [Day 411/124-127](#)

- 111.211 It was suggested to Paul Mahon that he was either mistaken or lying about what he said Liam Wray had told him, or that he had in fact wrongly attributed to Liam Wray what he had learned or inferred from John Barry's notes of his interview with OIRA 1 or from the *Sunday Times* Insight article itself. Paul Mahon denied these suggestions and told us that at the time he had spoken to Liam Wray he had not seen John Barry's notes, though he would have read the *Sunday Times* article and may have discussed it with Liam Wray.<sup>1</sup>

<sup>1</sup> [Day 411/130-135](#); [Day 412/112-116](#); [Day 412/120](#)

- 111.212 Liam Wray made a supplementary written statement to this Inquiry, in which he made the following observations about the claims made by Paul Mahon in the extract from his statement quoted above:<sup>1</sup>

"What Paul Mahon says in this paragraph is a complete and utter fabrication. I have never been approached by any person, either civilian or purported current or former member of any paramilitary organisation apologising to me for being in any way responsible for the murder of my brother and I have never given Paul Mahon any such account.

The only knowledge I have ever had, other than that contained in material generated through this Inquiry, about IRA activity in and around Glenfada Park derives from the *Sunday Times* article published on 23rd April 1972 (now in the Inquiry material at L211-214). My late father had retained a copy of this article since its publication and had passed it on to me in later years. The article makes reference to an Official IRA leader speaking about guns taken from a car in Glenfada Park by men who retreated through the alley into Abbey Park. (L214, col 2). I had never heard of this story other than in the *Sunday Times* account and I have certainly never spoken to anyone who claimed to be involved in such an episode. I am certain that Mahon and I would have discussed the contents of this article during our many discussions.

I reject in its entirety Paul Mahon's claim that I ever said anything to him of the nature set out in this paragraph. He is either genuinely mistaken or telling a deliberate lie about his recollection of conversations we had arising out of the *Sunday Times* article."

<sup>1</sup> [AW29.25](#)

**111.213** The relevant parts of the *Sunday Times* Insight article<sup>1</sup> were in the following terms:

“One of the leaders of the Bogside official IRA section told us that one of their cars was parked in the Glenfada courtyard that afternoon and inside was a Sten gun, a carbine, two .303’s and a .22 rifle. When Support Company roared down Rossville Street, he ordered the car out immediately – he thought they would be caught red-handed. But his men – about half a dozen – couldn’t get the car out in time so he says they hurriedly unloaded it there. He shouted to them to retreat. And they did – through the alley into Abbey Park.

...

We can confirm there was an IRA gunman in [the alleyway between Columbcille Court and Glenfada Park North]. As the IRA men in the courtyard unloaded the weapons, one of them disobeyed the order to retreat and ran up out of the northwest corner of the courtyard towards the advancing soldiers. He was armed with a .22 rifle, and he fired two or three shots. He could have fired at any of the advancing soldiers. It is possible that Soldier G saw him at some stage.”

<sup>1</sup> L211

**111.214** In his oral evidence to this Inquiry, Liam Wray repeated that what Paul Mahon had said was untrue.<sup>1</sup> His wife, Doreen Rice-Wray, also told us in a written statement<sup>2</sup> that her husband had never mentioned such an event occurring, despite the “*innumerable discussions regarding all aspects of the events of Bloody Sunday*” that they had engaged in over many years. She said that “*If it had happened I have absolutely no doubt that Liam would have mentioned it to me*”.

<sup>1</sup> Day 416/74-75

<sup>2</sup> AW33.1

**111.215** As will have been seen, there is an irreconcilable conflict between Paul Mahon and Liam Wray on this matter. It should be noted that Paul Mahon held no brief for 1 PARA and on more than one occasion expressed his opinion that soldiers of this battalion murdered the people killed on Bloody Sunday, including Jim Wray.<sup>1</sup> He also told us, and we accept, that he did not regard it as his job to support the republican movement or the republican cause:<sup>2</sup>

“That was not my function; that was not my job. My function was to research into these events, to research into this murder that took place, to be dispassionate about it.



I wanted to talk to the IRA. I wanted to find out what their involvement was in Derry. It would not have been right if I was only interested in the activities of the 1st Battalion of the Parachute Regiment. What sort of researcher would I really be then? Where would my credibility lie as a researcher if I was only interested in one side of the story? I always made it very, very plain to the families that what I wanted, what I wanted was the whole truth, hook, line and sinker, warts and all. That, to many, many people in the north of Ireland is not acceptable.”

<sup>1</sup> Day 411/130; Day 412/38-39; Day 412/124-125;  
Day 412/133; Day 412/144

<sup>2</sup> Day 412/69-70

**111.216** Equally, however, Liam Wray was adamant that he had not made the remarks attributed to him by Paul Mahon.

**111.217** In the end, having listened to both these witnesses, read what they put in their statements, and considered the submissions made on this matter,<sup>1</sup> we have concluded that it is more likely than not that Liam Wray did make some such remarks; and that he had been given the information by a member of the Official IRA.

<sup>1</sup> FS7.2171; FR4.5

**111.218** Considering the evidence we have discussed above, we have concluded that, despite their denials to us, members of the Official IRA did remove firearms from a car in Glenfada Park North. In our view it is likely that some at least of these were taken through the alleyway into Abbey Park, this being an obvious escape route, immediately before or as soldiers came into Glenfada Park North. In those circumstances a member of the Official IRA may have come to believe that this had caused the fleeing people to pause, with the result that some were fired upon before they were able to escape through the alleyway; and thus to have told this to Liam Wray.

**111.219** We have found no other evidence to suggest that people paused, as they fled from soldiers who had come into Glenfada Park North, because of the presence of armed paramilitaries, though there is evidence that the passageway was congested, and that those carrying Michael Kelly may have caused or contributed to a temporary bottleneck. We cannot wholly exclude the possibility that some of those who were leaving Glenfada Park North after the arrival of the soldiers did pause because of armed paramilitaries, but this necessarily assumes that they chose not to provide this information to this Inquiry. On the whole we consider it unlikely that people paused for this reason.

## Other evidence

### Barry Liddy

**111.220** Barry Liddy was, as we describe elsewhere in this report,<sup>1</sup> one of the people arrested at the southern end of the eastern block of Glenfada Park North. He died without giving evidence to this Inquiry, but he was interviewed by Paul Mahon. In this interview Barry Liddy said that having been arrested, and as he was marched through a car park, an Army Sergeant opened the door of a red car and pulled back a blanket, revealing six to eight rifles of different types. According to Barry Liddy, the Sergeant said to him “*You were loaded for bear today*”, presumably meaning that they were heavily armed, before shutting the door. Barry Liddy thought that he was on his own when he was pulled over by the Sergeant, and that no other soldier or civilian was near the car at that time.<sup>2</sup>

<sup>1</sup> [Chapter 113](#)

<sup>2</sup> [AL13.86-91](#)

**111.221** We have no doubt that Barry Liddy was arrested at the gable end and escorted by soldiers through Glenfada Park North together with other arrestees. However, it is to our minds unbelievable that such an incident could have occurred, for had it done so there would have been military evidence of it. As it is there is no evidence from any other source, military or civilian, that such an incident did occur. We have commented elsewhere in this report that there are grave doubts about other aspects of the account that Barry Liddy gave to Paul Mahon. In our view there was no such incident.

### Witness X

**111.222** Witness X was someone who was interviewed in 1972 by the Royal Ulster Constabulary (RUC). To protect his human rights we can give no further details of this individual save that according to the notes of the interview he was a member of the Provisional IRA.<sup>1</sup> Witness X was recorded as having told the RUC the following about the events of Bloody Sunday:<sup>2</sup>

“I was also in action on Bloody Sunday at Rossville Street...

On ‘Bloody Sunday’ I was using a carbine. It was a joint operation. I was firing from Glenfada. I used two full magazines. I had four mags altogether. PIRA 8, PIRA 9, [...] were the only Provos in Rossville Street along with the Stickies, Reg TESTER, OIRA 4, OIRA 6 were the only ‘Stickies’ I knew.”

<sup>1</sup> [AX1.1](#)

<sup>2</sup> [AX1.2](#)

**111.223** PIRA 9 was the cipher for Martin Doherty, also known as “Ducksie Doherty”, who chose not to claim anonymity.

**111.224** A letter from Headquarters Northern Ireland shows that the Army provided the RUC with a list of further questions about Bloody Sunday to be put to Witness X.<sup>1</sup> According to internal RUC correspondence, Witness X was re-interviewed but refused to say any more about the day.<sup>2</sup>

<sup>1</sup> [G134B.906.9](#)

<sup>2</sup> [G134B.906.8](#)

**111.225** In his evidence to this Inquiry, Witness X said that he was arrested in 1972, but he denied that he was a member of the Provisional or Official IRA on Bloody Sunday. In relation to the notes of the alleged interview he said that he had “*absolutely no knowledge of this interview nor the contents of the note*”.<sup>1</sup> He also told us that he did not take part in the march on Bloody Sunday and did not go to the Bogside that afternoon.<sup>2</sup>

<sup>1</sup> [AX1.3; Day 435/36-38](#)

<sup>2</sup> [Day 435/3-4](#)

**111.226** Witness X accepted that the unredacted notes of the interview correctly stated his full name, the address at which he lived at the time of the interview, the day and month of his birth, and the date on which he was interviewed by the RUC.<sup>1</sup> However, he said that he was not “*in action*” on Bloody Sunday, that he was not armed at any stage that day, and that he did not tell the RUC that he was. He denied saying that there was a “*joint operation*”, something about which he told us he knew nothing at all.<sup>2</sup> Witness X also denied knowing of, or telling the RUC about, almost all of the remaining information contained in the note of the interview.<sup>3</sup> He said that he had “*absolutely no recollection*” of being re-interviewed by the RUC.<sup>4</sup>

<sup>1</sup> [Day 435/7-10](#)

<sup>3</sup> [Day 435/10-19](#)

<sup>2</sup> [Day 435/14-15](#)

<sup>4</sup> [Day 435/20](#)

**111.227** The two RUC officers who interviewed Witness X were Detective Sergeant Samuel Davidson and Detective Constable William Edward Kilfedder. Neither man could recall the interview.<sup>1</sup> Detective Sergeant Davidson, in response to being told of Witness X’s denial of knowledge of the interview, told us that:<sup>2</sup>

“I can not comment on Witness X[’s] view other than to say I have no reason to believe that the part of the document shown to me is anything other than a genuine copy and that the record of what Witness X said at interview is an accurate account of the notes. As a matter of personal and professional pride I can confirm that I would not have used physical force, inducement or threat of either of the aforementioned upon Witness X or any other person being interviewed and I have no reason to believe Witness X would have been other than truthful at the time.”

<sup>1</sup> JD1.3; Day 423/37-38; JK6.4; Day 423/61

<sup>2</sup> JD1.3

**111.228** Detective Sergeant Davidson also told us that it appeared to him that notes of the interview were made for intelligence purposes only.<sup>1</sup>

<sup>1</sup> JD1.3; Day 423/32

**111.229** Detective Constable Kilfedder told us that he had “*no reason to disbelieve or to doubt that the typed record of Witness X’s 1972 interview is anything other than an accurate record of the interview itself and of the information he provided*”.<sup>1</sup>

<sup>1</sup> JK6.5

**111.230** We are sure that Witness X did give the information recorded in the notes of interview.

**111.231** However, we have concluded that it would be unwise to place any reliance on the account given by Witness X to the RUC or to this Inquiry.

**111.232** We accept the evidence of former Officials and Provisionals, including most of those named in the interview notes, that there were no such joint operations, on Bloody Sunday or otherwise.<sup>1</sup> As PIRA 17 put it:<sup>2</sup>

“I have been referred to a redacted statement by Witness X. In particular I have been referred to the second page where ‘Witness X’ talks about a ‘joint operation’ and firing from Glenfada Park. I have no knowledge of anyone firing from Glenfada Park on Bloody Sunday. I completely refute the suggestion that there was a ‘joint operation’ between the Provisional and the Official IRA, if this is what was intended. It is inconceivable that a joint operation could be planned between us. At its best there was a strain in the relationship, and at worst, there were fundamental differences between the two groupings. Joint operations were not contemplated.”

<sup>1</sup> APIRA8.2; Day 400/72-73; AOIRA4.24; AOIRA6.4; Day 413/165; Day 391/270

<sup>2</sup> APIRA17.13

**111.233** It seems to us unlikely that there was on Bloody Sunday a joint operation between the Official and Provisional IRA, given the poor relationship between these two organisations.

**111.234** We should note at this point that on 17th January 1972 the Director of Operations Intelligence Committee (Northern Ireland) considered an assessment for the period from 11th to 17th January 1972<sup>1</sup> in which it was reported that “*both factions of the IRA ... claimed to have acted jointly*” in an incident in which five gunmen armed with Thompson sub-machine guns were engaged by troops in Londonderry. A Special Branch assessment for the period ending 19th January 1972<sup>2</sup> recorded that during the period terrorist elements, particularly gunmen, had been active in Londonderry, and that “*This activity is believed to have been sponsored jointly by both I.R.A. groups in the city.*”

<sup>1</sup> [G60B.367.6](#)

<sup>2</sup> [G64.383](#)

**111.235** In our view, to the extent that these assessments suggest that the Official IRA and Provisional IRA had engaged in joint operations, they are likely to be inaccurate. There is no doubt that both the Officials and the Provisionals had, in the period before Bloody Sunday, engaged in paramilitary activities in Londonderry, but we have found nothing else (apart from what Witness X told the RUC) to suggest that the relationship between the two IRA groups was such that they might have planned or carried out any such activity in which both factions were acting jointly.

**111.236** In any event we cannot see how on Bloody Sunday there could have been, after the soldiers had come into the Bogside, anything in the nature of an operation, joint or otherwise. The soldiers had come unexpectedly into the Bogside and those paramilitaries there had little or no chance of planning or doing anything that could be described as an operation against that incursion. We have found no evidence from any other source to suggest that there was the substantial amount of carbine firing from Glenfada Park described by Witness X. In the end we have concluded that the most likely explanation is that Witness X invented his account while being interrogated.

## Conclusions on paramilitary activity in Glenfada Park North

- 111.237** Early in our discussion of paramilitary activity in Sector 4 we expressed the view that the central question in the context of Sector 4 is not simply whether paramilitaries or rioters might go into Glenfada Park North when surprised by soldiers coming into the Bogside, or had at some other time fired at soldiers from there; nor even whether paramilitaries or rioters were there or had taken refuge there when the soldiers did come in on Bloody Sunday. To our minds the central question is whether there is evidence that when the soldiers came into Glenfada Park North, there were paramilitaries there who behaved either in the manner described by the soldiers, or otherwise in such a way as to cause the soldiers to open fire.
- 111.238** So far as this question is concerned, we have found nothing in the material we have considered that to our minds supports the accounts of the soldiers of what they encountered when they entered Glenfada Park North or the reasons that they gave for opening fire.
- 111.239** We are satisfied that after soldiers had come into the Bogside and soon before they entered Glenfada Park North, there were people there with firearms and nail bombs, and that there was at least one car used to hold weapons, which members of the Official IRA removed. Thus the accounts of the soldiers cannot be challenged on the basis that there could be no question of the presence of armed paramilitaries in Glenfada Park North.
- 111.240** What to our mind is missing, however, is anything (apart from the evidence of the soldiers themselves) that suggests to us that when the soldiers did arrive in Glenfada Park North and opened fire, armed paramilitaries were still there. Our view of the evidence is that those with weapons had moved away. The closest the evidence gets to the presence of armed republican paramilitaries is the evidence that armed Officials left through the passageway into Abbey Park very shortly before the soldiers opened fire in Glenfada Park North. It is possible that one or more soldiers saw these paramilitaries as they left, which caused them to open fire at other targets, but this is difficult to reconcile with the evidence given by the soldiers, who said that the men they had seen with rifles had been in Glenfada Park North when they fired and that they had been shot. We have considered earlier in this report<sup>1</sup> whether there were additional casualties in Glenfada Park North or Abbey Park, other than those we have described, and have concluded for

the reasons that we give that there were no such casualties. Those who were killed and wounded in Sector 4 were not carrying firearms or (with the probable exception of Gerald Donaghey) bombs.

<sup>1</sup> [Chapter 110](#)

- 111.241** As for those paramilitaries who were seen after the shootings in Glenfada Park North and Abbey Park, it is of course possible that they (or one or more of them) had previously been in that area (for example, OIRA 7) but again we have found nothing that suggests to us that any of them was present with weapons when the soldiers came in and opened fire.
- 111.242** In our view, it follows from the foregoing consideration of the evidence relating to paramilitary activity that former members of the Official IRA have made attempts to conceal from this Inquiry the whole truth about the presence of members of this organisation in the area of Glenfada Park North; about the presence of an IRA car containing weapons in Glenfada Park North; and about what happened to those weapons. However, in the light of the whole of the evidence relating to Sector 4, we have concluded that when the soldiers came into Glenfada Park North and opened fire, no paramilitary there held weapons or used or attempted to use either bombs or firearms against any of the soldiers. In our view paramilitaries who had been present had left the square or taken refuge in houses or flats.



# Chapter 112: The soldiers responsible for the Sector 4 casualties

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## General considerations

- 112.1** It is important at this stage to bear in mind the following matters, which we have dealt with in detail earlier in this report, where we have given our reasons for reaching certain conclusions.
- 112.2** In the first place,<sup>1</sup> we are satisfied that the known casualties in Sector 4 were the only casualties of Army gunfire in that sector. These casualties were not using or seeking to use firearms or bombs, nor doing anything else that could have justified any of them being shot. Furthermore, we are satisfied that none of these casualties was doing anything that could have led a soldier to believe, albeit mistakenly, that any of them was posing a threat of causing death or serious injury.
- <sup>1</sup> [Chapters 104, 107 and 110](#)
- 112.3** It follows that there was in our view no justification for the shooting of any of the Sector 4 casualties.
- 112.4** In the second place,<sup>1</sup> we are satisfied that no soldier other than Corporal E, Lance Corporal F, Private G and Private H, all of Anti-Tank Platoon, could have been responsible for any of the casualties in Sector 4.

<sup>1</sup> [Chapter 99](#)

**112.5** In the third place,<sup>1</sup> we are satisfied that no paramilitary was holding lethal weapons (firearms or bombs) or seeking to use them against any of the soldiers who came into Glenfada Park North, though members of the Official IRA probably fled from the area carrying firearms as the soldiers arrived and shortly before the soldiers opened fire.

<sup>1</sup> [Chapter 111](#)

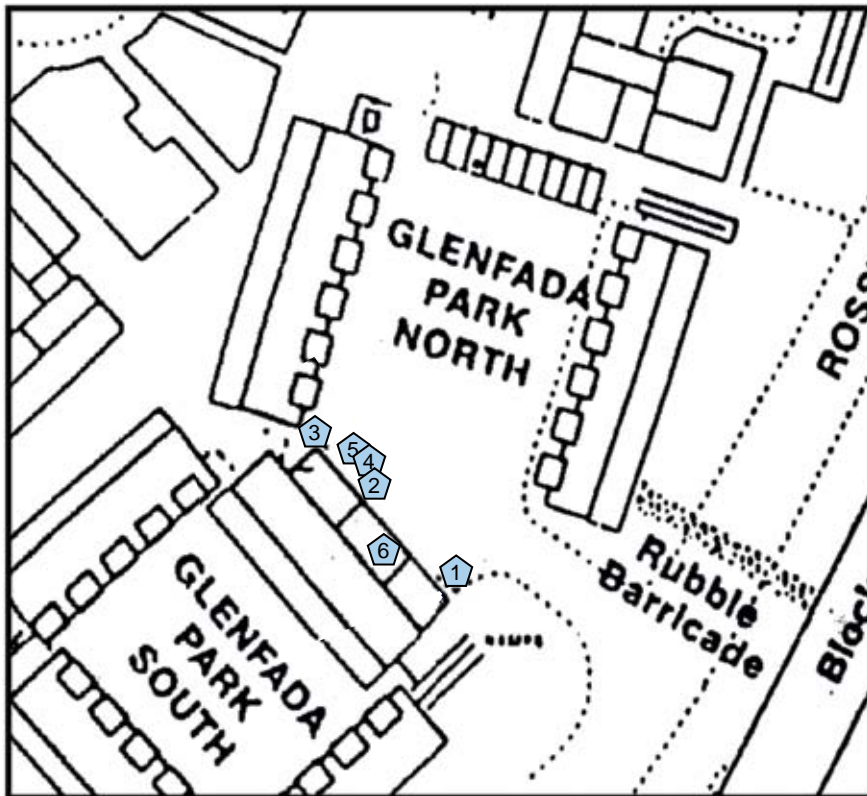
**112.6** Lastly,<sup>1</sup> it is the case that none of the soldiers who fired in Sector 4 admitted shooting any of the Sector 4 casualties and none admitted that he had missed his target and hit someone else by mistake. Each of the soldiers insisted that he had fired at someone who was in possession of lethal weapons.

<sup>1</sup> [Chapter 99](#)

## Glenfada Park North

**112.7** According to the accounts of these soldiers, they had between them fired ten shots at people on the south side of Glenfada Park North, hitting in total three bombers and two riflemen, all of whom fell, as well as a further man who had attempted to recover a nail bomb but who staggered away after being shot. In addition, Private H claimed to have fired a further 19 shots into a window on the same side of Glenfada Park North, hitting a sniper with the last of these shots.

**112.8** We set out below a map on which we have marked the position of the targets at which the soldiers said that they had fired. These positions are based on those given in the soldiers' trajectory photographs.



**Targets the soldiers claim to have hit**

- 1 Corporal E's target: man about to throw a nail bomb
- 2 Lance Corporal F's target: man about to throw a bomb
- 3 Private G's target: man with a rifle
- 4 Private H's first target: youth with a nail bomb
- 5 Private H's second target: youth with a nail bomb
- 6 Private H's third target: person with rifle behind a window

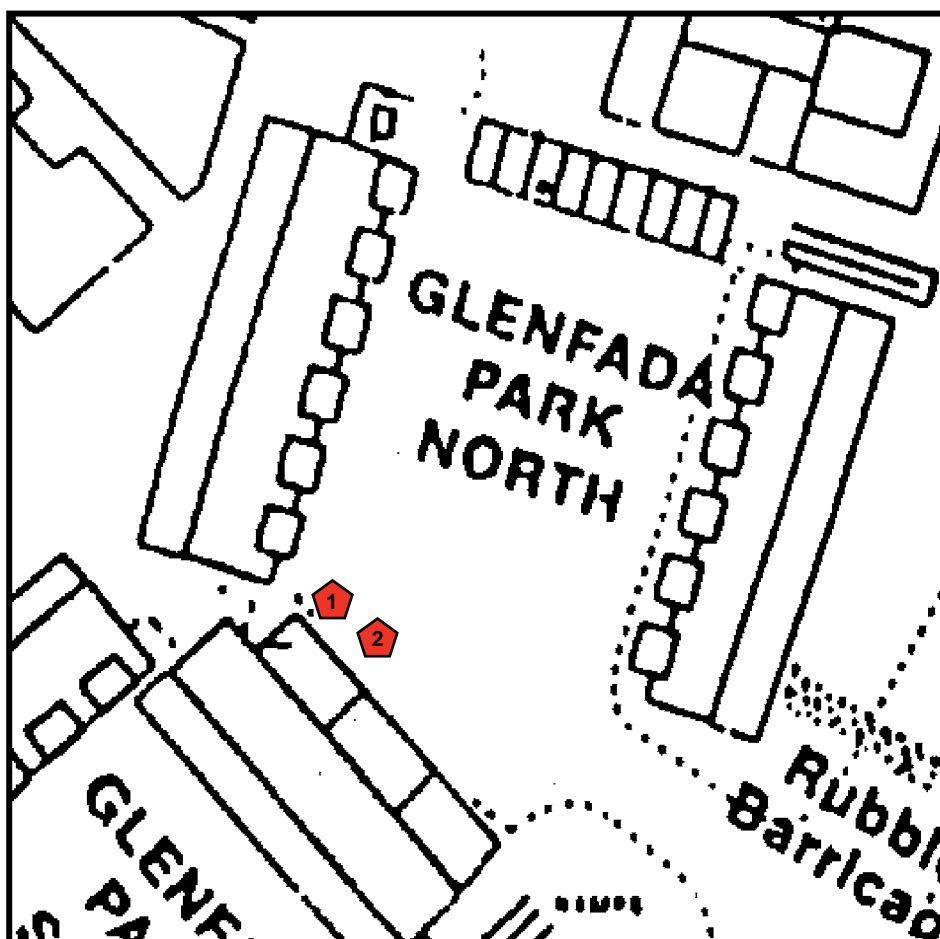
### 112.9

We have no doubt that between them these soldiers shot and mortally wounded Jim Wray and William McKinney; and shot and wounded Joe Friel, Michael Quinn, Joe Mahon and Patrick O'Donnell, all in Glenfada Park North.<sup>1</sup> We also have no doubt that Private G fired in Abbey Park, one of his shots fatally injuring Gerard McKinney and Gerald Donaghey. We consider the firing in Abbey Park below.

<sup>1</sup> As appears elsewhere in this report ([paragraphs 104.165–201](#)), it is not clear whether Daniel Gillespie suffered a gunshot wound.

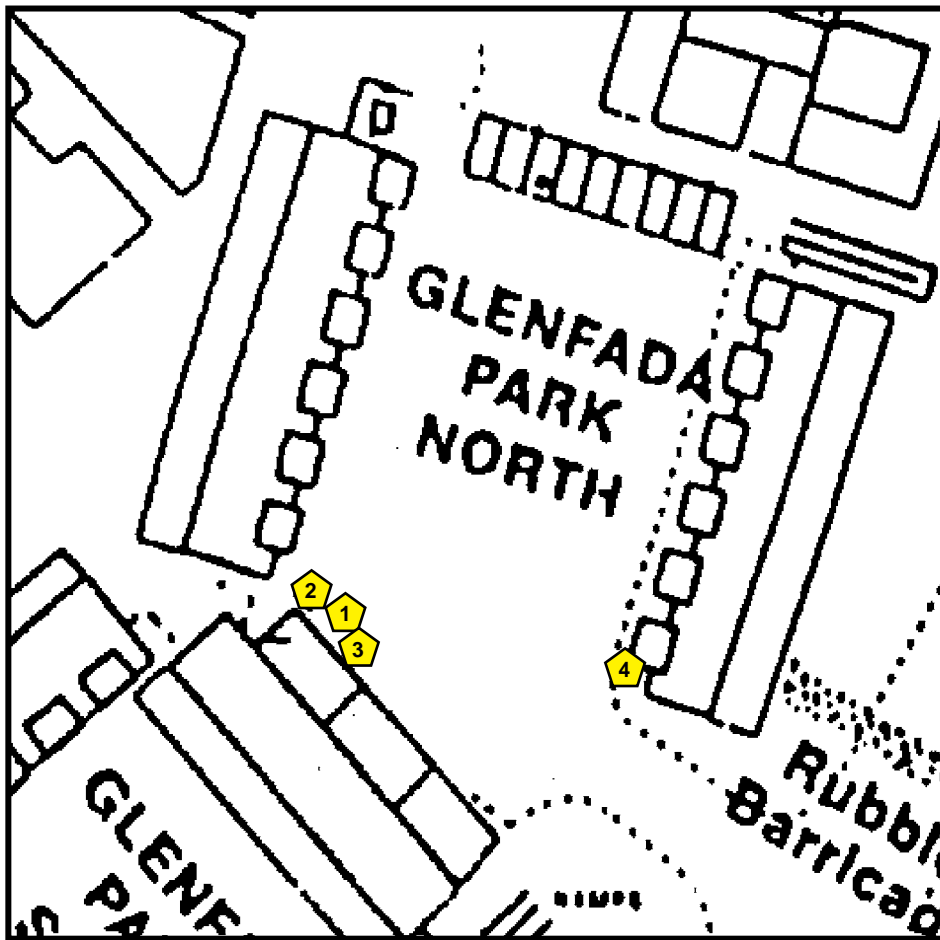
**112.10** In short, the soldiers who fired in Glenfada Park North insisted that they had shot bombers and gunmen, which they had not; and denied that they had shot the casualties who were killed and wounded in Glenfada Park North, which in our view they had. As in the cases of Sectors 2 and 3, to our minds it inevitably follows that this materially undermines the credibility of the accounts given by the soldiers who fired. The evidence of one or more of them must be significantly inaccurate and incomplete.

**112.11** We set out on the maps below the positions where in our view the Glenfada Park North casualties were likely to have been when they were shot. We deal with the casualties in Abbey Park below.



Casualties who were killed or mortally wounded in  
Glenfada Park North

- 1 Jim Wray
- 2 William McKinney



**Casualties who were wounded in Glenfada Park North**

- 1 Michael Quinn
- 2 Joe Friel
- 3 Joe Mahon
- 4 Patrick O'Donnell

**112.12** We have omitted Daniel Gillespie from this map, in view of the uncertainties surrounding his case.

**112.13** We are satisfied that the four soldiers who between them were in our view responsible for the casualties in Glenfada Park North have given knowingly untruthful accounts of what they saw and did on Bloody Sunday. For example Corporal E falsely asserted that he had shot and hit a man deploying both a nail bomb and a petrol bomb. Lance Corporal F gave and continued to give false accounts of where and in what circumstances he fired his rifle

on Bloody Sunday. Private G falsely denied that he had gone into Abbey Park and shot someone there. Private H gave a wholly fictitious account of firing 19 rounds at the same window in Glenfada Park North. It follows that in our view it would be unwise, in the absence of supporting evidence, to place reliance on what these soldiers have said by way of explanation for their shooting in Sector 4.

- 112.14** We consider below whether it is possible to identify which soldier shot which casualty and we express our view of the state of mind of the soldiers when they fired. However, before doing so we consider the suggestion made on behalf of the majority of represented soldiers, that the Glenfada Park North casualties were hit by accident.

## **The suggestion that the casualties in Glenfada Park North were hit by accident**

- 112.15** Those acting for the majority of the represented soldiers submitted that the Tribunal should bear in mind the fact that:<sup>1</sup>

“those who were killed and injured in Glenfada Park North were close to those individuals who were armed with either rifles or nail bombs and at whom it is known soldiers fired. The potential for such innocent bystanders to have been hit by soldiers legitimately targeting the armed men close to them is obvious.”

<sup>1</sup> [FS7.2183](#)

- 112.16** This submission, if correct, would mean that the soldiers who fired in Glenfada Park North had fired at gunmen or bombers, but had unfortunately and accidentally hit instead the Sector 4 casualties, who were neither gunmen nor bombers, nor posing any threat of causing death or serious injury.
- 112.17** The submission is based on three assumptions, namely that the soldiers shot at individuals who were armed with rifles or nail bombs; that those who were killed or injured were close to those individuals; and that in each case the casualty was accidentally hit by a shot intended for a gunman or bomber.
- 112.18** The first assumption depends on accepting as the truth the evidence of the soldiers themselves that they fired at individuals armed with rifles or nail bombs. The second assumption depends not only on this, but also on the assertion that those who were killed or injured were close to those armed individuals. The third assumption, while it again

depends on accepting the evidence of the soldiers that they fired at people armed with rifles or bombs, simultaneously depends on rejecting their evidence that they hit their targets and not innocent bystanders.<sup>1</sup>

<sup>1</sup> [B95](#); [B122](#); [B137](#); [B186](#); [WT14.79-80](#); [WT14.87](#); [WT14.91-93](#); [WT14.98](#); [WT15.11-12](#)

**112.19** We do not, for the reasons that we have given,<sup>1</sup> accept as the truth the evidence of the soldiers that they fired at individuals armed with rifles or nail bombs. When the soldiers' evidence is considered alongside the other evidence that we have considered, we are led to the conclusion that when the soldiers fired there were no gunmen or bombers in Glenfada Park North. Whether the soldiers believed, albeit mistakenly, that they had identified and fired at individuals armed with rifles or nail bombs is a matter that we consider below.

<sup>1</sup> [Chapters 100](#) and [103](#)

**112.20** As to gunmen, we have earlier expressed the view that none of the soldiers initially reported to their commander (Lieutenant 119) that they had seen gunmen, let alone fired at gunmen.<sup>1</sup> Even assuming that one or more of the soldiers had seen one or more of the Official IRA men fleeing with firearms from Glenfada Park North into Abbey Park, we are of the view that, on the evidence we have considered, these paramilitaries had left Glenfada Park North by the time the soldiers opened fire. Corporal E did not say at any stage that he had encountered or seen a man or men with firearms. Private H did not suggest that he had seen a man or men with firearms, apart from the figure in a window at whom he said he had fired 19 shots. Lance Corporal F made no mention of seeing or engaging gunmen in his initial Royal Military Police statement. As we explained elsewhere in this report,<sup>2</sup> we formed the strong impression that Lance Corporal F and Private G had tailored their later evidence in an attempt to reconcile their originally markedly conflicting accounts, in the case of Lance Corporal F by saying for the first time that he had seen a gunman.

<sup>1</sup> [Paragraphs 100.15–17](#)

<sup>2</sup> [Paragraphs 100.8–11](#)

**112.21** We have already stated that in our view, in the light of the evidence we have considered, there was no-one using or seeking to use such weapons in Glenfada Park North, or seeking to remove a bomb or bombs from the southern side of that area, when the soldiers arrived and opened fire.

**112.22** It follows that in our view the first assumption on which the submission is based cannot be sustained.



- 112.23** We take the same view of the second assumption and for the same reasons.
- 112.24** As to the third assumption, we have found no evidence of any kind that suggests that the casualties were shot by mistake or by accident, save that in the cases of William McKinney and Joe Mahon, it may be that shots were directed at the former and that one that hit the former continued and hit the latter. However, William McKinney was not armed or posing any threat of causing death or serious injury.
- 112.25** In these circumstances we reject the suggestion that all or any of the casualties were accidentally shot by fire directed at individuals armed with rifles or nail bombs.

## Corporal E

- 112.26** In our view Corporal E fired more or less in the direction that he said he did, and which his trajectory photograph shows.<sup>1</sup> We consider him to be the soldier whose firing wounded Patrick O'Donnell, though for reasons that we have given we reject his description of his target. His firing was probably witnessed by Lieutenant 119. In view of the unreliability of the evidence given by Lance Corporal F, Private G and Private H, it remains possible, but in our view highly unlikely, that one of these three soldiers was responsible for the injury to Patrick O'Donnell.

<sup>1</sup> B116

- 112.27** We have nothing that suggests to us that Corporal E fired additional shots in Glenfada Park North in a different direction. In our view he is unlikely to have been responsible for any of the other casualties.

## Corporal E's state of mind

- 112.28** Corporal E may have seen Patrick O'Donnell taking cover and deliberately shot at him or in the direction where he had gone, or he may have simply shot at the fence, not intending to hit anyone but rather to frighten people off. If it was the former we consider that there was no justification for targeting Patrick O'Donnell, who was not posing any threat of causing death or serious injury. If it was the latter then it seems to us that such firing was in complete disregard of the obvious grave risk to life or limb.

- 112.29** Corporal E in our view lied about his target. This lie, coupled with the other evidence of the situation in Glenfada Park North, leads us to conclude that when he fired he could not have held a belief that he was justified in doing so. We can see no grounds for supposing that he may have fired in fear or panic, or believing, albeit mistakenly, that he had identified someone armed or posing a threat of causing death or serious injury.

## **Lance Corporal F, Private G and Private H**

- 112.30** For reasons that appear hereafter, we deal with these three soldiers together.
- 112.31** Apart from Patrick O'Donnell, three people were shot and fell in Glenfada Park North, namely Jim Wray, William McKinney and Joe Mahon. Joe Friel and Michael Quinn were hit but did not fall and escaped through the alleyway into Abbey Park. We put Daniel Gillespie on one side for the purpose of this analysis, in view of the uncertainty about how he came to be injured.
- 112.32** Lance Corporal F said that he had shot someone who fell; Private G also said he shot someone who fell and that either he or Lance Corporal F shot someone else who also fell. Private H said that he shot someone who fell and someone else whom he hit but who staggered away.
- 112.33** William McKinney and Joe Mahon fell in Glenfada Park North. So did Jim Wray. There is thus a degree of correlation in relation to the casualties between what we are sure happened and what the soldiers said happened. Assuming that the person whom Private G said that he or Lance Corporal F had hit was the same as the person whom Lance Corporal F said he had hit, there would on the soldiers' accounts have been a total of three people who fell in Glenfada Park North. For the reasons we have given above, we are sure that three people did fall in Glenfada Park North. Two other people were hit and got away through the alleyway.
- 112.34** Private G throughout his accounts maintained that he had fired three shots in Glenfada Park North; and he denied firing additional shots in Abbey Park, though we have no doubt that he did. As we have described earlier in this report,<sup>1</sup> he also claimed to have fired two shots on his way into Glenfada Park North and one shot at a later stage at Block 1 of the Rossville Flats. We consider that he fired at least one shot and may have fired two on his way into Glenfada Park North; that he fired two shots in Abbey Park; and that he later fired one shot at Block 1 of the Rossville Flats.

<sup>1</sup> Paragraphs 94.3–37 and 123.181–211

- 112.35** We have earlier expressed the view that Private G probably fired in total six shots, which is what he claimed he did. On the basis that he fired one or two shots on his way into Glenfada Park North, two in Abbey Park and one later at Block 1 of the Rossville Flats, it would follow that he did not fire three shots in Glenfada Park North, but only one or two.
- 112.36** In his trajectory photograph, Private G put the line of what he said were his three shots in Glenfada Park North into the south-west corner.



- 112.37** In his trajectory photograph, Lance Corporal F depicted shots in Glenfada Park North and at Block 1 of the Rossville Flats. We deal with his alleged shots at Block 1 elsewhere in this report.<sup>1</sup> So far as Glenfada Park North is concerned, his shots are shown slightly to the east of the line depicted by Private G.

<sup>1</sup> [Paragraphs 123.118–180](#)



**112.38** In his trajectory photograph, Private H put the line of what he said were his first two shots slightly to the west of those depicted by Lance Corporal F, in other words between the lines depicted by Lance Corporal F and Private G.<sup>1</sup>

<sup>1</sup> The line of what Private H said were his 19 shots at a window is also shown on this trajectory photograph.



**112.39** These trajectory photographs, taken at face value and considered with the positions of the casualties, could be said to indicate that Private G fired the shot that first hit Jim Wray, he being the furthest to the west of the casualties who fell in Glenfada Park North. However, Michael Quinn and Joe Friel were also shot in the same area, though they then left Glenfada Park North, so Private G may also (or instead) be responsible for one or both of these casualties.

**112.40** On the same basis, the trajectory photographs and the position of the casualties could be said to indicate that either Lance Corporal F or Private H was responsible for shooting William McKinney and Joe Mahon, both of whom fell further to the east. As we have pointed out earlier in this report,<sup>1</sup> William McKinney was hit by one or two bullets, one of which probably continued and hit Joe Mahon. Lance Corporal F said that he had hit his target twice, but so did Private H.

<sup>1</sup> [Paragraphs 104.485–487](#)

**112.41** In our view it is not possible to tell whether it was Lance Corporal F or Private H who shot William McKinney, and consequently Joe Mahon. Indeed, the possibility exists that each hit William McKinney with one shot but missed with the other. We should note at this point that Private 027 gave an at best second-hand description of a soldier hitting two people with one shot. Those two people could have been William McKinney and Joe Mahon. In one account Private 027 attributed this to Private H and in another to Private G. In the



end, we concluded that either Lance Corporal F or Private H could have been responsible for the shooting of William McKinney and Joe Mahon. It is possible, but in our view unlikely, that Private G was responsible for these casualties.

- 112.42** The shot Private H said that he fired at a man who was hit in the shoulder but staggered away could have been the round that hit Joe Friel, who was shot across the chest. If Private H was correct in describing this target as wearing a blue jacket and jeans, this could be another indication that he shot Joe Friel. However, as we have pointed out above, the possibility exists that Private G fired the shot that hit Joe Friel.
- 112.43** Michael Quinn was shot in the face. There is nothing in the accounts of any of the soldiers that provides any indication as to which soldier shot him. On the basis that Private G only fired one shot in Glenfada Park North, which hit Jim Wray (or Joe Friel), he did not hit Michael Quinn, though it is just possible that the first shot to hit Jim Wray continued and hit Michael Quinn. However, it is also possible that Private G fired two shots in Glenfada Park North, one of which did hit Michael Quinn. On the basis that Lance Corporal F fired only two shots in Glenfada Park North, one or both of which hit William McKinney, it would seem unlikely that he shot Michael Quinn, who was further to the west. As to Private H, we are sure that this soldier did not fire 19 shots at a window in Glenfada Park North, as he claimed that he had done. As we explain elsewhere in this report,<sup>1</sup> it seems that after the initial burst of firing by soldiers in Sector 4 he fired one shot at a window on the south side of Glenfada Park North, and later a number of shots in Sector 2 and south of Sector 5. We do not know the exact number of shots that he fired in these other sectors, so it is possible that he fired more shots during the initial firing in Glenfada Park North than he has admitted doing.
- <sup>1</sup> [Paragraphs 105.8–30](#)
- 112.44** On the basis of the foregoing analysis, it is possible that Private G fired the first shot to hit Jim Wray; that either Lance Corporal F or Private H (or both of them) were responsible for the shot or shots that hit William McKinney, one of which injured Joe Mahon; that Private G or Private H was responsible for the shot that injured Joe Friel; and that either Private H or Private G was responsible for the shot that wounded Michael Quinn.
- 112.45** Such conclusions are based on accepting that these soldiers fired the number of shots that they claimed to have discharged on Bloody Sunday and on accepting (with the exception of Private H's 19 shots at a window in Glenfada Park North) that their trajectory photographs do give an indication of where they directed their fire in Glenfada Park North. We have previously expressed the view that the soldiers probably did fire only the

number of shots they claimed. As to the trajectory photographs, these do show a degree of correlation with where we are sure the casualties in Glenfada Park North were shot, but are based on evidence from soldiers whose accounts in many respects were in our view untruthful. Thus we are far from certain that the analysis based on these assumptions is correct.

**112.46** As to the second shot that probably hit Jim Wray as he lay on the ground, Private 027, who for reasons given elsewhere in this report<sup>1</sup> was in our view giving a second-hand account, attributed this to Private H. On his own account, Private H fired at a man he described as running off with a nail bomb after the shots that he and the others had initially fired and after people had fallen. We do not accept this account of his target, and, as we have said, there are indications that Private H may not have fired the shot that hit Joe Friel.

<sup>1</sup> [Paragraphs 96.9–12](#)

**112.47** In our view Jim Wray was probably shot on the ground after the initial firing. Private G was likely to have been the nearest to Jim Wray, as he said that he had gone down the western side of Glenfada Park North and we are sure that he went into Abbey Park. If he fired only one shot in Glenfada Park North, it could be said to be unlikely that he was responsible for the second (as opposed to the first) shot to hit Jim Wray, but he may have fired two shots. On the basis that Corporal E and Lance Corporal F fired only the shots they claimed in Glenfada Park North, which we consider was probably the case, it is unlikely that either was responsible for the second shot to hit Jim Wray. Private H was the only soldier who said he fired in Glenfada Park North after the initial burst of firing and whose shot count was large enough to include a shot at Jim Wray on the ground.

**112.48** On the basis of this analysis, it could be said that the soldier who fired the second shot to hit Jim Wray was either Private G or Private H.

**112.49** We now turn to consider whether the civilian evidence of soldiers firing in Glenfada Park North, which we have considered earlier in this report,<sup>1</sup> supports or detracts from the foregoing analysis.

<sup>1</sup> [Chapters 102, 103 and 104](#)

**112.50** We have concluded that one or more of the soldiers in Glenfada Park North did fire from the hip, or from between the hip and the shoulder; and that one of these shots hit Joe Friel. We also concluded that it was probably one of the leading soldiers who fired this shot. On this basis, the soldier was unlikely to have been Private H, who was not the first to come into



Glenfada Park North. Private G's evidence was that he shot from a kneeling position, and there is civilian evidence of a kneeling soldier. On this basis the possibility exists that it was not Private G who shot Joe Friel, which (since we take the view that Corporal E probably did not fire into the south-western corner of Glenfada Park North) leaves Lance Corporal F. However, in view of what we consider was the unreliability of Private G's evidence generally, we do not regard his assertion that he fired from a kneeling position as conclusive. Thus it remains possible that he fired the shot that wounded Joe Friel.

- 112.51** From our examination of the civilian evidence of the shooting by soldiers in Glenfada Park North, we have found nothing that helps us to identify which soldier shot which casualty, save for the evidence which indicated that it was one of the leading soldiers that shot Joe Friel.
- 112.52** In these circumstances, though we consider it probable that Corporal E was responsible for the injury to Patrick O'Donnell, it is difficult to be confident about attributing any of the other casualties to any particular soldier. All we can say is that to our minds it is more likely than not that Lance Corporal F or Private H fired the shot that mortally wounded William McKinney; that one or other of these soldiers was responsible for the shot that wounded Joe Mahon; that Private G or Private H fired the shot that wounded Michael Quinn; that Lance Corporal F or Private G fired the shot that wounded Joe Friel; that Private G or Private H fired the first shot to hit Jim Wray; and that Private G or Private H fired the second shot that hit Jim Wray as this casualty lay on the ground.

### **Lance Corporal F's, Private G's and Private H's state of mind**

- 112.53** There remains the question as to whether any of these soldiers held a belief that he was justified in firing, notwithstanding that in our view none of the casualties was doing anything that could have led any of the soldiers to hold such a belief.
- 112.54** Having read the accounts of the soldiers and listened to Lance Corporal F and Private H, and in the light of the other evidence to which we have referred in the course of considering the events of Sector 4, we are of the view that none of the soldiers who fired did so in the belief that he had or might have identified a person in possession of, or using or about to use, bombs or firearms. No doubt the soldiers were correctly on their guard against attack from paramilitaries, and may have been highly apprehensive that such an attack might happen. We appreciate that the soldiers would have had little time to assess and respond to what was happening. But we cannot accept as truthful any of their varying accounts of what they say they faced when they went into Glenfada Park North.

**112.55** In our view they must have seen people simply trying to leave the area, many frightened and in shock after seeing or learning of the events in Rossville Street and fleeing when the soldiers came in. We cannot see how any of the soldiers could have thought that he or his colleagues were in such danger from individuals among these people that firing at them was justified. It will be borne in mind that William McKinney and Jim Wray were both shot in the back and that none of the casualties (with the possible exception of Daniel Gillespie) appears to have been facing the soldiers when shot. We are sure that these soldiers fired (without warning that they were about to fire<sup>1</sup>) either in the belief that no-one in the area towards which they respectively fired was posing a threat of causing death or serious injury, or not caring whether or not anyone there was posing such a threat. With the possible exception of Private H, we consider it unlikely that they fired in a state of fear or panic.

<sup>1</sup> Corporal E stated that he shouted "drop it" before he fired (B87).

**112.56** Taking each of the casualties in turn, we do not find it possible to say with any confidence whether Michael Quinn, Joe Friel and (if he was hit by a bullet) Daniel Gillespie were specifically targeted, as opposed to being the victims of shots indiscriminately fired (one or more from the hip) at a number of people in the south-west corner of Glenfada Park North. In our view, however, both Jim Wray and William McKinney were specifically targeted, as there appear to have been few people near them at the time. We deal below with the second shot that hit Jim Wray. Joe Mahon may not have been specifically targeted but was probably wounded by a bullet that hit William McKinney.

**112.57** As to the shot that in our view hit Jim Wray as he lay on the ground, we consider that this must have been deliberately fired at him. He was on his own. There is nothing to suggest that he could have been hit by mistake or by accident. No-one could have believed that Jim Wray was posing a threat of causing death or serious injury; no-one admitted firing at a man lying on the ground; and no-one suggested that there was or could possibly have been any real or imagined justification for shooting a man in this position.

**112.58** Our overall assessment of what happened in Glenfada Park North is that the soldiers who went in, led by Corporal E, fired at fleeing civilians, and then, in the knowledge that what they had done was unjustified, proceeded to invent false accounts of what they had seen and done. It is possible that Private H, who told us he was frightened when he went into Glenfada Park North, fired in a state of fear or panic, without giving any proper thought to what he was doing, but we are far from certain of this. We repeat that we have found no

evidence that suggests to us that any of the four soldiers might have believed, albeit mistakenly, that he had, or might have, identified a target at which he was justified in firing.

## Abbey Park

**112.59** For the reasons that we have given,<sup>1</sup> we have no doubt that Private G was the soldier who fired in Abbey Park and mortally wounded Gerard McKinney and Gerald Donaghey.

<sup>1</sup> [Chapter 107](#)

## Private G's state of mind

**112.60** In our view Private G deliberately targeted Gerard McKinney in Abbey Park. Gerard McKinney and Gerald Donaghey were on their own. Private G denied firing in Abbey Park but we are sure that he did so. We have already concluded that in our view Private G neither had nor could have believed that he had any justification for shooting Gerard McKinney, a person who was not posing any threat of causing death or serious injury. His shot passed through Gerard McKinney and mortally wounded Gerald Donaghey. Private G may not have realised that his shot had had this additional effect.

**112.61** There is no evidence that Gerald Donaghey was doing anything when he was shot that could have led any soldier to believe that he was posing a threat of causing death or serious injury. If, as we consider was the case, Private G did not target Gerald Donaghey, what the latter was doing is in this context irrelevant. We deal elsewhere in this report<sup>1</sup> with the separate question as to whether Gerald Donaghey had nail bombs in his pockets at this time, but as will be seen when we deal with that question, we are sure that if (which we consider was probably the case) he had nail bombs in his pockets, these were not visible to those who came to his aid and accordingly could not have been visible to Private G. In our view Gerald Donaghey was trying to leave the area when he was shot.

<sup>1</sup> [Chapters 125–145](#)

**112.62** There was in our view no good reason for Private G's shot down the alleyway between Abbey Park and Glenfada Park South. We consider that this shot was intended to frighten rather than hit people; and was, without any justification whatever, fired with complete disregard to the obviously grave risk to life or limb.

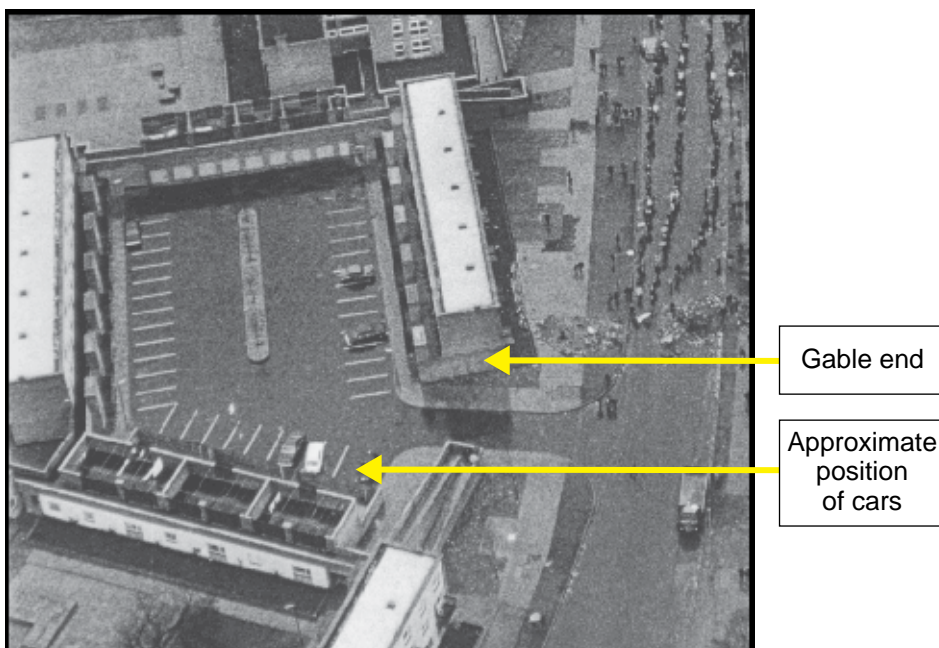
- 112.63** We now turn to consider the circumstances in which the people who had been sheltering at or near the southern end of the eastern block of Glenfada Park North were arrested before we turn to the events of Sector 5.

# Chapter 113: Arrests in Sector 4

## Contents

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- 113.1** A number of civilians were arrested as they sheltered behind or close to the southern end of the eastern block of Glenfada Park North or next to cars that were parked at the eastern end of the southern pavement of Glenfada Park North. The southern end of the eastern block was often referred to as the gable end. It is marked as such on the following photograph, which also shows the approximate position of the cars. The photograph was not taken on Bloody Sunday.



- 113.2** Seventeen people have said that they were arrested at or close to the gable end.<sup>1</sup> Five have said that they were arrested next to the cars.<sup>2</sup> In the case of Seamus (James) Liddy, in two of his three 1972 accounts he stated that he had been arrested in William Street.<sup>3</sup> In the cases of PIRA 1 (then a member of the Provisional IRA) and Eamon McAteer,<sup>4</sup> their accounts conflict with evidence from the soldiers. We consider these three accounts

below, but so far as the others are concerned, there is nothing to contradict their accounts of where they were arrested and we are sure that they were arrested where they said they were.

<sup>1</sup> Fr Denis Bradley ([H1.42](#); [H1.12](#)), Eugene Bradley ([AB113.3](#); [AB113.7](#)), Christopher James Doherty ([AD58.1](#); [AD58.12-13](#)), George Irwin ([AI4.1-2](#)), James Kelly ([AK12.5](#); [AK12.34](#)), Barry Liddy ([AL13.1](#); [AL13.8](#)), Eamon McAteer ([AM41.5](#); [AM41.33](#)), Fergus McAteer ([AM42.2](#); [AM42.9](#)), Patrick McGinley ([AM241.5](#)), Denis Patrick McLaughlin ([AM326.6](#); [AM326.23](#); [AM326.24](#)), James McNulty ([AM377.3](#); [AM377.8](#)), Patrick Joseph Norris ([AN24.5](#)), Winifred O'Brien ([AO4.2-3](#)), Patrick O'Donnell ([AO35.2](#); [AO35.7-8](#)), Myles O'Hagan ([AO43.3](#)), Fr Terence O'Keeffe ([H21.23](#); [H21.48](#)), PIRA 1 ([AM508.3](#))

<sup>2</sup> Anthony Coll ([AC84.6-7](#)), John Devine ([AD41.1-3](#); [AD41.6](#); [AD41.7-8](#)), Hugh O'Boyle ([AO1.5-6](#); [AO1.18](#); [AO1.16](#)), George Roberts ([AR13.8](#); [Day 151/82-84](#)), Robert Wallace ([AW3.2](#); [AW3.14](#))

<sup>3</sup> [AL12.1](#); [AL12.2-4](#)

<sup>4</sup> [AM508.3](#); [AM42.2](#)

### 113.3

The people arrested at the gable end or next to the cars were escorted by soldiers along the eastern side of Glenfada Park North and then into Columbcille Court where they were made to stand for some time in the search position<sup>1</sup> against a wall on the western side of the eastern block of Columbcille Court.<sup>2</sup> While there, they were seen and photographed by a number of journalists,<sup>3</sup> some of whom followed the arrestees as they were led out of Columbcille Court and north towards Little James Street. The photographs taken of the arrestees while they were detained in Columbcille Court included the image below, taken by William Rukeyser, a freelance photographer.

<sup>1</sup> That is, with their faces against the wall and their arms above their heads.

<sup>3</sup> [M13.5](#); [M17.2](#); [M23.2](#); [M52.2](#); [M57.3](#); [M80.2-3](#)

<sup>2</sup> [H21.23](#); [AW3.2-3](#); [AW3.8](#); [AM42.10](#); [AM42.15](#)



### 113.4

The two soldiers in the photograph would have been members of Anti-Tank Platoon. A number of arrestees were able to recognise themselves or other arrestees in this or other photographs taken of the same scene.<sup>1</sup> The only arrestees whose faces are visible in this



photograph, however, are the three who appear on the left of the image. They are, from left to right, Fr O'Keeffe, Fr Bradley and Winifred O'Brien. The latter was the only woman to be arrested on Bloody Sunday.

<sup>1</sup> [AM326.12](#); [AN24.6](#); [AN24.12-13](#); [AK12.6](#); [AK12.27](#); [AM41.17](#); [AM41.26](#)

### 113.5

The arrestees were escorted by members of Anti-Tank Platoon north to the perimeter fence on the eastern side of the GPO sorting office building on Little James Street (the GPO perimeter fence). The photograph below was taken by Frederick Hoare of the *Belfast Telegraph*. It shows arrestees lined up, again in the search position. Winifred O'Brien can be seen on the left of the photograph. The arrestee standing next to her is Fr O'Keeffe. The soldier wearing a beret and holding a baton is Captain INQ 7, the 1 PARA Intelligence Officer.<sup>1</sup> The helmeted soldiers are not members of Anti-Tank Platoon or the Provost Detachment of 1 PARA.<sup>2</sup> It is possible that they are either members of Composite Platoon (Guinness Force) or C Company detailed to guard the arrestees. As we explain later in this report,<sup>3</sup> the Provost Detachment was involved in transporting the arrestees gathered by the GPO perimeter fence to Fort George. This was the battalion headquarters of 1 CG<sup>4</sup> but had been designated as a location where arrestees could be held and processed by the Royal Military Police (RMP).<sup>5</sup>

<sup>1</sup> [B1288-1289](#); [B1295.023](#); [B1295.024](#)

<sup>4</sup> [C588.1](#); [C179.1](#); [C454.1](#)

<sup>2</sup> [C301.4-5](#); [C301.7](#)

<sup>5</sup> [G95.571](#)

<sup>3</sup> [Chapter 159](#)





**113.6** Fr Bradley was not among those arrestees collected at the GPO perimeter fence. As the arrestees were taken from Columbcille Court, he and another arrestee, Patrick O'Donnell, were released in the area of William Street.<sup>1</sup> We consider what then happened to Patrick O'Donnell in the next chapter.<sup>2</sup>

<sup>1</sup> [H1.43](#); [AO35.7.8](#)

<sup>2</sup> [Chapter 114](#)

**113.7** It appears that two other people were arrested in or near Columbcille Court and joined the group being escorted from Glenfada Park North. Although John Gormley told us that he was arrested after leaving a house in Glenfada Park South, we prefer and accept the evidence of Fr George McLaughlin, that John Gormley was in fact arrested as he left a house in Columbcille Court.<sup>1</sup> According to his Keville interview,<sup>2</sup> George McDermott was arrested in Abbots Walk, which runs parallel to Drumcliffe Avenue, at the southern end of the Meenan Square complex. However, his description suggests to us that his arrest may have been on the western side of the central block of Columbcille Court.

<sup>1</sup> [H13.12-13](#); [Day 57/99](#)

<sup>2</sup> [AM183.2](#)

**113.8** As we have noted at the beginning of this chapter, 22 people were arrested in Glenfada Park North. With the arrest of Seamus Liddy, whose accounts we consider below, together with the arrests of John Gormley and George McDermott, it follows that Anti-Tank Platoon escorted 25 civilians north from Columbcille Court. However, with the release of Fr Bradley and Patrick O'Donnell, only 23 arrestees detained by Anti-Tank Platoon reached the GPO perimeter fence. As we explain more fully later in this report,<sup>1</sup> they were joined there by four men (Charles Canning, William John Dillon, James Charles Doherty and Joseph Lynn) who had been arrested in the area of Rossville Street. Members of the Provost Detachment subsequently arrived at the GPO perimeter fence, escorted all 27 arrestees to a lorry parked in Sackville Street and then transferred them to Fort George.

<sup>1</sup> [Chapters 157](#) and [159](#)

**113.9** Those we are sure were arrested at the southern end of Glenfada Park North have given varying accounts of the number of soldiers involved in their apprehension.<sup>1</sup> We found convincing the 1972 accounts of Fr Bradley that soon after he heard shooting in Glenfada Park North, a soldier appeared round the corner of the gable end, seemed surprised to find people there, pointed a gun at them and told them to put their hands up, after which other soldiers appeared, whose numbers he put in his various accounts at between two and five.<sup>2</sup> In his written statement to this Inquiry,<sup>3</sup> he recalled that the soldier who came round the gable end was followed by a couple of others. Some civilians have said that a

much larger number of soldiers were involved, ranging from 12 to about 40 but in our view these are overestimates and the evidence of the civilians as a whole leads us to conclude that Fr Bradley's numbers (which can be found in the accounts of several others) are to be preferred.

- <sup>1</sup> Fr Bradley (H1.12; H1.32-33; H1.42; H1.51; H1.87), Eugene Bradley (AB113.3; Day 169/194-5), Anthony Coll (AC84.1; AC84.2; AC84.7), John Devine (AD41.6; AD41.17; AD41.2-3), Christopher James Doherty (AD58.1; AD58.12-3), George Irwin (AI4.2), James Kelly (Day 145/33, 79), Barry Liddy (AL13.8; AL13.15; AL13.68-71; AL13.74), Seamus Liddy (AL12.3; AL12.5), Eamon McAteer (AM41.5; Day 135/23), Fergus McAteer (AM42.2; AM42.4; AM42.9; Day 168/68), Patrick McGinley (AM241.5; Day 425/150), Denis Patrick McLaughlin (AM326.6-7; Day 159/42-48), James McNulty (AM377.3; AM377.13), Patrick Joseph Norris (AN24.21; AN24.5-6),
- Hugh O'Boyle (AO1.16; AO1.24; AO1.6; Day 132/19, 69), Winifred O'Brien (AO4.5; AO4.3), Patrick O'Donnell (AO35.3; AO35.14; AO35.18; AO35.20; AO35.34), Myles O'Hagan (AO43.3; Day 388/104), Fr O'Keeffe (H21.23; H21.10; H21.39; H21.48; H21.104; H21.93; Day 127/232-3), George Roberts (AR13.10; AR13.2; Day 151/85), Robert Wallace (AW3.2; AW3.12; Day 154/159; 183)
- <sup>2</sup> H1.32-33; H1.42; H1.51
- <sup>3</sup> H1.12

**113.10** We now turn to consider whether it is possible to identify the soldiers who appeared at the southern end of the eastern block of Glenfada Park North. This is important for two reasons, firstly because of the shooting that took place from this area at about this time, to which we return in our consideration of the events of Sector 5,<sup>1</sup> and secondly because of allegations of physical and verbal abuse made against these soldiers (and other soldiers) involved in escorting the arrestees.

<sup>1</sup> Chapter 119

## Soldiers at the southern end of the eastern block of Glenfada Park North

**113.11** According to the evidence of Lance Corporal F, he was the soldier who first appeared round the southern end of the eastern block of Glenfada Park North (the gable end).<sup>1</sup> However, in view of our grave doubts about the reliability and truthfulness of much of his evidence, we are not sure that this was so. However, we are sure that he was one of the soldiers who did get to the gable end. As we discuss in the context of Sector 5,<sup>2</sup> he fired from the entrance to Glenfada Park North into that sector.

<sup>1</sup> B122; B138; B143; B158

<sup>2</sup> Paragraphs 119.158–175

**113.12** It is more difficult to identify from the soldiers' evidence who accompanied or followed Lance Corporal F. Corporal E made no mention in his RMP statements of any involvement in arrests. In his written statement for the Widgery Inquiry, he described moving forward in Glenfada Park North with other soldiers to make arrests "*and we arrested about thirty people. My section took them back as far as the wall from which we had come for them to be conveyed back. I was still covering the position at the entrance*

to Glenfada Park for a few more seconds and then returned to a position in Rossville Street.”<sup>1</sup> In his oral evidence to the Widgery Inquiry, he said that he had moved forward “slightly” from the position in Glenfada Park North from which he said he had fired at a nail and petrol bomber with three or four other soldiers, in order “to collect prisoners”. He told the Widgery Inquiry that the furthest south he had gone was about halfway down the eastern block of Glenfada Park North.<sup>2</sup>

<sup>1</sup> B95

<sup>2</sup> WT14.33

**113.13** We have rejected the account given by Corporal E of firing at a nail and petrol bomber and find it difficult to place reliance on where he then said he went.

**113.14** In this connection we turn to the note made by the journalist Peter Pringle of an interview described as given by Seamus Liddy to the *Sunday Times* Insight Team dated 18th May 1972.<sup>1</sup> According to this note Seamus Liddy told Peter Pringle that he went over to the group standing by the gable, and there saw a soldier standing at the bottom of the Rossville Flats who fired a rubber bullet which hit him in the chest. He said that his brother Barry and Fr Bradley then helped him. He also said he saw a crowd bending over the body of Michael Kelly and then three bodies lying in Glenfada Park North. The note continued, “Then a soldier came round the corner with a sten gun, which he was firing ... He says this man was a corporal and he knows his name because it was the same soldier who arrested him and accused him of stone throwing.” Peter Pringle put a question mark against the statement that the soldier had come round the corner with a Sten gun that he was firing. We return to this account when considering the events of Sector 5.<sup>2</sup>

<sup>1</sup> AL12.5-6

<sup>2</sup> Paragraph 119.41

**113.15** According to these interview notes,<sup>1</sup> Seamus Liddy told Peter Pringle that when he was eventually released from Fort George “he saw one of the Coldstream Sgts. he knew who sd to him: ‘You won’t be with us tomorrow, Jimmy’” and that when he turned up for work the next day he was turned away at the gate. In our view these notes show that Peter Pringle had got this information from Seamus (“Jimmy”) Liddy and that Jimmy was known to at least one of the sergeants at Fort George. In addition, the notes record that Seamus Liddy was a bar steward working in the NAAFI (the soldiers’ canteen) at Fort George.<sup>2</sup>

<sup>1</sup> AL12.5-6

<sup>2</sup> AL12.6

**113.16** In his Keville interview and his Northern Ireland Civil Rights Association (NICRA) statement (this appears to have been prepared from the Keville tapes),<sup>1</sup> Seamus Liddy had described himself as a cleaner and as having been arrested in William Street on his

way to work; and had stated that it was not the corporal who at Fort George had accused him of stone throwing who had arrested him. It should be noted, however, that he also stated that his brother was “*also employed by the army*”, which implies that both of them had Army jobs.

<sup>1</sup> [AL12.1](#); [AL12.2-4](#)

**113.17** On the face of it, therefore, there is a sharp conflict between what Seamus Liddy said during his Keville interview and what he told the *Sunday Times* Insight Team about where he was arrested and by whom.

**113.18** Seamus Liddy’s brother, Barry Liddy, also gave a Keville interview<sup>1</sup> and signed a NICRA statement<sup>2</sup> that appears to have been prepared from the Keville tape, as well as preparing a handwritten statement himself.<sup>3</sup> From these statements it appears not only that he was arrested at the gable end, but also that he had probably helped his brother there. In his handwritten statement, Barry Liddy, after describing seeing three people shot in Glenfada Park North, stated that, “*A Paratrooper then came round the corner of Glenfada Park firing his rifle as he came holding it under his arm*” but gave no further details about this.<sup>4</sup>

<sup>1</sup> [AL13.14-17](#)

<sup>3</sup> [AL13.3-6](#)

<sup>2</sup> [AL13.1-2](#)

<sup>4</sup> [AL13.8](#)

**113.19** There is no doubt that Barry Liddy was employed in the NAAFI at Fort George. He not only said so himself<sup>1</sup> but the possessions listed when he was taken under arrest to Fort George included “*1X MOD PASS and !X NAAFI PASS*”. However, he could not have been the person who was turned away when he went to work the next day, for records show that at this time he was in hospital.<sup>2</sup> In an interview with Paul Mahon in 1998, Barry Liddy said that the NAAFI had employed both him and his brother “*Jimmy*”.<sup>3</sup>

<sup>1</sup> [AL13.9](#)

<sup>3</sup> [AL13.165](#)

<sup>2</sup> [AL13.10-13](#)

**113.20** Seamus Liddy probably initially gave a false account of where and by whom he had been arrested, since he feared for his Army job; and thus also had to deny that a corporal at the gable end had arrested him. By the time of the *Sunday Times* interview some months later, the motive for denying where he had been arrested and by whom seems to have disappeared. Looking at what both brothers have said, we consider that Seamus Liddy was probably arrested at the gable end. Furthermore, though we are satisfied that Corporal E did not have a Sten gun on Bloody Sunday, we have no reason to doubt

Seamus Liddy's account that it was Corporal E who arrested him. The arrest records at Fort George record Corporal E as the arresting soldier. In our view, therefore, it is likely that this soldier did get as far as the gable end.

- 113.21 Private G, in his first RMP statement,<sup>1</sup> said that when he returned from the south-west alleyway of Glenfada Park North, "*prisoners had been taken from the area by other members of my platoon*".<sup>2</sup>

<sup>1</sup> B168

<sup>2</sup> B169

- 113.22 In his written statement for the Widgery Inquiry, Private G recorded that after seeing (from the south-western corner) Lance Corporal F fire one or two shots from the south-eastern corner of Glenfada Park North, he saw "*a party of about 20 people where F was were ferried back by F and some others. I went quickly across the courtyard to join them. I went back through the alleyway we had come in by, and went with the party into Columbcille Court where the civilians were handed over to another party from our unit.*"<sup>1</sup>

<sup>1</sup> B187

- 113.23 For reasons already given,<sup>1</sup> we have rejected much of the evidence of Private G. Indeed we have concluded that he was responsible for shooting two people in Abbey Park, something which he never admitted doing and, in his evidence to the Widgery Inquiry, which he effectively denied. His evidence therefore must be treated with great caution. Thus he may have got as far as the south-east corner of Glenfada Park North.

<sup>1</sup> Chapters 100 and 112

- 113.24 In his first RMP statement,<sup>1</sup> Lance Corporal J recorded that after the crowds from the barricade were dispersed, "*I then received orders to go to Glenfada Park and assist in escort duties for a number of civilians that had been arrested for rioting*".<sup>2</sup> In his written statement for the Widgery Inquiry,<sup>3</sup> Lance Corporal J did not mention these orders but, after describing going into Glenfada Park North, recorded that, "*Two suspects had been arrested by myself and my companion*".

<sup>1</sup> B265

<sup>3</sup> B273

<sup>2</sup> B266

- 113.25 In his oral evidence to the Widgery Inquiry,<sup>1</sup> Lance Corporal J said that he went into Glenfada Park North from Rossville Street because, he thought, "*there was a Platoon Commander standing behind us who shouted, 'Move into Glenfada Park as there are a lot of people there and arrest them'.*" He then said that after he had moved into Glenfada Park North and had seen Lance Corporal F and Private G firing at men at the far corner,

*“myself and the soldier with me arrested two people”*.<sup>2</sup> He identified where he had made these arrests as *“at about here”* but the transcript does not reveal where that was, nor did Lance Corporal J identify his colleague. It is possible, therefore, that he was one of the soldiers who accompanied or followed Lance Corporal F to the gable end.

<sup>1</sup> WT15.31

<sup>2</sup> WT15.32

**113.26** According to the records that were made at Fort George of the people arrested and taken there on Bloody Sunday,<sup>1</sup> Corporal E, Lance Corporal F, Private G and Lance Corporal J were among those who had arrested people who have told us that they were apprehended at the gable end or next to the parked cars. From the evidence of arrests by Lance Corporal F and of the Liddy brothers that we have discussed above, these seem to be an accurate record of arrests by Lance Corporal F and Corporal E, and possibly of arrests by Lance Corporal J. However, we consider that little reliance should be placed on those records as in themselves and without other supporting evidence demonstrating that the soldiers named were among those who got to the gable end and arrested people there or at the cars. Thus we consider that the records do not establish that Private G was one of their number. He may well have been selected as the arresting soldier simply because he was later involved with escorting the civilians from Glenfada Park North.

<sup>1</sup> We explain the records made at Fort George later in this report (paragraphs 156.5–9).

**113.27** These records list other soldiers as arresting those who have told us that this happened at the gable end or next to the parked cars. We turn to consider these soldiers below.

**113.28** Lance Corporal 033 was a member of HQ Platoon and Major Loden’s signaller.<sup>1</sup> According to the Fort George records he arrested PIRA 1 in Rossville Street. According to his RMP statement dated 4th February 1972,<sup>2</sup> he was never in Glenfada Park North nor went as far south as the gable end, but in Rossville Street *“made an arrest and returned to the ACV [Armoured Command Vehicle] with my prisoner”* who he delivered *“to the arrest team at the corner of Eden Place/Rossville St”*.

<sup>1</sup> B1621.001; Day 324/34

<sup>2</sup> B1617

**113.29** PIRA 1 thought that he was the man photographed at Fort George with Lance Corporal 033<sup>1</sup> but told us that he did not recognise this soldier as the one who had arrested him.<sup>2</sup> Lance Corporal 033, in his oral evidence to this Inquiry,<sup>3</sup> was sure that he had arrested the person shown in the photo with him, though he maintained that he had not carried out the arrest at the gable end.

<sup>1</sup> As we explain later in this report ([paragraphs 156.5–9](#)), the processing of arrestees at Fort George included members of 1 PARA being photographed with the person or persons they told the RMP they had arrested in the Bogside. These photographs were often described as arrest photographs.

<sup>2</sup> [AM508.4](#); [Day 409/47](#)

<sup>3</sup> [Day 324/94-95](#)

**113.30** We are sure that PIRA 1 was arrested at the gable end, since, apart from his own evidence, we are satisfied from the evidence of George Roberts and Denis Patrick McLaughlin<sup>1</sup> that PIRA 1 was with them and that they were arrested there. We are equally satisfied that it was not Lance Corporal 033 who arrested PIRA 1 and that this soldier was never at the gable end. It follows that if PIRA 1 is the person shown in the photograph with Lance Corporal 033, as we consider is likely to be the case, we must reject this soldier's evidence that it was PIRA 1 whom he arrested in Rossville Street.

<sup>1</sup> [AR13.2](#); [AM326.5-6](#)

**113.31** Private 112 was a member of Mortar Platoon. According to the Fort George records, he arrested Eamon McAteer in Rossville Street. In his written evidence to this Inquiry,<sup>1</sup> Private 112 told us that he had arrested someone on the Eden Place waste ground. In his oral evidence to this Inquiry,<sup>2</sup> he accepted that he might have made a mistake and identified the wrong prisoner as the one he had arrested.

<sup>1</sup> [B1732.004](#)

<sup>2</sup> [Day 320/100-101](#)

**113.32** We are sure from his accounts that Eamon McAteer was arrested at the gable end.<sup>1</sup> We are also sure that Private 112 was never at the gable end. It follows that the person he said he arrested on the Eden Place waste ground was not Eamon McAteer.<sup>2</sup>

<sup>1</sup> [AM41.33](#); [Day 135/31](#)

<sup>2</sup> Earlier in this report ([Chapter 35](#)), we concluded that Private 112 had taken part, with Private U, in the arrest of Charles Canning.

**113.33** Lance Corporal 229 was a member of Composite Platoon (Guinness Force). According to the Fort George records, he arrested Patrick McGinley, Denis Patrick McLaughlin and Joseph Lynn in Rossville Street. In his RMP statement dated 15th February 1972,<sup>1</sup> after describing making another arrest, Lance Corporal 229 stated that he then:



“went back through the barricade and finished up with elements of Support Company in Glenfada Park. There was a crowd of civilians throwing stones at us and being generally abusive. I was aware that shooting was taking place but it seemed to be coming from above us ... We went into the ‘snatch’ routine, and I joined one of the Support Company squads and arrested two young male civilians, one of whom was a Mr McLoughlin [sic], and a second whose name I cannot remember. I arrested these two alone and took them back to the rear echelon where I handed them over. I do not recall to whom.”

<sup>1</sup> B2211.014-15

**113.34** He added in this statement that Lance Corporal F was not concerned with any of the arrests he made.

**113.35** In his written statement to this Inquiry, Lance Corporal 229 stated that he did not remember being in Glenfada Park, but that he must have been there since this appeared in his RMP statement.<sup>1</sup> He also stated that, *“It was possible that you could make a mistake in picking out the people you had arrested but I am fairly sure that I recognised the ones I had arrested.”*<sup>2</sup>

<sup>1</sup> B2211.005

<sup>2</sup> B2211.007

**113.36** In his oral evidence to this Inquiry,<sup>1</sup> Lance Corporal 229 said that he could remember little and was not sure, but doubted that he was ever in Glenfada Park North. He told us that he thought that he might have received arrestees at a point north of Glenfada Park North, where he was informed where they had been arrested. He admitted that he had not seen the two he arrested actually rioting in Rossville Street, but had been told by others that this was the case.<sup>2</sup>

<sup>1</sup> Day 341/47; Day 341/53-55

<sup>2</sup> Day 341/54

**113.37** Patrick McGinley (who was 16 at the time) is one of those who we are sure was arrested at the gable end. His account of being at the gable end is supported by the evidence of Myles O’Hagan.<sup>1</sup> In his Keville interview,<sup>2</sup> Patrick McGinley described being pinned down there when soldiers charged round the corner and held them at gunpoint. He gave a similar account in his written statement and his oral evidence to this Inquiry,<sup>3</sup> though his recollection of about a dozen soldiers appearing is, in our view, an overestimate.

<sup>1</sup> AO43.3

<sup>3</sup> AM241.5; Day 30/64

<sup>2</sup> AM241.18

**113.38** Denis Patrick McLaughlin is another of those who we are sure was arrested at the gable end. He also gave a Keville interview,<sup>1</sup> in which he described some soldiers coming round the corner where he was sheltering up against a wall with Fr Bradley and seeing a man with a wound in his shoulder, who we are sure was Patrick O'Donnell. In his written statement to this Inquiry and in his oral evidence,<sup>2</sup> Denis Patrick McLaughlin gave a similar account, describing how he saw one soldier come from Glenfada Park North followed almost immediately by others.

<sup>1</sup> [AM326.39](#)

<sup>2</sup> [AM326.6-7; Day 159/42-48](#)

**113.39** It is just possible that Lance Corporal 229 was one of the soldiers who got as far as the gable end, and there was involved with the arrest of Patrick McGinley and Denis Patrick McLaughlin, though in our view this is unlikely.

**113.40** According to his written evidence to this Inquiry,<sup>1</sup> Private Longstaff had followed Lance Corporals F and J and Private G “*and others*” to the right from Rossville Street. He stated that he believed that he was looking northwards towards Columbcille Court from the north-west corner of Glenfada Park North when he heard gunshots from behind him. He told this Inquiry that although he recalled later guarding prisoners up against a wall, he had no recollection of having made the arrests himself.<sup>2</sup>

<sup>1</sup> [C23.5](#)

<sup>2</sup> [C23.5](#)

**113.41** According to the Fort George records, Private Longstaff arrested James Kelly and George Roberts for throwing stones in Rossville Street. However, both in his written evidence and when giving oral evidence, Private Longstaff admitted that he may have lied when he identified James Kelly and George Roberts as rioters.<sup>1</sup>

<sup>1</sup> [C23.7; Day 374/107-112](#)

**113.42** George Roberts is one of those who we are sure was arrested as he sheltered behind a car on the south-eastern side of Glenfada Park North.<sup>1</sup> He could not tell us if the soldier who had claimed at Fort George to have arrested him was in fact the one who had done so.

<sup>1</sup> [AR13.10; AR13.2; Day 151/84](#)

**113.43** James Kelly is also one of those who we are sure was sheltering behind the gable wall. In his written statement to this Inquiry,<sup>1</sup> he stated that he moved out slightly from the wall in a westerly direction and round the corner towards a wooden fence. “*As I moved out a paratrooper (who I later identify in this statement as ‘Falstaff’) was suddenly stood right in front of me in the gate or gap in the fence, blocking my way at the position marked E on*

*the attached map (grid reference I14). He stuck the barrel of his gun into my abdomen and said, 'Get your hands up, you hairy fucker!'* He stated that he then saw other paratroopers and was made to stand facing the gable end wall. He recalled Fr Bradley trying to reason with the paratroopers. He also recalled that there was a sergeant or an officer of some sort there giving orders, but that the officer he identified later in his statement as "*Falstaff*" was not the officer in charge, nor was "*Falstaff*" one of the soldiers who "*frogmarched*" him to or from the GPO.<sup>2</sup>

<sup>1</sup> AK12.13-14

<sup>2</sup> Day 145/32

**113.44** James Kelly told us that when he got to Fort George, he heard the soldier who had stuck his gun into James Kelly's abdomen addressed by one of his colleagues as "*Falstaff*" and that he later learned that the name of this soldier was Longstaff.<sup>1</sup> It should be noted, however, that he was unable to recognise Private Longstaff from what was a rather poor quality arrest photo, and told us that the soldier who had identified him at Fort George was not Private Longstaff.<sup>2</sup> Despite this, there is no doubt that James Kelly was photographed with Private Longstaff and, as we have noted, he appears as the arresting soldier in the Fort George records.

<sup>1</sup> AK12.15

<sup>2</sup> Day 145/38

**113.45** In these circumstances, though we are not certain, we consider that it is more likely than not that Private Longstaff was the soldier who arrested James Kelly; and it is possible, since on this basis he was in the area, that he also apprehended George Roberts, though in the case of the latter individual, it is equally possible that he was not the arresting soldier, but was at best involved in escorting the arrestees after they had been apprehended.

**113.46** According to his written evidence to this Inquiry,<sup>1</sup> Private INQ 635, a member of Anti-Tank Platoon, was given a line of civilians to escort back to a holding area. He stated that he was unable to locate where he then was but gave a description of being in a courtyard area underneath "*some flats on stilts*" possibly to the west of Rossville Street. On his behalf it was suggested that this might be Columbcille Court,<sup>2</sup> but there are no flats on stilts there. By "*flats on stilts*" Private INQ 635 may have been referring to a block of flats which had large brick pillars, which could be a description of the east block of Columbcille Court, but this is a description that could equally well fit Glenfada Park North, where there

were flats to the same design. However, in his oral evidence,<sup>3</sup> Private INQ 635 said he believed that he was not still in the area he had described when he was given the prisoners to escort.

<sup>1</sup> C635.5

<sup>3</sup> Day 352/30; Day 352/83

<sup>2</sup> FR7.685

**113.47** According to the Fort George records, Private INQ 635 arrested John Rodgers, James McNulty and George Irwin for “*throwing stones at security forces*”. The first two of these are among those who we have no doubt were apprehended at the gable end,<sup>1</sup> while John Rodgers said in 1972 that he was arrested from a taxi in William Street.<sup>2</sup> George Irwin gave a NICRA statement in which he described being arrested at the gable end with Fr Bradley.<sup>3</sup> George Irwin died before the present Inquiry was established. We have no reason to doubt that he was arrested at the gable end.

<sup>1</sup> AR42.2; AM377.4

<sup>3</sup> I4.1-2

<sup>2</sup> AR42.1

**113.48** Private INQ 635 stated to us that he did not recall who had given him the arrestees nor where they had come from, though he did recall a woman among them, who we consider is likely to have been Winifred O’Brien. He said to us that he did not remember arresting anyone, and while he accepted that he must have provided the information in the Fort George arrest report forms (and agreed that his signature appeared on the arrest report forms) he told us he had no memory of doing so or indeed of ever having been at Fort George.<sup>1</sup> There is, however, a police report dated 2nd June 1972, in which the police officer recorded that Private INQ 635 gave a good description of John Rodgers, and also described seeing him throw stones in Rossville Street, chasing him into Glenfada Park and arresting him there.

<sup>1</sup> Day 352/38-39; Day 352/84

**113.49** Leaving aside the Fort George records, there is nothing to indicate that Private INQ 635 was, or even might have been, involved with arresting civilians at the gable end. On the whole it seems to us that though he took part in escorting those apprehended there, it is more likely that he only became involved as the arrestees were being escorted from the area.

**113.50** According to the Fort George records, Private INQ 1237 arrested Charles Glenn and George McDermott in William Street. The former said that he was arrested in William Street<sup>1</sup> while, as we have noted, George McDermott seems to have been arrested in the Columbcille Court area. Private INQ 1237 told us that he had no memory of dealing with

any arrested civilians.<sup>2</sup> There is therefore no material at all to suggest that Private INQ 1237 was ever near the gable wall, though he may have been one of the escorting soldiers at a later stage.

<sup>1</sup> AG43.6

<sup>2</sup> C1237.8

**113.51** Sergeant INQ 1694 is dead and gave no evidence to this Inquiry. According to the Fort George records, he arrested Hugh O’Boyle and Robert Wallace in Rossville Street for throwing stones at the security forces.

**113.52** Hugh O’Boyle and Robert Wallace are among those who we are sure were arrested as they sheltered behind the cars near the gable end. The former originally stated that Sergeant INQ 1694 was not one of the soldiers who had carried out the arrest, though later he modified this and thought that it could possibly have been so.<sup>1</sup> He described these soldiers as about 5ft 8in in height. The arrest photograph shows that Sergeant INQ 1694 was about 6ft tall.<sup>2</sup>

<sup>1</sup> AO1.8; AO1.19; Day 132/44; Day 132/47

<sup>2</sup> Day 132/56

**113.53** Robert Wallace told this Inquiry that the soldier who arrested him was tall and well built with a blackened face but was not Sergeant INQ 1694.<sup>1</sup>

<sup>1</sup> AW3.02; AW3.04; Day 154/167

**113.54** In these circumstances, though Hugh O’Boyle thought that one of the two soldiers who had arrested him may have been a sergeant,<sup>1</sup> his evidence and that of Robert Wallace provide little support for any suggestion that Sergeant INQ 1694 was one of the soldiers who got as far as the southern end of Glenfada Park.

<sup>1</sup> AO1.6

**113.55** Gerry McLaughlin was one of the civilians who, when soldiers came into Glenfada Park North, ran into Glenfada Park South. He told us that he heard one of the soldiers coming through the north-east entrance calling over his shoulder and looking in the direction of Rossville Street, “*Here the bastards are, Sarge!*”<sup>1</sup> This call might well have been to Sergeant INQ 1694 as he was the Anti-Tank Platoon sergeant, but does no more than indicate that this sergeant was behind soldiers coming into Glenfada Park North.

<sup>1</sup> AM332.3

**113.56** In his interview with Paul Mahon, Barry Liddy said that the first soldier to come round the gable end was a sergeant. He said he knew this because another soldier addressed him as sergeant.<sup>1</sup> However, we have found this part of the account of Barry Liddy very

confusing. He may have mistaken a baton gun for a Sterling sub-machine gun, but his account of the soldier he said was a sergeant knocking out six of his teeth is not borne out by his dental records;<sup>2</sup> while his claim that this same soldier pointed out to him a car containing paramilitary weapons seems to us simply incredible.<sup>3</sup> We take the view that what Barry Liddy told Paul Mahon about this is not a reliable basis for concluding that Sergeant INQ 1694 was or even might have been one of the soldiers who got to the southern end of Glenfada Park North.

<sup>1</sup> [X4.49.156](#)

<sup>3</sup> [X4.49.70](#)

<sup>2</sup> [AL13.11-13](#)

**113.57** In these circumstances, though it is possible that Sergeant INQ 1694 took part in escorting the arrestees, there is nothing to suggest that he got as far as the gable end.

**113.58** Lieutenant 119, the Commander of Anti-Tank Platoon, made no reference to the arrests at the gable end in his two RMP statements.<sup>1</sup> In his written statement for the Widgery Inquiry,<sup>2</sup> however, he said that having come into Glenfada Park North and having seen Lance Corporal F fire two shots in Glenfada Park North, he set off towards the three bodies at the far corner:

“with the intention of seeing what could be done, but just at that moment ... we had orders to withdraw. I saw Knights of Malta first aid staff approaching the bodies and therefore left them to take care of them. At that moment about 30 people emerged from the gable end of the east building. They were clearly in a hazardous position. I therefore picked them up, and did so as a routine arrest operation because I thought the gunmen who had fired at us might still be among them.”

<sup>1</sup> [B1752.041](#); [B1752.040](#)

<sup>2</sup> [B1752.044](#)

**113.59** Lieutenant 119 gave a similar account in his oral evidence to the Widgery Inquiry.<sup>1</sup> As observed earlier in this report, Lieutenant 119 told us he now had no recollection of these events, though it is noteworthy that he nevertheless felt able to tell us that there had not been a lot of aggression and rough handling of prisoners.<sup>2</sup>

<sup>1</sup> [WT14.15](#)

<sup>2</sup> [B1752.017](#); [Day 363/168](#)

**113.60** We do not accept the reason Lieutenant 119 gave for the arrest of the people at the gable end. On his own account he did not see them until they emerged from the gable end, by which time we are satisfied that they had been arrested by one or more of the soldiers who had gone there. Furthermore, his explanation for the arrests is hardly consistent with the fact that nearly all these people were taken to Fort George and there treated as

suspected rioters. However, there is nothing to indicate that Lieutenant 119 ever got as far south himself as the gable end, though he may well have joined soldiers escorting arrestees from there.

**113.61** We have examined the evidence given by Lance Corporal 018 and Private INQ 1940.<sup>1</sup> From their accounts it appears that they did assist in escorting arrestees, though there is nothing to suggest that either of them got as far as the south side of Glenfada Park North.<sup>2</sup>

<sup>1</sup> Private INQ 1940 told us that he was a lance corporal at the time of Bloody Sunday (C1940.1). However, the Support Company nominal roll (GEN8.2) lists him as a private in Anti-Tank Platoon (B1486; B1491.003; C1940.2; Day 315/105-107).

<sup>2</sup> B1486; B1491.003; C1940.2; Day 315/105-107

**113.62** There is nothing to indicate that Private 027 either got as far south as the gable end or assisted with the escorting of arrestees.

**113.63** From our review of this material we are of the view that Lance Corporal F undoubtedly got to the gable end, that Corporal E and Private G are also likely to have done so, that Private Longstaff probably got to or very close to the gable end and that Lance Corporal J might also have got that far.

**113.64** There are grounds for concluding that Private H also got to the southern end of the eastern block of Glenfada Park North when people were being arrested there. We consider these grounds in our examination of the events of Sector 5.<sup>1</sup>

<sup>1</sup> Chapter 119

**113.65** Apart from these cases, we have not seen any evidence that suggests that other soldiers got to the gable end at this time. We have examined the civilian evidence to see if there is any description of soldiers that might help to identify which of them got to the gable end. George Irwin, one of those arrested at the gable end, described a soldier he witnessed firing from the south-east corner of Glenfada Park North as tall, but apart from that by George Irwin (whose evidence we discuss in Sector 5<sup>1</sup>) the descriptions that were given have not assisted. For example, John Devine said in his Keville interview that a tall, stocky black man arrested him.<sup>2</sup> However, our researches have not found anyone of that description in Support Company.

<sup>1</sup> Paragraphs 119.36–37

<sup>2</sup> AD41.17



## Allegations of abuse and assault

**113.66** Many of those arrested have said that soldiers verbally abused them. We have no doubt that such abuse occurred but in the context of the day this was to our minds neither of great significance nor surprising. However, expressions such as “*Fenian bastards*” and “*IRA scum*”, which were among the expressions used, do perhaps indicate the attitude of at least some of the soldiers towards the people who had been arrested.<sup>1</sup> We are equally sure that Winifred O’Brien in turn roundly abused the soldiers, but in the circumstances we consider that this was not only unsurprising but also understandable.<sup>2</sup>

<sup>1</sup> [AM241.5](#)

<sup>2</sup> [AM241.5](#); [AM241.18-19](#); [H21.48](#); [H21.104](#); [AO4.3](#)

**113.67** Of greater importance are the allegations of physical abuse.

## Allegations of physical assault after arrest

**113.68** We deal in the next chapter with Patrick O’Donnell, who, as described earlier,<sup>1</sup> sustained a bullet wound in his right shoulder when sheltering behind a fence on the eastern side of Glenfada Park North, was then taken from the gable end with the other arrestees and was later hit on the head by a soldier.

<sup>1</sup> [Paragraphs 104.494–520](#)

**113.69** There is evidence of other incidents of physical assault, in the form of soldiers hitting or kicking civilians while they were being escorted away from the gable end, as they were being held against a wall in Columbcille Court and against the fence of the GPO building.

**113.70** In a letter dated 20th February 1972, Fr O’Keeffe, one of those arrested at the gable end, wrote to General Tuzo (then General Officer Commanding Northern Ireland). Part of this letter concerned allegations of abuse and assault by soldiers while people were being taken in a lorry to Fort George and while they were there. We consider these matters elsewhere in this report.<sup>1</sup> In relation to the initial arrests at the gable end and what happened as the arrestees were being taken up to the wall in Columbcille Court and then to the fence of the GPO building, Fr O’Keeffe wrote:<sup>2</sup>

“Sir,

Some time ago, I had occasion to write to you concerning a statement on violence which was being prepared by the Association of Irish Priests. You were good enough on that occasion to reply to me, saying among other things that violence had to be condemned. I wish now to make a formal complaint about violence, inflicted by members of your forces, on myself and other civilians while in military custody. The incidents happened on Sunday, 30th January, 1972, after the ill-fated march in Derry. I realise that anything to do with the deaths which took place on that day is *sub judice* and a matter for Lord Widgery's Tribunal. I do not propose, therefore, to comment on these deaths at this stage.

May I stress that the account which follows is that of an eye-witness and a sufferer: nothing in this letter is either hearsay or deduction. I intend to confine myself to those incidents in which I was a participant, or which I personally witnessed. I may also add that any injuries I received have been medically attested by the University doctor.

Let me begin with the circumstances of my arrest. Soldiers, presumably of the 1st Parachute Regiment, had moved into Rossville Street in a pincer movement. I found myself trapped, along with Father Bradley from Derry and about twenty other people; at the gable-end of a maisonette, opposite the high flats. Both Father Bradley and myself were refused permission, on at least three occasions, with a good deal of verbal abuse, foul language and some physical assault, to go to the assistance of the wounded and dying. While I was not dressed clerically (a factor which no doubt accounted for my arrest), Father Bradley was so dressed and was acting as spokesman for us both. Your soldiers seemed unconcerned at the fact that spiritual aid was denied these people and used entirely unnecessary abuse and violence towards us to make that point.

I was then placed against the wall of a maisonette, being struck several times in the process. I saw many people being savagely beaten by your troops for no apparent reason. I was then taken in a line of civilians to the foot of Rossville Street. We were forced to run with hands on head, while soldiers ran beside us, striking us with rifles and screaming the most foul abuse. (At this stage let me say that your soldiers seemed quite beside themselves and in a highly elated mood). After being placed in line against a wire fence – again with threats, beatings and abuse – I was batoned into an Army lorry in William Street.”

<sup>1</sup> Chapter 160

<sup>2</sup> H21.27

- 113.71 General Tuzo replied by letter dated 28th February 1972,<sup>1</sup> in which he gave an assurance that the allegations will be “*very fully investigated*”. He expressed his hope that he could rely on Fr O’Keeffe and others to assist in the investigation:

“since my experience in connection with other accusations of this kind has been that the complainants refuse to cooperate. By this I mean that they refuse even to make a statement. This leads inevitably to the belief that they are more interested in propaganda than the redress of grievance.”

<sup>1</sup> [H21.77](#)

- 113.72 In his oral evidence to this Inquiry,<sup>1</sup> Fr O’Keeffe told us that some time after receiving this letter (but it seems while the Widgery Inquiry was still in progress) he was visited by two Army investigators who had a copy of his letter to General Tuzo and who took a statement from him. He stated, “*They gave me the impression at that time that this was a serious business which they were taking seriously.*” During 1972 the decision was taken not to take proceedings against soldiers (or alleged rioters). Fr O’Keeffe said he thought he remembered this and that in consequence someone telephoned to tell him that no further action would be taken against any soldiers.

<sup>1</sup> [Day 127/148-9](#)

- 113.73 There is no doubt that, as Fr O’Keeffe stated in this letter to General Tuzo, he and Fr Bradley were refused permission from soldiers to go to those who were lying shot in Glenfada Park North and that that refusal was given in unnecessarily abusive terms.<sup>1</sup> Leaving aside the way it was given, it is perhaps understandable that Fr O’Keeffe should not have been allowed to go to the bodies, as he was in plain clothes, but in our view the refusal to allow Fr Bradley (in clerical clothes) to do so cannot be defended. There were a number of soldiers around, so if it was thought, for example, that he might be intent on escaping (or even removing weapons from the bodies), it would have been easy to guard against such possibilities.

<sup>1</sup> [H1.33](#); [H1.14](#); [Day 140/144](#); [H21.23](#); [H21.48](#); [H21.138](#)

- 113.74 As to instances of assault, the accounts of those arrested at or near the gable end varied from those who reported extremely serious assaults to those who said that they neither suffered nor witnessed any form of physical abuse.

**113.75** Fr Bradley told the Widgery Inquiry:<sup>1</sup>

“I ... was grabbed by a soldier and pushed in the direction of William Street. Another soldier hit me on the arm with a rifle and kicked me. I remonstrated again with the soldier, but was again pushed in the direction of William Street.”

<sup>1</sup> [H1.42](#)

**113.76** He told the *Sunday Times*<sup>1</sup> that one, well-dressed man was more badly treated than the others and that this man was kicked as he lay on the ground. In his written statement to this Inquiry,<sup>2</sup> Fr Bradley confirmed that he had been hit with a rifle and kicked but added, “*It was nothing terribly serious*”. In his oral evidence he said that, with the exception of the man who was kicked while on the ground, most of those arrested were simply marched up to the wire fence north of William Street.<sup>3</sup> He told Jimmy McGovern that he recalled seeing people being pushed and shoved but did not remember seeing anyone being hit.<sup>4</sup>

<sup>1</sup> [H1.34](#)

<sup>3</sup> [Day 140/234](#)

<sup>2</sup> [H1.14](#)

<sup>4</sup> [H1.87-88](#)

**113.77** A further 11 of those arrested in the area of the gable end reported being struck with batons or rifles, or being pushed or kicked, but they did not complain of being seriously hurt, nor did they report witnessing the infliction of serious injury on anyone else.<sup>1</sup>

<sup>1</sup> These witnesses were: Anthony Coll ([AC84.1](#); [AC84.19](#); [AC84.7](#)), John Devine ([AD41.6](#); [AD41.17](#); [AD41.3](#)), James Kelly ([AK12.6](#)), Eamon McAteer ([AM41.33](#); [AM41.5-6](#)), Fergus McAteer ([AM42.2](#); [AM42.4](#)), Patrick McGinley ([AM241.18-19](#); [AM241.5](#)), Patrick Joseph Norris ([AN24.21](#)), Hugh O’Boyle ([AO1.16](#); [AO1.24](#); [AO1.7](#)), Winifred O’Brien ([AO4.5](#); [AO4.3](#)), George Roberts ([AR13.10](#); [AR13.2](#)), Robert Wallace ([AW3.15](#); [AW3.03](#); [Day 154/160-164](#)).

**113.78** By way of example, in his Keville interview, John Devine said:<sup>1</sup>

“[The soldiers] kicked us and they batoned us and stuck their guns into our ribs for about a hundred and fifty yards and they put us against wire which was surrounding ... the ... Post Office in Sackville Street facing there somewhere and they started to baton us against – again there against the wire and search our pockets.”

<sup>1</sup> [AD41.17](#)

**113.79** In his written statement to this Inquiry, Eamon McAteer told us, “*The paras were rifle butting us in our backs and telling us to stand still and not to move*”.<sup>1</sup> In a statement made in 1972 Eamon McAteer’s brother, Fergus McAteer, recorded:<sup>2</sup>

“[The soldiers] rushed us to Kells Walk next to Glenfada Park. There we were made to put our hands on a wall. They started to hit some people in the group.

Then they took us quickly to William Street and then to Little James Street. On my way there one of the soldiers struck me in the back with his rifle.”

<sup>1</sup> [AM41.5](#)

<sup>2</sup> [AM42.2](#)

**113.80** Patrick McGinley told this Inquiry that “*All the time the soldiers were bullying, kicking and slapping us, and punching us as we went*”.<sup>1</sup>

<sup>1</sup> [AM241.5](#)

**113.81** Four of those arrested did not allege that there had been any physical abuse by the soldiers between the time of arrest and the time at which those arrested were placed on lorries to be taken to Fort George.<sup>1</sup>

<sup>1</sup> These witnesses were: Eugene Bradley ([AB113.1](#)), George Irwin ([AI4.1](#)), PIRA 1 ([AM508.1](#)), Myles O'Hagan ([AO43.1](#)). Myles O'Hagan said simply that the soldiers “*manhandled*” those arrested ([AO43.4](#)).

**113.82** Two of those arrested, Barry Liddy and Denis Patrick McLaughlin, did complain that they were the victims of very serious assaults.

**113.83** In his Keville interview,<sup>1</sup> Barry Liddy said:

“... the British Army come round the corner, they were no more like human beings than the animals that come from the jungle. And trying to protect Father Bradley we were struck across the chest with a riot gun. Father Bradley was also struck. When we appealed to the Lieutenant in the Paratroop Regiment, we were again beaten and told to speak only when spoken to. We were put against the wall with our hands on the wall and we were severely kicked about the legs and in the private parts of our body; when anyone fell, they were kicked again. We were then ordered into single file and we run down towards the wire netting that surrounds the GPO in Little James Street [the GPO perimeter fence]. Whilst on my way down, a British Soldier again swung his – the butt of his rifle and hit me in the mid section. When I fell, they hit me with rubber hoses on the back and dragged me by the head of my hair [sic] to my feet again. Again we were put up facing the wire netting fencing surrounding the GPO in Little James Street. Again we were physically abused.”

<sup>1</sup> [AL13.15](#)

**113.84** In another statement made in 1972, Barry Liddy recorded:<sup>1</sup>

“We were then made to run, hands on heads, towards Little James St and it was during this period that I was beaten to the ground and kicked to my feet again.”

<sup>1</sup> [AL13.9](#)

**113.85** Barry Liddy’s medical records<sup>1</sup> show that on admission to hospital on 31st January 1972 at 3.00am he said that he had been beaten up and had been knocked out. The manuscript notes are difficult to read but he was complaining, among other things, of chest pain, pain in the lumbar region and of some injury or pain in his leg. At a later stage, the notes record that he was still complaining of chest pain, pain in his right knee and occasional double vision.<sup>2</sup>

<sup>1</sup> [AL13.11](#)

<sup>2</sup> [AL13.12](#)

**113.86** In his interview with Paul Mahon on 7th April 1998, Barry Liddy said that a sergeant came around the corner to the gable end. He continued:<sup>1</sup>

“The sergeant. Right. He said, ‘Now, move it out’ and he started ... and he went over to Father Bradley, and I said, ‘Hold on a minute, that’s a Priest of God.’ And he turned the gun around and knocked my teeth out ... he turned it around, just lifted it, and said, ‘There’s no fucking priests here.’ ... With the butt of the gun ... Knocked my front bottom teeth out ... Knocked six of them out.”

<sup>1</sup> [X4.49.55](#)

**113.87** There is nothing in Barry Liddy’s 1972 medical records to indicate that any dental injuries were noted following his admission to hospital on 31st January 1972. In our view there was no such incident.

**113.88** Barry Liddy died in 1998 and did not give evidence to this Inquiry.

**113.89** His other accounts of being assaulted are supported to some extent by his brother, Seamus Liddy, who, in a Keville interview, said:<sup>1</sup>

“We were then thrown up against some wires [at the GPO perimeter fence] and it was then I observed my brother; two paratroopers were savagely beating him and he protested most strongly and they used most obscene and vulgar language at him ... We were assaulted – we thought we were going to be searched and questioned but that was not the case. Each one of us was then seized singly by a Paratrooper and run from the Post Office to a waiting van where we were – as we were being put in we were bludgeoned and beaten with rifle butts.”

<sup>1</sup> [AL12.2](#)

**113.90** Seamus Liddy is also dead, and did not give evidence to this Inquiry.

**113.91** However, in his own accounts Barry Liddy did not allege that it was at the wire fence that he was severely beaten. In his Keville interview, he summarised his treatment at the fence with the words “*Again we were physically abused*”.<sup>1</sup> His accounts indicate that he was saying that he was subjected to brutal treatment before he reached the GPO perimeter fence.

<sup>1</sup> [AL13.15](#)

**113.92** We have listened to the recording of Barry Liddy’s interview with Kathleen Keville.<sup>1</sup> It is clear from that recording that he was deeply distressed at the time that he gave the interview. We accept that he was assaulted by soldiers between the time of his arrest and the time at which he was taken to Fort George but take the view that, in his distress, he exaggerated the extent of the abuse that he had received during this period. We further find that his recollection over the years became increasingly unreliable on the question of his treatment at the hands of the soldiers. We cannot accept that his teeth were knocked out (either while he was at the gable end or at any time during 30th January 1972), as he later alleged to Paul Mahon. We have no doubt that such injuries would have been recorded on his admission to Altnagelvin Hospital on 31st January 1972, had they been present.

<sup>1</sup> [Aud 32 45.34](#)

**113.93** In his NICRA statement,<sup>1</sup> Denis Patrick McLaughlin recorded that:

“The soldiers were hitting a few of my companions as they stood against the wall. They were using butts of rifles, their fists and a few were using batons. They were saying things like, ‘You boys are [for] the rope. You boys will never learn, but we’ll teach you’.”

<sup>1</sup> [AM326.22](#)



**113.94** He alleged in this statement that, while he was standing against the wall at Columbcille Court, a soldier placed a baton gun between his (Denis Patrick McLaughlin's) legs, seeking to shoot him in the testicles. Denis Patrick McLaughlin moved slightly, the soldier fired and the rubber bullet grazed the inside of Denis Patrick McLaughlin's thigh. He gave a similar account in his written statement to this Inquiry<sup>1</sup> but, in his oral evidence, said that the incident in which a rubber bullet was fired between his legs might have occurred somewhere other than Columbcille Court.<sup>2</sup>

<sup>1</sup> [AM326.7-8](#)

<sup>2</sup> [Day 159/91-92](#)

**113.95** Two other witnesses give some support to this allegation. In his NICRA statement, James McNulty recorded:<sup>1</sup>

"They marched us single file with our hands on our heads through an opening. As we reached the opening they shot a fellow with a rubber bullet in the leg from about 2 yards. They put us up against a coal house and hit us with batons."

<sup>1</sup> [AM377.8](#)

**113.96** When he was interviewed by Paul Mahon on 22nd July 1998, James McNulty said that he could no longer recall a man being shot in the leg with a rubber bullet.<sup>1</sup> In his oral evidence to this Inquiry, he appeared to remember the incident and said that he thought that the man shot with a rubber bullet might have been putting up a struggle.<sup>2</sup>

<sup>1</sup> [X4.27.42-43](#)

<sup>2</sup> [Day 152/25-26](#)

**113.97** In his 1972 accounts,<sup>1</sup> Christopher James Doherty made no allegations of abuse on the part of the soldiers that occurred at any time before those arrested reached Fort George. However, in his written statement to this Inquiry,<sup>2</sup> he told us that a soldier fired a rubber bullet towards an arrested person as the group of those arrested made their way from Glenfada Park North towards Little James Street. He stated that he did not know whether the bullet had hit its target. In his oral evidence to this Inquiry,<sup>3</sup> he said that there was no violence on the part of the soldiers at the wall at which those under arrest "*were first stopped*" and no violence at the GPO perimeter fence. However, he said that he had a fairly clear recollection of a rubber bullet having being fired at one of those who had been arrested.

<sup>1</sup> [AD58.1](#); [AD58.8](#)

<sup>2</sup> [AD58.13](#)

<sup>3</sup> [Day 182/150](#)

**113.98** The representatives of Lance Corporal 229 (who is recorded as the soldier who arrested Denis Patrick McLaughlin) submitted to us that Denis Patrick McLaughlin had “*grossly exaggerated his account*” of a rubber bullet having been fired between his legs. The representatives alleged, in support of their submission, that no other arrested person lined up in Columbcille Court described having seen or heard such a shot being fired. They also submitted that Denis Patrick McLaughlin’s willingness, in his oral evidence to this Inquiry, to resile from his 1972 account about the location of the incident must cast doubt upon its credibility.<sup>1</sup>

<sup>1</sup> [FS8.1509-1512](#)

**113.99** It is true that no other witness speaks of a rubber bullet having been fired while those arrested were against the wall in Columbcille Court. However, the evidence of James McNulty and Christopher James Doherty does indicate that a rubber bullet was fired at an arrested person at some time before the group of those arrested reached the GPO perimeter fence. We take the view that it is not surprising for a witness, being asked to recall events so long ago, to become mistaken or confused about the precise location at which an incident such as the firing of a rubber bullet occurred. We are of the view that a rubber bullet probably was fired somewhere near Denis Patrick McLaughlin and may well have grazed him. However, we do not consider it likely that the bullet was aimed at his testicles, or fired at the close range that he recalls. We believe that, during the frightening time of his arrest, he may well have thought that he was being more closely targeted than he was.

**113.100** The representatives of Lance Corporal 229 further submitted that there was in any event no evidence to suggest that it was this soldier who was responsible for firing a rubber bullet gun in this way.<sup>1</sup> We accept this submission. We have no evidence available to us from which we could identify the soldier who fired this rubber bullet.

<sup>1</sup> [FS8.1512](#)

**113.101** We have concluded that the soldiers who carried out the arrests in the area of the gable end, and the soldiers who accompanied those arrested up to the GPO perimeter fence, did push and kick some of those arrested. We have no doubt that certain soldiers struck individuals with batons and rifle butts, in order to intimidate those arrested and to ensure compliance with the soldiers’ orders. However, we find that these assaults, while they cannot be condoned, were not generally of a serious nature. None caused severe or lasting injury. The most serious incident that seems to have occurred was the firing of the rubber bullet that may have struck Denis Patrick McLaughlin, though this firing did not result in significant harm.

# Chapter 114: Patrick O'Donnell and the incident at City Cabs

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**114.1** We now turn to consider what happened to Patrick O'Donnell after his arrest. We have already examined the circumstances in which he came to be wounded in the right shoulder while sheltering behind a fence on the eastern side of Glenfada Park North.<sup>1</sup> According to accounts Patrick O'Donnell gave in 1972, after he had been hit, he “*rolled*” around the corner of the southern end of the eastern block of Glenfada Park North (often referred to as the gable end). Patrick O'Donnell then sat down against the gable end. He saw about 15 other people crouched down against that wall, including Fr Denis Bradley. They were then arrested.<sup>2</sup>

<sup>1</sup> Paragraphs 104.494–520

<sup>2</sup> AO35.7-8; AO35.18; WT6.43

**114.2** Of the accounts Patrick O'Donnell gave in 1972, the earlier was his statement to the Northern Ireland Civil Rights Association (NICRA), dated 7th February 1972. That account included an allegation that after he, and others sheltering in Glenfada Park North, had been detained, a soldier hit Patrick O'Donnell on the head with a baton causing a wound which required stitches. The statement recorded:<sup>1</sup>

“The soldiers arrived immediately and with guns pointed at us ordered us up and marched us down Glenfada Park. They ordered hands up and I couldn’t put my right hand up as my right shoulder was shot and they butted with their rifles in the back and wrist and eventually I got my arm up. We marched down towards Rossville St. and I being at the front of the line and unable to look round (the soldiers kept telling us not to look round) turned up William St. as far as City Taxis. There were two taxi drivers and at least three women there and they took me in to sit down. A few moments later a soldier burst in the door and I jumped up and ran to the other side of the room. He grabbed me and pushed me out on to William St. and just one step outside the door a soldier battoned me on the head (7 or 8 stitches in this wound). I then saw Fr. Bradley who was pleading with the soldier to leave me alone. Somebody in charge came along and said ‘Leave that man alone, he is shot, he’s alright’. The two taxi drivers put me in a car and took me to Creggan to the first aid centre. A woman took me from the centre to her house in Swilly Gardens. She rang Dr. Fallon who came and took me to Altnagelvin.”

<sup>1</sup> AO35.8

**114.3** Patrick O'Donnell's later accounts have not varied in substance. He was treated at Altnagelvin Hospital, and discharged on 9th February 1972.<sup>1</sup> The records of his medical treatment confirm that he suffered a *“1½ inch wound of the scalp”*.<sup>2</sup> A short report<sup>3</sup> dated 11th February 1972 from Mr HM Bennett, a consultant surgeon at Altnagelvin Hospital, to the Royal Ulster Constabulary (RUC) records that Patrick O'Donnell's head injury was *“a small scalp wound just at the junction of forehead and hair-line on the left side of the forehead”*. Mr Bennett considered the possibility that this injury may have been caused by a fall or blow from a baton. While he concluded that the injury *“looked much more like an injury from a fall”* he said that the possibility that it was caused by a baton blow could not be *“completely excluded on medical grounds alone”*. Dr Richard Shepherd and Mr Kevin O'Callaghan noted in their report to this Inquiry on the injuries sustained by those injured on Bloody Sunday,<sup>4</sup> that without a more detailed wound description, it was not possible to determine how Mr Bennett reached the conclusion he expressed in his short report on Patrick O'Donnell's scalp wound.

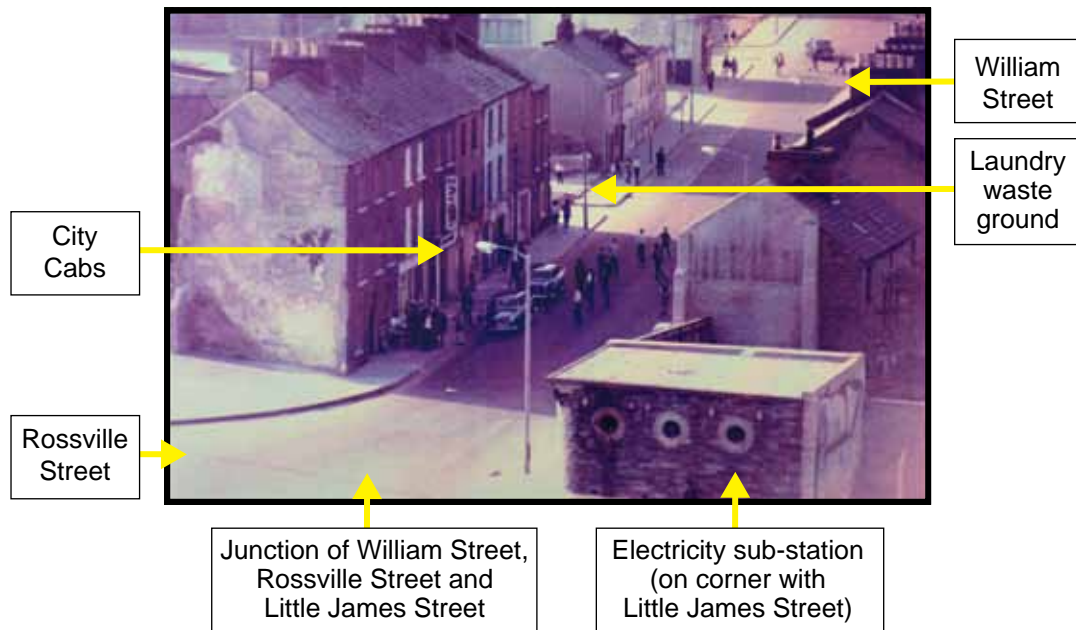
<sup>1</sup> D0902.1

<sup>3</sup> D0902

<sup>2</sup> D0890; D0898

<sup>4</sup> E10.010

**114.4** City Cabs (which Patrick O'Donnell called City Taxis) was also known as Bradley's Taxis. It was on the south side of William Street, one building to the west of the junction of this street and Rossville Street, shown in the following photograph.



**114.5** The following photograph, taken on Bloody Sunday by Constable Robert S Simpson, shows people standing outside the City Cabs office.



114.6 Pictured in the photograph above are, from left to right, William John Dillon, an unidentified soldier, Corporal INQ 25, Joseph Cauley, Mary McCourt, Alex Bradley, Joseph Leitch and another unidentified soldier. William John Dillon, who as we have described earlier,<sup>1</sup> had been arrested in the Eden Place waste ground, was one of a group of arrestees standing against the wall to the east of City Cabs.

<sup>1</sup> [Chapter 33](#)

114.7 In his 1972 accounts,<sup>1</sup> Fr Bradley described being held with other arrestees against a wall in the courtyard of Kells Walk. This was an error and Fr Bradley must have been describing the wall on the western side of the eastern block of Columbcille Court, where as we have explained in the previous chapter,<sup>2</sup> those arrested in Sector 4 were held for some time. Fr Bradley said that one of the arrestees standing at the wall told him that he had been shot in the shoulder and “*showed me the blood*”. He later learned that this person was Patrick O'Donnell. Fr Bradley made an unsuccessful attempt to tell the soldiers guarding the arrestees of Patrick O'Donnell's injury.<sup>3</sup> The arrestees were then made to walk towards William Street. In his Widgery statement, Fr Bradley said:<sup>4</sup>

“As I arrived in William Street I saw the man who had been shot in the shoulder leaning with his hands against the wall. He half turned from the wall in a daze and was batoned on the head by a soldier. I went to his aid and showed an officer who was in charge in William Street at this time that this man had been shot and badly needed medical attention. I was allowed to put him into a car along with some people, who took him away for medical attention. The rest of the people were marched from William Street into Sackville Street and I was left alone with the soldiers in William Street.”

<sup>1</sup> [H1.43](#); [H1.36](#)

<sup>3</sup> [WT4.39](#)

<sup>2</sup> [Paragraph 113.3](#)

<sup>4</sup> [H1.43](#)

114.8 Two arrestees at the wall next to the City Cabs office, Charles Canning and James Charles Doherty, describe seeing a somewhat similar incident. Both were facing the wall and for that reason their view would have been limited. James Charles Doherty stated that he was “*afraid to turn my head*”. Charles Canning stated that a soldier dragged a man from the next building, while James Charles Doherty thought that a soldier dragged a man into the building. Both Charles Canning and James Charles Doherty describe the person who was involved as a man and both said that a priest intervened.<sup>1</sup>

<sup>1</sup> [AD69.4](#); [AC25.3](#)

**114.9** Corporal INQ 25, who is shown in the above photograph, and who was a member of Composite Platoon, also described in his evidence to us someone who in our view was clearly Patrick O'Donnell. He told us that he vaguely remembered this person being brought out of the taxi office by another member of Composite Platoon, who hit him with his baton, splitting his head open, though he told us he recalled that the blow was “*not too hard*” and that since the person was struggling to escape, in his view his colleague had used the minimum of force given the situation. Corporal INQ 25 said that it was after seeing this that a priest intervened. He also told us that he was unable to identify the soldier who had hit Patrick O'Donnell.<sup>1</sup>

<sup>1</sup> C25.3; Day 300/88-91

**114.10** Although Fr Bradley's recollection of this incident differed somewhat from that of Patrick O'Donnell, we are sure that the latter was hit on the head by a soldier, sufficiently hard to require stitches; and that this happened when he was close to the City Cabs office. In view of the fact that there were about six soldiers in the vicinity and all the other arrestees were under control,<sup>1</sup> we can see no justification for what this soldier did. We have been unable to identify him.

<sup>1</sup> Day 300/91

**114.11** It is convenient at this point to consider a submission made on behalf of some of the soldiers that “*in all probability, a second, much younger man was also taken from Bradley's taxis with a gunshot wounds [sic]*”.<sup>1</sup>

<sup>1</sup> FS8.135; FS8.1386-1393

**114.12** The basis of this submission is the evidence of Alex Bradley, Frankie Boyle and Mary McCourt. None of these witnesses gave any account in 1972.

## Alex Bradley

**114.13** Alex Bradley told us, in his written statement to this Inquiry,<sup>1</sup> that in 1972 he ran the taxi business and an undertaker's from the City Cabs office.<sup>2</sup>

<sup>1</sup> AB55.1

<sup>2</sup> According to Seamus Carlin it was John Bradley who ran the office (Day 163/155).

**114.14** In this statement Alex Bradley described seeing arrestees at a wall near Kells Walk when he was with a friend, Denis McLaughlin, and they decided to go back to the office. Shortly afterwards a young lad ran in through the office doors of City Cabs and into the rear office. This young lad was described by Alex Bradley as “*about 18 years old and had a longish,*



*fashionable haircut. He was wearing a casual, light blue bomber jacket.*"<sup>1</sup> He could see that this young lad had been injured in the shoulder. A woman who was in the front office with Alex Bradley said that she thought he had been shot. The young lad was followed by two soldiers, who ran into the front door followed by a third. Frankie Boyle, who was in the office, thrust a broom at a soldier, who then hit Frankie Boyle on the top of the head, causing blood to start to run down Frankie Boyle's forehead.

<sup>1</sup> [AB55.3](#)

**114.15** According to Alex Bradley, the soldiers left the office, though they did not arrest the young lad who had run in; Alex Bradley then drove the young lad in a Vauxhall Victor with about 14 other people in the car.

**114.16** In his oral evidence to this Inquiry,<sup>1</sup> Alex Bradley conceded that this was an exaggeration, but told us that about nine people got into the car, all frightened and trying to get away from Rossville Street. The young lad, who was in the rear of the car, did not realise he had been injured. Alex Bradley said that he recalled that the young lad was worried about his shoes, which his mother had just bought, but one of which he had lost; and that this young boy was dropped off at the corner of Central Drive/Fanad Drive.<sup>2</sup>

<sup>1</sup> [Day 98/158](#)

<sup>2</sup> [Day 98/159](#)

**114.17** In his oral evidence, Alex Bradley could not say for certain that this person with the injured shoulder was the only person with an injured shoulder who entered the taxi office that day.<sup>1</sup> He said that he did recall that other injured persons had entered the cab office with less serious injuries, some of whom were bleeding from the head.<sup>2</sup> He told us that the man with the shoulder injury was the only person with such an injury whom he drove in his vehicle to the Creggan.<sup>3</sup>

<sup>1</sup> [Day 98/155](#)

<sup>3</sup> [Day 98/165](#)

<sup>2</sup> [Day 98/169](#)

**114.18** According to this account the man with a shoulder injury seen by Alex Bradley was about 18 years old; ran into the back office; and went out again without being arrested. Patrick O'Donnell was 41 at the time; he described walking, not running, into the office; said he had not gone into the back office; and described being pushed out of the office by a soldier. It seems unlikely that in the circumstances Patrick O'Donnell would be worried about losing a shoe that his mother had just bought him.

- 114.19** For these reasons it is submitted that Alex Bradley saw someone other than Patrick O'Donnell with a shoulder wound. Presumably, because Alex Bradley said nothing about the cause of the youth's injury, reliance is placed on his account that a woman in the office said she thought the youth had been shot.
- 114.20** We do not accept this submission.
- 114.21** Alex Bradley acknowledged in his oral evidence that he could have been confused about the person's age.<sup>1</sup> There is also no doubt that he was wrong about a soldier hitting Frankie Boyle. When Frankie Boyle was asked about Alex Bradley's account in his oral evidence to this Inquiry, there was the following exchange:<sup>2</sup>

"Q. Can we then move on to the third line, he says:

'Frankie Boyle went at the third soldier with a brush shaft.'

Leaving aside whether it was the third soldier or the first soldier; that is your evidence, is it not?

A. That is right, sir.

Q. 'He had the brush head under his armpit and thrust the shaft at the soldier. I think he was trying to distract his attention.'

Then Mr Bradley said this:

'The third soldier then struck Frankie Boyle on the top of the head with his baton.'

A. He tried to but he missed me.

Q. Mr Bradley goes on:

'Everything seemed quiet for a moment and then blood started to run down Frankie Boyle's forehead.'

Did that happen?

A. No, it did not, it did not happen."

<sup>1</sup> Day 98/167

<sup>2</sup> Day 122/80-81

- 114.22** As noted above, Alex Bradley told us that "*blood started to run down Frankie Boyle's forehead*". In his statement to the RUC taken on 4th February 1972,<sup>1</sup> Patrick O'Donnell had recorded that after he was hit, "*blood streamed down my face*". In view of Frankie Boyle's denial that he had been hit on the head and the close correspondence between

Alex Bradley's description of the bleeding injury and that sustained by Patrick O'Donnell, we are of the view that he has confused events and muddled seeing Patrick O'Donnell with a head injury and what may well have been an altercation between Frankie Boyle and a soldier. Our view is reinforced by the fact that taking Alex Bradley's account at face value, and accepting, as we do, the accuracy of the accounts given by Patrick O'Donnell, would mean that there were two incursions into City Cabs by a soldier or soldiers and two instances of a man with a shoulder wound going into the office.

<sup>1</sup> [ED61.5](#)

- 114.23** We consider that time has distorted Alex Bradley's memory. In our view his account provides no support for the submission that someone apart from Patrick O'Donnell went into the City Cabs office with a gunshot injury.

## Frankie Boyle

- 114.24** Frankie Boyle's account to us was to the effect that he saw a boy in his late twenties, who had been shot, dragged into the taxi office, and that he threw this boy into the back office, where coffins were stored. Soon after a soldier came into the office and pointed a rifle at him. He then threatened the soldier with a sweeping brush. The soldier was called outside by another soldier, after which he took the boy from the back office up to the Creggan. He said that he later discovered that this boy was Patrick O'Donnell, when the latter came to thank him for saving his life.<sup>1</sup>

<sup>1</sup> [AB48.3](#); [Day 122/71](#)

- 114.25** Patrick O'Donnell did not go into the back office and told us that he did not know Frankie Boyle.<sup>1</sup> It was suggested that Frankie Boyle's account of Patrick O'Donnell thanking him was not convincing; presumably intending to suggest that this might have been said to conceal the fact that the person was someone else.

<sup>1</sup> [Day 157/16](#)

- 114.26** Again we are not persuaded that this evidence establishes or even suggests the possibility that someone in addition to Patrick O'Donnell came into the office with a shotgun wound. As with Alex Bradley, this would entail two incursions by soldiers into City Cabs, one of which we are sure happened from Patrick O'Donnell's accounts, but which Frankie Boyle somehow failed to notice or remember. As with Alex Bradley, we consider that time has distorted Frankie Boyle's memory.

## Mary McCourt

**114.27** Mary McCourt gave us an account of a scuffle while she was in the City Cabs office, when a soldier came in, possibly followed by another. She told us she recalled leaving the office and getting into a car full of people sitting on top of one another. There was a “*young fella*” who was also in the back of the car. Someone said that he had been shot in the shoulder. She recalled blood running down his forehead and had a vague memory that someone had brought him out of the taxi office. The man kept repeating “*Me Ma will kill me because I’ve lost my shoes*”. The wounded man was dropped off at a first aid post in the Creggan.<sup>1</sup>

<sup>1</sup> [AM501.4](#); [Day 409/8](#)

**114.28** Mary McCourt had described the man as young and in his twenties. Asked in her oral evidence to this Inquiry if he could have been 40, her reply was “*Well, I remember he was no teenager anyway*”.<sup>1</sup>

<sup>1</sup> [Day 409/12](#)

**114.29** In our view Mary McCourt saw Patrick O'Donnell. To our minds it is too much of a coincidence that two people, one Patrick O'Donnell, both with bleeding head wounds and shotgun injuries to the shoulder, should be taken from City Cabs to a first aid post at the Creggan. The fact that she may have recalled the man as being young and remembered a remark, as Alex Bradley did, about losing a shoe or shoes, does not to our minds change this view. It was clearly a chaotic situation: it would be only too easy afterwards to recall mistaken impressions and to misascribe remarks made by one person to another.